

University Senate

April 23, 2015

Members Present

Members present at the meeting: 93

Call to Order

Senate Chair Webster called the meeting to order at 3:22 p.m.

Approval of the Minutes

Chair Webster asked for additions or corrections to the minutes of the April 8, 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 asked senators to reach out to the campus community about participating in shared governance and encourage the campus community to volunteer to serve on a committee by going to www.senate.umd.edu. He especially encouraged faculty to volunteer for committee assignments and urge other faculty to volunteer as well and noted that the deadline to volunteer is April 30, 2015.

Remaining Senate Meetings

Webster reminded Senators that this was the last business meeting of the semester for any outgoing Senators. He asked them to stand to be recognized for their service.

Webster noted that the May 6, 2015 transition meeting would be for all continuing and incoming senators. Willie Brown will begin his term as Senate Chair, and the Senate will vote for its next chair-elect and elected committees. The names of candidates running for the various committees and their candidacy statements were distributed to incoming and continuing senators last week. The agenda and additional materials for that meeting will be sent out on April 29, 2015.

Committee Reports

Campus Safety Report 2015 (Senate Doc. No. 14-15-34) (Information)

Webster stated that the Campus Safety Report had been provided as an informational item from the Campus Affairs Committee. He noted that the report outlines information gathered through a survey and additional outreach efforts

A verbatim tape of the meeting is on file in the Senate Office.

and details the top concerns reported by faculty, staff, and students at the University.

*Chair Webster stated that the Senate had received a request to videotape its proceedings on the Sexual Misconduct Policy. He explained that this would require a motion from a senator and a vote by the Senate. He asked if any senators would like to make the motion. Senator Beckett made the motion to allow videotaping and it was seconded. Chair Webster called for a vote on the motion. The result was 67 in favor, 7 opposed, and 5 abstentions. **The motion passed.***

PCC Proposal to Establish an Area of Concentration in Health Equity for the Master of Public Health (Senate Doc. No. 14-15-32) (Action)

Gregory Miller, Chair of the Programs, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Establish an Area of Concentration in Health Equity for the Master of Public Health and provided background information.

Webster opened the floor to discussion of the proposal; hearing none, Webster called for a vote on the proposal. The result was 81 in favor, 1 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

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)

Gregory Miller, Chair of the Programs, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Establish an Area of Concentration in Health Policy Analysis and Evaluation for the Master of Public Health and provided background information.

Webster opened the floor to discussion of the proposal; hearing none, Webster called for a vote on the proposal. The result was 82 in favor, 1 opposed, and 0 abstentions. **The motion to approve the proposal passed.**

Addition of User Experience Working Group to the IT Council (Senate Doc. No. 14-15-10) (Action)

Jess Jacobson, Chair of the Elections, Representation and Governance (ERG) Committee presented the Addition of User Experience Working Group to the IT Council and provided background information.

Webster opened the floor to discussion of the proposal; hearing none, Webster called for a vote on the proposal. The result was 79 in favor, 2 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

**Review of the Interim University of Maryland Sexual Misconduct Policy
(Senate Doc. No. 14-15-11) (Action)**

Terry Owen, Chair of the Equity, Diversity, and Inclusion (EDI) Committee presented the Review of the Interim University of Maryland Sexual Misconduct Policy and provided background information.

Webster opened the floor to discussion of the proposal.

Senator Jacobson, exempt staff, asked for clarification on the review process of the policy in the other committees and questioned how the policy applied to satellite campuses such as Shady Grove and Hagerstown.

Owen responded that the other committees have been charged with reviewing the procedures for faculty, staff, and students not the policy being reviewed today. He also noted that the committee did not focus on the procedures but rather the policy, which includes contact information available to anyone. Jacobson asked for clarification on which committee were charged with the procedures.

Owen responded that Student Conduct was charged with reviewing the student procedures, Staff Affairs with the staff procedures, and Faculty Affairs with the faculty procedures.

Senator Aparicio Blackwell, exempt staff, questioned how the policy revisions made by EDI would affect the current review of the policy in the Staff Affairs Committee.

Owen stated that Staff Affairs was charged with reviewing the staff procedures in the appendix of the policy.

