



Senate Meeting

March 8, 2023



Agenda

1. Call to Order



Hybrid Meeting Protocol

- Senators who wish to speak during the discussion sections of the meeting can either come up to the microphones in the room or use the **'Raise Hand'** feature, if they are joining us through Zoom.
- The Senate Chair will alternate calling on Senators who are in person and those on Zoom, in the order that they are either lined up in the room or virtually.
- Prior to speaking, please state your name, constituency, and college for the record each time that you are called on to speak.
- The audio from Senate meetings are recorded so it is important that you identify yourself for the record.
- Any non-Senators who wish to speak must be introduced by a Senator.



PointSolutions

- Senators will use PointSolutions for any voting during the meeting.
- Log in to **PointSolutions** on your mobile device or web browser (<https://tppoll.com>).
- Enter the Session ID: **pinest23**
- Click **Join Session**



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2. Approval of the February 7, 2023 Senate Minutes (Action)



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3. Report of the Chair



Chair's Report

- The Senate has three meetings left for this academic year – all on Zoom. There will be two meetings in April where much of the work that is in our Senate committees will be coming forward to the Senate for a vote, so I strongly encourage Senators to make every attempt to attend those important meetings.
- The May 9, 2023 Senate meeting is the transition meeting where all continuing Senators and newly elected Senators will elect the next Chair-Elect of the Senate and vote on the elected committees and councils of the Senate such as the Senate Executive Committee, the Committee on Committees, and others that the Nominations Committee is developing slates for.



Chair's Report

- As you may be aware, the Senate Nominations Committee is in the process of generating slates of candidates to run for open positions on Senate-elected committees and councils, including next year's Senate Executive Committee, Senate Committee on Committees, University Athletic Council, Council of University System Faculty, and Campus Transportation Advisory Committee.



Chair's Report

- The committee is still looking for candidates to run for these important positions, and newly-elected Senators will be contacted to solicit self-nominations. Not all positions require Senate membership, and it is important to continue to have strong nominees in all of these elections, so please consider running or nominating your colleagues for these positions. More information about all of these positions can be found on the Senate website.



Chair's Report

- The candidacy period for the staff, student, and single-member constituency elections for the 2023-2024 Senate ended on February 3, 2023.
- Elections for these constituencies began on February 20, 2023, and ended on Friday, March 3, 2023.
- February 3rd was the deadline for the Deans to report the results of their faculty elections.
- Newly-elected faculty Senators will be eligible for nomination for our elected committees and councils and leadership positions for the 2023-2024 academic year.



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4. Special Order

Darryll J. Pines

President, University of Maryland

2023 State of the Campus Address



Agenda

4. Special Order

Darryll J. Pines

President, University of Maryland

2023 State of the Campus Address





Agenda

5. PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)



PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)

- The College of Education's Department of Counseling, Higher Education, and Special Education proposes to establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors.



PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)

- This program was developed in partnership with Prince George's County Public Schools and is designed to equip Prince George's County Professional School Counselors with specialized skills to work with students of families who have recently immigrated to the United States.



PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)

- In recent years, the County's educators have observed a widening gap between the increasingly complex needs of its growing population of immigrant students and families, and the Professional School Counselors' expertise to meet those needs.



PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)

- The program's participants will be members of the County's Professional School Counselor staff.
- The certificate program is 12 credits and includes courses in immigration and education; English language learner education; family and social support systems; and immigrant child counseling and consultation.
- The proposal was approved by the Senate Programs, Curricula, and Courses Committee at its meeting on February 3, 2023.



PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)

- The PCC Committee moves that the proposal to establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors be approved.



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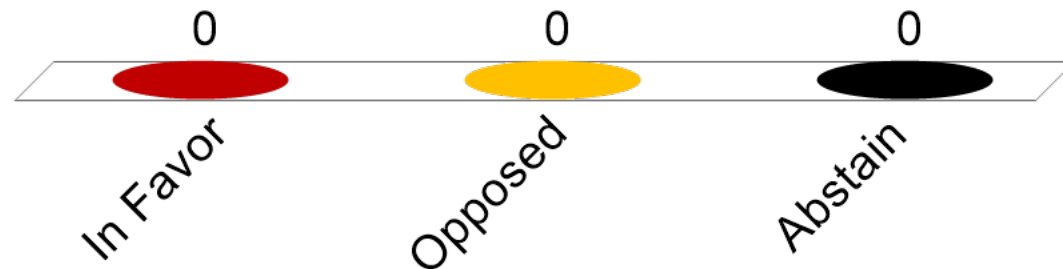
5. PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)





