University Senate

September 7, 2016

Members Present

Members present at the meeting: 150

Call to Order

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

Special Order: Presidential Briefing

President Loh welcomed senators to the 2016-2017 academic year and commented on the importance of shared governance within the University and between the University and the Board of Regents. He noted that the composition of the Board of Regents had changed over the summer and explained the power of the Governor, his agenda, and his budget. He added that these ideas have repercussions on the University's budget and that the budget remains flat. While the budget has not been cut, mandatory costs such as health insurance and money to operate buildings are not funded. He also stated that certain major budgetary costs including benefits and facilities would be higher. This means that the University will be looking for new sources of revenue to cover increased costs.

Goodman opened the floor to questions.

Senator Knapp, undergraduate student, College of Behavioral and Social Sciences asked where new revenue streams will come from.

President Loh responded that some potential revenue sources include more research grants, the new $1.5 billion capital campaign, private funding, and creating administrative efficiencies.

Senator Spaur, undergraduate student, College of Behavioral and Social Sciences asked how students can work to bring about change.

President Loh responded that he had recently met with Robert Neall, Director of the Office of Transformation and Renewal for the State of Maryland, and a plan was in place to send a number of UMD students to work for the state government as interns to help them transform their processes and give students meaningful experience.

Goodman thanked President Loh for his remarks.

Approval of the Minutes

Chair Goodman asked for additions or corrections to the minutes of the May 5, 2016, Senate meeting; hearing none, he declared the minutes approved as distributed.

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

Report of the Chair

Slack

Goodman noted the importance of engagement. We want Senators to come to meetings prepared and engaged in the topics on the agenda so that meaningful discussion can take place. He stated that the action item surveys were used to get feedback on specific action items on each agenda, but that is unidirectional feedback. Goodman noted that he would like to move towards a more collaborative model of engagement. The SEC is piloting the use of Slack as an online discussion forum to encourage engaged and collaborative discussion prior to each meeting. We hope that this pilot will allow us to develop some guiding principles and structure that can then be applied to other groups such as the Senate itself and potentially even committees.

Sexual Assault Prevention Task Force

Goodman stated that the University had revised and approved the Sexual Misconduct Policy and Procedures for faculty, staff, and students this past year. The President and the University Senate would now like to consider the University's approach to sexual assault prevention on our campus. He noted that he and Montfort had met with various administrators across campus to gain a better understanding of existing programs related to sexual assault prevention. He stated that it is clear that the University is engaged in several programs related to sexual assault prevention and bystander intervention, but they are not coordinated in a comprehensive manner.

Goodman announced that President Loh and the University Senate have agreed to jointly form a Sexual Assault Prevention Task Force. The task force's membership and charge are currently being finalized, and it will begin its work shortly.

Special Order of the Day
Reka Montfort
Executive Secretary & Director
University Senate
Orientation: Senators, Senate Meetings, and Shared Governance

Reka Montfort, Executive Secretary & Director, provided an overview of the role of senators, the operations of Senate meetings, and the University's principles of shared governance. She noted that shared governance at the University means governance shared by faculty, staff, students, and administrators and the importance of the collective advice provided through this process. She also provided an overview of the Senate structure and how the senate committees and Senate Executive Committee interact with the Senate. Montfort provided information on the role of the Senate, including advising the President on policy matters, guiding documents, and academic programs. She also provided information on the Senate leadership and the distribution of Senators. Montfort gave an overview of the Senate standing committees and their role. She noted that Senate legislation can be tracked on the Senate website at http://www.senate.umd.edu/senateBills/. There anyone can search for past bills, review current bills, and review the stages of review as well as any related documents. Montfort provided an overview of Senate meetings including scheduling, accessing materials, protocol for speaking, voting, and senator responsibility. She stressed the importance of active participation of senators by coming to meetings prepared having reviewed all of the materials in advance and engaging constituents before and after Senate

meetings. Montfort concluded her presentation by giving an overview of the issues that the Senate will consider this upcoming year.

