

April 16, 2015

MEMORANDUM

TO: University Senate Members

FROM: Donald Webster
Chair of the University Senate

SUBJECT: University Senate Meeting on Thursday, April 23, 2015

The next meeting of the University Senate will be held on Thursday, April 23, 2015. The meeting will run from **3:15 p.m. – 5:00 p.m.**, in the **Atrium of the Stamp Student Union**. If you are unable to attend, please contact the Senate Office¹ by calling 301-405-5805 or sending an email to 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://www.senate.umd.edu/meetings/materials/> and click on the date of the meeting.

Meeting Agenda

1. Call to Order
2. Approval of the April 8, 2015 Senate Minutes (Action)
3. Report of the Chair
4. Campus Safety Report 2015 (Senate Doc. No. 14-15-34) (Information)
5. PCC Proposal to Establish an Area of Concentration in Health Equity for the Master of Public Health (Senate Doc. No. 14-15-32) (Action)
6. PCC Proposal to Establish an Area of Concentration in Health Policy Analysis and Evaluation for the Master of Public Health (Senate Doc. No. 14-15-33) (Action)
7. Addition of User Experience Working Group to the IT Council (Senate Doc. No. 14-15-10) (Action)

¹ Any request for excused absence made after 1:00 p.m. on the day of the meeting will not be recorded as an excused absence.

8. Review of the Interim University of Maryland Sexual Misconduct Policy (Senate Doc. No. 14-15-11) (Action)
9. UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty (Senate Doc. No. 14-15-09) (Action)
10. Consideration of a New Post-Doctoral Title (Senate Doc. No. 14-15-28) (Action)
11. New Business
12. Adjournment

University Senate

April 8, 2015

Members Present

Members present at the meeting: 84

Call to Order

Senate Chair Webster called the meeting to order at 3:20 p.m.

Approval of the Minutes

Chair Webster asked for additions or corrections to the minutes of the February 11, 2015 meeting. Hearing none, he declared the minutes approved as distributed.

Report of the Chair

Committee Volunteer Period

Webster explained that the volunteer period for Senate standing committees had recently opened. He encouraged senators to reach out to the campus community about participating in shared governance and encourage volunteers to serve on a committee by going to the website: www.senate.umd.edu. He especially encouraged faculty to volunteer and engage their colleagues as well. The deadline to volunteer is April 30, 2015.

Remaining Senate Meetings

Webster reminded Senators that the April 23, 2015 Senate Meeting would be the last business meeting of the semester for outgoing Senators. The May 6, 2015 transition meeting will be for continuing and incoming senators. Willie Brown will take over as Senate Chair, and the Senate will vote for its next chair-elect and elect committees/councils at the meeting. The names of candidates running for the various committees and their candidacy statements will be distributed to incoming and continuing senators on April 16, 2015.

Committee Reports

PCC Proposal to Establish a Bachelor of Science in Information Science (Senate Doc. No. 14-15-25) (Action)

Gregory Miller, Chair of the Programs, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Establish a Bachelor of Science in Information Science and provided background information.

Webster opened the floor to discussion of the proposal.

Senator Sussman, faculty, College of Computer, Mathematical & Natural Sciences, raised concerns about the proposal because of its overlap with existing computer science courses.

Susan Winter, Chair of Undergraduate Committee, College of Information Studies, responded that there is one programming course as a prerequisite to provide the foundation. There is also an object-oriented programming course that would be delivered by the College. A principal motivation for a separate course was not to overburden computer science with non-majors by having too many pre-requisites.

Senator Sussman also inquired about the specialization in data science. He noted that the Computer Science Department had recently approved a data science proposal in its program as well and questioned whether there would be a conflict between the two in the future.

Dean Preece, College of Information Studies, explained that data science is very topical and common over multiple disciplines including information studies, computer science, and business. She stated that there are variations in how each discipline may choose to teach the specialization. Information studies focuses on application oriented approaches not the technical or business oriented aspects. This topic is one that can be taught from a number of perspectives.

Senator Kedem, faculty, College of Computer, Mathematical and Natural Sciences, inquired about what kind of statistics, data analysis or data size would be involved in the new program. Will established courses in mathematics be used or will new courses be required to be developed?

Susan Winter, Chair of Undergraduate Committee, College of Information Studies, responded that the proposal addresses the issue in two ways. The other prerequisite for the program is a STAT100 Introduction to Statistics. Information studies majors would also take statistics for information scientists. Students will look at the nature of data where it comes from, as well as how to understand the classification system and information retrieval to understand what the data set looks like. This will help students comprehend what a data analytics project will look like so it can be connected to decisions that will help the decision makers. The introductory class will build on simple statistics while advanced courses will go into visualization to be able to do mash-ups to see geographic and visualization patterns for such things as the distribution of migratory birds on a map over time or the spread of disease such as Ebola. There will also be data mining for simple cluster analysis and machine learning applications. The assumption is that undergraduates will not be statisticians but will have access to people who have a statistical background to help guide them through more complex problems.

Senator Blair, part-time graduate student representative, inquired about the overlap between the current masters programs and the proposed undergraduate program.

Dean Preece, College of Information Studies, stated that master's degrees within the college are in library science, information management, and human computer interaction. The undergraduate program would be a feeder program into all three of these graduate-level programs. The fundamentals provided in the undergraduate program will provide a steady foundation for the masters programs but especially into the masters of information management program.

Senator Blair further inquired as to what extent the new program will be more specialized than other bachelor's programs in the University.

Dean Preece, College of Information Studies, responded that the course would be run at an undergraduate level. She stated that the college looked at other comparable programs in the country and did comparative analysis on them.

Senator Kaplan, faculty, College of Behavioral and Social Sciences, stated that the proposal sounds reasonable and recognized the high demand. However, he inquired about the whether there would be an aggregate increase in revenue or a redistribution across departments.

Elizabeth Beise, PCC Committee Member, responded that the reason for starting at Shady Grove is to provide a new revenue stream. This will also give us an opportunity to seek additional funds through an omnibus request to the State for programs at Shady Grove because of the new building under construction there. If the program was offered on campus, it would likely cause a shift from other majors like computer science, which is vastly over enrolled. The long-term implications are difficult to understand at this time.

Senator Boyle, faculty, College of Computer, Mathematical, and Natural Sciences, raised concerns that the new program does not seem to indicate an increase in revenue. He stated that there appears to be breadth but no depth in the program. He also raised concerns that the level of mathematics courses in the program would not actually lead to an understanding of advanced mathematics as the proposal suggests.

Elizabeth Beise, PCC Committee Member, responded that, for this particular program, we will need to identify new resources, and we will have an opportunity to do that because of it being started in Shady Grove.

Dean Preece, College of Information Studies, said that they are an applied college so they are not competing with computer science, statistics, or math. They are not teaching the fundamentals of computer science but rather looking at

how different techniques can be applied when computing and other technologies are used in the world of information.

Senator Ledlum, graduate student, College of Information Studies, stated that if this major existed at the undergraduate level, he might have taken it since faculty are very knowledgeable in the subject area. The program would be a great addition to the college and provide students with different opportunities from those currently offered. STEM related programs are very beneficial and will bring in a new group of students in addition to those who move from other programs.

Senator Khattak, undergraduate student, Robert H. Smith School of Business, stated that, at Shady Grove students transfer in as juniors so the prerequisites are already taken care of. He further noted that the proposed program was great and that he supported it.

Hearing no further discussion, Webster called for a vote on the proposal. The result was 48 in favor, 18 opposed, and 8 abstentions. **The motion to approve the proposal passed.**

**PCC Proposal to Rename the Bachelor of Science in Operations
Management to Operations Management and Business Analytics (Senate
Doc. No. 14-15-30) (Action)**

Gregory Miller, Chair of the Programs, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Rename the Bachelor of Science in Operations Management to Operations Management and Business Analytics and provided background information.

Webster opened the floor to discussion of the proposal.

Senator Khattak, undergraduate student, Robert H. Smith School of Business, inquired whether the curriculum would change, as well as the name.

Frank Alt, Chair of the Undergraduate Program, Robert H. Smith School of Business, said that a curriculum change would be submitted as a separate proposal and gave a brief overview of the revisions to the curriculum.

Senator Khattak also inquired whether the School would create a specialization instead of changing the name and curriculum of the major.

Alt responded that a specialization would not accurately reflect the nature of the group and they would like to keep the fundamentals of operations management within the program.

Dean Preece, College of Information Studies, stated that her college originally raised concerns about this program but is now fully supportive of different disciplines taking different approaches to teaching similar topics.

Senator Kedem, faculty, College of Computer, Mathematical & Natural Sciences, stated that there are many new programs that overlap existing ones. He inquired who would teach the new courses and whether existing faculty would be used or new faculty and resources be required.

Alt responded that the programs overlap with existing courses in statistics. He provided information on the differences in how data analytics is taught in his school and stated that there is a need for graduates in this field.

Senator Ledlum, graduate student, College of Information Studies, said that these proposals provide an opportunity to work cross-functionally and that some of these problems can be resolved by working together. It does not take away from other programs but rather adds to them. He noted the importance of the name in the context of searching for positions.

Hearing no further discussion, Webster called for a vote on the proposal. The result was 74 in favor, 2 opposed, and 1 abstention. **The motion to approve the proposal passed.**

Revisions to the Senate Bylaws (Senate Doc. No. 14-15-20) (Action)

Charles Wellford, Chair of the Plan of Organization Review Committee, presented the Revisions to the Senate Bylaws and provided background information on the committee's work related to its review of the University of Maryland Plan of Organization for Shared Governance.

Senator McKinney, full-time instructor representative, stated that with the adoption of the new Plan of Organization, his position as a representative of a single-member constituency would be eliminated and transferred into the new definition of faculty. He inquired when the professional-track faculty would be put into place.

Wellford responded that once the Bylaws are approved, the Elections, Representation, and Governance Committee would implement the changes in time for the next election cycle.

Webster clarified that the new apportionments would apply to those elected to serve in 2016-2017.

Senator Blair, part-time graduate student representative, raised questions about the transition period when senators change status during mid-term and need to be replaced.

Wellford noted the competence of the senate staff and stated that he was confident that they would move quickly to identify a replacement and get them in place to provide representation.

Webster clarified that this is already the process that the senate staff use and, in his experience, works efficiently.

Hearing no further discussion, Webster called for a vote on the proposal, announcing that it required a 2/3rd affirmative vote for approval. The result was 70 in favor, 4 opposed, and 2 abstentions. **The motion to approve the proposal passed by the required 2/3rd majority.**

Review of Mid-Semester and Early Warning Grades Policies and Procedures (Senate Doc. No. 14-15-10) (Action)

Charles Delwiche, Chair of the Academic Procedures and Standards (APAS) Committee presented the committee report on the Review of Mid-Semester and Early Warning Grades Policies and Procedures and provided background information.

Webster opened the floor to discussion of the proposal.

Senator Cohen, faculty, College of Computer, Mathematical, and Natural Sciences, asked whether this would apply to all students in 100 and 200-level courses.

Delwiche noted that that is current practice.

Senator Harris, faculty, College of Computer, Mathematical, and Natural Sciences, stated that the proposal is good and that feedback is important but inquired whether the lack of widespread use of early warning grades was a cultural problem where current trends will continue regardless of an official policy?

Delwiche noted that it is more of a cultural problem, so we need buy-in from instructors. We need to educate instructors on the importance of keeping students informed and have deans and chairs communicate that importance as well.

Senator Moser Jones, faculty, School of Public Health, asked for clarification between mid-term grades and early warning grades. She noted that she currently submits early warning grades for athletes and transfer students.

Delwiche clarified that this is mostly the same thing, but for athletes there are additional reporting requirements.

Senator Moser Jones inquired whether it would be possible for people to give early warning grades outside of these specifications.

Delwiche noted that some institutions allow for more flexible grading notifications at any point in the semester. He noted the importance of providing feedback to students at any level.

Senator Moser Jones stated that she was in favor of proposal and agreed that mid-term grades are an opportunity for meaningful intervention. She noted that she would like committee to expand the options to deliver this feedback in the future.

Senator Hurtt, faculty, School of Architecture, Planning, and Preservation, inquired when it was not appropriate to use mid-term grades. He noted that the 8-week mark that is suggested could intrude on how a faculty member could set up course work.

Delwiche responded that architecture is a great example of a field where mid-term grades might not be appropriate. He also noted that the authority for the decision on whether a mid-term grad is appropriate lies with the unit head or, potentially, the program director. He stated that the committee was hesitant to ask faculty to do more which is why the course is limited to beginning level courses. They are merely asking to codify existing practice into official university policy.

Senator Khattak, undergraduate student, Robert H. Smith School of Business, inquired whether there is a cost associated with making changes to the faculty handbook.

Delwiche noted that there was no associated cost because the handbook is not in printed copy but provided online and provided with regular revisions.

Senator Khattak asked whether the change could result in an additional mid-term exam for courses that do not currently have one as a result of this new policy?

Delwiche responded that this was a possibility.

Senator Zhu, faculty, College of Computer, Mathematical, and Natural Sciences, inquired whether there was any data on whether this practice is effective. She stated that if there were no consequences, it would not be effective.

Delwiche noted that the committee met with a group of advisors who suggested that mid-term grades were very effective and important. Two different colleges had quantitative measurements of the utility of these grades and their effectiveness in helping students that are struggling.

Senator Zhu also questioned whether students could indicate that the early warning grade was not sufficient to keep them from failing a course.

Delwiche noted that students who were doing poorly in courses have complained that they were not notified of how poorly they were doing because faculty have failed to provide early warning grades.

Senator Ledlum, graduate student, College of Information Studies, stated that a possible solution would be to require all faculty to use ELMS because it gives students expanded capabilities for creating “what-if” scenarios for grades.

Delwiche stated that ELMS had several technological limitations that would make the suggestion unrealistic, including poor integration across multi-lecture sections courses; limitations in how grades are calculated; and that ELMS is not appropriate for all course structures.

Senator Soltan, faculty, College of Behavioral and Social Sciences, suggested that the system be altered so that faculty had flexibility in choosing when they would report midterm grades. This would increase buy-in and reduce course restructuring.

Delwiche respond that this suggestion goes along with a more flexible system but that the current program has some history related to the specific window selected. For IT reasons, it is very helpful to have a specific reporting date.

Webster called for a vote on the proposal. The result was 51 in favor, 14 opposed, and 7 abstentions. **The motion to approve the proposal passed.**

Special Order of the Day
David Mitchell
Chief of Police/Director of Public Safety, University of Maryland
Police Department
Active Shooter / Threat Preparedness

Webster introduced David Mitchell, Chief of Police and Director of Public Safety, to present information on active shooter and threat prevention at the University.

Mitchell thanked Webster for the opportunity to address the Senate.

Mitchell noted that, during the past ten years, theft was recorded as the largest problem on campus. He provided information that one out of every four active shootings occur at an educational institution and that the current training for first responders include methods to isolate, distract, and neutralize an active shooter threat. Mitchell reviewed the history of domestic shooting events in the United States and informed senators that the University Police Department trains with other local departments in order to foster consistency among departments. He reviewed the technology that is currently employed on campus to detect, report, and respond to an active shooter.

Chief Mitchell then reviewed the supplies that the University received from the federal 1033 program, which includes 50 rifles for 33 operators, 1 armored vehicle, 2 Humvees. The UMPD formerly had 16 shotguns, but these were returned to the program. He stated that all police departments operating at college campuses with over 15,000 students have rifles. The Chief showed photos of the Humvee and noted that the armored vehicle is lightly armored and use to aid in rescuing victims in the event of multiple casualties. Because of their high clearance, the vehicles are also useful during weather emergencies. Mitchell stressed the importance of preparing for these types of events by educating, training, and planning. He demonstrated several pieces of equipment including 'go bags' and body cameras while joined by Sgt. David Fields, MPO Michael Weller and Sgt. Roseanne Hoas.

Webster thanked Mitchell for his presentation and for all that he and his staff do to keep the campus community safe and asked the Senate to give them an ovation to thank them for their presentation and commitment to campus safety.

New Business

Webster stated that, due to the time limit of the meeting having been reached, if new business was to be presented, there would need to be a motion with a 2/3rd majority vote to extend the time limit.

There was no new business.

Adjournment

Senate Chair Webster adjourned the meeting at 5:19 p.m.



University Senate TRANSMITTAL FORM

Senate Document #:	14-15-34
Title:	Campus Safety Report 2015
Presenter:	Erin McClure, Chair, Campus Affairs Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report 4. For informational only
Statement of Issue:	In describing the standing committees of the University Senate, the Senate Bylaws designate the Campus Affairs Committee as a liaison between the campus community and the University Police on matters of safety and security. The committee is formally charged with gathering input from the community on safety and security issues on an annual basis. The 2014-2015 Campus Affairs Committee engaged in various efforts to gather information on safety concerns throughout the academic year.
Relevant Policy # & URL:	Not Applicable.
Recommendation:	The Campus Affairs Committee presents the 2015 Campus Safety Report to the Senate as an informational item.
Committee Work:	The Campus Affairs Committee addressed its charge by designing and disseminating a survey to identify the top safety and security concerns experienced by each constituency, and by meeting with Chief Mitchell and other representatives from University of Maryland Department of Public Safety. The committee reviewed all results and identified commonalities between faculty, staff, and students in concerns related to pedestrian and traffic safety, safety and security at night, theft and building security, cybersecurity, and safety in inclement weather.
Alternatives:	Not Applicable.
Risks:	Not Applicable.
Financial Implications:	Not Applicable.
Further Approvals Required:	Not Applicable.

Senate Campus Affairs Committee

Senate Document # 14-15-34

Campus Safety Report 2015

April 2015

BACKGROUND

In describing the standing committees of the University Senate, the Senate Bylaws (Article 6.2.e) designate the Campus Affairs Committee as a liaison between the campus community and the University Police on matters of safety and security. The committee is formally charged with gathering input from the community on safety and security issues on an annual basis. The 2014-2015 Campus Affairs Committee engaged in various efforts to gather information on safety concerns throughout the academic year.

COMMITTEE WORK

The Campus Affairs Committee began discussing how to address its annual charge in September of 2014, and worked on the charge throughout the academic year. The committee discussed previous efforts, in which the committee held annual campus safety forums and conducted a survey of Senators and committee members. After much discussion, the committee determined that it would fulfill its charge this year through meeting with Chief Mitchell and disseminating a survey to identify key safety concerns.

DISCUSSION WITH CHIEF MITCHELL

On October 15, 2014, the Campus Affairs Committee met with Chief David Mitchell, Sergeant Rosanne Hoas, and Major Kenneth Calvert from the University of Maryland Department of Public Safety (UMDPS) to discuss various issues related to campus safety.

Chief Mitchell explained that UMDPS takes an all-hazards approach to campus safety, and any threat the safety of the community is in the interest of the department. The analytical unit at UMDPS is staffed by two full-time trained analysts, who constantly search open source information for information on potential threats. UMDPS also reviews scenarios outside of the University to consider how UMDPS would address similar scenarios if they were to happen at UMD.

The Campus Affairs Committee reviewed the [Annual Safety and Security Report for 2013](#) produced by UMDPS, along with the [Annual Fire Safety Report](#) and the [Department of Environmental Safety's Annual Report](#). Chief Mitchell discussed a few of the Annual Safety and Security Report's findings with the committee. At UMD, crime has been trending downwards for about 12 years, and there are seldom violent crimes against persons. Chief Mitchell explained that sex offenses have been historically underreported at UMD, and changes in policies and procedures to encourage reporting will cause those numbers to increase over the next few years. He explained that most instances of sexual misconduct at UMD involve acquaintances, rather than strangers. Robberies at UMD are rare, although there are occasional instances of break-ins in student housing and in campus buildings. Typically, the crime at UMD is in the form of muggings, theft, and destruction of property. Chief Mitchell explained that the theft of electronics is high, and shared that UMDPS uses bait programs to help catch perpetrators and deter theft.

Chief Mitchell noted that another issue faced at UMD relates to the perception of safety on campus. While the numbers show that UMD is very safe, the perception created by local news around Baltimore and DC causes community members to feel unsafe. In all, UMD is a very safe campus, and UMDPS will continue to work to reduce fears for community members. Chief Mitchell participates each year in the annual safety walk hosted by the SGA and GSG, which identifies locations on campus that are perceived to be unsafe while walking at night. The walks highlight those areas, and UMDPS and administration representatives on the walks consider ways to improve lighting or landscaping to make pathways safer at night. The Campus Affairs Committee notes that these safety walks have been very helpful at addressing concerns raised by students.

UMDPS uses various forms of technology in the course of its work. The University has automated license plate readers, which scan all cars on campus and connect to databases that show any warnings related to the plates. Depending on the information returned by the databases, UMDPS can act to arrest drivers in cases of suspected theft or if a warrant is out for the owner of the car, and in many cases turns information over to other police organizations or the Department of Homeland Security when needed. UMD also has over 400 cameras that are monitored in real time. The cameras are on campus, but are also along the corridor between the University and the Green Line in College Park.

UMDPS also has a robust emergency communications system. Alerts are delivered as emails or as text messages depending on user preference. Chief Mitchell noted that texts are the best way to receive information; the FCC has ruled that all carriers must give priority to texts from police departments, and must deliver the message immediately. Currently, UMDPS sends about 60,000 texts at a time in its alerts system. UMDPS has recently developed the UMD SOS app¹, which has a menu of various types of emergencies and related instructions on how to react.

Chief Mitchell also discussed the changes on Route 1 to improve pedestrian safety at night. During the summer of 2014, UMDPS and President Loh met with the State Highway Administration (SHA) and began working with them on multiple initiatives. UMDPS's new Walk Smart College Park campaign was funded by the SHA. President Loh advocated for a pedestrian barrier in the median to channel pedestrian traffic. Chief Mitchell also explained the impact on survivability between 25 miles per hour and 30 mph, and noted that this was a factor in the SHA's decision to reduce the speed limit on part of Route 1. In addition, the University worked with the City of College Park on the speed cameras on Route 1, which by law were only used during the day, and received an exception to be able to operate the cameras 24 hours a day. Crosswalks have been refreshed to be brighter, and UMDPS and PG County Police have additional foot patrols during critical times from Thursday through Saturday nights. UMDPS has also been working with bar owners to make it clear that they need to keep their patrons from jaywalking.

CAMPUS AFFAIRS COMMITTEE SAFETY SURVEY

Survey Design

The Campus Affairs Committee based its survey on the version created for the committee's 2013-2014 safety report. The simple survey (an example of which can be found in Appendix 1) was designed to be sent to all Senators and all Senate committee members. The committee agreed that soliciting information

¹ The UMD SOS app provides community members with on-the-go reference for various emergency situations. The UMD SOS app will also provide up-to-date information distributed by the campus alert.umd.edu system.

- [Download the iOS version](#)
- [Download the Android version](#)

from Senators and Senate committee members would effectively raise broad concerns, as these representatives are elected or appointed to represent a larger constituency within the University. The survey asked representatives to identify their constituency, and provide up to five safety and security concerns experienced by their constituency. The committee also added a new question to its survey this year to allow respondents to give suggestions on how campus safety in general or the specific issues they discussed could be improved. The committee felt that identifying the constituency of the respondents was critical to being able to compare responses from faculty, staff, and students.

The survey consisted of four questions, and was hosted on the Senate website for a two-week period in March 2015. The survey was emailed to all Senators and Senate committee members, and multiple reminder emails were sent during the survey period.

Survey Results

The committee's survey received 118 responses from faculty, exempt and non-exempt staff, undergraduates, and graduate students. The top concerns shared did not vary greatly by constituency, and in reviewing the results, the committee categorized the comments received into the following issues.

❖ Pedestrian and Traffic Safety

Safety issues related to commuting, walking, biking, driving, and parking on campus were noted throughout the survey responses. Faculty raised concerns for students walking around campus while distracted, pedestrian safety around Route 1, speeding in parking garages with low visibility around corners, and lack of crosswalks in large parking lots. Many faculty members mentioned related concerns on the safety of parking lots at night for those who teach late courses. Staff echoed the same concerns, but also raised the lack of adherence to traffic regulations, particularly around cross walks and stop signs on campus. Both graduate students and undergraduate students mentioned concerns related to the operating hours for shuttle buses, and suggested that more service is needed in late-night hours.

Suggestions for improvement for pedestrian and traffic safety included adding additional bicycle lanes or paths on campus, creating protected pedestrian walkways through large parking lots such as Lot 1, enhanced enforcement of traffic laws, elevated speed-hump crosswalks in areas with high pedestrian traffic, and creating pedestrian barriers on the sidewalks in downtown College Park. In its discussions, the Campus Affairs Committee considered ways to encourage situational awareness while walking on campus, and suggested that ongoing campaigns related to pedestrian safety, both on and off campus, may be necessary to encourage continual improvement in this area. Members noted that incorporating safety campaigns into advertising at athletics events or into free giveaway items at athletics events may be a great way to raise awareness with the student body.

❖ Safety and Security at Night

One of the most frequent concerns reported in the survey were issues related to safety at night. These concerns were expressed by faculty, staff, and students. Responses from faculty members noted concerns walking to parking lots after late classes, and noted that students should take advantage of police escort services after dark but often do not do so. Faculty often asked for more lighting on paths frequently traveled late at night, but concerns were also raised on light pollution and unsafe use of lighting as well. Faculty also suggested better communication of information on how to request a police escort and on situational awareness at night.

Staff responses cited similar concerns for staff who work late at night or early in the morning and often work and walk on campus in the dark. A few staff specifically mentioned concerns with parking far away

from their offices or work sites and walking across parking lots or across campus for late night or early morning shifts. Some staff also reported concerns for students being on campus at night as well. Student responses called out specific areas that need additional lighting at night, such as near the main entrance to campus at Route 1, and mentioned concerns related to parking lots at night as well. A few graduate students responded with comments about blue emergency phone boxes, and suggested that additional boxes across campus would be helpful and would enhance the perception of safety at night. Graduate students also suggested reexamining shuttle bus schedules to ensure no lack of service during late hours and providing additional lighting near construction areas in particular. Undergraduate students encouraged continued restriction of traffic flow on campus at night to only those with proper University identification.

The Campus Affairs Committee reviewed these concerns and noted that many comments were similar to those raised in past years. The committee discussed the suggestions related to blue emergency box phones, and a few members noted that additional phones may be helpful, since there are some areas on campus that do not have them. Members noted that the blue box phones are useful in emergencies, but also help with the perception of safety on campus. Members also suggested adding additional options to the blue box phones to allow students to use them to call Nite Ride or for a police escort at night if needed. The committee also discussed suggestions for additional lighting and cautioned that not all lighting is helpful, and additions should be considered strategically so as not to produce problems with shadows or glares.

❖ Theft and Building Security

Many of the comments in the survey raised concerns related to theft, safety of valuables, and the security in offices and buildings. These concerns were most prevalent among staff, but were also expressed by many student and faculty respondents as well. Staff raised concerns about being alone in offices and office procedures that do not allow for locking doors when staff are alone. Staff also discussed issues with building access and instances where swipe-card access was disabled, as well as concerns about theft from offices when individuals are not at their desks. Staff suggested encouraging offices to adopt practices to have at least two individuals present at all times, or to allow for office doors to be locked if only one staff member is present. In addition, non-exempt staff raised concerns that incidents and emergency situations that occur on campus are not always communicated to other faculty and staff who may need to be aware of the situations.

Faculty repeated staff concerns about theft of property from offices. A few comments were made regarding buildings being unlocked during public events that are not taking place in the building, such as sporting events and events on McKeldin Mall. A suggestion was made to conduct security sweeps of nearby buildings after public events to ensure that members of the public are not staying in buildings after the event has concluded. Some faculty respondents also suggested creating secure spaces in each building for personal and University property, and providing better locks on the doors to offices.

Graduate students raised concerns about building access and the lack of mechanisms to secure the building to only those working there late at night. For instance, in cases where lab work is conducted at night, the area should be restricted to only those working in the lab. Students suggested there should be more secure access to labs and to graduate student offices. Undergraduate student concerns focused on the potential for theft and muggings.

In discussing these concerns, members of the Campus Affairs Committee agreed that there can be problems with building access and card systems. Members suggested finding better ways to communicate how to address problems through a designated contact point for each building or area with a card swipe access system.

❖ Cybersecurity

Many comments were made by members of each constituency related to data and cybersecurity. Some respondents mentioned the data breach from spring 2014, though others simply listed broad concerns related to identity theft or security of personal data.

Suggestions on improvements related to cybersecurity included:

- Provide additional training and information on cybersecurity and what steps are being taken by the University to keep sensitive information more secure.
- Follow up on the data breaches from spring 2014 to determine how many people in the UMD community were impacted.
- In regards to online safety, the University could provide guidance to all campus constituents about how to use services without compromising informational safety, and any products or services that are useful for securing personal information.
- Increase VPN capabilities and other security measures that can be instituted by individuals or offices as needed.

❖ Safety in Inclement Weather

The Campus Affairs Committee was interested to find many comments related to safety in inclement weather. Comments came from each constituency, and noted concerns in travelling to and on campus when snow and ice could not be cleared away. Concerns were also raised related to many instances where snow and ice were taken care of, but melting during the day and refreezing around the end of the day caused concerns for the afternoon commute.

The Campus Affairs Committee discussed the concerns related to inclement weather and noted that these concerns were not raised in the previous survey conducted by the committee in November 2013, perhaps because no snow events had occurred before the survey was released in 2013. The committee noted that those responsible for clearing snow and ice typically do a great job of ensuring that the campus is safe when it opens. However, members did note that there could be issues with freezing late in the day, and the administration may want to consider strategies for addressing these situations.

❖ Additional Comments

In addition to raising the concerns mentioned above, respondents in each constituency brought attention to unique concerns as well. For instance, undergraduate students were the only individuals to raise concerns related safety in residence halls and threat of cars or other personal property being vandalized. Graduate students and non-exempt staff raised concerns related to lab safety and training for use of lab equipment. Faculty discussed concerns with accessibility issues and a lack of understanding of what to do in the case of a medical emergency during a class.

In particular, non-exempt staff raised many unique concerns. Many staff members noted that required safety trainings need to be completed prior to gaining access to certain labs or buildings. Staff suggested that these trainings need to be given higher priority on campus and understood as a critical part to maintaining a safe environment rather than an exercise that takes time away from work. Likewise, staff noted that for heavy equipment, appropriate training needs to be developed and given to each staff member who interacts with the equipment to prevent injury to employees. Staff also raised concerns related to access to equipment areas and maintenance areas, especially in new buildings and renovations. The comments noted that these areas are often repurposed as storage areas, but appropriate mechanical space needs to be reserved in each building to allow access to equipment.

Additionally, a few issues were raised in the survey that only had a few comments, but the committee felt they merited attention. First, a few respondents noted concerns with lack of cell phone reception in campus buildings. Respondents noted that it is not possible to make a call from LeFrak Hall, for instance, from a cell phone, and people within the building often do not know when emergency situations are happening outside of the building. Campus Affairs Committee members agreed this is a serious safety concern that should be addressed. Additionally, a few respondents noted the potential for violent activity or active shooter scenarios on campus, and noted that they felt unprepared for such a situation if one were to occur. Respondents suggested additional training and awareness of proper procedures to follow would be very helpful for the campus community.

FOLLOW-UP ON UMDPS CLASSROOM SAFETY INITIATIVE

In spring 2014, the Campus Affairs Committee met with representatives from the Department of Public Safety (UMDPS) to discuss its concerns related to classroom and building safety in the case of emergency situations. The committee reported in its Annual Safety Report for 2014 (Senate Document # 13-14-50) that UMDPS was working on solutions to ensure that classroom doors on campus are able to lock and allow students, faculty, and staff to effectively shelter in place during emergency situations. In April 2015, the committee received an update on UMDPS's progress. UMDPS has conducted multiple pilots of the manual locks it discussed with the committee, which have not resulted in any problems. UMDPS's Building Security Systems staff are working to replace old door handles in classrooms with locking door handles, and has completed work in four classroom buildings. In cases where electronic locking systems are used, additional work is needed to run conduits through buildings. Since work must be conducted when classes are not in session, UMDPS will continue its work on this project during the summer of 2015.

CONCLUSION

The Campus Affairs Committee met on March 27, 2015 to discuss its findings. The committee was pleased with the number of responses its survey received, and felt that it was able to hear important concerns from each constituency.

The Campus Affairs Committee noted that the concerns mentioned in the survey most often, related to pedestrian and traffic safety, safety at night, and theft, seemed to align with the issues mentioned by Chief Mitchell and UMDPS representatives as prevalent safety concerns on campus. Moving forward, the committee would suggest that the University should continue its efforts to educate the campus on safety issues and prepare for potential threats through training and safety campaigns.

APPENDICES

Appendix 1 – Senate Campus Affairs Committee Survey on Safety and Security Concerns

**APPENDIX 1 - SENATE CAMPUS AFFAIRS COMMITTEE
SURVEY ON SAFETY AND SECURITY CONCERNS**

What constituency do you represent?

- Faculty
- Exempt Staff
- Non-Exempt Staff
- Graduate Student
- Undergraduate Student
- Other

Please identify the top safety and security concerns for your constituency.

1.
2.
3.
4.
5.

You may expand upon your responses in the text box below.

Based on these concerns, do you have any suggestions for improving safety and security on campus?





**University Senate
TRANSMITTAL FORM**

Senate Document #:	14-15-32
PCC ID #:	14044
Title:	Establish a New Area of Concentration in Health Equity for the Master of Public Health
Presenter:	Gregory Miller, Chair, Senate Programs, Curricula, and Courses Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>The School of Public Health and the Department of Health Services Administration propose to offer a new area of concentration in Health Equity for the Master of Public Health (MPH) degree. All students in the Master of Public Health program are required to take core courses in epidemiology, biostatistics, health systems, health behavior, and environmental health. This new area of concentration will allow MPH students to develop a specialty in understanding the impact of health disparities on public health at the state, national, and world levels. Health disparities exist across several groups such as race/ethnic groups, geographic residence, gender, age, and disability status. Public health and health care practitioners and researchers play a critical role in the identification and amelioration of health disparities and their negative effects on public health. The Department of Health Services Administration, through recent hires, has added to its expertise in this area and is well-suited to offer this concentration, which will be unique among Master of Public Health programs.</p> <p>After taking the core courses for the MPH, students in the Health Equity concentration will take a total of 28 credits that focus on health equity. Students will take six credits directly related to health equity, six credits in research methodology, and nine credits in a cognate area related to health equity. The cognate</p>

	<p>area courses will be selected in consultation with an advisor. Students will also be required to take a three-credit internship, a three-credit capstone project, and a one-credit seminar.</p> <p>This proposal received the unanimous support of the Graduate School Programs, Curricula, and Courses committee at its meeting on March 30, 2015. The proposal received the unanimous support of the Senate Programs, Curricula, and Courses committee at its meeting on April 3, 2015.</p>
Relevant Policy # & URL:	N/A
Recommendation:	The Senate Committee on Programs, Curricula, and Courses recommends that the Senate approve this new area of concentration.
Committee Work:	The committee considered this proposal at its meeting on April 3, 2015. Luisa Franzini, chair of Health Services Administration, and Coke Farmer, Assistant Dean of the School of Public Health, presented the proposal. After discussion, the committee voted unanimously to recommend the proposal.
Alternatives:	The Senate could decline to approve this new concentration.
Risks:	If the Senate declines to approve this new area of concentration, the University will lose an opportunity to become a leader in the increasingly important area of training public health professionals in health equity.
Financial Implications:	There are no significant financial implications with this proposal. The Department of Health Services Administration and School of Public Health has the faculty, courses, and infrastructure needed to create this concentration.
Further Approvals Required:	If the Senate approves this proposal, it would still require further approval by the President, the Chancellor, and the Maryland Higher Education Commission.

**THE UNIVERSITY OF MARYLAND, COLLEGE PARK
PROGRAM/CURRICULUM/UNIT PROPOSAL**

- Please email the rest of the proposal as an MSWord attachment to pcc-submissions@umd.edu.

PCC LOG NO. 14044

- Please submit the signed form to the Office of the Associate Provost for Academic Planning and Programs, 1119 Main Administration Building, Campus.

College/School: SPHL
Please also add College/School Unit Code-First 8 digits: 01203300
Unit Codes can be found at: https://hypprod.umd.edu/Html_Reports/units.htm

Department/Program: HLSA
Please also add Department/Program Unit Code-Last 7 digits: 1331301

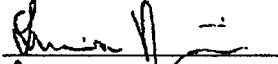

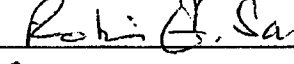
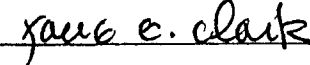
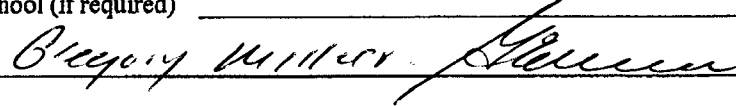
- Type of Action (choose one):**
- | | |
|--|---|
| <input checked="" type="checkbox"/> Curriculum change (including informal specializations) | <input type="checkbox"/> <i>New academic degree/award program</i> |
| <input type="checkbox"/> Curriculum change for an LEP Program | <input type="checkbox"/> New Professional Studies award iteration |
| <input type="checkbox"/> <i>Renaming of program or formal Area of Concentration</i> | <input type="checkbox"/> New Minor |
| <input type="checkbox"/> <i>Addition/deletion of formal Area of Concentration</i> | <input type="checkbox"/> Request to create an online version of an existing program |
| <input type="checkbox"/> <i>Suspend/delete program</i> | |

Italics indicate that the proposed program action must be presented to the full University Senate for consideration.

Summary of Proposed Action:
Central to the mission and values of the University of Maryland, College Park, School of Public Health (UMD-SPH) is the development of highly qualified professionals who are prepared to be leaders and to develop new areas of expertise in the field of health equity. Health disparities exist across several groups such as race/ethnic groups, geographic residence, gender, age, and disability status. There is growing national demand for professionals who understand the importance of health disparities and the impact of health disparities on the health of the population in the state, the nation, and worldwide, and can leverage this knowledge to combat major public health issues facing today's society by working towards health equity. To address this demand, the UMD-SPH proposes to add an Area of Concentration in Health Equity to its existing Master of Public Health (MPH). This concentration will leverage a unique strength of UMD-SPH, through its expertise in all UMD-SPH departments and the Maryland Center for Health Equity (MCHE). To our knowledge, this will be a unique offering within the state. This 43 credits Concentration, which includes the 5 required MPH core courses, a required internship, a required capstone course, and cognate courses (7 elective courses and 1 required seminar), will train individuals to focus practice/research activities on the recognition and elimination of disparities.

Departmental/Unit Contact Person for Proposal: Luisa Franzini, Professor and Chair

APPROVAL SIGNATURES - Please print name, sign, and date. Use additional lines for multi-unit programs.

1. Department Committee Chair  LUISA FRANZINI 1/28/2015
2. Department Chair  LUISA FRANZINI 1/28/2015
3. College/School PCC Chair  ROBIN SAWYER 2/23/15
4. Dean  JANE E. CLARK 3/3/15
5. Dean of the Graduate School (if required) _____
6. Chair, Senate PCC  GREGORY MILLER 4/3/15
7. University Senate Chair (if required) _____
8. Senior Vice President and Provost _____

UNIVERSITY SYSTEM OF MARYLAND INSTITUTION PROPOSAL FOR

- New Instructional Program
- Substantial Expansion/Major Modification
- Cooperative Degree Program
- Within Existing Resources, or
- Requiring New Resources

University of Maryland College Park
Institution Submitting Proposal

Master of Public Health : Health Equity
Title of Proposed Program

Master of Public Health
Award to be Offered

Fall 2015
Projected Implementation Date

121400
Proposed HEGIS Code

51.2201
Proposed CIP Code

Health Services Administration
Department in which program will be located

Luisa Franzini
Department Contact

301-405-2470
Contact Phone Number

franzini@umd.edu
Contact E-Mail Address

Signature of President or Designee

Date

Mission and Overview

As the state's flagship campus, the mission of the University of Maryland, College Park is to provide excellence in teaching, research, and service. The University educates students and advances knowledge in areas of importance to the State, the nation, and the world. As a land-grant institution, the University shares its research, educational, cultural, and technological strengths with the Maryland citizenry and other constituencies. Its collaborations with state, federal, private, and non-profit partners promote economic development and improve quality of life.

The mission of the University of Maryland, College Park, School of Public Health (UMD-SPH) is to promote and protect the health and well-being of the diverse communities throughout Maryland, the nation and the world through interdisciplinary education, research, practice, leadership and public policy. Core values of the UMD-SPH include social justice, diversity and inclusion and the elimination of health disparities.

Central to this mission and values is the development of highly qualified professionals who are prepared to be leaders in their field and to develop new areas of expertise. Focusing on eliminating health disparities in the state, the nation, and the world is an important field for today's public health and health care professionals. Health disparities are differences in health outcomes and their determinants between segments of the population. Health disparities exist across several groups such as race/ethnic groups, geographic residence, gender, age, and disability status. Public health and health care practitioners and researchers play a critical role in the identification and amelioration of health disparities and in working towards achieving health equity. There is growing national demand for professionals who understand the importance of health disparities and the negative impact of health disparities on the health of the population in the state, the nation, and worldwide, and can leverage this knowledge to combat major public health issues facing today's society. The need for increasing expertise in health disparities is further emphasized by The American Public Health Association which has identified health disparities as an area for continuing education needs because of inadequate expertise among public health practitioners. To address this demand, the UMD-SPH proposes to add an Area of Concentration in Health Equity to its existing Master of Public Health (MPH). This concentration will be the seventh within the MPH, and will leverage a unique strength of UMD-SPH, through its expertise in all UMD-SPH departments and the Maryland Center for Health Equity (MCHE). The Concentration will enable public health trained individuals to focus practice and/or research activities on the recognition, description and elimination of disparities. To our knowledge, this will be a unique offering within the State of Maryland and the nation. While other MPH programs exist within the State, those degrees emphasize areas of public health other than health equity. Other schools of public health and other institutions within the state offer training programs in health equity, but none, to our knowledge, offer a Master of Public Health in Health Equity for public health researchers and practitioners. For example, several schools of public health in Maryland and elsewhere offer 'certificates' in health disparities or health equity, including the Bloomberg School of Public Health at Johns Hopkins (MD), the University of Texas School of Public Health (TX) and the University of Pittsburgh School of Public

Health (PA). However, certificate programs are not equivalent to master programs. There are programs focused on health disparities in the state of Maryland, for examples The University of Maryland School of Medicine Program in Minority Health and Health Disparities Education and Research (PMHHD), The Center for Health Disparities Solution at Morgan State Universities in collaboration with Johns Hopkins, and the Maryland Health Disparities Collaborative but these programs are not degree granting. One has to go to the Oregon Health Science University School of Nursing to find a similar MPH track, the Online Primary HealthCare and Health Disparities (PHCHD).

This unique professional degree program differs from the other MPH at UMD-SPH, which are focused on the core disciplines of public health. The MPH program in Health Equity is designed to train students as public health scientists and practitioners that focus practice and/or research activities on the recognition, description and elimination of health disparities. The MPH program in Health Equity is truly interdisciplinary with students taking courses across all departments at UMD-SPH and across the UMD campus. Various agencies in the state (e.g., county and state health departments) and across the nation (e.g., NIH and CDC), including colleges/universities, health-related agencies, community groups, and even large corporations (hospitals and insurance plans), employ public health professionals with a deep understanding of health disparities in order to design, implement, evaluate, and monitor interventions and policies to improve the health of their constituents by working towards health equity.

We anticipate a relatively small class size, with 10 students admitted to the concentration per year, although future expansion to 20 students per year may occur as the program is developed. We expect to draw students with Bachelor's Degrees from several fields in the social and behavioral sciences and related fields who seek to add professional training in public health and/or specialized knowledge in social determinants and the development and evaluation of policies and interventions to eliminate health disparities and achieve health equity.

Characteristics of the Proposed Program

The expertise gained through the MPH in Health Equity prepares students for careers that involve integrating health equity into public health practice at various levels. The concentration was developed in collaboration with the School of Public Health dean's office to ensure that it meets all of the requirements of the existing MPH degree, including the five MPH required core courses, the required internship, the required capstone course, and cognate courses (with 7 elective courses and 1 required seminar), totaling 43 credit hours. To accommodate a variety of career pursuits, students have flexibility in designing their course structure. Once a foundational knowledge is acquired through the MPH program's core requirements, students are encouraged to take electives across a range of disciplines. A large number of elective courses are available within the existing graduate curriculum across all departments in the School of Public Health as well as across other UMD colleges and DC area institutions. Students will be advised to work with SPH faculty for recommendations about how certain elective courses will best support particular career aspirations. The curriculum is adaptable to both a full

and part-time student status. A small number of students are expected to take elective courses outside of the UMD-SPH. The anticipated number will be 0-2 students per course per year, so no significant impact is anticipated for these programs. One new course is being developed as part of this proposal: the required one credit seminar in health equity (HLSA703 Health Equity Seminar 1 credit).

Catalog Description:

Master of Public Health with concentration in Health Equity (M.P.H.)

The Master of Public Health (MPH) degree with a concentration in Health Equity is a 43-credit interdisciplinary professional degree, administered by the Department of Health Services Administration. The program is described below.

Educational Objectives and Competencies: Upon completion of the program, students will be able to:

1. Define Health Disparities and understand population health variability/patterns at national and local levels.
2. Identify and define root causes of health inequities and their relevance and relationship to public health practice
3. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
4. Value health equity and acknowledge barriers to eliminating health disparities
5. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
6. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.
7. Engage in reflection about own beliefs and value the need to address personal bias
8. Develop and utilize the ability to collaborate with public health professionals at local and/or federal levels to promote health equity research, practice, and policy.

All MPH students with concentration in Health Equity will complete the following five modules:

1. Five required MPH core courses;
2. Two elective health equity overview courses;
3. Two elective methods courses relevant to health equity research;
4. Three elective health equity cognate area courses;
5. Required health equity seminar, internship and capstone (or thesis).

The student with the advisor chooses elective courses to meet the program competencies from a wide number of courses relevant to the study of health equity offered at UMD-SPH, at the UMD - College Park campus, at the UMD- Baltimore campus, and at other institutions in the DC area (through the Consortium of Universities of the Washington Metropolitan Area). A summary of program requirements is in the table below and Appendix A lists a sample of elective courses for modules 2, 3, and 4. Additional requirement for graduation is completion of CITI training. Appendix B contains a more detailed description of the program outcomes and how they will be assessed.

Summary of requirements for the proposed MPH in Health Equity

All electives are listed in Appendix A by module

Module	Course number and name	Credits
1. MPH core courses (required)	EPIB 650 Biostatistics I	3
	EPIB 610 Foundations of Epidemiology	3
	HLSA 601 Introduction to Health Systems	3
	HLTH 665 Health Behavior I	3
	MIEH 600 Foundations of Environmental Health	3
	Total credits MPH core	15
2. Overview courses (electives)	Overview - elective	3
	Overview - elective	3
	Total credits in Health Equity overview	6
3. Methods courses (electives)	Methods - elective	3
	Methods - elective	3
	Total credits in Methods	6
4. Cognate area courses (electives)	Cognate area - elective	3
	Cognate area - elective	3
	Cognate area - elective	3
	Total credits in Health Equity cognate courses	9
5. Internship / capstone / seminar (required)	HLSA 785 Internship	3
	HLSA 786 Capstone Project (or HLSA 799 for Thesis*)	3
	HLSA703 Health Equity Seminar	1
	Total internship / capstone / seminar	7
TOTAL CREDITS REQUIRED FOR MPH in Health Equity		43

* Students completing a thesis (6 credits) instead of a capstone project (3 credits) can select to take one less overview or methods or cognate area course to compensate for the 3 additional thesis credits.

Faculty and Organization

The proposed MPH with Concentration in Health Equity is a school wide program which is administered by the department of Health Services Administration and will be supported by all departments within the School of Public Health. The Dean and all department chairs have

expressed full support for this new program and all of the courses that support the degree requirements (e.g., Core courses) will be able to accommodate the addition of the new students (see attached dean's letter and chairs' letter).

The department of Health Services Administration within the UMD School of Public Health will provide academic oversight of this concentration. One faculty member will re-direct 50% of his/her effort a staff person will redirect 20% of his effort to the new program and but no new resources are requested.

Faculty, staff and students at UMD-SPH have extensive experience and expertise in conducting research on behavioral/social determinants of health and public policy in efforts to combat important public health problems. Several of UMD-SPH nationally-renowned faculty, with backgrounds in several disciplines, including social epidemiology, community health and health behavior, biostatistics, environmental health, health economics and health services, focus their research on a wide range of areas related to health equity, minority health, and disparities. These faculty members will teach courses that MPH students may take as elective courses, and will also be available to assist with supervising student internships and capstone projects. The core faculty involved in the proposed MPH in Health Equity is listed below:

MPH in Health Equity core faculty:

Name	Position and Department
Luisa Franzini	Professor and Chair, Health Services Administration
Stephen B. Thomas	Professor, Health Services Administration, Director, Maryland Center for Health Equity
Barbara Anne Curbow	Professor and Chair, Behavioral and Community Health
Devon Corcia Payne-Sturges	Assistant Professor, Applied Environmental Health (MIAEH)
Olivia Denise Carter-Pokras	Associate Professor, Epidemiology and Biostatistics
Craig Scott Fryer	Assistant Professor, Behavioral and Community Health
James Butler III	Assistant Professor, Behavioral and Community Health, Associate Director, Maryland Center for Health Equity
Jie Chen	Assistant Professor, Health Services Administration
Mary Alice Garza	Assistant Professor, Behavioral and Community Health
Sandra Crouse Quinn	Professor, Family Science, Associate Dean for Academic Affairs Senior Associate Director, Maryland Center for Health Equity
Sharon M. Desmond	Associate Professor, Behavioral and Community Health
Sunmin Lee	Associate Professor, Epidemiology and Biostatistics
Shannon Jette	Assistant Professor, Kinesiology
David Andrews	Professor, Kinesiology

Other Resources and Centers at UMD SPH for the MPH in Health Equity

There are several resources and centers at UMD-SPH and at UMD which are nationally and internationally known for their research in health disparities and their efforts to achieve health equity. These resources will be available to students in the MPH in Health Equity. Several of the core faculty in the MPH in Health Equity is affiliated with one or more of these centers.

The University of Maryland Center for Health Equity

Launched in Fall 2010, the mission of the Center for Health Equity is to 1) establish and sustain a community engaged research enterprise on critical health disparities, 2) to raise the visibility of racial and ethnic health disparities and promising solutions with Marylanders and 3) to facilitate action for change in the structural determinants of health in Maryland. The CHE is a designated TIER 3: Campus-wide Research Initiative Program (CRI) charged with providing support for development of broad, multidisciplinary research initiatives that will position the university to become a national leader in elimination of racial and ethnic health disparities aimed toward achieving the nation's Healthy People 2020 goal of health equity. In 2012, the M-CHE was designated a Center of Excellence in Race, Ethnicity, and Health Disparities Research by the NIH's National Institute on Minority Health and Health Disparities (NIMHD, Award Number 7RC2MD004766, Quinn & Thomas, PIs). The CHE is administratively headquartered in the SPH's Office of the Dean.

Prevention Research Center

The University of Maryland Prevention Research Center (UMD-PRC) focuses on reducing health disparities in Maryland along the national capital border. The national capital border area in Prince George's County, Maryland between the "National Capital Beltway", the District of Columbia, and Montgomery County, Maryland is specifically targeted for community health improvement. Much of this Prince George's County national capital border area has been federally designated as medically underserved. Contrasts between this area and surrounding areas are pronounced in regard to demographics, health services, and health status. This Prince George's County national capital border area suffers from remarkably high rates of primary Syphilis, HIV, stroke, diabetes, low birth weight, and other health problems. The UMD School of Public Health (SPH) happens to be located in Prince George's County at the nexus of the contrasting jurisdictions. The UMD-PRC infrastructure builds on the collaborative of the City of Seat Pleasant in Prince George's County, the Prince George's County Health Department, and the SPH to further engage with organizations within and across the many area borders. It links needs with resources and address issues that exacerbate disenfranchisement. The ultimate goals of the UMD-PRC are to make significant strides toward increasing community capacity, eliminating health disparities in Maryland along the national capital border, and advancing Community Based Participatory Research.

Herschel S. Horowitz Center for Health Literacy

The Herschel S. Horowitz Center for Health Literacy has been established to address the major public health problem of poor health literacy and its effect on health outcomes. It is the

nation's first academic based health literacy center and is devoted to improving health through the lifespan with an emphasis on closing the health disparities gap. Research is needed to establish the nature of the causal relationships between and among various factors including culture and society, education systems, health systems and health outcomes and costs and to develop effective interventions and health policy. The Center's Advisory Board includes internationally recognized researchers and is contributing to the development of the strategic plan for this new Center. The Center is a "hub" for researchers throughout the university working on issues of literacy, risk communication, public policy, and language acquisition among others.

Center for Healthy Families

Operating as a non-profit clinic on the University of Maryland College Park campus, the Center for Healthy Families offers services including: couple, family, and individual therapy, as well as parent education, family therapy conferences, and continuing education for professionals. The Center also conducts research on a wide variety of problems facing today's families. Graduate students and faculty from the American Association for Marriage and Family Therapy (AAMFT) accredited Marriage and Family Therapy program provide clinical and educational services to residents of the surrounding communities. The Center serves approximately 500 area couples and families each year.

Other Resources and Centers at UMD

The Maryland Population Research Center

Housed in the College of Behavioral and Social Sciences (BSOS) at the University of Maryland College Park, the Maryland Population Research Center draws together leading scholars from diverse disciplines to support, produce and promote population-related research of the highest scientific merit. The Center now supports the research of over 92 faculty associates from 19 University departments across 8 colleges and schools including the School of Public Health. In addition, affiliated researchers bring expertise from other organizations and institutions. The Center's research focuses on four key areas: Gender, Family, and Social Change; Health in Social Context; Social and Economic Inequality; and People and Place. The cross-disciplinary research interests of our faculty allow the Center to make a unique contribution to the field of population studies and to develop a variety of young scholars and encourage scholars from allied fields to engage in population-related research through research support, training, and mentoring.

The Consortium on Race, Gender & Ethnicity

The Consortium on Race, Gender and Ethnicity (CRGE) is a university-wide initiative promoting research, scholarship and faculty and graduate student development. CRGE's work explores the intersections of race, gender, ethnicity and other dimensions of inequality as they shape the construction and representation of identities, behavior and complex social relations. CRGE has three major areas of work: 1) research at the intersections of race, gender and ethnicity; 2) rigorous mentorship and training programs and activities for developing scholars; and 3)

collaboration aimed at creating a campus climate conducive to excellent intersectional scholarship

Library and Physical Resources

No impact on library or other resources is anticipated. The library is supporting the new proposed program (see attached letter). The new students will not negatively impact on the existing MPH programs at UMD-SPH. Only one new course will be added to the course catalog for this MPH concentration and none will include a laboratory component that would tax physical resources. Students will complete the bulk of their "hands-on" training in internship and professional settings off campus, as arranged by the student and their advisor. The existing physical resources can accommodate the additional students anticipated as part of this program.

Resources and Finance

No new resources within the School of Public Health are required to offer this concentration. The new MPH concentration will be housed in the Health Services Administration department and no additional resources will be required. The School's Graduate Programs Committee has confirmed that new students in this concentration can be accommodated with existing course offerings, with only one new course as described above. Graduate admissions procedures for the MPH degree can accommodate the new applicants for this concentration. A cohort size of approximately 10-20 students per year is anticipated. The department of Health Services Administration has confirmed that there will be no negative impact on its existing masters and doctoral programs.

Resources and Expenditures

TABLE 1: RESOURCES					
Resources Categories	(Year 1)	(Year 2)	(Year 3)	(Year 4)	(Year 5)
1. Reallocated Funds ¹	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
2. Tuition/Fee Revenue ² (c+g below)	\$53,680	\$73,810	\$120,780	\$167,750	\$221,430
a. #F.T Students	3	4	7	10	13
b. Annual Tuition/Fee Rate	\$13,420	\$13,420	\$13,420	\$13,420	\$13,420
c. Annual Full Time Revenue (a x b)	\$40,260	\$53,680	\$93,940	\$134,200	\$174,460
d. # Part Time Students	2	3	4	5	7
e. Credit Hour Rate	\$671	\$671	\$671	\$671	\$671
f. Annual Credit Hours	10	10	10	10	10
g. Total Part Time Revenue (d x e x f)	\$13,420	\$20,130	\$26,840	\$33,550	\$46,970
3. Grants, Contracts, & Other External Sources	0	0	0	0	0
4. Other Sources	0	0	0	0	0
TOTAL (Add 1 - 4)	\$93,680	\$113,810	\$160,780	\$207,750	\$261,430

¹ The resources required to support this new MPH concentration will be provided by reallocation of funds in the present Departmental state-funded budget for faculty (tenure track lines). The resources have become available from the departure of faculty and there is no negative impact on present members.

² This figure is an estimate of the percentage of tuition and fees used to support the new program. The tuition rate is preset by the University for the MPH degree programs in the School of Public Health; the current rate is \$671.00 per credit hour, which applies to the proposed emphasis, which is a new degree concentration, but is a not new degree.

TABLE 2: EXPENDITURES

Expenditure Categories	(Year 1)	(Year 2)	(Year 3)	(Year 4)	(Year 5)
1. Total Faculty Expenses (b + c below)	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000
a. # FTE	0.5	0.5	0.5	0.5	0.5
b. Total Salary	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000
c. Total Benefits	\$24,000	\$24,000	\$24,000	\$24,000	\$24,000
2. Total Administrative Staff Expenses (b + c below)	\$17,680	\$17,680	\$17,680	\$17,680	\$17,680
a. # FTE	0.2	0.2	0.2	0.2	0.2
b. Total Salary	\$34,000	\$34,000	\$34,000	\$34,000	\$34,000
c. Total Benefits	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200
3. Total Support Staff Expenses (b + c below)	0	0	0	0	0
a. # FTE	0	0	0	0	0
b. Total Salary	0	0	0	0	0
c. Total Benefits	0	0	0	0	0
4. Equipment	0	0	0	0	0
5. Library	0	0	0	0	0
6. New or Renovated Space	0	0	0	0	0
7. Other Expenses	0	0	0	0	0
TOTAL (Add 1 - 7)	\$69,680	\$69,680	\$69,680	\$69,680	\$69,680

Appendix A: Program requirements and list of courses

MPH HEALTH EQUITY PROGRAM REQUIREMENTS – TOTAL 43 CREDITS

The program is organized in 5 modules. The required and elective courses for each module are described below. Some courses may require pre-requisites or special permission, especially those offered outside UMD-SPH. Catalog descriptions may be found in the catalogue.

MODULE 1: MPH CORE COURSES - 5 required courses or 15 credits

- **EPIB 610 Foundations of Epidemiology**, 3 cr. Introduction to the discipline of epidemiology and its applications to health issues and practices. Basic epidemiologic concepts and methods will be covered.
- **EPIB 650 Biostatistics I**, 3 cr. Basic statistical concepts and procedures for Public Health. Focuses on applications, hands-on-experience, and interpretations of statistical findings.
- **HLSA 601 Introduction to Health Systems**, 3 cr. Management and leadership skills for effective public health planning, organization, management and administration. Emphasis is on the role of institutions in learning and behavioral change process, organizational theory, administration management, and coordinating provision of community health services.
- **HLTH 665 Health Behavior I**, 3 cr. The psychological, social psychological, and sociological theories of health behavior. The relation of health knowledge, beliefs, attitudes, intentions, and behavior to preventive, illness, sick-role, and health utilization behaviors.
- **MIEH 600 Foundations of Environmental Health**, 3 cr. Overview of the chemical, physical and biological hazards present in our living and working environment and their effects on human health. Topics include: exposure assessment, industrial hygiene and safety, pesticides, community and indoor pollution, food-borne diseases, solid and hazardous wastes, water resources, risk assessment, ecological issues and environmental laws.