Chair Webster clarified that the interim sexual misconduct policy was provided to the Staff Affairs Committee as background information for its review of the staff procedures.

Owen further noted that the committee's proposal was for the policy but that each committee would present the procedures in the fall.

Hearing no further discussion, Webster called for a vote on the proposal. The result was 70 in favor, 10 opposed, and 6 abstentions. **The motion to approve the proposal passed.**

**UM Guidelines for Appointment, Evaluation, and Promotion of Professional
Track Faculty (Senate Doc. No. 14-15-09) (Action)**

Devin Ellis, Chair of the Faculty Affairs Committee presented the UM Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty and provided background information.

Webster opened the floor to discussion of the proposal.

Senator Boyle, faculty, College of Computer, Mathematical, and Natural Sciences, stated that he generally supported the changes but that flexibility would help, and he raised concerns about implementation costs. Specifically, he would like units to have flexibility in the involvement of PTK faculty in appointments by removing the requirement. He noted that the Mathematics Department already includes lecturers in the appointment process for some hires. He made a motion to amend the guidelines as follows in pink:

III. 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.

Chair Webster called for a second. The amendment was seconded.

Chair Webster opened the floor to discussion of the amendment.

Ellis clarified that the committee's intent was to convey that it is appropriate for PTK faculty to be involved in appointment processes for other PTK faculty in their unit. The degree of involvement will vary based on the structure and needs of the unit. He noted that the issue is not just about lecturers or part-time vs. full-time appointments but rather involvement by PTK faculty. He stated that the committee would not support the amendment because removal of that language would exclude that involvement entirely.

Senator Baron, part-time lecturer, stated that if the concern were related to workload, adding additional PTK faculty would provide additional hands to perform that labor. She also noted the varying definitions of part-time throughout campus. She suggested that someone with extensive experience in the unit, regardless of whether they are part-time, could still bring valuable perspective to the appointment process.

Hearing no further discussion, Chair Webster called for a vote on the amendment. The result was 28 in favor, 39 opposed, and 14 abstentions. **The amendment failed.**

Senator Boyle, faculty, College of Computer, Mathematical, and Natural Sciences, raised concerns about flexibility for units in the mentoring requirements of graduate students by PTK faculty. He made a motion to amend the guidelines as follows in pink:

III. C. Policies and procedures shall explicitly address mentoring of junior PTK faculty by senior PTK faculty, **as well as and, where appropriate,** 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.

Chair Webster called for a second. The amendment was seconded.

Chair Webster opened the floor to discussion of the amendment.

Ellis stated that the language was included to ensure mentoring by and for PTK faculty. Graduate students were included because the committee was aware of instances where it was needed and not allowed or seen as inappropriate.

Senator O'Meara, faculty, College of Education, echoed Ellis' comments and stated that as she reads the language it provides opportunities for PTK faculty to have access to mentoring. She noted that it is similar to the mentoring language for tenured/tenure-track faculty. This allows PTK faculty to understand what is necessary to move up through the promotion ladder. This language ensures that colleges provide opportunities for mentoring but that not every college will do it the same. She stated that the college policies could define whether or not it is appropriate for PTK faculty to mentor graduate students.

Senator Boyle stated that he felt that the language seemed to require mentorship. He also noted that the Provost had the authority to reject plans that were not in compliance.

Dean Caramello, Graduate School, stated that there are campus-level guidelines and policies for mentoring graduate students that cannot be superseded by college policies. Colleges can make policies for what they wish to do with mentoring of graduate students, but these policies will need to go before the Graduate Council.

Senator Baron, part-time lecturer, stated that one size does not fit all. There are firm barriers in some units that create a lack of clarity for students. She encouraged clarity and its benefits to everyone including students.

Chair Webster called for a vote on the amendment. The result was 55 in favor, 18 opposed, and 6 abstentions. **The amendment passed.**

Senator Boyle, faculty, College of Computer, Mathematical, and Natural Sciences, raised concerns about the requirement for mentoring of and by PTK faculty. He noted that this requirement would inflict an unfunded mandate for additional work without additional pay in difficult budget times. He made a motion to amend the guidelines as follows in pink:

V.B. **Where appropriate,** 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.