PCC Proposal to Establish a Post-Master's Certificate in Supporting Immigrant Students for Professional School Counselors (Senate Document #22-23-24) (Action)

1. In Favor
2. Opposed
3. Abstain





Agenda

6. Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- The current UMD interim policy was drafted in response to a revised University System of Maryland (USM) policy that included name removal guidelines. This interim policy was created by combining the University's and USM's existing facilities naming policies, and reviewing the past work of the Educational Affairs Committee on program naming.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- It included the addition of the new USM guidelines on the removal of names. It was reviewed by the President and the Senate leadership and ultimately approved by the President on September 20, 2021 on an interim basis pending Senate review. In the fall of 2022, the Senate charged the Educational Affairs Committee with the review of the interim policy.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- The committee's work began in October 2022 with reviewing the SEC issued charges (original and amended), reviewing both the interim UMD and USM Policies on the Procedures on the Naming of Facilities and Programs, researching and reviewing data from other BIG10 universities, USM schools, and peer institutions, and conducting a review of completed and pending naming processes that have occurred since the implementation of the interim policy. Consultations were conducted with key stakeholders on campus.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- During late November and December 2022, the interim policy was revised to address concerns based on input from stakeholders and committee discussions.
- A consideration of the naming criteria was conducted. The committee discussed the honor of naming a UMD facility or program and the importance of having high standards. However, the committee also felt some flexibility should be incorporated. Changes to the criteria were made to align the policy with naming practices that have occurred.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- A non-payment clause was added to remove a gift-related naming in the event the donor or donor's family is unable to fulfill the gift agreement terms. This clause would allow the University an "out" if needed.
- The committee decided on the formation of a Program Naming Committee dedicated to the evaluation of program naming proposals after they are reviewed by the Senior Vice President and Provost.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- With the creation of this committee, the program naming process can occur while addressing the concerns for confidentiality and efficiency expressed by the majority of stakeholders. The committee's design factored in components of confidentiality, efficiency, and a balanced membership of stakeholders and Senate representation to ensure a nimble decision-making committee.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- Throughout the revision process, attention was given to ensure that no inadvertent conflict would occur between the UMD and USM policies and that the naming policy would not be unduly burdensome. USM policy requires any naming proposal evaluation be conducted in the strictest confidence whether the naming is honorific or philanthropic. These USM imposed constraints were factors guiding the committee's decisions about the program naming process.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- The interim policy also had some minor changes to add language clarity by using consistent terminology or titles, define or remove terms, and added sections to create a parallel structure in the policy.
- The revised policy submitted is the committee's work to create a policy to incorporate flexibility that accounts for naming practices at UMD that have occurred to give transparency for the application of the policy in future opportunities while also maintaining the high standards needed for bestowing the honor of a program or facility naming at UMD.



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

- The Educational Affairs Committee approved a revised version of the policy by an email vote concluding on January 11, 2023.
- The Educational Affairs Committee recommends that the Senate approve the revisions to the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03).



Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)

V.B.2.c.ii reads:

- The Senior Vice President and Provost, in consultation with the ~~administrative unit head(s) of the Program to be named, will determine~~ whether a formal review of the proposal by the ~~Senate Program Naming Committee s, Curricula, & Courses (PCG) Committee and the Senate Executive Committee (SEC)~~ should be initiated.

And needs to be changed to:

- The Senior Vice President and Provost, in consultation with the administrative unit head(s) of the Program to be named, will determine whether a formal review of the proposal by the ~~Senate Program Naming Committee s, Curricula, & Courses (PCG) Committee and the Senate Executive Committee (SEC)~~ should be initiated.



Amendment #1

- Technical amendment proposed by Dean Cohen, Dean of Undergraduate Studies.

V.2.d.i.a:

The Dean ~~of the School of~~ **for** Undergraduate Studies and/or Dean of ~~the School of Graduate Studies~~ **the Graduate School** ~~of the relevant program naming proposal~~ as appropriate (Chair-appointed by Senior Vice President and Provost);

- Dean Cohen mentioned that this amendment will allow compliance with current practice.