MODULE 2: HEALTH EQUITY OVERVIEW ELECTIVE COURSES -student with advisor chooses 2 courses or 6 credits

- EPIB 622: Social Determinants of Health (3 credits)
- EPIB 623: Epidemiology of Health Disparities (3 credits)
- *HLSA 787 Minority Health and Health Equity (3 credits)*
- MIEH 730 Environmental Justice, Built Environment, and Health Disparities (3 credits)

MODULE 3: METHODS ELECTIVE COURSES -student with advisor chooses 2 courses or 6 credits

SPH courses:

- MIEH 760 Spatial Epidemiology (3 credits)
- MIEH 775 Environmental and Occupational Epidemiology (3 credits)
- HLSA 721 Using Data for Policy Analysis (3 credits)
- HLSA 775 Public Health Research Methods (3 credits)
- *HLSA 765 Oral and Written Communication (3 credits)*
- KNES601 Epidemiology of Physical Activity (3 credits)
- EPIB 611: Intermediate Epidemiology (3 credits)
- EPIB 612: Epidemiologic Study Design (3 credits)
- EPIB 641: Public Health and Research Ethics (1 credits)
- EPIB 651: Biostatistics II (3 credits)
- EPIB 657 Spatial Statistics for Public Health Data
- *EPIB 652: Categorical Data Analysis (3 credits)*
- *EPIB 653: Applied Survival Data Analysis (3 credits)*
- *EPIB 698J: Special Topics in Epidemiology and Biostatistics (3 credits)*
- EPIB 798: Independent Study (1-6 credits)

Other UMCP courses:

- ANTH606 Qualitative Methods in Applied Anthropology (3 credits)
- ANTH 616 Ethnographic Evaluation of Community-Based Initiatives (3 credits)
- ANTH 617 Applied Urban Ethnography: Community Assessment Research (3 credits)
- ANTH 689D: Summer Field School in Applied Urban Ethnographic and Community Health Sciences (3 or 6 credits)
- GEOG 606 Quantitative Spatial Analysis(3 credits)
- GEOG 673 GIS Modelling (3 credits)
- SURV 630 Questionnaire Design (3)
- SURV 623 Data Collection Methods in Survey Research (3 credits)
- SURV 632 Social and Cognitive Foundations of Survey Measurement (3 credits)
- SURV 699C Cross-Cultural and Multipopulation Survey Research(3 credits)
- SURV 699 Readings in Survey Methodology (1-4 credits)
- SURV 699Y Big Data in Social Research (3 credits)
- SOCY604 Survey Research Methods

- SOCY 632 Introduction to Qualitative Research Methods (3 credits)
- SOCY 611 Demographic Methods (3 credits)

MODULE 4: HEALTH EQUITY COGNATE AREA ELECTIVE COURSES – student with advisor chooses 3 courses or 9 credits

SPH courses:

- HLSA 702 Politics and Policy of Health (3 credits)
- MIEH 770 Law and Policy in Environmental Health (3 credits)
- EPIB 620: Chronic Disease Epidemiology (3 credits)
- *EPIB 621: Infectious Disease Epidemiology (3 credits)*
- EPIB 625: Epidemiology of Physical Activity (3 credits)
- EPIB 626: Epidemiology of Obesity (3 credits)
- FMSC 710 - Maternal and Child Health from a Life Course Perspective (3 credits)
- FMSC 720 - Perinatal, Child, and Adolescent Health (3 credits)
- KNES 615: The body, culture and physical activity (3 credits)
- KNES 289Y: The [In]Active City: The Physical Cultures of Metropolitan Baltimore (3 credits)

Other UMCP courses:

- AMST628B Seminar in American Studies: Race, Class, and Material Culture (3 credits)
- AMST629N Seminar in American Studies: Comparative Race and Ethnicity (3 credits)
- ANTH 615 The Anthropology of the African American Family (3 credits)
- ANTH 692 Ethnology of the Immigrant Life (3 credits)
- EDHI662 Research on Ethnic Minorities and Demographic Trends in Higher Education (3 credits)
- EDPS751 Law, Equity and Diversity in Education(3 credits)
- CCJS670 Race, Crime, and Criminal Justice (3 credits)
- SOCY699E Special Social Problems: Critical Race Initiative (3 credits)
- SOCY792B Advanced Special Topics in Substantive Theory: Critical Race Theory (3 credits)
- SOCY682 Critical Race Theory (3 credits)
- SOCY627 Migration (3 credits)
- SOCY652 Diversity in the Military (3 credits)
- SOCY662 Income Inequality(3 credits)
- SOCY 630 Population and Society (3 credits)
- SOCY 666 Poverty and Welfare (3 credits)

UMB courses:

- NURS 622 Systems and Population in Health Care (3 credits)
- NURS 628 Special Problems—correct title (1-6 credits)
- NURS 769 Society, Health, & Social Justice (3 credits)
- NURS 761 Populations at Risk in Community/Public Health (3 credits)

- SOWK 718 Justice and Social Equality (3 credits)
- SOWK 764 – Multicultural Perspectives: Implications for Practice (3 credits)
- SOWK 765 – Nature of Health and Illness (3 credits)
- SWOA 706 - Multicultural Practice in Organizations and Communities (3 credits)

Elective course from Consortium of Universities of the Washington Metropolitan Area
(<http://www.registrar.umd.edu/current/registration/consortium.html>)

MODULE 5: SEMINAR/INTERNSHIP/CAPSTONE - required 7 credits

- HLSA 785 Internship in Public Health, 3 cr. The internship is a time-limited, supervised period of public/community health activities carried out in a health or allied health organization involved with health disparities. Students gain practical experience in areas such as program planning and implementation, program evaluation, public policy analysis, research, and management.
- HLSA 786 Capstone Project in Public Health, 3 cr. The culminating experience in which the student applies knowledge and skills learned in the MPH program to conduct independent work on a health disparities problem under the supervision of a faculty advisor. OR HLSA 799 for Thesis in Public Health, 6cr.)
- HLSA 703 Seminar in Health Equity, 1 cr. This seminar course will have student-led presentations and discussion of contemporary literature in the areas of health disparities and health equity, social determinants, (eg. race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) and policies and programs to address disparities. The emphasis is on papers describing new research findings, novel techniques, innovative methods, and emerging issues.

Appendix B: Program Outcomes and Assessment Plan

Students will work with the advisor to design their program to meet their research interests and career plans. They will select courses as described in Appendix 1 to meet program requirements and program competencies. Students and advisors will use the learning objectives and competencies listed in the course syllabi to complete the Courses/Competencies table below. For each competency, they will list the number of the course meeting the competency and if the competency is fully met or partially met in that course. Students and advisor will plan the courses the student takes in the program so that all competencies are fully met.

Courses/competencies table:

Courses	Capstone/ internship	Competency
		Define Health Disparities and understand population health variability/patterns at national and local levels.
		Identify and define root causes of health inequities and their relevance and relationship to public health practice
		Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
		Value health equity and acknowledge barriers to eliminating health disparities
		Recognize disparities amenable to intervention
		Describe how to address social determinants of health through community interventions and policies
		Engage in reflection about own beliefs and value the need to address personal bias
		Develop and utilize the ability to collaborate with public health professionals at local and/or federal levels to promote health equity research, practice, and policy.
		Identify specific ways in which social justice principles might be applied to elements of everyday public health practice.
		Apply the principles of social justice to influence the institutions and agencies that generate health inequity.



UNIVERSITY OF MARYLAND

School of Public Health

Jane E. Clark, Ph.D. Dean
School of Public Health
College Park, Maryland 20742-2611
jeclark@umd.edu: email
301.405.2438: Phone
301.405.8397: Fax

February 9, 2015

To the Academic Curriculum Review Community:

As Dean of the School of Public Health, I support the creation of a new Master of Public Health (MPH) concentration in Health Equity sponsored by the Department of Health Services Administration. Health disparities exist across several groups such as race/ethnic groups, geographic residence, gender, age, and disability status. Focusing on eliminating health disparities in the state, the nation, and the world is an important field for today's public health and health care professionals. There is growing national demand for professionals who understand the importance of health disparities and the negative impact of health disparities on the health of the population in the state, the nation, and worldwide, and can leverage this knowledge to combat major public health issues facing today's society. The proposed concentration will prepare students with state of the art knowledge and skills to inform policy making, program development and implementation, and other social and behavioral interventions to eliminate health disparities and impact population health. This is an important concentration for our school to offer and leverages a unique strength our school contributes to the academic preparation of the public health practice community.

The MPH with a concentration in Health Equity will be the eighth such MPH concentration in the school. Faculty in all departments at UMD-SPH have been involved in developing this concentration and the program has full support of all the chairs. The program will draw on the extensive experience and expertise of UMD-SPH faculty in conducting research on behavioral/social determinants of health and public policy in efforts to combat important public health problems. This is a school wide effort which is shepherded by HLSA, who will redirect one faculty to refocus their responsibilities to the new area of scholarship consistent with the needs of the Health Equity concentration.

Our school's Graduate Programs Committee has discussed the implications of the new concentration and confirmed that new students in this concentration can be accommodated in our existing course offerings. Moreover, our graduate admissions procedures for the MPH degree can accommodate the new applicants for this concentration. Thus, no impact on resources is anticipated. The Department of Health Services Administration has confirmed that the new students will also not negatively impact their existing MPH, MHA or PhD degree programs.

In summary, I fully support this new concentration and will work with the chair in the Department of Health Services Administration to ensure smooth and successful implementation beginning in Fall 2016.

Sincerely,

A handwritten signature in black ink that reads 'Jane E. Clark'.

Jane E. Clark, Ph.D.
Professor and Dean



UNIVERSITY OF MARYLAND

School of Public Health

Jane E. Clark, Ph.D. Dean
School of Public Health
College Park, Maryland 20742-2611
jeclark@umd.edu: email
301.405.2438: Phone
301.405.8397: Fax

January 28, 2015

To the Academic Curriculum Review Community:

As Dean of the School of Public Health, I support the creation of a new Masters of Public Health (MPH) concentration in Health Policy Analysis and Evaluation sponsored by the Department of Health Services Administration. The area of health policy and health care reform, including analysis and evaluation of policies and programs, is of critical importance to the overall promotion of public health in Maryland, the nation, and around the world. The current environment of rapid health care reform, including the implementation of the Affordable Care Act, requires expanding professionals' expertise in health policy, in particular in the analysis and evaluation of health policies and health care reforms. This is an important concentration for our school to offer and leverages a unique strength our school contributes to the academic preparation of the public health practice community.

The MPH with a concentration in Health Policy Analysis and Evaluation will be the seventh such MPH concentration in the school. In the last year, the school has hired two new tenure track faculty with expertise in health policy who will assist with the administration and teaching requirements of the new program.

Our school's Graduate Programs Committee has discussed the implications of the new concentration and confirmed that new students in this concentration can be accommodated in our existing course offerings. Moreover, our graduate admissions procedures for the MPH degree can accommodate the new applicants for this concentration. Thus, no impact on resources is anticipated. The Department of Health Services Administration has confirmed that the new students will also not negatively impact their existing MA or PhD degree programs.

In summary, I fully support this new concentration and will work with the chair in the Department of Health Services Administration to ensure smooth and successful implementation beginning in Fall 2016.

Sincerely,

A handwritten signature in black ink that reads "Jane E. Clark".

Jane E. Clark, Ph.D.
Professor and Dean



UNIVERSITY OF
MARYLAND

SCHOOL OF PUBLIC HEALTH

February 5, 2015

To the Academic Curriculum Review Committee:

As Chairs of the Departments of Behavioral and Community Health, Epidemiology and Biostatistics, Family Science, and Kinesiology and the Maryland Institute for Applied Environmental Health at the School of Public Health, we support the creation of a new Master of Public Health (MPH) concentration in Health Equity which will be a school wide program sponsored by the Department of Health Services Administration. Focusing on eliminating health disparities in the state, the nation, and the world is an important field for today's public health and health care professionals. There is growing national demand for professionals who understand the importance of health disparities and the negative impact of health disparities on the health of the population in the state, the nation, and worldwide, and can leverage this knowledge to combat major public health issues facing today's society. This is an important concentration for our school to offer and leverages a unique strength our school contributes to the academic preparation of the public health practice community.

The MPH with a concentration in Health Equity will leverage the extensive experience and expertise by faculty in all SPH departments in conducting research on behavioral/social determinants of health and health disparities in efforts to combat important public health problems.

New students in this concentration can be accommodated in our existing course offerings and no impact on departmental resources is anticipated. The students in the proposed concentration will also not negatively impact existing MA or PhD degree programs.

In summary, we fully support this new concentration and will work with the chair in the Department of Health Services Administration to ensure smooth and successful implementation beginning in Fall 2017. Sincerely,

Handwritten signature of Elaine Anderson in cursive.

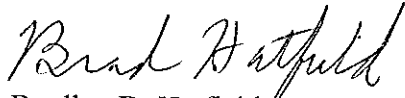
Elaine Anderson
Professor and Chair, Family Science

Handwritten signature of Barbara Curbow in cursive.

Barbara Curbow
Professor and Chair, Behavioral and Community Health



Robert S. Gold
Professor and Chair, Epidemiology and Biostatistics



Bradley D. Hatfield
Professor and Chair, Kinesiology



Donald Milton
Director, Maryland Institute for Applied Environment Health; Professor of Epidemiology and
Biostatistics

DATE: January 29, 2015

TO: Luisa Franzini, Professor & Chair, Health Services Administration, School of Public Health

CC: Daniel Mack, Associate Dean for Collection Strategies and Services, Libraries
Gerri Foudy, Manager, Collections and Scholarly Communication, Libraries

FROM: Nedelina Tchangalova, Physical Sciences and Public Health Librarian

RE: Library Resources to Support Addition of (1) Area of Concentration in Health Equity and (2) Area of Concentration in Health Policy Analysis and Evaluation to its existing Master of Public Health (MPH)

The University of Maryland (UM) Libraries' mission is "to enable the intellectual inquiry and learning required to meet the education, research and community outreach mission of the University." Currently they support undergraduate and graduate students in a variety of face-to-face, online and distance learning programs, as well faculty working collaboratively with internal and external partners. The University of Maryland Libraries collections will continue adequately support the instruction and research needs of the two newly proposed Areas of Concentrations in Health Equity & Health Policy Analysis and Evaluation to its existing Master of Public Health (MPH).

As a department with strong ties with other departments/schools on and off campus, the Health Services Administration (HSA) is confident that library resources are readily available and accessible. Ease of access and flexible availability of library materials is paramount, and researchers, as well students expect this flexibility to be coupled with high academic quality and integrity. The current purchasing practices and available collections at the UM Libraries will ensure that these two goals can be met, both now and for the life of the department. In addition, the establishment of the new Collaborative School of Public Health provides even greater access and flexible availability; the School of Public Health (SPH) students and faculty at the University of Maryland—College Park (UMCP) have access to the Health Sciences and Human Services Library at the University of Maryland—Baltimore (UMB). Thus, the broader medical and global health journals available there are a part of UM Libraries available resources without additional expenditures. Moreover, UM Libraries' existing public health and collections of journals and databases will continue to support the research and teaching needs of the Health Services Administration Department.

Public Health & Health Policy Library Collections

While Health Services Administration Department is part of the School of Public Health, many of their faculty members have secondary appointments to other UMCP departments and UMB. McKeldin Library supports the undergraduate and graduates students in SPH, housing the majority of the monographs and serials pertaining to public health in general, and health policy in particular. A significant portion of these collections are electronically accessible, both on and off campus, and therefore are not location dependent.

1. Monographs

The Libraries' current collection of books related to health equity and policy is sufficient to meet the needs of the department. The ongoing acquisition of scholarly books is expected to be adequately

covered through existing acquisition practices and budgeting. As a land grant institution, the University of Maryland already has a tradition of emphasizing public health, including health equity and policy, and current collection development practices in the Libraries already support these topics.

At this time, UM Libraries have access to several multidisciplinary ebook collections related to public health and health policy (*Credo Reference, ebrary, EBSCO ebook collection, Gale Virtual Reference Library, Springer, World Scientific eBooks* and more). Due to the UM Libraries' purchasing preference for electronic materials, especially prevalent across the STEM fields, the number of electronic book collections is expected to continue to increase significantly in the coming years.

2. Electronic Resources: Journals and Databases

The Libraries' current list of subscriptions includes both core and related journals that support research and teaching in Public Health and Health Policy.

A search was performed in *Journal Citation Reports 2013* (JCR), a database that uses citation data to rank and determine the impact factor of journals in an academic field. To support the existing courses, at the present time the Libraries provide access to all of the top ten ranked journals from the JCR category of *Health Policy & Services*, nine of the top ten ranked journals from the JCR category of *Health Care Sciences & Services*, and all of the top ten ranked journals from the JCR category of *Public, Environment & Occupational Health*.

While other aspects of public health and health policy do not fall as neatly into a JCR-specified category, the UM Libraries provide access to numerous highly ranked journals from cross-sections of the JCR categories of *Agricultural Economics & Policy*, *Behavioral Sciences*, *Environmental Sciences*, *Family Studies*, *Law*, *Political Science*, *Public Administration*, as well as the majority of top ten ranked journals from all engineering disciplines.

Relevant top-ranked titles include:

- *Administration and Policy in Mental Health*
- *Health Affairs*
- *Health Policy and Planning*
- *Milbank Quarterly*
- *Epidemiologic Reviews*
- *Environmental Health Perspectives*
- *Epidemiology*

In addition to journal subscriptions, the UM Libraries subscribe to the following significant databases, that will support the department by providing access to the previously mentioned journals as well as other relevant resources:

- *Academic Search Premier (EBSCO)*
- *Congressional Publications (ProQuest)*
- *EMBASE*
- *Health Reference Policy Center (EBSCO)*
- *LexisNexis Academic*
- *National Journal Policy Database*
- *POPLINE*
- *Public Health (ProQuest)*
- *PubMed*

At this time, the UM Libraries' purchasing preference is for electronic materials (i.e. those that can be accessed online), a trend that will serve to enhance research and teaching experience. This is especially relevant to the collaboration initiatives, where online flexibility is presented with no reduction in educational and research quality. The UM Libraries purchasing and access priorities are in line with this goal.

Interlibrary Loan & Article Express

With the admission of the University of Maryland into the Committee for Institutional Cooperation (CIC), the academic arm of the Big Ten, our faculty and students are able to take advantage of a number of new materials access options in the coming years. The Libraries joined the CIC UBorrow¹ program, which allows rapid access to the collections of other CIC member libraries.

When resources are not part of our holdings within the sixteen University System of Maryland and Affiliated Institutions (USMAI) libraries, the Interlibrary Loan unit can obtain materials from other libraries at no charge to the student or faculty. Most recent journal articles can be provided through electronic delivery, allowing students and faculty to make the most flexible use of their time.

Additionally, through the auspices of the Interlibrary Loan unit, graduate students and faculty can make use of Article Express, an electronic document delivery service for in-house materials. Article Express allows graduate students and faculty to place requests for book chapters and journal and/or conference papers that are available in print in the Libraries, and have them scanned and delivered electronically within three business days. This service is also free of charge.

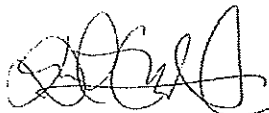
Conclusions

At the present time, UM Libraries holdings are adequate to support the proposed two areas of concentrations, and current purchasing preferences and trends are especially beneficial for collaborative projects and programs. While it is anticipated that this will continue, the Libraries collections are vulnerable to budget and market fluctuations. Journal collections and other continuing resources remain particularly vulnerable. The level of future support is thus dependent upon ongoing funding and other circumstances affecting continuing subscriptions.

Statement from Associate Dean, Collection Strategies and Services

Nedelina Tchangalova, Physical Sciences and Public Health Librarian, has prepared this report according to standard practices for collection assessment in research libraries. I have reviewed Ms. Tchangalova's report and I concur with her findings.

Daniel C. Mack



¹ <http://www.cic.net/projects/library/reciprocal-borrowing/uborrow>



University of Maryland School of Public Health

HLSA703 – Seminar in Health Equity

Semester: Spring
Classroom and Time: TBA
Instructor: Luisa Franzini
Office: 3310
Phone: 301 405 2470
Email: Franzini@umd.edu
Office Hours: TBA

Course Description:

This seminar course will have student-led presentations and discussion of contemporary literature in the areas of health disparities and health equity, social determinants, (eg. race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) and policies and programs to address disparities. The emphasis is on papers describing new research findings, novel techniques, innovative methods, and emerging issues.

Course Pre- and Co-requisites: None

Required: None

Recommended: At least one of the following courses:

EPIB 622: Social Determinants of Health (3 credits)

EPIB 623: Epidemiology of Health Disparities (3 credits)

HLSA 787 Minority Health and Health Equity (3 credits)

MIEH 730 Environmental Justice, Built Environment, and Health Disparities (3 credits)

Course Learning Objectives:

Upon completing this course, the student will be able to:

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Program Competencies Addressed in this Course:

The following competencies for the MPH in Health Equity are addressed in this course:

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice

2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required Texts and Other Readings:

Required: TBA - Students will identify articles to be presented and discussed in class

Recommended:

Additional Materials Required:

None

Course Requirements: On the first day of class, the instructor and the students will develop a list of topics related to health disparities. Students, individually or in groups, will then select a presentation date and a topic from the list. Student presenters will then carry out a literature search and identify a paper describing new research findings, novel techniques, innovative methods, or emerging issues relevant to their selected topic. Presenters are to meet with the instructor to “clear” your chosen article at least 1 week before the scheduled day. Articles will be sent via PDF to the students’ email address about a week ahead of time. Articles that can’t be emailed will be copied and left in the 3310 HLSA suite for pick-up by attendees, but an email will be sent notifying everyone that the article is available. For each week, the assigned student presenters will email the chosen paper 7 days in advance. Student presenters will present introductory and background information for the research area of the chosen article (10 min.), with a 10 min presentation of the hypotheses, methods, results, and conclusions of the article. For “small” articles with succinct methods and findings, presentation of more than one article from the same research area may be useful to compare findings from separate research groups, or present a brief follow-up study to a “first” article. Presentations will typically consist of powerpoint slides to assist with educating the audience about the background material and outlining the methods and results of the paper. While this provides some presentation experience for the students, the primary intent is the education and enrichment of all involved and an informal, conversational nature is the expected atmosphere. The remaining time is hoped to result in constructive discussions about the relevance of the paper to the health disparities research groups, as well as areas of future work implicated by the presented research.

Major Graded Assignments:

Students will be graded based on their presentation (each student registered for the class must do at least one presentation) and participation to class discussion.

Course Policies:

Email – The Official University Correspondence:

Verify your email address by going to www.my.umd.edu.

All enrolled students are provided access to the University's email system and an email account. *All official University email communication will be sent to this email address* (or an alternate address if provided by the student). Email has been adopted as the primary means for sending official communications to students, so email must be checked on a regular basis. Academic advisors, faculty, and campus administrative offices use email to communicate important and time-sensitive notices.

Students are responsible for keeping their email address up to date or for redirecting or forwarding email to another address. Failure to check email, errors in forwarding email, and returned email (from "full mailbox" or "unknown user" errors for example), will not excuse a student from missing University announcement, messages, deadlines, etc. Email addresses can be quickly and easily updated at www.my.umd.edu or in-person at the Student Service Counter on the first floor of the Mitchell Building.

For technical support for University email: www.helpdesk.umd.edu or call 301-405-1400.

Absence Policy:

In accordance with University policy if you are absent for a single (1) lecture due to illness or some form of personal or family emergency, this absence will be considered "excused" and the instructor will accept a note from you attesting to the date of the illness/incident, along with an acknowledgement that the information is true. Whenever feasible, you should try to contact the instructor in advance.

Multiple or prolonged absences, and absences that prevent attendance at a major scheduled grading event (like an exam or test) will require written documentation from an appropriate health care provider/organization.

A link to pull information on the new policy covering absences from class can be found at <http://www.president.umd.edu/policies/v100g.html>

Late work and Missed Exams / Assignments:

[Insert additional course policies related to submission of late work and missed assignments. E.g.: Late work and/or missed exams may not be made up.]

Classroom etiquette (optional)

Course Evaluations

The University, the School of Public Health, and the Department of XXX are committed to the use of student course evaluations for improving the student experience, course and curriculum delivery, and faculty instruction. Your evaluations help instructors improve their courses; help deans and department chairs decide on merit pay for faculty, renewal of contracts, and support tenure and promotion decisions; and help current and future students decide on classes. **The system (www.CourseEvalUM.umd.edu) will open and close onfor course evaluations.**

Available Support Services: Support is available from the Library to obtain articles.

Grading Procedures:

Participation in class discussion: 50 pts. (Evaluated at the end of the term)

Presentation: 50 pts.

TOTAL: 100 pts.

Grade Distribution

	To receive this letter grade you must earn at least...
A: 95-100%	95pts
A-: 90-94%	90pts
B+: 86-89%	86pts
B: 83-85%	83pts
B-: 80-82%	80pts
C+: 76-79%	76pts
C: 73-75%	73pts
C-: 70-72%	70pts
D+: 66-69%	66pts
D: 63-68%	63pts
D-: 60-62%	60ts

Course Outline / Course Calendar:

Course Schedule Summary			
Session	Date	Topic	Assignments
# 1	TBA	TBA	Reading assigned article
# 2	TBA	TBA	Reading assigned article
# 3	TBA	TBA	Reading assigned article
# 4	TBA	TBA	Reading assigned article
# 5	TBA	TBA	Reading assigned article
# 6	TBA	TBA	Reading assigned article
# 7	TBA	TBA	Reading assigned article
# 8	TBA	TBA	Reading assigned article
# 9	TBA	TBA	Reading assigned article
# 10	TBA	TBA	Reading assigned article
# 11	TBA	TBA	Reading assigned article
# 12	TBA	TBA	Reading assigned article
# 13	TBA	TBA	Reading assigned article
# 14	TBA	TBA	Reading assigned article
# 15	TBA	TBA	Reading assigned article

Note: Numbers in brackets after learning objectives show linkage between material covered in each session and the numbered program competencies shown on page 1 of this syllabus.

Required Session Outline

Session 1	Day/Date
<p>Topic: TBA</p> <p>Learning Objectives for Session</p> <ol style="list-style-type: none"> 1. Identify and define root causes of health inequities and their relevance and relationship to public health practice 2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) 3. Value health equity and acknowledge barriers to eliminating health disparities 4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels. 5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change. <p>In the first class, students select topics for the remaining of the course. Assignments – Read chosen paper.</p>	
Session 2	Day/Date
<p>Topic: TBA</p> <p>Learning Objectives for Session</p> <ol style="list-style-type: none"> 1. Identify and define root causes of health inequities and their relevance and relationship to public health practice 2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) 3. Value health equity and acknowledge barriers to eliminating health disparities 4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels. 5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change. <p>Required and recommended readings: Paper chosen for presentation for the current week by student presenters.</p> <p>Assignments – Read chosen paper.</p>	
Session 3	Day/Date
<p>Topic: TBA</p> <p>Learning Objectives for Session</p> <ol style="list-style-type: none"> 1. Identify and define root causes of health inequities and their relevance and relationship to public health practice 2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) 3. Value health equity and acknowledge barriers to eliminating health disparities 4. Recognize disparities amenable to intervention at individual, population, and structural 	

(institutions and agencies) levels.

5. Synthetize how to address social determinants of health though community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 4

Day/Date

Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthetize how to address social determinants of health though community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 5

Day/Date

Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthetize how to address social determinants of health though community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 6

Day/Date

Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 7

Day/Date

Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 8

Day/Date

Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities

4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 9	Day/Date
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Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 10	Day/Date
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Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 11	Day/Date
<p>Topic: TBA</p> <p>Learning Objectives for Session</p> <ol style="list-style-type: none"> 1. Identify and define root causes of health inequities and their relevance and relationship to public health practice 2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) 3. Value health equity and acknowledge barriers to eliminating health disparities 4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels. 5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change. <p>Required and recommended readings: Paper chosen for presentation for the current week by student presenters.</p> <p>Assignments – Read chosen paper.</p>	
Session 12	Day/Date
<p>Topic: TBA</p> <p>Learning Objectives for Session</p> <ol style="list-style-type: none"> 1. Identify and define root causes of health inequities and their relevance and relationship to public health practice 2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) 3. Value health equity and acknowledge barriers to eliminating health disparities 4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels. 5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change. <p>Required and recommended readings: Paper chosen for presentation for the current week by student presenters.</p> <p>Assignments – Read chosen paper.</p>	
Session 13	Day/Date
<p>Topic: TBA</p> <p>Learning Objectives for Session</p> <ol style="list-style-type: none"> 1. Identify and define root causes of health inequities and their relevance and relationship to public health practice 2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location) 	

3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 14

Day/Date

Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Assignments – Read chosen paper.

Session 15

Day/Date

Topic: TBA

Learning Objectives for Session

1. Identify and define root causes of health inequities and their relevance and relationship to public health practice
2. Understand the importance of class structure, bias and stereotyping in the development of health inequities (eg. Race, ethnicity, sex, age, sexual identity, disability, socioeconomic status, and geographic location)
3. Value health equity and acknowledge barriers to eliminating health disparities
4. Recognize disparities amenable to intervention at individual, population, and structural (institutions and agencies) levels.
5. Synthesize how to address social determinants of health through community action, public policies and practices, and organized social justice change.

Required and recommended readings: Paper chosen for presentation for the current week by student presenters.

Critical university policies:

Religious Observances:

The University System of Maryland policy provides that students should not be penalized because of observances of their religious beliefs; students shall be given an opportunity, whenever feasible, to make up within a reasonable time any academic assignment that is missed due to individual participation in religious observances. **It is the student's responsibility to inform the instructor in advance of any intended absences for religious observance.**

Special Accommodations / Disability Support Services:

If you have a documented disability and wish to discuss academic accommodations for test taking or other needs, you will need documentation from Disability Support Service (301-314-7682). If you are ill or encountering personal difficulties, please let the instructor know as soon as possible. You can also contact Learning Assistance Services (301-314-7693) and/or the Counseling Center (301-314-7651) for assistance.

Academic Integrity:

The University's code of academic integrity is designed to ensure that the principle of academic honesty is upheld. Any of the following acts, when committed by a student, constitutes academic dishonesty:

- **CHEATING:** intentionally using or attempting to use unauthorized materials, information, or study aids in an academic exercise.
- **FABRICATION:** intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
- **FACILITATING ACADEMIC DISHONESTY:** intentionally or knowingly helping or attempting to help another to violate any provision of this code.
- **PLAGIARISM:** intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise.

For more information see: <http://www.shc.umd.edu/code.html>.

The Honor Pledge is a statement undergraduate and graduate students should be asked to write by hand and sign on examinations, papers, or other academic assignments. The Pledge reads:

I pledge on my honor that I have not given or received any unauthorized assistance on this assignment/examination.

The University of Maryland, College Park has a nationally recognized Code of Academic Integrity, administered by the Student Honor Council. This Code sets standards for academic integrity at Maryland for all undergraduate and graduate students. As a student you are responsible for upholding these standards for this course. It is very important for you to be aware of the consequences of cheating, fabrication, facilitation, and plagiarism. For more information on the Code of Academic Integrity or the Student Honor Council, please visit <http://www.shc.umd.edu>.

Inclement Weather / University Closings:

In the event that the University is closed for an emergency or extended period of time, the instructor will communicate to students regarding schedule adjustments, including rescheduling of examinations and assignments due to inclement weather and campus emergencies. Official closures and delays are announced on the campus website (<http://www.umd.edu>) and snow phone line (301-405-SNOW), as well as local radio and TV stations.



**University Senate
TRANSMITTAL FORM**

Senate Document #:	14-15-33
PCC ID #:	14045
Title:	Establish a New Area of Concentration in Health Policy Analysis and Evaluation
Presenter:	Gregory Miller, Chair, Senate Programs, Curricula, and Courses Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>The School of Public Health and the Department of Health Services Administration propose to offer a new area of concentration in Health Policy Analysis and Evaluation for the Master of Public Health (MPH) degree. All students in the Master of Public Health program are required to take core courses in epidemiology, biostatistics, health systems, health behavior, and environmental health. This new area of concentration will allow MPH students to develop a specialty in understanding and analyzing health policy at the state, national, and global levels. This expertise in addressing the complex challenges inherent in the public health and health care systems is particularly important in the current environment of rapid health care reform. Public health practitioners and researchers play a critical role in the understanding, analysis, evaluation, and development of health policy. Skills in this area are in demand by state and national governments, as well private and non-profit organizations. The Department of Health Services Administration is well-suited to offer this concentration as it has developed its strength in this area through recent faculty hires.</p> <p>After taking the core courses for the MPH, students in this concentration will take a total of 28 credits that focus on health policy analysis and evaluation. Students will take 21 credits directly related to health policy, and will be required to complete</p>

	<p>a one-credit seminar, a three-credit internship, and a three-credit capstone project to complete the program.</p> <p>This proposal received the unanimous support of the Graduate School Programs, Curricula, and Courses committee at its meeting on March 30, 2015. The proposal received the unanimous support of the Senate Programs, Curricula, and Courses committee at its meeting on April 3, 2015.</p>
Relevant Policy # & URL:	N/A
Recommendation:	The Senate Committee on Programs, Curricula, and Courses recommends that the Senate approve this new area of concentration.
Committee Work:	The committee considered this proposal at its meeting on April 3, 2015. Luisa Franzini, chair of Health Services Administration, and Coke Farmer, Assistant Dean of the School of Public Health, presented the proposal. After discussion, the committee voted unanimously to recommend the proposal.
Alternatives:	The Senate could decline to approve this new concentration.
Risks:	If the Senate declines to approve this new area of concentration, the University will lose an opportunity to become a leader in the increasingly important area of training public health professionals in health policy analysis and evaluation.
Financial Implications:	There are no significant financial implications with this proposal. The Department of Health Services Administration and School of Public Health has the faculty, courses, and infrastructure needed to create this concentration.
Further Approvals Required:	If the Senate approves this proposal, it would still require further approval by the President, the Chancellor, and the Maryland Higher Education Commission.

THE UNIVERSITY OF MARYLAND, COLLEGE PARK PROGRAM/CURRICULUM/UNIT PROPOSAL

- Please email the rest of the proposal as an MSWord attachment to pcc-submissions@umd.edu.

PCC LOG NO.

14045

- Please submit the signed form to the Office of the Associate Provost for Academic Planning and Programs, 1119 Main Administration Building, Campus.

College/School: SPHL

Please also add College/School Unit Code-First 8 digits: 01203300

Unit Codes can be found at: https://hypprod.umd.edu/Html_Reports/units.htm

Department/Program: HLSA

Please also add Department/Program Unit Code-Last 7 digits: 1331301

Type of Action (choose one):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Curriculum change (including informal specializations) | <input type="checkbox"/> <i>New academic degree/award program</i> |
| <input type="checkbox"/> Curriculum change for an LEP Program | <input type="checkbox"/> New Professional Studies award iteration |
| <input type="checkbox"/> <i>Renaming of program or formal Area of Concentration</i> | <input type="checkbox"/> New Minor |
| <input type="checkbox"/> <i>Addition/deletion of formal Area of Concentration</i> | <input type="checkbox"/> Request to create an online version of an existing program |
| <input type="checkbox"/> <i>Suspend/delete program</i> | |

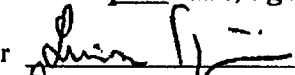


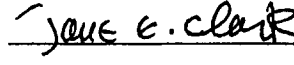
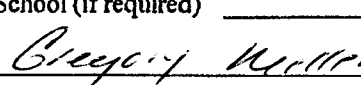
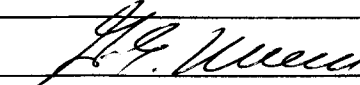
Italics indicate that the proposed program action must be presented to the full University Senate for consideration.

Summary of Proposed Action:

Central to the mission and values of the University of Maryland, College Park, School of Public Health (UMD-SPH) is the development of highly qualified professionals who are prepared to be leaders and to develop new areas of expertise in the field of health policy analysis and evaluation. There is growing national demand for professionals who understand and are able to analyze and evaluate health policies and the impact of health policies on the health of the population in the state, the nation, and worldwide, and can leverage this knowledge to combat major public health and health services issues facing today's society. To address this demand, the UMD-SPH proposes to add an Area of Concentration in Health Policy Analysis and Evaluation to its existing Master of Public Health (MPH). This concentration will leverage a unique strength of UMD-SPH, through its expertise in HLSA. To our knowledge, this will be a unique offering within the State of Maryland. This 43 credits Concentration, which includes the five required MPH core courses, a required internship, a required capstone course, and cognate courses (7 elective courses and 1 required seminar), will train individuals to focus practice and/or research activities on the analysis and evaluation of health policies.

Departmental/Unit Contact Person for Proposal: Luisa Franzini, Professor and Chair

APPROVAL SIGNATURES - Please *print name, sign, and date*. Use additional lines for multi-unit programs.

- Department Committee Chair  LUISA FRANZINI 1/28/2015
- Department Chair  LUISA FRANZINI 1/28/2015
- College/School PCC Chair  ROBIN SAWYER 2/23/15
- Dean  JANE E. CLARK 3/3/15
- Dean of the Graduate School (if required) _____
- Chair, Senate PCC  G. Miller  J. G. Uccella 1/3/15
- University Senate Chair (if required) _____
- Senior Vice President and Provost _____

UNIVERSITY SYSTEM OF MARYLAND INSTITUTION PROPOSAL FOR

- New Instructional Program
- Substantial Expansion/Major Modification
- Cooperative Degree Program
- Within Existing Resources, or
- Requiring New Resources

University of Maryland College Park

Institution Submitting Proposal

Master of Public Health : Health Policy Analysis and Evaluation

Title of Proposed Program

Master of Public Health

Award to be Offered

Fall 2015

Projected Implementation Date

121400

Proposed HEGIS Code

51.2201

Proposed CIP Code

Health Services Administration

Department in which program will be located

Luisa Franzini

Department Contact

301-405-2470

Contact Phone Number

franzini@umd.edu

Contact E-Mail Address

Signature of President or Designee

Date

Mission and Overview

As the state's flagship campus, the mission of the University of Maryland, College Park is to provide excellence in teaching, research, and service. The University educates students and advances knowledge in areas of importance to the State, the nation, and the world. As a land-grant institution, the University shares its research, educational, cultural, and technological strengths with the Maryland citizenry and other constituencies. Its collaborations with state, federal, private, and non-profit partners promote economic development and improve quality of life.

The mission of the University of Maryland, College Park, School of Public Health (UMD-SPH) is to promote and protect the health and well-being of the diverse communities throughout Maryland, the nation and the world through interdisciplinary education, research, practice, leadership and public policy. The mission of the Department of Health Services Administration (HLSA) includes advancing innovative and effective health policies to improve the health system and its functionality into the 21st century and beyond to achieve the best in human health outcomes.

Central to this mission is the development of highly qualified professionals who are prepared to be leaders in their field and to develop new areas of expertise. Understanding, analyzing, evaluating, and developing health policy in the state, the nation, and the world is an important task for today's public health and health care professionals. Health policy includes not only health care policy but also all policies that affect the public's health such as policies related to public health organizations and other public policies in education, housing, nutrition, environmental pollution that have an impact on population health. The development of health policy is a core function of public health. Public health and health care practitioners and researchers play a critical role in the understanding, analysis, evaluation, and development of health policy in the public, nonprofit and private sectors. There is a growing national demand for professionals who can contribute critical skills to the understanding of health policy and its impact on the health of the population. These professionals are needed to contribute their expertise to the decision-making required in the development of health policy aimed at addressing the complex challenges inherent in the public health and healthcare systems. The current environment of rapid health care reform, including the implementation of the Affordable Care Act, requires expanding professionals' expertise in health policy, in particular in the analysis and evaluation of health policies and health care reforms. To address this demand, the UMD-SPH proposes to add an Area of Concentration in Health Policy Analysis and Evaluation to its existing Master of Public Health (MPH). The MPH in Health Policy Analysis and Evaluation will meet all of the requirements of the existing MPH degree, including the five MPH required core courses, the required internship, the required capstone course, and cognate courses (7 elective courses and 1 required seminar), totaling 43 credit hours. This concentration will be the seventh within the MPH, and will leverage a unique strength of UMD-SPH. HLSA has recently added depth and breadth to its already considerable policy expertise by hiring two new faculty who are renowned researchers in health policy. The Concentration will enable public

health trained individuals to focus practice and/or research activities on the analysis and evaluation of health policies in the State of Maryland and the nation.

While other programs in the state focus on health policy, our program's focus on the *analysis and evaluation of health policy* will be unique within the State of Maryland. To our knowledge, no other institution in Maryland offers a Master of Public Health focused specifically on the *analysis and evaluation of health policy* for public health researchers and practitioners. Other schools of public health and other institutions within the state offer several master programs in health policy, but those programs differ in several ways from the proposed MPH in Health Policy Analysis and Evaluation. A brief description of germane programs in the state follows:

- The Bloomberg School of Public Health at Johns Hopkins Master of Science in Public Health in Health Policy which focuses on training health policy analysts primarily for work in the United States consists of one year of full-time residential academic coursework, followed by a nine-month field placement of full-time employment in a professional health policy setting.
- The Department of Health Policy and Management at Morgan State University offers a generalist MPH degree that emphasizes preparing students to understand and analyze health policy issues affecting underserved populations and people of color.
- UMD School of Public Policy offers a Master in Public Policy with a specialization in health policy that acquaints students with the relevant history and institutions of social policy, develops their quantitative skills for program evaluation and the analysis of large data sets, and helps them grapple with the moral issues raised by inequality.
- The University of Maryland Baltimore County (UMBC) School of public Policy offers a Master of Public Policy (M.P.P.) with a track in Health Policy.
- The Center for Health Policy & Health Services Research, at the University of Maryland School of Medicine is a non-degree granting program that provides epidemiologic/biostatistical support, quality improvement study design and evaluation, disease management program support, and health outcomes studies among its many services but does not offer a MPH program in health policy.

Our proposed MPH concentration in Health Policy Analysis and Evaluation is unique in that it focuses not only on health care policies but on the analysis and evaluation of all policies that affect the public's health such as policies related to public health organizations and other public policies in education, housing, nutrition, and environmental pollution, among others that have an impact on population health. UMD-SPH is particularly well suited for such a program, given its location in the DC area. The benefits to students arising from our location include proximity to federal government and agencies tasked with developing and implementing health policies such as the Centers for Medicare & Medicaid Services, in particular the Center for Medicare & Medicaid Innovation, The Agency for Healthcare Policy and Research, the Environmental Protection Agency and Health Resources and Services Administration. Our location is also geographically close to top private and non-profit research institutions such as RAND, Mathematica, The Urban Institute, and The Brookings Institution, which conduct high-quality, independent research and provide innovative, practical recommendations to health policy makers. Faculty in the Health Services Administration department has active collaborations

with several of these agencies and institutions and students in the department would have access to internships, capstone projects and post-graduation positions at these organizations.

In addition, students in the proposed program would benefit for the Health Services Administration department's close links with the State of Maryland legislature. The department houses the innovative Legacy Leadership Institute on Public Policy which provides a bridge between needs of local communities and government in the State of Maryland and the knowledge and expertise of Maryland residents age 50+ who are seeking careers are volunteer service leaders. The program offers training and leaderships in government offices and the nonprofit sector by providing intensive class room instruction before matching Legacy Leaders prior to the opening of the Maryland legislative session with government and nonprofit sector officials who serve as on-site mentors during the 90 day legislative session from January to early April. Additionally, students in the SPH have previously interned with General Assembly members; in those experiences, they have conducted research on legislative issues, co-authored legislation, assisted in preparation for hearings, and other policy related tasks.

This unique professional degree program differs from the other MPH at UMD-SPH, which are focused on the core disciplines of public health. The MPH program in Health Policy Analysis and Evaluation is designed to train students as public health scientists and practitioners that focus practice and/or research activities on the understanding, analysis, evaluation, and development of health policy. Various agencies in the state (e.g., county and state health departments) and across the nation (e.g., NIH and CDC), including colleges/universities, health-related agencies, community groups, and even large corporations (health care systems and insurance plans), employ public health professionals with a deep understanding of health policy in order to design, implement, analyze and evaluate policies to improve the health of their constituents. This program prepares graduates to take leadership positions in government agencies, consulting companies, health care organizations such as hospitals, community clinics, or health systems corporations, as well as health policy research organizations.

We anticipate a relatively small class size, with 10 students admitted to the concentration per year, although future expansion to 20 students per year may occur as the program is developed. We expect to draw students with Bachelor's Degrees from several fields in the social and behavioral sciences and related fields who seek to add professional training in public health and/or specialized knowledge in health policy analysis and evaluation.

Characteristics of the Proposed Program

The concentration was developed in collaboration with the School of Public Health dean's office to ensure that it meets all of the requirements of the existing MPH degree, including the five MPH required core courses, the required internship, the required capstone course, and cognate courses (7 elective courses and 1 required seminar), totaling 43 credit hours. The proposed program also satisfies CEPH (the accreditation body) requirements. To accommodate a variety of career pursuits, students have flexibility in designing their course structure. Once a foundational knowledge is acquired through the MPH program's core requirements, students

are encouraged to take electives across a range of disciplines. A number of elective courses are available within the existing HLSA graduate curriculum. Three new HLSA courses will be developed specifically for this Concentration. In addition, students will be allowed to take up to two electives from other departments at UMD-SPH as well as across other UMD departments and DC area institutions. Students will be advised to work with SPH faculty for recommendations about how certain elective courses will best support particular career aspirations. The curriculum is adaptable to both a full and part-time student status. A small number of students are expected to take elective courses outside of HLSA. The anticipated number will be 0-1 students per course per year, so no significant impact is anticipated for these programs. The new courses developed as part of this proposal are:

HLSA713 Seminar in health policy (1 credit – required)

HLSA723 Policy Analysis and Advocacy (3 credits - elective)

HLSA733 Topics in health care reform (3 credits - elective)

These courses are being reviewed by VPAC and their syllabi are attached to this application)

Catalog Description:

Master of Public Health with concentration in Health Policy Analysis and Evaluation (M.P.H.)

The Master of Public Health (MPH) degree with a concentration in Health Policy Analysis and Evaluation is a 43-credit professional degree offered by the Department of Health Services Administration. The program is described below.

Educational Objectives and Competencies: Upon completion of the program, students will be able to:

- 1) Apply understanding of the fundamental components of health care systems, delivery, and financing to assess the impact and consequences of various policy solutions, proposed laws, or regulation.
- 2) Comprehensively evaluate programs and policies using data analysis, program monitoring, needs assessment, economic evaluation and statistical and analytic methods.
- 3) Synthesize knowledge of the American political system, political institutions, organizational goals and values, resources and power to understand the health policymaking process.
- 4) Interpret data sources, variables, programming tools, and data collection methods to inform pragmatic decisions about policy analysis and program evaluation.
- 5) Assess programs and policies based on a varied set of values, including the influence of racial/ethnic disparities, diverse populations (i.e. language, disability, etc) health care access, spending, quality, and the overall health and wellness of the population.

All MPH students with concentration in Health Policy Analysis and Evaluation will complete the following three modules:

Module 1. Five required MPH core courses

Module 2. Seven elective health policy analysis and evaluation cognate courses

Module 3. Required health policy seminar, internship and capstone (or thesis).

For Module 2, the student with the advisor chooses elective courses to meet the program competencies from the courses in the table below. With advisor's approval, students may select at most two electives (up to 6 credits) from courses relevant to the study of health policy offered at other UMD-SPH departments, at the UMD - College Park campus, at the UMD-Baltimore campus, at UMBC, and at other institutions in the DC area (through the Consortium of Universities of the Washington Metropolitan Area). A summary of program requirements is in the table below and Appendix A lists a sample of elective courses. Appendix B contains a more detailed description of the program outcomes and how they will be assessed.

Summary of requirements for the proposed MPH in Health Policy Analysis and Evaluation

Module	Course number and name	Credits
1. MPH core courses - required	EPIB 650 Biostatistics I	3
	EPIB 610 Foundations of Epidemiology	3
	HLSA 601 Introduction to Health Systems	3
	HLTH 665 Health Behavior I	3
	MIEH 600 Foundations of Environmental Health	3
	Total MPH core	15
2. Health Policy elective cognate courses - choose 21 credits	HLSA 702 Politics and Policy of Health	3
	HLSA 720 Health Law and Ethics	3
	HLSA 721 Using Demographic Data for Health Policy Analysis	3
	HLSA 711 Health Care Economics and Analysis	3
	HLSA 775 Public Health Research Methods	3
	HLSA 787 Minority Health and Health Equity	3
	HLSA 725 Econometrics in Public Health	3
	HLSA733 Topics in Health Care Reform	3
	HLSA723 Policy Analysis and Advocacy	3
	HLSA 688 Independent study**	3
	Elective courses offered by UMD-SPH, UMD, UMB, UMBC, or Consortium of Universities of the Washington Metropolitan Area **	Up to 6
Total cognate courses	21	
3. Seminar / Internship / Capstone - required	HLSA713 Seminar in Health Policy	1
	HLSA 785 Internship	3
	HLSA 786 Project (or HLSA 799 for Thesis*)	3
	Total seminar/internship / capstone	7
	TOTAL CREDITS REQUIRED FOR MPH	43

** Requires advisor's approval

* Students completing a thesis (6 credits) instead of a capstone project (3 credits) can select to take one less elective cognate course to compensate for the 3 additional thesis credits.

Faculty and Organization

The proposed MPH with Concentration in Health Policy Analysis and Evaluation will be supported by various departments within the School of Public Health. The Dean has expressed full support for this new program and all of the courses that support the degree requirements (e.g., Core courses) will be able to accommodate the addition of the new students (see attached dean's letter).

The department of Health Services Administration within the UMD School of Public Health will provide academic oversight of this concentration. In the last year, two new faculty members with expertise in health policy have been hired by HLSA and they will participate in teaching courses and advising students for the new concentration. Fifty percent time of one of the new faculty and 20% of a staff person will be redirected to assist with the administration of the program, including instruction, graduate admissions, advising, and program oversight. One recent faculty hire has developed and is currently teaching HLSA721 Using Demographic Data for Health Policy Analysis, which is elective for the new proposed MPH. He will also take the lead in HLSA713 Seminar in Health policy. The second recent hire will take on instructional leadership of HLSA733 Topics in Health Care Reform and HLSA723 Policy Analysis and Advocacy. Existing faculty members will continue to teach the other HLSA courses listed as electives.

The Department of Health Services Administration is a nationally-recognized doctoral program with faculty expertise in a wide range of areas within health policy and health administration. These faculty members will teach courses that MPH students may take as elective courses, and will also be available to assist with supervising student internship projects (HLSA785) and capstone projects (HLSA786) or thesis (HLSA 799 for Thesis).

Health Services Administration faculty:

Michel Boudreaux, Ph.D. Health Services Research, Policy and Administration; Assistant Professor, Full-time. Courses: HLSA721, HLSA713

Jie Chen, Ph.D. Economics; Assistant Professor, Full-time. Courses: HLSA711

Rada Dagher, Ph.D. Health Services Research, Policy & Administration; Assistant Professor, Full-time. Courses: HLSA775

Luisa Franzini, Ph.D. Econometrics; Professor and Chair, Full-time. Courses: HLSA725

Karoline Mortensen, Ph.D. Health Services Organization and Policy; Assistant Professor, Full-time. Courses: HLSA601

Dylan Roby, Ph.D. Public Policy; Assistant Professor, Full-time. Courses: HLSA733, HLSA723

Lori Simon-Rusinowitz, Ph.D. Public Policy Analysis (Health Policy and Planning Specialization); Associate Professor, Full-time. Courses: HLSA702

Stephen B. Thomas, Ph.D. Community Health Education; Professor and Director, Maryland Center for Health Equity, Full-time. Courses: HLSA 787

Library and Physical Resources

No impact on library or other resources is anticipated (see attached letter from the library supporting this program). The new students will not negatively impact on the existing MPH programs at UMD-SPH. Four new courses will be added to the course catalog for this MPH concentration and none will include a laboratory component that would tax physical resources. Students will complete the bulk of their "hands-on" training in internship and professional settings off campus, as arranged by the student and their advisor. The existing physical resources can accommodate the additional students anticipated as part of this program.

Resources and Finance

No new resources within the School of Public Health are required to offer this concentration. The new MPH concentration will be housed in the Health Services Administration department and no additional resources will be required. The School's Graduate Programs Committee has confirmed that new students in this concentration can be accommodated with existing course offerings, with only one new course as described above. Graduate admissions procedures for the MPH degree can accommodate the new applicants for this concentration. A cohort size of approximately 10-20 students per year is anticipated. The department of Health Services Administration has confirmed that there will be no negative impact on its existing masters and doctoral programs.

Resources and Expenditures

TABLE 1: RESOURCES					
Resources Categories	(Year 1)	(Year 2)	(Year 3)	(Year 4)	(Year 5)
1. Reallocated Funds ¹	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
2. Tuition/Fee Revenue ² (c+g below)	\$53,680	\$73,810	\$120,780	\$167,750	\$221,430
a. #F.T Students	3	4	7	10	13
b. Annual Tuition/Fee Rate	\$13,420	\$13,420	\$13,420	\$13,420	\$13,420
c. Annual Full Time Revenue (a x b)	\$40,260	\$53,680	\$93,940	\$134,200	\$174,460
d. # Part Time Students	2	3	4	5	7
e. Credit Hour Rate	\$671	\$671	\$671	\$671	\$671
f. Annual Credit Hours	10	10	10	10	10
g. Total Part Time Revenue (d x e x f)	\$13,420	\$20,130	\$26,840	\$33,550	\$46,970
3. Grants, Contracts, & Other External Sources	0	0	0	0	0
4. Other Sources	0	0	0	0	0
TOTAL (Add 1 - 4)	\$93,680	\$113,810	\$160,780	\$207,750	\$261,430

¹ The resources required to support this new MPH concentration will be provided by reallocation of funds in the present Departmental state-funded budget for faculty (tenure track lines). The resources have become available from the departure of faculty and there is no negative impact on present members.

² This figure is an estimate of the percentage of tuition and fees used to support the new program. The tuition rate is preset by the University for the MPH degree programs in the School of Public Health; the current rate is \$671.00 per credit hour, which applies to the proposed emphasis, which is a new degree concentration, but is a not new degree.

TABLE 2: EXPENDITURES

Expenditure Categories	(Year 1)	(Year 2)	(Year 3)	(Year 4)	(Year 5)
1. Total Faculty Expenses (b + c below)	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000
a. # FTE	0.5	0.5	0.5	0.5	0.5
b. Total Salary	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000
c. Total Benefits	\$24,000	\$24,000	\$24,000	\$24,000	\$24,000
2. Total Administrative Staff Expenses (b + c below)	\$17,680	\$17,680	\$17,680	\$17,680	\$17,680
a. # FTE	0.2	0.2	0.2	0.2	0.2
b. Total Salary	\$34,000	\$34,000	\$34,000	\$34,000	\$34,000
c. Total Benefits	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200
3. Total Support Staff Expenses (b + c below)	0	0	0	0	0
a. # FTE	0	0	0	0	0
b. Total Salary	0	0	0	0	0
c. Total Benefits	0	0	0	0	0
4. Equipment	0	0	0	0	0
5. Library	0	0	0	0	0
6. New or Renovated Space	0	0	0	0	0
7. Other Expenses	0	0	0	0	0
TOTAL (Add 1 - 7)	\$69,680	\$69,680	\$69,680	\$69,680	\$69,680

Appendix A: Program requirements and list of courses

MPH HEALTH POLICY ANALYSIS AND EVALUATION PROGRAM REQUIREMENTS – TOTAL 43 CREDITS

The program is organized in 3 modules. The required and elective courses for each module are described below.

MODULE 1: MPH CORE COURSES - 5 required courses or 15 credits

- **EPIB 610 Foundations of Epidemiology**, 3 cr. Introduction to the discipline of epidemiology and its applications to health issues and practices. Basic epidemiologic concepts and methods will be covered.
- **EPIB 650 Biostatistics I**, 3 cr. Basic statistical concepts and procedures for Public Health. Focuses on applications, hands-on-experience, and interpretations of statistical findings.
- **HLSA 601 Introduction to Health Systems**, 3 cr. Management and leadership skills for effective public health planning, organization, management and administration. Emphasis is on the role of institutions in learning and behavioral change process, organizational theory, administration management, and coordinating provision of community health services.
- **HLTH 665 Health Behavior I**, 3 cr. The psychological, social psychological, and sociological theories of health behavior. The relation of health knowledge, beliefs, attitudes, intentions, and behavior to preventive, illness, sick-role, and health utilization behaviors.
- **MIEH 600 Foundations of Environmental Health**, 3 cr. Overview of the chemical, physical and biological hazards present in our living and working environment and their effects on human health. Topics include: exposure assessment, industrial hygiene and safety, pesticides, community and indoor pollution, food-borne diseases, solid and hazardous wastes, water resources, risk assessment, ecological issues and environmental laws.

MODULE 2: HEALTH POLICY ANALYSIS AND EVALUATION ELECTIVE COGNATE COURSES - Student with advisor chooses 7 courses or 21 credits from the lists below:

Possible elective courses offered by HLSA:

- **HLSA 702 Politics and Policy of Health**, 3cr: Organizational and financial components of the U.S. health care system, including social and political forces that bind the system. Advanced political analysis of the health care system, including key issues and problems.

- **HLSA 720 Health Law and Ethics, 3 cr:** The legal system helps determine the relationships prevailing among individuals, institutions and governments by setting out the rights, duties and powers of the various parties. This course will look at some of the more important concepts the law uses within the context of health services and public health.
- **HLSA 721 - Using Demographic Data for Health Policy Analysis, 3 cr:** Prerequisite: EPIB650; or permission of instructor. The goal of this course is to introduce students to the major demographic data sets that are used in health policy research and to provide hands-on experience using these data to answer policy oriented research questions. In conjunction, through a series of labs and assignments, students will gain experience in developing researchable policy questions, obtaining publicly available data, analyzing it with statistical software (Stata), and communicating results through the creation of tables and reports that meet the standards of professional policy research. By the end of the course, each student will have written a high quality empirical paper on a policy topic of their choice.
- **HLSA 711 Health Care Economics and Analysis, 3 cr:** Provides an analysis of health and health care services as economic goods. Using microeconomic theories, we will examine the behavior of health care providers, consumers, markets, and firms.
- **HLSA 775 Public Health Research Methods, 3 cr:** Prerequisite: EPIB650. Provides an interdisciplinary approach to gaining an understanding of and acquiring the skills to conduct public health research. This course covers policy and social issues, theory, and methods of evaluation and participatory research, from simple community based health programs to large-scale interventions. The course emphasizes experimental and quasi-experimental designs to estimate program impact as well as evaluation of program implementation. Case studies drawn from the public health field illustrate various types of evaluations and participatory research initiatives. Lectures, interactive discussions, group projects, individual projects and related assignments
- **HLSA 725 Econometrics in Public Health, 3 cr:** This course is an empirical course which introduces students to econometric methods and their applications in public health. Topics may include: OLS regression, model specification, multicollinearity, heteroscedasticity, autocorrelation, panel data, instrumental variables, selection models and endogeneity. During the semester, students will also complete a research project of their choice that uses econometrics methods with MEPS data or other publicly available health care data.
- **HLSA733 Topics in Health Care Reform, 3 cr.** This course examines health care reform in the U.S. and in the state of Maryland. Current and proposed national and state reforms will be analyzed.
- **HLSA723 Policy Analysis and Advocacy, 3cr:** Examination of the politics of the health policy process, including the effects of American political structure and institutions; economic and social factors; interest groups, classes, and social movements; media and

public opinion, and other factors. The emphasis is both on understanding how public policy is made as well as how to influence the process.

- **HLSA 787 Minority Health and Health Equity**, 3 cr: A critical analysis of historical, political, economic, social, cultural, and environmental conditions that have produced an inequitable health status for racial and ethnic minorities in the United States.
- **HLSA 688 Independent study**, 3 cr: Requires advisor's approval

With advisor's approval, students may choose a maximum of two elective courses (up to 6 credits) offered by other departments and campuses. Some courses may require pre-requisites or special permission, especially those offered outside UMD-SPH. Catalog descriptions may be found in the respective catalogues. Below is a list illustrating possible elective courses offered outside HLSA.

Course offered at UMD-SPH:

- FMSC 750 Family and Health Policy (3 credits)
- MIEH 730 Environmental Justice, Built Environment, and Health Disparities
- MIEH 770 Law and Policy in Environmental Health

Courses offered at UMD:

- ECON 641 - Microeconomic Analysis
- ECON 671 - Economics of Health Care
- ECON 672 - Program Analysis and Evaluation
- ECON 674 - Economic Analysis of Law
- PUAf 610 Quantitative Aspects of Public Policy
- PUAf 611 Quantitative Analysis of Social Policy
- PUAf 620 Political Institutions & Leadership
- PUAf 688A Comparative Political Institutions
- PUAf 640 Microeconomics and Policy Analysis
- PUAf 650 Moral Dimensions of Public Policy
- PUAf620 Political Analysis
- PUAf689E Program Evaluation and Cost-Benefit Analysis
- PUAf734 Foundations of Social Policy

Courses offered at UMBC:

- PUBL 603 Theory and Practice of Policy Analysis
- PUBL 613 Managing Public Organizations
- PUBL 623 Governmental Budgeting
- ECON 600 Policy Consequences of Economic Analysis
- PUBL 601 Political and Social Context of the Policy Process
- SOCY 606 Social Inequality and Social Policy

Elective courses from Consortium of Universities of the Washington Metropolitan Area

(<http://www.registrar.umd.edu/current/registration/consortium.html>)

MODULE 3: SEMINAR/INTERNSHIP/CAPSTONE - required 7 credits

- HLSA 785 Internship in Public Health, 3 cr. The internship is a time-limited, supervised period of public/community health activities carried out in a health or allied health organization involved with health policy. Students gain practical experience in areas such as program planning and implementation, program evaluation, public policy analysis, research, and management.
- HLSA 786 Capstone Project in Public Health, 3 cr. The culminating experience in which the student applies knowledge and skills learned in the MPH program to conduct independent work on a health policy problem under the supervision of a faculty advisor. OR HLSA 799 for Thesis in Public Health, 6cr.)
- HLSA713 Seminar in Health Policy, 1 cr. Student-led presentations of contemporary literature in the areas of health policy, health care reform in the nation and Maryland, and evaluation of health policies and programs. Emphasis on papers describing new research findings, novel techniques, innovative methods, and emerging issues.

Appendix B: Program Outcomes and Assessment Plan

We describe below the Educational Objectives and Competencies and in which classes those objectives and competencies will be assessed.

Upon completion of the program, students will be able to:

- 1) **Apply understanding of the fundamental components of health care systems, delivery, and financing to assess the impact and consequences of various policy solutions, proposed laws, or regulation.** Students will be able synthesize how the healthcare delivery system affects the impact of proposed policies and regulations.
Assessment: HLSA702, HLSA720, HLSA723, HLSA713
- 2) **Comprehensively evaluate programs and policies using data analysis, program monitoring, needs assessment, economic evaluation and statistical and analytic methods.** Students will be able to use quantitative analytic methods to analyze existing data in the evaluation of programs and policies.
Assessment: HLSA723, HLSA711, HLSA721, HLSA725, HLSA775
- 3) **Synthesize knowledge of the American political system, political institutions, organizational goals and values, resources and power to understand the health policymaking process.** Students will be able to describe how public policy is made as well as how to influence the process.
Assessment: HLSA702, HLSA723, HLSA713
- 4) **Interpret data sources, variables, programming tools, and data collection methods to inform pragmatic decisions about policy analysis and program evaluation.** Students will be able to apply analytic skills to the on the ground decision making when developing and evaluating policies and programs.
Assessment: HLSA723, HLSA733
- 5) **Assess programs and policies based on a varied set of values, including the influence of racial/ethnic disparities, diverse populations (i.e. language, disability, etc), health care access, spending, quality, and the overall health and wellness of the population.** Students will be able to describe the influence of disparities and population diversity on programs and policies. They will synthesize how policies and programs address values of equity and inclusion.
Assessment: HLSA787, HLSA713



UNIVERSITY OF MARYLAND

School of Public Health

Jane E. Clark, Ph.D. Dean
School of Public Health
College Park, Maryland 20742-2611
jeclark@umd.edu: email
301.405.2438: Phone
301.405.8397: Fax

February 9, 2015

To the Academic Curriculum Review Community:

As Dean of the School of Public Health, I support the creation of a new Master of Public Health (MPH) concentration in Health Policy Analysis and Evaluation sponsored by the Department of Health Services Administration. The area of health policy and health care reform, including analysis and evaluation of policies and programs, is of critical importance to the overall promotion of public health in Maryland, the nation, and around the world. The current environment of rapid health care reform, including the implementation of the Affordable Care Act, requires expanding professionals' expertise in health policy, in particular in the analysis and evaluation of health policies and health care reforms. This is an important concentration for our school to offer and leverages a unique strength our school contributes to the academic preparation of the public health practice community.