Chair Goodman thanked Montfort and opened the floor to any questions. Seeing none, he reminded Senators of the upcoming constituency meetings and encouraged Senators to talk to the Senate Leadership.

2015-2016 Senate Legislation Log (Senate Doc. No. 16-17-01) (Information)

Goodman explained that the legislation log had been provided to the Senate as an informational item. It gives an overview of the work completed by the Senate last year and also includes any pending items that will carry over to this year.

Senate Candidates Contact Information Requirement (Senate Doc. No. 15-16-19) (Information)

Goodman presented the Senate Candidates Contact Information Requirement (Senate Doc. No. 15-16-19) and explained that the Elections, Representation & Governance Committee (ERG) was charged with reviewing this proposal. In addressing this charge, the ERG Committee researched current and past Senate practice regarding elections and ballots. It also assessed existing campus resources for finding contact information on members of the University community. Given the privacy concerns and potential disincentives to running associated with providing more extensive contact information, and given the resources currently available for looking up more extensive contact information, the committee decided against recommending any changes to current procedures. Therefore, this report has been provided as an informational item for reference.

Consideration of a University of Maryland Weapons Policy (Senate Doc. No. 15-16-11) (Information)

Goodman explained that the Campus Affairs Committee (CAC) was charged with reviewing the proposal entitled, Consideration of a University of Maryland Weapons Policy (Senate Doc. No. 15-16-11**)**. The CAC reviewed current procedures on our campus, reviewed state laws related to weapons, considered peer institution information, and consulted with the Office of General Counsel. The committee determined that a policy should not be developed, noting that any University policy on weapons would require constant monitoring of state law to ensure the University is not out of alignment. The CAC felt that the University of Maryland Police Department (UMPD) is effectively enforcing state law, and felt that the protections provided by state law and UMPD practices are adequate. The CAC voted to recommend no changes to University policy or procedures.

The Senate Executive Committee agreed with the committee's recommendation but approved a motion to send an administrative recommendation to the Division of Administration & Finance and Public Safety to develop a communication plan regarding existing State Law with regards to weapons as it applies to our campus community.

Goodman noted that because the committee did not recommend any changes, this report is being provided as an informational item for reference.

Approval of the Standing Committee & Council Slates 2016-2017 (Senate Doc. No. 16-17-02) (Action)

Daniel Falvey, Chair of the Committee on Committees, provided background on the selection process and made a motion to approve the standing committee and council slates as presented. He also noted that there is one vacancy for a Contingent II staff member on the Staff Affairs Committee and encouraged senators to contact the senate office if they know anyone interested in filling the vacancy. Goodman asked whether there was discussion on the slates; hearing none, he called for a vote of the Senate. The result was 122 in favor, 2 opposed, and 12 abstentions. **The motion to approve the slates as presented passed.**

2016 CUSF Replacement Election Slate (Senate Doc. No. 16-17-03) (Action)

Goodman asked all faculty senators to take out the ballots for the vote of the Council of University System Faculty (CUSF). He opened the floor to additional nominations; hearing none, he asked the faculty senators to complete their ballots.

2016 Athletic Council Replacement Election Slate (Senate Doc. No. 16-17-04) (Action)

Goodman asked all staff senators to take out the ballots for the vote of the Athletic Council. He opened the floor to additional nominations; hearing none, he asked the staff senators to complete their ballots.

PCC Proposal to Rename the Master of Arts in Hearing and Speech Science to Speech-Language Pathology (Senate Doc. No. 16-17-05) (Action)

Andrew Harris, Chair of the PCC Committee, presented the PCC Proposal to Rename the Master of Arts in Hearing and Speech Science to Speech-Language Pathology (Senate Doc. No. 16-17-05) and provided background information.

Goodman opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 134 in favor, 3 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

Review of Faculty Leave Policies (Senate Doc. No. 14-15-31) (Action)

KerryAnn O'Meara, Chair of the Faculty Affairs Committee, presented the Review of Faculty Leave Policies (Senate Doc. No. 14-15-31) report and provided background information.

