



Revision to the Senate Bylaws on Representation for the Vice President for Diversity and Inclusion

PRESENTED BY Alan Peel, Chair

REVIEW DATES SEC – January 27, 2020 | SENATE – February 5, 2020

VOTING METHOD In a single vote

RELEVANT POLICY/DOCUMENT [Bylaws of the University Senate](#)

NECESSARY APPROVALS Senate

ISSUE

In July 2017, the President announced that the Chief Diversity Officer position would be elevated to that of a Vice President; in June 2019, the first Vice President for Diversity & Inclusion joined the University. In September 2019, the Senate Executive Committee (SEC) charged the Elections, Representation, & Governance (ERG) Committee with a review of the memberships of the Campus Affairs Committee and the Equity, Diversity, & Inclusion (EDI) Committee. The ERG Committee was asked to consider how the creation of the new Vice President for Diversity & Inclusion (VPDI) position should affect the membership of these two committees, both of which reference the Chief Diversity Officer title. The committee was asked to consider whether to replace references to the Chief Diversity Officer with the VPDI, and, if so, to also consider whether the VPDI should be allowed to appoint a representative to serve on their behalf.

RECOMMENDATIONS

The Elections, Representation, & Governance (ERG) Committee recommends that the Bylaws of the University Senate be amended to adjust the membership of the Campus Affairs Committee and the Equity, Diversity, & Inclusion Committee as indicated in the document immediately following this report.

COMMITTEE WORK

The ERG Committee considered the charge at its meeting on October 25, 2019. It reviewed the committee's previous work on the membership of the EDI Committee, and considered input provided by the VPDI. The VPDI expressed an interest in sending a representative to both the Campus Affairs and EDI Committees, which the ERG Committee agreed was appropriate. In response to a request from the VPDI and a revised charge from the Senate Chair, the committee also considered whether the VPDI should have representation on the Programs, Curricula, & Courses (PCC) Committee or the ERG Committee. After meeting with the committee, the VPDI agreed that representation on those committees was not necessary, and the ERG Committee determined not to recommend any changes to the membership of either. After due consideration, the ERG Committee voted to recommend revisions to the Senate Bylaws at its meeting on October

25, 2019. The committee shared its recommendations with the Senate's Parliamentarian, who had no objections.

ALTERNATIVES

The Senate could choose not to revise the membership of the EDI or the Campus Affairs Committees, leaving references to a position that has since been elevated and a title that is no longer in use.

RISKS

There are no known risks to the University.

FINANCIAL IMPLICATIONS

There are no known financial implications.



Revision to the Senate Bylaws on Representation for the Vice President of Diversity and Inclusion

2019-2020 Committee Members

Alan Peel (Chair)
MacKenzie Allen (Undergraduate Student)
Sarah Babineau (Ex-Officio Director of Human Resources Rep)
Holly Brewer (Faculty)
Nicole Catanzarite (Graduate Student)
Leigh Ann DePope (Faculty)
Alexander Houck (Non-Exempt Staff)
Christine Johnston (Faculty)
Robert Koulish (Faculty)

Elizabeth Lathrop (Faculty)
Sharon La Voy (Ex-Officio Associate VP IRPA Rep)
Ngam Kenneth Ngong (Graduate Student)
Calvin Oates (Exempt Staff)
Bria Parker (Faculty)
Nicholas Torre (Undergraduate Student)

Date of Submission

January 2020

BACKGROUND

In July 2017, the President announced that the Chief Diversity Officer position would be elevated to that of a Vice President; in June 2019, the first Vice President for Diversity & Inclusion joined the University. In September 2019, the Senate Executive Committee (SEC) charged the Elections, Representation, & Governance (ERG) Committee with a review of the memberships of the Campus Affairs Committee and the Equity, Diversity, & Inclusion (EDI) Committee. The ERG Committee was asked to consider how the creation of the new Vice President for Diversity & Inclusion (VPDI) position should affect the membership of these two committees, both of which reference the Chief Diversity Officer title. The committee was asked to consider whether to replace references to the Chief Diversity Officer with the VPDI, and, if so, to also consider whether the VPDI should be allowed to appoint a representative to serve on their behalf (Appendix 1).

CURRENT PRACTICE

The membership of the Senate’s standing committees is established in the Bylaws of the University Senate. Each committee includes ex-officio representatives of University administrators whose work is relevant to the specific committee’s charge. The memberships of the Campus Affairs Committee (CAC) and the Equity, Diversity, & Inclusion (EDI) Committee include the “Chief Diversity Officer,” either as an officer who may serve or appoint a representative (CAC) or as a member (EDI). At the time the relevant sections of the Bylaws were last updated, the Chief Diversity Officer was responsible for overseeing the Office of Diversity & Inclusion (ODI).

To provide continuity and ensure that the CAC and EDI Committees were not deprived of the perspective of an important office, the VPDI has been treated as the Chief Diversity Officer for purposes of representation on this year’s CAC and EDI Committees.

COMMITTEE WORK

The ERG Committee considered the charge at its meeting on October 25, 2019. It reviewed the committee’s previous work on a Revision to the Membership of the Senate’s Equity, Diversity,

and Inclusion Committee ([Senate Document #16-17-12](#)). In the course of that work, the committee considered unusual circumstances that had resulted in the ODI effectively having two seats on the EDI Committee. The ERG Committee had recommended that the Chief Diversity Officer serve as a member of the EDI Committee (and not be allowed to send a representative in their place), and that a new seat be created for the director of the Office of Civil Rights & Sexual Misconduct (OCRSM) or their designee. Those changes were adopted by the Senate.