The MPH with a concentration in Health Policy Analysis and Evaluation will be the seventh such MPH concentration in the school. In the last year, the school has hired two new tenure track faculty with expertise in health policy who, together with other faculty in the department, will assist with the administration and teaching requirements of the new program.

Our school's Graduate Programs Committee has discussed the implications of the new concentration and confirmed that new students in this concentration can be accommodated in our existing course offerings. Moreover, our graduate admissions procedures for the MPH degree can accommodate the new applicants for this concentration. Thus, no impact on resources is anticipated. The Department of Health Services Administration has confirmed that the new students will also not negatively impact their existing MPH, MHA or PhD degree programs.

In summary, I fully support this new concentration and will work with the chair in the Department of Health Services Administration to ensure smooth and successful implementation beginning in Fall 2016.

Sincerely,

A handwritten signature in cursive script that reads 'Jane E. Clark'.

Jane E. Clark, Ph.D.
Professor and Dean

DATE: January 29, 2015

TO: Luisa Franzini, Professor & Chair, Health Services Administration, School of Public Health

CC: Daniel Mack, Associate Dean for Collection Strategies and Services, Libraries
Gerri Foudy, Manager, Collections and Scholarly Communication, Libraries

FROM: Nedelina Tchangalova, Physical Sciences and Public Health Librarian

RE: Library Resources to Support Addition of (1) Area of Concentration in Health Equity and (2) Area of Concentration in Health Policy Analysis and Evaluation to its existing Master of Public Health (MPH)

The University of Maryland (UM) Libraries' mission is "to enable the intellectual inquiry and learning required to meet the education, research and community outreach mission of the University." Currently they support undergraduate and graduate students in a variety of face-to-face, online and distance learning programs, as well faculty working collaboratively with internal and external partners. The University of Maryland Libraries collections will continue adequately support the instruction and research needs of the two newly proposed Areas of Concentrations in Health Equity & Health Policy Analysis and Evaluation to its existing Master of Public Health (MPH).

As a department with strong ties with other departments/schools on and off campus, the Health Services Administration (HSA) is confident that library resources are readily available and accessible. Ease of access and flexible availability of library materials is paramount, and researchers, as well students expect this flexibility to be coupled with high academic quality and integrity. The current purchasing practices and available collections at the UM Libraries will ensure that these two goals can be met, both now and for the life of the department. In addition, the establishment of the new Collaborative School of Public Health provides even greater access and flexible availability; the School of Public Health (SPH) students and faculty at the University of Maryland—College Park (UMCP) have access to the Health Sciences and Human Services Library at the University of Maryland—Baltimore (UMB). Thus, the broader medical and global health journals available there are a part of UM Libraries available resources without additional expenditures. Moreover, UM Libraries' existing public health and collections of journals and databases will continue to support the research and teaching needs of the Health Services Administration Department.

Public Health & Health Policy Library Collections

While Health Services Administration Department is part of the School of Public Health, many of their faculty members have secondary appointments to other UMCP departments and UMB. McKeldin Library supports the undergraduate and graduates students in SPH, housing the majority of the monographs and serials pertaining to public health in general, and health policy in particular. A significant portion of these collections are electronically accessible, both on and off campus, and therefore are not location dependent.

1. Monographs

The Libraries' current collection of books related to health equity and policy is sufficient to meet the needs of the department. The ongoing acquisition of scholarly books is expected to be adequately

covered through existing acquisition practices and budgeting. As a land grant institution, the University of Maryland already has a tradition of emphasizing public health, including health equity and policy, and current collection development practices in the Libraries already support these topics.

At this time, UM Libraries have access to several multidisciplinary ebook collections related to public health and health policy (*Credo Reference, ebrary, EBSCO ebook collection, Gale Virtual Reference Library, Springer, World Scientific eBooks* and more). Due to the UM Libraries' purchasing preference for electronic materials, especially prevalent across the STEM fields, the number of electronic book collections is expected to continue to increase significantly in the coming years.

2. Electronic Resources: Journals and Databases

The Libraries' current list of subscriptions includes both core and related journals that support research and teaching in Public Health and Health Policy.

A search was performed in *Journal Citation Reports 2013 (JCR)*, a database that uses citation data to rank and determine the impact factor of journals in an academic field. To support the existing courses, at the present time the Libraries provide access to all of the top ten ranked journals from the JCR category of *Health Policy & Services*, nine of the top ten ranked journals from the JCR category of *Health Care Sciences & Services*, and all of the top ten ranked journals from the JCR category of *Public, Environment & Occupational Health*.

While other aspects of public health and health policy do not fall as neatly into a JCR-specified category, the UM Libraries provide access to numerous highly ranked journals from cross-sections of the JCR categories of *Agricultural Economics & Policy, Behavioral Sciences, Environmental Sciences, Family Studies, Law, Political Science, Public Administration*, as well as the majority of top ten ranked journals from all engineering disciplines.

Relevant top-ranked titles include:

- *Administration and Policy in Mental Health*
- *Health Affairs*
- *Health Policy and Planning*
- *Milbank Quarterly*
- *Epidemiologic Reviews*
- *Environmental Health Perspectives*
- *Epidemiology*

In addition to journal subscriptions, the UM Libraries subscribe to the following significant databases, that will support the department by providing access to the previously mentioned journals as well as other relevant resources:

- *Academic Search Premier (EBSCO)*
- *Congressional Publications (ProQuest)*
- *EMBASE*
- *Health Reference Policy Center (EBSCO)*
- *LexisNexis Academic*
- *National Journal Policy Database*
- *POPLINE*
- *Public Health (ProQuest)*
- *PubMed*

At this time, the UM Libraries' purchasing preference is for electronic materials (i.e. those that can be accessed online), a trend that will serve to enhance research and teaching experience. This is especially relevant to the collaboration initiatives, where online flexibility is presented with no reduction in educational and research quality. The UM Libraries purchasing and access priorities are in line with this goal.

Interlibrary Loan & Article Express

With the admission of the University of Maryland into the Committee for Institutional Cooperation (CIC), the academic arm of the Big Ten, our faculty and students are able to take advantage of a number of new materials access options in the coming years. The Libraries joined the CIC UBorrow¹ program, which allows rapid access to the collections of other CIC member libraries.

When resources are not part of our holdings within the sixteen University System of Maryland and Affiliated Institutions (USMAI) libraries, the Interlibrary Loan unit can obtain materials from other libraries at no charge to the student or faculty. Most recent journal articles can be provided through electronic delivery, allowing students and faculty to make the most flexible use of their time.

Additionally, through the auspices of the Interlibrary Loan unit, graduate students and faculty can make use of Article Express, an electronic document delivery service for in-house materials. Article Express allows graduate students and faculty to place requests for book chapters and journal and/or conference papers that are available in print in the Libraries, and have them scanned and delivered electronically within three business days. This service is also free of charge.

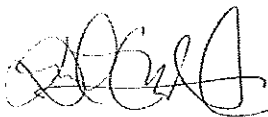
Conclusions

At the present time, UM Libraries holdings are adequate to support the proposed two areas of concentrations, and current purchasing preferences and trends are especially beneficial for collaborative projects and programs. While it is anticipated that this will continue, the Libraries collections are vulnerable to budget and market fluctuations. Journal collections and other continuing resources remain particularly vulnerable. The level of future support is thus dependent upon ongoing funding and other circumstances affecting continuing subscriptions.

Statement from Associate Dean, Collection Strategies and Services

Nedelina Tchangalova, Physical Sciences and Public Health Librarian, has prepared this report according to standard practices for collection assessment in research libraries. I have reviewed Ms. Tchangalova's report and I concur with her findings.

Daniel C. Mack



¹ <http://www.cic.net/projects/library/reciprocal-borrowing/uborrow>



University Senate TRANSMITTAL FORM

Senate Document #:	14-15-10
Title:	Addition of User Experience Working Group to the IT Council
Presenter:	Jess Jacobson Chair, Elections, Representation, & Governance (ERG) Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>Upon approval of the “Promoting Innovation: The University of Maryland Information Technology Strategic Plan,” the Division of Information Technology (DivIT) asked the Senate for assistance in revising the structure of the IT Council to encourage more robust IT governance. After consideration by the Senate ERG Committee, the Senate approved a revised IT Council structure in September 2013. During the first year of implementation of the new structure of the IT Council, DivIT found that the new structure did not incorporate an appropriate venue for consideration of the user experience of campus community members. In fall 2014, DivIT asked that the Senate consider revising the structure to include an additional Working Group focused on user experience. On October 24, 2014, the SEC charged the ERG Committee with reviewing the proposed addition to the IT Council.</p>
Relevant Policy # & URL:	<p>Article 8, Bylaws of the University Senate: http://www.senate.umd.edu/governingdocs/bylawsrevised09-18-13.pdf</p>
Recommendation:	<p>The ERG Committee recommends that the Bylaws of the University Senate be amended to include an additional Working Group focused on User Experience to the IT Council, and to provide brief descriptions of each Working Group of the Council.</p>
Committee Work:	<p>The ERG Committee reviewed the charge and considered the current Working Groups for the IT Council on October 27, 2014. The committee met with representatives from DivIT in December 2014 to discuss the rationale behind a new Working Group.</p> <p>DivIT envisions the new Working Group as focusing specifically on how faculty, staff, students, and other users interact with IT</p>

	<p>services at UMD. Among other issues, the group will: consider what students are receiving in terms of an IT experience at UMD, and whether that aligns with what students expect and need; review whether systems and services are integrated; consider whether tools are modernized and easy to use; and address compliance with federal and state accessibility standards. As it gathers information for its work, the User Experience Working Group will determine how best to measure the experiences and needs of the campus community, so that all constituents can be involved in setting priorities based on community needs. The Working Group may utilize surveys or other tools to gather input.</p> <p>As it considered the new Working Group, the ERG Committee found that there is value in having a separate Working Group dedicated to user experience. While other Working Groups may be composed of IT professionals or individuals with expertise related to specific tools or systems, the User Experience Working Group will have broader representation of faculty, staff, and students who are not experts but who use IT services regularly. Because of its broader membership, the User Experience Working Group will have a different core perspective, which will allow the IT Council to better assess needs and priorities across campus.</p> <p>In its review, the ERG Committee assessed whether the information provided in the Senate Bylaws about the IT Council is adequate. The committee noted that the lack of descriptions related to Working Groups could prevent readers and potential volunteers from understanding the focus of each group. After discussion, the ERG Committee agreed to develop additional text for the Bylaws to summarize the purview of each Working Group.</p> <p>In spring 2015, the ERG Committee considered whether an additional Working Group on cybersecurity should be created. After much consideration, DivIT and the IT Council agreed that the group should be advisory to the IT Council and to each of the Working Groups, and should not be a Working Group. The ERG Committee agreed that an advisory group would be appropriate.</p>
Alternatives:	The Senate could reject the recommendation and the current structure of the IT Council would remain. However, without including an additional Working Group, DivIT may face difficulties in gaining the necessary feedback on the user experience with IT.
Risks:	There are no associated risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate approval, Presidential approval.

Senate Elections, Representation, & Governance Committee

Senate Document #14-15-10

Addition of User Experience Working Group to the IT Council

April 2015

BACKGROUND

During the 2012-2013 academic year, the Division of Information Technology (DivIT) developed the “Promoting Innovation: The University of Maryland Information Technology Strategic Plan,” which was approved by the University Senate and President in February 2013. Subsequently, DivIT asked the Senate Executive Committee (SEC) for assistance in carrying out a recommendation in the Strategic Plan for a more robust structure for IT governance. In the spring of 2013, the SEC charged the ERG Committee with considering revising the structure and membership of the IT Council to align with the needs identified by DivIT. The ERG Committee made a series of recommendations (Appendix 2) to restructure the Council to streamline its membership and focus on key areas of IT governance. In September 2013, the University Senate approved revisions to the structure of the IT Council.

During the first year of implementation of the new structure of the IT Council, DivIT found the new structure did not incorporate an appropriate venue for consideration of how the campus community is served by information technology services and programs. In the fall of 2014, the Vice President for Information Technology and Chief Information Officer returned to the SEC to ask that the Senate consider revising the structure of the IT Council to include an additional Working Group focused on the experience of users of IT services. On October 24, 2014, the SEC charged the ERG Committee with reviewing the proposed addition to the IT Council (Appendix 3).

CURRENT PRACTICE

In its previous work related to the IT Council (Appendix 2), the ERG Committee made recommendations to restructure the Council to be composed of a Steering Committee and four Working Groups. The Steering Committee is responsible for coordination and oversight of the Working Groups, and its membership consists of a chair, the chairs of each Working Group, one exempt staff member, one undergraduate student, one graduate student, one non-tenured research faculty member, and one tenured faculty member. In order to facilitate cooperation between the four groups and to assist the Steering Committee in seeing the full picture of the work of the IT Council, each member of the Steering Committee also serves on a Working Group. The Vice President and CIO or his or her designee serves as a non-voting ex-officio member, and additional non-voting ex-officio members may be appointed as needed.

The IT Council Working Groups are charged with performing research on issues before the Council and proposing recommendations on issues within their individual purviews. Currently, the four Working Groups of the IT Council are: Learning @ Technology, Enabling Research, Infrastructure, and Enterprise Systems. Working Groups report to the Steering Committee, or, when appropriate, to the relevant unit or office within DivIT.

COMMITTEE WORK

The ERG Committee began reviewing its charge on October 27, 2014. It reviewed the committee's past work on the structure of the IT Council, and considered the importance of the user experience in determining allocation of IT resources and planning for future developments in services and programs.

In December 2014, the ERG Committee met with the Director of Finance, Human Resources, Planning and Projects and with the Executive Assistant to the Vice President and Chief of Staff from DivIT to discuss the rationale behind a new Working Group focused on the user experience.

The ERG Committee learned that in the past year, the IT Council Working Groups have become more influential in IT decision making, and as they move forward, the Working Groups will explicitly set the course for DivIT in terms of investments, priorities, and decision making. As it began setting up its Working Groups, DivIT recognized a need for an additional group to provide the perspective of IT users in its decision making processes.

DivIT envisions the new Working Group as focusing specifically on how faculty, staff, students, and other users interact with IT services at UMD. The group's first focus will be on the general student experience with IT; it will consider what students are receiving in terms of an IT experience when they come to UMD, and whether that aligns with what students expect and need. The group will consider whether systems and services are integrated and whether tools are modernized and easy to use. The group will also consider compliance with federal and state accessibility standards. As it gathers information for its work, the User Experience Working Group will need to determine how best to measure the experiences and needs of the campus community, so that all constituents can be involved in setting priorities based on community needs. The Working Group may utilize surveys or other tools to gather input, depending on the issues under consideration.

The ERG Committee considered the role of users in IT decision making, and noted that the user experience should be a consideration for all IT Council Working Groups. However, the committee agreed that there is value in having a separate Working Group dedicated to the user experience as well. The committee noted that other Working Groups may be composed of IT professionals or individuals with expertise related to specific tools or systems, whereas the User Experience Working Group would have broader representation of faculty, staff, and students who are not experts but who use IT services regularly in the course of their work or study at the University. Because of its broader membership, the User Experience Working Group will have a different core perspective than the other Working Groups, and its perspective will allow the IT Council to better assess needs and priorities across campus.

In addition to considering the new User Experience Working Group, the ERG Committee considered whether the information included in the Senate Bylaws related to the Working Groups is adequate. The committee noted that the current language in the Bylaws does not include a description of the purview of each Working Group. The committee suggested that the differences between Working Groups would be better understood by readers and by potential volunteers if more information were included in the Senate Bylaws. After deliberation, the ERG Committee agreed to develop additional text for the Bylaws to summarize the purview of each Working Group.

In January 2015, as the ERG Committee put forward its recommendations to the Senate Executive Committee for review, the Senate Office received a request from DivIT to consider an additional Working Group to focus on issues related to cybersecurity. Because of this request, the SEC returned this report to the ERG Committee to consider a cybersecurity Working Group.

The ERG Committee communicated with DivIT in February and March 2015 about the purpose for a new group and how best to integrate it into the IT Council. After much consideration, DivIT and the IT Council agreed that a new group on cybersecurity should be an advisory group rather than a Working Group. An advisory group would be able to advise each of the Working Groups and the full IT Council more effectively, and could include in its membership subject matter experts or professionals with experience on security issues. In the proposed structure, any decisions related to cybersecurity would be the responsibility of the IT Council Steering Committee, which ensures that security decisions are being made through a shared governance process.

On March 30, 2015, the ERG Committee discussed the decision made by the IT Council and agreed that creating an advisory group on security issues rather than a Working Group would be appropriate. Since advisory groups may be formed as needed without requiring amendment to the Senate Bylaws, no changes were made to the recommendations below to incorporate a cybersecurity advisory group.

RECOMMENDATIONS

The Elections, Representation, & Governance Committee recommends that the Bylaws of the University Senate be amended to include an additional Working Group focused on User Experience to the IT Council, and to provide brief descriptions of each Working Group of the Council.

RECOMMENDED AMENDMENTS TO THE BYLAWS OF THE UNIVERSITY SENATE

8.3 University IT Council:

- 8.3.a Charge: The IT Council shall advise and report on policy issues concerning the Division of IT to the University Senate and the Vice President for Information Technology and CIO. In addition to such responsibilities as are enumerated in Article 7 of these *Bylaws*, the IT Council shall:
- 1) Respond to requests from the Division of Information Technology, extra-divisional advisory bodies (such as the Council of Deans or the Student Technology Fee Committee), the University Senate, or other campus stakeholders for guidance on IT policy and implementation.
 - 2) Advise on the Division's budget, material resources, personnel, staffing and human resources, administrative policies and practices, and have all other responsibilities listed in 7.4 of the Bylaws of the University Senate.
 - 3) Initiate strategic inquiries on IT-related matters impacting or likely to impact the campus community.
- 8.3.b Membership: The IT Council shall consist of a Chair (1), the chairs of the ~~four~~ **five (45)** IT Council Working Groups, and the following members already serving on an IT Council Working Group: one (1) exempt staff member, one (1) undergraduate student, one (1) graduate student, one (1) professional track faculty member, one (1) tenured faculty member. The Vice President and CIO, or a designee, shall serve as a non-voting ex officio member. Additional non-voting ex officio members may be appointed as needed, by agreement between the CIO and the Senate Executive Committee.
- 8.3.c The Chair of the IT Council shall be appointed by the Vice President for Information Technology and CIO and the Senate, as described in 7.5 of these *Bylaws*. The Chair will serve a three year term. The Chair shall normally (subject to exception by agreement of the Vice President and the Senate) also serve as a member of one of the Working Groups.

- 8.3.d Working Groups: The IT Council shall create ~~four~~ **five** standing Working Groups. These groups should carry out research and make recommendations on IT issues, and shall each work with the appropriate Deputy CIO in the Division. The chair of each Working Group shall be appointed by the CIO and shall serve a two-year term. The ~~four~~ **five** Working Groups shall be:
- 1) Learning @ Technology, **which focuses on IT portfolio related decisions regarding technology for classroom support, learning support, and scholarly enablement;**
 - 2) Enabling Research, **which focuses on IT portfolio related decisions regarding tools that support research, such as collaboration tools, data storage and access, and other research computing initiatives;**
 - 3) Infrastructure, **which focuses on IT portfolio related decisions regarding physical hardware and investments needed to support University IT service offerings;**
 - 4) Enterprise Systems, **which focuses on IT portfolio related decisions regarding enterprise administrative software and systems used by faculty, staff, and students on a daily basis; and**
 - 5) **User Experience, which focuses on issues related to student and instructor experiences with IT services, accessibility to users, and considers whether the needs of the campus community are being met.**
- 8.3.e Reporting Responsibilities: The IT Council shall report to the Vice President and CIO of the Division of Information Technology and to the University Senate.

APPENDICES

Appendix 1 – Proposed Amended Bylaws of the University Senate

Appendix 2 – ERG Committee Report on Revisions to the Structure & Membership of the University IT Council (Senate Document #12-13-45)

Appendix 3 – University Senate Executive Committee Charge on Addition of User Experience Working Group to the IT Council

APPENDIX 1 - PROPOSED AMENDED
BYLAWS OF THE UNIVERSITY SENATE

**BYLAWS
OF THE
UNIVERSITY
SENATE**

BYLAWS OF THE UNIVERSITY SENATE
University of Maryland, College Park
Amended April 15, 2015

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BYLAWS OF THE UNIVERSITY SENATE
The University of Maryland, College Park

ARTICLE 1
AUTHORIZATION

- 1.1 These *Bylaws of the University Senate* (hereafter referred to as the *Bylaws*) are adopted according to Article 7 of the *University of Maryland Plan of Organization for Shared Governance* (hereafter referred to as the *Plan*), and are subject to amendment as provided for in the *Plan*.

ARTICLE 2
MEMBERSHIP

- 2.1 The members of the Senate are as designated in Article 3 of the *Plan* and further specified in 2.1 and 2.2 below. All elected members are subject to the conditions stated in the *Plan*, including its provisions for expulsion, recall, and impeachment (Articles 4.10, 4.11, and 5.8 of the *Plan* and Article 2.3, 2.4, and 2.5 below).

2.1.a Staff Senators

For the purpose of Senate representation, the Staff Constituency is divided into the following categories. Each category shall elect one Senator from among its ranks for each 200 staff members or major fraction thereof.

1. Exempt Staff with appointment in Colleges, Schools, and Academic Affairs
2. Exempt Staff with appointment in Divisions
3. Non-Exempt Staff with appointment in Colleges, Schools, and Academic Affairs
4. Non-Exempt Staff with appointment in Divisions

- 2.1.b Staff member job categories will not include the category designated for the President, vice presidents, provosts, and deans if they hold faculty rank.

- 2.1.c Any individual within the faculty member voting constituency cannot be included in the staff member voting constituency or nominated for election as a staff Senator. Staff candidates for the Senate must have been employed at the University of Maryland College Park for 12 months prior to standing as candidates for the Senate. Staff members may not stand for Senate elections while in the probationary period of employment.

- 2.1.d An ex officio member denoted in the *Plan* (Article 3.6.a.) who is not precluded from staff member categories as noted in Articles 2.1.b and 2.1.c may be elected as a voting member of the Senate by an appropriate constituency. Such ex officio members should also have been employed by the University of Maryland College Park for 12 months prior to standing as candidates for the Senate.

- 2.1.e As noted in the *Plan* (Article 3.3.c), the term of each staff Senator shall be three (3) years. Terms of staff members will be staggered in such a way that for each term, one-third of the total members from a job category are serving the first year of their term. Not every member of a specific staff job category shall be elected in the same year. However, if the University or these *Bylaws* redefine the staff job categories outside of a normal reapportionment, the staff Senate seats will be vacated. A subsequent election will be held to populate all staff Senate seats within the new categories with staggered terms as follows:

- (1) One-third of the members in a job category who received the lowest number of votes will serve a one-year term,
- (2) One-third of the members in a job category who received the second lowest number of votes will serve two-year terms,
- (3) One-third of the members in a job category who received the highest number of votes will serve three year-terms.

A person serving less than a three-year term is defined as not to have served a full term and is eligible for re-election to a full term the following year.

2.2 Single Member Constituencies

The Senators defined in (a)-(g) below shall be voting members of the Senate. All elections held pursuant to this section shall be organized by the Office of the University Senate.

- (a) Part-Time Research, Teaching, and Adjunct Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall together elect one (1) Senator, for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a faculty Senator.
- (b) Emeritus Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the *Plan* shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.
- (c) Head Coaches who are not members of the Faculty Constituency as defined in Section 3.2 of the University Plan of Organization together shall elect one Senator from among their ranks to serve for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a faculty Senator.
- (d) Post-Doctoral Associates (formerly Research Associates), Junior Lecturers, and Faculty Assistants (formerly Faculty Research Assistants) who are not members of any Senate constituency as defined in Article 3 of the *Plan* together shall elect one (1) Senator, for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.
- (e) The Contingent II staff shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other staff Senators. The Contingent II staff Senator shall have been employed by the University for twelve months prior to their election.
- (f) The part-time undergraduate students shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other student Senators.
- (g) The part-time graduate students shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other student Senators.

2.3 Elected Senators shall not be absent from two (2) consecutive regularly scheduled meetings of the Senate without notifying the Office of the University Senate that they will require an excused absence (Article 4.10.a of the *Plan*). Also in accordance with Article 4.10 of the *Plan*, until the member attends a meeting of the Senate, or the Senator is expelled, that Senator shall be counted in the total membership when a quorum is defined for a meeting.

2.4 If an elected Senator is no longer a member of the constituency by which he or she was elected, the seat shall be vacated and the Senator shall be replaced according to the following guidelines:

- 2.4.a If there was a runner-up in the election in which the Senator was elected, the runner-up shall replace that Senator immediately, provided he or she is still eligible.
- 2.4.b If there was no runner-up in the election in which the Senator was elected and the vacancy occurs in the spring semester, that Senator shall serve for the remainder of the Senate year and shall be replaced in the next election cycle for the remainder of the term.
- 2.4c If there was no runner-up in the election in which the Senator was elected and the vacancy occurs prior to the spring semester, or if the Senator is unable to serve the remainder of the Senate year, the

Senate Executive Committee, in consultation with the appropriate constituency, shall appoint a replacement for that Senator.

- 2.5 If an elected Senator is no longer in satisfactory standing at the University, he or she shall be replaced immediately in accordance with 2.4.a or 2.4.c above.
- 2.6 All elections shall be completed by the Transition Meeting of the Senate.

ARTICLE 3 MEETINGS

3.1 Regular Meetings:

The Senate shall schedule at least four (4) regular meetings each semester. The notice, agenda, and supporting documents shall be mailed, by campus or electronic-mail, from the Office of the University Senate to the membership no later than one calendar week prior to each regular meeting unless otherwise approved by the Executive Committee.

3.2 Special Meetings:

3.2.a Special meetings of the Senate may be called in any of the following ways, with the matter(s) to be considered to be specified in the call:

- (1) By the presiding officer of the Senate;
- (2) By a majority vote of the Executive Committee of the Senate;
- (3) By written petition of a majority of the elected members of the Senate. The petition shall be delivered to the Chair or the Executive Secretary and Director of the Senate. The Chair shall give notice of arrangements for the meeting within seventy-two (72) hours of receipt of a valid petition;
or
- (4) By resolution of the Senate.

3.2.b The notice of a special meeting shall include the agenda and shall be sent to the members of the Senate as far in advance of the meeting as possible. The agenda of a special meeting may specify a scheduled time of adjournment.

3.2.c The scheduling of a special meeting shall reflect the urgency of the matter(s) specified in the call, the requirement of reasonable notice, and the availability of the membership.

3.3 Openness of Meetings and Floor Privileges:

3.3.a Meetings of the Senate shall be open to all members of the campus community except when the meetings are being conducted in closed session.

3.3.b Representatives of the news media shall be admitted to all meetings of the Senate except when the meetings are conducted in closed session. The use of television, video, or recording equipment shall not be permitted except by express consent of the Senate.

3.3.c When a report of a committee of the Senate is being considered, members of that committee who are not members of the Senate may sit with the Senate and have a voice but not a vote in the deliberations of the Senate on that report.

3.3.d Any Senator may request the privilege of the floor for any member of the campus community to speak on the subject before the Senate. The Chair shall rule on such requests.

3.3.e By vote of the Senate, by ruling of the Chair, or by order of the Executive Committee included in the agenda of the meeting, the Senate shall go into closed session. The ruling of the Chair and the order of the Executive Committee shall be subject to appeal, but the Chair shall determine whether such appeal shall be considered in open or closed session.

3.3.f While in closed session, the meeting shall be restricted to voting members of the Senate (Article 3 in

the *Plan*), to members granted a voice but not a vote (Articles 3.6, 5.2.c, and 5.5.c. of the *Plan*), to the Executive Secretary and Director, to the parliamentarian and any staff required for keeping minutes and to other persons expressly invited by the Senate.

3.4 **Rules for Procedure:**

3.4.a The version of *Robert's Rules of Order* that shall govern the conduct of Senate meetings shall be *Robert's Rules of Order, Newly Revised*.

3.4.b A quorum for meetings shall be defined as a majority of elected Senators who have not given prior notification of absence to the Office of the University Senate, or sixty (60) Senators, whichever number is higher. For the purpose of determining a quorum, ex officio members without vote shall not be considered.

3.5 Senators must be physically present in order to participate in meetings.

ARTICLE 4 EXECUTIVE COMMITTEE

4.1 **Membership and Election:**

4.1.a As set forth in the *Plan* (Article 8.2), the members of the Executive Committee shall include the Chair and Chair-Elect of the Senate, thirteen (13) members elected from the voting membership of the Senate, and four (4) non-voting ex officio members.

4.1.b The election of the Executive Committee shall be scheduled as a special order at the transition meeting of the Senate in the Spring Semester, but in no case shall it precede the election of the Chair-Elect as provided for in the *Plan* (Article 5.3 and 5.7.a). In the event of a tie vote in the election for members of the Executive Committee, a ballot will be made available to each Senator as soon as the votes are counted and the tie discovered. Ballots are to be returned within one (1) week from the date of distribution.

4.1.c In the event of a vacancy on the Executive Committee, the available candidate who had received the next highest number of votes in the annual election for the Executive Committee shall fill the remainder of the unexpired term.

4.2 **Charge: The Executive Committee shall exercise the following functions:**

4.2.a Assist in carrying into effect the actions of the Senate;

4.2.b Act for the Senate as provided for by and subject to the limitations stated in Article 4.3;

4.2.c Act as an initiating body suggesting possible action by the Senate;

4.2.d Review and report to the Senate on administrative implementation of policies adopted by the Senate;

4.2.e Prepare the agenda for each Senate meeting as provided for by and subject to limitations stated in Article 4.4;

4.2.f Serve as a channel through which any member of the campus community may introduce matters for consideration by the Senate or its committees;

4.2.g Prepare and submit reports on the Senate's work to the President and the campus community;

4.2.h Review the operations of the Office of the University Senate each year, and make recommendations to the President or his or her designee for improvements in those operations and for the replacement or continuation of the Executive Secretary and Director;

- 4.2.i Serve as the channel through which the Senate and the campus community may participate in the selection of officers of the campus and the University;
- 4.2.j Perform such other functions as may be given it in other provisions of these *Bylaws* and the *Plan*; and
- 4.2.k Make recommendations on nominees for campus-wide and system-wide committees and councils requiring representatives, when necessary.

4.3 **Rules Governing Executive Committee Action for the Senate:**

- 4.3.a Where time or the availability of the membership precludes a meeting of the Senate, as, for example, during the summer or between semesters, the Executive Committee may act for the Senate.
- 4.3.b A report of all actions taken by the Executive Committee when acting for the Senate, with supporting material, shall be included with the agenda of the next regular meeting of the Senate. By written request of ten (10) Senators, received by the Chair of the Senate prior to the call to order of that meeting, any Executive Committee action on behalf of the Senate shall be vacated and the item in question placed on the agenda as a special order. If any such item is not petitioned to the floor, it shall stand as an approved action of the Senate.

4.4 **Rules Governing Preparation of the Senate Agenda:**

- 4.4.a The order of business for regular meetings shall be as follows:
 - (1) Call to order;
 - (2) Approval of the minutes of the previous regular meeting and any other intervening special meeting(s);
 - (3) Report of the Chair (including any report from the Executive Committee);
 - (4) Special orders of the day;
 - (5) Unfinished business;
 - (6) Reports of committees;
 - (7) Other new business; and
 - (8) Adjournment.
- 4.4.b For regular meetings the Executive Committee shall consider all submissions for inclusion on the Senate agenda. The Executive Committee may not alter a submission, but may delay its inclusion, may include it on the agenda of a special meeting, may submit the material directly to a committee of the Senate, or may refuse to place it on the agenda if the material is inappropriate, incomplete, or unclear. The party making a submission shall be notified of the action taken in this regard by the Executive Committee.
- 4.4.c The order of business for a special meeting shall be as follows:
 - (1) Call to order;
 - (2) Statement by the Chair of the nature and origin of the call of the meeting;
 - (3) The special order;
 - (4) Other business as determined by the Executive Committee; and
 - (5) Adjournment.

- 4.4.d For a special meeting the agenda shall include the matter(s) specified in the call of that meeting as the Special Order. Other items may be included on the agenda as the Executive Committee deems appropriate.
- 4.5 Meetings of the Executive Committee: A quorum of the Executive Committee shall be seven (7) voting members. Minutes of the meetings shall be kept. The agenda shall be made publicly available prior to each meeting. The Executive Committee shall meet at the call of the Chair or by petition of seven (7) voting members of the Executive Committee, or by petition of twenty-five (25) voting members of the Senate.
- 4.6 The Senate Budget: The Executive Secretary and Director shall be responsible for the Senate budget, shall consult with the Executive Committee on the preparation of the budget request, and shall report to the Executive Committee the funds received.
- 4.6.a The Executive Secretary and Director shall make an annual report to the Associate Vice President for Personnel and Budget on expenditure of the Senate budget.
- 4.6.b Consent of the Executive Committee shall be required before any change in the budgeted use of Senate funds involving more than ten percent (10%) of the total may be undertaken.
- 4.7 **Referral of Items to Standing Committees:** The Executive Committee shall refer items to the standing committees.
- 4.7.a The Executive Committee shall refer an item to an appropriate committee when instructed by the Senate or when requested by the President, or when petitioned by 150 members of the Senate electorate.
- 4.7.b The Executive Committee may also refer any item it deems appropriate, and the standing committee shall give due consideration to such requests from the Executive Committee.
- 4.7.c The Chair of the Senate may, as need requires, act for the Executive Committee and refer items to standing committees. All such actions shall be reported at the next meeting of the Executive Committee.
- 4.8 To the extent permitted by law and University policy, the records of the Senate shall be open.

ARTICLE 5 COMMITTEES OF THE SENATE

- 5.1 **Standing Committees - Specifications:** The specifications of each standing committee of the Senate shall state its name, its specific charge, and any exceptions or additions to the basic charge to standing committees stated in Article 5.2. The specifications shall list all voting ex officio members and shall define committee composition.
- 5.1.a Standing Committees: In an appropriate section of Article 6 there shall be specifications for each committee.
- 5.2 **Standing Committees - Basic Charge:** In its area of responsibility, as defined in its specifications, each committee shall be an arm of the Senate with the following powers:
- (1) To formulate and review policies to be established by the Senate according to the *Plan* (Article 1);
 - (2) To review established policies and their administration and to recommend any changes in policies or their administration that may be desirable;
 - (3) To serve in an advisory capacity, upon request, regarding the administration of policies;

- (4) To function on request of the President or of the Executive Committee as a board of appeal with reference to actions and/or decisions made in the application of policies; and
- (5) To recommend the creation of special subcommittees (Article 5.7-5.9) when deemed necessary.

5.3 **Standing Committees - Committee Operation:**

5.3.a Agenda Determination:

- (1) A committee shall have principal responsibility for identifying matters of present and potential concern to the campus community within its area of responsibility. Such matters should be placed on the agenda of the committee.
- (2) Nonprocedural items shall be placed on the agenda of a committee by vote of that committee, by referral from the Executive Committee (Article 4.7), or by referral of policy recommendations. The committee shall determine the priorities of its agenda items.
- (3) Committee agendas shall be made publicly available prior to each meeting.

5.3.b Action minutes of the proceedings of each committee meeting shall be kept in accordance with *Robert's Rules of Order for Small Committees*.

5.3.c Rules for Procedure of Standing Committees: The version of *Robert's Rules of Order* that shall govern the conduct of Standing Committees shall be *Robert's Rules of Order for Small Committees, Newly Revised*. Standing Committees shall determine how advancing technology, such as phone and video conferencing and other electronic methods of participation, can be used for their purposes. Standing Committees may choose to conduct votes via email, and shall agree on any other mechanisms for conducting business outside of meetings, when necessary.

5.3.d Quorum Requirements of Standing Committees: Unless a quorum number is specified in the membership description of a committee, the quorum shall be a majority of voting members of the committee.

5.4 **Standing Committees - Reporting Responsibilities:** Each committee shall be responsible through its presiding officer for the timely delivery of the following reports.

5.4.a The Executive Secretary and Director shall receive an announcement of each meeting of the committee stating the time and place of the meeting with agenda items. It shall be sent as far in advance of the meeting as possible.

5.4.b The committee shall report its progress on agenda items as required by the Executive Secretary and Director or the Chair of the Senate.

5.4.c Reports providing information and/or recommendations to the Senate shall be submitted to the Executive Committee for inclusion on the Senate agenda. Reports resulting from the committee's advisory or board of appeals function shall be submitted to the appropriate Senate or campus officer, and the Executive Committee notified of the submission.

5.4.d Upon written request of at least four (4) members of a committee, the presiding officer of that committee shall include a minority statement with any committee report. Those requesting inclusion need not support the substance of the minority statement.

5.4.e An annual report shall be presented to the Chair of the Senate at the end of the academic year, or, if approved by the Chair, no later than August 16, for submission to the Executive Committee. The report shall include a list of all items placed on the committee's agenda, noting the disposition of each and a summary of the committee's deliberations. A cover sheet for each annual report, containing an outline of topics considered by the committee and their status, shall be made publicly available. In the case of committees with little activity, the committee may recommend inactive status the ensuing year until charged by the Executive Committee to address a specific matter:

- (1) A committee may be placed on inactive status with approval of the Executive Committee. No presiding officer or members shall be appointed to the committee while on inactive status.
- (2) A committee on inactive status may be reactivated by the Executive Committee when matters within its purview, as stipulated in Article 6, are brought to the Executive Committee for review. Following reactivation, the Office of the University Senate shall solicit volunteers for the committee in its annual volunteer period, and the Committee on Committees shall select members for the committee, in accordance with the provisions of 5.5 below.
- (3) A Special Committee (Article 5.9) may not be appointed to consider matters within standing committee specifications in lieu of reactivating an inactive committee.

5.5 Standing Committees - Selecting Members: Persons shall be named to standing committees in accordance with the procedures listed below.

- 5.5.a The Office of the University Senate shall provide information on the charge and membership specifications of each committee.
- 5.5.b The Office of the University Senate shall solicit volunteers for the Senate's standing committees on an annual basis through an online process. During this volunteer period, all faculty, staff, and students shall be eligible to indicate their top three preferences for any committees with vacancies in their constituency and include a candidacy statement for consideration by the Committee on Committees. The Office of the University Senate will maintain these records for potential future use.
- 5.5.c The Committee on Committees shall develop slates of nominees to fill vacancies on the standing committees and University Councils. No person shall be nominated for a committee position without consenting to serve on that committee, either through indicated preference or explicit agreement. In making nominations, the Committee on Committees shall keep in view the continuing membership of the committee to ensure that the full membership complies with specifications of the *Plan* and these *Bylaws*. Committee members shall be nominated consistent with requirements for diversity specified in Section 8.1 of the *Plan*.
- 5.5.d Ex officio members named in a committee's specifications shall be voting members unless otherwise specified in the *Bylaws*. Upon recommendation of the Committee on Committees, the Executive Committee may appoint ex officio members with particular expertise or benefit to the committee. Such members shall serve with voice, but without vote. The Executive Committee is empowered to make such changes in non-voting ex officio membership as appropriate.
- 5.5.e The Committee on Committees shall forward a slate of nominees for committee service to the Executive Committee to place on the Senate agenda for approval. Each nominee shall be identified by name and constituency. The notice of nomination shall also include the name and constituency of continuing members of the committee, and the name and office of the ex officio members, listed for information only. The nominations shall be subject to action by the Senate consistent with the *Plan* and the specifications of these *Bylaws*.
- 5.5.f Terms on standing committees shall be two (2) years for faculty and staff, and one (1) year for students. Appointments to two-year terms shall be staggered: that is, as far as practical, half of the terms from each faculty or staff constituency shall expire each year. Terms shall begin on July 1 of the appropriate year.
- 5.5.g A member of a standing committee whose term is expiring may be appointed to another term, subject to restrictions (1) and (2) below. The Committee on Committees is particularly charged to consider the reappointment of active student members.
 - (1) No reappointment shall be made that would cause the appointee to serve longer than four consecutive years on the same committee.
 - (2) At most, half of the non-student members of a committee whose terms are expiring in any given year may be reappointed.

5.5.h Terms as presiding officer of a committee shall be one year. A presiding officer may be reappointed if his/her tenure as a Senator is continuing; however, no one shall serve as presiding officer of a committee for longer than two (2) consecutive years.

5.5.i Appointments of the presiding officers of committees shall be made by the Chair of the Senate, designated on the annual committee slate, and shall be approved by the Senate.

5.6 **Standing Committees - Replacing Presiding Officers and Members:** The presiding officer and members of any active standing committee may be replaced for cause after inquiry by the Office of the University Senate with approval of the Executive Committee.

5.6.a Cause, for presiding officers, is defined as the following:

- (1) Failure to activate the committee during the first semester after appointment in order to organize its business and determine an agenda; or
- (2) Failure to activate the committee in order to respond to communications referred from the Executive Committee; or
- (3) Failure to activate the committee in order to carry out specific charges required in Article 6 or other Senate documents.

5.6.b Cause, for members, is defined as the following:

- (1) Continual absence from committee meetings and/or lack of participation in committee activities; or
- (2) Lack of registration on campus for students or termination of employment on campus for faculty and staff.

5.6.c Procedure for replacing presiding officers and members:

- (1) The decision to replace a presiding officer rests with the Executive Committee; and
- (2) Requests for replacing a committee member shall be submitted by the presiding officer of a committee to the Executive Committee; such requests will contain a statement citing the appropriate "cause."

5.6.d When the Executive Committee decides to replace a presiding officer or committee member, it shall request the Committee on Committees to identify a suitable replacement.

5.7 **Standing Committees - Appointing Special Subcommittees:** A standing committee of the Senate may appoint special subcommittees to assist in the effective performance of its responsibilities. Persons appointed to special subcommittees who are not members of standing committees must be approved by the Executive Committee. The Chair of any special subcommittee must be a member of the standing committee making the appointment.

5.8 **Standing Committees – Appointing Special Joint Subcommittees:** Two or more standing committees of the Senate may appoint special joint subcommittees to assist in the effective review of issues that pertain to the charge of multiple committees. Persons appointed to serve who are not members of associated standing committees must be approved by the Executive Committee. The Chair of any such subcommittee must be a member of one of the associated standing committees making the appointment. Special Joint Subcommittees will report directly to the full associated standing committees for final action.

5.9 **Special Committees:** A special committee of the Senate may be established by resolution of the Senate to carry out a specified task. The empowering resolution shall also stipulate the means of selecting the committee and any restrictions on its composition. The committee shall function until the completion of its tasks or until discharged by the Senate. A final report of its work shall be presented to the Senate. Members shall serve for the duration of the committee unless otherwise specified by the Senate.

**ARTICLE 6
STANDING COMMITTEE SPECIFICATIONS**

6.1 Academic Procedures and Standards Committee:

- 6.1.a Membership: The committee shall consist of an appointed presiding officer; ten (10) faculty members; one (1) staff member; three (3) undergraduate and one (1) graduate students; and the following persons or a representative of each: the Senior Vice President and Provost, the Director of Undergraduate Admissions, the University Registrar, the Associate Provost for Academic Affairs and Dean for Undergraduate Studies, and the Associate Provost for Academic Affairs and Dean of the Graduate School.
- 6.1.b Quorum: A quorum of the Academic Procedures and Standards Committee shall be ten (10) voting members.
- 6.1.c Charge: The committee shall formulate and continually review policies, rules, and regulations governing the admission, readmission, academic standing, and dismissal of all students for academic deficiency.
- 6.1.d Charge: The committee shall formulate and continually review policies and procedures for academic advisement, scheduling of classes, and registration.
- 6.1.e Charge: The committee shall formulate and continually review policies to be observed by the instructional staff in conducting classes, seminars, examinations, students' research, and student evaluations.
- 6.1.f Policies, rules, and regulations exclusively governing admission, readmission, scholastic standing, and dismissal of graduate students for academic deficiency shall be reviewed by an appropriate committee of the Graduate School. Such policies, rules, and regulations will be transmitted by the Graduate School directly to the Senate through the Executive Committee. Policies, rules, and regulations that concern both graduate and undergraduate matters shall be considered by both the Academic Procedures & Standards (APAS) Committee and the appropriate committee of the Graduate School.

6.2 Campus Affairs Committee:

6.2.a Membership:

- (1) The committee shall consist of an appointed presiding officer; six (6) faculty members; two (2) undergraduate and two (2) graduate students; two (2) staff members, with one exempt and one non-exempt to the extent of availability; the President or a representative of the Student Government Association; the President or a representative of the Graduate Student Government; and the following persons or a representative of each: the Senior Vice President and Provost, the Vice President for Administration & Finance, the Vice President for Student Affairs, the Vice President for University Relations, the Chief Diversity Officer, and the Chair of the Coaches Council.
- (2) When discussions of safety are on the agenda, the Chief of Police, the Office of Legal Affairs, the Director of Transportation Services, and other campus constituencies, as appropriate, shall be invited to participate or send a representative.
- (3) The Chair of this committee or a faculty member designated by the Chair and approved by the Senate Executive Committee will serve as an ex officio member of the Athletic Council. The Chair, or a committee member designated by the Chair, shall also serve as an ex-officio member of the Campus Transportation Advisory Committee.

- 6.2.b Quorum: A quorum of the Campus Affairs Committee shall be nine (9) voting members.

- 6.2.c Charge: The committee shall formulate and continually review policies and regulations affecting the entire campus, its functions, its facilities, its internal operation and its external relationships, including the awarding of campus prizes and honors, and make recommendations concerning the future of the campus.
- 6.2.d Charge: The committee shall formulate and continually review policies and procedures for the periodic review of campus level administrators.
- 6.2.e Charge: The committee shall periodically gather community input on safety and security issues and shall act as a liaison between the police and the campus community.

6.3 **Committee on Committees:**

6.3.a Membership and terms:

- (1) As set forth in the *Plan* (Article 8.3.a), the Committee on Committees shall be chaired by the Chair-Elect of the Senate.
- (2) The voting membership, as defined in the *Plan* (Article 8.3.a), shall consist of the Chair-Elect of the Senate, six (6) faculty members elected by faculty Senators, with no more than one (1) from any College or School; one (1) non-exempt staff member elected by non-exempt staff Senators; one (1) exempt staff member elected by exempt staff Senators; one (1) undergraduate student elected by undergraduate student Senators; and one (1) graduate student elected by graduate student Senators.
- (3) Students are elected to serve for one (1) year, faculty and staff for two (2) years, whether or not their membership in the Senate continues beyond their first year of service in the committee.
- (4) Terms of faculty and staff members are staggered in such a way that, at any time, no more than three (3) faculty members and one (1) staff member are serving the second year of their term.
- (5) In the event of a vacancy on the Committee on Committees, the available candidate who had received the next highest number of votes in the last annual election for the Committee on Committees shall fill the remainder of the unexpired term. In the event that there is no runner-up, the Executive Committee shall fill the vacant seat.
- (6) A quorum of the Committee on Committees shall be six (6) voting members.

6.3.b Charge:

- (1) As set forth in the *Plan* (Article 8.3.b), responsibilities of the Committee on Committees include:
 - (a) Identification and recruitment of individuals for service on Senate committees;
 - (b) Approval of the University Library Council slate of nominees, as mandated in section 2.C of the Bylaws of the University Library Council.
 - (c) Creation of a slate of nominees for the Nominations Committee, for approval by the Senate.
- (2) Additional duties include
 - (a) As needed, the Committee on Committees may be charged to assess effectiveness of committees, and make recommendations for improvements and changes in their operations and structure.
 - (b) Other such duties as specified by the Executive Committee.

- 6.3.c Operation: The Committee on Committees shall follow the procedures specified for standing committees in Article 5 above, with the exception of 5.5.

6.4 **Educational Affairs Committee:**

- 6.4.a **Membership:** The committee shall consist of an appointed presiding officer; ten (10) faculty members, of whom at least two (2) must be tenured/tenure-track faculty members and at least two (2) must be professional track faculty members; two (2) staff members, with one exempt and one non-exempt to the extent of availability; two (2) undergraduate students and one (1) graduate student; the President or a representative of the Student Government Association; the President or a representative of the Graduate Student Government; the Associate Dean for General Education; a representative of the Associate Provost for Academic Affairs and Dean for Undergraduate Studies; and the following persons or a representative of each: the Senior Vice President and Provost, the Associate Provost for Academic Affairs and Dean of the Graduate School, and the Vice President of Information Technology and CIO.
- 6.4.b **Quorum:** A quorum of the Educational Affairs Committee shall be eleven (11) voting members.
- 6.4.c **Charge:** The committee shall formulate and continually review plans and policies to strengthen the educational system of the College Park campus. The committee shall receive ideas, recommendations, and plans for educational innovations from members of the campus community and others. The committee shall inform itself of conditions in the Colleges, Schools, and other academic units, and shall propose measures to make effective use of the resources of the campus for educational purposes.
- 6.4.d **Charge:** The committee shall exercise broad oversight and supervision of the General Education Program at the University of Maryland as described in the 2010 document Transforming General Education at the University of Maryland and the General Education Implementation Plan approved by the University Senate in February 2011. The committee shall review and make recommendations concerning the General Education Program to the Senate and the Associate Provost for Academic Affairs and Dean for Undergraduate Studies. Such recommendations shall include, as the committee deems appropriate, the program's requirements and its vision, especially with regard to evaluating trends, reviewing learning outcomes, and maintaining the balance of courses in the General Education categories.
- 6.4.e **Relation of the Educational Affairs Committee to the General Education Program and the Office of the Associate Provost for Academic Affairs and Dean for Undergraduate Studies:**
- (1) The Associate Provost for Academic Affairs and Dean for Undergraduate Studies will prepare an annual report on the status of the General Education Program and will send the report to the Educational Affairs Committee by October 1.
 - (2) The Associate Provost for Academic Affairs and Dean for Undergraduate Studies will meet with the Educational Affairs Committee as needed to discuss or update the report. Topics will include but not be limited to: the membership and ongoing work of the General Education Faculty Boards; the proposal and approval process for General Education courses; the learning outcomes for the different course categories; areas where additional courses or rebalancing may be needed; trends and developments that may impact the General Education Program; and informational resources for students, faculty, and advisors about the General Education Program.
 - (3) The Office of the Associate Provost for Academic Affairs and Dean for Undergraduate Studies shall inform the committee of modifications in the proposal or review process, the disposition of recommendations from the committee, and any other changes regarding the implementation of the General Education Program as specifically delegated to that office.

6.5 **Elections, Representation, and Governance Committee:**

- 6.5.a **Membership:** The committee shall consist of an appointed presiding officer; six (6) faculty members; one (1) exempt staff member; one (1) non-exempt staff member; two (2) undergraduate and two (2)

graduate students; and representatives of the Director of Human Resources and the Associate Vice President for Institutional Research, Planning, and Assessment.

- 6.5.b Quorum: A quorum of the Elections, Representation, and Governance Committee shall be eight (8) voting members.
- 6.5.c Charge: The committee shall review and recommend policies regarding the conduct of elections, determine correct apportionments for all constituencies, and investigate and adjudicate all charges arising from the management and results of Senate elections.
- 6.5.d Charge: The committee shall determine the correct apportionment for all constituencies every five (5) years as stipulated in Article 3.8 of the *Plan* and following any review or revision of the *Plan* as stipulated in Article 6.3 of the *Plan*.
- 6.5.e Charge: The committee shall supervise all Senatorial elections and referenda in accordance with the *Plan* (Article 4.2), and shall consult with certain constituencies in their nomination and election processes in accordance with the *Plan* (Article 4) as requested by the Executive Committee.
- 6.5.f Charge: The committee shall formulate and review procedures for the tallying and reporting of election results, and shall perform other such duties as appropriate (Article 3.3.b of the *Plan*).
- 6.5.g Charge: The committee shall review the Plans of Organization of the Colleges, Schools, and other units, in accordance with the *Plan* (Article 11) and as specified in Appendix 7 of these Bylaws.
- 6.5.h Charge: The committee shall review and observe the operation and effectiveness of the University Senate and make any appropriate recommendations for improvements.
- 6.5.i Charge: The committee shall receive all petitions for impeachment of the Chair or Chair-Elect in accordance with the *Plan* (Article 5.8).
- 6.5.j Charge: The committee shall initiate procedures for expelling Senators in accordance with the *Plan* (Article 4.10).
- 6.5.k Charge: The committee shall receive all petitions for the recall of Senators in accordance with the *Plan* (Article 4.11).

6.6 **Equity, Diversity, & Inclusion Committee:**

- 6.6.a Membership: The committee shall consist of an appointed presiding officer; two (2) undergraduate and two (2) graduate students; five (5) faculty members; three (3) exempt staff members; two (2) non-exempt staff members; the Director of the Office of Diversity and Inclusion and the following persons or a representative of each: the Senior Vice President and Provost, the Vice President for Administration & Finance, and the Vice President for Student Affairs.
- 6.6.b Quorum: A quorum of the Equity, Diversity, & Inclusion Committee shall be nine (9) voting members.
- 6.6.c Charge: The committee shall carry out its responsibilities as detailed in Article 1, Section E of the University of Maryland Code on Equity, Diversity, and Inclusion, and recommend any appropriate changes in the Code.
- 6.6.d Charge: The committee shall consider programs for improving equity, diversity, and inclusiveness at the University.

6.7 **Faculty Affairs Committee:**

- 6.7.a Membership: The committee shall consist of an appointed presiding officer; ten (10) faculty members, of whom four (4) shall be senators including one (1) assistant professor and one (1) professional track faculty member; one (1) undergraduate student and two (2) graduate students; one (1) staff member; and the following persons or a representative of each: the President, the Senior Vice President and

Provost, and the Director of Human Resources. One (1) elected Council of University System Faculty representative from the University shall serve as a voting ex officio member.

- 6.7.b Quorum: A quorum of the Faculty Affairs Committee shall be nine (9) voting members.
- 6.7.c Charge: The committee shall formulate and continually review policies pertaining to faculty life, employment, academic freedom, morale, and perquisites.
- 6.7.d Charge: The committee shall work for the advancement of academic freedom and the protection of faculty and research interests.
- 6.7.e Charge: The committee shall, in consultation with Colleges, Schools, and other academic units, formulate and review procedures for the periodic review of academic administrators below the campus level.
- 6.7.f Charge: The committee shall review the Appointment, Promotion, and Tenure or Permanent Status section of each College, School, or the Libraries Plan of Organization in accordance with Appendix 7 of these *Bylaws*.

6.8 **Programs, Curricula, and Courses Committee:**

- 6.8.a Membership: The committee shall consist of an appointed presiding officer; ten (10) faculty members; one (1) staff member; two (2) undergraduate students and one (1) graduate student; and the following persons or a representative of each: the Senior Vice President and Provost, the Associate Provost for Academic Affairs and Dean for Undergraduate Studies, the Associate Provost for Academic Affairs and Dean of the Graduate School, and the Dean of Libraries.
- 6.8.b Quorum: A quorum of the Programs, Curricula, and Courses Committee shall be nine (9) voting members.
- 6.8.c Charge: The committee shall formulate, review, and make recommendations to the Senate concerning policies related both (1) to the establishment, modification, or discontinuance of academic programs, curricula, and courses; and (2) to the establishment, reorganization, or abolition of colleges, schools, academic departments, or other units that offer credit-bearing programs of instruction or regularly offer courses for credit.
- 6.8.d Charge: The committee shall review and make recommendations to the Senate in at least the areas designated by (1) through (3) below. Recommendations in these areas are not subject to amendment on the Senate floor unless a detailed objection describing the area of concern has been filed with the Office of the University Senate at least forty-eight (48) hours prior to the meeting at which the recommendations will be introduced. The committee will announce proposed recommendations to the campus community sufficiently in advance of the meeting at which they are to be considered so as to allow time for concerned parties to file their objections.
 - (1) All proposals for the establishment of a new academic program, for the discontinuance of an existing academic program, for the merger or splitting of existing academic programs, or for the renaming of an existing academic program;
 - (2) All proposals for the creation, abolition, merger, splitting, or change of name of Colleges, Schools, departments of instruction, or other units that offer credit-bearing programs of instruction or regularly offer courses for credit; and
 - (3) All proposals to reassign existing units or programs to other units or programs.
- 6.8.e Charge: The committee shall review and shall directly advise the Office of Academic Planning and Programs concerning proposals to modify the curricula of existing academic programs, or to establish citation programs consistent with College rules approved by the Senate. The committee shall inform the Senate of its actions in these cases.

- 6.8.f Charge: The committee shall review, establish, and advise the Vice President's Advisory Committee concerning policies for adding, deleting, or modifying academic courses.
- 6.8.g Charge: The committee shall be especially concerned with the thoroughness and soundness of all proposals, and shall evaluate each according to the mission of the University, the justification for the proposed action, the availability of resources, the appropriateness of the sponsoring group, and the proposal's conformity with existing regulations. The committee shall be informed of any recommendations made by the Academic Planning Advisory Committee concerning resource issues, the consistency of the proposed action with the University's mission and strategic directions, or both.
- 6.8.h Operation: The committee shall follow the procedures specified for standing committees in Article 5 above, with the exception of 5.3.b.
- 6.8.i Relation of the Programs, Curricula, and Courses Committee to the Office of the Senior Vice President and Provost.
- (1) The committee, in consultation with the Office of the Senior Vice President and Provost, shall determine the requirements for supporting documentation and the procedures for review for all proposals.
 - (2) The committee shall be informed by the Office of the Senior Vice President and Provost of all proposed modifications to existing programs and curricula. After consulting with the presiding officer of the committee, the Office of the Senior Vice President and Provost shall act on all minor changes that are not of a policy nature.
 - (3) The committee shall be informed by the Office of the Senior Vice President and Provost of all changes made pursuant to 6.8.i(2). The committee shall be informed by the Office of the Senior Vice President and Provost of all other changes in academic curricula whose approval has been specifically delegated to that office. In particular, this includes the approval to offer existing academic programs through distance education or at a new off-campus location.
- 6.8.j Relationship of the Programs, Curricula, and Courses Committee to the Graduate School: Proposals concerned with graduate programs and curricula shall receive the review specified by the Graduate School, in addition to the review of the Programs, Curricula, and Courses Committee. Any such proposal whose approval has been denied by the Graduate School shall not be considered by the committee.

6.9 Staff Affairs Committee:

- 6.9.a Membership: The committee shall consist of an appointed presiding officer; eight (8) staff members, with two (2) members from each of the elected staff categories; two (2) Category II contingent employees, with one exempt and one non-exempt to the extent of availability; one (1) faculty member; one (1) student; and one (1) representative each of the Senior Vice President and Provost, the Director of Human Resources, the Vice President for Administration & Finance, and the Vice President for Student Affairs. The three (3) elected University representatives to the Council of University System Staff (CUSS), shall serve as voting ex officio members; the alternate University representatives to the Council of University System Staff (CUSS) shall be non-voting ex officio members.
- 6.9.b Quorum: A quorum of the Staff Affairs Committee shall be nine (9) voting members.
- 6.9.c Charge: The committee shall formulate and continually review campus policies affecting staff members, including policies regarding periodic review of campus departments and administrators that employ staff members.
- 6.9.d Charge: The committee shall assist the Office of the University Senate in soliciting nominations and encouraging participation in elections of staff Senators as specified in Article 4.5 of the *Plan*.
- 6.9.e Charge: Staff Affairs shall assist the Committee on Committees and the Senate Executive Committee

in identifying and recruiting staff representatives for campus and Senate committees, including system-wide activities involving staff.

- 6.9.f Charge: The committee shall administer the Council of University System Staff (CUSS) nomination and election process. Definitions of eligible staff shall be defined by the Board of Regents and CUSS.
- 6.9.g Charge: The committee shall actively promote and provide orientation and opportunities for staff involvement in shared governance at every administrative level.
- 6.9.h Charge: The committee shall facilitate the annual nomination process for the Board of Regents' Staff Awards at the University of Maryland, College Park.

6.10 **Student Affairs Committee:**

- 6.10.a Membership: The committee shall consist of an appointed presiding officer; eight (8) undergraduate students, of whom four (4) must be Senators; four (4) graduate students, of whom two (2) must be Senators; two (2) faculty members; two (2) staff members with one exempt and one non-exempt to the extent of availability; the President or a representative of the Student Government Association; the President or a representative of the Graduate Student Government; two (2) representatives of the Office of the Vice President for Student Affairs; and one (1) representative each from the Graduate School, and the Department of Resident Life.
- 6.10.b Quorum: A quorum of the Student Affairs Committee shall be eleven (11) voting members.
- 6.10.c Charge: The committee shall formulate and continually review policies regarding all non-academic matters of student life including, but not limited to, student organizations, resident life, extracurricular activities, and student concerns in the campus community.
- 6.10.d Charge: The committee shall assist the Office of the University Senate and the Colleges and Schools as appropriate in soliciting nominations and encouraging participation in the election of student Senators.