Chair Webster called for a second. The amendment was seconded.

Chair Webster opened the floor to discussion of the amendment.

Ellis stated that he objected to the amendment because placing “where appropriate” at the beginning will be an escape clause that results in inaction by units. The committee was deliberately firm on this statement because mentoring is appropriate. He noted that with the new promotion ladders for PTK, mentoring is critical so that PTK faculty can understand the requirements for achieving specified goals and moving up through the ranks. He noted that the culture on the campus must shift so that PTK faculty can meet expectations by being mentored.

Senator Boyle stated that he agreed with Ellis but would like some flexibility on when mentoring is appropriate.

Hearing no further discussion, Chair Webster called for a vote on the amendment. The result was 24 in favor, 54 opposed, and 6 abstentions. **The amendment failed.**

Senator Boyle, faculty, College of Computer, Mathematical, and Natural Sciences, asked for clarification in the language that the committee reviews PTK faculty. He made a motion to amend the guidelines as follows in pink:

V.E. Membership of **review** committees, which review PTK faculty, shall include PTK faculty.

Chair Webster called for a second. The amendment was seconded.

Chair Webster opened the floor to discussion of the amendment.

Ellis stated that he believed that the language was clear because the committee encountered some examples of units that have review committees that include both tenured/tenure-track faculty and PTK faculty.

Senator Boyle noted that there are examples of review committees where inclusion of PTK faculty would not be appropriate, so that is why the clarification is necessary.

Ellis responded that APT policies already have specific guidelines on membership.

Senator Campbell, faculty, College of Education, stated that her department has PTK faculty in ranks for the clinical faculty. They have developed two kinds of promotion committees (tenured track and non-tenure track). This amendment clarifies the two different types of committees that could be possible in a unit. She stated her support for the amendment.

Hearing no further discussion, Chair Webster called for a vote on the amendment. The result was 70 in favor, 9 opposed, and 3 abstentions. **The amendment passed.**

Senator Boyle, faculty, College of Computer, Mathematical, and Natural Sciences, raised concerns about the requirements to provide longer contracts for PTK faculty. He stated that this was an admirable goal that he endorsed and noted that the Mathematics Department has been moving towards longer contracts but would like flexibility in the language. He made a motion to amend the guidelines as follows in **pink**:

IV.D. In accordance with provisions within University policy (II-1.00[A]), **PTK faculty shall be given progressively longer contracts whenever possible units are strongly encouraged to give progressively longer contracts when feasible**, to provide additional stability for the faculty member as well as for the unit.

Chair Webster called for a second. The amendment was seconded.

Chair Webster opened the floor to discussion of the amendment.

Ellis stated that the committee opposed the amendment because it dilutes the principal of long-term contracts. He noted that it is an important goal to change the culture of the university towards recognizing the contributions of PTK faculty.

Senator Soltan, faculty, College of Behavioral and Social Sciences, stated that we are prone to make centralized decisions but we should take care to allow for flexibility. He urged the protection of smaller units in our policies. The amendment achieves the goal but still allows for flexibility. He urged senators to vote in favor of the amendment.

Ellis stated that there is already a lot of flexibility in the existing language. He stated that he did not support diluting the language. We should not make policy that will be ignored because there is an expectation that you only have to do it if you want to.

Hearing no further discussion, Chair Webster called for a vote on the amendment. The result was 28 in favor, 47 opposed, and 5 abstentions. **The amendment failed.**

Chair Webster opened the floor to discussion of the proposal as amended; hearing none, he called for a vote on the proposal as amended. The result was 70 in favor, 6 opposed, and 6 abstentions. **The motion to approve the proposal as amended passed.**

Consideration of a New Post-Doctoral Title (Senate Doc. No. 14-15-28) (Action)

Devin Ellis, Chair of the Faculty Affairs Committee presented the Consideration of a New Post-Doctoral Title and provided background information.

Webster opened the floor to discussion of the proposal.