In addressing its current charge, the ERG Committee considered feedback gathered by the committee's chair and coordinators in a meeting with the VPDI. The VPDI expressed an interest in continuing to have representation on both committees, and asked to be permitted to appoint a representative at her discretion. The committee then considered the membership of each committee.

Campus Affairs Committee

Given the Chief Diversity Officer position has been elevated to the VPDI, which has assumed the Chief Diversity Officer's responsibilities, the committee determined that the former title should be replaced with the latter. The committee determined that it was still appropriate for the seat to be filled by the officer or their designee.

Equity, Diversity, & Inclusion (EDI) Committee

The ERG Committee determined that the Chief Diversity Officer title should be replaced with the VPDI title. The committee also noted that a recent reorganization moved the OCRSM under the ODI, which would effectively mean that ODI would once again have two representatives on the EDI Committee. After deliberation, the ERG Committee decided that the work of the OCRSM was distinct enough that it merited the office having a seat on the EDI Committee, particularly given that two of the policies implemented by the OCRSM are overseen by the EDI Committee (the Sexual Misconduct Policy & Procedures and the Non-Discrimination Policy and Procedures). The ERG Committee also determined that the importance and extent of the ODI's work merited retention of the seat associated with the office's leader.

The ERG Committee carefully considered whether the EDI Committee's membership provisions should be adjusted so as to grant the VPDI the discretion to appoint a designee. Members discussed whether the overlap between the functions of the ODI and the charge of the EDI Committee necessitated the VPDI's direct engagement as a member. While the committee acknowledged that the VPDI's participation could be valuable to the work of the committee, it could also affect the nature of the committee's deliberations and its ability to effectively consider issues that affect the operations of the ODI. ERG also recognized that every other Vice President that has representation on Senate committees is permitted to send a designee. The committee determined to align with that precedent and recommend that the seat be filled by the VPDI or their designee.

After due consideration, the ERG Committee voted to recommend revisions to the Senate Bylaws at its meeting on October 25, 2019. The committee shared its recommendations with the Senate's Parliamentarian, who had no objections.

In response to a request by the VPDI, in December 2019, the Senate Chair revised the ERG Committee's charge and asked it to consider whether the VPDI should also have representation on the ERG and Programs, Curricula, & Courses (PCC) Committees (Appendix 2). At its meeting on December 6, 2019, the committee met with the VPDI. The VPDI explained her interest in exploring

ways that the principles and vision described in the University's Diversity Strategic Plan could be incorporated at the curricular level. After consultation with the Associate Provost for Academic Planning & Programs, the VPDI and ERG Committee determined that it would be more effective for ODI to work with faculty and administrators earlier in the curriculum development process, before completed proposals are submitted to the PCC Committee.

The VPDI also shared her interest in ensuring that principles of equity and inclusion are incorporated into governance structures at all levels of the University. The ERG Committee and the VPDI discussed the ERG Committee's engagement with unit-level governance through its role in conducting periodic reviews of College and School Plans of Organization. This activity is guided by a Best Practices in Shared Governance for Plans of Organization checklist, which identifies both mandatory and recommended elements. Colleges typically submit revised Plans of Organization to the ERG Committee after an involved process at the unit level. After discussion, the VPDI and committee agreed that engagement earlier in the revision process would likely be more effective than having a representative serve on the ERG Committee.

The committee determined that no changes to the membership of the PCC or ERG Committees were needed in an email vote concluding on December 20, 2019.

RECOMMENDATIONS

The Elections, Representation, & Governance Committee recommends that the Bylaws of the University Senate be amended to adjust the membership of the Campus Affairs Committee and the Equity, Diversity, & Inclusion Committee as indicated in the document immediately following this report.

APPENDICES

Appendix 1 — Charge from the Senate Executive Committee

Appendix 2 — Revised Charge from the Senate Executive Committee

Proposed Revisions to the Senate Bylaws from the Elections, Representation, & Governance Committee

New Text in Blue/Bold (**example**), Removed Text in Red/Strikeout (~~example~~)

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 **Vice President for Diversity & Inclusion**~~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 General Counsel, 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.

6.6 Equity, Diversity, & Inclusion Committee:

6.6.a Membership: The committee shall consist of an appointed presiding officer; five (5) faculty members; three (3) exempt staff members; two (2) non-exempt staff members; two (2) undergraduate and two (2) graduate students; ~~the Chief Diversity Officer~~; and the following persons or a representative of each: the Senior Vice President and Provost, **the Vice President for Diversity & Inclusion**, the Vice President for Administration & Finance, the Vice President for Student Affairs, and the Director of the Office of Civil Rights and Sexual Misconduct.

6.6.b Quorum: A quorum of the Equity, Diversity, & Inclusion Committee shall be ten (10) voting members.

6.6.c Charge: The committee shall actively promote an equitable, diverse, and inclusive campus that is free from all forms of discrimination by formulating and continually reviewing policies and procedures pertaining to issues of equity, diversity, and inclusion. These include but are not limited to the University of Maryland Non-Discrimination Policy and Procedures and the University of Maryland Disability & Accessibility Policy and Procedures.

6.6.d Charge: The committee shall consider programs and activities for improving equity, diversity, and inclusiveness on campus, and shall make recommendations to appropriate campus bodies.