Amendment #1

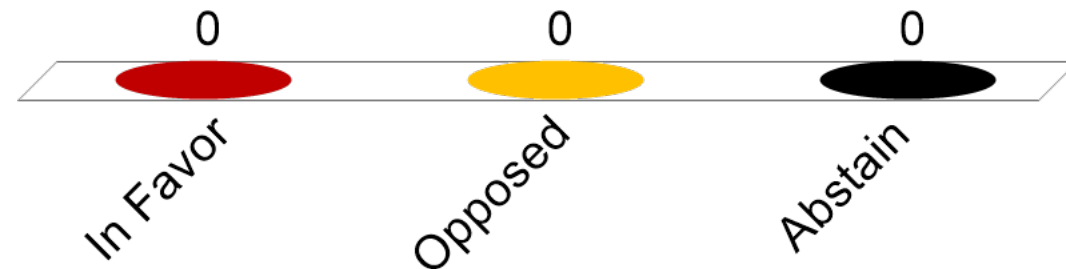
6. Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)





Amendment #1

1. In Favor
2. Opposed
3. Abstain





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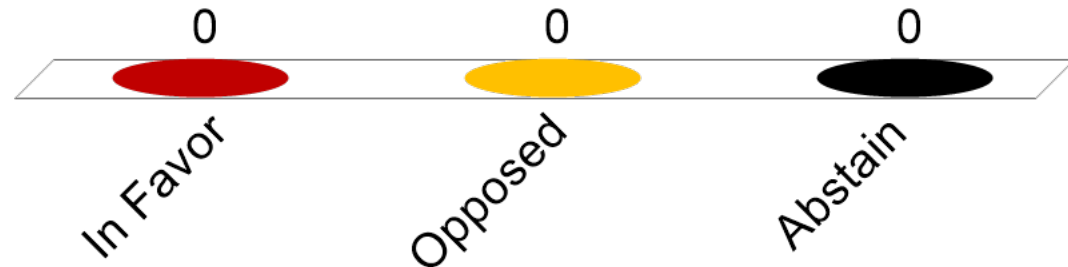
6. Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (Action)





Review of the Interim University of Maryland Policy and Procedures on the Naming of Facilities and Programs (Senate Document #22-23-03) (as amended) (Action)

1. In Favor
2. Opposed
3. Abstain





Agenda

7. Special Order

Peter Sunderland

Chair, Faculty Affairs Committee

Presentation on the Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

- The Faculty Affairs Committee is charged with reviewing UMD Policy II-1.25(A) (2023) on Full-Time Faculty Workload and Responsibilities.
- This is an interim policy, signed by President Pines in March and December, 2022.
- It is accompanied by a guidance document.
- It has not yet been considered by the Senate.



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

USM Policy II-1.25 (2019) on Faculty Workload and Responsibilities seeks to:

- promote optimal performance and accountability by each institution in “meeting the needs and expectations of their students and other stakeholders,” and
- ensure that institutions are “generating enough credit hours for students to complete their degree requirements in a timely fashion.”

For UMD, the USM standard workload expectations are:

- Teaching: 45 – 55%
- Research/Scholarship/Creative Activity: 35 – 45%
- Service: 5 – 20%



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

The UMD policy requires each Unit with TTK faculty to establish a workload policy that:

- “sets forth fair and equitable guidelines that enable each Unit and/or program to best utilize its faculty members and align their efforts in accordance with this Policy, and in alignment with the missions of the University, College/School, and Unit;” and
- gives “appropriate weight to the teaching; research, scholarship, or creative activities; service; administration; and extension responsibilities, if appropriate.”

Each unit must develop their initial faculty workload policy by May 23, 2023.

Unit heads shall prepare an annual summary report of assigned faculty member workloads.



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

The approximate UMD workload expectations are as follows:

- Teaching: 50%
- Research, scholarship, or creative activities: 40%
- Service: 10%

“The baseline teaching effort for full-time equivalent (100% FTE) tenured and tenure-track faculty members is five (5) course units per academic year. A course unit is normally defined as equivalent to a three-credit course.”