6.11 **Student Conduct Committee:**

- 6.11.a Membership: The committee shall consist of an appointed presiding officer; four (4) faculty members; one (1) staff member; five (5) students, of whom at least three (3) must be undergraduate students and one (1) must be a graduate student; and the Director of the Office of Student Conduct, or a representative, as a non-voting ex officio member.
- 6.11.b Charge: The committee shall formulate and continually review recommendations concerning the rules and codes of student conduct, as well as means of enforcing those rules and codes.
- 6.11.c Charge: The committee acts as an appellate body for infractions of the approved Code of Student Conduct and Code of Academic Integrity. Procedures for the committee's operation in this role are to be developed and filed with the Office of Student Conduct and the Executive Secretary and Director of the Senate. The committee shall also confirm members of all judicial boards listed in the Code of Student Conduct, except conference and ad hoc boards.

ARTICLE 7 UNIVERSITY COUNCILS

- 7.1 **Definition:** University Councils are established by Article 8.6 of the *Plan* to exercise an integrated advisory role over specified campus units and their associated activities. University Councils are jointly sponsored by the University Senate and the Office of the President or Provost (as appropriate). University Councils may be assigned reporting responsibilities to any member(s) of the College Park administration at the dean level or above (hereafter referred to as the "designated administrative officer").
- 7.2 **Creation of University Councils:** Proposals to create a University Councils shall be evaluated by a task force appointed jointly by the Senate Executive Committee and the designated administrative officer to whom the

new Council would report. Following its deliberations, this task force shall present a report (hereafter referred to as the "Task Force Report") to the Senate, the designated administrative officer, and the director of the unit whose activities are the focus of the Council. The Task Force Report shall indicate the specifications that define the working relationship among the Senate, the designated administrative officer, and the director. The Task Force Report shall include at least the following: the scope and purpose of the new Council; a review of the current committees and advisory relationships to be superseded by the proposed Council; identification of the designated administrative officer and unit director to whom the Council reports; the charge to the Council; the size, composition, and appointment process of members of the Council; the Council's relationship to the Senate, the designated administrative officer, and the director including the responsibilities of these three sponsors to the Council and the responsibilities of the Council to these three sponsors; and principles for operation of the Council. The Task Force Report shall be reviewed by the Executive Committee, approved by the designated administrative officer, and then approved by the Senate. At the same time, the Senate shall approve appropriate revisions in its *Bylaws* to incorporate the Council into its council structure as defined in Article 8 of these *Bylaws*. The Task Force Report, as approved, shall be preserved with official Senate documents, serving as a record of the original agreements establishing the Council.

7.3 **Specifications in Senate Bylaws:** For each Council, Senate Bylaws shall: state its name; specify its responsibilities to the Senate; define its membership, including any voting privileges of ex officio members; and identify any exceptions or additions to the provisions of this Article particular to the Council.

7.4 **Basic Charge:**

7.4.a The Council's responsibilities to the University Senate shall include those specified for Senate committees in Article 5.2 of these *Bylaws*. In addition, each Council shall:

- (1) Sponsor hearings, as appropriate, on issues within its purview that are of concern to the Senate and the campus community.
- (2) Provide a mechanism for communication with the campus community on major issues facing the unit and its activities.
- (3) Respond to charges sent to the Council by the Senate Executive Committee in accordance with Article 4.7.
- (4) Provide an annual written report to the Senate on the Council's activities including the status of unresolved issues.

7.4.b Responsibilities to the designated administrative officer shall be specified in the Task Force Report and may include:

- (1) To advise on the unit's budget, space, and other material resources, in addition to personnel, staffing and other human resources.
- (2) To advise on the unit's administrative policies and practices.
- (3) To advise on the charges to be given to periodic internal and external review committees.
- (4) To respond to requests for review, analysis, and advice from the designated administrative officer.
- (5) To meet at least annually with the designated administrative officer to review the major issues facing the unit and its activities on campus.
- (6) To fulfill such other responsibilities as specified in the Task Force Report.

7.4.c Responsibilities to the unit's director shall be specified in the Task Force Report and may include:

- (1) To advise on the needs and concerns of the campus community.

- (2) To advise on opportunities, policies, and practices related to the unit's ongoing operations.
- (3) To review and advise on unit reports, studies, and proposed initiatives.
- (4) To respond to requests for review, analysis, and advice made by the director.
- (5) To meet at least annually with the director to review the major issues facing the unit and its activities on campus.
- (6) To fulfill such other responsibilities as specified in the Task Force Report.

7.5 Membership and Appointment to University Councils:

- 7.5.a Membership: Councils shall have nine (9) to thirteen (13) members as specified in the appropriate subsection of Article 8 of these *Bylaws*. In addition, each Council shall include an ex officio member designated by the administrative officer, and such other ex officio members as specified in Article 5.5.d of these *Bylaws*. These ex officio members shall have voice but no vote.
- 7.5.b Appointment: Representatives of the designated administrative officer's office and the University Senate shall agree on nominees for vacancies on the Council. These nominations shall be submitted to the designated administrative officer for approval. In addition, these nominations shall be submitted to the University Senate for approval, or for election if specified in the Council's governing documents. In exercising its powers of appointment to the Council, the Senate shall follow procedures for review and approval for Senate committee appointments specified in Article 5.5.e of these *Bylaws*.
- 7.5.c Terms: Rules governing beginning date and length of terms, and restrictions on reappointment shall be specified in the governing documents of each Council. The presiding officer shall serve a three (3) year term and cannot be reappointed, unless otherwise specified in the governing documents of the Council.
- 7.5.d Appointment of Presiding Officer: The designated administrative officer and the Senate Executive Committee shall reach an agreement on a presiding officer, and the joint choice shall be submitted to the Senate for approval. If the presiding officer is selected from among the membership of the Council, a replacement shall be appointed to the vacated seat.

7.6 Operational Relationship of University Councils to Sponsors:

- 7.6.a The Office of the University Senate shall provide basic support for the activities of University Councils.
- 7.6.b The office of the designated administrative officer, through its ex officio University Council member, shall provide liaison to other administrative units as required.
- 7.6.c The unit director shall provide the University Council with internal data, reports, studies, and any other materials required to support the Council's work. In addition, the director shall also arrange for unit staff to appear before the committee as requested.
- 7.6.d Control of the University Council's agenda shall be the responsibility of the presiding officer of the University Council and the voting members of the University Council in accordance with procedures for standing committees provided in Article 5.3.a, subject to the charges provided in Article 7.4 of these *Bylaws*, the appropriate subsection of Article 8 of these *Bylaws*, and the approved Task Force Report governing the University Council.
- 7.6.e Each University Council shall develop its own bylaws, which must be approved by the designated administrative officer and by the Senate.
- 7.6.f In addition to the required annual report, the presiding officer shall keep the Chair of the Senate informed of the major issues before the University Council and shall indicate when action or

information items are likely to be forwarded for Senate consideration. In submitting recommendations for Senate action, the University Council shall inform the unit director and the designated administrative officer in advance of its recommendations. For purposes of conducting Senate business, reports from the University Council and floor privileges of the Senate shall be managed in the same manner as standing committees of the Senate defined in these *Bylaws* (3.3.c, 4.4.b). In the case where the presiding officer of the University Council is not a member of the Senate, he or she may report to the Senate and participate in the deliberations of the Senate subject to the provisions of Article 3.3.c of these *Bylaws*.

7.7 **Review of University Councils:**

- 7.7.a Five (5) years after a University Council is formed, a review of the University Council shall be undertaken jointly by the Senate and administration, and a written report issued. The review may recommend continuation of the University Council in its original form and mode of operation, modification of the University Council structure and/or operations, or discontinuance of the University Council.
- 7.7.b Following the initial review, the University Council and its operations shall be reviewed in conjunction with the periodic review of the *Plan*.

ARTICLE 8 UNIVERSITY COUNCIL SPECIFICATIONS

8.1 **University Library Council**

- 8.1.a **Charge:** The University Library Council has the responsibility to provide advice and to report on policy issues concerning the University Libraries to the University Senate, to the Senior Vice President and Provost, and to the Dean of Libraries (see Appendix 1 for additional responsibilities and the Library Council's *Bylaws*).
- 8.1.b **Membership:** The Library Council shall consist of thirteen (13) appointed members and three (3) ex officio members. The appointed members shall be: the Chair, ten (10) faculty members including at least one (1) member of the library faculty, one (1) graduate student, and one (1) undergraduate student. The three (3) ex officio members shall be a representative of the Office of the Senior Vice President and Provost, a representative of the Office of the Dean of Libraries, and the Chair-Elect of the Senate.
- 8.1.c The Chair shall be a tenured faculty member.
- 8.1.d **Reporting Responsibilities:** The University Library Council shall report to the University Senate and the Senior Vice President and Provost under the terms of responsibility defined in Article 7.4 of these *Bylaws*.

8.2 **University Research Council:**

- 8.2.a **Charge:** In addition to the charges specified in Articles 5.2 and 7.4 of these *Bylaws*, the Research Council shall be governed by the following: The Research Council is charged to formulate and continually review policies regarding research, its funding, its relation to graduate and undergraduate academic degree programs, and its service to the community. Also, the Research Council is charged to review the research needs of faculty, other researchers and students, and to make recommendations to facilitate the research process and productivity of the University. Further, the Research Council shall formulate and continually review policies on the establishment, naming, reorganization, or abolition of bureaus, centers, or institutes that do not offer programs of instruction or regularly offer courses for credit, including their relationship to graduate and undergraduate academic programs. Additionally, when it perceives problems, the Research Council has the power to undertake investigative studies and recommend solutions.
- 8.2.b **Membership:** The University Research Council shall consist of thirteen (13) appointed members and

ten (10) ex officio members. The appointed members shall be the Chair and eight (8) faculty members; one (1) staff member; and three (3) students, including at least one (1) graduate and one (1) undergraduate student. Eight (8) voting ex officio members include a representative of the Vice President for Research, a representative of the Dean of the Graduate School, a representative of the Dean of Undergraduate Studies, the Director of the Office of Research Administration and Advancement, and the Chairs of four (4) subcommittees of the University Research Council as follows: Research Development and Infrastructure Enhancement Subcommittee (RDIES); Research Advancement and Administration Subcommittee (RAAS); Intellectual Property and Economic Development Subcommittee (IPEDS); and Awards and Publicity Subcommittee (APS). A representative of the President and a representative of the Senior Vice President and Provost shall serve as non-voting ex-officio members.

8.2.c The Chair shall be a tenured faculty member.

8.2.d Reporting Responsibilities: The University Research Council shall report to the University Senate and the Vice President for Research under the terms of responsibility defined in Article 7.4 of these *Bylaws* and the report establishing the University Research Council.

8.3 University IT Council:

8.3.a Charge: The IT Council shall advise and report on policy issues concerning the Division of IT to the University Senate and the Vice President for Information Technology and CIO. In addition to such responsibilities as are enumerated in Article 7 of these *Bylaws*, the IT Council shall:

- 1) Respond to requests from the Division of Information Technology, extra-divisional advisory bodies (such as the Council of Deans or the Student Technology Fee Committee), the University Senate, or other campus stakeholders for guidance on IT policy and implementation.
- 2) Advise on the Division's budget, material resources, personnel, staffing and human resources, administrative policies and practices, and have all other responsibilities listed in 7.4 of the *Bylaws* of the University Senate.
- 3) Initiate strategic inquiries on IT-related matters impacting or likely to impact the campus community.

8.3.b Membership: The IT Council shall consist of a Chair (1), the chairs of the ~~four~~ **five (45)** IT Council Working Groups, and the following members already serving on an IT Council Working Group: one (1) exempt staff member, one (1) undergraduate student, one (1) graduate student, one (1) professional track faculty member, one (1) tenured faculty member. The Vice President and CIO, or a designee, shall serve as a non-voting ex officio member. Additional non-voting ex officio members may be appointed as needed, by agreement between the CIO and the Senate Executive Committee.

8.3.c The Chair of the IT Council shall be appointed by the Vice President for Information Technology and CIO and the Senate, as described in 7.5 of these *Bylaws*. The Chair will serve a three year term. The Chair shall normally (subject to exception by agreement of the Vice President and the Senate) also serve as a member of one of the Working Groups.

8.3.d Working Groups: The IT Council shall create ~~four~~ **five** standing Working Groups. These groups should carry out research and make recommendations on IT issues, and shall each work with the appropriate Deputy CIO in the Division. The chair of each Working Group shall be appointed by the CIO and shall serve a two-year term. The ~~four~~ **five** Working Groups shall be:

- 1) Learning @ Technology, **which focuses on IT portfolio related decisions regarding technology for classroom support, learning support, and scholarly enablement;**
- 2) Enabling Research, **which focuses on IT portfolio related decisions regarding tools that support research, such as collaboration tools, data storage and access, and other research computing initiatives;**
- 3) Infrastructure, **which focuses on IT portfolio related decisions regarding physical hardware and investments needed to support University IT service offerings;**

- 4) Enterprise Systems, **which focuses on IT portfolio related decisions regarding enterprise administrative software and systems used by faculty, staff, and students on a daily basis; and**
- 5) **User Experience, which focuses on issues related to student and instructor experiences with IT services, accessibility to users, and considers whether the needs of the campus community are being met.**

8.3.e Reporting Responsibilities: The IT Council shall report to the Vice President and CIO of the Division of Information Technology and to the University Senate.

ARTICLE 9 THE ATHLETIC COUNCIL

9.1 The Athletic Council

9.1.a The Athletic Council exists to help the University develop and maintain the best possible intercollegiate athletic program consistent with the academic integrity of the institution and the academic and social development of student athletes. The Athletic Council shall operate in accordance with its charter (Appendix 4), which shall specify its role, scope, responsibilities, leadership, and membership. Changes to the charter shall be approved by the President of the University.

9.1.b Membership: The charter designates its membership. The membership of the Athletic Council elected by the Senate includes:

- 1) Seven faculty members elected by the Senate at the annual Transition Meeting. Elected faculty representatives shall serve for a three-year term, and faculty who have served a full term shall for a period of one year be ineligible for re-election. The Senate should make every effort to assure diversity among the candidates for election to the Council.
- 2) One staff member elected by the Senate at the annual Transition Meeting for a three-year term. A staff member who has served a full term shall for a period of one year be ineligible for re-election.
- 3) The Chair of the Senate Campus Affairs Committee, or a faculty member designated by the Committee, shall serve as an ex-officio member.

9.1.c Relationship between the Senate and the Athletic Council:

- 1) The Council in cooperation with the Athletic Director shall submit an annual report to the Senate on the status of intercollegiate athletics at the University. This report shall at least include an analysis of admissions, academic performance, class attendance, major selection, graduation rates, budget performance, and compliance with NCAA, Conference, and campus rules.
- 2) The Council shall inform the Senate for its review of any proposed amendments to the Council's charter.

ARTICLE 10 DUTIES OF THE EXECUTIVE SECRETARY AND DIRECTOR

10.1 The Executive Secretary and Director of the Senate shall be responsible for the minutes and audio recordings of all Senate meetings.

10.1.a The minutes shall include only actions and business transacted. They shall be submitted to the Senate for approval. Copies of the approved minutes shall be made available to all chief

administrative officers of Colleges, Schools, departments, and other units, and to the campus news media.

10.1.b A complete audio recording shall be made of each meeting and shall be maintained by the Office of the University Senate. In accordance with the University's Records Retention and Disposal Schedule, a copy of each audio recording, excluding only those parts recorded during closed sessions, shall be placed with the minutes in the University Archives for open access.

10.2 The Executive Secretary and Director shall also maintain the following kinds of Senate records (see Article 4.8):

- (1) All material distributed to Senate members;
- (2) All material received by or distributed to members of the Executive Committee;
- (3) Any minutes of the Senate or the Executive Committee not otherwise included under (1) and (2);
- (4) Annual reports of all committees of the Senate not otherwise included under (1) and (2);
- (5) The audio records of Senate meetings;
- (6) The current and all previous versions of the *Plan* and the *Bylaws*;
- (7) Articles concerned with Senate structure and operation from campus and University publications as they come to the attention of the Executive Secretary and Director; and
- (8) Other items deemed appropriate by the Executive Secretary and Director or the Chair of the Senate.

10.3 The Executive Secretary and Director shall store inactive records of the Senate in the University Archives.

10.4 The Executive Secretary and Director shall be responsible for the preparation of the Senate budget in accordance with Article 4.6.

10.5 The Executive Secretary and Director shall prepare as soon as possible after each annual senatorial election, a directory of the membership of the new Senate indicating for each member the constituency, term, office or department, and email address. A copy of this directory shall be available to all members of the new Senate.

10.6 The Executive Secretary and Director shall keep a list, with campus addresses and telephone numbers, of all Senate officers and of all presiding officers of all Senate committees. This information shall be available upon request to any member of the campus community.

10.7 The Executive Secretary and Director shall make available to each Senator, by campus mail or electronic means, a copy of the agenda and supporting material for each meeting. The receipt of the agenda and the supporting material then available shall satisfy the notice requirements of the meeting in question (Article 3.1 and 3.2.b).

10.8 The Executive Secretary and Director shall prepare for the members of the Senate and its Executive Committee, as appropriate, all agendas, minutes, reports, and other documents, with the exception of proposals relating to the Programs, Curricula, and Courses (PCC) Committee. Nonetheless, the Executive Secretary and Director shall be responsible for the distribution of all items of Senate business, including PCC items to the members of the Senate and its Executive Committee, and to other such committees as necessary.

10.9 The Executive Secretary and Director shall inform the Executive Committee of the status of all members of the Senate in accordance with the *Plan* (Article 3.4.a(3-4), 3.4.b(3-4), and 3.7) and these *Bylaws* (Articles 2.2, 4.1, 5.5, and 5.6).

10.10 The Executive Secretary and Director shall have the privilege of attending the meetings of all standing committees and ad hoc committees of the Senate to assist in the coordination of Senate business.

- 10.11 The Executive Secretary and Director shall provide information or assistance as requested for revision of the undergraduate catalog.

ARTICLE 11 ANNUAL TRANSITION OF THE SENATE

11.1 Preparation for Transition:

11.1.a By no later than the scheduled December meeting of the Senate, the Committee on Committees shall present to the Senate eight (8) nominees from among outgoing Senate members to serve on the Nominations Committee. The nominees shall include four (4) faculty members, one (1) exempt staff member, one (1) non-exempt staff member, one (1) graduate student, and one (1) undergraduate student. Further nominations shall not be accepted from the floor of the Senate. The Senate, as a body, shall approve the slate of nominees to serve on the Nominations Committee. The Chair-Elect of the Senate shall serve as a non-voting, ex officio member of the Nominations Committee. The Nominations Committee shall elect its own Chair from within the membership of the committee. The Nominations Committee shall solicit nominations from the membership of the Senate and shall present to the Chair of the Senate by April 15:

- (1) A slate of at least two (2) candidates per seat from each constituency for elected membership on the Executive Committee, including those incumbent elected members who are eligible and willing to stand for reelection,
- (2) Slates of candidates to replace the outgoing members of the Committee on Committees, the Campus Transportation Advisory Committee (CTAC), the University Athletic Council, and the Council of University System Faculty (CUSF), and any other committees as required by these *Bylaws*, including at least one (1) nominee for each position to be filled, and
- (3) A minimum of two (2) candidates for the office of Chair-Elect.

Before reporting to the Chair of the Senate, the Nominations Committee shall secure the consent of all candidates in writing.

11.1.b. A brief statement of each candidate's qualifications shall be sent to the voting membership of the incoming Senate ten (10) working days before the Transition Meeting of the Senate. Any further nominations made by members of the Senate and accompanied by a brief supporting statement and the consent of the candidate must be received by the Executive Secretary and Director at least twelve (12) working days before the Transition Meeting. These additional nominations shall be sent to the voting membership of the incoming Senate ten (10) working days before the Transition Meeting.

11.2 Transition Meeting:

11.2.a The Transition Meeting will be the last regularly scheduled meeting of the Spring semester, and starts a new Senate session.

11.2.b Terms of office of newly elected Senators will begin, and the terms of the outgoing Senators will end, with the call to order of the Transition Meeting by the outgoing Chair.

11.2.c Election of the Chair-Elect, as provided for in section 5.7.a of the *Plan*, shall be the first order of business of the Transition Meeting, after which the outgoing Chair will pass the gavel to the previous Chair-Elect, who will assume the Chair.

11.2.d The election of the Executive Committee, election of incoming members of the Committee on Committees, Campus Transportation Advisory Committee (CTAC), Athletic Council, Council of University System Faculty (CUSF), and such other persons elected by the members of the Senate, shall be scheduled special orders of the Transition Meeting. Nominations may be received from the floor by the Chair, in addition to those provided for in Article 11.1. Any such nomination is contingent on the consent of the candidate, which must have been secured beforehand in writing if the nomination is made in the absence of the candidate. In the event of a tie vote in the election for members of the Executive Committee or the Committee on Committees, a ballot will be distributed to

each Senator in the appropriate constituency. Ballots are to be returned to the Office of the University Senate within one (1) week from the date distributed.

11.2.e The elected members of the outgoing Executive Committee and the Committee on Committees shall continue to serve until the election of new members is held.

11.2.f After the conclusion of the Transition Meeting, any vacancies on standing committees will be filled by the new Committee on Committees, subject to the approval of the Executive Committee and pending confirmation by the full Senate at its next regularly scheduled meeting.

APPENDIX 1 BYLAWS OF THE UNIVERSITY LIBRARY COUNCIL

1. **Charge to the Library Council:** The University Library Council has the responsibility to provide advice about policy issues concerning the University Libraries to the University Senate, to the Senior Vice President and Provost, and to the Dean of Libraries.

A. The Council's Responsibilities to the University Senate:

- (1) Make recommendations for major changes and improvements in policies, operations, and services of the Libraries that represent the concerns and interests of Senate constituencies as well as other users of the Libraries. Such recommendations should specify the resource implications. Reports and recommendations to the University Senate shall be submitted to the Senate Executive Committee for placement on the agenda of the University Senate in the same manner as reports from the Senate's standing committees. It is expected that the Library Council will also inform the Senior Vice President and Provost in advance of these legislative recommendations. In addition to the mandatory annual report, the Chair of the Library Council shall keep the Chair of the Senate informed of the major issues before the Library Council and shall indicate when action or information items are likely to be forwarded for Senate consideration.
- (2) Respond to charges sent to the Library Council by the Senate Executive Committee.
- (3) Provide an annual written report of the Library Council's activities, including the status of recommendations made by the Library Council each year, and of unresolved issues before the Library Council.

B. The Library Council's Responsibilities to the Senior Vice President and Provost:

- (1) Advise on the Libraries' budget, space, personnel and staffing, and other resources. It is expected that the Senior Vice President and Provost will consult the Library Council before undertaking major reviews of the Libraries with APAC and before preparing the annual budget for the Libraries.
- (2) Advise on the Libraries' administrative policies and practices.
- (3) Advise on the charges to be given to the committees to review the Dean of Libraries and to conduct the unit review of the University Libraries based on University policy
- (4) Advise on matters concerning the Libraries in conjunction with accreditation review and strategic planning.
- (5) Respond to requests for review, analysis, and advice made by the Senior Vice President and Provost.
- (6) Meet at least annually with the Senior Vice President and Provost to review the major issues facing the Libraries and its activities on campus.
- (7) The Library Council is responsible for informing the Senior Vice President and Provost of pending reports and recommendations to the University Senate.

C. The Library Council's Responsibilities to the Dean of Libraries:

- (1) Advise on the needs and concerns of diverse constituencies within the campus community with respect to Library policies, services, and new resources and technology.
- (2) Advise on strategies to involve Library users in the initiation, evaluation, and integration of new Library policies, practices, procedures, and technology. Such strategies might include forums for the discussion of changes, workshops for adjusting to new technologies, and ongoing programs of Library education.
- (3) Advise on operations, policies and new opportunities.
- (4) Advise on Library planning including strategic planning and other major plans for Library operation and development.
- (5) Review and advise on the Libraries' reports, studies, and proposed initiatives that have significant long-term resource implications for the Libraries.
- (6) Hold at least one (1) meeting each year at which the Dean shall review major issues and plans, summarized in a State of the Libraries report distributed in advance to the Library Council.
- (7) It is expected that the Library Council will adopt a broad campus perspective and that the Dean of the Libraries will inform the Library Council of the University Libraries' needs and concerns and seek advice about major modifications of policies and operations affecting the campus community.

D. To Fulfill Its Responsibilities, the Library Council May:

- (1) Undertake investigative studies in matters concerning the University Libraries and recommend solutions to the University Senate, the Senior Vice President and Provost, the Dean of Libraries, or the general campus community.
- (2) Conduct open hearings on major issues concerning the University Libraries and their activities.
- (3) Communicate directly with the campus community on concerns related to support for, policies of, and services provided by the University Libraries.

2. **Composition of the Library Council:** The Library Council shall consist of thirteen (13) appointed members and three (3) ex officio members. The appointed members shall be: the Chair, ten (10) faculty members including at least one (1) member of the Library faculty, one (1) graduate student, and one (1) undergraduate student. The three (3) ex officio members shall be a representative of the Office of the Senior Vice President and Provost, a representative of the Dean of the Libraries Office, and the Chair-Elect of the Senate.

A. Tenure in Office:

- (1) The Library Council Chair should be a tenured faculty member appointed for a single three-year term. Normally, the Chair shall have served as a member of the Library Council. If the Chair is serving as a regular member of the Library Council at the time of appointment, a new member shall be appointed to serve the remainder of the term the Chair has vacated. The Senior Vice President and Provost and the Senate Executive Committee shall reach an agreement on the Library Council Chair, and the joint choice shall be submitted to the University Senate for its approval.
- (2) The remaining ten (10) faculty members shall be appointed for staggered two-year terms. No faculty member shall serve more than two (2) terms consecutively. For this purpose, members who have served more than a year should be considered to have served a full term.
- (3) The two (2) student members shall be appointed for one-year terms. No student member should serve more than two (2) terms consecutively. For this purpose, student members who have served more than half their term should be considered to have served a full term.
- (4) The Office of the Senior Vice President and Provost will appoint a member of the Provost's staff as an ex officio member of the Library Council who will have voice but not vote.
- (5) The Dean of Libraries' Office will appoint an upper-level member of the Libraries' administrative staff as an

ex officio member of the Library Council who will have voice but no vote.

(6) The Chair-Elect of the Senate shall serve as an ex officio member of the Library Council who will have voice but no vote.

B. Qualifications of Library Council Members: Successful operation of the Library Council requires that the members of the Library Council understand the nature of the Libraries and represent the best interests of the campus as well as the particular interests of their specific constituencies.

1. The Library Council members should be chosen from people who can bring a campus-wide perspective to their deliberations on Library matters and who have shown interest and willingness to foster a good working relationship between the Libraries and their users.
2. Library Council members should be selected to represent as broad a range of campus disciplines and interests as possible. Faculty members should include representatives from both the professional and arts and sciences colleges, and within these constituencies, representatives of the arts and humanities, social sciences, and physical and biological sciences.

C. The Appointment Process: In the spring of each year, the Chair of the University Library Council shall notify the representative of the Office of the Senior Vice President and Provost and the Chair-Elect of the Senate of the appointments required for the following academic year. The representative of the Office of the Senior Vice President and Provost and the Chair-Elect of the Senate shall draw up a slate of nominees who will agree to serve, and the slate will be submitted to the Senior Vice President and Provost and the Committee on Committees for approval. The list of nominees for Library Council membership shall be submitted to the University Senate for approval. Ordinarily, the slate will be presented at the same Senate meeting at which other committee slates are approved. Dates of appointment and beginning of terms shall correspond with those of Senate committees. Replacement of Library Council members will take place through the same consultative process as the initial appointment, with submission of names to the Senate occurring as needed.

3. Operation of the Library Council: Effective and efficient Library Council operation will require adequate support and full cooperation among the Senate, the Senior Vice President and Provost, the Dean, and their offices.

- A. The Office of the University Senate or its designee will provide normal committee support to the Council, including maintaining mailing lists, reproducing Library Council documents, keeping a copy of Library Council minutes, maintaining files for the Library Council, and arranging meeting rooms.
- B. The Office of the Senior Vice President and Provost, through its ex officio Library Council member, will provide liaison to other administrative units, such as the Office of Institutional Research, Planning and Assessment, for their reports, data, or assistance. The Office of the University Senate will also provide website space for the Library Council.
- C. The Dean of the Libraries will provide the Library Council with internal data, reports, studies, etc. as needed to support the Library Council's work. The Dean will also arrange for unit staff to present testimony concerning such reports as the Library Council finds useful in carrying out its responsibilities. The Dean's assistance to the committee shall also include providing the Library Council members with the opportunity to attend an appropriate orientation session dealing with the Libraries.
- D. Control of the Library Council's agenda will be the responsibility of the Library Council Chair and the voting members of the Library Council.
- E. While being responsive to the needs of the Senior Vice President and Provost and the Senate in a timely manner is necessary, the sponsoring parties and the Dean of the Libraries must not attempt to micro-manage the ongoing operation of the Library Council. In turn the Library Council must not attempt to micro manage the Libraries.
- F. The Library Council shall meet as necessary, but in no case less than once per semester. Meetings may be called by the Chair. In addition, upon receiving a request of any three members of the Library Council, the Chair shall call a meeting. A majority of the voting members of the Library Council shall constitute a quorum for the conducting of official business of the Library Council.

4. Operational Relationship of the Library Council to its Sponsors:

- A. For purposes of University Senate action, a Library Council created through Senate action will appear in essentially the same role as a standing committee of the University Senate.
 - B. The Chair may present reports and recommendations to the Senate but will not have a vote in Senate proceedings, unless he or she is a member of the Senate.
 - C. Since the committees of the Senior Vice President and Provost range widely in form and function, and do not operate under a formal plan of organization and bylaws, there is no need to specify the Library Council's standing in the same fashion. For other purposes, such as APAC review of the Unit, the Library Council might be consulted like a College Advisory Council (that colleges will have under the shared governance plan) could be.
 - D. The Dean of Libraries will ordinarily meet with the Library Council and have a voice in its deliberations. Since one of the three main functions of the Library Council is to advise the Dean, the Dean shall not formally be a member of the Library Council. On formal reports and recommendations of the Library Council to the University Senate or to the Senior Vice President and Provost, the Dean of the Libraries may send a separate memorandum to the Senate or the Senior Vice President and Provost, as appropriate, supporting or opposing the report or the recommendations, and providing rationale for the Dean's position.
5. **Review of the Library Council:** The Library Council and its operations will be reviewed in conjunction with the periodic review of the Senate and the *Plan*.

**APPENDIX 2
BYLAWS OF THE UNIVERSITY RESEARCH COUNCIL**

**APPENDIX 3
BYLAWS OF THE UNIVERSITY IT COUNCIL**

**APPENDIX 4
CHARTER OF THE UNIVERSITY ATHLETIC COUNCIL**

**APPENDIX 5
PROCEDURES FOR ELECTIONS OF UMCP REPRESENTATIVES TO THE
COUNCIL OF UNIVERSITY SYSTEM FACULTY (CUSF)**

The Chair of CUSF is not a member of CUSF. Thus, if the Chair is from College Park, a replacement must be named. At the end of his/her term as Chair, if his/her term on CUSF is not finished, he/she resumes his/her position as a CUSF member.

The normal term for CUSF representatives is three (3) years, with two alternates serving three (3) year terms; if both alternates are elected at the same time, priority to be a replacement shall be in order of votes received. If a regular representative is unable to serve out his/her term, an alternate replaces him/her for the remainder of the term, and a new alternate is named. The replacement representative shall be chosen in order of number of votes received. The Office of the University Senate will identify a replacement alternate subject to confirmation by the Senate Executive Committee.

The University Senate will elect representatives to CUSF each spring. The Senate Nominations Committee will solicit candidates and will present a slate to the Chair of the Senate with at least one (1) candidate for each vacant position to be filled. At the Transitional Meeting of the Senate, faculty Senators will vote to elect representatives to CUSF. Each faculty Senator shall have as many votes as there are open positions. If there are more candidates than positions, the person(s) receiving the most votes, in order, are declared representatives. The person receiving the next most votes is declared alternate. The remaining person, in order of vote tally, will be asked to move into the alternate position if the previous paragraph comes in to play. A record of the outcome of the election will be retained by the Executive Secretary and Director of the University Senate. If there are not sufficient candidates, or the pool of candidates is exhausted, representatives are chosen by the Executive Committee.

**APPENDIX 6
PROCEDURES FOR ELECTIONS OF UMCP REPRESENTATIVES TO THE**

COUNCIL OF UNIVERSITY SYSTEM STAFF (CUSS)

The mission of the Council of University System Staff (CUSS) is to provide a voice for Staff employee concerns in reference to basic decisions that affect the welfare of the University System of Maryland (USM) and its employees. CUSS speaks for all non-exempt and exempt staff employees on Regular and Contingent II Status, who are not represented by a union under collective bargaining.

CUSS is comprised of Staff employees representing each USM institution and the USM Office (USMO). Institution membership is proportionate to the number of Staff employees at the individual institutions, with a minimum of two (2) primary members and two (2) alternate members per institution. Representation on CUSS from each constituent institution is apportioned according to the following formula: 1 to 999 eligible employees, 2 representatives; over 1000 eligible employees, 3 representatives. Staff at each constituent institution shall also select an alternate who shall substitute for a regular member of CUSS when needed. Alternates should be selected at the same time and in the same manner as regular members. A delegation may include more than one (1) alternate who is eligible to cast a vote for an absent member provided the member has given prior notification to the Chair of CUSS. The University of Maryland, College Park is entitled to three (3) representatives, and up to three (3) alternates.

As defined in 6.10.f of the Senate *Bylaws*, the Senate Staff Affairs Committee is responsible for administering the CUSS nomination and election process. Definitions of eligible staff shall be determined by the Board of Regents and CUSS. The CUSS elections will be administered in the spring semester every other year, as the terms of the current CUSS representatives are expiring. The Staff Affairs Committee will solicit candidates from the eligible staff population and will present ballots to the same population with at least one (1) candidate for each vacant position to be filled. Eligible staff employees will vote to elect representatives to CUSS. If there are more candidates than positions, the person(s) receiving the most votes, in order, are declared representatives. The person(s) receiving the next most votes are declared alternate(s). A record of the outcome of the election will be retained by the Executive Secretary and Director of the University Senate.

New members shall begin their terms August 1. The normal term for CUSS representatives and alternates is two (2) years. If a regular representative is unable to serve out his/her term, an alternate replaces him/her for the remainder of the term, and a new alternate is named. The replacement representative shall be chosen in order of number of votes received.

APPENDIX 7 PROCEDURES FOR REVIEW OF COLLEGE AND SCHOOL PLANS OF ORGANIZATION

1. In accordance with Article 11 of the Plan, each College, School, Department and other Academic Program, and the Library, shall have a Plan of Organization.
 - a. The Plan of Organization of each College, School, and the Library shall reviewed by the University Senate according to the procedures detailed in section 2 of this appendix. All revisions to such Plans of Organization must be approved by the University Senate and the President of the University prior to taking effect.
 - b. The Plan of Organization of a Department or other Academic Program shall be reviewed and revised by the Faculty Advisory Committee of the College to which it belongs. In the review and revision of such Plans, the University Senate may act in an advisory capacity if asked to do so by the College.
2. Plans of Organization should be revised by each College in accordance with 11.3 of the Plan and shall be submitted to the University Senate for review.
 - a. Revised Plans of Organization shall be reviewed by the Senate Elections, Representation, and Governance (ERG) Committee for compliance with the University's Plan of Organization, University policy, and best practices of shared governance.
 - b. The Senate Faculty Affairs Committee shall review the Appointment, Promotions, and Tenure (APT) section of each Plan and any related documentation for compliance with the University's APT Policy.
 - c. The ERG and Faculty Affairs Committees shall communicate any concerns or requested revisions to the College or School to which the Plan belongs.
 - d. Once all necessary revisions have been made, the ERG and Faculty Affairs Committees shall certify that they find the Plan to be in compliance and the revised Plan of Organization shall be submitted to the College Assembly for approval.
 - e. Upon approval of the College Assembly or equivalent, the ERG Committee shall submit the revised Plan and its accompanying report to the Senate Executive Committee for review and placement on the Senate

Agenda.

- f. The revised Plan of Organization shall require final approval by the University Senate and the President of the University.
3. During the initial implementation of a recently approved Plan of Organization, a College or School may submit additional minimal or technical amendments to the Senate within one year of final approval by the President. These revisions will undergo an expedited review process by the Senate ERG Committee, and by the Faculty Affairs Committee if appropriate. The committee(s) shall review only those amendments submitted by the College or School and shall not conduct a full review of the Plan. Upon approval by the ERG Committee, the amendments shall be submitted to the College Assembly, the Senate Executive Committee, the Senate, and the President of the University according to the procedures outlined above in section 2 d-f.
4. Until a revised Plan of Organization is approved by the University Senate and President, the version of the Plan of Organization of each College, School, and the Library that was most recently approved by the University Senate and President remains in effect, and provides the rules under which the College must review and approve future revisions to its Plan. The University Plan of Organization supersedes any provisions in College, School, the Libraries, Department, or Academic Program Plans that are in conflict with the purpose, applicability, or intent of the University Plan.

Dates of Approval, Updates and Amendments to the Senate Bylaws

(Approved, Campus Senate, October 9, 1986)
(Approved, Board of Regents, February 6, 1987)
(Updated, July 1, 1988)
(Amended, February 13, 1986)
(Amended, December 7, 1986)
(Amended, May 7, 1990)
(Amended, September 13, 1990)
(Amended, November 15, 1990)
(Amended, October 14, 1993)
(Amended, December 6, 1993)
(Amended, March 31, 1994)
(Amended, April 18, 1994)
(Amended, May 5, 1994)
(Amended, November 10, 1994)
(Amended, August 28, 1996)
(Amended, May 15, 1997)
(Amended, March 5, 1998)
(Amended, April 2, 1998)
(Amended, April 6, 2000)

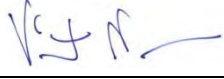
(Amended, April 15, 2015)

(Amended, February 12, 2001)
(Amended, September 19, 2002)
(Amended, February 3, 2003)
(Amended, October 16, 2003)
(Amended, April 19, 2004)
(Amended, April 4, 2005)
(Amended, May 15, 2007)
(Amended, May 8, 2008)
(Amended, October 16, 2008)
(Amended, February 9, 2009)
(Amended, May 4, 2009)
(Amended, November 12, 2009)
(Amended, March 3, 2010)
(Amended, February 9, 2011)
(Amended, May 4, 2011)
(Amended, March 8, 2012)
(Amended April 19, 2012)
(Amended May 2, 2013)
(Amended September 18, 2013)

APPENDIX 2 - ERG COMMITTEE REPORT ON REVISIONS TO
THE STRUCTURE AND MEMBERSHIP OF THE UNIVERSITY IT
COUNCIL (SENATE DOCUMENT #12-13-45)



University Senate
SENATE LEGISLATION APPROVAL

Date:	September 19, 2013
To:	Wallace D. Loh
From:	Vincent Novara Chair, University Senate 
Subject:	IT Council Structure
Senate Document #:	12-13-45

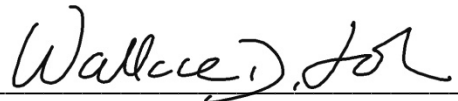
I am pleased to forward for your consideration the attached legislation entitled, "IT Council Structure." Devin Ellis, Chair of the Elections, Representation, and Governance (ERG) Committee, presented the proposal. The University Senate approved the proposal at its September 18, 2013 meeting.

We request that you inform the Senate Office of your decision as well as any subsequent action related to your conclusion.

Enclosure: IT Council Structure
Senate Document # 12-13-45

VN/rm

Cc: Mary Ann Rankin, Senior Vice President for Academic Affairs & Provost
Reka Montfort, Executive Secretary and Director, University Senate
Juan Uriagereka, Associate Provost for Faculty Affairs
Terry Roach, Executive Assistant to the President
Janet Turnbull, President's Legal Office
Elizabeth Beise, Associate Provost for Academic Planning & Programs
Sylvia B. Andrews, Academic Affairs
Brian Voss, Vice President for Information Technology & CIO
Michael Eismeier, Division of Information Technology

Approved: 
Wallace D. Loh
President

Date: 09-23-2013



University Senate TRANSMITTAL FORM

Senate Document #:	12-13-45
Title:	Revisions to the Structure and Membership of the University IT Council
Presenter:	Devin Ellis Chair, Elections, Representation, & Governance (ERG) Committee
Date of SEC Review:	May 6, 2013
Date of Senate Review:	September 18, 2013
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or <li style="background-color: #cccccc;">2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>The Division of Information Technology (DivIT) is currently in the process of implementing its recently-approved Strategic Plan. An item from the Plan relates to creating a new structure for IT governance that more thoroughly engages the campus community in the long-term implementation of IT at UMD. On February 22, 2013, the SEC charged the ERG Committee with reviewing the structure and membership of the existing IT Council and making recommendations on its structure and function in relation to DivIT's request for enhanced governance of IT.</p> <p>The existing University IT Council is composed of three Deans, all Vice Presidents, three faculty members, a graduate student, an undergraduate student, and a University System of Maryland (USM) representative. The Council specification state that it shall be chaired by the Vice President and CIO for Information Technology, although in recent practice the Council has been chaired by the Provost. The IT Council meets only four or five times a year. Meetings generally consist of presentations on hot topics in IT rather than decision-making deliberations. DivIT would like to create a more robust and active governance structure focusing on four major governance areas: 1) infrastructure; 2) teaching and learning; 3) research; and 4) enterprise systems.</p>
Relevant Policy # & URL:	Article 7, University of Maryland Plan of Organization: http://www.senate.umd.edu/governingdocs/Plan_of_Organization.pdf

<p>Recommendation:</p>	<ul style="list-style-type: none"> - The ERG Committee recommends that the IT Council be restructured to consist of a Steering Committee and four Working Groups, in accordance with the specifications in its report. - The ERG Committee recommends that the Bylaws of the University Senate be amended to include a description of the membership and general structure of the IT Council. - The ERG Committee recommends that the first order of business for the new IT Council should be to create its own Bylaws, which should be submitted to the University Senate for approval, in accordance with Article 7 of the Bylaws of the University Senate.
<p>Committee Work:</p>	<p>The ERG Committee reviewed the charge and considered different structures for a revised IT Council at its meetings on March 3, March 26, and April 17, 2013. The committee reviewed the current structure of the IT Council and met with the Planning and Projects Officer from DivIT throughout its review.</p> <p>The committee found that the current structure of the IT Council does not facilitate effective decision-making. DivIT indicated it would be more useful to simplify the Council to focus solely on the four governance areas. However, the ERG Committee felt strongly that a consortium of four groups without a coordinating body above them would run the risk of a) being relegated to a sub-Council status, or b) losing its connection to the Senate.</p> <p>The committee decided to recommend that the IT Council should retain a top-level Steering Committee responsible for oversight of four Working Groups focusing on the governance areas outlined by DivIT.</p> <p>In the recommendation, the Steering Committee for the IT Council should consist of a chair, the chairs of each Working Group, the Vice President and CIO (as a non-voting ex-officio), additional appropriate non-voting ex-officio members as appointed by agreement of the CIO and the SEC, and the following representatives already serving on a Working Group: one exempt staff member, one undergraduate student, one graduate student, one non-tenured research faculty member, and one tenured faculty member. The chair of the Steering Committee should also serve on one of the Working Groups. The Steering Committee should be responsible for reporting to the Vice President and CIO and the Senate, and should report to the Senate at least twice a year on its work.</p> <p>The committee recommends that the Working Groups represent</p>

the major groups of stakeholders in IT life at the University and should have between eight and twelve members. The groups should be made up of a majority of faculty and staff not serving as administrators, and students. The committee outlined specific membership recommendations for each Working Group, and determined that members and chairs should be appointed in accordance with section 7.5 of the Bylaws. Each group should be charged with researching and making recommendations on IT issues. The Working Groups should not be restricted to working on charges and should address additional issues as they see fit. It is expected that the Working Groups would consult with and/or meet with the relevant staff members from the Division as appropriate.

In addition to the specifications of the IT Council, the ERG Committee also determined that the Bylaws of the University Senate should detail the specifications of the Council. Accordingly, the committee developed the following text to be inserted into Article 8 of the Bylaws:

“8.3 IT Council:

8.3.a Charge: The IT Council shall advise and report on policy issues concerning the Division of IT to the University Senate and the Vice President for Information Technology and CIO. In addition to such responsibilities as are enumerated in Article 7 of these *Bylaws*, the IT Council shall:

- 1) Respond to requests from the Division of Information Technology, extra-divisional advisory bodies (such as the Council of Deans or the Student Technology Fee Committee), the University Senate, or other campus stakeholders for guidance on IT policy and implementation.**
- 2) Advise on the Division’s budget, material resources, personnel, staffing and human resources, administrative policies and practices, and have all other responsibilities listed in 7.4 of the Bylaws of the University Senate.**
- 3) Initiate strategic inquiries on IT-related matters impacting or likely to impact the campus community.**

8.3.b Membership: The IT Council Steering Committee shall consist of a chair (1), the chairs of the four (4) IT Council Working Groups, and the following members already serving on an IT Council Working Group: one (1) exempt staff member, one

	<p>(1) undergraduate student, one (1) graduate student, one (1) non-tenured research faculty member, one (1) tenured faculty member. The Vice President and CIO, or a designee, shall serve as a non-voting ex-officio member. Additional non-voting ex-officio members may be appointed as needed, by agreement between the CIO and the SEC.</p> <p>8.3.c The Chair of the IT Council Steering Committee shall be appointed by the Vice President for Information Technology and CIO and the Senate, as described in 7.5 of these <i>Bylaws</i>. The Chair will serve a three year term. The Chair shall normally (subject to exception by agreement of the Vice President and the Senate) also serve as a member of one of the Working Groups.</p> <p>8.3.d Working Groups: The IT Council shall create four standing Working Groups. These groups should carry out research and make recommendations on IT issues, and shall each work with the appropriate Deputy CIO in the Division. The chair of each Working Group shall be appointed by the Committee on Committees, in consultation with the CIO, and shall serve a two year term. The four Working Groups shall be:</p> <ol style="list-style-type: none"> 1) Learning @ Technology 2) Enabling Research 3) Infrastructure 4) Enterprise Systems <p>8.3.e Reporting Responsibilities: The IT Council shall report to the Vice President and CIO of the Division of Information Technology and to the University Senate.”</p>
Alternatives:	The Senate could reject the recommendation and the current structure of the IT Council would remain as the main source of IT governance at UMD. However, without such a change to the Council, DivIT may face difficulties in gaining the necessary engagement in decision-making related to IT.
Risks:	There are no associated risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate approval, Presidential approval.

Senate Elections, Representation, & Governance Committee

Senate Document 12-13-45

Revisions to the Structure & Membership of the University IT Council

May 2013

BACKGROUND

In February 2013, the University Senate approved the Strategic Plan for the Division of Information Technology (DivIT) at the University of Maryland (UMD). Following approval by the Senate and the President of the University, DivIT began the process of transforming its Plan into action, and asked the Senate Executive Committee (SEC) to work with it to address an item in the Strategic Plan related to shared governance. The Strategic Plan recommended creating a structure for IT governance which more thoroughly engages the university community in determining the long-term implementation of IT at UMD. On February 22, 2013, the SEC charged the ERG Committee with reviewing the structure and membership of the existing IT Council and making recommendations on its structure and function in relation to IT governance.

CURRENT PRACTICE

The IT Council is a jointly-sponsored university-level shared governance body whose purpose is to advise the Vice President and CIO for Information Technology on information technology issues at UMD. The Council is composed of three Deans selected by the Provost, all Vice Presidents, three faculty members appointed by the Senate, a graduate student selected by the Graduate Student Government (GSG), an undergraduate student selected by the Student Government Association (SGA), and a University System of Maryland (USM) representative. The Council's specifications state that it should be chaired by the Vice President and CIO for Information Technology, although in recent practice it has been chaired by the Provost.

In current practice, the IT Council meets only four or five times a year and does not fulfill the objectives laid out in the Strategic Plan. Meetings generally consist of presentations on hot topics in IT rather than decision-making deliberations. DivIT would like to create a more robust and active governance structure focusing on four major governance areas: 1) *infrastructure*; 2) *teaching and learning*; 3) *research*; and 4) *enterprise systems*.

COMMITTEE WORK

The ERG Committee began its review of the charge (Appendix 3) on March 3, 2013. The committee discussed the charge and the current structure of the IT Council, and met with the Planning and Projects Officer from the Division of Information Technology. The Planning and Projects Officer, who was selected by the Vice President and CIO to work as a liaison with the ERG Committee during its processes, explained that the current structure of the IT Council does not serve DivIT's needs, primarily because it is a large and cumbersome group that does not engage in decision-making deliberations. He noted that it may be useful to consider dismantling the council as it currently stands to create a more effective decision-making group. In particular, he shared that the Vice Presidents and Deans likely would not need to have such a defined presence on the Council, since they already have well-defined communication channels with the Vice President and CIO. He also indicated that the Vice President, in

conversation with his peers, had received feedback that indicated they found the existing process to be a less than optimal use of their time.

With this information in mind, the ERG Committee considered different configurations for a restructured IT Council. The various structures attempted to align the needs of DivIT with the existing rules and procedures for University Councils in the Bylaws of the University Senate. The committee ultimately focused on a structure with a top-level committee and four Working Groups that would report to it.

The committee spent much of its review discussing whether the IT Council should include such a top-level body. One structure considered by the committee included a large and formal top-level body, which included deans and vice presidents in its membership. Feedback from DivIT indicated that such a structure was precisely what the desired change was intended to avoid. DivIT felt it would be more useful to simplify the Council to focus on the four governance areas. However, the ERG Committee felt strongly that a consortium of four groups without a coordinating body above them would run the risk of a) being relegated to a sub-Council status, or b) losing its connection to the Senate. The latter point was reinforced by consulting the regulations for University Councils laid out in the Senate Bylaws, and by obtaining from the Senate Parliamentarian an opinion confirming that it would be difficult (if not impossible) to enforce a relationship between the Senate and the new IT Council if it did not adhere to certain fundamental, definitional standards (see Article 7 of the Bylaws in Appendix 2).

Ultimately, the committee proposed a structure that includes a streamlined Steering Committee responsible for oversight of the Working Groups. The Steering Committee's membership would consist of the chairs and some members of various Working Groups, in order to facilitate cooperation between the four groups and to assist the Steering Committee in seeing the full picture of the work of the IT Council.

The committee also discussed the composition and responsibilities of the Working Groups at length. The Working Groups would include members from: 1) *traditional shared governance constituencies*; 2) *administrative stakeholders*; and 3) *unique custodians and consumers of IT*, (see Appendix 1 for a full list of stakeholders). The committee discussed specific membership that might be critical for each Working Group. In total, each group would have eight to ten voting members. In terms of ex-officio membership, the committee agreed to give DivIT the flexibility to identify individuals to represent appropriate stakeholders on an annual basis. The committee discussed the reporting requirements for the Working Groups, and determined that they would report to DivIT or to the Steering Committee at its discretion.

In determining the appropriate requirements for chairs for the Steering Committee and the Working Groups, the committee reviewed Article 7 of the Bylaws of the University Senate. The Bylaws state that the chair of a University Council should be chosen by the Vice President with the input of the Senate, and should serve a three year term. The committee noted no concerns with that arrangement, but did wish that the chair should serve as a member of one of the Working Groups as well. The committee determined that the Working Group chairs should serve two year terms, in the hope of striking a balance between a desire for institutional memory and recognition of the time commitment involved in serving as chair.

As the committee developed a proposed structure for the revised IT Council, it also agreed that the Bylaws of the University Senate should contain the specifications of the IT Council, as they include the specifications of the University Library Council and University Research Council. Accordingly, the committee developed appropriate text to be inserted into Article 8 of the Bylaws.

At its meeting on April 17, 2013, the committee voted to recommend that the IT Council be restructured in accordance with the specifications described below. It also voted to recommend inserting the specifications of the IT Council into the Bylaws of the University Senate.

RECOMMENDATIONS

The Elections, Representation, & Governance Committee recommends that the IT Council be restructured to consist of a Steering Committee and four Working Groups, created in accordance with the specifications described below.

The Elections, Representation, & Governance Committee recommends that the Bylaws of the University Senate be amended to include a description of the membership and general structure of the IT Council.

The Elections, Representation, & Governance Committee recommends that the first order of business for the new IT Council should be to create its own Bylaws, which should be submitted to the University Senate for approval, in accordance with Article 7 of the Bylaws of the University Senate.

RECOMMENDED IT COUNCIL STRUCTURE

Recommended IT Council: The IT Council should be a consortium composed of four Working Groups as explained below. The Council should also include a Steering Committee, which should have responsibility for oversight of the four Working Groups, outlined below.

Purpose and Responsibilities:

The business of the IT Council should be:

- 1) To respond to requests from DivIT, an existing extra-divisional advisory body (such as the Council of Deans or the Student Tech Fee Committee), the University Senate, or any other campus stakeholder for guidance on IT policy and implementation.
- 2) To advise on DivIT's budget, material resources, personnel, staffing and human resources, administrative policies and practices, and to fulfill all other responsibilities listed in Article 7 Section 4 of the Bylaws of the University Senate.
- 3) To initiate strategic inquiries on IT-related matters impacting or likely to impact the campus community.

Steering Committee

Membership: IT Council Steering Committee's membership should include:

1. A Chair
2. The four Working Group chairs
3. Vice President for IT and CIO, or designee, as non-voting ex officio
4. Additional non-voting ex-officio members may be appointed as needed, by agreement between the CIO and the SEC
5. One exempt staff person already serving on a Working Group
6. One undergraduate student already serving on a Working Group
7. One graduate student already serving on a Working Group
8. One non-tenured research faculty member already serving on a Working Group
9. One tenured faculty member already serving on a Working Group

Members should be appointed in accordance with section 7.5 of the Bylaws of the University Senate. The Chair of the IT Council Steering Committee should also be appointed in accordance with section 7.5 and should serve as a member of one of the Working Groups as well. The Steering Committee should meet at least once a year to report out on the Working Group to the SEC and Vice President and CIO.

Reporting: The Steering Committee should report either to the Vice President and CIO, or to the University Senate when responding to charges from the Senate Executive Committee. Twice a year, the IT Council Steering Committee should report to the SEC and the Senate on the work of its four groups. The CIO should be responsible for keeping the Council of Deans and Cabinet fully and appropriately apprised of the work of the IT Council, and should coordinate any requests or charges from the Cabinet and Deans to the appropriate Working Group.

Working Groups

Working Groups should be charged with carrying out research on issues and proposing recommendations. Each group should be responsible for advising on DivIT's budget, material resources, personnel, staffing and human resources, administrative policies and practices, and should have all other responsibilities listed in 7.4.b of the Bylaws of the University Senate. The Working Groups should report their findings and recommendations either a) directly to the relevant DivIT unit or office; or b) to the Steering Committee. Each Working Group should be supported by and work with a Deputy CIO in the Division as designated by the CIO.

Working Groups should also be an incubator for issues and ideas, and should not operate only in response to charges. Working Groups should meet somewhere between eight and nine times per year, or approximately once a month.

Working Groups are designed to be nimble, and to bring together the concerns of key stakeholders from across the campus community, including consumers of IT resources, and those responsible for delivering those resources and planning for the future. It is expected that Working Groups would consult with and/or meet with relevant staff members from the Division as appropriate.

Membership: Working Groups should represent the three major groups of stakeholders in IT life at the University (Appendix 1). The groups generally should have between eight and twelve members, and a chair. A majority of members should be drawn from faculty and staff not serving as administrators, and students. Faculty, staff, and student members should be appointed in accordance with section 7.5 of the Bylaws of the University Senate. Appropriate *Administration Stakeholders* and *Unique Custodians & Consumers* should be selected by the CIO, in consultation with the Senate. Faculty and staff members should serve two year terms. Undergraduate and graduate student members may serve one year terms. Members appointed by the CIO should be reappointed annually as appropriate.

Chairs: Each Working Group should have a chair, chosen by the Committee on Committees of the Senate in consultation with the CIO. Chairs should be appointed to serve a two year term, and may be reappointed for one additional two year term.

Recommended Working Groups:

Learning @ Technology

Remit: Classroom Support, Learning Support, Student Experience, Instructor Experience, Scholarly Enablement

Special Membership Recommendations: Membership should include at least one graduate student and one undergraduate student. At least one faculty member should be in a Non Tenure-Track instructional faculty category and at least one student member should also be a member of the Campus Student Technology Fee Advisory Committee (CSTFAC). The Director of CTE should be a member.

Enabling Research

Remit: Research Support Tools, Collaboration Tools, Data Storage and Access, IT and IP Issues

Special Membership Recommendations: At least one faculty member should be from the Non Tenure-Track Research category. The committee should include designees from the VP of Research and the Dean of the Graduate School.

Infrastructure

Remit: Physical Hardware/Software/Networking, Lifecycle Refresh, Security

Special Membership Recommendations: Membership should include at least one graduate student, one undergraduate student, and one staff member. At least one student member should also be a member of CSTFAC.

Enterprise Systems

Remit: Physical Infrastructure, Enterprise Business Systems

Special Membership Recommendations: This Working Group may not need to follow the general rule of a majority of non-administrator members appointed by the Senate. Generally speaking, more leeway should be allowed to the CIO in determining the membership of the Group. However, this group should include at least one staff member in its membership.

RECOMMENDED AMENDMENT TO THE BYLAWS OF THE UNIVERSITY SENATE

8.3 IT Council:

8.3.a Charge: The IT Council shall advise and report on policy issues concerning the Division of IT to the University Senate and the Vice President for Information Technology and CIO. In addition to such responsibilities as are enumerated in Article 7 of these *Bylaws*, the IT Council shall:

- 1) Respond to requests from the Division of Information Technology, extra-divisional advisory bodies (such as the Council of Deans or the Student Technology Fee Committee), the University Senate, or other campus stakeholders for guidance on IT policy and implementation.**
- 2) Advise on the Division's budget, material resources, personnel, staffing and human resources, administrative policies and practices, and have all other responsibilities listed in 7.4 of the *Bylaws* of the University Senate.**
- 3) Initiate strategic inquiries on IT-related matters impacting or likely to impact the campus community.**

8.3.b Membership: The IT Council Steering Committee shall consist of a chair (1), the chairs of the four (4) IT Council Working Groups, and the following members already serving on an IT Council Working Group: one (1) exempt staff member, one (1) undergraduate student, one (1) graduate student, one (1) non-tenured research faculty member, one (1) tenured faculty member. The Vice President and CIO, or a designee, shall serve as a non-voting ex-officio member. Additional non-voting ex-officio members may be appointed as needed, by agreement between the CIO and the SEC.

8.3.c The Chair of the IT Council Steering Committee shall be appointed by the Vice President for Information Technology and CIO and the Senate, as described in 7.5

of these *Bylaws*. The Chair will serve a three year term. The Chair shall normally (subject to exception by agreement of the Vice President and the Senate) also serve as a member of one of the Working Groups.

8.3.d Working Groups: The IT Council shall create four standing Working Groups. These groups should carry out research and make recommendations on IT issues, and shall each work with the appropriate Deputy CIO in the Division. The chair of each Working Group shall be appointed by the Committee on Committees, in consultation with the CIO, and shall serve a two year term. The four Working Groups shall be:

- 1) Learning @ Technology
- 2) Enabling Research
- 3) Infrastructure
- 4) Enterprise Systems

8.3.e Reporting Responsibilities: The IT Council shall report to the Vice President and CIO of the Division of Information Technology and to the University Senate.

APPENDICES

Appendix 1 – List of IT Consumers at UMD


Appendix 2 – Proposed Amended Bylaws of the University Senate

Appendix 3 – University Senate Executive Committee Charge on Revisions to the Structure and Membership of the University IT Council

**APPENDIX 3 - SENATE EXECUTIVE COMMITTEE CHARGE ON ADDITION
OF USER EXPERIENCE WORKING GROUP ON THE IT COUNCIL**



**University Senate
CHARGE**

Date:	October 24, 2014
To:	Jess Jacobson Chair, Elections, Representation, & Governance Committee
From:	Donald Webster Chair, University Senate 
Subject:	Addition of User Experience Working Group to the IT Council
Senate Document #:	14-15-10
Deadline:	December 19, 2014

The Senate Executive Committee (SEC) requests that the Elections, Representation, & Governance (ERG) Committee review the attached proposed revision to the IT Council structure and evaluate whether an additional working group focused on “user experience” should be added.

Specifically, we ask that you:

1. Consult with the Director of Finance, Human Resources, Planning and Projects within the Division of Information Technology on the need for a working group on user experience.
2. Consider whether the proposed working group on user experience will help address the information technology needs of the campus.
3. Consider whether the chair of the proposed working group should be a voting member of the IT Council Steering Committee.
4. Consider whether any additional working groups should be added to the IT Council to address any needs not being met by the existing and proposed groups.
5. If appropriate, recommend changes to the Senate Bylaws.

We ask that you submit your report and recommendations to the Senate Office no later than December 19, 2014. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

Attachment

DW/rm

8.3 University IT Council:

8.3.a Charge: The IT Council shall advise and report on policy issues concerning the Division of IT to the University Senate and the Vice President for Information Technology and CIO. In addition to such responsibilities as are enumerated in Article 7 of these *Bylaws*, the IT Council shall:

- 1) Respond to requests from the Division of Information Technology, extra-divisional advisory bodies (such as the Council of Deans or the Student Technology Fee Committee), the University Senate, or other campus stakeholders for guidance on IT policy and implementation.
- 2) Advise on the Division's budget, material resources, personnel, staffing and human resources, administrative policies and practices, and have all other responsibilities listed in 7.4 of the Bylaws of the University Senate.
- 3) Initiate strategic inquiries on IT-related matters impacting or likely to impact the campus community.

8.3.b Membership: The IT Council Steering Committee shall consist of a chair (1), the chairs of the five (5) IT Council Working Groups, and the following members already serving on an IT Council Working Group: one (1) exempt staff member, one (1) undergraduate student, one (1) graduate student, one (1) non-tenured research faculty member, one (1) tenured faculty member. The Vice President and CIO, or a designee, shall serve as a non-voting ex-officio member. Additional non-voting ex-officio members may be appointed as needed, by agreement between the CIO and the SEC.