Senator Moyes, faculty, College of Agriculture and Natural Resources, introduced Lisa Taneyhill. She applauded the efforts of the committee and colleagues for crafting the new title. She noted that she has been engaged in issues with respect to postdocs for many years and urged senators to vote in favor of the proposal. If the University wants to be progressive and at the forefront of the research enterprise, we must create a title such as this in keeping with other institutions across the country as well as internationally.

Senator Goodman, faculty, College of Computer, Mathematical, and Natural Sciences, raised concerns about the change of the overall term of a post-doctoral associate from six to five years. He stated that without a clear reason for the change, it should remain the six years that has historically existed so that people do not feel like they are being pushed out of a job if they are waiting for data etc. He made a motion to amend the proposal as follows in pink:

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.**

Chair Webster called for a second. The amendment was seconded.

Chair Webster opened the floor to discussion of the amendment.

Ellis noted that this was a complex issue and the committee was unaware that the change would go against existing practice in other disciplines outside the ones that they had spoken to. He noted that he was not opposed to the amendment.

Hearing no further discussion, Chair Webster called for a vote on the amendment. The result was 63 in favor, 8 opposed, and 7 abstentions. **The amendment passed.**

Chair Webster opened the floor to discussion of the proposal as amended.

Senator Delwiche, faculty, College of Computer, Mathematical, and Natural Sciences, introduced Jonathan Dinman. He stated that this proposal codifies their employment status so that they are eligible to buy health insurance through the State of Maryland rather than more expensive policies on the open market. This new policy also allows their retirement benefits to be invested on a pre-tax basis. A reasonable compromise was achieved on tuition remission benefits. The most important aspect is limiting the amount of time that a person can serve in these ranks. The university is emerging as the progressive and fiscally responsible leader in this national debate. He strongly urged senators to adopt the proposal.

Hearing no further discussion, Webster called for a vote on the proposal as amended. The result was 73 in favor, 3 opposed, and 3 abstentions. **The motion to approve the proposal passed.**

New Business

Senator Blair, part-time graduate student, raised concerns on behalf of part-time graduate students. She identified areas of concern including: class schedules; allowing for remote participation or observation of presentations; timing of social events; lack of convenient forums for mutual support; remote software access; guidance to connect students to the right staff person or resource; text or email alert systems when parking lots will not be available; and an unfortunate sense in some programs that part-time graduate students are somehow not “real” students. She noted that these areas affect the quality of their education experiences in various ways. She also noted the value of the perspectives that part-time graduate students bring to the learning and intellectual capital of our academic community. She stated that she looked forward to continuing the dialogue to address these concerns constructively.

Senator Jacobson, exempt staff, inquired how to request an amendment to the charges on the sexual misconduct procedures to consider sexual misconduct procedures for satellite campuses.

Chair Webster responded that the issue could be brought to the Senate Executive Committee for consideration at its meeting on April 28, 2015.

Senator Hurtt, faculty, School of Architecture, Planning, and Preservation, made a motion that the Senate approve the following resolution:

Whereas a large majority of the fourteen universities in the Big Ten do not sell alcohol at athletic events,

Whereas numerous studies show that alcohol consumption and sexual assault are linked together on college campuses,

Whereas selling alcohol at athletic events is tantamount to endorsing drinking,

Whereas selling alcohol at athletic events opens the door to selling alcohol at other campus events,

Whereas the University may try to control who can purchase alcohol, control over who will drink that alcohol is impossible,

Whereas many people who have purchased and consumed alcohol at athletic events will drive cars immediately after the event,

Be it resolved that the University Senate opposes the sale of alcohol at on-campus athletic events.

Chair Webster called for a second. The motion was seconded.

Chair Webster opened the floor to discussion of the motion.