In the policy and the guidance, one course generally equates to 10% of a TTK faculty’s nine-month effort.



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

“Units may adjust the baseline teaching expectation in their established workload policies by taking into account class size, credit hours produced, co-teaching, modality of instruction, level of instruction, disciplinary expectations, accreditation requirements, research efforts, advising, mentoring, and other factors deemed relevant in determining faculty teaching expectations.”

Buyouts are at the discretion of the Unit.

Workloads may be averaged over several years.

TTK faculty members “must teach at least one instruction-based (i.e., non-thesis, dissertation, or independent study) course unit equivalent per academic year.”



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

The Committee Charge from the Senate includes:

- Review the USM and UMD policies and their guidances.
- Review best practices at other USM institutions.
- Consult with IRPA regarding faculty workload reporting to USM.
- Consult with the ADVANCE program regarding equity and fairness considerations.
- Consult with academic and research unit heads, the office of faculty affairs, and the office of general counsel.
- Consider possible revisions to the UMD policy and guidance.



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

Committee Membership

Bertot, John
Brewer, Holly
Chuang, Pei-Ying
Eastman, Michele
Holland, Cecily
Kjellerup, Birthe
Lambert-Jones, Rythee
Mark, Gideon
Mullinax, Jennifer
Mussenden, Sean

O'Brien, Karen
O'Hara, Jessica
O'Neal, Colleen
Owen, Terry
Perkey, Autumn
Ristvey, Andrew
Sunderland, Peter
Wallace, Jennifer
Zaidi, Syed



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

Straw Poll One

The interim workload policy exempts TTK faculty who are “assigned to administrative duties outside of their Academic Unit(s), including deans, vice presidents, presidents, associate provosts, associate deans, and directors of University recognized centers and institutes.”

Who do you think should be exempted?

- The President, the Provost, and Vice President
- The President, the Provost, Vice Presidents, Associate Provosts, and Deans
- The current exemptions should not change



Presentation on Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)

Straw Poll Two

The interim workload policy states the following. “Teaching percentage of total effort is approximately 50%; Research, scholarship, or creative activities percentage of total effort is approximately 40%; and Service percentage of total effort is approximately 10%. The baseline teaching effort for full-time equivalent (100% FTE) tenured and tenure-track faculty members is five (5) course units per academic year. A course unit is normally defined as equivalent to a three-credit course... Tenured and tenure-track faculty members must teach at least one instruction-based (i.e., non-thesis, dissertation, or independent study) course unit equivalent per academic year.”

No maximum possible teaching effort is specified. What maximum effort should be specified, if any?

- 5 courses
- 6 courses
- 7 courses
- 8 courses
- No maximum should be specified



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7. Special Order

Peter Sunderland

Chair, Faculty Affairs Committee

Presentation on the Review of the Interim University Policy on Full-Time Faculty Workload and Responsibilities (Senate Document #22-23-12)





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8. Special Order

Reka Montfort

Director, Research Transparency & Outreach

Presentation on the Interim University of Maryland Consulting Policy (Senate Document #22-23-13)