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8.3.c The Chair of the IT Council Steering Committee shall be appointed by the Vice President for Information Technology and CIO and the Senate, as described in 7.5 of these Bylaws. The Chair will serve a three year term. The Chair shall normally (subject to exception by agreement of the Vice President and the Senate) also serve as a member of one of the Working Groups.

8.3.d Working Groups: The IT Council shall create five standing Working Groups. These groups should carry out research and make recommendations on IT issues, and shall each work with the appropriate Deputy CIO in the Division. The chair of each Working Group shall be appointed by the Committee on Committees, in consultation with the CIO and shall serve a two-year term. The five Working Groups shall be:

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- 1) Learning @ Technology
- 2) Enabling Research
- 3) Infrastructure
- 4) Enterprise Systems
- 5) User Experience

8.3.e Reporting Responsibilities: The IT Council shall report to the Vice President and CIO of the Division of Information Technology and to the University Senate.



University Senate TRANSMITTAL FORM

Senate Document #:	14-15-11
PCC ID #:	N/A
Title:	Review of the Interim University of Maryland Sexual Misconduct Policy
Presenter:	Terry Owen, Chair, Senate Equity, Diversity, & Inclusion (EDI) Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report 4. For information only
Statement of Issue:	<p>A Joint President/Senate Sexual Harassment Policies & Procedures Task Force reviewed the University's existing policies and procedures on sexual harassment from June 2012 to October 2013. At that time, the University had two standalone policies related to issues of sexual misconduct (the VI-1.20[A] University of Maryland Policy and Procedures on Sexual Harassment and the VI-1.30[A] University of Maryland Procedures on Sexual Assault and Misconduct). The Joint Task Force ultimately recommended that an umbrella policy on sexual misconduct be created to replace the two separate policies on sexual harassment and sexual assault that were in place at the University. The University Senate and the University President approved the Joint Task Force's report and proposed University of Maryland Sexual Misconduct Policy in October 2013.</p> <p>After a reauthorization of the Violence Against Women Act (VAWA) in 2013, the University System of Maryland (USM) developed a system-level policy on Sexual Misconduct in June 2014, with input from the Office of the Attorney General. All USM institutions were asked to revise their institution-level policies to align with the new USM policy by the end of 2014. The USM policy includes a section devoted to defining the language used throughout the policy. The University administration established a revised University of</p>

	<p>Maryland Sexual Misconduct Policy & Procedures (VI-1.60[A]) document in October 2014 as an interim policy for the University, pending Senate review.</p> <p>In fall 2014, the Senate Executive Committee (SEC) charged the Senate Equity, Diversity, & Inclusion (EDI) Committee with reviewing the interim policy and considering whether the proposed interim policy is in alignment with the USM policy and Federal guidelines. Specifically, the EDI Committee was charged to review the University's interim Sexual Misconduct Policy (VI-1.60[A]), as well as the USM Policy on Sexual Misconduct (VI-1.60). The committee was also asked to review the guidance provided by the U.S. Department of Education's Office for Civil Rights (OCR) regarding the 2013 reauthorization of VAWA. In addition, the committee was asked to review policies for sexual misconduct at peer institutions and Big 10 institutions. Finally, the SEC asked the committee to recommend whether revisions to the interim policy are needed.</p>
<p>Relevant Policy # & URL:</p>	<p>University of Maryland Sexual Misconduct Policy & Procedures http://www.president.umd.edu/policies/2014-VI-160A.html</p>
<p>Recommendation:</p>	<p>Throughout the review of this charge, the EDI Committee became keenly aware of the desire amongst campus constituents to edit the definitions of sexual assault and sexual contact in the interim University policy, in order to more closely align with those included in the USM policy and elsewhere. The committee also identified areas of the interim policy where minor and technical changes were needed. Therefore, the committee recommends a number of edits to the University of Maryland Sexual Misconduct Policy (VI-1.60[A]), as indicated in the policy document immediately following its report. The EDI Committee approved these recommended edits to the policy on March 26, 2015 and recommends that the edited document become official University policy.</p>

<p>Committee Work:</p>	<p>The EDI Committee worked on this charge throughout the 2014-2015 academic year. The committee reviewed the language in the University’s interim policy, as well as the USM policy. The committee noted that the main differences that exist between the University’s interim policy and the USM policy occur within the section on Prohibited Conduct. The committee consulted with the Title IX Officer & Director of the Office of Civil Rights and Sexual Misconduct (OSM) about the development of the interim policy and the re-wording of the prohibited conduct definitions.</p> <p>The committee also thoroughly reviewed guidance from the White House Task Force to Protect Students from Sexual Assault, information about Title IX and the Reauthorization of the Violence Against Women Act (VAWA), peer institution research from institutions within the Big Ten Conference and USM, as well as feedback from the campus community collected via two open Town Hall meetings, a student-led petition, and resolutions from the Graduate Student Government and the Student Government Association.</p> <p>The committee developed a number of edits to the University of Maryland Sexual Misconduct Policy (VI-1.60[A]), which it recommends be incorporated into the official University policy.</p>
<p>Alternatives:</p>	<p>To not accept or to amend the committee’s recommended changes to the University of Maryland Sexual Misconduct Policy (VI-1.60[A]).</p>
<p>Risks:</p>	<p>There are no associated risks.</p>
<p>Financial Implications:</p>	<p>There are no financial implications.</p>
<p>Further Approvals Required:</p>	<p>Senate approval, Presidential approval.</p>

Senate Equity, Diversity, & Inclusion (EDI) Committee
Report – Senate Document 14-15-11
Review of the Interim University of Maryland Sexual Misconduct Policy
April 2015

BACKGROUND

A Joint President/Senate Sexual Harassment Policies & Procedures Task Force reviewed the University's existing policies and procedures on sexual harassment from June 2012 to October 2013. At that time, the University had two standalone policies related to issues of sexual misconduct (the VI-1.20[A] University of Maryland Policy and Procedures on Sexual Harassment and the VI-1.30[A] University of Maryland Procedures on Sexual Assault and Misconduct). The Joint Task Force ultimately recommended that a new umbrella policy on sexual misconduct be created to replace the two separate policies on sexual harassment and sexual assault that were in place at the University. The University Senate and the University President approved the Joint Task Force's report and proposed University of Maryland Sexual Misconduct Policy in October 2013.

After a reauthorization of the Violence Against Women Act (VAWA) in 2013, the University System of Maryland (USM) developed a system-level policy on Sexual Misconduct in June 2014, with input from the Office of the Attorney General. The Office of the Attorney General worked with USM to ensure that the overall guidance in the USM Policy on Sexual Misconduct (VI-1.60) was legally sufficient. All USM institutions were asked to revise their institution-level policies to align with the new USM policy by the end of 2014. The USM policy includes a section devoted to defining the language used throughout the policy. While each USM institution may adopt its own policy definitions and prohibited conduct definitions, institutions were encouraged to adopt elements as defined in the USM policy, so as to ensure consistency and a shared level of expectation across institutions. The University administration established a revised University of Maryland Sexual Misconduct Policy & Procedures (VI-1.60[A]) document in October 2014 as an interim policy for the University, pending Senate review.

In November 2014, the Senate Executive Committee (SEC) charged the Senate Equity, Diversity, & Inclusion (EDI) Committee with reviewing the interim policy and considering whether the proposed interim policy is in alignment with the USM policy and Federal guidelines (see Appendix 1 for the official charge). Specifically, the EDI Committee was charged to review the University's interim Sexual Misconduct Policy (VI-1.60[A]), as well as the USM Policy on Sexual Misconduct (VI-1.60) (see appendix 2 for the USM Policy on Sexual Misconduct). The EDI Committee was also asked to review the guidance provided by the U.S. Department of Education's Office for Civil Rights (OCR) regarding the 2013 reauthorization of VAWA. In addition, the EDI Committee was asked to review similar policies for sexual misconduct at peer institutions and other Big 10 institutions. Finally, the SEC asked the EDI Committee to recommend whether revisions to the interim policy are needed.

There are three appendices to the interim Sexual Misconduct Policy, which describe the procedures to be used when responding to, investigating, and resolving complaints of sexual misconduct against students, staff, and faculty. The Senate Student Conduct Committee has been charged with reviewing Appendix A (Student Sexual Misconduct Investigation & Adjudication Procedures), the Senate Staff Affairs Committee has been charged with reviewing Appendix B (Staff Sexual Misconduct Investigation & Adjudication Procedures), and the Senate

Faculty Affairs Committee has been charged with reviewing Appendix C (Faculty Sexual Misconduct Investigation & Adjudication Procedures). These reviews are ongoing; all three committees have deadlines of November 2015.

COMMITTEE WORK

The EDI Committee worked on this charge throughout the 2014-2015 academic year. The committee noted minor changes between the interim policy and the University policy established in fall 2013, as well as between the interim policy and the USM policy established in June 2014.

The committee noted that the main differences that exist between the University's interim policy and the USM policy occur within the section on Prohibited Conduct. The interim policy's definition of sexual assault differs from the USM definition of sexual assault in that it only includes what USM defines as sexual assault I; it does not include what USM defines as sexual assault II:

- *USM Definition of Sexual Assault I. – Non-Consensual Sexual Intercourse*
Any act of sexual intercourse with another individual without Consent. Sexual intercourse includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.
- *USM Definition Sexual Assault II. – Non-Consensual Sexual Contact*
Any intentional touching of the intimate parts of another person, causing another to touch one's intimate parts, or disrobing or exposure of another without Consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.

Rather, the University's interim policy currently separates the actions defined in the USM policy as sexual assault II from the overall USM definition of sexual assault and defines them as "sexual contact." Thus, sexual contact takes the place of sexual assault II:

- *UMD Definition of "Sexual Assault" (Non-consensual sexual intercourse or oral sex)*
means any act of sexual penetration with another individual without consent. Sexual penetration includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.
- *UMD Definition of "Sexual Contact" (Non-consensual sexual contact)*
means any unwanted intentional touching of the intimate body parts of another person or yourself; causing another to touch your intimate body parts; or the disrobing or exposure of another without consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part (including your own) that is touched in a sexual manner. Unwanted sexual contact includes attempted sexual intercourse.

The EDI Committee consulted with the Title IX Officer & Director of the Office of Civil Rights and Sexual Misconduct (OSM) about the development of the interim policy and the re-wording of the prohibited conduct definitions. The Director of OSM explained to the committee that the overall policy document was re-organized to increase access, readability, and logical flow of the material. In addition, a section on training was added to broadly address the University's prevention and education efforts. The scope of the policy was also revised to further clarify that

the policy includes University-sponsored programs and activities regardless of location. The committee learned that a section on sanctions had been added to the policy, and a list of confidential resources was expanded to clarify where individuals may seek confidential assistance. Also, the revised policy clarifies the types of accommodations and interim protective measures available for students and employees, and it includes information about government agencies that address complaints of sexual misconduct.

Throughout its review, the EDI Committee thoroughly considered the following important topics:

❖ *Title IX and The Reauthorization of the Violence Against Women Act (VAWA)*

Title IX of the Education Amendments of 1972 protects against discrimination based on sex in education programs or activities, which receive Federal financial assistance. Title IX states that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

The United States Department of Education (DOE) maintains an Office for Civil Rights (OCR), with 12 enforcement offices throughout the nation and a headquarters office in Washington, D.C., to enforce Title IX.

In April 2011, the OCR issued a “Dear Colleague” guidance letter clarifying certain requirements and recommending best practices with respect to Title IX compliance as it relates to university response and prevention of sexual misconduct. In reauthorizing VAWA, Congress also imposed additional requirements regarding sexual misconduct protocols on university campuses, which took effect in spring 2014 (see Appendix 3 for a summary of the additional requirements).

❖ *Guidance from the White House Task Force to Protect Students from Sexual Assault*

In spring 2014, the White House established a Task Force to Protect Students from Sexual Assault. This White House Task Force provided universities with a checklist for sexual misconduct policies, which included guidance on the key elements that universities should consider when crafting such policies and procedures (see Appendix 4 for the checklist). In addition, the White House Task Force supplied sample language and definitions of prohibited conduct for sexual misconduct policies at institutions in the U.S. (see Appendix 5 for the sample language and definitions).

In addition to the guidance from the White House Task Force, the EDI Committee also reviewed the definition of sexual assault as described by the Office on Violence Against Women in the United States Department of Justice (DOJ). The DOJ website defines sexual assault as “any type of sexual contact or behavior that occurs without the explicit consent of the recipient.” It goes on to explain, “Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape” (see Appendix 6 for a DOJ website screen capture).

❖ *Peer Institution Research from the Big Ten and USM Schools*

The EDI Committee researched sexual misconduct policies at aspirational peers and peer institutions in the Big Ten. In particular, the committee examined the prohibited conduct

definitions used in peer policies for sexual assault and sexual contact. While a variety of definitions of sexual assault are used at peer institutions across the U.S., many, if not most, of these universities provide a definition of assault that includes, rather than distinguished from, sexual contact. Some universities do not elaborate on the nature of forced or coerced sexual activity that encompasses assault. Some universities do provide separate definitions of sexual assault and sexual contact; in most of these cases, however, the definitions are provided only to clarify the wide scope of sexual assault, rather than distinguishing between various misconduct violation categories.

In addition, the committee reviewed policies at other USM institutions in order to analyze the various definitions of prohibited conduct included in their policies. The committee found that the majority of USM institutions adopt the system policy definitions and categories of prohibited conduct practically verbatim (e.g., they include the two subcategories of sexual assault I and sexual assault II as the definition of sexual assault). At least one system institution includes a third point in the definition of sexual assault to state, "Sexual Assault also includes any offense that meets the definition of rape, fondling, incest or statutory rape as used by the Federal Bureau of Investigation's Uniform Crime Reporting Program" (see Appendix 7 for a summary of peer institution research).

❖ *Feedback from EDI-sponsored Town Hall Meetings and Student-led Change.org Petition*

During spring 2015, the EDI Committee hosted two open Town Hall meetings to gather feedback from the campus community about the interim policy. The Town Halls drew a total of about 60 attendees over the two events; faculty, staff, students, and administrators attended the events. The extensive input and comments gathered at the Town Hall meetings were useful to the committee. Many of the issues raised at the Town Halls included concerns that the committee was already aware of and had previously discussed, particularly concerns regarding the definitions of sexual assault and sexual contact in the interim policy. However, observations were also raised about the need to ensure that the language used in such definitions is inclusive and covers all possible circumstances of sexual abuse (e.g., male on female sexual assault, female on male sexual assault, female on female sexual assault, and male on male sexual assault). For instance, many participants at the Town Hall events were displeased with the word "penetration" being used to define sexual assault (non-consensual sexual intercourse or oral sex). In addition, many attendees were frustrated that the word "rape" is not included or defined anywhere in the interim policy. Further, the EDI Committee received an Open Letter from a group of students following the Town Hall events, stating that many students oppose the use of the terminology of sexual assault and sexual contact in the interim policy; the letter stated that the use of these phrases, with their attached definitions, trivialize the experience of victims.

In addition, following the establishment of the interim policy, a University student created a petition on www.change.org highlighting concerns about the definition of sexual contact in the interim policy and suggesting that the language be reverted to sexual assault II. The text of the petition was made available to the committee for its consideration. As of this report, the petition received 1,375 signatures.

❖ *Resolutions from the Student Government Association (SGA) and the Graduate Student Government (GSG)*

In fall 2014, the Graduate Student Government (GSG) passed a resolution titled, "A Resolution Requesting Changes to the University of Maryland Sexual Misconduct Policy." In the resolution, the GSG encouraged the University to change the interim policy to consider both non-

consensual sexual intercourse and non-consensual sexual contact as distinct forms of sexual assault. Likewise, in spring 2015, the Student Government Association (SGA) passed a resolution titled, “An Act Recommending Changes to the University of Maryland Interim Sexual Misconduct Policy,” in which the SGA recommended expanding the definition of sexual assault in the interim policy to include unwanted intentional touching and attempted sexual intercourse. The SGA also recommended in its resolution that the term sexual contact be changed to sexual offenses (see Appendix 8 for the GSG and SGA resolutions).

OVERALL FINDINGS

Throughout the review of this notable charge, the EDI Committee became keenly aware of the desire amongst campus constituents to edit the definitions of sexual assault and sexual contact in the interim University policy, in order to more closely align with those included in the USM policy and elsewhere. In addition, the committee gathered and examined suggested policy language and definitions from a vast number of entities, including the White House Task Force to Protect Students from Sexual Assault, and the committee determined that changes to the definitions of some of the items under Prohibited Conduct in the interim policy would be in the best interest of the University, the student body, and the campus community. In addition, the committee carefully reviewed the policy page-by-page, and identified areas where minor and technical changes were needed, either to further align with the USM policy or to clarify wording for the reader. The committee consulted with the Director of OSM and the Office of General Counsel in developing its recommendations. The committee is confident that the policy, as edited, will help to reinforce the University’s commitment to a working and learning environment that is free from sexual misconduct.

RECOMMENDATIONS

Based on the EDI Committee’s comprehensive research and discussions, the committee recommends a number of edits to the University of Maryland Sexual Misconduct Policy (VI-1.60[A]), as indicated in the policy document immediately following this report. The EDI Committee approved these recommended edits to the policy on March 26, 2015 and recommends that the edited document become official University policy.

APPENDICES

Appendix 1 – Charge from the Senate Executive Committee (SEC)

Appendix 2 – University System of Maryland (USM) Policy on Sexual Misconduct (VI-1.60)

Appendix 3 – New Requirements Imposed by the Violence Against Women Reauthorization Act

Appendix 4 – White House Task Force Checklist for Campus Sexual Misconduct Policies

Appendix 5 – White House Task Force Sample Language and Definitions of Prohibited Conduct

Appendix 6 – DOJ Website Screen Capture “What is Sexual Assault?”

Appendix 7 – Peer and USM Institution Research

Appendix 8 – Graduate Student Government and Student Government Association Resolutions

Recommended Changes to the VI-1.60(A) University of Maryland Sexual Misconduct Policy
New Text in Blue/Bold (**example**); Removed Text in Red/Strikethrough (~~example~~)

VI-1.60(A) UNIVERSITY OF MARYLAND SEXUAL MISCONDUCT POLICY & PROCEDURES (Approved on an Interim Basis by the President October 13, 2014)

- I. Policy Statement
- II. Applicability
- III. Definitions
- IV. Prohibited Conduct
- V. Sanctions
- VI. Confidential Resources
- VII. Reporting Sexual Misconduct
- VIII. Interim **Protective** Measures
- IX. Retaliation
- X. Complaint Procedures
- XI. Steps to Take Following a Sexual Assault
- XII. Campus Safety
- XIII. Consensual Relationships and Professional Conduct
- XIV. Government Agencies That Address Complaints of Sexual Misconduct

I. -POLICY STATEMENT

Sexual misconduct is a form of sex discrimination prohibited by federal and state discrimination laws, including Title IX of the Education Amendments of 1972 and Title VII of the Civil Rights Act. In addition, some forms of sexual misconduct violate the criminal laws of the State of Maryland. Sexual misconduct is also a form of sex discrimination in violation of the University of Maryland Code ~~of~~ on Equity, Diversity, and Inclusion (“Code”) <http://www.president.umd.edu/policies/vi100b.html>. However, this policy supersedes and replaces the Code with respect to matters of sexual misconduct. The University will respond to complaints of sexual misconduct in accordance with the provisions of the Sexual Misconduct Policy and accompanying investigation and adjudication procedures.

The Office of **Civil Rights &** Sexual Misconduct (**OSM**) ~~& Relationship Violence~~ shall receive notice of all reports of sexual misconduct received by any individual deemed a “Responsible University Employee” under this policy. No employee (other than law enforcement) is authorized to investigate or resolve reports of sexual misconduct without the involvement of the Title IX Officer:

Catherine A. Carroll, Director

Title IX Officer

Office of **Civil Rights &** Sexual Misconduct ~~& Relationship Violence~~

University of Maryland

1103 Reckord Armory, College Park, MD 20742-5031

E-mail: carrollc@umd.edu | titleixcoordinator@umd.edu

Phone: 301-405-1142 | Cell/Text: 301-852-0946 | Fax: 301-405-2837

http://www.umd.edu/Sexual_Misconduct

Training

The Office of **Civil Rights & Sexual Misconduct** ~~& Relationship Violence~~ is responsible for overseeing the University's training and educational programs related to sexual misconduct. To learn more about various resources, on-going training initiatives, and education programs for students, faculty and staff, please consult the office's website for more current and up-to-date information.

The University of Maryland is committed to a working and learning environment free from sexual misconduct. Sexual misconduct is a broad term used to describe a range of behavior, including sexual harassment, sexual assault, domestic violence, dating violence, **sexual violence**, relationship violence, sexual exploitation, sexual intimidation, and stalking. Sexual misconduct will not be tolerated. It corrupts the integrity of the educational process and work environment, and violates the core mission and values of the University.

Creating an environment free from sexual misconduct is the responsibility of all members of the University community. The University is committed to fostering a campus climate free from sexual misconduct through training, education and prevention programs, and through policies and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair and impartial investigation and resolution of sexual misconduct cases. In responding to complaints of sexual misconduct, the University will take appropriate steps to eliminate sexual misconduct, prevent its recurrence and address its effects.

II. -APPLICABILITY

This policy applies to all members of the University community, including students, faculty, and staff. It also applies to contractors and other third parties within the University's control.

This policy applies to sexual misconduct:

- On University premises, in any University facility or on University property;
- At any University sponsored, recognized or approved program, visit or activity, regardless of location;
- That impedes equal access to any University education program or activity or that adversely impacts the education or employment of a member of the University community regardless of where the conduct occurred; or
- That otherwise threatens the health and/or safety of a member of the University community.

III. DEFINITIONS

“Coercion” Includes conduct, intimidation, and express or implied threats of physical or emotional harm, that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in sexual contact. - Examples of Coercion include causing the deliberate Incapacitation of another person; conditioning an academic benefit or

employment advantage on submission to the sexual contact; threatening to harm oneself if the other party does not engage in sexual contact; or threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal sensitive information if the other party does not engage in the sexual contact.

“Complainant” refers to the individual who files a sexual misconduct complaint, alleging a violation of this Policy.

“Confidential” refers to communications between two parties where one party, based on their professional status, has the ability to ensure the communications between the two parties are legally protected as private.

“Consent” means a knowing, voluntary and affirmatively communicated willingness to participate in a particular sexual activity or behavior. Only a person who has the ability and capacity to exercise free will and make a rational, reasonable judgment can give consent. Consent may be expressed either by words and/or actions, as long as those words and/or actions create a mutually understandable agreement to engage in specific sexual activity. It is the responsibility of the person who wants to engage in sexual activity to ensure that he/she has consent from the other party, and that the other party is capable of providing consent.

- Lack of protest or resistance is not consent. Nor may silence, in and of itself, be interpreted as consent. For that reason, relying solely on non-verbal communication can lead to misunderstanding.
- Previous relationships, including past sexual relationships, do not imply consent to future sexual acts.
- Consent to one form of sexual activity cannot automatically imply consent to other forms of sexual activity.
- Consent must be present throughout sexual activity and may be withdrawn at any time. If there is confusion as to whether there is consent or whether prior consent has been withdrawn, it is essential that the participants stop the activity until the confusion is resolved.
- Consent cannot be obtained by use of physical force, threats, intimidating behavior, or coercion. Coercion is pressuring another person into sexual activity.

It is a violation of this policy to engage in sexual activity with someone you know, or should know, is incapacitated. Incapacitated, for purposes of this policy, means that the person's decision-making ability is impaired such that they lack the capacity to understand the “who, what, where, why or how” of their sexual interaction. Incapacitation may result from: sleep or unconsciousness, temporary or permanent mental or physical disability, involuntary physical restraint, or the influence of alcohol, drugs, medication, or other substances used to facilitate sexual misconduct.

“Incapacitated” An individual who is Incapacitated is unable to give Consent to sexual contact. States of Incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state

where the individual is unaware that Sexual Contact is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to Consent to Sexual Contact. Alcohol or drug use is one of the prime causes of Incapacitation. Where alcohol or drug use is involved, Incapacitation is a state beyond intoxication, impairment in judgment, or “drunkenness.” Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is Incapacitated, and therefore unable to give Consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of Sexual Contact;
- Appraising the nature of one’s own conduct;
- Communicating Consent to Sexual Contact; or
- Communicating unwillingness to engage in Sexual Contact.

“**Interim Protective Measures**” means reasonably available steps the University may take to protect the parties pending a University investigation and adjudication of sexual misconduct.

“**Respondent**” means the individual accused of engaging in Prohibited Conduct under this Policy.

“**Responsible University Employee**” includes any University administrator, supervisor, faculty member, campus police, coach, **athletic** trainer, resident assistant, or non-confidential first responder who has the authority to take action to redress sexual misconduct; or whom a student could reasonably believe has such authority or duty.

“**Title IX Officer**” refers to the individual designated by the President of the University to: 1) oversee the University’s response to sexual misconduct reports and complaints and identify and address any patterns or systemic problems revealed by such reports and complaints; 2) conduct sexual misconduct investigations; 3) oversee, review content, and, in collaboration with other University offices, conduct training for students, faculty, and staff on sexual misconduct issues; 4) ensure that appropriate policies and procedures are in place for responding to complaints of sexual misconduct against faculty, staff, and students; and 5) work with local law enforcement to ensure coordinated responses to sexual misconduct cases.

IV. PROHIBITED CONDUCT

“**Dating Violence**” encompasses a broad range of behaviors, including sexual assault, physical abuse and other forms of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant, considering the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

“Domestic Violence” encompasses a broad range of behaviors, including sexual assault, physical abuse and other forms of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant, or by any other person against an adult or youth complainant protected from those acts by domestic or family violence laws of Maryland.

“Relationship Violence” encompasses a broad range of behaviors, including sexual assault, physical abuse and other acts, threats or a pattern of abusive behavior of a physical or sexual nature by one partner intended to control, intimidate, manipulate, humiliate, frighten, coerce, or injure the other. These acts may be directed toward a spouse, an ex-spouse (also referred to as “domestic violence”), or by a current or former intimate partner (“also referred to as “dating violence”).

“Retaliation” means intimidating, threatening, coercing, or discriminating against an individual for the purpose of interfering with any right or privilege secured by law or University policy relating to sexual misconduct, or because an individual has made a report, filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding related to sexual misconduct. Retaliation includes retaliatory harassment.

“Sexual Assault” is any type of actual or attempted sexual contact with another individual without that person’s consent, including sexual intercourse (rape) and attempted sexual intercourse (attempted rape).

Sexual Assault I. – Non-Consensual Sexual Intercourse

Any act of sexual intercourse with another individual without consent (rape). This includes penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person’s consent.

Sexual Assault II. – Non-Consensual Sexual Contact

Any unwanted intentional touching of the intimate body parts of another person, causing another to touch the intimate parts of oneself or another, or disrobing or exposure of another without consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part (including one’s own) that is touched in a sexual manner. Non-consensual sexual contact includes attempted sexual intercourse without consent (attempted rape).

~~**“Sexual Assault” (Non-consensual sexual intercourse or oral sex) means any act of sexual penetration with another individual without consent. Sexual penetration includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.**~~

~~“Sexual Contact” (Non-consensual sexual contact) means any unwanted intentional touching of the intimate body parts of another person or yourself; causing another to touch your intimate body parts; or the disrobing or exposure of another without consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part (including your own) that is touched in a sexual manner. Unwanted sexual contact includes attempted sexual intercourse.~~

“Sexual Exploitation” means taking non-consensual or abusive sexual advantage of another person for one’s own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited.

“Sexual Harassment” means: (a) unwelcome sexual advances; (b) unwelcome requests for sexual favors; or (c) other behavior of a sexual or gender-based nature where: (i) submission to **or rejection of** such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, evaluation of academic work, or participation in a university-sponsored educational program or activity; (ii) submission to or rejection of such conduct by an individual is used as the basis for an academic, employment, or activity or program participation decision affecting that individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual’s academic or work performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment.

“Sexual Intimidation” means threatening behavior of a sexual nature directed at another person, such as threatening to sexually assault another person or engaging in indecent exposure.

“Sexual Misconduct” is an umbrella term that encompasses dating violence, domestic violence, **sexual violence**, sexual harassment, sexual assault, ~~sexual contact~~, sexual exploitation, sexual intimidation, relationship violence, and stalking. Sexual misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can be committed by any person, regardless of gender identity, and can occur between people of the same or different sex, sexual orientation, or gender expression.

“Sexual Violence” means physical sexual acts perpetrated without consent. Sexual violence includes but is not limited to sexual harassment, sexual coercion, **and** sexual assault ~~and sexual contact~~.

“Stalking” means repeated, unwanted attention; physical, verbal, or electronic contact; or any other course of conduct directed at an individual that is sufficiently serious to cause physical, emotional, or psychological fear or to create a hostile, intimidating, or abusive environment for a reasonable person in similar circumstances and with similar identities. Stalking may involve individuals who are known to one another or who have a current or previous relationship or may involve individuals who are strangers.

V. -SANCTIONS

Both parties shall be informed of the outcome of any investigative and adjudicative process based on a violation of this policy. The University shall not publically disclose personally identifiable information about either of the parties, except as required by law.

Employees. Employees found in violation of this policy are subject to disciplinary action ranging from a written reprimand up to and including termination of employment, depending on the circumstances.

Students. Students found in violation of this policy are subject to disciplinary action based on the circumstances and nature of the violation. Sanctions include, but are not limited to: dismissal from the University (suspension or expulsion), removal from University housing, disciplinary probation, and other sanctions such as a community service and mandatory and continuing participation in sexual misconduct education programming.

Persons who commit sexual misconduct in violation of federal, state, or local law may also be subject to criminal charges and penalties.

VI. -CONFIDENTIAL RESOURCES

Generally, it is not confidential when a person reports sexual misconduct. If a person desires to keep an incident of sexual misconduct confidential, they should speak with individuals who have professional or legal obligations to keep communications confidential. When seeking advice and support, persons should always consider whether they want to discuss their concerns with a confidential resource. Unless there is an imminent threat to health or safety or other basis for disclosure, such as child abuse, confidentiality applies when persons seek services from the following resources:

Campus Advocates Respond and Educate (CARE) to Stop Violence

University Health Center Office 301-314-2222

24/7 Help Line (call/text) 301-741-3442

www.health.umd.edu/care ~~or~~ care@health.umd.edu

This service is a free and confidential resource that provides support, assistance and advocacy to any member of the University community impacted by sexual misconduct. Its mission is to respond to incidents of sexual misconduct, including sexual assault, relationship violence, stalking, and sexual harassment.

Faculty Staff Assistance Program (FSAP) 301-314-8170 or 301-314-8099

This program is a confidential assessment, referral, and counseling service staffed by trained mental health professionals. FSAP is available to all University of Maryland, ~~College Park,~~

employees and their family members at no charge. Faculty and staff may consult with a counselor for many different reasons, including sexual misconduct.

University Counseling Center 301-314-7651

www.counseling.umd.edu

The University of Maryland Counseling Center provides comprehensive psychological and counseling services to meet the mental health and developmental needs of students and others in the campus community. Staffed by counseling and clinical psychologists, the Counseling Center offers a variety of services to help students, faculty, staff, and the community deal with issues concerning them.

University Health Center, Mental Health Service 301-314-8106

www.health.umd.edu/mentalhealth/services

The Mental Health Service is staffed by psychiatrists and licensed clinical social workers and offers confidential services including short-term psychotherapy, medication evaluations, and crisis intervention and group psychotherapy.

Student Legal Aid Office

Undergraduates 301-314-7756; Graduates ~~Students~~ 301-405-5807

~~This office~~ **The Student Legal Aid Office**, located in South Campus Dining Hall, provides free, confidential legal advice to any University student.

Campus Chaplains 301-405-8450/ or 301-314-9866

http://thestamp.umd.edu/engagement/memorial_chapel/chaplains

The Campus Chaplains represent 14 faith communities and work collectively to serve the spiritual needs of all members of the University community.

Prince George's Hospital Domestic Violence and Sexual Assault Center

301-618-3154 - 24 hours (3001 Hospital Drive, Cheverly, MD 20785)

Persons who experience sexual assault can access a Sexual Assault Forensic Exam (SAFE) within 72 hours of an assault. Each Maryland County has a hospital that provides SAFE exams. A SAFE exam is available at Prince George's Hospital Center. To find a SAFE provider in other counties call 1-800-656-4653. SAFE exams and attention to medical needs are available without having to reveal a person's identity to the police.

Maryland Coalition Against Sexual Assault (MCASA)

Statewide Sexual Assault Information and Referral help line 1-800-983-RAPE

MCASA is a statewide coalition of 17 rape crisis and recovery centers that serve all of Maryland's jurisdictions. MCASA works to help prevent sexual assault, advocate for accessible, compassionate care for survivors of sexual violence, and works to hold offenders accountable.

Maryland Network against Domestic Violence

1-800-MD-HELPS

The Maryland Network Against Domestic Violence is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence. The Network accomplishes this goal by providing education, training resources, and advocacy to advance victim safety and abuser accountability.

Disclosures or reports made to any other entities except those listed above are *not* confidential. **For instance, if** you discuss an incident of sexual misconduct with your supervisor, a resident assistant, a coach, or faculty member, those persons are “Responsible University Employees” and, as such, are obligated pursuant to this policy to report the sexual misconduct to the Title IX Officer.

The University recognizes that sexual misconduct is a sensitive issue for all parties involved and is committed to operating with discretion, and maintaining the privacy of individuals to the greatest extent possible under applicable law.

VII. -REPORTING SEXUAL MISCONDUCT

Obligations of “Responsible University Employee.” A “Responsible University Employee” (see definitions) must promptly notify the Title IX Officer in the Office of **Civil Rights & Sexual Misconduct** ~~& Relationship Violence~~ of any report of sexual misconduct brought to their attention, including campus law enforcement. The Title IX Officer works collaboratively with the reporting entity, making every effort to operate with discretion and maintain the privacy of the individuals involved.

Prompt reporting is encouraged. Persons are encouraged to report sexual misconduct promptly in order to maximize the University’s ability to obtain evidence, identify potential witnesses, and conduct a thorough, prompt, and impartial investigation. While there are no time limits to reporting sexual misconduct, if too much time has passed since the incident occurred, the delay may result in loss of relevant evidence and witness testimony, impairing the University’s ability to respond and take appropriate action.

All reports of sexual misconduct will be responded to immediately and appropriate action will be taken in accordance with the University’s Sexual Misconduct Investigation & Adjudication Procedures (see *Appendices A, B, C*). If the University determines that sexual misconduct has occurred, it will take prompt and effective steps to eliminate the sexual misconduct, prevent its recurrence, and address its effects.

The University strives to take appropriate action, including investigation and resolution of complaints within sixty (60) **business calendar** days from when the complaint was filed. The University may

extend the time frames set forth in this policy for good cause, with written notice to both parties of the delay and the reason for the delay. Exceptions to this timeframe may vary depending on the complexity of the investigation, access to relevant parties, and the severity and extent of the misconduct.

Sexual misconduct by students, faculty, staff, and third parties should be reported to:

Office of Civil Rights & Sexual Misconduct & Relationship Violence 301-405-1142

www.umd.sexual_misconduct | titleixcoordinator@umd.edu

The mission of the Office of **Civil Rights & Sexual Misconduct & Relationship Violence** is to support the University's commitment to a working and learning environment free from sexual misconduct and relationship violence. The core services of the Office include: oversight for all institutional responses to sexual misconduct and relationship violence, ensuring University compliance with federal statutory and regulatory requirements, promoting best practices in responding to victims of sexual violence and holding respondents accountable, receiving and investigating reports of sexual misconduct and relationship violence, and increasing access to information and available resources to the campus community. The office seeks to work collaboratively across all campus constituent groups and create a climate where diversity, inclusion, and respect inform all processes.

Sexual misconduct committed by students may also be reported to:

Office of Student Conduct, Division of Student Affairs -301-314-8204

www.studentconduct.umd.edu | studentconduct@umd.edu

The Office of Student Conduct administers adjudicative processes involving students who commit violations of the University of **Maryland** Code of Student Conduct, and can provide assistance to students who wish to report incidents of sexual misconduct.

Office of Rights and Responsibilities, Department of Resident Life 301-314-7598

www.reslife.umd.edu/rights | drl-rr@umd.edu

The Office of Rights and Responsibilities administers adjudicative processes involving students who commit conduct violations of the Residence Hall Rules and the University of **Maryland** Code of Student Conduct in on-campus residence halls, and can provide assistance to students who wish to report incidents of sexual misconduct.

Reporting a crime. Sexual misconduct, particularly sexual violence, may be a crime. The University will assist complainants who wish to report sexual misconduct to law enforcement authorities, including campus police. Representatives of the Office of **Civil Rights & Sexual Misconduct & Relationship Violence**, Office of Student Conduct, Office of Rights & Responsibilities, and Campus Advocates Respond and Educate (CARE) to Stop Violence Office in the University Health Center, are available to assist students in reporting to campus police. Campus police will also assist complainants in notifying other law enforcement authorities in other

jurisdictions, as appropriate. To report to the University of Maryland Police, please call 301-405-3555.

Because the standards for a violation of criminal law are different from the standards for a violation of this policy, criminal investigations and proceedings are not determinative of whether a violation of this policy has occurred. In other words, conduct may violate this policy even if law enforcement agencies or local prosecutors decline to prosecute. Complaints of sexual misconduct and related internal University processes may occur prior to, concurrent with, or following criminal proceedings off campus.

Upon receipt of a report of sexual misconduct that may constitute a crime, campus police will advise the student that in addition to making a criminal report, they also have the right to file a complaint with the University and engage the University's investigation and adjudicative processes under this policy. In addition, as Responsible University Employees under this policy, campus police who receive any type of report of sexual misconduct, whether it rises to the level of a crime or not, shall promptly notify the Title IX Officer at titleixcoordinator@umd.edu.

Co-Occurring Criminal Action. Proceeding with a University investigation and adjudication of a complaint of sexual misconduct under this policy is independent of any criminal investigation or proceeding. Reporting to law enforcement does not preclude a person from proceeding with a complaint of sexual misconduct under this policy. The University is required to conduct an investigation in a timely manner, which means, in most cases, the University will not wait until a criminal investigation or proceeding is concluded before conducting its own investigation, implementing interim protective measures, and taking appropriate action. However, *at the request of law enforcement*, the Title IX Officer, may defer its fact gathering, until the initial stages of a criminal investigation are complete. If such a request is made, ~~UMPD~~-**University of Maryland Police** will submit the request in writing and the complainant will be notified. In addition, when possible, in cases where there is a co-occurring criminal investigation by ~~UMPD~~-**University of Maryland Police**, Prince George's County Police, or the local prosecutor's office, the Office of **Civil Rights & Sexual Misconduct** will work collaboratively and supportively with each respective agency within the parameters outlined above. The Office of **Civil Rights & Sexual Misconduct** will communicate any necessary delays in the University's investigative process to both parties in the event of a deferral.

The Office of **Civil Rights & Sexual Misconduct** shall not disclose information about sexual misconduct complaints to third parties (persons other than those in the University community with a need to know) except as may be required or permitted by federal or state law. If a report of sexual misconduct discloses a serious and on-going threat to the campus community, the ~~UMPD~~-**University of Maryland Police** may issue a timely warning of the conduct under the Clery Act in the interests of the health and safety of the campus community. This notice will not contain any personally identifying information related to the complainant.

Amnesty for Students Who Report Sexual Misconduct

The University recognizes that a student who is under the influence of alcohol and/or drugs at the time of an incident may be hesitant to make a report of sexual misconduct because of the threat of disciplinary sanctions for his or her own violation of the **University of Maryland** Code of Student Conduct (i.e., alcohol or drug use violation). In this context, a student who reports sexual misconduct, either as a complainant or third party witness, will not face disciplinary charges under the **University of Maryland** Code of Student Conduct in accordance with *V-1.00(J) University of Maryland Policy on Promoting Responsible Action in Medical Emergencies* at <http://www.president.umd.edu/policies/v100jnew.html>

Requests for Confidentiality

If a complainant requests that their name not be disclosed or that the University not investigate or take action against the respondent, the Title IX Officer or designee will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, faculty, and staff, including the complainant. The Title IX Officer shall make a determination as to whether the complainant's request can be honored, by considering the following factors:

- Circumstances that suggest there is an increased risk of the respondent committing additional acts of sexual misconduct or other violence (e.g., whether there have been other sexual misconduct complaints about the same respondent);
- Whether the respondent has any documented history of violence known to the University;
- Whether the respondent threatened further sexual misconduct or other violence against the complainant or others that is known to the University;
- Whether the sexual misconduct was committed by multiple persons;
- Whether the sexual misconduct was perpetrated with a weapon;
- The age of the complainant subjected to the sexual misconduct; and
- Whether the ~~school~~ **University** possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).

VIII. ~~PROTECTIVE~~ INTERIM PROTECTIVE MEASURES

Reports of sexual misconduct in violation of this policy may require immediate protective measures to protect the safety and well-being of the parties and/or the campus community pending the outcome of the investigative and adjudicative processes. Interim protective measures may include the following:

No Contact Order. A no contact order is an official University directive that serves as notice to an individual that they must not have verbal, electronic, written, or third party communications with another individual.

For Students:

- *Academic accommodations*, such as, assistance in transferring to another section of a lecture or laboratory, assistance in arranging for incompletes, leaves or withdrawal from campus, or rearranging class schedules, and
- *Housing accommodations*, such as, facilitating changes in on-campus housing location to alternate housing, assistance in exploring alternative housing off-campus, and
- *Employment accommodations*, such as, arranging for alternate University employment, different work shifts, etc., **and**
- *Transportation and parking accommodations*.

For Employees:

- *Employment accommodations*, ~~both the complainant and the respondent may request a such as~~, temporary reassignment, if appropriate, to other work duties and responsibilities, or other work locations, or other work groups/teams or alternative supervision/management-, **and**
- *Transportation and parking accommodations*.

IX. -RETALIATION

Complaints of Retaliation. Individuals who engage in retaliatory behavior against a reporting party or party participating in an investigation, are in violation of this policy, and will be subject to appropriate disciplinary action pursuant to the procedures for this policy. Individuals who believe they have experienced retaliation in violation of this policy should immediately report such conduct to the Title IX Officer at titleixcoordinator@umd.edu.

X. COMPLAINT PROCEDURES

Complaints Against Students. Complaints against students based on a violation of this policy will be reviewed in accordance with the procedures set forth in *Appendix A*.

Complaints Against Staff. Complaints against staff based on a violation of this policy will be reviewed in accordance with the procedures set forth in *Appendix B*. ~~(to be finalized by December 31, 2014)~~

Complaints Against Faculty. Complaints against faculty members based on a violation of this policy will be reviewed in accordance with the procedures set forth in *Appendix C*. ~~(to be finalized by December 31, 2014)~~.

Complaints Against Third Parties Not Affiliated With the University. If a member of the University community (student, faculty, or staff) is subjected to sexual misconduct by a third party not affiliated with the University on University premises or during University sponsored activities,

the matter should be reported to the Title IX Officer. The matter may be referred to law enforcement with a request that a formal letter be issued to the third party denying access to the University's buildings or grounds for acting in a manner that disrupts or disturbs the normal educational functions of the institution. The University is authorized to deny campus access to a third party engaged in disruptive behaviors under Maryland State law (see Sections 26-101 and 26-102, Education Article, Annotated Code of Maryland).

XI. -STEPS TO TAKE FOLLOWING A SEXUAL ASSAULT

Stay Warm. Persons who experience sexual assault may be in a state of shock. It is important to stay warm by wrapping up in a blanket or coat. This will help recovery from shock and make it less likely that physical evidence is disturbed.

Get to a Safe Place and Seek Emotional Support. Talking with a trusted friend or relative or someone who is professionally trained to deal with sexual assault like a confidential CARE advocate or mental health professional at the University Health Center can help you make decisions about what to do. Whether you decide to go to law enforcement or not, it is important to take care of your own emotional needs. Professional counseling may be beneficial.

Preserve Evidence. If possible, consider taking steps to preserve physical evidence - on the body and at the location of an assault. It is important not to shower or bathe, eat or drink, brush teeth or gargle, change clothes, urinate or defecate, brush or comb hair, or smoke. Clothing worn at the time of an assault should not be washed but placed in a paper bag "as is" and brought to the hospital. In order to avoid forgetting important details, write down the facts about the accused and the assault.

Seek Medical Attention. It is important to seek medical attention as soon as possible. A medical examination will ensure appropriate medical treatment, including testing for pregnancy or sexually transmitted infections. You may also want to obtain a Sexual Assault Forensic Exam (SAFE). A SAFE exam allows for the collection of evidence and can ensure any physical evidence is preserved in the event of a report to law enforcement. A SAFE exam may be obtained within 72 hours after an assault at:

Prince George's Hospital Domestic Violence and Sexual Assault Center (DV/SAC)

(301-618-3154)

<http://www.dimensionshealth.org/index.php/dimensions-healthcare-facilities/prince-georges-hospital-center/domestic-violence-and-sexual-assault-center-dvsac/>

XII. CAMPUS SAFETY

The health and safety of all members of the campus community are the University's primary concern. The University makes the following services available:

Emergency Phones

University of Maryland Police Emergency Response Telephones (PERT), recognized by a blue light affixed to each station, are available throughout campus. By activating the phone, an individual will be automatically connected to a cCampus pPolice dDispatcher who is immediately alerted to the location of the phone.

24 Hour Walking Escorts Service/Student Police Auxiliary Foot Patrol

301-405-33333555 or blue light emergency PERT phone

The University of Maryland Police Department provides a walking escort service 24 hours a day for anyone who feels unsafe while walking on campus. ~~A University Police Officer provides by either the Student Auxiliary Police Aide, or walking escorts.~~ The walking escorts are conducted by the Student Police Auxiliary foot patrol program. University of Maryland Police officers will provide walking escorts when the foot patrol program is out of service or if requested and available.

University Department of Public Safety

301-405-3555 (non-emergency) or 301-405-3333 (emergency)

Local Police in ANY location - 911

Persons who experience sexual misconduct are strongly encouraged to contact the University's of Maryland Police. If a person is not certain whether criminal conduct is involved, an officer can assist in determining whether a crime has occurred. If sexual misconduct occurred off campus, an officer can assist in contacting the appropriate law enforcement agency. A student can request and receive the assistance of campus police without making a criminal complaint. Campus police can also assist in accompanying the student to a hospital that can provide a Sexual Assault Forensic Exam (SAFE) to both ensure appropriate medical treatment and the timely collection of physical evidence in the event the person seeks to make a criminal complaint.

XIII. -CONSENSUAL RELATIONSHIPS AND PROFESSIONAL CONDUCT

Sexual relationships that occur in the context of educational or employment supervision and evaluation present potential conflicts of interest. Relationships in which one party maintains a supervisory or evaluative responsibility over the other also reflect an imbalance of power, leading to doubt as to whether such relationships are truly consensual. For these reasons, the University *strongly* discourages such relationships.

Because of the potential conflicts of interest, persons involved in consensual sexual relationships with anyone over whom they have supervisory and/or evaluative responsibilities *must inform their supervisor(s)* of the relationship(s). Supervisory or evaluative responsibilities may be reassigned, as appropriate. While no relationships are expressly prohibited by this policy, failure to self-report such relationships in a timely manner, as required by this policy, may result in disciplinary action.

XIV. -GOVERNMENT AGENCIES THAT ADDRESS COMPLAINTS OF SEXUAL MISCONDUCT

Complaints of sexual misconduct may also be filed with:

Equal Employment Opportunity Commission

City Crescent Building
10 S. Howard Street, Third Floor
Baltimore, MD 21201
Phone: 1-800-669-4000
Fax: 410-962-4270
TTY: 1-800-669-6820
Website: <https://egov.eeoc.gov/eas/>

Maryland Commission on Civil Rights

William Donald Schaefer Tower
6 Saint Paul Street, Ninth Floor
Baltimore, MD 21202-1631
Phone: 410-767-8600
Fax: 410-333-1841
TTY: 410-333-1737
Website: <http://mccr.maryland.gov/>
E-mail: jcole@mccr.state.md.us

It is important to note that in order to protect the legal rights and remedies available to a complainant, a complainant must comply with certain time limits and deadlines. Affected persons should contact the relevant agencies to verify the time limits. Failure to meet required deadlines may result in a loss of rights to seek a legal remedy.

Complaints involving violations of Title IX in the **S**tate of Maryland should be directed to:

Office for Civil Rights

U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Phone: 215-656-8541
Fax: 215-656-8605
TDD: 800-877-8339
E-mail: OCR.Philadelphia@ed.gov
Website: http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html

Replacement for:


VI-1.20(A) University of Maryland Policy and Procedures on Sexual Harassment

VI-1.30(A) University of Maryland Procedures on Sexual Assault and Misconduct

Appendix 1



**University Senate
CHARGE**

Date:	November 11, 2014
To:	Terry Owen Chair, Equity, Diversity, and Inclusion (EDI) Committee
From:	Donald Webster Chair, University Senate 
Subject:	Review of the Interim University of Maryland Sexual Misconduct Policy
Senate Document #:	14-15-11
Deadline:	March 27, 2015

The Senate Executive Committee (SEC) requests that the Equity, Diversity, and Inclusion (EDI) Committee review the attached interim Sexual Misconduct Policy and make recommendations on whether they are appropriate.

The U.S. Department of Education's Office for Civil Rights (OCR) provided guidance regarding the Violence Against Women Act (VAWA), which was reauthorized in 2013. This guidance required higher education institutions to develop specific sexual misconduct policies and procedures. As a result, the University System of Maryland (USM) revised its Policy on Sexual Misconduct (V-1.60) and asked all USM institutions to align their policies accordingly. The attached interim policy was developed to align our existing policy with VAWA stipulations and the USM policy.

Specifically, we ask that you:

1. Review the interim University of Maryland Sexual Misconduct Policy & Procedures (VI-1.60[A]).
2. Review the overview of changes to the University of Maryland Sexual Misconduct Policy developed by the Office of Sexual Misconduct and Relationship Violence and consult with the University's Title IX Coordinator regarding the development of the interim policy (attached).
3. Review similar policies for sexual misconduct at our peer institutions and other Big 10 institutions.

4. Consider whether the proposed interim policy aligns with the USM Policy and VAWA guidelines.
5. Consult with the University's Office of Legal Affairs on any recommended policy revisions.
6. If appropriate, recommend whether the interim policy should be revised.

We ask that you submit your report and recommendations to the Senate Office no later than March 27, 2015. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

Attachments

DW/rm

VI-1.60(A) UNIVERSITY OF MARYLAND SEXUAL MISCONDUCT POLICY & PROCEDURES

(Approved on an Interim Basis by the President October 13, 2014)

- I. Policy Statement
- II. Applicability
- III. Definitions
- IV. Prohibited Conduct
- V. Sanctions
- VI. Confidential Resources
- VII. Reporting Sexual Misconduct
- VIII. Interim Measures
- IX. Retaliation
- X. Complaint Procedures
- XI. Steps to Take Following a Sexual Assault
- XII. Campus Safety
- XIII. Consensual Relationships and Professional Conduct
- XIV. Government Agencies That Address Complaints of Sexual Misconduct

I. POLICY STATEMENT

Sexual misconduct is a form of sex discrimination prohibited by federal and state discrimination laws, including Title IX of the Education Amendments of 1972 and Title VII of the Civil Rights Act. In addition, some forms of sexual misconduct violate the criminal laws of the State of Maryland. Sexual misconduct is also a form of sex discrimination in violation of the University of Maryland Code of on Equity, Diversity and Inclusion (“Code”) <http://www.president.umd.edu/policies/vi100b.html>. However, this policy supersedes and replaces the Code with respect to matters of sexual misconduct. The University will respond to complaints of sexual misconduct in accordance with the provisions of the Sexual Misconduct Policy and accompanying investigation and adjudication procedures.

The Office of Sexual Misconduct & Relationship Violence shall receive notice of all reports of sexual misconduct received by any individual deemed a “Responsible University Employee” under this policy. No employee (other than law enforcement) is authorized to investigate or resolve reports of sexual misconduct without the involvement of the Title IX Officer:

Catherine A. Carroll, Director

Title IX Officer

Office of Sexual Misconduct & Relationship Violence

University of Maryland

1103 Reckord Armory, College Park, MD 20742-5031

E-mail: carrollc@umd.edu | titleixcoordinator@umd.edu

Phone: 301-405-1142 | Cell/Text: 301-852-0946 | Fax: 301-405-2837

http://www.umd.edu/Sexual_Misconduct

Training

The Office of Sexual Misconduct & Relationship Violence is responsible for overseeing the University's training and educational programs related to sexual misconduct. To learn more about various resources, on-going training initiatives, and education programs for students, faculty and staff, please consult the office's website for more current and up-to-date information.

The University of Maryland is committed to a working and learning environment free from sexual misconduct. Sexual misconduct is a broad term used to describe a range of behavior, including sexual harassment, sexual assault, domestic violence, dating violence, relationship violence, sexual exploitation, sexual intimidation and stalking. Sexual misconduct will not be tolerated. It corrupts the integrity of the educational process and work environment, and violates the core mission and values of the University.

Creating an environment free from sexual misconduct is the responsibility of all members of the University community. The University is committed to fostering a campus climate free from sexual misconduct through training, education and prevention programs, and through policies and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair and impartial investigation and resolution of sexual misconduct cases. In responding to complaints of sexual misconduct, the University will take appropriate steps to eliminate sexual misconduct, prevent its recurrence and address its effects.

II. APPLICABILITY

This policy applies to all members of the University community, including students, faculty and staff. It also applies to contractors and other third parties within the University's control.

This policy applies to sexual misconduct:

- On University premises, in any University facility or on University property;
- At any University sponsored, recognized or approved program, visit or activity, regardless of location;
- That impedes equal access to any University education program or activity or that adversely impacts the education or employment of a member of the University community regardless of where the conduct occurred; or
- That otherwise threatens the health and/or safety of a member of the University community.

III. DEFINITIONS

“Coercion” Includes conduct, intimidation, and express or implied threats of physical or emotional harm, that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in sexual contact.. Examples of Coercion include causing the deliberate Incapacitation of another person; conditioning an academic benefit or

employment advantage on submission to the sexual contact; threatening to harm oneself if the other party does not engage in sexual contact; or threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal sensitive information if the other party does not engage in the sexual contact.

“Complainant” refers to the individual who files a sexual misconduct complaint, alleging a violation of this Policy.

“Confidential” refers to communications between two parties where one party, based on their professional status, has the ability to ensure the communications between the two parties are legally protected as private.

“Consent” means a knowing, voluntary and affirmatively communicated willingness to participate in a particular sexual activity or behavior. Only a person who has the ability and capacity to exercise free will and make a rational, reasonable judgment can give consent. Consent may be expressed either by words and/or actions, as long as those words and/or actions create a mutually understandable agreement to engage in specific sexual activity. It is the responsibility of the person who wants to engage in sexual activity to ensure that he/she has consent from the other party, and that the other party is capable of providing consent.

- Lack of protest or resistance is not consent. Nor may silence, in and of itself, be interpreted as consent. For that reason, relying solely on non-verbal communication can lead to misunderstanding.
- Previous relationships, including past sexual relationships, do not imply consent to future sexual acts.
- Consent to one form of sexual activity cannot automatically imply consent to other forms of sexual activity.
- Consent must be present throughout sexual activity and may be withdrawn at any time. If there is confusion as to whether there is consent or whether prior consent has been withdrawn, it is essential that the participants stop the activity until the confusion is resolved.
- Consent cannot be obtained by use of physical force, threats, intimidating behavior or coercion. Coercion is pressuring another person into sexual activity.

It is a violation of this policy to engage in sexual activity with someone you know, or should know, is incapacitated. Incapacitated, for purposes of this policy, means that the person's decision-making ability is impaired such that they lack the capacity to understand the “who, what, where, why or how” of their sexual interaction. Incapacitation may result from: sleep or unconsciousness, temporary or permanent mental or physical disability, involuntary physical restraint, or the influence of alcohol, drugs, medication or other substances used to facilitate sexual misconduct.

“Incapacitated” An individual who is Incapacitated is unable to give Consent to sexual contact. States of Incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state

where the individual is unaware that Sexual Contact is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to Consent to Sexual Contact. Alcohol or drug use is one of the prime causes of Incapacitation. Where alcohol or drug use is involved, Incapacitation is a state beyond intoxication, impairment in judgment, or “drunkenness.” Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is Incapacitated, and therefore unable to give Consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of Sexual Contact;
- Appraising the nature of one’s own conduct;
- Communicating Consent to Sexual Contact; or
- Communicating unwillingness to engage in Sexual Contact.

“**Interim Protective Measures**” means reasonably available steps the University may take to protect the parties pending a University investigation and adjudication of sexual misconduct.

“**Respondent**” means the individual accused of engaging in Prohibited Conduct under this Policy.

“**Responsible University Employee**” includes any University administrator, supervisor, faculty member, campus police, coach, trainer, resident assistant, or non-confidential first responder who has the authority to take action to redress sexual misconduct; or whom a student could reasonably believe has such authority or duty.

“**Title IX Officer**” refers to the individual designated by the President of the University to: 1) oversee the University’s response to sexual misconduct reports and complaints and identify and address any patterns or systemic problems revealed by such reports and complaints; 2) conduct sexual misconduct investigations; 3) oversee, review content, and, in collaboration with other University offices, conduct training for students, faculty, and staff on sexual misconduct issues; 4) ensure that appropriate policies and procedures are in place for responding to complaints of sexual misconduct against faculty, staff and students; and 5) work with local law enforcement to ensure coordinated responses to sexual misconduct cases.

IV. PROHIBITED CONDUCT

“**Dating Violence**” encompasses a broad range of behaviors, including sexual assault, physical abuse and other forms of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant, considering the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

“Domestic Violence” encompasses a broad range of behaviors, including sexual assault, physical abuse and other forms of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant, or by any other person against an adult or youth complainant protected from those acts by domestic or family violence laws of Maryland.

“Relationship Violence” encompasses a broad range of behaviors, including sexual assault, physical abuse and other acts, threats or a pattern of abusive behavior of a physical or sexual nature by one partner intended to control, intimidate, manipulate, humiliate, frighten, coerce or injure the other. These acts may be directed toward a spouse, an ex-spouse (also referred to as “domestic violence”), or by a current or former intimate partner (“also referred to as “dating violence”).

“Retaliation” means intimidating, threatening, coercing, or discriminating against an individual for the purpose of interfering with any right or privilege secured by law or University policy relating to sexual misconduct, or because an individual has made a report, filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding related to sexual misconduct. Retaliation includes retaliatory harassment.

“Sexual Assault” (Non-consensual sexual intercourse or oral sex) means any act of sexual penetration with another individual without consent. Sexual penetration includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.

“Sexual Contact” (Non-consensual sexual contact) means any unwanted intentional touching of the intimate body parts of another person or yourself; causing another to touch your intimate body parts; or the disrobing or exposure of another without consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part (including your own) that is touched in a sexual manner. Unwanted sexual contact includes attempted sexual intercourse.

“Sexual Exploitation” means taking non-consensual or abusive sexual advantage of another person for one’s own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited.

“Sexual Harassment” means: (a) unwelcome sexual advances; (b) unwelcome requests for sexual favors; or (c) other behavior of a sexual or gender-based nature where: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, evaluation of academic work, or participation in a university-sponsored educational program or activity; (ii) submission to or rejection of such conduct by an individual is used as the basis for an academic, employment, or activity or program participation decision affecting that individual; or (iii) such

conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning or sexually offensive working, academic, residential or social environment.

“Sexual Intimidation” means threatening behavior of a sexual nature directed at another person, such as threatening to sexually assault another person or engaging in indecent exposure.

“Sexual Misconduct” is an umbrella term that encompasses dating violence, domestic violence, sexual harassment, sexual assault, sexual contact, sexual exploitation, sexual intimidation, relationship violence and stalking. Sexual misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can be committed by any person, regardless of gender identity, and can occur between people of the same or different sex, sexual orientation or gender expression.

“Sexual Violence” means physical sexual acts perpetrated without consent. Sexual violence includes but is not limited to sexual harassment, sexual coercion, sexual assault and sexual contact.

“Stalking” means repeated, unwanted attention; physical, verbal, or electronic contact; or any other course of conduct directed at an individual that is sufficiently serious to cause physical, emotional, or psychological fear or to create a hostile, intimidating, or abusive environment for a reasonable person in similar circumstances and with similar identities. Stalking may involve individuals who are known to one another or who have a current or previous relationship or may involve individuals who are strangers.

V. SANCTIONS

Both parties shall be informed of the outcome of any investigative and adjudicative process based on a violation of this policy. The University shall not publically disclose personally identifiable information about either of the parties, except as required by law.

Employees. Employees found in violation of this policy are subject to disciplinary action ranging from a written reprimand up to and including termination of employment, depending on the circumstances.

Students. Students found in violation of this policy are subject to disciplinary action based on the circumstances and nature of the violation. Sanctions include, but are not limited to: dismissal from the University (suspension or expulsion), removal from University housing, disciplinary probation, and other sanctions such as a community service and mandatory and continuing participation in sexual misconduct education programming.

Persons who commit sexual misconduct in violation of federal, state or local law may also be subject to criminal charges and penalties.

VI. CONFIDENTIAL RESOURCES

Generally, it is not confidential when a person reports sexual misconduct. If a person desires to keep an incident of sexual misconduct confidential, they should speak with individuals who have professional or legal obligations to keep communications confidential. When seeking advice and support, persons should always consider whether they want to discuss their concerns with a confidential resource. Unless there is an imminent threat to health or safety or other basis for disclosure, such as child abuse, confidentiality applies when persons seek services from the following resources:

Campus Advocates Respond and Educate (CARE) to Stop Violence

University Health Center Office 301-314-2222

24/7 Help Line (call/text) 301-741-3442

www.health.umd.edu/care OR care@health.umd.edu

This service is a free and confidential resource that provides support, assistance and advocacy to any member of the University community impacted by sexual misconduct. Its mission is to respond to incidents of sexual misconduct, including sexual assault, relationship violence, stalking, and sexual harassment.