Senator Goodman, faculty, College of Computer, Mathematical, and Natural Sciences, introduced Nicholas Hadley, Chair of the Athletic Council. He gave background information on the proposal and gave an overview of the Athletic Council's deliberation on the alcohol policy. He noted that the council spoke with various constituent groups, the legal office, and the Chief of the University of Maryland Police Department, looked at literature, and talked to peer institutions that had implemented similar changes. He stated that, at the moment, people of legal drinking age could consume alcohol at tailgates and purchase and drink alcohol in the suites in both stadiums. The proposal, if approved by the President and the College Park Liquor Board, would allow for the sale of beer and wine at sporting events. He stated that the council did not encounter any constituencies opposed to the policy. The Council also polled student athletes, coaches, and groups that attend games heavily. The Council also looked at the literature but there was not clear indication that allowing the sale of alcohol would make matters worse. In speaking with people at institutions where this change had been made, they did not note any negative effects on behavior. He noted concerns about drunk driving, binge drinking, and sexual assault but explained that there was a feeling that the change would not make things worse. He stated that there was an equity argument that the Council considered because liquor is already being served in the suites.

Dean Hamilton, Undergraduate Studies, raised concerns about one of the "whereas" statements in the resolution. She made a motion that the sentence be removed as follows in pink.

~~Whereas selling alcohol at athletic events is tantamount to endorsing drinking,~~

Chair Webster called for a second. The amendment was seconded.

Chair Webster opened the floor to discussion of the amendment; hearing none, he called for a vote on the amendment. The result was 59 in favor, 10 opposed, and 2 abstentions. **The amendment passed.**

Senator Ellis, research faculty, asked about the impact of the resolution on the Athletic Council's recommendation.

Chair Webster stated that the resolution, if approved, would go forward to the President in an advisory capacity.

Senator Baron, part-time lecturer, introduced Gay Gullickson. She stated that she has regarded the Senate as the primary policy body on the campus. This is a major

policy change, so the Senate should take a stand on the issue. The vast majority of our sister schools in the Big10 do not serve alcohol to the general public. She suggested that the motive for doing this is to attract more students to the game. She did not agree with crafting a policy for that reason. She also noted that we would open the door to alcohol being served at other events. She hopes that the Senate will take a stand on the issue and vote in favor of the resolution.

Patrick Ronk, non-voting ex-officio, SGA President, stated that the rationale for the proposal is to combat binge drinking. We need to acknowledge that students drink and it is safer to have it in a contained environment, similar to our on-campus tailgating initiative. He noted that benefits of a controlled environment with trained servers. He suggested that anecdotal evidence from other institution shows that irresponsible behavior and binge drinking go down when alcohol is sold at events. This has been shown in the Greek life tailgates and resulted in no emergency response calls and increased attendance. He noted that to date, no school has indicated an increase in problematic behavior related to the decision to sell alcohol and many have reported positive changes. He also noted that the importance of the revenue generated for mental health services. He reminded senators that the proposal is just for a one-year pilot program that can be rescinded if it does not work out. He also noted that this issue has gone to a shared governance body in the Athletic Council and was overwhelmingly approved. He urged senators to trust the people that have done the research and gathered the input necessary to make this decision.

Senator Belcher, undergraduate student, College of Behavioral and Social Sciences, introduced, Ian Moritz, Athletic Council Undergraduate Representative. He agreed with the statements made by Ronk. He noted that when the decision to start selling alcohol in the stadiums was made 20 years ago, the same rationale of reducing binge drinking was used at the time. He noted his engagement in the deliberative process in the Athletic Council. The decision was conclusive 16-1. He noted that binge drinking is bad but social drinking is ok. He did not agree with the rationale that the proposal was intended to increase student attendance when the games are already sold out. He urged senators to not make a rash decision.

Senator Belcher, undergraduate student, College of Behavioral and Social Sciences, introduced, introduced Ariel Bourne, Residence Hall Association (RHA) Executive Board and RHA Liaison, who noted that the issue has been considered for a long time. He stated that we would not do anything to endanger the people that we represent. He reiterated the research from institutions that have implemented the policy. He noted the advantages of getting drinking in a contained and regulated area and raising funds for mental health issues. He noted that Chief Mitchell supported the policy as well. He noted that the majority of comments received are supportive of the policy.

Chair-Elect Brown made a motion to extend the meeting by 15 minutes. The motion was seconded.

Senate Chair Webster reminded senators that the vote required a 2/3 majority in favor in order to pass. The result was 41 in favor, 23 opposed, and 2 abstentions.
The motion failed.

Adjournment

Senate Chair Webster adjourned the meeting at 5:02 p.m.