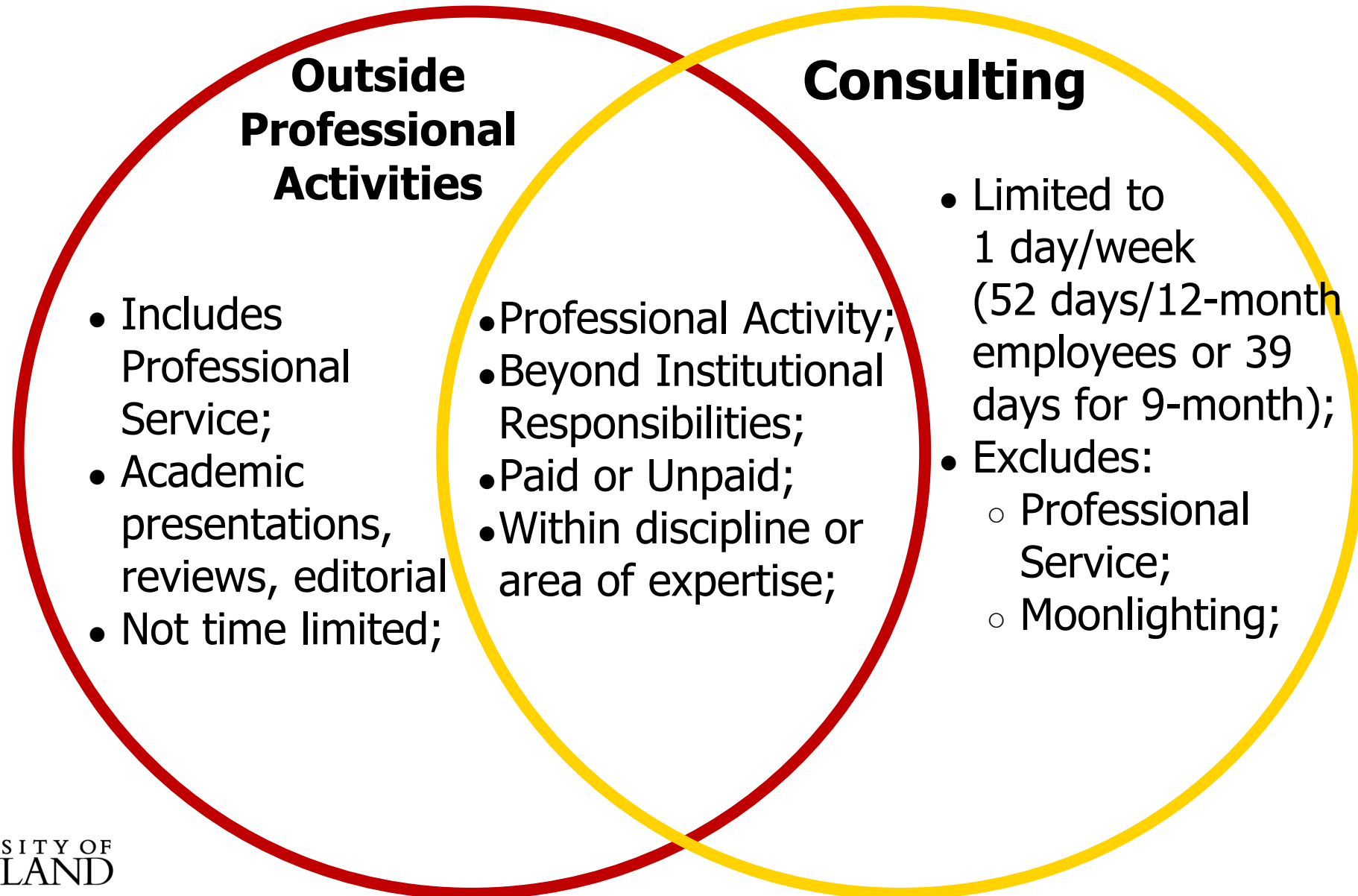
UMD Consulting Policy

Reka Montfort

*Director of Research Transparency &
Outreach*

Division of Research

Outside Professional Activities vs. Consulting



Why Do We Need a Consulting Policy?

Within the past 3 years, UMD has been subjected to numerous federal investigations that have hinged on the federal government's sudden interest in:

1. The proper disclosure of foreign agreements by UMD as a whole and by individual PIs submitting federal proposals; and
2. The proper disclosure of all sources of support in a PI's statement of **current and pending support**, especially **consulting**.

Consulting Policy recommended by outside counsel as a corrective action to resolve a federal investigation, UMD required to have policy per USM policy, and to be in compliance with federal agencies' terms and conditions.



Interim Consulting Policy

- Approved by President Pines on 10/14/22, pending Senate review;
- Fulfills the University's legal and compliance requirements;
- Aligns with and/or is less restrictive than provisions at other Big10 & peer institutions;
- Codifies long-standing cultural norm at UMD of Consulting 1 day/week; and
- Works in coordination with pre-existing requirements and processes for the University's Conflict of Interest (COI) and Conflict of Commitment (COC) Policies & Procedures - disclosure of research activities.



Policy Principles & Implementation

- Employees may Consult the equivalent of 1 day/week*:
 - 12-month employees = 52 days;
 - 9-month employees = 39 days (**only limited during 9-months, unlimited the other 3 months, if not working for UMD*);
 - Faculty may consult at any time, but they are not considered “off the clock” during evenings and weekends by the State Ethics Commission as a State Employee.
 - Staff may only consult outside of their regular University work hours or during periods of approved applicable leave.
- **“Banking”** of Consulting days (group and use days all at once) is prohibited unless approved by Unit Head & Next Level Admin.