Goodman opened the floor to discussion of the committee's recommendations.

Chair-Elect Falvey, Faculty, College of Computer, Mathematical, and Natural Sciences motioned to amend this proposal as follows below in **pink**:

II-1.10(A) UNIVERSITY OF MARYLAND POLICY AND PROCEDURES FOR PART-TIME STATUS OF ~~TENURED AND TENURE-TRACK~~ FACULTY DUE TO CHILDREARING RESPONSIBILITIES

> 2. Eligibility. This policy applies ~~only~~ to tenured**,** ~~or~~ tenure-track**, professional track** faculty**, and librarians with permanent status and librarians eligible for permanent status with appointments of** ~~at least~~ **above 50% FTE** who request a temporary reduction to part-time status in order to prepare for a newborn child and/or to care for a child under the age of ~~five~~ **six (6)** years, including children placed in the home as a result of adoption or foster care**, or to manage severe illness or other emergency situations related to children**.

The motion was seconded.

Chair Goodman opened the floor for discussion of the amendment.

Senator Jacobson, exempt staff, asked for clarification on the amendment regarding whether it included 50% or if it was specifically above 50%.

O'Meara responded that it was above 50%. Goodman explained that the policy allows a faculty member to move down to a minimum of 50% so those at 50% would already be at the threshold for the policy.

Hearing no further discussion, Goodman called for a vote on the amendment. The result was 123 in favor, 5 opposed, and 15 abstentions. **The motion to approve the amendment passed.**

Senator Hoffman, faculty, College of Computer, Mathematical, and Natural Sciences, noted the restriction in the policy that does not extend the leave to faculty members adopting children over the age of six. She added that this restriction is part of the University System of Maryland (USM) policy and cannot be addressed by the Senate. She made a motion to add an administrative recommendation as an amendment to the report as noted in **blue**:

The Senate recommends that the President consider the unique issues faced by faculty parents who adopt children over the age of six, and consider whether to approach the University System of Maryland to advocate for revisions to the System policy to extend its family leave policy to include these cases.

The motion was seconded.

Goodman opened the floor for discussion of the amendment.

Senator Alexander, emeritus faculty, made a motion to amend the amendment as follows below in **pink**:

The Senate recommends that the President **and the representatives of the Council of University System Faculty** consider the unique issues faced by faculty parents who adopt children over the age of six, and consider whether to approach the University System of Maryland to advocate for revisions to the System policy to extend its family leave policy to include these cases.

The motion was seconded.

Goodman opened the floor to discussion of the amendment to the amendment; hearing none, he called for a vote on the amendment to the amendment. The result was 120 in favor, 5 opposed, and 8 abstentions. **The motion to amend the amendment passed.**

Goodman opened the floor to discussion of the amendment as amended; hearing none, he called for a vote on the amendment as amended. The result was 127 in favor, 4 opposed, and 5 abstentions. **The motion to approve the amendment passed.**

Senator Brown, faculty, University Libraries, proposed two amendments relating to the inclusion of Librarian I faculty in the policies. She explained that Librarian I faculty are currently excluded from the professional track faculty policies and are thus excluded from this policy. She made a motion to amend the proposal to include Librarian I faculty in the eligibility sections of both policies.

The motion was seconded.

Goodman opened the floor to discussion of the amendment; hearing none he called for a vote on the amendment. The result was 122 in favor, 0 opposed, and 3 abstentions. **The motion to approve the amendment passed.**

Senator Alexander suggested that the definition of “primary caregiver” be taken to the USM by CUSF representatives or President Loh to be modified.

Scott Wolpert, Chair, Department of Mathematics, College of Computer, Mathematical, and Natural Sciences raised concerns about the cost associated with the policy and paying for instructors to take the place of the faculty member on leave. He noted that the cost of replacing instructors means less money for visiting professors, post-doctoral fellowships, and seminars.

O’Meara responded that the parental leave policy already included the professional track faculty and was not being changed here with respect to the cost. She added that the part-time status policy was being expanded to professional track faculty and noted that someone using this policy would have to obtain several levels of approval and is being paid less. This means that the department is saving money on that faculty member’s salary which could be used to cover the costs of hiring a replacement.