Faculty Staff Assistance Program (FSAP) 301-314-8170 or 301-314-8099

This program is a confidential assessment, referral and counseling service staffed by trained mental health professionals. FSAP is available to all University of Maryland, College Park, employees and their family members at no charge. Faculty and staff may consult with a counselor for many different reasons, including sexual misconduct.

University Counseling Center 301-314-7651

www.counseling.umd.edu

The University of Maryland Counseling Center provides comprehensive psychological and counseling services to meet the mental health and developmental needs of students and others in the campus community. Staffed by counseling and clinical psychologists, the Counseling Center offers a variety of services to help students, faculty, staff, and the community deal with issues concerning them.

University Health Center, Mental Health Service 301-314-8106

www.health.umd.edu/mentalhealth/services

The Mental Health Service is staffed by psychiatrists and licensed clinical social workers and offers confidential services including short-term psychotherapy, medication evaluations, and crisis intervention and group psychotherapy.

Student Legal Aid Office

Undergraduates 301-314-7756; Graduates 301-405-5807

This office, located in South Campus Dining Hall, provides free, confidential legal advice to any University student.

Campus Chaplains 301-405-8450/301-314-9866

http://thestamp.umd.edu/engagement/memorial_chapel/chaplains

The Campus Chaplains represent 14 faith communities and work collectively to serve the spiritual needs of all members of the University community.

Prince George’s Hospital Domestic Violence and Sexual Assault Center

301-618-3154 - 24 hours (3001 Hospital Drive, Cheverly, MD 20785)

Persons who experience sexual assault can access a Sexual Assault Forensic Exam (SAFE) within 72 hours of an assault. Each Maryland County has a hospital that provides SAFE exams. A SAFE exam is available at Prince George’s Hospital Center. To find a SAFE provider in other counties call 1-800-656-4653. SAFE exams and attention to medical needs are available without having to reveal a person’s identity to the police.

Maryland Coalition Against Sexual Assault (MCASA)

Statewide Sexual Assault Information and Referral help line 1-800-983-RAPE

MCASA is a statewide coalition of 17 rape crisis and recovery centers that serve all of Maryland’s jurisdictions. MCASA works to help prevent sexual assault, advocate for accessible, compassionate care for survivors of sexual violence, and works to hold offenders accountable.

Maryland Network against Domestic Violence

1-800-MD-HELPS

The Maryland Network Against Domestic Violence is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence. The Network accomplishes this goal by providing education, training resources, and advocacy to advance victim safety and abuser accountability.

Disclosures or reports made to any other entities except those listed above are *not* confidential. If you discuss an incident of sexual misconduct with your supervisor, a resident assistant, a coach or faculty member, those persons are “Responsible University Employees” and, as such, are obligated pursuant to this policy to report the sexual misconduct to the Title IX Officer.

The University recognizes that sexual misconduct is a sensitive issue for all parties involved and is committed to operating with discretion, and maintaining the privacy of individuals to the greatest extent possible under applicable law.

VII. REPORTING SEXUAL MISCONDUCT

Obligations of “Responsible University Employee.” A “Responsible University Employee” (see definitions) must promptly notify the Title IX Officer in the Office of Sexual Misconduct & Relationship Violence of any report of sexual misconduct brought to their attention, including campus law enforcement. The Title IX Officer works collaboratively with the reporting entity, making every effort to operate with discretion and maintain the privacy of the individuals involved.

Prompt reporting is encouraged. Persons are encouraged to report sexual misconduct promptly in order to maximize the University’s ability to obtain evidence, identify potential witnesses and conduct a thorough, prompt, and impartial investigation. While there are no time limits to reporting sexual misconduct, if too much time has passed since the incident occurred, the delay may result in loss of relevant evidence and witness testimony, impairing the University’s ability to respond and take appropriate action.

All reports of sexual misconduct will be responded to immediately and appropriate action will be taken in accordance with the University’s Sexual Misconduct Investigation & Adjudication Procedures (see *Appendices A, B, C*). If the University determines that sexual misconduct has occurred, it will take prompt and effective steps to eliminate the sexual misconduct, prevent its recurrence and address its effects.

The University strives to take appropriate action, including investigation and resolution of complaints within sixty (60) business days from when the complaint was filed. The University may extend the time frames set forth in this policy for good cause, with written notice to both parties of the delay and the reason for the delay. Exceptions to this timeframe may vary depending on the complexity of the investigation, access to relevant parties, and the severity and extent of the misconduct.

Sexual misconduct by students, faculty, staff and third parties should be reported to:

Office of Sexual Misconduct & Relationship Violence 301-405-1142

www.umd.sexual_misconduct | titleixcoordinator@umd.edu

The mission of the Office of Sexual Misconduct & Relationship Violence is to support the University’s commitment to a working and learning environment free from sexual misconduct and relationship violence. The core services of the Office include: oversight for all institutional responses to sexual misconduct and relationship violence, ensuring University compliance with federal statutory and regulatory requirements, promoting best practices in responding to victims of sexual violence and holding respondents accountable, receiving and investigating reports of sexual misconduct and relationship violence, and increasing access to information and available resources to the campus community. The office seeks to work

collaboratively across all campus constituent groups and create a climate where diversity, inclusion and respect inform all processes.

Sexual misconduct committed by students may also be reported to:

Office of Student Conduct, Division of Student Affairs 301-314-8204

www.studentconduct.umd.edu | studentconduct@umd.edu

The Office of Student Conduct administers adjudicative processes involving students who commit violations of the University Code of Student Conduct, and can provide assistance to students who wish to report incidents of sexual misconduct.

Office of Rights and Responsibilities, Department of Resident Life 301-314-7518

www.reslife.umd.edu/rights | drl-rr@umd.edu

The Office of Rights and Responsibilities administers adjudicative processes involving students who commit conduct violations of the Residence Hall Rules and the University Code of Student Conduct in on-campus residence halls, and can provide assistance to students who wish to report incidents of sexual misconduct.

Reporting a crime. Sexual misconduct, particularly sexual violence, may be a crime. The University will assist complainants who wish to report sexual misconduct to law enforcement authorities, including campus police. Representatives of the Office of Sexual Misconduct & Relationship Violence, Office of Student Conduct, Office of Rights & Responsibilities and Campus Advocates Respond and Educate (CARE) to Stop Violence Office in the University Health Center, are available to assist students in reporting to campus police. Campus police will also assist complainants in notifying other law enforcement authorities in other jurisdictions, as appropriate. To report to the University of Maryland Police, please call 301-405-3555.

Because the standards for a violation of criminal law are different from the standards for a violation of this policy, criminal investigations and proceedings are not determinative of whether a violation of this policy has occurred. In other words, conduct may violate this policy even if law enforcement agencies or local prosecutors decline to prosecute. Complaints of sexual misconduct and related internal University processes may occur prior to, concurrent with, or following criminal proceedings off campus.

Upon receipt of a report of sexual misconduct that may constitute a crime, campus police will advise the student that in addition to making a criminal report, they also have the right to file a complaint with the University and engage the University's investigation and adjudicative processes under this policy. In addition, as Responsible University Employees under this policy, campus police who receive any type of report of sexual misconduct, whether it rises to the level of a crime or not, shall promptly notify the Title IX Officer at titleixcoordinator@umd.edu.

Co-Occurring Criminal Action. Proceeding with a University investigation and adjudication of a complaint of sexual misconduct under this policy is independent of any criminal investigation or proceeding. Reporting to law enforcement does not preclude a person from proceeding with a complaint of sexual misconduct under this policy. The University is required to conduct an investigation in a timely manner, which means in most cases, the University will not wait until a criminal investigation or proceeding is concluded before conducting its own investigation, implementing interim protective measures and taking appropriate action. However, *at the request of law enforcement*, the Title IX Officer, may defer its fact gathering, until the initial stages of a criminal investigation are complete. If such a request is made, UMPD will submit the request in writing and the complainant will be notified. In addition, when possible, in cases where there is a co-occurring criminal investigation by UMPD, Prince George's County Police or the local prosecutor's office, the Office of Sexual Misconduct will work collaboratively and supportively with each respective agency within the parameters outlined above. The Office of Sexual Misconduct will communicate any necessary delays in the University's investigative process to both parties in the event of a deferral.

The Office of Sexual Misconduct shall not disclose information about sexual misconduct complaints to third parties (persons other than those in the University community with a need to know) except as may be required or permitted by federal or state law. If a report of sexual misconduct discloses a serious and on-going threat to the campus community, the UMPD may issue a timely warning of the conduct under the Clery Act in the interests of the health and safety of the campus community. This notice will not contain any personally identifying information related to the complainant.

Amnesty for Students Who Report Sexual Misconduct

The University recognizes that a student who is under the influence of alcohol and/or drugs at the time of an incident may be hesitant to make a report of sexual misconduct because of the threat of disciplinary sanctions for his or her own violation of the Code of Student Conduct (i.e., alcohol or drug use violation). In this context, a student who reports sexual misconduct, either as a complainant or third party witness, will not face disciplinary charges under the Code of Student Conduct in accordance with *V-1.00(J) University of Maryland Policy on Promoting Responsible Action in Medical Emergencies* at <http://www.president.umd.edu/policies/v100jnew.html>

Requests for Confidentiality

If a complainant requests that their name not be disclosed or that the University not investigate or take action against the respondent, the Title IX Officer or designee will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, faculty and staff, including the complainant. The Title IX Officer shall make a determination as to whether the complainant's request can be honored, by considering the following factors:

- Circumstances that suggest there is an increased risk of the respondent committing additional acts of sexual misconduct or other violence (e.g., whether there have been other sexual misconduct complaints about the same respondent);
- Whether the respondent has any documented history of violence known to the University;
- Whether the respondent threatened further sexual misconduct or other violence against the complainant or others that is known to the University;
- Whether the sexual misconduct was committed by multiple persons;
- Whether the sexual misconduct was perpetrated with a weapon;
- The age of the complainant subjected to the sexual misconduct; and
- Whether the school possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).

VIII. PROTECTIVE INTERIM MEASURES

Reports of sexual misconduct in violation of this policy may require immediate protective measures to protect the safety and well-being of the parties and/or the campus community pending the outcome of the investigative and adjudicative processes. Interim protective measures may include the following:

No Contact Order. A no contact order is an official University directive that serves as notice to an individual that they must not have verbal, electronic, written or third party communications with another individual.

For Students:

- *Academic accommodations* such as assistance in transferring to another section of a lecture or laboratory, assistance in arranging for incompletes, leaves or withdrawal from campus, or rearranging class schedules, and
- *Housing accommodations* such as facilitating changes in on-campus housing location to alternate housing, assistance in exploring alternative housing off-campus, and
- *Employment accommodations* such as arranging for alternate University employment, different work shifts, etc.
- *Transportation and parking accommodations*

For Employees:

- *Employment accommodations*, both the complainant and the respondent may request a temporary reassignment, if appropriate, to other work duties and responsibilities, or other work locations, or other work groups/teams or alternative supervision/management.
- *Transportation and parking accommodations*

IX. RETALIATION

Complaints of Retaliation. Individuals who engage in retaliatory behavior against a reporting party or party participating in an investigation, are in violation of this policy, and will be subject to appropriate disciplinary action pursuant to the procedures for this policy. Individuals who believe they have experienced retaliation in violation of this policy should immediately report such conduct to the Title IX Officer at titleixcoordinator@umd.edu.

X. COMPLAINT PROCEDURES

Complaints Against Students. Complaints against students based on a violation of this policy will be reviewed in accordance with the procedures set forth in *Appendix A*.

Complaints Against Staff. Complaints against staff based on a violation of this policy will be reviewed in accordance with the procedures set forth in *Appendix B (to be finalized by December 31, 2014)*

Complaints Against Faculty. Complaints against faculty members based on a violation of this policy will be reviewed in accordance with the procedures set forth in *Appendix C (to be finalized by December 31, 2014)*.

Complaints Against Third Parties Not Affiliated With the University. If a member of the University community (student, faculty or staff) is subjected to sexual misconduct by a third party not affiliated with the University on University premises or during University sponsored activities, the matter should be reported to the Title IX Officer. The matter may be referred to law enforcement with a request that a formal letter be issued to the third party denying access to the University's buildings or grounds for acting in a manner that disrupts or disturbs the normal educational functions of the institution. The University is authorized to deny campus access to a third party engaged in disruptive behaviors under Maryland State law (see Sections 26-101 and 26-102, Education Article, Annotated Code of Maryland).

XI. STEPS TO TAKE FOLLOWING A SEXUAL ASSAULT

Stay Warm. Persons who experience sexual assault may be in a state of shock. It is important to stay warm by wrapping up in a blanket or coat. This will help recovery from shock and make it less likely that physical evidence is disturbed.

Get to a Safe Place and Seek Emotional Support. Talking with a trusted friend or relative or someone who is professionally trained to deal with sexual assault like a confidential CARE advocate or mental health professional at the University Health Center can help you make decisions about what

to do. Whether you decide to go to law enforcement or not, it is important to take care of your own emotional needs. Professional counseling may be beneficial.

Preserve Evidence. If possible, consider taking steps to preserve physical evidence - on the body and at the location of an assault. It is important not to shower or bathe, eat or drink, brush teeth or gargle, change clothes, urinate or defecate, brush or comb hair or smoke. Clothing worn at the time of an assault should not be washed but placed in a paper bag “as is” and brought to the hospital. In order to avoid forgetting important details, write down the facts about the accused and the assault.

Seek Medical Attention. It is important to seek medical attention as soon as possible. A medical examination will ensure appropriate medical treatment, including testing for pregnancy or sexually transmitted infections. You may also want to obtain a Sexual Assault Forensic Exam (SAFE). A medical examination will also allow for the collection of physical evidence by way of a. A SAFE exam allows for the collection of evidence and can ensure any physical evidence is preserved in the event of a report to law enforcement. A SAFE exam may be obtained within 72 hours after an assault at:

Prince George’s Hospital Domestic Violence and Sexual Assault Center (DV/SAC)
(301-618-3154)

<http://www.dimensionshealth.org/index.php/dimensions-healthcare-facilities/prince-georges-hospital-center/domestic-violence-and-sexual-assault-center-dvsac/>

XII. CAMPUS SAFETY

The health and safety of all members of the campus community are the University’s primary concern. The University makes the following services available:

Emergency Phones

University Police Emergency Response Telephones (PERT), recognized by a blue light affixed to each station, are available throughout campus. By activating the phone, an individual will be automatically connected to a Campus Police Dispatcher who is immediately alerted to the location of the phone.

Walking Escorts/Student Police Auxiliary Foot Patrol 301-405-3333

University Police provide a walking escort service 24 hours a day for anyone who feels unsafe while walking on campus. A University Police Officer provides by either the Student Auxiliary Police Aide, or walking escorts.

University Department of Public Safety 301-405-3555 or
Local Police in ANY location - 911

Persons who experience sexual misconduct are strongly encouraged to contact the University's police. If a person is not certain whether criminal conduct is involved, an officer can assist in determining whether a crime has occurred. If sexual misconduct occurred off campus, an officer can assist in contacting the appropriate law enforcement agency. A student can request and receive the assistance of campus police without making a criminal complaint. Campus police can also assist in accompanying the student to a hospital that can provide a Sexual Assault Forensic Exam (SAFE) to both ensure appropriate medical treatment and the timely collection of physical evidence in the event the person seeks to make a criminal complaint.

XIII. CONSENSUAL RELATIONSHIPS AND PROFESSIONAL CONDUCT

Sexual relationships that occur in the context of educational or employment supervision and evaluation present potential conflicts of interest. Relationships in which one party maintains a supervisory or evaluative responsibility over the other also reflect an imbalance of power, leading to doubt as to whether such relationships are truly consensual. For these reasons, the University *strongly* discourages such relationships.

Because of the potential conflicts of interest, persons involved in consensual sexual relationships with anyone over whom they have supervisory and/or evaluative responsibilities *must inform their supervisor(s)* of the relationship(s). Supervisory or evaluative responsibilities may be reassigned, as appropriate. While no relationships are expressly prohibited by this policy, failure to self-report such relationships in a timely manner, as required by this policy, may result in disciplinary action.

XIV. GOVERNMENT AGENCIES THAT ADDRESS COMPLAINTS OF SEXUAL MISCONDUCT

Complaints of sexual misconduct may also be filed with:

Equal Employment Opportunity Commission

City Crescent Building
10 S. Howard Street, Third Floor
Baltimore, MD 21201
Phone: 1-800-669-4000
Fax: 410-962-4270
TTY: 1-800-669-6820
Website: <https://egov.eeoc.gov/eas/>

Maryland Commission on Civil Rights

William Donald Schaefer Tower
6 Saint Paul Street, Ninth Floor
Baltimore, MD 21202-1631
Phone: 410-767-8600

Fax: 410-333-1841
TTY: 410-333-1737
Website: <http://mccr.maryland.gov/>
E-mail: jcole@mccr.state.md.us

It is important to note that in order to protect the legal rights and remedies available to a complainant, a complainant must comply with certain time limits and deadlines. Affected persons should contact the relevant agencies to verify the time limits. Failure to meet required deadlines may result in a loss of rights to seek a legal remedy.

Complaints involving violations of Title IX in the state of Maryland should be directed to:

Office for Civil Rights

U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Phone: 215-656-8541
Fax: 215-656-8605
TDD: 800-877-8339
E-mail: OCR.Philadelphia@ed.gov
Website: http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html

Replacement for:

VI-1.20(A) University of Maryland Policy and Procedures on Sexual Harassment
VI-1.30(A) University of Maryland Procedures on Sexual Assault and Misconduct

Changes to UMD Sexual Misconduct Policy

October 2014 Revised SM Policy Changes to October 2013 SM Policy

Overall the policy document has been re-organized to increase access, readability and logical flow of the material.

A section on **Training** has been added that broadly addresses the University's prevention and education efforts.

Under **Applicability**, the scope has been revised to further clarify it includes University sponsored programs (not just activities), regardless of location (to ensure study abroad and statewide volunteer programs are included)

Definitions have been separated: **Policy Definitions** from **Prohibited Conduct Definitions** to increase clarity.

Definitions (of Policy Terms) Added: Coercion, Complainant, Confidential, Incapacitated, Interim Protective Measures, Respondent, Responsible University Employee, and the Title IX Officer.

Definitions of Prohibited Conduct Added: Dating violence, Domestic Violence, Retaliation, Sexual Contact (takes the place of Sexual Assault II), Sexual Violence, and Stalking.

Definition Examples have been removed because a policy document generally would not include specific examples, but leave that up to the interpreters of the policy.

A section on **Sanctions** has been added.

Confidential Resources has replaced the section on **Confidentiality**. This is to clarify where individuals may seek confidential assistance.

Reporting Sexual Misconduct has replaced **Reporting Procedures**. There are multiple places a person may report sexual misconduct. The revised policy wanted to make it clear that generally reporting sexual misconduct, other than discussing it with a confidential provider, is not confidential and reporting confidentially is a confusing statement.

The revised policy clarifies how to report a crime and how the University will handle co-occurring criminal actions.

The revised policy clarifies how the University will respond to requests for confidentially or anonymity when a person reports sexual misconduct.

The revised policy clarifies the **Types Of Accommodations and Interim Protective Measures** available for students and employees.

The revised policy includes new provisions for **Investigating And Adjudicating Complaints Against Students (Appendix A)**, and will add new procedures for staff and faculty, when completed.

The revised policy also includes information about **Government Agencies That Address Complaints Of Sexual Misconduct** (Title IX violations).

Changes to UMD Sexual Misconduct Policy

October 2014 Revised SM Policy Changes to October 2013 SM Policy

Student Sexual Misconduct Investigation & Adjudication Procedures (Appendix A)

The new procedures are a hybrid between an investigative model and adjudication model. We have attempted to take the best of both models and combine them into a procedure that will emphasize the capacity and skills of the Title IX Office, while promoting transparency and due process. In establishing the Title IX Office, the University has exponentially increased its capacity to effectively investigate these cases, which will be leveraged to inform the adjudication process.

The expertise and resources focused on an impartial investigation will inform whether or not a case will even be presented for charging and adjudication as a policy violation. Roles have been clarified in order to maintain relative independence and encourage checks and balances throughout the process. The Title IX office conducts the investigation and makes a finding based on all the information available as to whether a policy violation has occurred. If a preliminary finding is made that a violation has occurred, the case is forwarded to the Office of Student Conduct, to determine whether any charges will be issued (and/or if they would like further investigation or information in order to make a charging decision).

If the student is charged, the case will likely be referred to the Standing Review Committee (the Adjudication body). This is a specialized group of faculty, staff and students who have received specialized training (and on-going training) on sexual misconduct (rape, harassment, perpetrator behaviors, effects of alcohol on males and females, victim responses, stalking, lethality, abusive relationships, investigative procedures, effective interviewing strategies, etc.). SRC members will receive an investigation packet that includes the Investigative Report and OSC charges to review prior to the conference. It will also include any additional information submitted by the parties. (The parties have an opportunity to review the report before it is sent to OSC for a determination of charging and request changes and/or add information).

The Investigator presents the report to the SRC. The SRC may question the Investigator. Both parties and their representative may be present during the Investigator's presentation and the SRC's questioning. The SRC will invite both parties to submit any additional questions they may have of the Investigator, in writing, to the SRC Chair. The SRC Chair synthesizes the questions and asks them of the Investigator for all parties to hear. The individual parties may or may not be there depending on their preference. The complainant does not have to attend. If the SRC wants to ask the complainant or respondent questions, or seek clarification about something, they may request that either party meet with them separately and privately. Both parties are allowed an attorney and a support person. If the SRC is considering sanctions, it will request each party submit and/or present an impact statement.

The SRC meetings/conferences are intentionally designed to maintain control over the University's process. The attorneys are there to counsel the student – not address the SRC. The SRC is in control of the meeting. The SRC makes its own independent determination of responsibility. It is addressing two areas: 1) the policy violation and 2) the sanction.

Other members of the SRC will entertain Appeals. This is to ensure that the resources and expertise focused on these cases is consistently maintained throughout the process, from receipt of initial complaint, to the final outcome.



UNIVERSITY SYSTEM OF MARYLAND

VI-1.60 – POLICY ON SEXUAL MISCONDUCT (Approved by the Board of Regents, June 27, 2014)

PURPOSE & APPLICABILITY

The University System of Maryland (USM) is committed to providing a working and learning environment free from Sexual Misconduct, including sexual and gender-based harassment, sexual violence, dating violence, domestic violence, sexual exploitation, and sexual intimidation. USM prohibits and will not tolerate Sexual Misconduct. Sexual Misconduct is a form of sex discrimination prohibited by state and federal laws, including Title IX of the Education Amendments of 1972 as amended (“Title IX”) and Title VII of the Civil Rights Act of 1964 as amended, and also may constitute criminal activity.

USM endeavors to foster a System-wide climate free from Sexual Misconduct through training, education, prevention programs, and through policies and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair and impartial investigation and resolution of Sexual Misconduct cases in a manner that eliminates the Sexual Misconduct, prevents its recurrence, and addresses its effects. All USM community members are subject to this policy, regardless of sex, sexual orientation, gender identity and gender expression. This includes all students, faculty, and staff of USM institutions (including USM offices and regional centers), as well as third parties and contractors under USM or USM constituent institution control. This Policy applies to Sexual Misconduct in connection with any USM institution, office or regional center education programs or activities, including Sexual Misconduct: (1) in any USM institution facility or on any USM institution property; (2) in connection with any USM or USM institution sponsored, recognized or approved program, visit or activity, regardless of location; (3) that impedes equal access to any USM institution education program or activity or adversely impacts the employment of a member of the USM community; or (4) that otherwise threatens the health or safety of a member of the USM community. Nothing in this policy is intended to supersede or conflict with any federal compliance obligation.

I. Definitions

For purposes of this Policy, the following definitions apply. While institutions may adopt their own definitions that do not conflict with the language below, institutions are strongly encouraged, at a minimum, to adopt the elements of these definitions in institution policies/procedures:

- A. **Consent** means a knowing, voluntary, and affirmatively communicated willingness to mutually participate in a particular sexual activity or behavior. It must be given by a person with the ability and capacity to exercise free will and make a rational

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and reasonable judgment. Consent may be expressed either by affirmative words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of sexual activity. Consent may be withdrawn at any time. Consent cannot be obtained by force, threat, coercion, fraud, manipulation, reasonable fear of injury, intimidation, or through the use of one's mental or physical helplessness or incapacity. Consent cannot be implied based upon the mere fact of a previous consensual dating or sexual relationship. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

- B. Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- C. Domestic Violence** means violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant, or by any other person against an adult or youth complainant protected from those acts by domestic or family violence laws of Maryland.
- D. Interim Measures** means reasonably available steps an institution may take to protect the parties while a Sexual Misconduct investigation is pending.
- E. Responsible Employee** includes any employee who (1) has the authority to take action regarding Sexual Misconduct; (2) is an employee who has been given the duty of reporting Sexual Misconduct; or (3) is someone another individual could reasonably believe has this authority or duty. At a minimum, Responsible Employees must include: the Title IX Coordinator and any Title IX Team members, all institution administrators, all non-confidential employees in their supervisory roles, all faculty, all athletic coaches, institution law enforcement, and all other non-confidential first responders.
- F. Retaliation** means intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or USM policy relating to Sexual Misconduct, or because an individual has made a report, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to Sexual Misconduct. Retaliation includes retaliatory harassment.

G. Sexual Assault

Sexual Assault I. – Non-Consensual Sexual Intercourse

Any act of sexual intercourse with another individual without Consent. Sexual intercourse includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.

Sexual Assault II. – Non-Consensual Sexual Contact

Any intentional touching of the intimate parts of another person, causing another to touch one's intimate parts, or disrobing or exposure of another without Consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.

- H. Sexual Exploitation** means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited.
- I. Sexual Harassment** is any unwelcome sexual advance, unwelcome request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when: (1) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a USM or USM institution program or activity; (2) Submission to or rejection of such conduct by an individual is used as the basis for academic, employment, or activity or program participation related decisions affecting an individual; or (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning or sexually offensive working, academic, residential or social environment.
- J. Sexual Intimidation** means (1) threatening to sexually assault another person; (2) gender or sex-based Stalking, including cyber-Stalking; or (3) engaging in indecent exposure.
- K. Sexual Misconduct** is an umbrella term that includes Dating Violence, Domestic Violence, Sexual Exploitation, Sexual Harassment, Sexual Intimidation, Sexual Violence, and Stalking.
- L. Sexual Violence** is a form of Sexual Harassment and refers to physical sexual acts perpetrated without Consent. Sexual Violence includes rape, Sexual Assault, sexual battery, and sexual coercion. Sexual Violence, in any form, is a criminal act.

M. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

II. Institutional Obligations

A. Title IX Compliance Oversight

1. Title IX Coordinator

Each Chief Executive Officer of a USM institution shall designate a Title IX Coordinator responsible for coordinating the institution's efforts to comply with and carry out its responsibilities under Title IX.

The Title IX Coordinator must have adequate training on the requirements of Title IX, including what constitutes Sexual Misconduct, Consent, credibility assessments, and counter-intuitive behaviors resulting from Sexual Misconduct. The Coordinator must understand how relevant institution procedures operate and must receive notice of all reports raising Title IX issues at the institution.

2. Title IX Team

Depending on the size and specific needs of the institution, the institution may want to identify a Title IX Team, which may include the Title IX Coordinator, Deputy Title IX Coordinators, Title IX investigators, and representatives from campus safety, Student Affairs, the Provost's Office, and Human Resources. The Title IX Coordinator shall be responsible for coordinating the activities of the Title IX Team.

B. Notice of Nondiscrimination

1. Content

Each institution must publish a notice of nondiscrimination that contains the following content:

- a. Title IX prohibits the institution from discriminating on the basis of sex in its education program and activities;
- b. Inquiries concerning the application of Title IX may be referred to the institution's Title IX Coordinator or the Office for Civil Rights; and
- c. The Title IX Coordinator and any Title IX Team Member's title, office address, telephone number and email address.

2. Dissemination of Notice

The notice must be widely distributed to all students, employees, applicants for admission and employment, and other relevant persons. The notice must be prominently displayed on the institution's web site and at various locations throughout the campus, and must be included in publications of general distribution that provide information to students and employees about the institution's services and policies. The notice should be available and easily accessible on an ongoing basis.

C. Prompt Investigation and Resolution

1. Investigation

Once an institution knows or reasonably should know of possible Sexual Misconduct, it must take immediate and appropriate action, in accordance with its internal procedures, to investigate or otherwise determine what occurred. This obligation applies to Sexual Misconduct covered by this Policy regardless of where the Sexual Misconduct allegedly occurred, regardless of whether a parallel law enforcement investigation or action is pending, and regardless of whether a formal complaint is filed.

2. Prompt Resolution

If the institution determines that Sexual Misconduct has occurred, the institution must take prompt and effective steps to eliminate the Sexual Misconduct, prevent its recurrence, and address its effects.

- a. In this subsection, "prompt" generally means within 60 calendar days from the time a report is brought to the institution's attention until an initial decision is rendered.
- b. There may be circumstances that prevent an institution from meeting the 60-day timeline. When an institution is unable to meet the 60-day timeline, the institution should document the reasons why it was unable to meet the 60-day timeline.

3. Notice of Outcome

As permitted by law, the institution must notify the parties concurrently, in writing, about the outcome of the complaint and whether or not Sexual Misconduct was found to have occurred. The institution must also concurrently inform the parties of any change to the results or outcome that occurs before the results or outcome become final, and the institution must inform the parties when the results or outcome become final.

D. Policy & Procedures

1. General

- a. Each institution shall adopt and publish policies and procedures, as needed, that:
 - i. Prohibit Sexual Misconduct;
 - ii. Prohibit Retaliation against any individual who reports, testifies, assists, or participates in any manner in a Sexual Misconduct investigation, hearing, or proceeding;
 - iii. Maintain employee and student procedures that provide for the prompt and equitable reporting, investigation, and adjudication of Sexual Misconduct and/or Retaliation cases;
 - iv. Require prompt Interim Measures be implemented, as necessary, to protect the parties during the investigation and adjudication processes;
 - v. Apprise the institution community of various USM institution resources and education programs, as well as other community resources and programs, geared to promote the awareness of and eliminate Sexual Misconduct, prevent its recurrence; and, as appropriate, remedy its effects; and
 - vi. Are easily understood, easily located, and widely distributed.
- b. Each institution shall ensure that Sexual Misconduct cases undergo an appropriate legal sufficiency review by counsel prior to any decision.

2. Required Content

At a minimum, policies and procedures must:

- a. Include a statement prohibiting Sexual Misconduct and Retaliation;
- b. Define Consent, Dating Violence, Domestic Violence, Retaliation, Sexual Harassment, Sexual Exploitation, Sexual Intimidation, Sexual Misconduct, Stalking, and Sexual Violence;

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- c. Identify Responsible Employees required to report any knowledge of Sexual Misconduct to the Title IX Coordinator;
- d. Identify confidential and non-confidential medical, counseling and advocacy resources on and off campus to assist individuals affected by Sexual Misconduct, including sexual assault centers, victim advocacy offices, women's centers, and health centers;
- e. Identify options and procedures for immediate and ongoing assistance following an incident of Sexual Misconduct, including encouragement to obtain immediate medical help and notify law enforcement as appropriate (especially to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants), institution resources available to help obtain such medical or law enforcement assistance, and available Interim Measures; and
- f. Detail the following:
 - i. Identify who can file a complaint of Sexual Misconduct with the institution (to include students, institution employees, and third parties);
 - ii. Explain how to file a complaint;
 - iii. Identify to whom such complaints should be directed;
 - iv. Describe any institutional policies governing confidentiality;
 - v. Identify any USM or institution policies that may grant amnesty to a party or witness for a violation of drug, alcohol and other student conduct policies;
 - vi. Inform the parties about Interim Measures and how to request them. Each institution must provide notice, in writing, to the parties about options for, and available assistance in, obtaining no contact or protective orders, enforcing existing and lawful no contact or protective orders, and changing academic, transportation, residential, and working situations, if such an accommodation is reasonably available. The institution also must advise the parties of existing options for counseling, health, mental health, victim advocacy, legal assistance, and other services available on and off campus;

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- vii. Explain the parties' options and rights, as well as institution responsibilities, regarding notification of law enforcement and campus authorities, as well as student conduct options;
- viii. Afford an investigative process and adjudicative process that provides the parties equal opportunity to present relevant witnesses and evidence throughout the process, and affords the parties similar and timely access to information to be used during any process;
- ix. Explain that the parties are entitled to the same opportunities to have others present during an institution disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an adviser of their choice, and explain the scope of any adviser's role or potential involvement;
- x. Specify "preponderance of the evidence" as the standard of review;
- xi. Identify the range of possible employment and student sanctions for those found responsible for Sexual Misconduct, up to and including suspension, dismissal, expulsion and termination of employment;
- xii. Provide an appeal process that is equally available to the parties;
- xiii. Require the institution, after a legal sufficiency review, to inform the parties, concurrently and in writing, as permitted by law, about the outcome of any investigation, adjudication, and appeal conducted under this policy;
- xiv. Designate reasonably prompt timeframes for the major stages of the process, and set forth the procedure for extending such timeframes, to include the timeframes within which (1) the institution will conduct a full investigation, (2) the parties will receive a notice of outcome, and (3) the parties may file an appeal;
- xv. Provide an affirmative statement to the institution community that the institution will take steps to prevent the occurrence of any Sexual Misconduct and remedy its discriminatory effects;

- xvi. Advise the community of institutional programs that endeavor to promote the awareness of Sexual Misconduct and prevent its occurrence; and
- xvii. Advise the community of external options for reporting Sexual Misconduct, including local law enforcement, the Equal Employment Opportunity Commission and the U.S. Department of Education Office for Civil Rights.

3. Prohibited Content

Policies and procedures may not include any of the following content:

- a. Requirement that the parties attempt to resolve any Sexual Misconduct matter informally;
- b. Requirement for or allowance of mediation in Sexual Assault cases;
- c. Allowing a party to personally cross-examine the other party, if an institution allows cross-examination;
- d. Allowing or requiring the institution to wait until a concurrent law enforcement proceeding concludes to begin any Sexual Misconduct investigation, Interim Measures or adjudication;
- e. Allowing questioning or evidence about the complainant's sexual history with anyone other than the respondent during any adjudication proceeding (in a proceeding where such evidence or questioning may be appropriate); and
- f. Discouraging a reporter from notifying local law enforcement of alleged Sexual Misconduct.

III. Clery Act Compliance

In handling Sexual Misconduct reports, each institution remains responsible for complying with the requirements of the Crime Awareness and Campus Security Act of 1990 ("Clery Act") and its amendments. Institutions must comply with Clery Act requirements, including crime recording and reporting requirements, where compliance is not otherwise reached by actions under this policy.

IV. MOU with Local Law Enforcement

Each institution must review any Memoranda of Understanding (“MOU”) with local police forces to ensure that the terms of any MOU allow the institution to meet its legal obligations.

V. Training

A. Prevention and Awareness Education

Each institution must develop and implement preventive education, directed toward both employees and students, to help reduce the occurrence of Sexual Misconduct. At a minimum, these educational initiatives must contain information regarding what constitutes Sexual Misconduct, definitions of consent and prohibited conduct, the institution’s procedures, bystander intervention, risk reduction, and the consequences of engaging in Sexual Misconduct. These educational initiatives shall be for all incoming students and new employees. Each institution also must develop ongoing prevention and awareness campaigns for all students and employees addressing, at a minimum, the same information.

B. Training for Persons Involved in Sexual Misconduct Cases

All persons involved in any way in responding to, investigating, or adjudicating Sexual Misconduct reports, including but not limited to, the Title IX Team, Responsible Employees, law enforcement, pastors, counselors, health professionals, resident advisers, and complainant advocates, must have annual training in receiving, reporting and handling complaints of Sexual Misconduct; must be familiar with the institution’s procedures; and must understand the parameters of confidentiality.

VI. Record Keeping

Each institution must keep records of actions taken under this policy, including, but not limited to, records of any reports of Sexual Misconduct, records of any proceedings or resolutions, and records of any Sexual Misconduct trainings (including, but not limited to, lists of trainees, dates of training, and training content), and must maintain such records in accordance with the institution’s Records Retention Schedule.

VII. Implementation

Each Chief Executive Officer shall promptly communicate this policy and applicable procedures to his/her institutional community after the Board of Regents approves the policy. Each Chief Executive Officer also shall promptly identify his/her Title IX Coordinator and other designee(s), as appropriate for this policy. No later than December 31, 2014, each institution must develop procedures as necessary to implement this policy; and shall forward a copy of its Title IX designations and

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procedures, and any subsequent changes in such designations and procedures, to the Chancellor.

Replacement for: USM Policy on Sexual Harassment (VI-1.20) and USM Policy on Sexual Assault (VI-1.30) in their entirety

Cross-reference with: USM Policy on the Reporting of Child Abuse & Neglect (VI-1.50)

New Requirements Imposed by the Violence Against Women Reauthorization Act

The Violence Against Women Reauthorization Act (“VAWA”), which President Obama signed into law on March 7, imposes new obligations on colleges and universities under its [Campus Sexual Violence Act \(“SaVE Act”\) provision, Section 304](#). Those obligations—which to some extent refine and clarify, and to some extent change, existing legal requirements and government agency enforcement statements—likely will require revision of institutional policy and practice. Counsel should be consulted on this complex, sensitive area of institutional law compliance.

Under VAWA, effective March 7, 2014, colleges and universities are required to:

- Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- Adopt certain student discipline procedures, such as for notifying purported victims of their rights; and
- Adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.

The interplay of VAWA and other pronouncements—notably the April 4, 2011 [Dear Colleague Letter](#) under Title IX issued by the Office for Civil Rights of the Department of Education (“ED”) (“OCR Guidance Letter”) and prevailing institutional policy—warrants legal risk management judgment by institutional counsel and compliance officers, and implicates a range of management steps. Here we identify some key points.

I. New Reporting Requirements

VAWA’s SaVE Act provision imposes new reporting requirements:

A. The Clery Act requires annual reporting of statistics for various criminal offenses, including forcible and non-forcible sex offenses and aggravated assault. VAWA’s SaVE Act provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to a campus security authority or local police agency, must be reported under Clery. Parsed for clarity, these offenses are defined:

1. “Domestic violence” includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

2. “Dating violence” means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
3. “Stalking” means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

B. The provision adds “national origin” and “gender identity” to the hate crime categories, involving intentional selection of a victim based on actual or perceived characteristics, that must be reported under the Clery Act.

C. The provision requires, with respect to the “timely reports” the Clery Act mandates for crimes considered a threat to other students and employees, that victims' names be withheld.

D. The effective date of these requirements is one year after enactment of VAWA; that is, March 7, 2014. Presumably in the coming year ED will issue guidance on the annual campus security report, by updating ED's [Handbook for Campus Safety and Security Reporting](#) (Feb. 2011).

II. New Student Discipline Requirements

A. Current requirements in the Clery Act are that institutions inform students of procedures victims should follow, such as preservation of evidence and to whom offenses should be reported. VAWA adds that institutional policy must also include information on:

1. Victims' option to, or not to, notify and seek assistance from law enforcement and campus authorities.
2. Victims' rights and institutional responsibilities regarding judicial no-contact, restraining, and protective orders.

B. VAWA prescribes standards for investigation and conduct of student discipline proceedings in domestic violence, dating violence, sexual assault, and stalking cases.

1. Institutional policy must include a “statement of the standard of evidence” used. Unlike some earlier drafts of the legislation, VAWA does not prescribe the evidentiary standard. The OCR Guidance Letter, at page 11, directs a standard of “preponderance of the evidence.” That letter, although not positive law, authoritatively represents OCR enforcement policy. Whether OCR's position would withstand judicial review is an open question.
2. Institutional officials who conduct the proceeding must be trained on how to investigate and conduct hearings in a manner that “protects the safety of victims” and “promotes accountability.”
3. Institutional policy must identify “sanctions or protective measures” the institution may impose following a final determination of rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking.
4. “[T]he accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be

accompanied to any related meeting or proceeding by an advisor of their choice....”

5. Accuser and accused must be notified “simultaneously” and “in writing” of: the outcome of the proceeding; appeal procedures; any change to the result before it becomes final; and when the result becomes final. The OCR Guidance Letter, at page 13, merely “recommends” that the parties be provided the determination “concurrently.”
6. Institutional policy must address how victims' confidentiality will be protected, including record-keeping that excludes personally-identifiable information on victims. OCR's Guidance Letter, at page 5, encourages institutions to be cognizant of victims' confidentiality, but does not mandate that institutional policy address it.

III. New Requirements to Educate Students and Employees on Sexual Violence

Under VAWA, new students and new employees must be offered “primary prevention and awareness programs” that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The OCR Guidance Letter, at pages 15-16, “recommends” that institutions implement preventive education programs; VAWA is more prescriptive in its requirements.

The training programs must include:

- A. A statement that the institution prohibits those offenses.
- B. The definition of those offenses in the applicable jurisdiction.
- C. The definition of consent, with reference to sexual offenses, in the applicable jurisdiction.
- D. “Safe and positive” options for bystander intervention an individual may take to “prevent harm or intervene” in risky situations.
- E. Recognition of signs of abusive behavior and how to avoid potential attacks.
- F. Ongoing prevention and awareness campaigns for students and faculty on all of the above.

Conclusion

VAWA’s ramifications include that institutions will need to review and modify policies and procedures for handling asserted sexual offenses, and train carefully personnel responsible in this area. This memo primarily addresses VAWA. Requirements under the OCR Guidance Letter, the Clery Act, Title IX, Title VII, State employment laws, local human rights ordinances, or the sundry apposite regulations and agency pronouncements are also relevant and should be reviewed. College and university counsel expert on those and on faculty, student, and staff rights under institutional handbooks, manuals, and other policies should be consulted. In light of acute sensitivities on campus in this sphere, and by parents of students involved in these situations, and the common prospect of related civil and criminal litigation as well as often extensive publicity, university leadership should give close reading and attention to VAWA and its requirements.

White House Task Force to Protect Students from Sexual Assault

Checklist for Campus Sexual Misconduct Policies

The Task Force to Protect Students from Sexual Assault is committed to supporting institutions of higher education in preventing sexual misconduct, encouraging reports of such misconduct, improving responses to reports of such misconduct, and complying with applicable federal laws.

The following checklist for sexual misconduct policies (checklist) highlights elements that are particularly important for institutions to consider when drafting sexual misconduct policies as part of their overall response to sexual misconduct. The Task Force recommends using this document as a guided checklist for developing effective sexual misconduct policies. However, the Task Force cautions institutions not to adopt the checklist, in part or in whole, without first engaging in a comprehensive drafting process that considers the unique aspects of the institution and its student body. The items listed in the checklist are intended to be guidelines, neither exhaustive nor exclusive, to help a school cover the important bases.

The policy of each institution will vary in detail, specificity, and components, reflecting differences in state or local legal requirements and each school's students, size, administrative structure, and what it has learned from past experiences. Additionally, the checklist does not constitute legal advice or create additional legal obligations, and institutions that address these elements in their sexual misconduct policy, in part or in whole, may still be found to be in violation of federal law(s) (e.g., if the institution fails to effectively address a hostile education environment created by sexual misconduct).

Why Should a Campus Have a Separate Sexual Misconduct Policy?

The purpose of creating a sexual misconduct policy (policy) is to provide a single, easily accessible and user-friendly document for students, employees, and others affected by sexual misconduct to find information regarding an institution's rules and procedures, including the rights of students and the obligations of the institution and its employees. The policy should cover every department or school within the institution.

How Should a Campus Develop a Sexual Misconduct Policy?

The Task Force encourages each institution to engage in a comprehensive policy drafting process. The policy development process should be driven by campus leadership at the highest level so that the importance of this policy is clear to students, faculty, employees, and the committee drafting the policy.

Who should participate?

To improve the quality, effectiveness, and perceived legitimacy of the policy, the Task Force encourages institutions to:

- Identify key stakeholders – particularly students, concerned student groups, including LGBTQ student groups, campus security, local law enforcement, resident assistants,

survivors of sexual assault, and providers of victim support services, including local rape crisis centers – whose expertise and input should be incorporated into the drafting process.

- Identify the office or personnel responsible for drafting the policy, but also engage a range of administrators to ensure the policy has broad institutional support.
- Consider retaining an independent sexual assault policy expert to assist in reviewing and revising existing policies or drafting new ones.
- Engage in a vetting period where key stakeholders have multiple opportunities to provide feedback on the proposed policy to assess its clarity, quality, and effectiveness.

Who are the target audiences for the policy?

- Review the policy to ensure that it is set out in clear, logical sections that students can follow and understand. In determining whether the policy and its publication formats are user-friendly and appropriate in tone, policy drafters should review the material from the perspective of a student who has been affected by sexual misconduct.
- Ensure that the policy is published in a format or formats that make it readily available everywhere, including to students with disabilities and English language learners.

What other documents should be considered during development of the policy?

- Review all applicable federal laws, including Title IX of the Education Amendments of 1972, Title IV of the Civil Rights Act of 1964, the Family Educational Rights and Privacy Act of 1974, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and their implementing regulations and related guidance; any applicable state and local laws; and consult with legal counsel to ensure that the policy complies with all applicable federal, state, and local laws.
- Coordinate the policy with other institution policies and procedures, including student codes of conduct and other nondiscrimination policies affecting students and employees.

What should happen when the policy is complete?

- Develop a plan for implementing and widely publicizing the policy to the entire campus community and provide mandatory training on the new policy.
- Establish procedures for regularly reviewing, evaluating, and updating the policy.
- Create user-friendly materials to explain the policy and how victims can get help, and provide these materials online and through other strategies appropriate for the campus.

What Should a Campus Consider Including in Its Sexual Misconduct Policy?

The following checklist highlights elements that are particularly important for institutions to consider when drafting sexual misconduct policies:

1. Introduction
 - a. Clear statement of school's prohibition against sex discrimination, which includes sexual misconduct.
 - b. Statement of the school's commitment to address sexual misconduct.
2. Scope of the Policy
 - a. Identify the persons, conduct, locations (including off campus), programs, activities, and relationships covered by the school's sexual misconduct policy.
 - b. Clearly state the policy applies to all students and employees, regardless of sexual orientation or gender identity, and explain that the policy applies to third parties.
 - c. Briefly explain the school's confidentiality policy, including reference to the more detailed confidentiality provisions in the policy. For a sample confidentiality policy go here: <http://notalone.gov/assets/reporting-confidentiality-policy.pdf>
3. Options for Assistance Following an Incident of Sexual Misconduct
 - a. Immediate Assistance
 - i. Identify and provide contact information for the trained on- and off-campus advocates and counselors who can provide an immediate confidential response in a crisis situation (e.g., obtain needed resources, explain reporting options, and help navigate the reporting process);
 - ii. Provide emergency numbers for on- and off- campus safety, law enforcement, and other first responders (e.g., the Title IX coordinator);
 - iii. Describe the sexual assault response team (SART) process and resources SART members can offer;
 - iv. Identify health care options, both on- and off- campus:
 1. Ensure the victim is aware of the options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services.
 2. Discuss the option of seeking medical treatment in order to preserve evidence.
 3. Identify where/how to get a rape kit or find a Sexual Assault Nurse Examiner (SANE).
 4. List locations, including contact information, for an advocate (e.g., a local rape crisis center, on-campus advocacy program) who can accompany a victim to the hospital or health provider.
 - b. Ongoing Assistance

1. Identify counseling and support for victims of sexual misconduct, whether or not a victim chooses to make an official report or participate in the institutional disciplinary or criminal process.
 2. Identify options for disclosing confidentially with counseling, advocacy, health, mental health, or sexual-misconduct-related sources, both on and off campus.
 3. Identify those who can provide ongoing support during the institutional disciplinary or criminal process.
 - ii. Academic Accommodations and Interim Measures
 1. Describe the immediate steps and interim measures that the school can provide to ensure the safety and well-being of the victim, such as the ability to move dorms, change work schedules, alter academic schedules, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring).
 2. Describe additional interim measures that the school may be able to provide for complainants while an investigation is pending such as no contact orders and changing the alleged perpetrator's living arrangements or course schedule. See Section 7.g about interim measures.
4. Title IX Coordinator: Identify the school's Title IX coordinator and briefly explain the Title IX coordinator's role in the school's overall response to sexual misconduct; provide references to sections of the policy that provide greater details regarding the Title IX coordinator's duties.
5. Definitions
- a. Clearly define all conduct prohibited by the policy, including:
 - i. Sexual harassment
 - ii. Hostile environment caused by sexual harassment
 - iii. Sexual assault
 1. Non-consensual sexual contact, and
 2. Non-consensual sexual intercourse
 - iv. Domestic violence
 - v. Dating violence
 - vi. Sexual exploitation
 - vii. Stalking
 - viii. Retaliation
 - ix. Intimidation
 - b. Additional terms that should be defined include:
 - i. Consent

The input of students and sexual assault experts can be helpful in developing a definition of consent. At minimum, the definition should recognize that:

 - consent is a voluntary agreement to engage in sexual activity;
 - someone who is incapacitated cannot consent;
 - past consent does not imply future consent;

- silence or an absence of resistance does not imply consent;
 - consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
 - consent can be withdrawn at any time; and
 - coercion, force, or threat of either invalidates consent.
- ii. Incapacitation (such as due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent)

6. Reporting Policies and Protocols

- a. Identify formal reporting options – e.g., criminal complaint, institutional complaint, report to “responsible employee,” including the Title IX coordinator. Explain how each option works and include contact information for the people to whom one can make a report.
- b. Identify alternatives to reporting – e.g., privileged or confidential disclosures
- c. Describe policies governing confidentiality
 - i. Specify those employees to whom a student can disclose in confidence and those “responsible employees” who must report incidents (including personally identifying details) to the Title IX Coordinator. Consider particularly how a school will ensure that a student understands an employee’s reporting obligation before he or she reveals any information to that employee.
 - ii. Describe what information will be kept confidential and what information may be disclosed, to whom it will be disclosed, and why.
 - iii. Explain when the school may not be able to honor a student’s request that his or her name not be disclosed to the alleged perpetrator or that no investigatory or disciplinary action be taken. Identify the employee responsible for evaluating such requests for confidentiality or no action.
- d. Explain the school’s reporting obligations under the Clery Act, including the annual reporting responsibilities of Campus Security Authorities and the school’s obligation to issue timely warnings.
- e. Explain the process for third-party and anonymous reporting.
- f. Ensure the policy prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness), and explain that the school will take strong responsive action if retaliation occurs.
- g. Describe when the school will grant amnesty from drug, alcohol, and other student conduct policies.

7. Investigation Procedures and Protocols

- a. Identify the Title IX Coordinator(s) and explain roles and responsibilities.
- b. Identify who conducts the investigation and what an investigation might entail.
- c. Specify a reasonably prompt time frame for conducting the investigation and resolving the complaint, as well as the process for extending the timeframe.
- d. Explain the processes for preserving evidence.

- e. Provide the respondent and complainant equitable rights during the investigative process.
- f. Set forth parameters and clarify what information may and may not be shared during a parallel investigation with law enforcement (e.g., via a Memorandum of Understanding with local law enforcement).
- g. Explain that where necessary, the school will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include the ability to change housing or dining facilities; change work schedules; alter academic schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the alleged perpetrator's living arrangements or course schedule.
- h. Explain the school's response if a victim's request for confidentiality limits the school's ability to investigate a particular matter. A school may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; revising and publicizing the school's policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

8. Grievance/Adjudication Procedures

- a. Explain the grievance/adjudication process, including:
 - i. that mediation is never appropriate in sexual misconduct cases;
 - ii. that the preponderance-of-the-evidence (i.e., more likely than not) standard will be used in any Title IX fact-finding and related proceedings, including any hearings;
 - iii. identify the adjudicators, including:
 - 1. the trained individuals who determine whether the alleged sexual misconduct occurred
 - 2. the individuals who determine the sanction
 - 3. a process by which either party may raise issues related to potential conflicts of interest of such individuals
 - iv. the persons who may attend and/or participate in the adjudication process and the extent of that participation.
- b. Outline the rights and roles of both parties in the adjudication process, including:
 - i. notice of hearing(s) to both parties;
 - ii. an opportunity for both parties to present witnesses and other evidence, including:
 - 1. a description of the types of evidence that may or may not be presented, including but not limited to:
 - a. prohibiting questioning or evidence about the complainant's prior sexual conduct with anyone other than the alleged perpetrator

- b. clarifying that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct
 - 2. if the school conducts a hearing, and generally allows for cross-examination, a description of alternative methods that preclude the respondent from personally cross-examining the complainant
 - iii. extension of any other rights given to the alleged perpetrator to the complainant.
- c. Explain the possible results of the adjudication process, including:
 - i. sanctions;
 - ii. remedies/accommodations for the victim;
 - iii. additional remedies for the school community.
- d. Outline how the parties will be informed of the results of the adjudication, including:
 - i. simultaneous written notice to both parties of the outcome of the complaint and the option to appeal, if applicable;
 - ii. a statement that the school will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the proceeding.
- e. Describe the appellate procedures (if appeals are permitted), including grounds for appeal, standards of review, the person/entity that will decide appeals, and the applicable reasonably prompt time frames.

9. Prevention and Education

Outline the school's approach to prevention, including type and frequency of prevention programming and educational/outreach activities. Include bystander intervention and programs to educate students about the school's sexual misconduct policies.

10. Training

- a. Outline how faculty and staff are trained and on what issues.
- b. At a minimum, the Title IX coordinator, law enforcement, "responsible employees," victim advocates, and anyone else who is involved in responding to, investigating, or adjudicating sexual misconduct must receive adequate training.

Sample Language and Definitions of Prohibited Conduct for a School's Sexual Misconduct Policy

Under Title IX of the Education Amendments of 1972, any educational institution receiving Federal financial assistance must notify the school community of its nondiscrimination policy and the name and contact information for its Title IX coordinator, and adopt and publish grievance procedures providing for the prompt and equitable resolution of sex discrimination complaints. The institution should also ensure that the school community has a clear understanding of what constitutes sexual misconduct, when such conduct creates a hostile environment, the potential consequences for such conduct, and how the school processes complaints.

The Task Force to Protect Students from Sexual Assault (“Task Force”) provides the following guide with sample language and definitions of key terms for schools to consider when developing its sexual misconduct policy, and definitions for prohibited conduct under that policy. This guide is not meant to be simply cut and pasted into a policy. Among other things, a school must determine how these definitions fit into a larger sexual misconduct policy. The Task Force suggests engaging in the comprehensive drafting process recommended in the [Checklist for Campus Sexual Misconduct Policies](#).

This sample language is neither exhaustive nor exclusive, and the sections of every school's policy must reflect its own character and circumstances. Policies will vary in detail, specificity and components, reflecting differences in state or local legal requirements and each school's students, size, administrative structure, and what it has learned from past experiences.

The sample language and definitions do not constitute legal advice or create new legal obligations. Institutions that use the sample language and definitions in their sexual misconduct policies, in part or in whole, may still be found to be in violation of federal law(s).

Prohibited Conduct

The two forms of prohibited conduct below cover both sex-based harassment, including but not limited to sexual harassment, sexual assault, and sexual exploitation, as well as harassment based on gender identity, gender expression, and nonconformity with gender stereotypes. Sample definitions for *italicized* terms in the two provisions are offered in the next section. In addition, in the sample definitions, terms that are further defined are also *italicized*.

1. No person may engage in *sex-based harassment* that creates a *hostile environment* in or under any program or activity of this College.
2. No person who is an employee or agent of this College (including a student employee) may condition a decision or benefit on a student's submission to *sex-based harassment*

(regardless of whether the student resists and suffers the threatened harm or submits and avoids the threatened harm).

Note that these two provisions do not address many other forms of sex discrimination that are prohibited by state, federal, and local laws and that should also be addressed in a school's sexual misconduct policy. Schools should consult with their legal counsel to ensure that their policies are consistent with all applicable laws. Further, as noted in the [Checklist for Campus Sexual Misconduct Policies](#), in order for such a policy to be clear it must identify the scope of the policy, including the persons, locations (including off campus), programs, activities, and relationships that it covers. And for the policy to be effective, it must be integrated into a broader policy addressing assistance for victims, confidentiality, reporting, investigations, adjudication, prevent and education, and training.

Definitions

A. Sex-Based Harassment

"Sex-based harassment" includes *sexual harassment* and *gender-based harassment*.

B. Sexual Harassment

"Sexual harassment" is *unwelcome conduct* of a sexual nature, including but not limited to unwelcome sexual advances; requests for sexual favors; or other verbal or nonverbal conduct of a sexual nature, including *rape, sexual assault, and sexual exploitation*. In addition, depending on the facts, dating violence, domestic violence, and stalking may also be forms of sexual harassment.

C. Gender-Based Harassment

"Gender-based harassment" is *unwelcome conduct* of a nonsexual nature based on a student's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes.

D. Unwelcome Conduct

Conduct is considered "unwelcome" if the student did not request or invite it and considered the conduct to be undesirable or offensive.

Unwelcome conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex.

Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a student may have welcomed some conduct does not necessarily

mean that a student welcomed other conduct. Also, the fact that a student requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

E. Hostile Environment

A “hostile environment” exists when *sex-based harassment* is sufficiently serious to deny or limit the student’s ability to participate in or benefit from the College’s programs or activities.

A hostile environment can be created by anyone involved in a College’s program or activity (*e.g.*, administrators, faculty members, students, and campus visitors).

In determining whether *sex-based harassment* has created a hostile environment, the College considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was *unwelcome* to the student who was harassed. But the College will also need to find that a reasonable person in the student’s position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To make the ultimate determination of whether a hostile environment exists for a student or students, the College considers a variety of factors related to the severity, persistence, or pervasiveness of the *sex-based harassment*, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and, (5) the degree to which the conduct affected one or more student’s education.

The more severe the *sex-based harassment*, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of *sexual assault* may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the *sex-based harassment* is not particularly severe.

First Amendment Considerations

This policy does not impair the exercise of rights protected under the First Amendment. The College’s sexual misconduct policy prohibits only sex-based harassment that creates a hostile environment. In this and other ways, the College applies and enforces this policy in a manner that respects the First Amendment rights of students, faculty, and others.

F. Sexual Assault

“Sexual assault” is actual or attempted sexual contact with another person without that person’s *consent*. Sexual assault includes, but is not limited to:

- Intentional touching of another person’s intimate parts without that person’s *consent*;
or
- Other intentional sexual contact with another person without that person’s *consent*; or

- Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's *consent*; or
- *Rape*, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person's consent.

G. Consent

"Consent" must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

H. Sexual Exploitation

"Sexual exploitation" occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's *consent*. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Recording images (*e.g.*, video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's *consent*;
- Distributing images (*e.g.*, video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not *consent* to such disclosure and objects to such disclosure; and,
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's *consent*, and for the purpose of arousing or gratifying sexual desire.



THE UNITED STATES
DEPARTMENT of JUSTICE

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SEXUAL ASSAULT

President Obama Issues Presidential Proclamation for National Sexual Assault Awareness and Prevention Month

Hotlines | What is Sexual Assault? | Resources

HOTLINES

 **National Sexual Assault Hotline** ^{external link} operated by RAINN
To be connected to the rape crisis center nearest to you, dial
1-800-656-HOPE (4673)

National Sexual Violence Resource Center (NSVRC) ^{external link}
1-877-739-3895

WHAT IS SEXUAL ASSAULT?

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.

SEXUAL ASSAULT RESOURCES

- National Institute of Justice
- Centers for Disease Control and Prevention
- AEquitas ^{external link}
- End Violence Against Women International ^{external link}
- International Association of Chiefs of Police ^{external link}
- Mending the Sacred Hoop ^{external link}
- National Alliance to End Sexual Violence ^{external link}
- National Sexual Violence Resource Center ^{external link}
- National Center for Victims of Crime ^{external link}
- Rape Abuse Incest National Network ^{external link}
- Resource Sharing Project ^{external link}
- Responding to Campus Sexual Assault
- Sisters of Color Ending Sexual Assault ^{external link}
- Vision of Hope ^{external link}



FIND LOCAL RESOURCES

GENERAL INFORMATION
OFFICE ON VIOLENCE
AGAINST WOMEN

LEADERSHIP

Bea Hanson
Principal Deputy Director

CONTACT

Office on Violence Against Women
145 N St., NE, Suite 10W.121
Washington, D.C. 20530
202-307-6026
Fax: 202-305-2589
Email: ovw.info@usdoj.gov

VISIT
TRIBAL JUSTICE and SAFETY



VIOLENCE AGAINST WOMEN
ACTION CENTER

Find Help for Victims

Apply for a Grant

Work for OVW

Responding to Campus Sexual Assault

DEFENDING
CHILDHOOD

Appendix 7

Definitions of Sexual Assault in Policies at Peer Institutions (Aspirational & Big Ten Conference) *Compiled by Senate Office Staff – Winter 2015*

University of California, Berkeley

Berkeley's policy on [Sexual Harassment and Sexual Violence](#) defines sexual assault as occurring "when physical sexual activity is engaged without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication)." Rape is included in the definition of sexual violence.

University of California, Los Angeles

UCLA's [Student Conduct Code](#) states that sexual misconduct occurs when a person knowingly causes another person to engage in a sexual act by a) physical force, violence, threat, intimidation, and/or coercion; b) ignoring the objections of the other person; c) causing the other's intoxication or impairment through the use of drugs or alcohol; or d) taking advantage of the other person's incapacitation, state of intimidation, helplessness, or other inability to consent. It goes on to say that sexual misconduct also occurs when a person, having failed to take appropriate steps to gain effective consent, engages in a sexual act with another under the unreasonable belief that effective consent had been obtained.