Policy Principles & Implementation

- An employee who plans to Consult **MUST** get **prior approval** from their unit head/supervisor.
- The unit head/supervisor determines if activity is professional service within the specific discipline or area of expertise *following University guidance* and based on:
 - whether the activity is a benefit to public institutions or UMD and not just the individual (examples in IV.B.2); or
 - the individual was hired or asked by their unit head/supervisor to perform the activity as part of their University responsibilities.



Policy Principles & Implementation

- **Activities deemed to be Consulting** require a separate internal MOU signed by the employee, unit head/supervisor, next level administrator, & provided to external entity. (***new**)
 - Electronic MOU system now available at faculty.umd.edu/consult
- The Policy outlines a process for **post-approval review of non-research-related Consulting** by a COC Review Board appointed by the Provost (***new**).
 - Board formulates campus-wide guidance based on these reviews.



State Ethics Law

- State Ethics Law applies to all UMD employees;
- State law provides a research carve-out that allows our University's long-standing COI/COC policies and procedures to take the place of State Ethics law.
 - The COI Committee is responsible for reviewing potential research-related COI, and if a COI exists:
 - **Establishing a management plan;** or
 - Identifying when a COI cannot be managed (very small percentage).



Policy Principles & Implementation

- Research-Related Consulting activities **MUST** be disclosed in KCOI as part of existing COI Policy & Procedures;
 - Signed PDF of MOU **MUST** be uploaded to KCOI (***New**);
 - Consulting cannot begin until there is a COI disposition;
- Employees **MUST** update their KCOI disclosure within 30 days of any change in the disclosure, e.g., new consulting arrangement.
- Consulting activities must still be disclosed on OPA, for now.
- **State Ethics Law** explains appropriate **research-related** Consulting roles/titles **unless there is an approved COI MP**:
 - No fiduciary or management responsibility; and
 - No titles such as CEO or Vice President.



Proper Disclosure - Current & Pending Requirements

- Reporting all forms of research support is now a **federal requirement**.
- Research support can include **funding through the University** or **directly to an individual (i.e. consulting)**, or **in-kind support** such as a visiting scholar or unpaid collaborator.
- Disclosing your research-related outside activity is a long-standing requirement of the COI Policy.
 - Disclosure does not equate to a having a COI
 - If you have a COI, it must be disclosed, discussed and managed.
 - Funding agencies expect disclosure to institutions and **require** activities to be included in **Current & Pending** for all proposals.



Next Steps with the Interim Consulting Policy

- The Research Council has been charged by the Senate Executive Committee (SEC) with reviewing and refining the interim policy;
- Charge elements include review, consult, consider, and recommend elements, aimed at a thorough and careful process;
- The RC will engage stakeholders and actively solicit input from the campus community during its review process;
- The interim policy remains effective until the RC's review is complete.



Resources

- Questions about the Consulting Policy can be sent to: consulting@umd.edu;
- Resources including links to the **Consulting Policy**, **FAQs**, and the link to submit info & route the **Internal MOU** are available at: <https://research.umd.edu/consulting-policy>
- Questions about COI can be sent to COI@umd.edu
- The Conflict of Interest Office has a variety of resources available at <https://research.umd.edu/coi> and information on how to complete a disclosure in KCOI.
- Research Council - Dr. Andrew Harris, Chair - Review of Interim Policy



Q & A

What questions do you have?



Examples of Consulting vs. Prof Service

Professional Service	Grey Area	Consulting
Serving on a peer review board		Being paid to serve as an expert witness
Receiving an honorarium for providing a talk on your published findings from your federally funded research		Private psychological practice (not part of UMD hiring contract)
Serving on an external review board		Employees who are owners or officers in external entities.
Architectural firm as part of a faculty member's institutional contract		Consulting/working for an external entity, related to your area of expertise, in which employees are





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8. Special Order

Reka Montfort

Director, Research Transparency & Outreach

Presentation on the Interim University of Maryland Consulting Policy (Senate Document #22-23-13)





Agenda

9. New Business
10. Adjournment