Senator Blanchard, faculty, College of Behavioral and Social Sciences, asked if it was intentional to retain the cap on two extensions for tenure review even though the policy was changed to allow faculty members to take leave for up to three children instead of two.

O’Meara noted that the committee did not make a recommendation on changing the policy regarding extensions for tenure review.

Rochelle Newman, Chair, Department of Hearing and Speech Sciences, College of Behavioral and Social Sciences, stated her support for professional track faculty having access to parental leave. She added that the policy was originally created for tenured/ tenure-track faculty who are mostly on state lines. She explained that many professional track faculty are not on state lines, but the policy creates a situation in which the institution

would have to support additional leave days even though the faculty member is paid entirely by a grant.

O'Meara noted that different arrangements had been made in cases where faculty are paid by grants. She asked John Bertot to respond to the question.

John Bertot, Associate Provost for Faculty Affairs and Member of the Faculty Affairs Committee, stated that grants will often limit how funds can be spent.

Senator Lathrop, faculty, College of Computer, Mathematical, and Natural Sciences, noted that he had members of his research group take parental leave and that the benefits are paid by the grant and so they are continued to be paid by the grant.

Elizabeth Beise, Associate Provost for Academic Planning, noted that when the 2012 policy was put into place, the Division of Research stated that she believed that it was a federal requirement that funding agencies abide by the leave policies of the University when they are applicable to all faculty.

Senator Lathrop asked if the committee estimated how much this change would cost.

O'Meara responded that the Provost's office provided the committee with the number of additional faculty that are eligible for the policy with the proposed changes. For the parental leave policy, the changes would only add 70 librarian faculty, since professional track faculty above 50% were already eligible. The Provost's Office was already granting this leave, but the recommendations clear up any confusion. In regards to the part-time status policy, 2,350 additional faculty are eligible to negotiate for a modified duty agreement with an appropriate salary cut.

Senator Callaghan, faculty, College of Arts and Humanities, explained that she works for the National Foreign Language Center, which is largely run on soft money and asked for clarification on the benefits faculty in her unit are eligible for.

O'Meara noted that as employees of the University, they are eligible for the same benefits. She added that information regarding how the benefits work could be made clearer.

Bertot commented on Senator Blanchard's question by clarifying that a third request for delay for tenure review is not automatic, but it can be requested if needed as noted in the policy. He also stated that there are administrative costs associated with the expansion of this policy in addition to any costs that the department encounters.

O'Meara noted that since the part-time status policy has been enacted, it has been underused due to the fact that many families cannot afford to take a pay cut and the part-time status has to be administratively approved and negotiated.

Senator Halperin, faculty, College of Computer, Mathematical, and Natural Sciences, asked that policies with cost implications include the cost calculations so that Senators understand the full picture.

Hearing no further discussion, Goodman called for a vote on the proposal as amended. The result was 101 in favor, 15 opposed, and 14 abstentions. **The motion to approve the proposal as amended passed.**

Special Order of the Day
Keith Marzullo, Chair of the Restricted Research Subcommittee of the Research Council and Dean of the College of Information Studies
Restricted Research at the University of Maryland

Goodman introduced Keith Marzullo, Dean of the College of Information Studies and Chair of the Restricted Research Subcommittee.

Marzullo explained that restricted research refers to restrictions on publication and is not equivalent to classified research. Restrictions can be imposed for a variety of reasons, such as corporate interests, national security, proprietary technology, etc.

Marzullo provided information on current University System of Maryland (USM) policy including the restrictions on conducting restricted research and noted that current policy provides a way for the Chancellor to make exceptions to the prohibitions outlined in the policy.

Marzullo stated that the role of the subcommittee is to consider a restricted research policy and provide guidelines that would allow restricted research to take place to offer more research opportunities at UMD, which would provide more educational and economic opportunities. The subcommittee is also charged with reviewing the costs, risks, and benefits of doing this research.