University of North Carolina, Chapel Hill

UNC's [Policy on Prohibited Discrimination, Harassment and Related Misconduct](#) defines sexual assault as "having or attempting to have Sexual Contact with another individual without Consent." Sexual contact is defined as "Intentional touching or penetration of another person's clothed or unclothed body," with examples provided.

University of Illinois at Urbana-Champaign

Multiple sources at the University – including the [University Police](#), [Health Center](#), and [Office of Diversity, Equity, and Access](#) – defer to the Illinois Criminal Code to define "sexual assault." The relevant statutes are [720 ILCS 5/11-1.20](#), "Criminal Sexual Assault," defined as "sexual penetration and: (1) uses force of the threat of force; (2) knows that the victim is unable to... consent;" and other statutory definitions related to victims' age or relationship to perpetrator. 720 ILCS 5/11-1.30, "Aggravated Criminal Sexual Assault," encompasses sexual assault involving the use or weapon or additional physical threat or harm to the victim, and elderly or handicapped victims. Other sections define "sexual abuse" as forcible or non-consenting "sexual conduct," but sexual conduct is not explicitly defined in the Code.

Indiana University

Indiana provides a variety of definitions based on the source: The website of the Dean of Students [defines](#) sexual assault as "any involuntary sexual act in which a person is threatened, coerced, or forced to engage against their will, or any non-consensual sexual touching of a person. It is sex without consent." A "Stop Sexual Violence" website, attributed to The Trustees of Indiana University, [defines](#)

Definitions of Sexual Assault in Policies at Peer Institutions (Aspirational & Big Ten Conference)
Compiled by Senate Office Staff – Winter 2015

sexual assault as penetration **or** “sexual contact” that is either non-consensual or forcible. Sexual misconduct and sexual violence are defined as ‘catchall’ terms to encompass sexual assault, sexual harassment, rape, and other acts. The website explains that “Indiana University is currently revising Policy UA-03, the Policy Against Sexual Harassment to more clearly encompass all forms of sexual misconduct, including acts of sexual violence and sexual assault.” Indiana’s policy index does not provide a section for sexual misconduct beyond sexual harassment. The Code of Student Rights, Responsibilities and Conduct outlines examples of student misconduct. In [Section H](#), “physical abuse” includes sexual assault and sexual contact as two separate sub-categories, although neither is explicitly defined.

University of Iowa

[Chapter 2](#) of Iowa’s Operations Manual details prohibited sexual misconduct. This includes four distinct categories: sexual assault, harassment, exploitation, and intimidation. Sexual assault is defined as “a continuum of conduct from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will.” This includes different forms of sexual intercourse and/or touching.

University of Michigan

Michigan’s sexual assault policy is not stored in its Standard Practice Guide, but stands alone on its own domain: studentsexualmisconductpolicy.umich.edu. The policy [defines](#) sexual assault as “Unwanted or unwelcome touching of a sexual nature, including hugging, kissing, fondling, oral sex, anal or vaginal intercourse, or other physical sexual activity that occurs without valid consent.” The only other major category defined under the umbrella term of Sexual Misconduct here is sexual harassment.

Michigan State University

MSU’s Office for Inclusion and Intercultural Initiatives [defines](#) sexual assault as “actual, attempted or threatened sexual contact with another person without that person’s consent” and rape as “sexual penetration of another person without that person’s consent. Penetration can be of the mouth, vagina, or anal opening, and can be with a penis, tongue, finger, or foreign object.”

University of Minnesota

The University Regents [Student Conduct Code](#) defines sexual assault as “actual, attempted or threatened sexual contact with another person without that person’s consent.” “Sexual contact” is not defined any further. No other categories of sexual misconduct appears in the Student Conduct Code.

University of Nebraska-Lincoln

UNL’s [sexual misconduct policy](#) does create separate definitions for sexual assault and sexual contact. However, UNL does not use a separate definition of sexual contact to create two separate offenses, but instead further clarifies instances of sexual assault. Sexual assault is defined as sexual penetration **or** sexual contact that is either nonconsensual or forcible. The policy also includes a detailed definition of sexual penetration.

Northwestern University

Northwestern's [sexual misconduct policy](#) describes several categories of Prohibited Conduct: Sexual Penetration without Consent; Sexual Contact without Consent; Sexual Exploitation; Stalking; Dating/Domestic Violence; and, Sexual Harassment. Sexual Penetration is defined as "Any penetration of the sex organs, anus, or mouth of another person when consent is not present," including oral sex. Sexual Contact is defined as "Knowingly touching or fondling a person's genitals, breasts, thighs, groin, or buttocks, or any other contact of a sexual nature (including by bodily fluids), when consent is not present." These categories and definitions appear *verbatim* in the 2014-15 Student Handbook. The Center for Awareness, Response, and Education [asserts](#) that sexual assault encompasses both categories of Sexual Contact and Sexual Penetration without Consent. However, this may be superseded by the stated policy, which seems to clarify between the two categories of prohibited conduct.

Ohio State University

The Office of Student Conduct [defines](#) sexual assault as "any form of non-consensual sexual activity... from intimidation to touching to various forms of penetration and rape." No additional category distinctions – besides harassment or stalking – are made.

Pennsylvania State University

PSU's [Policy #AD-85](#) is its policy on student sexual misconduct. AD-85 says sexual assault "includes, but is not limited to, attempted or unwanted sexual activity, such as sexual touching and fondling." The policy provides an extensive explanation of its use of 'touching' and 'fondling.'

Purdue University

Purdue's sexual assault information website – a joint effort by the Office of the Vice President for Ethics and Compliance, Campus Title IX officers, Office of the Dean of Students, and the Women's Resource Network – provides its [definition](#) of sexual assault. Purdue defines sexual assault as "any sexual contact, including but not limited to intercourse (rape), that occurs without consent and/or through coercion."

University of Wisconsin-Madison

The University Health Services [defines](#) sexual assault as "any sexual contact made without consent... [including] unwanted touching, kissing, fondling, or penetration of the mouth, vagina, or anus with a finger, penis or object." Both University and Health Services and the Office of the Provost (who enforces mandatory sexual assault reporting) refer to state law for official definitions. [WI § 940.225](#) creates four degrees of sexual assault, which vary by the nature of contact and the level of force or coercion.

Rutgers University

The [University Code of Student Conduct](#) Section VII: Rules and Regulations details Violations, including a category of "Sexual assault or non-consensual sexual contact." This includes forced and non-consensual penetration and touching.

Definitions of Sexual Assault in Policies at University System of Maryland (USM) Institutions
Compiled by Senate Office Staff – Winter 2015

Bowie State University

BSU's December 2014 [Policy on Sexual Misconduct](#) includes the several categories in the [University System of Maryland's June 2014 policy](#): Sexual Harassment; Sexual Assault; Sexual Violence; Sexual Exploitation; Sexual Intimidation; Stalking; Dating Violence; and, Domestic Violence.

Coppin State

Unable to identify any definitions of sexual assault.

Frostburg State University

Frostburg adopts the USM's definitions and categories ((a) *Sexual Assault I. – Non-Consensual Sexual Intercourse* and (b) *Sexual Assault II – Non-Consensual Sexual Contact*) in its [Policy Statements, 2014-15](#).

Salisbury University

Salisbury University's [policy directory](#) appears to directly implement USM's policy on sexual misconduct rather than interpreting it. The [Student Code of Conduct](#) leaves these categories intact while expanding the definitions slightly to include additional examples of assault.

Towson University

Towson's [Policy on Sexual Misconduct](#) uses the USM's policy categories and definitions of sexual assault. The only variation is a clarification that "Sexual Assault also includes any offense that meets the definition of rape, fondling, incest or statutory rape as used in the Federal Bureau of Investigation's Uniform Crime Reporting Program."

University of Baltimore

University of Baltimore's [Sexual Misconduct Policy](#) includes USM's categories and definitions verbatim.

University of Maryland, Baltimore County

UMBC's December 2014 [Interim Policy on Sexual Misconduct](#) divides a category of Sexual Violence into two sub-categories: *Sexual Assault I* and *Sexual Assault II*. There is little substantive difference between the definitions here and in USM's policy. Sexual Assault II is defined as "any act of non-consensual sexual contact (however slight)."

University of Maryland, Eastern Shore

The UMES December 2014 [UMES Policy and Procedure on Sexual Misconduct](#) includes the same sexual assault categories and definitions as the USM policy.

University of Maryland, University College

UMUC's [Policy 041.00 - Sexual Misconduct](#) includes USM's definitions of Sexual Assault I and II verbatim.

GSGA34-R03**A Resolution Requesting Changes to the University of Maryland Sexual Misconduct Policy**

Summary: A resolution calling on the University of Maryland to revise the language in the Sexual Misconduct Policy to include adequate and non-duplicative descriptions of sexual misconduct acts.

WHEREAS, the University of Maryland's top priority should always be the physical, mental, and emotional safety of our community; and

WHEREAS, the Sexual Misconduct Policy previously approved by the University Senate includes language defining Sexual Assault I (Non-Consensual Sexual Intercourse) and Sexual Assault II (Non-consensual Sexual Contact); and,

WHEREAS, the current interim University of Maryland policy on sexual misconduct defines sexual assault as pertaining to penetration only; and,

WHEREAS, the definition included in the interim policy for sexual contact is vague and includes behaviors that is defined by the University System of Maryland policy as Sexual Assault; and,

WHEREAS, recent press about the interim policy has indicated that this change is to protect students accused of sexual misconduct; and,

WHEREAS, the revised policy appears to prioritize mitigating potential long term consequences for perpetrators over the importance of keeping every member of our community safe; and,

WHEREAS, the duty of the University should be focused on protecting victims and survivors of sexual misconduct;

THEREFORE, BE IT RESOLVED THAT the Graduate Student Government encourages the President to change University policy to consider both Non-Consensual Sexual Intercourse and Non-Consensual Sexual Contact as distinct forms of Sexual Assault.

Author(s): Jessica Bennett, Vice President of Academic Affairs (HESI)
Rebecca Alt, Assembly Representative (COMM)

Sponsor(s): Dirk Parham, Vice President for Legislative Affairs (ANTH)

45 **Date and Time of Submission:** 25 November, 2014

46

47 **Date of Presentation:** 5 December, 2014

48

49 **Action(s) Taken:**

50

51

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Decision of GSG President

53

54

55

Signature of GSG President

Date

56

An Act Recommending Changes to the University of Maryland Interim Sexual Misconduct Policy

S 15-03-25 E

1. WHEREAS, the Student Government Association (SGA) represents all undergraduate students at the University of Maryland, College Park (UMCP); and,
2. WHEREAS, the SGA serves as the voice for all undergraduate students at the University of Maryland UMCP; and,
3. WHEREAS, the University of Maryland recently implemented an interim sexual assault policy with significant changes to the old policy; and,
4. WHEREAS, the University Senate committee on Equity, Diversity, and Inclusion (EDI) is reviewing changes to the interim policy; and,
5. WHEREAS, the EDI committee will consider changes to the interim policy in its recommendation to the whole Senate; and,
6. WHEREAS, sexual misconduct is prevalent at many universities with between 20 and 25 percent of women have been victims of rape and attempted rape; and,
7. WHEREAS, the changes to the sexual misconduct policy accord for better ways to mitigate and respond to sexual misconduct on campus; and,
8. WHEREAS, concerns developed over categorization and definitions in the interim policy; and,
9. WHEREAS, the University has asked the campus community to give feedback and recommend changes to the interim policy.
10. THEREFORE, BE IT ENACTED the SGA endorses the University of Maryland's interim sexual misconduct policy with modifications; and,
11. BE IT FURTHER ENACTED the SGA strongly recommends changes to the sexual misconduct policy [see addendum A] to the EDI committee; and,

Addendum A - Recommendations

On behalf of the student body, SGA recommends:

1. Expanding the definition of “Sexual Assault” to include:
 - a. “unwanted intentional touching of the intimate body parts of another person...[which may include] genitalia;” and,
 - b. “attempted sexual intercourse”

2. Changing the term “Sexual Contact” (“non-consensual sexual contact”) to “Sexual Offenses”

Sponsor: Galloway, On Behalf of the Administration

Cosponsor:

Committee: Committee on Student Affairs (Primary)
 Committee on Shared Governance (Secondary)

Vote: In Favor _____ Opposed _____ Abstentions _____

Therefore, the bill: PASSES FAILS

Speaker:

Aiden Galloway

President:

Patrick Ronk



University Senate TRANSMITTAL FORM

Senate Document #:	14-15-09
Title:	UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty
Presenter:	Devin Ellis, Chair, Senate Faculty Affairs Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>In April 2014, the Senate and President approved the Faculty Affairs Committee's report on a new unified framework for PTK faculty appointments. In its work, the FAC recognized that units and Colleges would need to develop mechanisms to implement the new title framework, and many would need to initiate processes for professional track faculty evaluations and promotions. The FAC recommended that the Office of Faculty Affairs should develop general principles, so that departments and Colleges would have guidance for developing their own policies and procedures for evaluation and promotion of PTK faculty. The FAC asked that these guidelines be submitted to the Senate for review.</p> <p>In fall 2014, the Office of Faculty Affairs presented draft guidelines to the Senate Executive Committee (SEC). In October 2014, the SEC voted to charge the Faculty Affairs Committee with consideration of the draft guidelines, and asked that the FAC work with the Office to develop final guidelines to assist units and Colleges in developing their own policies and procedures.</p>
Relevant Policy # & URL:	II-1.00(A) University Of Maryland, College Park Policy on Appointment, Promotion, And Tenure Of Faculty http://www.president.umd.edu/policies/ii-100a.html

Recommendation:	The Faculty Affairs Committee recommends that the attached guidelines entitled “UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty” be adopted as official University of Maryland guidelines and be distributed to Colleges and departments to assist in the development of specific policies and procedures in each unit.
Committee Work:	<p>The Faculty Affairs Committee (FAC) began considering its charge in November 2014. The FAC worked very closely with the Associate Provost for Faculty Affairs and the Director of Faculty Initiatives from the Office of Faculty Affairs during its review, and consulted with the Office of General Counsel during the spring of 2015.</p> <p>The FAC began its work in agreement that meritorious performance of PTK faculty over extended periods of time should be recognized through opportunities for promotion and longer contracts. The FAC considered many detailed questions and reviewed the administrative and practical implications of each of its decisions as it worked to create a document that could serve as reasonable guidance for all units at the University.</p> <p>The FAC considered many key issues in its review, including what details should be included in appointment contracts; how evaluative criteria for various ranks and disciplines should be determined; whether PTK faculty promotions should include a University-level review; how to acknowledge the differences in roles and career paths of PTK faculty; appropriate time in rank and timelines for review cycles for PTK faculty; promotion of PTK faculty with multiple appointments; and involvement of PTK faculty in unit decision making, both related to policies and procedures for PTK faculty and in broader shared governance processes.</p> <p>After a thorough review, the FAC voted to approve the revised guidelines in April 2015.</p>
Alternatives:	The Senate could reject the proposed guidelines. However, the University would lose the opportunity to develop consistent expectations for reviews and promotions of PTK faculty.
Risks:	There are no associated risks.
Financial Implications:	Financial resources may be necessary to implement promotion processes for PTK faculty.
Further Approvals Required:	Senate approval, Presidential approval, Board of Regents approval.

Senate Faculty Affairs Committee

Senate Document #14-15-09

UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty

April 2015

BACKGROUND

Since the 2013-2014 academic year, the Senate Faculty Affairs Committee has been considering extensive changes to policies and procedures that impact professional track faculty. In one of many related charges, the committee developed a new framework for professional track faculty titles (Senate Document #12-13-55) to be implemented at UMD. The Senate approved the committee's recommendations in April 2014, and the proposed changes to University policy were approved by the Chancellor of the University System of Maryland in October 2014. In its work, the committee recognized that units and Colleges would need to develop mechanisms to implement the new title framework, and many would need to initiate processes for professional track faculty evaluations and promotions. To assist in this effort, the committee recommended that the Office of Faculty Affairs should develop general principles related to the evaluation and promotion of professional track faculty at UMD, so that departments and Colleges could develop their own policies and procedures based on these principles. The committee asked that these guidelines be submitted to the Senate for review.

In the fall of 2014, the Office of Faculty Affairs presented a set of draft guidelines on evaluation and promotion of professional track faculty to the Senate Executive Committee (SEC). In October 2014, the SEC voted to charge the Faculty Affairs Committee with consideration of the draft guidelines, and asked that the committee work with the Office to develop final guidelines to assist units and Colleges in developing their own policies and procedures (Appendix 2).

COMMITTEE WORK

The Faculty Affairs Committee (FAC) began considering its charge and the draft guidelines for professional track (PTK) faculty in November 2014. The FAC worked very closely with the Associate Provost for Faculty Affairs and the Director of Faculty Initiatives from the Office of Faculty Affairs during its review, and consulted with the Office of General Counsel during the spring of 2015.

During its review, the FAC considered examples of existing policies from departments and Colleges at the University that have been conducting evaluations and promoting PTK faculty in recent years. The FAC considered whether best practices have already been implemented in some units across campus. The FAC also solicited feedback on various drafts of the guidelines from a group of PTK faculty involved in the ADVANCE Program, and the chair of the committee met with the Academic Leadership Forum in March 2015 to seek input on the guidelines from the Provost, deans, and department chairs.

The foundation for the FAC's work was grounded in the principles set forth in previous reports on the revised framework for PTK faculty appointments, the overall title for PTK faculty, and emeritus status for PTK faculty. The FAC operated under the premise that meritorious performance of PTK faculty over extended periods of time should be recognized through opportunities for promotion and longer contracts.

The FAC considered many detailed questions and reviewed the administrative and practical implications of each of its decisions as it worked to create a document that could serve as reasonable guidance for all units at the University.

ISSUES ADDRESSED IN PROPOSED GUIDELINES

As the committee worked to draft the guidelines, it discussed many key issues identified by the committee in its previous work. Where possible, the FAC considered feedback from PTK faculty and administrators, and the FAC discussed concerns with the Office of General Counsel as it worked on finalizing its proposed language in the spring of 2015.

❖ Appointment Contracts

As it developed the new framework for PTK faculty titles, the FAC learned that current practices related to appointment contracts vary widely among PTK faculty on campus. Currently, some PTK faculty have no contracts; others have contracts that do not adequately reflect their duties and responsibilities; and many have contracts that are not updated to reflect new duties over the course of their appointment or when appointments are renewed. The FAC encourages consistent expectations and long-term contracts for PTK faculty, and acknowledged the importance of contracts both upon appointment and throughout a career at UMD.

The FAC agreed that PTK faculty should be given a contract before beginning an assignment at the institution. All contracts should include details related to the term of the appointment, the salary rate, and the faculty rank for the appointment. The contract should clearly articulate duties and responsibilities associated with the appointment. Members noted that PTK faculty duties can be very different than tenured or tenure track (T/TT) faculty duties, since PTK faculty are typically only expected to be active in teaching, research, or service, and for purposes of conducting fair evaluations based on a clear set of standards, it is important to be clear on expectations from the beginning of the appointment. In addition, the FAC agreed that the duties in the contract should reasonably relate to the title given for the appointment; for instance, instructional faculty should be given a title that would be reasonable for an instructional faculty member in the discipline, and the faculty member's contract should specify duties related to instruction.

❖ Evaluative Criteria and Evaluation Process

In creating a system for evaluations of PTK faculty, the FAC acknowledged that evaluations could not use the same criteria as is used in the APT process, and appropriate criteria would need to be developed. The FAC also noted that criteria should typically be different for those in research, instructional, and clinical ranks. Since criteria could vary in each discipline and department, the FAC determined that the specific evaluation criteria should be the responsibility of the unit. However, in general, the FAC agreed that ranks and levels in rank should be associated with specific standards and expectations. These established expectations, as stipulated in the unit's policies and procedure, should be the basis for evaluations for promotion, and as such, should be reasonably articulated in the contract. Evaluations should compare the performance of PTK faculty with the expectations for the rank and with the provisions of the contract.

In addition, the FAC was charged to consider whether a University-level review would be appropriate for evaluations of PTK faculty. The FAC recognized that a University-level review would parallel the APT process and ensure appropriate engagement from the University administration in the evaluation and promotion of PTK faculty. However, the FAC also recognized that while some PTK faculty will seek advancement through the ranks in a manner similar to T/TT faculty, other PTK faculty may choose not to seek promotions, and the guidelines need to ensure appropriate evaluation procedures for these faculty as well. The FAC worked with the Associate Provost for Faculty Affairs to develop appropriate language to

institute a University-level review for PTK faculty promotions above the Associate or Senior level, and incorporated language into the guidelines to make it clear that PTK faculty with different roles or career paths may have different promotion expectations. In addition, as discussed in previous work by the committee, the guidelines state that negative decisions for promotion for PTK faculty appointments that do not have maximum terms do not constitute automatically preclude renewal of the contract, since promotion for PTK faculty is not an “up or out” system.

❖ **Review Cycle for Evaluations and Promotion Decisions**

As part of its charge, the FAC was prompted to consider appropriate guidelines for time in rank. The FAC considered setting expectations for how long PTK faculty should stay in rank before applying for promotion to the next rank, but found difficulties, as each unit may have different expectations and since some PTK faculty may choose not to seek promotion. Instead, the FAC decided to allow units to set appropriate expectations for the discipline and to give PTK faculty the agency to determine for themselves, in discussion with their faculty mentor, when they should be reviewed for promotion. The FAC raised concerns that financial considerations may entice units to encourage PTK faculty not to submit review applications at certain times because of budget constraints. The FAC felt this was inappropriate, and determined that PTK faculty should not be prohibited from applying for promotion, just as T/TT cannot be prohibited from applying for review outside of the expected timelines.

The FAC sought guidance on questions related to deadlines for applications and decisions in the review process from the Academic Leadership Forum, which strongly recommended that deadlines for submission of applications be set by each unit. The Academic Leadership Forum and the PTK faculty from the ADVANCE program each raised concerns related to a specific deadline for returning decisions on applications for promotion, since every unit will approach the review cycle in different ways. In some cases, a unit may choose to convene a committee to review all promotion applications at one time and announce decisions on all cases at the same time. In other cases, units or Colleges may choose to align PTK faculty evaluations to the existing APT review process, in which case a unit would be conducting evaluations for T/TT and PTK faculty at the same time and may need more flexibility in the timeline for returning decisions. After much consideration, the FAC determined that it would be best to provide broad guidance that decisions should be made within the academic year and in time for any salary increases from promotion to take effect for the following academic year.

❖ **Promotion of PTK Faculty with Multiple Appointments**

As it considered special circumstances that might arise for PTK faculty in the promotion and evaluation processes, the FAC acknowledged that there may be cases where PTK faculty have multiple appointments in different units. In considering how to address such cases, the FAC struggled to find an appropriate solution, and sought guidance from the Office of Faculty Affairs and the Office of General Counsel on similar processes for T/TT faculty. Since promotions need to be reviewed by a University-level committee, members could not rationalize asking a PTK faculty member to go through the review process twice in different units in order to be promoted, as this would create an undue burden on the faculty member and duplicate efforts between departments. In the APT process for T/TT faculty, the review of cases with joint appointments has to consider evaluations from both units, and the tenure-home unit is responsible for the final decision on promotion. The FAC agreed to recommend a similar process, by which PTK faculty apply for promotion in the unit where they have a greater percentage of employment, and both or all units must participate in the evaluation. The PTK faculty member’s performance in all appointments would be considered, and the unit with the greater percentage of employment would make the final decision.

❖ **Involvement of Professional Track Faculty in Decision Making Processes**

As it developed guidelines for the evaluation and promotion of PTK faculty, the FAC sought guidance from PTK faculty, who have a better understanding of the day to day impact of any particular provision of

the guidelines. PTK faculty raised important questions not apparent to the committee based on their experiences, which caused the FAC to think more deeply about the issues involved. Throughout its review, the FAC discussed the importance of including PTK faculty in the process of developing and implementing policies and procedures. However, the FAC recognized that in many departments and Colleges, PTK faculty are often not included in decision making processes, including those that determine issues directly related to the careers of PTK faculty. In many instances, PTK faculty are not considered to be part of the department or College faculty, and as such, are kept from attending faculty meetings or serving on committees as faculty.

Through discussions with PTK faculty in the ADVANCE program, the FAC realized that the involvement of PTK faculty is important for multiple reasons. PTK faculty can help departments and Colleges handle the added responsibilities of development of new policies and procedures, as well as with new responsibilities for evaluations. PTK faculty will have a better understanding of the duties and expectations of their peers, and their insight would be invaluable in evaluations. Perhaps more importantly, incorporating PTK faculty into decision making will encourage the engagement of PTK faculty as part of the life of a department or College, and will cause T/TT and PTK faculty to learn from each other and have increased investment in the careers of their colleagues.

Upon approval of the guidelines, departments and Colleges will begin making critical decisions on how to approach evaluations and promotions of PTK faculty, and the FAC felt strongly that these decisions cannot be made without the involvement of PTK faculty. PTK faculty should be involved in the creation and adoption of unit-level policies and procedures, and PTK faculty should serve on review committees so they have an opportunity to participate in the promotion process for their peers. Further, PTK faculty should be understood to be members of the faculty in their unit, and as such, should be allowed to participate in shared governance within the unit.

❖ Review Process for Unit and College Policies and Procedures

Once policies and procedures related to PTK faculty are developed by individual units and Colleges, they must be reviewed at a higher level for compliance with the proposed guidelines and University policy. In its report on the revised framework for PTK faculty titles, the FAC proposed that Colleges and units create clear procedures and criteria for evaluation and promotion of PTK faculty based on the draft guidelines below. Once completed, unit procedures should be reviewed by the College and the Office of Faculty Affairs, to allow for evaluation of consistency across the University. College procedures should be reviewed by the Senate Faculty Affairs Committee, with the assistance of the Associate Provost for Faculty Affairs as a member of the committee, for compliance with the guidelines and for consistency. The FAC will approach these reviews in the same manner that it currently reviews the APT sections of each College or School Plan of Organization.

RECOMMENDATION

The Faculty Affairs Committee recommends that the attached guidelines (appearing immediately following this report) entitled “UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty” be adopted as official University of Maryland guidelines and be distributed to Colleges and departments to assist in the development of specific policies and procedures in each unit.

APPENDICES

Appendix 1 – Charge from the Senate Executive Committee on UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty

RECOMMENDED UM GUIDELINES FOR APPOINTMENT, EVALUATION, AND PROMOTION OF PROFESSIONAL TRACK FACULTY

UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty

I. Rationale

In light of the important contributions made by Professional Track (PTK) Faculty at the University of Maryland, the Provost and the University Senate jointly establish the following guidelines in order to formalize and regularize the processes for recognizing excellence among the Professional Track Faculty. The guiding principles assumed in this document are the need for: transparency and accountability of rules, procedures, and processes; fair and equitable treatment of PTK faculty in appointment, evaluation and promotion; and meaningful inclusion of PTK faculty in the development and implementation of unit, College, or School policies and procedures. By adopting these guidelines for appointing, evaluating, and promoting PTK faculty, units will define how excellence in the PTK faculty ranks will be recognized and rewarded, thereby better serving the needs of both PTK faculty and the institution.

II. Implementation

- A. The expectations outlined below are intended to guide units in creating policies and procedures without restricting them from implementing particular practices appropriate for the discipline or unit. The following guidelines set minimum requirements.
- B. Policies and procedures related to appointment, evaluation, and promotion of PTK faculty may be created as individual policies or may be incorporated into Plans of Organization of departments and Colleges or Schools, depending on the preferences of the unit. Given that amending Plans of Organization can be a lengthy process, if a unit chooses to incorporate policies into its Plan, new policies and procedures shall be developed as soon as possible and implemented prior to formal incorporation into the Plan of Organization.
- C. PTK faculty currently employed within the unit shall be provided with a copy of the unit's policies and procedures related to promotion and evaluation once such documents have been approved. PTK faculty hired by the unit after the development of these procedures shall be provided with copies prior to appointment. All unit policies and procedures shall be publicly available online.
- D. Each unit will be responsible for determining a transition plan which addresses promotion and related concerns for current PTK faculty within the unit. Plans shall be created by a committee which must include voting representation from current PTK faculty, T/TT faculty, and unit administrators.
- E. After they are developed, new unit-level policies and procedures shall be reviewed by the College and the Office of Faculty Affairs for compliance with University policy and with these guidelines. Likewise, new College-level policies and procedures shall be reviewed by the Senate Faculty Affairs Committee. Existing policies are subject to the same review protocols. New policies and procedures will go into effect upon approval at the higher level, and the PTK faculty within the unit shall be informed of the new policies and procedures immediately following

approval. The Office of the Provost shall constitute a standing review committee to perform the review function described above .

III. Expectations for Units

- A. Unit Plans of Organization shall specifically define faculty to include PTK faculty ranks as defined in the University of Maryland Policy on Professional Track Faculty (II-1.00[G]). Unit Plans of Organization shall address the role PTK faculty serve within the unit as members of the unit faculty.
- B. PTK faculty shall be given representation on committees responsible for the creation, adoption, and revision of unit-level policies and procedures related to appointment, evaluation, and promotion of PTK faculty.
- C. Policies and procedures addressing the appointment and promotion of PTK faculty shall include PTK faculty in such processes and specify that faculty eligible to vote on appointment and promotion of PTK faculty shall be at the same or higher rank than the rank to which the candidate seeks promotion. Policies and procedures shall explicitly address mentoring of junior PTK faculty by senior PTK faculty, as well as mentoring of graduate students by PTK faculty. Policies and procedures should address how PTK faculty who are active in only one or two dimensions of the three dimensions evaluated for promotion, e.g., teaching, research and service, will be evaluated upon application for promotion.
- D. Policies on merit pay for PTK faculty shall be incorporated either into the unit's existing merit pay policy, or into the policies and procedures for appointment, promotion, and evaluation of PTK faculty.
- E. Qualifications required for appointment and promotion shall be explicitly stated. Alternatively, unit policies and procedures may state that the broad qualification requirements as defined in the University's APT policy (II-1.00[A]) apply and state exceptions to those requirements.
- F. For title series in which professional experience can substitute for a degree requirement, unit policies and procedures shall provide discipline-specific baseline standards for the types and levels of professional activities that will constitute equivalencies for degree requirements.

IV. Appointment Contracts

- A. Prior to the beginning of their assignment, all PTK faculty shall be provided with written appointment contracts created by the unit using the on-line contract management system of the Office of Faculty Affairs. An appointment contract shall stipulate the faculty rank, the term, the type of appointment, e.g., 9 month or 12 month, the annual salary rate, assignments and expectations, benefits, and terms regarding notifications for non-renewal. Information about unit-level resources and unit-level performance/evaluation policies and procedures may be referenced in the contract, and should be made available via a publically available web site maintained by the appointing unit.

- B. Given that PTK faculty might be active in only one or two of the three dimensions of academic activity, assignments and expectations shall establish explicitly the scope of the appointee's efforts in terms of the three dimensions of academic activity, i.e., Teaching, Research, and Service, thereby providing expectations for evaluating faculty performance and applications for promotion.
- C. The specific faculty rank for a given appointment shall correspond to the majority of the appointee's effort, as indicated by the assignments and expectations in the contract. The rank shall be appropriate given the unit's criteria for appointments to such rank.
- D. In accordance with provisions within University policy (II-1.00[A]), PTK faculty shall be given progressively longer contracts whenever possible, to provide additional stability for the faculty member as well as for the unit.
- E. In addition to the provisions above, contracts for Instructional Faculty shall include the provisions stipulated in USM and UM Policies II-1.00(F), II-1.05, II-1.06, and II-1.07(A).

V. Evaluation, Promotion, and Recognition

- A. Except as specified below, details of the evaluation criteria and procedures for promotion are the responsibility of the unit. The application and review process, including the materials to be submitted by the faculty member, shall be specified in the unit's evaluation and promotion guidelines. The expectation is that units shall craft guidelines which are appropriate to the specific duties PTK faculty perform, which may be different for those in research, instructional, and clinical ranks.
- B. Units shall provide for the mentoring of PTK faculty by appropriate senior faculty, either tenured/tenure-track or PTK faculty. Mentors shall encourage, support, and assist these faculty members and be available for consultation on matters of professional development. Mentors also need to be frank and honest about the progress toward fulfilling the unit's criteria for promotion. Favorable informal assessments and positive comments by mentors are purely advisory to the faculty member and do not guarantee a favorable promotion decision.
- C. PTK faculty cannot be prohibited from applying for promotion because of budget considerations. Units may choose to set expectations related to appropriate time in rank between evaluations for promotion, but such expectations shall not preclude a faculty member from seeking to be reviewed early or from opting not to be reviewed.
- D. Evaluations of individual PTK faculty shall be based on the duties and expectations associated with the specific faculty rank and as described in the appointment contract.
- E. Membership of review committees shall include PTK faculty.
- F. Appointments and promotions to ranks at or above the Associate level or the Senior level will be reviewed and approved by the College. Appointments above the Associate or Senior level will also be reviewed and approved by the Provost, and the Provost may choose to institute additional


university-level review for PTK faculty promotions as deemed necessary to ensure that fair and equitable processes and procedures are being successfully implemented.

- G. Units shall set deadlines during the academic year to submit applications for promotion. The expectation shall be that the review process shall be completed within an academic year and in time to permit any expected salary increase to take effect in the following academic year.
- H. In the event of a negative decision, the faculty member shall be notified in writing by the unit head. The faculty member can appeal a negative decision based on procedural grounds, i.e., aspects of the review appeared to violate the unit's published processes. All appeals shall be handled by the Office of Faculty Affairs.
- I. For PTK faculty appointments that do not have maximum terms, as established in Policy II-1.00(A), a negative decision regarding an application for promotion does not automatically preclude renewal of the existing PTK appointment.
- J. In cases of positive decisions regarding applications for promotion, the promotion shall be accompanied by an increase in compensation, subject to State budget constraints and directives from USM. Minimum increases in compensation shall be set annually by each College or School, as is done for tenured and tenure track promotions. Every effort shall be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.
- K. Promotions may not be rescinded, and future appointments shall be to the faculty rank granted through the promotion process.
- L. A decision regarding the promotion of PTK faculty shall be based on the individual faculty member's performance, evaluated according to the promotion criteria set forth in the unit's published policies and procedures. Promotion decisions shall not be determined in relation to a unit-wide quota.
- M. In the event a faculty member holds multiple appointments in different units or departments in the same PTK title series, generally, the PTK faculty member should apply for promotion in the unit in which he or she has the greatest % FTE appointment, e.g., the primary unit. Any decision to grant promotion by the primary unit must consider evaluative input from the other units in which the faculty member holds an appointment, however, the decision to grant promotion lies with the primary unit. Once promoted, the faculty member is entitled to be compensated at the rate of the higher PTK faculty rank in all of the units or departments in which he/she holds an appointment.
- N. Departments shall include PTK faculty in awards for faculty. If the requirements for existing awards inherently preclude PTK faculty from being nominated, departments, colleges, and the institution should be encouraged to create appropriate awards for recognizing excellence among PTK faculty in the various domains of academic activity.

APPENDIX 1 - CHARGE FROM THE SENATE EXECUTIVE COMMITTEE ON UM GUIDELINES FOR APPOINTMENT, EVALUATION, AND PROMOTION OF PROFESSIONAL TRACK FACULTY



**University Senate
CHARGE**

Date:	October 27, 2014
To:	Devin Ellis Chair, Faculty Affairs Committee
From:	Donald Webster Chair, University Senate 
Subject:	UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty
Senate Document #:	14-15-09
Deadline:	March 27, 2015

The Faculty Affairs Committee's (FAC) framework for professional track faculty appointments has recently been approved by the Chancellor. The next step in this process is to create overarching campus-wide guidelines that will be used as a baseline for departments/units to develop their new appointment and promotion system. The Senate Executive Committee (SEC) requests that the Faculty Affairs Committee (FAC) review the framework and develop guidelines for appointment, evaluation, and promotion of professional track faculty. These guidelines should define minimum requirements but also allow units flexibility to develop specific appointment, evaluation, and promotion criteria relevant to each discipline.

Specifically, we ask that you:

1. Review the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00(A)).
2. Review the draft guidelines provided by the Office of Faculty Affairs as a starting point for the committee's deliberations.
3. Review appointment protocols, promotion criteria, and/or evaluation procedures for non-tenure track faculty at Big 10 and peer institutions.
4. Develop guidelines for appointment protocols and expectations.
5. Develop guidelines for promotion criteria and processes for each of the professional track faculty ranks.
6. Develop timelines for promotion to the various professional track ranks.

7. Develop guidelines for the review process including whether second or third level professional track faculty should serve on review committees and the specific composition of a University-level committee for these types of reviews.
8. Develop protocols for voting privileges within shared governance bodies at the unit and college level for professional track faculty at each rank level.
9. Consult with a representative from the University's Office of Faculty Affairs on potential promotion criteria.
10. Consult with the University's Office of Legal Affairs on any proposed recommendations.

We ask that you submit a report to the Senate Office no later than March 27, 2015. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

Attachment
DW/rm

UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty

Rationale

In light of the important contributions made by Professional Track Faculty (PTK) at the University of Maryland, the Provost and the University Senate jointly establish the following guidelines in order to formalize and regularize the processes for recognizing excellence among the Professional Track Faculty.

Appointment Contracts

- A. All PTK faculty shall be provided with written contracts, based on templates provided by the Office of Legal Affairs, prior to the beginning of their assignment. A contract shall stipulate the term of the contract, the salary, assignments and expectations, resources made available to the faculty, performance/evaluation policies and procedures, and terms regarding notifications for non-renewal. Information about unit-level resources and unit-level performance/evaluation policies and procedures may be made in the contract by reference to a publically available web site maintained by the appointing unit.
- B. Given that PTK faculty might be active in only one or two of the three dimensions of academic activity, assignments and expectations should establish explicitly the scope of the appointee's efforts in terms of the three dimensions of academic activity, i.e. Teaching, Research, and Service, thereby providing expectations for evaluating faculty performance and applications for promotion.
- C. The title for a given appointment should correspond to the majority of the appointee's effort, as indicated by the statement of assignments and expectations in the contract.
- D. For title series in which professional experience can substitute for a degree requirement, unit plans shall provide baseline standards, based on the discipline, for the types and levels of professional activities that will constitute equivalencies for degree requirements.
- E. In addition to the provisions above, contracts for Instructional Faculty shall include the provisions stipulated in USM and UM Policies II-1.00(F), II-1.05, II-1.06, and II-1.07(A).

Evaluation and Promotion

- A. In order to recognize and reward consistent, high-level contributions from PTK faculty, units will develop and publish, on a publically available web site, evaluation and promotion guidelines for PTK faculty that provide for appropriate connections between advancement in rank and increase in salary.
- B. Except as specified below, details of the evaluation criteria and procedures for promotion are the responsibility of the unit; the application and review process, including the materials to be submitted by the faculty member, should be specified in the unit's evaluation and promotion guidelines. Unit plans shall be posted on a publically available web site. Colleges are responsible for ensuring that units have such plans and that the guidelines and procedures in those plans are followed.

- C. Units shall provide for the mentoring of PTK faculty by appropriate senior faculty, either tenured/tenure-track or PTK faculty. Mentors should encourage, support, and assist these faculty members and be available for consultation on matters of professional development. Mentors also need to be frank and honest about the progress toward fulfilling the unit's criteria for promotion. Favorable informal assessments and positive comments by mentors are purely advisory to the faculty member and do not guarantee a favorable promotion decision.
- D. Evaluations of individual PTK faculty shall be based on the expectations stipulated in the faculty member's contracts. Contributions beyond the contractually stipulated expectations can be used in the evaluation process, but should not replace the expectations associated with the appointment.
- E. Appointments and promotions to ranks at or above the Associate level or the Senior level will be reviewed and approved by the college.
- F. Decisions regarding an application for promotion shall be made within 60 days of the application at the unit level, and if approved at the unit level, reviewed by the college within 60 days of the unit level decision. In the event of a negative decision, the faculty member shall be notified in writing by the unit head. The faculty member can appeal a negative decision based on procedural grounds, i.e. aspects of the review appeared to violate the unit's published processes. Appeals will be reviewed at the college level by a committee comprised of members who were not involved in the initial promotion review.
- G. A negative decision regarding an application for promotion does not constitute grounds for non-renewal. Promotion through PTK faculty ranks is not "up or out".



University Senate TRANSMITTAL FORM

Senate Document #:	14-15-28
Title:	Consideration of a New Post-Doctoral Title
Presenter:	Devin Ellis, Chair, Senate Faculty Affairs Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	In March 2015, the Office of Faculty Affairs approached the Senate Executive Committee (SEC) to propose amending the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00 [A]) to establish a new entry-level post-doctoral title. The proposal was in response to needs identified by faculty in the life sciences. The SEC charged the Senate Faculty Affairs Committee with reviewing post-doctoral appointments at UMD and with considering whether changes to current post-doctoral titles would be appropriate.
Relevant Policy # & URL:	II-1.00(A) University Of Maryland Policy on Appointment, Promotion, and Tenure Of Faculty http://www.president.umd.edu/policies/ii-100a.html
Recommendation:	<ul style="list-style-type: none"> • The Senate Faculty Affairs Committee recommends that the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00[A]) be amended to establish a new Post-Doctoral Scholar title as shown in Appendix 1. • The Senate Faculty Affairs Committee recommends that the Office of Faculty Affairs submit a report on implementation of this new title to the Senate for review. Such a report should contain a description of the minimum benefits to be assigned with this new title, including leave benefits, and the category status used for the title. The Committee recommends that Post-Doctoral Scholars be given retirement benefits commensurate with retirement benefits given to Post-Doctoral Associates. • The Senate Faculty Affairs Committee recommends that current Post-Doctoral Associates should continue to hold that title and its related benefits for all future post-doctoral appointments at the University of Maryland.

Committee Work:	<p>The Faculty Affairs Committee (FAC) considered its charge in spring 2015. In order to better understand the concerns that led to the charge, the FAC met with representatives from the Department of Geology, the Department of Cell Biology & Molecular Genetics, the Department of Animal and Avian Sciences, and the Division of Research on March 23, 2015. The FAC also consulted with representatives of the Office of Faculty Affairs and the Office of General Counsel throughout its review.</p> <p>Representatives of the life sciences outlined their concerns with the current structure of post-doctoral appointments. They explained that it is typical in the life sciences for individuals to have two separate post-doctoral appointments prior to applying for faculty positions; the first appointment typically resembles a trainee position and does not provide full benefits.</p> <p>Representatives advocated for creating a new title to recognize cultural diversity in UMD's disciplines and allow for each discipline to appoint post-doctorates as appropriate to the field. In discussion, representatives raised concerns related to the financial constraints faced by the life sciences and the implications of offering a full benefits package for post-doctoral positions that they view as trainee positions, as well as the potential lack of parity between benefits offered to UMD's post-doctorates and to NIH-funded post-doctoral fellows.</p> <p>The FAC considered the concerns raised in its meeting with representatives of the life sciences very carefully, and agreed that a compromise should be reached to allow the life sciences additional flexibility. The FAC considered the impact of a decision on post-doctorates, and reviewed administrative issues with the situation. After much discussion, the FAC agreed to create a new Post-Doctoral Scholar title and agreed that retirement benefits should continue to be provided for individuals in the new title. The FAC agreed that as there are many administrative concerns with this situation, it would appreciate receiving information from the Office of Faculty Affairs on an implementation plan for the new title after it has been approved.</p>
Alternatives:	The Senate could reject the proposed amendments to the UMD policy. However, the University would lose the opportunity to address concerns raised regarding an entry-level post-doctoral appointment.
Risks:	There are no associated risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate approval, Presidential approval.

Senate Faculty Affairs Committee

Senate Document #14-15-28

Consideration of a New Post-Doctoral Title

April 2015

BACKGROUND

In March 2015, the Office of Faculty Affairs approached the Senate Executive Committee (SEC) to propose amending the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-I.00 [A]) to establish a new entry-level post-doctoral title. The proposal was in response to needs identified by faculty in the life sciences, where it is typical to have two separate post-doctoral appointments prior to applying for faculty positions, one of which is an entry-level trainee position. The SEC charged the Senate Faculty Affairs Committee with reviewing post-doctoral appointments at UMD and with considering whether changes to current post-doctoral titles would be appropriate (Appendix 2).

CURRENT PRACTICE

In October 2014, the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-I.00 [A]) was amended to create a new framework for professional track faculty titles (Senate Document #12-13-55). Prior to that revision, the University was using the title “Research Associate” for post-doctoral appointments and certain other professional track faculty appointments. Post-doctorates at UMD had reported difficulty with the previous title, as it was not clear to other institutions what the position entailed and thus it hindered employment prospects when applying for positions after completing the post-doctoral appointment. In order to have a distinct title for post-doctorates, and to align with titles used at peer institutions, the APT policy was amended to change “Research Associate” to “Post-Doctoral Associate.” The Post-Doctoral Associate title is renewable for up to six years, after which time individuals should be eligible to transition into a faculty title series if they intend to remain at UMD, to ensure the opportunity for future professional development and promotion as a faculty member.

COMMITTEE WORK

The Faculty Affairs Committee (FAC) began its review of the charge on March 9, 2015. The FAC reviewed the charge and discussed the concerns raised by faculty within the life sciences related to post-doctoral appointments at UMD. The FAC consulted with representatives of the Office of Faculty Affairs and the Office of General Counsel throughout its review.

In order to better understand the concerns that led to the charge, the FAC met with representatives from the Department of Geology, the Department of Cell Biology & Molecular Genetics, the Department of Animal and Avian Sciences, and the Division of Research on March 23, 2015. Representatives shared their concerns that the structure of UMD’s post-doctoral appointments does not reflect nationwide best practices for post-doctoral hiring in the sciences. It is typical in the life sciences for individuals to have two separate post-doctoral appointments prior to applying for faculty positions, and the first post-doctoral appointment typically resembles a trainee position and does not provide full benefits. While some fields rely on one post-doctoral appointment as sufficient for training, the life sciences view multiple appointments as the equivalent of the internship and residency required for the training of medical doctors, where two separate appointments are needed for different phases of the training process.

Representatives suggested that creating a new title would recognize cultural diversity in UMD's disciplines and allow for each discipline to appoint post-doctorates as appropriate to the field.

Representatives and the FAC discussed the history of post-doctoral appointments and the development of the life sciences over the past ten years at UMD. UMD has been working for years on finding better ways to provide oversight and support to post-doctorates during their time at the institution. At the same time, the University has been working to enhance the life sciences, through work with the National Institutes of Health (NIH) and other federal research organizations. The merger of the sciences into the College of Computer, Mathematical, and Natural Sciences (CMNS) and engagement with the *MPowering the State* initiative have both been undertaken with the hope of strengthening the life sciences. Representatives noted that it is critical that UMD faculty are on the same level playing field with other faculty when competing for grants with NIH and other organizations. They suggested that the creation of a new post-doctoral title would help create a level playing field and ensure that quality research is accomplished at UMD.

The representatives also explained the financial constraints faced by the life sciences and the implications of offering a full benefits package for post-doctoral positions that they view as trainee positions. They explained the difficulty they have in grant budgets as it relates to benefits, in that tuition remission and retirement funding cannot be charged to a federally-sponsored research grant. These administrative costs must be paid by the department without using grant funds. Because of tight departmental budgets, representatives suggested they may not be able to fund as many post-doctoral positions as they have in the past in order to be able to meet these added administrative costs, which could diminish the quality of research conducted by the life sciences at UMD.

Representatives also discussed the potential lack of parity between benefits offered to UMD's post-doctorates and to NIH-funded post-doctoral fellows employed by UMD. NIH fellowships are very prestigious and competitive, and post-doctorates are highly encouraged to apply for these positions in their first year. NIH views these fellowships and all post-doctoral work to be a type of training, and as such, the NIH offers only certain benefits to its fellows. Representatives noted that the type of benefits offered by NIH are the national standard for post-doctoral appointments, and do not include retirement or tuition remission. A concern was raised that if UMD's benefits package does not match the benefits offered by the NIH, there would be a financial disincentive for post-doctorates to apply for a prestigious NIH fellowship. Representatives stressed that the difference in benefits is appropriate because there is a difference between a trainee and an employee, and the NIH and national standard is to view post-doctorates as trainees. The benefits offered at most Big Ten institutions align with the benefits offered by the NIH so as to avoid a disincentive in applying for NIH fellowships.

The FAC considered the concerns raised in its meeting with representatives of the life sciences very carefully, and agreed that a compromise could be reached to allow the life sciences additional flexibility, but the FAC discussed at length what an appropriate compromise would be. The FAC considered the impact of a decision on post-doctorates themselves, as these individuals are often the least compensated and least supported on campus. The committee noted that no office currently has oversight of post-doctorates, and there is no institutional mechanism to ensure that they are receiving the training and assistance they need in transitioning to an independent scholarly life. Representatives from the Office of Faculty Affairs explained that efforts are underway to put together an office to have oversight of post-doctorates on campus, in order to provide oversight and guidance for all post-doctorates at UMD. Members agreed that while UMD moves forward with such an initiative, the FAC should work to ensure that any compromise reached not only assists the life sciences with its concerns but also protects post-doctorates from financial difficulty.

The FAC reviewed the administrative complications with the situation facing the life sciences. The difficulty with the Post-Doctoral Associate title comes with the category status assigned to it, which confers full benefits on those holding title. Previously, the Research Associate title or other titles given to post-doctorates were able to use a category status that did not have a required benefits package. Because of the category status of the new title, departments have no flexibility to offer different benefits packages to post-doctoral appointees when needed. If the FAC were to create a new title, it could be assigned to a different category status code that gives more flexibility in what benefits could be offered for entry-level post-doctoral positions, though no change would be made to the benefits of current Post-Doctoral Associates.

In considering the benefits for post-doctoral appointments, the FAC noted that health benefits must be provided under the requirements of the Affordable Care Act, but other benefits such as retirement and tuition remission benefits are at the discretion of the University to provide. Members raised serious concerns over the idea of not providing retirement benefits. Studies have shown that the longer an individual waits to contribute to a retirement account, the more it affects them over the course of their life. Members also noted that if individuals have multiple post-doctoral appointments, it could be many years before they would be able to put any money into a retirement account, which can be highly detrimental to future financial wellbeing. Representatives from the life sciences had explained that only four other institutions in the Big Ten offer retirement benefits, and only two offer full tuition remission. Members pointed out that while other Big Ten institutions have not given retirement benefits for post-doctoral positions, the same could have been said at one time for many progressive policies, such as parental leave benefits or promotion reviews for professional track faculty. The FAC noted that while the peer institution information is important, the FAC would prefer to be progressive rather than follow other institutions.

The FAC agreed to create a new title and agreed that retirement benefits should continue to be provided for individuals in the new title. In regards to tuition remission, the FAC learned that these benefits do not begin until a post-doctorate has served in rank for two years, and agreed that a potential compromise could be to not require tuition remission to be provided to individuals in the new title. In relation to the concern for NIH fellows, the FAC noted that there would likely be administrative solutions to this issue as well, so that there would be no difference in the benefits given to NIH fellows at UMD. The FAC agreed that as there are many administrative concerns with this situation, it would appreciate receiving information from the Office of Faculty Affairs on an implementation plan for the new title after it has been approved.

The FAC developed language for a new title, and in particular, considered the name of the title. Representatives familiar with the problems noted that the name of the title itself is not a concern, so if a particular title was acceptable to the committee, it should work for their purposes. The FAC raised concerns about the name of the title for international applicants and applications for a visa. Members noted that a title with the word “intern” or “trainee” would cause applicants to be ineligible for certain types of visas. The FAC decided that Post-Doctoral Scholar would be more appropriate.

In addition, after further consultation with the Office of Faculty Affairs and the Office of General Counsel, the FAC decided to propose amendments to the existing Post-Doctoral Associate title to adjust the term limit to ensure that faculty do not remain in post-doctorate positions for longer than five years, and to allow exceptions to this standard to be reviewed and approved by the Office of the Provost.

RECOMMENDATION

The Senate Faculty Affairs Committee recommends that the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00[A]) be amended to establish a new Post-Doctoral Scholar title as shown below and in Appendix 1.

The Senate Faculty Affairs Committee recommends that the Office of Faculty Affairs submit a report on implementation of this new title to the Senate for review. Such a report should contain a description of the minimum benefits to be assigned with this new title, including leave benefits, and the category status used for the title. The Committee recommends that Post-Doctoral Scholars be given retirement benefits commensurate with retirement benefits given to Post-Doctoral Associates.

The Senate Faculty Affairs Committee recommends that current Post-Doctoral Associates should continue to hold that title and its related benefits for all future post-doctoral appointments at the University of Maryland.

PROPOSED AMENDMENTS TO THE UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY (II-1.00[A])

2. Post-Doctoral Scholar

The appointee generally shall hold a doctorate in a field of specialization earned within three (3) years of initial appointment to this rank. An exception to the time from degree requirement must be approved by the Office of the Provost. Appointment to this rank shall allow for continued training to acquire discipline-specific independent research skills under the direction of a faculty mentor. Appointments are typically for one (1) to three (3) years and are renewable, provided no appointee serves in this rank for more than three (3) years. After three (3) years in this rank, appointees who have performed satisfactorily are eligible for appointment to the rank of Post-Doctoral Associate.

23. Post-Doctoral Associate

The appointee generally shall hold a doctorate in a field of specialization earned within five (5) years of initial appointment or shall have satisfactorily completed an appointment to the rank of Post-Doctoral Scholar. An exception to the time from degree requirement must be approved by the Office of the Provost. The appointee shall have ~~been~~ **trained** in research procedures, ~~shall~~ be capable of carrying out individual research or collaborating in group research at the advanced level, and ~~shall~~ have ~~had~~ the experience and specialized training necessary for success in such research projects as may be undertaken. ~~An earned doctorate shall normally be a minimum requirement.~~ Appointments ~~to this rank~~ are typically for one (1) to three (3) years and are renewable, provided the maximum ~~length of~~ consecutive **length of** service in ~~this both post-doctoral~~ ranks ~~does~~ shall not exceed **five (5) 6** years. **Exceptions may be approved by the Office of the Provost.** After **five (5) six** years in the **post-doctoral** ranks, appointees who have performed satisfactorily ~~are~~ **should be** eligible for appointment to an appropriate faculty position **other than in the post-doctoral series.**

APPENDICES

Appendix 1 – Proposed Revisions to the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00[A])

Appendix 2 – Charge from the Senate Executive Committee on Consideration of a New Post-Doctoral Title

**APPENDIX 1 - PROPOSED REVISIONS TO THE UNIVERSITY OF MARYLAND
POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY**

II-1.00(A) UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT,
PROMOTION, AND TENURE OF FACULTY

(Approved by the President, February 16, 1993; approved by the Chancellor, March 26, 1993; text on Distinguished University Professor approved by the Chancellor on April 15, 1994; text on Emeritus Status added 1995; text on mandatory retirement at age 70 removed March, 1996; text on term of service for APT committee members amended February 1998; text on Professor of Practice amended 1998; text on Senior Lecturer added November 2002; text on appeals process amended August 2003; text on Field Faculty added October 2003; text on Librarians added April, 2004; approved by the President and the Chancellor, December 2004, effective August 23, 2005; text on College Park Professor added June 2005, continuing through May 2012; text on Librarian Emerita /Emeritus status added April 2006; text on faculty with split appointments on APT committees added April 2006; text on Faculty Extension Agent and Associate Agent amended December 15, 2006; text on composition of third or campus-level review committee amended November 23, 2010; text on Clinical Faculty titles added March 13, 2012; text on Clinical Faculty titles amended May 9, 2012; technical changes September 17, 2012; text on University of Maryland Professor added November 15, 2012; text on non-tenure track faculty titles amended October 7, 2014.)

This policy complements the University of Maryland System Policy on Appointment, Rank, and Tenure of Faculty, adapting that policy in accordance with the institutional mission of the University of Maryland at College Park. Within the framework of the System Policy, it specifies the criteria and procedures related to faculty personnel actions which shall apply to the University of Maryland at College Park.

Subject to the provisions of paragraphs I.C.15 and I.C.17 of the University of Maryland System Policy on Appointment, Rank and Tenure of Faculty (1989), the provisions of paragraph III.C of this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be published in the Faculty Handbook and shall constitute part of the contractually binding agreement between the university and the faculty member. Any proposed changes to this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be submitted for initial review and endorsement by the College Park Campus Senate.

Terminological Note

The procedures spelled out in this document for tenure and promotion review specify three levels of review below the President's office. For most faculty members these are the department, the college, and the campus levels. However, some faculty members are appointed in colleges and schools that are not departmentalized and that conduct the initial review at the college or school level. For uniform terminology the initial review, whether conducted by a department or a non-departmentalized school or college, is referred to as a "first-level review," and "department" is usually replaced by "first-level unit." First-level units thus comprise departments, non-departmentalized schools, and non-departmentalized colleges. Higher levels of review are

referred to as “second-level” and “third-level.”

For the purpose of this policy, the term "university" and the term "institution" shall be synonymous and shall mean the University of Maryland at College Park. For the purpose of this policy, the word "days" shall refer to calendar days.

Purpose of this Policy

The University of Maryland is dedicated to the discovery and the transmission of knowledge and to the achievement of excellence in its academic disciplines. Each faculty member has a personal responsibility for contributing to the achievement of excellence in his or her own academic discipline and for exercising the best judgment in advancing the department, the college, and the University. Those faculty members holding the rank of Professor have the greatest responsibility for establishing and maintaining the highest standards of academic performance within the University. This Policy on the Appointment, Promotion, and Tenure of Faculty exists to set the standards for appointment and promotion to the various faculty ranks and to recognize and to encourage the achievement of excellence on the part of the faculty members through the awarding of tenure and through promotion within the faculty ranks. Through this process the University builds and enhances its educational programs and services and it advances the state of knowledge which supports the growth and development of our society.

I. MINIMUM QUALIFICATIONS FOR APPOINTMENT OR PROMOTION TO THE ACADEMIC AND ACADEMIC ADMINISTRATIVE RANKS

The only faculty ranks which may involve a tenure commitment are: Professor, Associate Professor, Assistant Professor, Principal Agent, Senior Agent, and Agent, and such other ranks as the Board of Regents may approve. Effective April 5, 1989, appointments to all other ranks, including any qualified rank, other than an honorific qualification, in which an additional adjective is introduced, are for a definite term and do not involve a tenure commitment. Those granted tenure in such a rank before April 5, 1989, shall continue to hold tenure in that rank.

The following shall be the minimum qualifications for appointment or promotion to the academic ranks in use by the University of Maryland at College Park.

A. Faculty with Duties in Teaching and Research

1. Instructor^a

An appointee to the rank of Instructor ordinarily shall hold the highest earned degree in his or her field of specialization. There shall be evidence also of potential for excellence in teaching and for a successful academic career. The

^a As of November 14, 1995, this title may NOT be used for new appointments.

rank does not carry tenure.

2. Assistant Professor

The appointee shall have qualities suggesting a high level of teaching ability in the relevant academic field, and shall provide evidence of potential for superior research, scholarship, or artistic creativity in the field. Because this is a tenure-track position, the appointee shall at the time of appointment show promise of having, at such time as he or she is to be reviewed for tenure and promotion in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, the qualities described under "Associate Professor" below. In most fields the doctorate shall be a requirement for appointment to an assistant professorship. Although the rank normally leads to review for tenure and promotion, persons appointed to the rank of Assistant Professor after the effective date of this policy shall not be granted tenure in this rank.

3. Associate Professor

In addition to having the qualifications of an Assistant Professor, the appointee shall have a high level of competence in teaching and advisement in the relevant academic field, shall have demonstrated significant research, scholarship, or artistic creativity in the field and shall have shown promise of continued productivity, shall be competent to direct work of major subdivisions of the primary academic unit and to offer graduate instruction and direct graduate research, and shall have served the campus, the profession, or the community in some useful way in addition to teaching and research. Promotion to the rank from within confers tenure; appointment to the rank from without may confer tenure.

4. Professor

In addition to having the qualifications of an Associate Professor, the appointee shall have established a national and, where appropriate, international reputation for outstanding research, scholarship or artistic creativity, and a distinguished record of teaching. There also must be a record of continuing evidence of relevant and effective professional service. The rank carries tenure.

B. Faculty with Duties Primarily in Research, Scholarship, or Artistic Creativity

Appointments with these faculty titles do not carry tenure.

1. Faculty Assistant

The appointee shall be capable of assisting faculty in any dimension of academic

activity and shall have ability and training adequate to the carrying out of the particular techniques required, the assembling of data, and the use and care of any specialized apparatus. A baccalaureate degree shall be the minimum requirement. Appointments to this rank are typically for terms of one to three years and are renewable for up to three years. After three years in rank, appointees who have performed satisfactorily should be eligible for appointment to an appropriate faculty position or encouraged to apply for a staff position.

2. Post-Doctoral Scholar

The appointee generally shall hold a doctorate in a field of specialization earned within three (3) years of initial appointment to this rank. An exception to the time from degree requirement must be approved by the Office of the Provost. Appointment to this rank shall allow for continued training to acquire discipline-specific independent research skills under the direction of a faculty mentor. Appointments are typically for one (1) to three (3) years and are renewable, provided no appointee serves in this rank for more than three (3) years. After three (3) years in this rank, appointees who have performed satisfactorily are eligible for appointment to the rank of Post-Doctoral Associate.