Marzullo stated that the work was to be completed by January 2017 and informed the Senate of the members of the subcommittee. He also noted that some studies have been done previously and that the subcommittee will work with this information in addition to background information from other Big Ten schools, nearby colleges, and background interest from the Office of the Vice President for Research.

Goodman thanked Marzullo for his comments and opened the floor to discussion. He reminded Senators of the upcoming town hall meeting and encouraged Senators to contact the members of the subcommittee with concerns since time was limited.

Senator Pound, faculty, College of Computer, Mathematical, and Natural Sciences, stated that UMD is a public university, which has a commitment to the public to share their research in an honest way. He noted that restricting research because of trade secrets is different than restricting research because of unwanted results.

Marzullo responded that part of the charge involves considering the impact on the reputation of the University.

Senator Alexander asked about balancing the priorities of other USM institutions in looking at this policy since it is a USM policy, but the subcommittee is a campus group.

Marzullo responded the subcommittee is only considering a policy for UMD and that USM is interested in what UMD would like to do with regards to restricted research.

Senator Kaplan, faculty, College of Behavioral and Social Sciences, stated that the subcommittee should consider benchmarking to other aspirational universities such as University of California, Berkeley and not only the other Big Ten schools. He also noted that there is a distinction between restricted research for profit reasons and for national security reasons and encouraged the subcommittee to consider those two topics separately.

Goodman thanked Marzullo for his presentation.

Special Order of the Day
Elizabeth Beise, Associate Provost for Academic Planning
Middle States Regional Accreditation

Goodman introduced Elizabeth Beise to give her presentation on the Middle States Regional Accreditation.

Beise noted the limited time left in the meeting and asked if anyone was willing to make a motion to extend the meeting.

Chair-Elect Falvey made a motion to extend the meeting up until 5:15pm.

The motion was seconded.

Goodman called for a vote on the motion to extend the meeting until 5:15pm and noted that the motion required a 2/3 vote. The result was 115 in favor, 14 opposed, and 3 abstentions. **The motion to extend the meeting passed.**

Beise thanked Senators for allowing her to present on this topic. She noted that she was presenting on behalf of the self-study team for the upcoming Middle States Association accreditation visit. She explained that the Middle States Association requires the University to undergo reaccreditation once every ten years which involves a comprehensive review of the University.

Beise noted that all of the documents from the 2007 accreditation process as well as the documents that the self-study team has been working on for the past year and a half are available on the Provost's website.

Beise explained that the Middle States Association had revised the accreditation standards in 2014 to make them more streamlined and general, which gives the University more flexibility to incorporate its mission statement and goals into its review. The standards have not yet been implemented. UMD is part of the first group of about 20 institutions that are participating in a collaborative implementation project.

Beise noted that the seven standards had been developed to reduce duplication and make the categories more general. The Middle States Association wants to make sure that UMD is critically evaluating itself and presenting a full cycle of plans for improvement in addition to adhering to the standards presented. The standards expect a cycle of assessment in everything that is done at the University.

Beise explained that the Middle States Association advised them to pick specific themes to incorporate in the accreditation process. UMD chose the Strategic Plan Update and entry into the Big Ten as themes.

Beise explained that there were seven working groups to align with the seven standards which involved about 75 people writing the first draft of the self-study. She shared a timeline that was set by the Middle States Association and noted that UMD was on track. She invited Senators to comment on the first draft of the self-study using the survey on the Provost's website.

Beise stated that the accreditation team chair, Rod Erickson, the former Provost at Pennsylvania State University, would be visiting campus at the end of September to meet with various groups. The final step is for the accreditation team to visit campus in April 2017.

Beise noted that 11 recommendations were developed and noted that these would look familiar based on the Strategic Plan Update that was discussed in the spring.

Goodman thanked Beise and opened the floor for questions; hearing none, he reminded Senators to fill out the survey on the Provost's website.

New Business

There was no new business.

Adjournment

The meeting was adjourned at 5:06 p.m.