23. Post-Doctoral Associate

The appointee generally shall hold a doctorate in a field of specialization earned within five (5) years of initial appointment or shall have satisfactorily completed an appointment to the rank of Post-Doctoral Scholar. An exception to the time from degree requirement must be approved by the Office of the Provost. The appointee shall have ~~been~~ trained in research procedures, ~~shall~~ be capable of carrying out individual research or collaborating in group research at the advanced level, and ~~shall~~ have ~~had~~ the experience and specialized training necessary for success in such research projects as may be undertaken. ~~An earned doctorate shall normally be a minimum requirement.~~ Appointments ~~to this rank~~ are typically for one (1) to three (3) years and are renewable, provided the maximum ~~length of~~ consecutive **length of** service in ~~this~~ **both post-doctoral** ranks ~~does shall~~ not exceed **five (5)** ~~6~~ years. **Exceptions may be approved by the Office of the Provost.** After **five (5)** ~~six~~ years in ~~the post-doctoral~~ ranks, appointees who have performed satisfactorily ~~are should be~~ eligible for appointment to an appropriate faculty position **other than in the post-doctoral series.**

34. Assistant Research Faculty Ranks

a. Assistant Research Professor

This rank is generally parallel to Assistant Professor. Appointees shall have demonstrated superior research ability and potential for contributing to the educational mission through teaching or service. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other research personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

b. Assistant Research Scientist

This rank is generally parallel to Assistant Professor. Appointees shall have demonstrated superior scientific research ability. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other research personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

c. Assistant Research Scholar

This rank is generally parallel to Assistant Professor. Appointees to this rank shall have demonstrated superior scholarly research ability and be qualified and competent to direct the work of others (such as technicians, graduate students, other research personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

d. Assistant Research Engineer

This rank is generally parallel to Assistant Professor. Appointees shall have a demonstrated record of superior engineering practice, design, and development. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other engineering personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

~~45.~~ Associate Research Faculty Ranks

a. Associate Research Professor

This rank is generally parallel to Associate Professor. In addition to the qualifications required of the Assistant Research Professor, appointees shall have extensive successful experience in scholarly or creative endeavors, the ability to propose, develop, and manage major research projects, and proven contributions

to the educational mission through teaching or service. Appointments to this rank are typically one to five years and are renewable.

b. Associate Research Scientist

This rank is generally parallel to Associate Professor. In addition to having the qualifications required of the Assistant Research Scientist, appointees shall have significant scientific research accomplishments, show promise of continued productivity, and have the ability to propose, develop, and manage research projects. Appointments to this rank are typically one to five years and are renewable.

c. Associate Research Scholar

This rank is generally parallel to Associate Professor. In addition to the qualifications required of the Assistant Research Scholar, appointees shall have extensive successful experience in scholarly or creative endeavors sufficient to have established a regional and national reputation among colleagues, and where appropriate, the ability to propose, develop, and manage research projects. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements, or other distinguished and creative activities. Appointments to this rank are typically one to five years and are renewable.

d. Associate Research Engineer

This rank is generally parallel to Associate Professor. In addition to having the qualifications required of the Assistant Research Engineer, appointees shall have a record of significant engineering achievement, show promise of continued productivity, and have the ability to propose, develop, and manage engineering projects. Appointments to this rank are typically one to five years and are renewable.

56. Research Faculty Ranks

a. Research Professor

This rank is generally parallel to Professor. In addition to the qualifications required of the Associate Research Professor, appointees shall have demonstrated a degree of proficiency sufficient to establish an excellent reputation among regional and national colleagues. Appointees should have a record of outstanding scholarly production in research, publications, professional achievements or other distinguished and creative activity, and exhibit excellence in contributing to the educational mission through teaching or service. Appointments are typically

made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

b. Research Scientist

This rank is generally parallel to Professor. In addition to having the qualifications required of the Associate Research Scientist, appointees shall have established a national and, where appropriate, international reputation for outstanding scientific research. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements, or other distinguished and creative activity. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

c. Research Scholar

This rank is generally parallel to Professor. In addition to having the qualifications required of the Associate Research Scholar, appointees shall have demonstrated a degree of proficiency sufficient to establish an excellent reputation among national and international colleagues. Appointees should provide tangible evidence of an extensive, respected record of scholarly production in research, publications, professional achievements, or other distinguished and creative activity. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

d. Research Engineer

This rank is generally parallel to Professor. In addition to having the qualifications required of the Associate Research Engineer, appointees shall have established a national and, where appropriate, international reputation for outstanding engineering practice, design, and development. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements, or other distinguished and creative activity. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

67. Artist-in-Residence Ranks

a. Assistant Artist-in-Residence

This title, generally parallel to Assistant Professor, is intended for those persons whose professional activities are of a creative or performance nature, including

but not limited to theatre, dance, music, and art. Normally, appointees to this rank shall hold the terminal degree in the field and/or have demonstrated superior ability in professional activities. Appointments to this rank are typically one to three years and are renewable.

b. Associate Artist-in-Residence

This title is generally parallel to Associate Professor. In addition to the qualifications of the Assistant Artist-in-Residence, the appointee's record of professional activities shall demonstrate a national reputation among colleagues. Appointments to this rank are typically one to five years and are renewable.

c. Artist-in-Residence

This title is generally parallel to Professor. In addition to the qualifications of the Associate Artist-in-Residence, appointees shall demonstrate a sustained record of superior proficiency and excellence, and an international reputation among colleagues in the field. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

C. Field Faculty

1. Agent Associate

Appointees shall be able to: teach research-based subject matter from the University for community residents based on local issues and needs; assume leadership for educational development plans; deliver educational programs directly to clientele, peers, and/or volunteers through train-the-trainer or other similar venues in order to extend programming efforts throughout the state. An earned Bachelor's degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

2. Senior Agent Associate

In addition to the qualifications of the Agent Associate, appointees shall show evidence of superior ability in establishing the foundation of a successful UME program. An earned Master's degree or 3 years' full-time experience as an Agent Associate will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to five years and are renewable.

3. Principal Agent Associate

In addition to the qualifications of the Senior Agent Associate, appointees shall show evidence of excellence in establishing and expanding successful UME programs through mentoring, scholarship, and service. An earned PhD or five years' full-time experience as a Senior Agent Associate will be a normal minimum requirement for appointment at this rank. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

4. Agent (parallel to the rank of Assistant Professor)

The appointee must hold a master's degree in an appropriate discipline and show evidence of academic ability and leadership skills. The appointee shall have an educational background related to the specific position.

5. Senior Agent (parallel to the rank of Associate Professor)

In addition to the qualifications of an Agent, the appointee must have demonstrated achievement in program development and must have shown originality and creative ability in designing new programs, teaching effectiveness, and evidence of service to the community, institution, and profession. Appointment to this rank may carry tenure.

6. Principal Agent (parallel to the rank of Professor)

In addition to the qualifications of a Senior Agent, the appointee must have demonstrated leadership ability and evidence of service to the community, institution, and profession. The appointee must also have received recognition for contributions to the Cooperative Extension Service sufficient to establish a reputation among State, regional and/or national colleagues, and should have demonstrated evidence of distinguished achievement in creative program development. Appointment to this rank carried tenure.

D. Faculty Engaged Exclusively or Primarily in Clinical Teaching

All appointments in the following titles are renewable. Appointments with these faculty titles do not carry tenure.

1. Assistant Clinical Professor

The appointee shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of clinical specialization. There shall be clear evidence of a high level of ability in clinical practice and teaching in the departmental field. The appointee shall also have demonstrated scholarly and/or

administrative ability. Appointments to this rank are typically for one to three years and are renewable.

2. Associate Clinical Professor

In addition to the qualifications required of an Assistant Clinical Professor, the appointee shall ordinarily have had extensive successful experience in clinical or professional practice in the departmental field, and in working with and/or directing others (such as professionals, faculty members, graduate students, fellows, and residents or interns) in clinical activities in the field. The appointee shall also have demonstrated superior teaching ability and scholarly or administrative accomplishments and have a reputation of respect among colleagues in the region. Appointments to this rank are typically for one to five years and are renewable.

3. Clinical Professor

In addition to the qualifications required of an Associate Clinical Professor, the appointee shall have demonstrated a degree of excellence in clinical practice and teaching sufficient to establish an outstanding regional and national reputation among colleagues. The appointee shall also have demonstrated extraordinary scholarly competence and leadership in the profession. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

E. Faculty Engaged Exclusively or Primarily in Library Services

Library faculty hold the ranks of Librarian I-IV. Each rank requires a master's degree from an American Library Association accredited program or a graduate degree in another field where appropriate. The master's degree is considered the terminal degree. Appointments to these ranks are for 12 months with leave and other benefits provided to twelve-month tenured/tenure track faculty members with the exception of terminal leave, sabbatical leave, and non-creditable sick leave (collegially supported).

Permanent status is an institutional commitment to permanent and continuous employment to be terminated only for adequate cause (for example, professional or scholarly misconduct; incompetence; moral turpitude; or willful neglect of duty) and only after due process in accordance with relevant USM and campus policies. Librarians at the rank of Librarian I and Librarian II are not eligible for permanent status. Permanent status is available for library faculty holding the rank of Librarian III and Librarian IV. Those candidates without permanent status applying for the rank of Librarian III and Librarian IV shall be considered concurrently for permanent status.

1. Librarian I

This is an entry-level rank, assigned to librarians with little or no professional library experience. This rank does not carry permanent status.

2. Librarian II

Librarians at this rank have demonstrated professional development evidenced by achievement of a specialization in a subject, service, technical, administrative, or other area of value to the library. This rank does not carry permanent status.

3. Librarian III

Librarians at this rank have a high level of competence in performing professional duties requiring specialized knowledge or experience. They shall have served the Libraries, the campus, or the community in some significant way; have shown evidence of creative or scholarly contribution; and have been involved in mentoring and providing developmental opportunities for their colleagues. They shall have shown promise of continued productivity in librarianship, service, and scholarship or creativity. Promotion to this rank from within the Libraries confers permanent status; appointment to this rank from outside the Libraries may confer permanent status.

4. Librarian IV

Librarians at this rank show evidence of superior performance at the highest levels of specialized work and professional responsibility. They have shown evidence of and demonstrate promise for continued contribution in valuable service and significant creative or scholarly contribution. Such achievement must include leadership roles and have resulted in the attainment of Libraries, campus, state, regional, national, or international recognition. This rank carries permanent status.

F. Additional Faculty Ranks

Appointments with these faculty titles do not carry tenure.

1. Assistant Instructor

The appointee shall be competent to fill a specific position in an acceptable manner, but he or she is not required to meet all the requirements for an Instructor. He or she shall hold the appropriate baccalaureate degree or possess equivalent experience.

2. Junior Lecturer

In instances when a graduate student is given a faculty appointment to teach, the title Junior Lecturer shall be used. Upon completion of the graduate program, Junior Lecturers are eligible for promotion to Lecturer. Appointments to this rank are typically for terms of up to one year and are renewable for up to six years.

3. Lecturer

The title Lecturer will ordinarily be used to designate appointments of persons who are serving in a teaching capacity for a limited time or part-time. The normal requirement is a Master's degree in the field of instruction or a related field, or equivalent professional experience in the field of instruction. Appointments to this rank are typically one to three years and are renewable.

4. Senior Lecturer

In addition to having the qualifications of a Lecturer, the appointee shall have an exemplary teaching record over the course of at least five years of full-time instruction or its equivalent as a Lecturer (or similar appointment at another institution) and shall exhibit promise in developing additional skills in the areas of research, service, mentoring, or program development. Appointments to this rank are typically one to five years and are renewable.

5. Principal Lecturer

In addition to the qualifications required of the Senior Lecturer, appointees to this rank shall have an exemplary teaching record over the course of at least 5 years full-time service or its equivalent as a Senior Lecturer (or similar appointment at another institution) and/or the equivalent of 5 years full-time professional experience as well as demonstrated excellence in the areas of research, service, mentoring, or program development. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

6. Faculty Specialist

The appointee shall hold a Bachelor's degree in a relevant area and show potential for excellence in the administration and/or management of academic or research programs. Faculty Specialists are expected to engage in activities such as developing curriculum and/or innovative means for delivering curriculum, supervising the non-research activities of graduate or post-doctoral students, serving as grant writers or authors of other publications for an academic or

research program, conducting specialized research duties or other such duties that would generate intellectual property to which the faculty member shall retain the rights. Appointments to this rank are typically one to three years and are renewable.

7. Senior Faculty Specialist

In addition to showing superior ability to administer academic or research programs, as evidenced by successfully discharging responsibilities such as those of the Faculty Specialist, the appointee shall hold a Master's degree or have at least 3 years full-time experience as a Faculty Specialist (or similar appointment at another institution), or its equivalent. Appointments to this rank are typically one to five years and are renewable.

8. Principal Faculty Specialist

In addition to a proven record of excellence in managing and directing an academic or research program, the appointee shall hold a Ph.D. or have at least 5 years of full-time experience as a Senior Faculty Specialist, or its equivalent. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

9. Adjunct Assistant Professor, Adjunct Associate Professor, Adjunct Professor

The appointee shall be associated with the faculty of a department or non-departmentalized school or college, but shall not be essential to the development of that unit's program. The titles do not carry tenure. The appointee may be paid or unpaid. The appointee may be employed outside the University, but shall not hold another paid appointment at the University of Maryland at College Park. The appointee shall have such expertise in his or her discipline and be so well regarded that his or her appointment will have the endorsement of the majority of the members of the professorial faculty of the academic unit. Any academic unit may recommend to the administration persons of these ranks; normally, the number of adjunct appointments shall comprise no more than a small percentage of the faculty in an academic unit. Appointments to these ranks shall not extend beyond the end of the fiscal year during which the appointment becomes effective and may be renewed.

10. Affiliate Assistant Professor, Affiliate Associate Professor, Affiliate Professor, Affiliate Librarian II, Affiliate Librarian III, and Affiliate Librarian IV

These titles shall be used to recognize the affiliation of a faculty member or other university employee with an academic unit other than that to which his or her

appointment and salary are formally linked. The nature of the affiliation shall be specified in writing, and the appointment shall be made upon the recommendation of the faculty of the department with which the appointee is to be affiliated and with the consent of the faculty of his or her primary department. The rank of affiliation shall be commensurate with the appointee's qualifications.

11. Visiting Appointments

The prefix Visiting before an academic title, e.g., Visiting Professor, shall be used to designate a short-term professorial appointment without tenure.

12. Emerita, Emeritus

The word emerita or emeritus after an academic title shall designate a faculty member who has retired from full-time employment in the University of Maryland at College Park after meritorious service to the University in the areas of teaching, research, or service. Emerita or emeritus status may be conferred on Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV.

13. Distinguished University Professor

The title Distinguished University Professor will be conferred by the President upon a limited number of members of the faculty of the University of Maryland at College Park in recognition of distinguished achievement in teaching; research or creative activities; and service to the University, the profession, and the community. College Park faculty who, at the time of approval of this title, carry the title of Distinguished Professor, will be permitted to retain their present title or to change to the title of Distinguished University Professor. Designation as Distinguished University Professor shall include an annual allocation of funds to support his or her professional activities, to be expended in accordance with applicable University policies.

14. Professor of the Practice

This title may be used to appoint individuals who have demonstrated excellence in the practice as well as leadership in specific fields. The appointee shall have attained regional and national prominence and, when appropriate, international recognition of outstanding achievement. Additionally, the appointee shall have demonstrated superior teaching ability appropriate to assigned responsibilities. As a minimum, the appointee shall hold the terminal professional degree in the field or equivalent stature by virtue of experience. Appointees will hold the rank of Professor but, while having the stature, will not have rights that are limited to

tenured faculty. Initial appointment is for periods up to five years, and reappointment is possible. This title does not carry tenure, nor does time served as a Professor of the Practice count toward achieving tenure in another title.

15. College Park Professor

This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who would qualify for appointment at the University of Maryland at College Park at the level of professor but who normally hold full-time positions outside the University. Holders of this title may provide graduate student supervision, serve as principal investigators, and participate in departmental and college shared governance. Initial appointment is for three years and is renewable annually upon recommendation to the Provost by the unit head and dean. Appointment as a College Park Professor does not carry tenure or expectation of salary.

16. University of Maryland Professor

This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who have qualified for full-time appointments at the University of Maryland, Baltimore at the level of professor, who are active in MPowering the State programs, and who also qualify for full-time appointment at the University of Maryland, College Park at the level of professor. Holders of this title may provide graduate student supervision, serve as principal investigators, and participate in departmental and shared governance. Initial appointments are for three years and are renewable annually upon recommendation to the Provost by the unit head and dean. This is a non-paid, non-tenure track title but initial appointments must follow the procedures for appointment as a new tenured Professor.

17. Other Titles

No new faculty titles or designations shall be created by the University of Maryland at College Park for appointees to faculty status without approval by the Campus Senate and the President.

II. CRITERIA FOR APPOINTMENT AND PROMOTION

The criteria for appointment, tenure, and promotion shall reflect the educational mission of the University of Maryland at College Park: to provide an undergraduate education ranked among the best in the nation; to provide a nationally and internationally renowned program of graduate education and research, making significant contributions to the arts, the humanities, the professions, and the sciences; and to provide public service to the state and the nation embodying the best tradition of outstanding land-grant colleges and

universities.

In the case of both appointments and promotions every effort shall be made to fill positions with persons of the highest qualifications. Search, appointment, and promotion procedures shall comply with institutional policies, including affirmative action guidelines, and be widely publicized and published in the Faculty Handbook.

It is the special responsibility of those in charge of recommending appointments to make a thorough search of available talent before recommending appointees. At a minimum, the search for full-time tenure-track or tenured faculty and academic administrators shall include the advertisement of available positions in the appropriate media.

Decisions on tenure-track appointments must also take account of the academic needs of the department, school, college, and institution at the time of appointment and the projected needs at the time of consideration for tenure. This is both an element of sound academic planning and an essential element of fairness to candidates for tenure-track positions. Academic units shall select for initial appointment those candidates who, at the time of consideration for tenure, are most likely to merit tenure and also whose areas of expertise are most likely to be compatible with the unit's projected programmatic needs. The same concern shall be shown in the renewal of tenure-track appointments.

Each college, school, and department shall develop brief, general, written Criteria for Tenure and/or Promotion. The criteria to be considered in appointments and promotions fall into three general categories: (1) performance in teaching, advising, and mentoring of students; (2) performance in research, scholarship, and creative activity; (3) performance of professional service to the university, the profession, or the community. The relative importance of these criteria may vary among different academic units, but each of the categories shall be considered in every decision. The criteria for appointment to a faculty rank or tenure shall be the same as for promotion to that rank (or for tenuring at the rank of associate professor), whether or not the individual is being considered for an administrative appointment. An academic unit's general Criteria for Tenure and/or Promotion must receive the approval of the next level administrator. Any exceptional or unusual arrangements relating to criteria for tenure and/or promotion shall be specified in writing at the time of appointment and shall be approved by the faculty and administrator of the first-level unit, by the dean of the school or college, and by the Provost.

Upon appointment, each new faculty member shall be given by his or her chair or dean a copy of the unit's Criteria for Tenure and/or Promotion and the chair or dean shall discuss the Criteria with the faculty member. Each faculty member shall be notified promptly in writing by his or her chair or dean of any changes in the unit's Criteria for Tenure and/or Promotion.

Decisions on promotion of tenured faculty members shall be based on the academic merit of the candidate as evaluated using the relevant Criteria. Decisions on the renewal of

untentured appointments and on promotion decisions involving the granting of tenure shall be based on the academic merit of the candidate as evaluated using the relevant Criteria and on the academic needs of the department, school, college, and institution. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may be legitimately considered in the context of a tenure decision. In no case, however, may programmatic considerations affecting a particular candidate be changed following the first renewal of the faculty contract of that candidate. It is essential that academic units develop long-range projections of programmatic needs in order that decisions on tenure and tenure-track appointments and promotions to tenure ranks be made on a rational basis.

A. Teaching and Advisement

Superior teaching and academic advisement at all instructional levels (or reasonable promise thereof in the case of initial appointments) are essential criteria in appointment and promotion. Every effort shall be made to recognize and emphasize excellence in teaching and advisement. The general test to be applied is that the faculty member be engaged regularly and effectively in teaching and advisement activities of high quality and significance.

The responsibility for the evaluation of teaching performance rests on the academic unit of the faculty member. Each academic unit shall develop and disseminate the criteria to be used in the evaluation of the teaching performance of its members. The evaluation should normally include opinions of students and colleagues.

B. Research, Scholarship, and Artistic Creativity

Research, scholarship and artistic creativity are among the primary functions of the university. A faculty member's contributions will vary from one academic or professional field to another, but the general test to be applied is that the faculty member be engaged continually and effectively in creative activities of distinction. Each academic unit shall develop and disseminate the criteria for evaluating scholarly and creative activity in that unit.

Research or other activity of a classified or proprietary nature shall not be considered in weighing an individual's case for appointment or promotion.

C. Service

In addition to a demonstrated excellence in teaching and in research, scholarship and artistic creativity, a candidate for promotion should have established a commitment to the University and the profession through participation in service activities. Such participation may take several different forms: service to the

university; to the profession and higher education; and to the community, school systems, and governmental agencies. Service activity is expected of the faculty member, but service shall not substitute for teaching and advisement or for achievement in research, scholarship, or artistic creativity. Service activity shall not be expected or required of junior faculty to the point that it interferes with the development of their teaching and research.

III. APPOINTMENT OF FACULTY

A. Search Process

1. Recruitment of faculty shall be governed by written search procedures, which shall anticipate and describe the manner in which new professorial faculty members will be recruited, including arrangements for interinstitutional appointments, interdepartmental appointments, and appointments in new academic units.
2. Search procedures shall reflect the commitment of the University to equal opportunity and affirmative action. Campus procedures shall be widely disseminated and published in the Faculty Handbook.
3. Faculty review committees are an essential part of the review and recommendation process for new full-time faculty appointments. The procedures which lead to new faculty appointments should hold to standards at least as rigorous as those that pertain to promotions to the same rank.

B. Offers of Appointment

1. An offer of appointment can be made only with the approval of the President or his or her designee. Full-time appointments to the rank of Associate Professor or Professor require the written approval of the President.
2. All faculty appointments are made to a designated rank effective on a specific date. A standard letter of appointment shall be developed for each rank and tenure status and shall be approved by the Office of the Attorney General for form and legal sufficiency. The University shall publish in a designated section of the Faculty Handbook all duly approved System and University policies and procedures which set forth faculty rights and responsibilities. Subject to the provisions of paragraphs I.C.15 and I.C.17 of the System Policy on Appointment, Rank, and Tenure of Faculty and paragraph III.C of this document, the terms described in the letter of appointment, together with the policies reproduced in the designated

portions of the Faculty Handbook, shall constitute a contractually binding agreement between the University and the appointee.

C. Provisions Related to Appointments, Promotion, and Tenure

The following provisions are adapted from the System Policy on Appointments, Rank, and Tenure to reflect the mission of the University of Maryland at College Park and are to be furnished to all new faculty at the time of initial appointment.

1. Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified shall become effective as of the date of the modification.
2. Subject to any special conditions specified in the letter of appointment, full-time appointments to the rank of Assistant Professor shall be for an initial term of one to three years. The first year of the initial appointment shall be a probationary year, and the appointment may be terminated at the end of that fiscal year if the appointee is so notified by March 1. In the event that the initial appointment is for two years, the appointment may be terminated if the appointee is so notified by December 15 of the second year. After the second year of the initial appointment, the appointee shall be given one full year's notice if it is the intention of the University not to renew the appointment. If the appointee does not receive timely notification of nonrenewal, the initial appointment shall be extended for one additional year. An initial appointment may be renewed for an additional one, two, or three years. Except as set forth in paragraph III.C.3 below, an appointment to any term beyond the initial appointment shall terminate at the conclusion of that additional term unless the appointee is notified in writing that it is to be renewed for another term allowable under University System policies or the appointee is granted tenure. Such appointments may be terminated at any time in accordance with paragraphs III.C.5-11.
3. An Assistant Professor whose appointment is extended to a full six years shall receive a formal review for tenure in the sixth year. (An assistant professor may receive a formal review for tenure and be granted tenure earlier (cf. IV.A.4.)). The appointee shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision to grant or deny tenure. Notwithstanding anything in paragraph III.C.2 to the contrary, a full-time appointee who has completed six consecutive years of service at the University as an Assistant Professor, and who has been notified that tenure has been denied, shall be granted an additional and terminal one year appointment in that rank, but,

barring exceptional circumstances, shall receive no further consideration for tenure. In the event that an Assistant Professor in his or her sixth year of service is not affirmatively awarded tenure by the President or otherwise notified of a tenure decision, then he or she shall be granted a one-year terminal appointment.

4. Full-time appointments or promotions to the rank of Associate Professor or Professor require the written approval of the President. Promotions to the rank of Associate Professor or Professor carry immediate tenure. New full-time appointments to the rank of Professor carry immediate tenure. New full-time appointments to the rank of Associate Professor may carry tenure. If immediate tenure is not offered, such appointments shall be for an initial period of up to four years and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure. An Associate Professor who is appointed without tenure shall receive a formal review for tenure. No later than one year prior to the expiration of the appointment, the formal review must be completed, and written notice must be given that tenure has been granted or denied. Appointments carrying tenure may be terminated at any time as described under paragraphs III.C.5-11.
5. A term of service may be terminated by the appointee by resignation, but it is expressly agreed that no resignation shall become effective until the termination of the appointment period in which the resignation is offered except by mutual agreement between the appointee and the President or designee.
6. a. The President may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty, provided that the charges be stated in writing, that the appointee be furnished a copy thereof, and that the appointee be given an opportunity prior to such termination to request a hearing by an impartial hearing officer appointed by the President or a duly appointed faculty board of review. With the consent of the President, the appointee may elect a hearing by the President rather than by a hearing officer or a faculty board of review. Upon receipt of notice of termination, the appointee shall have thirty (30) calendar days to request a hearing. The hearing shall be held no sooner than thirty (30) calendar days after receipt of such a request. The date of the hearing shall be set by mutual agreement of the appointee and the hearing officer or faculty board of review. If a hearing officer or a faculty board of review is appointed, the hearing officer or board shall make a

recommendation to the President for action to be taken. The recommendation shall be based only on the evidence of record in the proceeding. Either party to the hearing may request an opportunity for oral argument before the President prior to action on the recommendation. If the President does not accept the recommendation of the hearing officer or board of review, the reasons shall be communicated promptly in writing to the appointee and the hearing officer or board. In the event that the President elects to terminate the appointment, the appointee may appeal to the Board of Regents, which shall render a final decision.

- b. Under exceptional circumstances and following consultation with the chair of the faculty board of review or appropriate faculty committee, the President may direct that the appointee be relieved of some or all of his or her University duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. (In case of emergency involving threat to life, the President may act to suspend temporarily prior to consultation.)
 - c. The appointee may elect to be represented by counsel of his or her choice throughout the termination proceedings.
7. If an appointment is terminated in the manner prescribed in paragraph III.C.6, the President may, at his or her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period of time. The appointee's compensation shall continue for a period of one year commencing on the date on which the appointee receives notice of termination. A faculty member whose appointment is terminated for cause involving moral turpitude or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the President or Board of Regents.
8. The University may terminate any appointment because of the discontinuance of the department, program, school or unit in which the appointment was made; or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with written University policies. The President shall give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is terminated.
9. Notwithstanding any provisions to the contrary, the appointment of any

untenured faculty member, fifty percent or more of whose compensation is derived from research contracts, service contracts, gifts or grants, shall be subject to termination upon expiration of the research funds, service contract income, gifts or grants from which the compensation is payable.

10. Appointments shall terminate upon the death of the appointee. Upon termination for this cause, the University shall pay to the estate of the appointee all of the accumulated and unpaid earnings of the appointee plus compensation for accumulated unused annual leave.
11. If, in the judgment of the appointee's department chair or supervisor, a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, a moderate sanction such as a formal warning or censure may be imposed, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure.
12. Unless the appointee agrees otherwise, any changes that are hereafter made in paragraphs III.C.1-12 will be applied only to subsequent appointments.
13. Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.
14. The appointee shall be subject to all applicable policies and procedures duly adopted or amended from time to time by the University or the University System, including, but not limited to, policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation or discontinuation of programs; and criteria on teaching, scholarship, and service.

D. Provisions Relating to Formal Promotion and Tenure Reviews

1. Reviews for promotion and tenure shall be conducted according to the duly adopted written policies and procedures of the University. These procedures shall be published in the Faculty Handbook.
2. Faculty review committees are a part of the review process at each level.
3. Each review by a faculty committee and each review by the administrator of an academic unit (chair or dean) shall be focused on the evaluation of the candidate using the Criteria for Tenure and/or Promotion of that unit.

Each review shall be based on materials that must include the candidate's *c.v.*, the candidate's Personal Statement, the Summary Statement of Professional Achievements, the Candidate's Response to the Summary Statement of Professional Achievements (if one is written), the letters from external evaluators, and the other prescribed elements in the University Appointment, Promotion and Tenure Procedures Manual. At the second and third levels of review, these promotion materials include the promotion committee reports and the letters from academic unit administrators.

4. A faculty member eligible to vote on the promotion recommendation on a candidate of an academic unit may not participate in a review of that candidate or vote on that candidate at a higher level of review. Because they provide an independent evaluation, department chairs, academic deans, and the Provost are ineligible to vote at any level.
5. Candidates shall have the right to appeal negative promotion and tenure decisions on grounds specified in the policies and procedures of paragraph V.B.

IV. PROMOTION, TENURE, AND EMERITUS REVIEW

The Provost shall develop detailed written procedures, implementing the University and the System policies on appointment, promotion, and tenure. This set of procedures shall be known as the University's Implementation of the University Appointment, Promotion and Tenure Policy and these procedures shall govern the University's decision-making. The procedures developed shall be subject to review and approval by the University Senate. The Provost shall also develop useful guidelines, suggestions, and advice for candidates for tenure and/or promotion and for academic units responsible for carrying out reviews of candidates. Each year the Provost shall publish the University Appointment, Promotion and Tenure Procedures Manual. This manual shall contain the entire text of the University's Appointment, Promotion and Tenure Policy, the University's implementation of this policy, and the guidelines, suggestions, and advice for candidates and for academic units. The University's Implementation should contain the University's required procedures clearly identified as such. All guidelines, suggestions, and advice in the Manual must be so labeled and distinguished from the required procedures.

Each college, school, and department shall develop detailed written procedures implementing the University and System policies on appointment, promotion, and tenure and the University's implementation of the University's Policy. The procedures of each academic unit shall be subject to review and approval by the policy-setting faculty body of the college or school for an academic unit in a departmentalized college or school, as established in its plan of organization, by the dean, and by the University Senate.

The University's required procedures and the required procedures of each academic unit to which a candidate belongs shall apply to promotion and tenure decisions for all full-time faculty and for academic administrators who hold faculty rank, or who would hold faculty rank if appointed.

The Provost has the responsibility for systematically monitoring the fair and timely compliance of all academic units with the approved procedures of this Appointment, Tenure and Promotion Policy and for the prompt remedying of any failure to fulfill a Provision of this Policy that occurs prior to the institution of a formal tenure and/or promotion review. A violation of procedural due process during a formal review for tenure and/or promotion is subject to the provisions of Section V, The Appeals Process.

At the time of appointment, each new faculty member shall be provided by the chair or dean of the first-level unit with a copy of the University's Appointment, Promotion and Tenure Procedures Manual and the procedures for the lower-level academic units to which he or she belongs and the chair or dean shall discuss the procedures with the faculty member. Faculty members should stay up to date on these procedures and academic units should keep their faculty members informed of any changes.

Faculty review committees shall be an essential part of the review and recommendation process for all full-time faculty. Review committees and administrators at all levels shall impose the highest standards of quality, shall ensure that all candidates receive fair and impartial treatment, and shall be responsible for maintaining the integrity and the confidentiality of the review and recommendation process.

Candidates for tenure and/or promotion are responsible for providing their academic unit with an accurate *curriculum vitae* detailing their academic and professional achievements. Candidates holding faculty rank at the University shall also make a written Personal Statement advocating their case for tenure and/or promotion based on the facts in their *c.v.*, on the applicable Criteria for Tenure and/or Promotion, and on their perspective of those achievements in the context of their discipline. Both the *c.v.* and the Personal Statement shall be presented in the form required by the University Appointment, Promotion and Tenure Procedures Manual at the beginning of the academic year in which a formal review for tenure and/or promotion will occur. These two documents shall be included with each request for external evaluation and shall be included in the promotion dossier reviewed at each level within the University. Within the University review system, units and administrators may express their judgments on the contents and on the significance of elements in either of the candidate's documents. Units may only ask in neutral language for external evaluators to comment on elements of these documents as part of their review but not suggest conclusions.

The burden of evaluating the qualifications and suitability of the candidate for tenure and promotion is greatest at the first level of review. Great weight shall be given at the higher

levels of review to the judgments and recommendations of lower-level review committees and to the principle of peer review.

The decision whether or not to award tenure or promotion shall be based primarily on the candidate's record of accomplishment in each of the three areas of teaching and advisement, research, and service, and the anticipated level of future achievements as indicated by accomplishments to date. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may legitimately be considered in the context of a tenure decision; but in no case shall the year of the tenure review be the first occasion on which these considerations are raised. The faculty and the unit chair or dean are responsible for advising untenured faculty on any and all programmatic considerations relative to the tenure decision, conveying such information to the candidate at the earliest opportunity during annual assessments of progress towards tenure.

When the President has completed his or her review of the tenure or promotion case and informed the candidate of the decision, the list of members of the unit, college, and campus committees shall be made public.

A. First-level Review

1. Eligible Voters: At the first-level unit of review, the review committee shall consist of all members of the faculty of that unit who are eligible to vote. To be eligible to vote within the first-level unit, the faculty member must hold a tenured appointment in the university and must be at or above the rank to which the candidate seeks appointment or promotion. Tenured faculty voting on promotions cases at the first-level of review may only do so in a single academic department or non-departmentalized school, and may only vote in units in which they have a regular appointment and where this is permitted by the unit's plan of organization. In those cases where a faculty member has the opportunity to vote in more than one department or non-departmentalized school, the faculty member votes in that department/school in which the faculty member holds tenure.

In those cases where a faculty member has the opportunity to vote at more than one level of review, the faculty member votes at the first level of review at which the faculty member has the opportunity to vote. There are two exceptions: (a) chairs or deans are excluded from voting as faculty in their first level unit; (b) if there are fewer than three (3) eligible faculty members in the first-level unit, the dean at his/her discretion shall appoint one or more eligible faculty members from related units as voting members of the first-level review committee, to ensure that the review committee shall contain at least three (3) persons. Consequently, in promotion and tenure cases of faculty with joint appointments, faculty

appointed by the dean to the first-level review committee of the primary unit, who are also members of a secondary unit providing input on a candidate, are permitted to vote on the candidate only in the primary unit where they have been appointed as member of the review committee by the Dean.

Although they do not have voting privileges, other faculty and the head of the first-level unit may be invited to participate in discussion about the candidate if the plan of organization and the bylaws of the unit permit.

Advisory Subcommittee: The first-level unit review committee may establish an advisory subcommittee to gather material and make recommendations, but the vote of the entire eligible faculty of the first-level unit shall be considered the faculty recommendation of the first-level unit.

Conduct of the Review: The first-level review committee shall appoint an eligible member of the faculty from the first-level unit to serve as chair and spokesperson for the candidate's review committee. The chair of the review committee is responsible for writing the recommendation on the candidate and recording the transactions at the review meeting. Under no circumstances may the chair of the unit or dean serve as spokesperson for the first-level unit review committee or write its report.

As the first-level administrator, the chair or dean shall submit a recommendation separately; the recommendation of the chair or dean shall be considered together with all other relevant materials by any reviewing committee at a higher level. Requests for information from higher level review units shall be transmitted to both the chair of the first-level unit review committee and the first-level unit administrator.

Joint Appointments: Faculty members with joint appointments hold both a primary appointment (in their tenure home) and one or more secondary appointments (in the unit or units that are not their tenure home). When a joint appointment candidate is reviewed for appointment, promotion and/or tenure, the primary appointment unit is responsible for making the recommendation after first obtaining advisory input from the (one or more) secondary units, as appropriate. The advisory input from secondary unit(s) will be as follows:

- If the candidate holds a temporary appointment in the secondary unit, then the secondary unit's advice to the primary unit shall consist solely of a written recommendation by the chair or director of the secondary unit.

- If the candidate holds a permanent appointment in a secondary unit that is neither an academic department nor a non-departmentalized school, then the director's recommendation will be informed by advice from the faculty in the unit who are at or above the rank to which the candidate aspires. That advice shall be in a format consistent with the unit's plan of organization. If the plan of organization includes a vote, the vote may not include those eligible to vote elsewhere on the candidate.
- If the candidate holds a permanent appointment in a secondary unit that is either an academic department or a non-departmentalized school, then there shall be both a vote of the faculty in the unit who are at or above the rank to which the candidate aspires and a written recommendation by the head of that unit. The restriction on multiple faculty votes continues to apply in this instance.

The secondary unit's review of the candidate shall be provided to the first-level unit review committee and the first-level administrator. If the chair/director of the secondary unit is also a member of the candidate's primary unit, the chair/director may participate in the deliberations of the primary unit, but may not vote on the candidate's promotion in that unit.

2. The committee shall solicit letters of evaluation from six or more widely recognized authorities in the field, chosen from a list that shall include individuals nominated by the candidate. At least three letters and at most one-half of the requested letters shall be from persons nominated by the candidate.
3. Each first-level unit shall provide for the mentoring of each assistant professor and of each untenured associate professor by one or more members of the senior faculty other than the chair or dean of the unit. Mentors should encourage, support, and assist these faculty members and be available for consultation on matters of professional development. Mentors also need to be frank and honest about the progress toward fulfilling the criteria for tenure and/or promotion. Following appropriate consultations with members of the unit's faculty, the chair or dean of the unit shall independently provide each assistant professor and each untenured associate professor annually with an informal assessment of his or her progress. Favorable informal assessments and positive comments by mentors are purely advisory to the faculty member and do not guarantee a favorable tenure and/or promotion decision.

The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for tenure and promotion in

the third year of an assistant professor's appointment. The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for promotion to the rank of professor in the fifth year of a tenured associate professor's appointment and every five years thereafter. An associate professor may request an intermediate review earlier than the five years specified. The purposes of these intermediate reviews are to assess the candidate's progress toward promotion, to inform the reviewed faculty member of that assessment, to inform the faculty members more senior to that faculty member who will eventually consider him or her for promotion of that assessment, and to advise the candidate and the first-level administrator of steps that should be taken to improve prospects for promotion. These intermediate reviews shall be structured in a similar fashion to reviews for tenure and/or promotion according to the unit's plan of governance but normally will not involve external evaluations of the faculty member. If it is deemed necessary to obtain informal external evaluations, the academic unit must adopt written procedures applying this requirement to all intermediate reviews and these procedures must be approved by the academic administrator (dean or provost) at the next level of review.

Any change in the nature of the institution's or the unit's programmatic needs which may have a bearing on the candidate's prospects for tenure should be brought to the attention of the candidate at the earliest possible time. In addition, first-level units shall make the best possible effort to advise tenure-track faculty of the prevailing standards of quality and of the most effective ways to demonstrate that they meet the standards. The advice and assessments provided to untenured candidates should avoid simplistic quantitative guidelines and should not suggest or imply that tenure decisions will be based on the quantity of effort or scholarly activity, independently of its intellectual quality.

4. A tenure-track or tenured faculty member may request a formal review for tenure or promotion.
5. The tenure or promotion case shall go forward to the next level of review if fifty percent of the faculty vote cast is favorable (or such higher percentage as may be established by procedures or guidelines of the first-level unit) or if the recommendation of the administrator of the first-level unit is favorable. If both faculty and unit administrator recommendations are negative, the case shall be reviewed at the next level only by the dean (or, in the case of a non-departmentalized school or college, the Provost). The dean (or Provost) shall review the case to ensure that the candidate has received procedural and substantive due process, as defined in Section V.B.1.b. If the dean (or Provost) believes that the candidate has

not received due process, he or she shall direct the unit to reconsider. The candidate may withdraw from his or her review at any time prior to the President's decision.

6. The first-level review committee shall prepare a concise Summary Statement of Professional Achievements on each candidate for tenure and/or promotion. The Summary Statement shall place the professional achievements of the candidate in scholarship, research, artistic performance, and/or Extension in the context of the broader discipline. It shall place the candidate's professional achievements in teaching and in service in the context of the responsibilities of the unit, the college or school, the University, and the greater community. The Summary Statement shall be factual and objective, not evaluative. The Summary Statement shall be reviewed by the candidate at least two weeks before the meeting at which the academic unit begins consideration of its recommendation on tenure and/or promotion. If the candidate and the committee cannot agree on the Summary Statement, the candidate has the right and the responsibility to submit a Response to the Summary Statement of Professional Achievements for the consideration of the voting members of the review committee and the academic unit must note the existence of the Response in the unit's Summary Statement. The purpose of the Summary Statement is to set the candidate's work in the context of the field for each level of review within the University and it is not to be sent to external evaluators or others outside the University.
7. The chair of the first-level review committee shall prepare a written report stating the committee's vote and recommendation on whether or not to grant tenure or promotion, and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taking place among the members of the committee. This letter will be provided to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberation who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.
8. The recommendation of the first-level administrator shall likewise be in writing. The administrator's recommendation shall be transmitted to the second-level review and shall be made available to all eligible members of the first-level faculty.
9. If a faculty member must be given a formal review for tenure in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, and the chair or dean of the

first-level academic unit of which the appointee is a member fails to transmit, by the date specified in paragraph IV.F.2 of this policy, a tenure recommendation for the appointee, the Provost shall extend the deadline for the transmittal of such recommendations and instruct the first-level unit to forward recommendations and all supporting documents as expeditiously as possible.

B. Second-level Review

1. Second-level review of recommendations for promotion and tenure from departments shall be conducted within the appropriate college. The second-level review committees shall be established in conformity with the approved bylaws of the college. The dean may be a non-voting ex-officio member but not a voting member of the committee. Each second-level committee shall elect its own chair and an alternate chair; the latter shall serve as chair when a candidate from the chair's own unit is under discussion. A committee member who is entitled to vote in a lower-level review of a candidate may be present for the discussion of that candidate but shall not participate in the discussion in any way and shall not vote on that candidate. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the second-level review committee shall not discuss specific cases with anyone who is not a member of the second-level review committee. The membership of the committee shall be made public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.
2. Review of recommendations for promotion and tenure from non-departmentalized schools and colleges shall be conducted by the third-level review (see Section IV.C.1) committee.
3. Both the recommendation of the second-level committee and the recommendation of the second-level administrator shall go forward to be considered, together with all other relevant materials, at higher levels of review.
4. When significant questions arise regarding the recommendations from the first-level review or the contents of the dossier, the second-level review committee shall provide an opportunity for the chair of the first-level academic unit and the designated spokesperson of the first-level unit review committee to meet with the second-level committee to discuss their recommendations; the committee shall provide them with a written list of

the committee's general concerns about the candidate's case prior to the meeting. The second-level review committee may also request additional information from the first level of review by following the procedures described in Section F1 below.

5. Whether its recommendation is favorable or unfavorable, the committee shall, as soon as possible and no later than thirty (30) days after the decision, transmit through the dean its decision, its vote, and a written justification to the Provost. The dean of the college shall also promptly transmit his or her recommendation with a written justification to the Provost.

C. Third-level Review

1. A third- or campus-level review committee shall be established in the following manner: The Provost shall appoint nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical, and Natural Sciences; Education; Engineering; School of Public Health) and one from among the four small colleges (Architecture, Planning, and Preservation; Information Studies; Journalism; Public Policy). Since this committee shall make its recommendations on the basis of whether or not the University's high standards for tenure and/or promotion have been met, members of this committee shall have a track record of outstanding academic judgment along with sufficient intellectual breadth and depth to be capable of comparing and judging candidates from varied disciplinary, cross-disciplinary, and professional backgrounds. No small college shall be represented on the committee more frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position may serve as a voting member of the committee. The Provost shall be a non-voting ex-officio member. A committee member who is entitled to vote in a lower-level review of a candidate shall not be present for the discussion of that candidate and shall not vote on that candidate. Appointments to the third-level review committee from the eight large colleges shall be for three years while the appointment from one of the four small colleges shall be for two years, with the terms staggered so that approximately one-third of the committee is replaced each year. No one may serve two consecutive terms. The third-level review committee shall elect its own chair and alternate chair. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the third-level review committee

shall not discuss specific cases with anyone who is not a member of the third-level review committee. The membership of the committee shall be made public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.

2. When questions arise regarding the recommendations from either the first- or second-level reviews or the contents of the dossier, the third-level committee shall provide the opportunity for the first-level unit administrator, the spokesperson for the first-level faculty review committee, the dean of the college, and the chair of the second-level review committee to meet with the third-level committee to discuss their recommendations; the committee shall provide them with a written list of the committee's general concerns about the candidate's case prior to the meeting. The third-level review committee may also request additional information from the first and second levels of review by following the procedures prescribed in Section F1 below.
3. The committee shall promptly transmit its recommendation and a written justification through the Provost to the President, along with all materials provided from the lower levels of review. The Provost and the President shall confer about the case, and the Provost shall transmit his or her recommendation and a written justification to the President. If the Provost's recommendation differs from that of the third-level committee or from that of the Dean, the Provost will meet with the committee and/or the dean to discuss the review. After the President has made a decision, a report on the decisions reached at the third level of review shall be provided to the second-level administrator and faculty committee chair, the first-level administrator and faculty chair, and to the candidate.
4. The Third-level Review Committee and the Provost shall conduct an end-of-the-year review of appointment, promotion, and tenure. The Committee shall write a public Annual report, the purpose of which includes improving the understanding of faculty members and of academic units about appointments, promotion, and tenure. The report should include any recommendations for improvements in policy, procedures, or the carrying out of reviews of candidates. The Provost shall write a public report annually giving statistical information on the appointment, promotion, and tenure cases considered during the academic year.

D. Notification to Candidates for Tenure and/or Promotion

Upon completion of the first-level review, the unit administrator at the first level

shall within two weeks of the date of the decision: (1) inform the candidate whether the recommendations made by the faculty committee and the unit administrator were positive or negative (including specific information on the number of faculty who voted for tenure and/or promotion, the number who voted against, and the number of abstentions), and (2) prepare for the candidate a letter summarizing in general terms the nature of the considerations on which those decisions were based. At higher levels of review, summaries shall be provided to the candidate whenever either or both faculty and administrator recommendations are negative. The chair of the faculty committee shall review the summary letter prepared by the unit administrator in order to ensure that it accurately summarizes the considerations regarded as relevant by the faculty committee at that level. The chair of the faculty committee at each level shall be provided access to the unit administrator's letters to the candidate and to the next level of review in order to ensure that the summary accurately reflects the recommendation and rationale provided to higher levels of review. In addition, both letters shall be made available for review in the office of the chair (dean or Provost) by any member of the faculty committee at that level. In the event that the chair of the faculty committee and the unit administrator are unable to agree on the appropriate language and contents of the summary letter, each shall write a summary letter to the candidate. A copy of all materials provided to the candidate shall be added to the tenure or promotion file as the case proceeds through higher levels of review.

E. Presidential Review

Full-time appointments or promotions to the ranks of Associate Professor or Professor require the written approval of the President, in whom resides final authority for promotion and granting of tenure to faculty. Final authority for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.

F. General Procedures Governing Promotion and Tenure

1. With the exception of the third-level review committee, in their reviews of tenure and promotion recommendations from lower levels, upper-level administrators or review committees may not seek or use additional information from outside sources concerning a candidate's merits unless:
(1) the materials forwarded from lower levels indicate the presence of a significant dissenting vote or divided recommendations from a lower level; (2) representatives from the first-level unit participate in the selection of additional persons to be consulted; and (3) the assessments received from these external sources are shared with and considered by the first-level review committee and by the unit's chair or dean; and (4) the review committee and the unit's academic administrator have the

opportunity to reconsider their recommendations in the light of the augmented promotion dossier. The third-level review committee may seek additional information on any candidate as it chooses, although it must follow (2), (3) and (4) as described above. In doing so, the committee should ask the Provost to obtain the additional information from the Dean, who would then consult with the Department Chair to obtain faculty input. The evidential basis for upper-level committees and administrators should be restricted to the materials as assembled and evaluated by the first-level unit, with the exception of information obtained in compliance with the procedures just described. Candidates for tenure or promotion, however, are permitted to bring to the attention of the university administration any changes in their circumstances which might have a significant bearing on the tenure or promotion question. In the event that candidates for tenure or promotion bring information of this sort to the attention of upper-level committees or administrators after the first-level review has been concluded, these committees or administrators may take these changes into account in reaching their decisions and may elect to send the case back to the first-level for reconsideration.

2. The candidate's application and supporting materials, and the reports and recommendations of the first-level committee and administrator, shall be transmitted to the appropriate levels of secondary review no later than a date set annually by the Provost.
3. If an untenured faculty member requests leave without pay for a year or more, the dean of the college in which the faculty member will be considered for tenure shall recommend whether or not the faculty member's mandatory tenure review will be delayed. A positive recommendation from the dean to stop the tenure clock shall require evidence: (1) that the leave of absence will be in the interest of the University, and (2) that the faculty member's capacity to engage in continued professional activity will not be significantly impaired during the period of the leave. The dean's recommendation shall be included in the proposal for leave submitted to the Provost. Delay of the mandatory tenure review requires the written approval of the Provost.
4. A faculty member who would otherwise receive a formal review for tenure may waive the review by requesting in writing that he or she not be considered for tenure. A faculty member who has waived a tenure review shall receive whatever terminal appointments he or she would have received if tenure had been denied. A faculty member at any rank who has been denied tenure and who is ineligible for further consideration shall receive an additional and terminal one-year appointment in that rank.

5. All recommendations for the appointment of faculty below the rank of Associate Professor shall be transmitted for approval through the various levels of review to the President or designee. Final authority for any appointment that confers tenure or for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.
6. After a negative decision by the President, candidates for promotion or tenure shall be notified by certified mail. Determination of the time limits for the period during which an appeal may be made shall be based on the date of the candidate's receipt of the President's letter.

G. Procedures Governing the Granting of Emerita/Emeritus Status

1. Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV who have been members of the faculty of the University of Maryland at College Park for ten or more years, and who give to their chair or dean proper written notice of their intention to retire, are eligible for nomination to emerita/emergitus status (see I.F.12 Emerita, Emeritus). Only in exceptional circumstances may Professors with fewer than ten years of service to the institution be recommended for emerita/emergitus status.
2. The decision whether or not to award emeritus standing shall be based primarily on the candidate's record of significant accomplishment in any of the three areas of (1) teaching and advisement, (2) research, scholarship, and creative activity, and (3) service.
3. If a faculty member gives notice of intention to retire before March 15, the first-level tenured faculty shall vote on emeritus standing within 45 days of the notice. If notice is given after March 15, the vote shall be taken no later than the 45th day of the following semester. The result of the vote shall be transmitted in writing to the candidate and to the administrator of the unit no later than ten days after the vote is taken. A faculty member who has not been informed of the decision concerning his or her emeritus standing within the time limits specified, shall be entitled to appeal the action as a negative decision in accordance with V.B.2.
4. The review committee of the first-level unit shall consist of all eligible members of the faculty. Eligible members of the faculty are all full-time tenured associate and full professors, as appropriate, excluding the chair or dean. The vote of the entire eligible faculty shall be considered the recommendation of the faculty. The chair or dean shall submit a

recommendation separately; the recommendation of the chair or dean shall be considered together with all relevant materials by administrators at higher levels.

5. An emeritus case shall go forward to the next level of review if the department chair's recommendation is positive or the faculty vote is at least fifty percent favorable.
6. The chair of the first-level committee shall prepare a written report, stating the committee's vote and recommendation on whether or not to award emeritus standing and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taken place among the members of the committee. This letter will be forwarded to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberations who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.
7. The recommendation of the first-level administrator shall also be in writing. The administrator's recommendation shall be transmitted to the second-level of review and a copy shall be made available for review by any member of the faculty participating in the unit's review deliberations.
8. Second-level review of recommendations of emeritus standing shall be conducted by the appropriate dean. Second-level reviews of recommendations from non-departmentalized schools and colleges shall be conducted by the Provost. The second-level recommendation of the dean or the Provost, together with all other relevant materials, shall be transmitted to the President.
9. The President shall make the final decision on the award of emeritus standing.
10. Faculty members with ten or more years of service to the University who retired prior to the effective date of this policy and who have not been granted emeritus standing may apply to their departments for consideration as in Section IV.G.1.

H. Termination of Faculty Appointments for Cause

If a tenured or tenure-track faculty member whose appointment the campus administration seeks to terminate for cause requests a hearing by a hearing officer, the hearing officer shall be appointed by the President from a college or

school other than that of the appointee, with the advice and consent of the faculty members of the Executive Committee of the Campus Senate. If the appointee requests a hearing by a faculty board of review, members of the board of review shall be appointed by the faculty members of the Executive Committee of the Campus Senate from among tenured Professors not involved in administrative duties.

V. THE APPEALS PROCESS

A. Appeals Committees

1. The President shall appoint an appeals committee. This committee shall consist of nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical, and Natural Sciences; Education; Engineering; School of Public Health) and one from among the four small colleges (Architecture, Planning, and Preservation; Information Studies; Journalism; Public Policy). No small college shall be represented on the committee more frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position and no one who has participated in the promotion and tenure review process of the appellant shall serve on the campus appeals committee. Appointment to the campus appeals committee shall be for one year, and no one may serve two consecutive terms. Appeals committees shall elect their own chairs. The committee members must maintain absolute confidentiality in their consideration of cases.
2. Special appeals committees at the college, school or campus level shall be appointed by the dean, Provost or President in a manner consistent with the policies, bylaws, or practice of the respective unit.

B. Guidelines and Procedures for Appeals

1. Negative Promotion and/or Tenure Decisions

a. Mandatory and Non-Mandatory Reviews

When a candidate for promotion and/or tenure receives notification from the President, dean or chair that promotion or tenure was not awarded, the candidate may appeal the decision by requesting that the President submit the matter to the Campus Appeals

Committee for consideration. The request shall be in writing and be made within sixty (60) days of notification of the negative decision. If the request is granted, all papers to be filed in support of the appeal must be submitted to the Appeals Committee not later than one hundred and twenty (120) days after notification unless otherwise extended by the President because of circumstances reasonably beyond control of the candidate. In writing these appeals letters, the appellant should be aware that these letters serve as the evidentiary basis for investigations of the validity of the appeal and that, should the President accept the request and refer the appeal to the Campus Appeals Committee, these letters shall be shared by the Campus Appeals Committee with the parties against whom allegations are made and any other persons deemed necessary by the Committee for a determination of the issues.

b. Grounds for Appeal

The grounds for appeal of a negative promotion and tenure decision shall be limited to (1) violation of procedural due process, and/or (2) violation of substantive due process.

A decision may not be appealed on the ground that a different review committee, department chair, dean or Provost exercising sound academic judgment might, or would, have come to a different conclusion. An appeals committee will not substitute its academic judgment for the judgment of those in the review process.

Violation of procedural due process means that the decision was negatively influenced by a failure during the formal review for tenure and/or promotion by those in the review process to take a procedural step or to fulfill a procedural requirement established in relevant promotion and tenure review procedures of a department, school, college, campus or system. Procedural violations occurring prior to the review process are not a basis for an appeal and are dealt with under the provisions of paragraph 4 of the introduction to Section IV, Promotion, Tenure, and Emeritus Review.

Violation of substantive due process means that: (1) the decision was based upon an illegal or constitutionally impermissible consideration; e.g. upon the candidate's gender, race, age, nationality, handicap, sexual orientation, or on the candidate's

exercise of protected first amendment freedoms (e.g., freedom of speech); or (2) the decision was arbitrary or capricious, i.e., it was based on erroneous information or misinterpretation of information, or the decision was clearly inconsistent with the supporting materials.

c. Standard of Proof

An appeal shall not be granted unless the alleged grounds for appeal are demonstrated by a preponderance of the evidence.

d. Responsibilities and Powers of the Appeals Committee

1. The appeals committee shall notify the relevant administrators and APT chairs in writing of the grounds for the appeal and meet with them to discuss the issues.
2. The appeals committee shall meet with the appellant to discuss and clarify the issues raised in the appeal.
3. The appeals committee has investigative powers. The appeals committee may interview persons in the review process whom it believes to have information relevant to the appeal. Additionally, the Appeals Committee shall examine all documents related to the appellant's promotion or tenure review and may have access to such other departmental and college materials as it deems relevant to the case. Whenever the committee believes that a meeting could lead to a better understanding of the issues in the appeal, it shall meet with the appropriate party (with the appellant or with the relevant academic administrator and APT chair).
4. The Appeals Committee shall prepare a written report for the President. The report shall be based upon the weight of evidence before it. It shall include findings with respect to the grounds alleged on appeal, and, where appropriate, recommendations for corrective action. Such remedy may include the return of the matter back to the stage of the review process at which the error was made and action to eliminate any harmful effects it may have had on the full and fair consideration of the case. No recommended remedy, however, may abrogate the principle of peer review.

5. The President shall attach great weight to the findings and recommendations of the committee. The decision of the President shall be final. The decision and the rationale shall be transmitted to the appellant, the department chair, dean, chair(s) of the relevant APT committee(s) and Provost in writing.

e. Implementation of the President's Decision

1. When the President supports the grounds for an appeal, the Provost has the responsibility for oversight of the implementation of the corrective actions the President requires to be taken. Within 30 days of receipt of the President's letter, the Provost shall request the administrator involved to formulate a plan and a timeline for implementing and monitoring the corrective actions. Within 30 days after receipt of this letter, the administrator must supply a written reply. The Provost may require modification of the plan before approving it.
2. The Provost shall appoint a Provost's Representative to participate in all stages of the implementation of the corrective actions specified in the approved plan for the re-review, including participation in the meeting or meetings at which the academic unit discusses, reviews, or votes on its recommendation for tenure and/or promotion for the appellant. The Provost's Representative shall participate in these activities but does not have a vote. After the academic unit completes its review, the Provost's Representative shall prepare a report on all of the elements of corrective action specified in the approved plan and this report will be included with the complete dossier to be reviewed at higher levels within the University. The Provost's Representative shall be a senior member of the faculty with no previous or potential involvement at any level of review or appeal pertaining to the consideration of the appellant for tenure and/or promotion except for the participation as Provost's Representative as defined in this paragraph.
3. The Provost's request and the administrator's approved plan of implementation must be included in the dossier from the inception of the review. Re-reviews begin at the

level of review at which the violation(s) of due process occurred and evaluate the person's record at the time the initial review occurred unless otherwise specified by the President. The administrator at the level at which the errors occurred, in addition to evaluating the candidate for promotion, must certify that each of the corrective actions has been taken and describe how the actions have been implemented. Re-reviews must proceed through all levels of evaluation including Presidential review. The Provost's review of the dossier will include an evaluation of compliance with the requirements imposed in the President's decision to grant the appeal. If the Provost discovers a serious failure by the unit to comply with the corrective actions required, the Provost shall formulate and implement a new plan for corrective action with respect to the appellant. In addition, the Provost shall inform (in writing) the administrator of the unit where the failure arose and the Provost shall take appropriate disciplinary action.

f. Extension of Contract

In the event that the appellant's contract of employment will have terminated before reconsideration can be completed, the appellant may request the President to extend the contract for one additional year beyond the date of its normal termination, with the understanding that the extension does not in itself produce a claim to tenure through length of service.

2. Decision Not to Review

If a faculty member requests his or her first level academic unit to undertake a review for his or her promotion or early recommendation for tenure, and the academic unit decides not to undertake the review or fails to transmit a recommendation by the date announced for transmittals, as specified in IV.F.2, above, the faculty member may appeal to the dean (if in a department) or to the Provost (if in a non-departmentalized school or college) requesting the formation of a special appeals committee to consider the matter. The request shall be made in writing. It shall be made promptly, and in no case later than thirty (30) days following written notification of the decision of the first-level academic unit.

If the dean or Provost determines not to form a special appeals committee, the faculty member may appeal to the Provost (if the decision was the

dean's) or to the President (if the decision was the Provost's) requesting formation of the special appeals committee. Request shall be made in writing. It shall be made promptly, and in no case no later than thirty (30) days following written notification of the decision of the dean or Provost.

The grounds for appeal and the burden of proof shall, in all instances, be the same as set forth in V.B.1.b and c, above. A committee shall not substitute its academic judgment for that of the first-level unit. The responsibility of a special appeals committee shall be to prepare findings and recommendations. The committee may, for example, recommend that the dean or Provost extend the deadline for transmitting a recommendation and instruct the first-level unit to forward supporting documents as expeditiously as possible. A decision by a dean or the Provost, upon receiving the findings and recommendations of a special appeals committee, shall be final. A decision by the President shall be final.

3. Decision Not to Renew

When, prior to the mandatory promotion and tenure decision, an untenured tenure-track faculty member receives notification that his or her appointment will not be renewed by the first-level unit, he or she may appeal the decision in the manner described in V.B.1.a above.

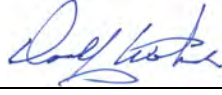
4. Emeritus Standing

An unsuccessful candidate for emeritus standing may appeal the decision in the manner described in V.B.1. above.

**APPENDIX 2 - CHARGE FROM THE SENATE EXECUTIVE COMMITTEE
ON CONSIDERATION OF A NEW POST-DOCTORAL TITLE**



**University Senate
CHARGE**

Date:	February 24, 2015
To:	Devin Ellis Chair, Faculty Affairs Committee
From:	Donald Webster Chair, University Senate 
Subject:	Consideration of a New Post-Doctoral Title
Senate Document #:	14-15-28
Deadline:	March 27, 2015

The Senate Executive Committee (SEC) requests that the Faculty Affairs Committee (FAC) review the professional track faculty titles and consider whether a new title for post-doctoral appointments is necessary.

Specifically, we ask that you:

1. Review the recently revised University of Maryland, College Park Policy on Appointment, Promotion and Tenure of Faculty (II-1.00 [A]) to review the titles currently available for professional track faculty.
2. Consult with a representative from the University's Office of Faculty Affairs on a potential new title.
3. Consider whether the title structure should include an entry-level title for post-doctoral appointments.
4. Consider examples of post-doctoral appointments at other institutions.
5. Consider the challenges faced by different disciplines in supporting post-doctoral appointments.
6. Consult with the University's Office of General Counsel on any proposed recommendations.

We ask that you submit a report to the Senate Office no later than March 27, 2015. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

DW/rm