



## **CALL TO ORDER**

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

## **APPROVAL OF THE APRIL 4, 2018 SENATE MINUTES (ACTION)**

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Chair Falvey noted a slight revision to the minutes of the April 4, 2018, meeting as noted in blue:  
“The Division of IT is **not** taking the burden financially **of** working on a rapid timeline and increasing staff to ensure that all pages are up to date and are fully accessible. **Instead, we are complying with requests to make specific pages accessible.**”

Chair Falvey called for any objections to the revision; hearing none, he declared the revised minutes approved.

## **REPORT OF THE CHAIR**

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### Committee Volunteer Period

Chair Falvey noted that there is still time to sign up to serve on one of the ten Senate standing committees this coming year. He added that volunteers do not need to be a Senator to be a member of one of these committees. Senate committees address topics related to students, faculty, and staff affairs, as well as educational and campus affairs. Falvey also noted that the deadline to volunteer is April 30th and that those interested could go to the Senate website to submit a volunteer statement and pick their top three committee choices. He emphasized the need for additional tenured/tenure-track faculty and non-exempt staff volunteers. Falvey stated that the Senate’s Committee on Committees will be selecting volunteers to serve on each committee and will notify selected volunteers over the summer.

### Remaining Senate Meetings

Chair Falvey reminded Senators that this is the last meeting for all outgoing Senators and asked outgoing Senators to stand and be recognized. Chair Falvey explained that the May 9th Transition Senate Meeting will be for all continuing and incoming senators and would be his last meeting as Chair. On May 9th, the Senate will elect the next Chair-Elect, Chris Walsh will take over as Chair, and the Senate will vote for the elected committees of the Senate. The names of candidates running for the various committees and their candidacy statements will be distributed on April 25th. The agenda and any additional materials for that meeting will be sent out on May 2nd.

## **PCC PROPOSAL TO RENAME THE PHD & MASTER’S PROGRAMS IN “HUMAN DEVELOPMENT EDUCATION” TO “HUMAN DEVELOPMENT” (SENATE DOCUMENT #17-18-23 & #17-18-24) (ACTION)**

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Dylan Roby, Chair of the Programs, Curricula, & Courses (PCC) Committee, presented the PCC Proposal to Rename the PhD Program in “Human Development Education” to “Human Development” (Senate Document #17-18-23) and the PCC Proposal to Rename the Master’s Program in “Human Development Education” to “Human Development” (Senate Document #17-18-24) and provided background information on the proposals.

Falvey opened the floor to discussion of the proposals; hearing none, he explained that Senators would vote on each proposal individually.

Chair Falvey called for a vote on the PCC Proposal to Rename the PhD Program in "Human Development Education" to "Human Development" (Senate Document #17-18-23). The result was 77 in favor, 1 opposed, and 1 abstentions. **The motion to approve the proposal passed.**

Chair Falvey called for a vote on the PCC Proposal to Rename the Master's Program in "Human Development Education" to "Human Development" (Senate Document #17-18-24). The result was in 77 favor, 3 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

## **REVISIONS TO THE UMD POLICY ON APPOINTMENT, PROMOTION, AND PERMANENT STATUS OF LIBRARY FACULTY (SENATE DOCUMENT #16-17-28) (ACTION)**

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Patricio Korzeniewicz, Chair of the Faculty Affairs Committee, presented the Revisions to the UMD Policy on Appointment, Promotion, and Permanent Status of Library Faculty (Senate Document #16-17-28) and provided background information on the proposal.

Falvey opened the floor to discussion of the proposal.

Senator Frank, faculty, University Libraries, made a motion to amend the language in Section 4 (page 5) and Section 5.B. (page 8) to incorporate additional language on the higher-level review process for both appointments and promotions. The language of the amendment is noted in pink:

Section 4 (page 5) – last paragraph of Procedures for the Appointment of Library Faculty

~~The APPSC serves acts~~ as the ~~IRG faculty review committee (defined as the Advisory Subcommittee)~~ for ~~new appointments~~ ~~finalists for appointment~~ at the rank of Librarian III with permanent status; ~~the and~~ Librarian IV ~~members of The~~ APPSC ~~coordinate the creation of the Advisory Subcommittee (ASC) for new appointments at the rank of Librarian IV. The ASC~~ evaluates the ~~applicants'~~ ~~candidates'~~ records and writes an evaluative report recommending a rank. ~~Seventy-five percent~~ ~~A quorum of 75%~~ of the eligible faculty (~~Librarians Librarian III and/or IV~~ with permanent status ~~and/or Librarians IV~~) ~~shall constitute a quorum for the meeting to recommend rank at appointment~~ ~~will vote on the rank~~. A positive recommendation requires a two-thirds majority of those voting. The ~~ASC APPSC~~ will write a report summarizing the vote and the recommendation and submit the report to the Dean ~~of Libraries~~. The Dean shall submit ~~a his or her~~ recommendation to the Provost through the Office of Faculty Affairs. **Appointments to Librarian III and IV will be reviewed and approved by the Provost. The Provost shall annually appoint a body for university-level review of these faculty appointments to ensure fair and equitable processes.** The Provost shall in turn submit ~~a the~~ recommendation to the President. The evaluative report ~~and~~ recommendations ~~made~~ at each level; **and other elements of the dossier such as external letters** shall be forwarded for consideration by those at the next level, but otherwise shall remain confidential from the ~~applicant candidate~~ and others in order to best elicit candor and aid the University in making a fair and impartial assessment ~~of the candidate~~.

Section 5. B. (page 8) – final paragraph of Applications for Promotion to Librarian III, for Promotion to Librarian IV, and for Permanent Status at the Rank of Librarian III

The Dean will review the documentation and recommendation of the faculty and forward a recommendation to the Provost. **Promotions to Librarian III and IV will be reviewed and approved by the Provost. The Provost shall annually appoint a body for university-level review of these faculty promotions to ensure fair and equitable processes.** The Provost and the President shall

confer about the case, and the Provost shall transmit ~~a his or her~~ recommendation and a written justification to the President. The President will send written notification to the candidate and provide a copy of the notice to the Dean, the APPSC, and ~~the Libraries Human Resources~~ ~~the Libraries' Office of Human Resources~~. **An appointee who has been notified that permanent status has been denied shall be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances, such as a successful appeal (Section 6), shall receive no further consideration for permanent status.** Following the decision, the ~~candidate's~~ dossier and all ~~evaluative reports and recommendations~~ **documentation related to the review** shall be forwarded to the Office of the ~~Vice President for Academic Affairs and~~ Provost; **all evaluative reports and recommendations** ~~where they~~ shall remain confidential from the candidate and others.

The motion to amend the policy was seconded.

Chair Falvey opened the floor to discussion of the amendment.

Korzeniewicz stated that adding the language would make expectations clearer for librarian faculty and would ensure consistency in the review process for all librarian faculty so the Faculty Affairs Committee would support the amendment.

Timothy Hackman, Faculty Affairs Committee member and member of the Libraries' Appointment, Promotion, and Permanent Status (APPS) Committee, stated that the Libraries' APPS Committee would support the amendment as written.

Hearing no further discussion, Falvey called for a vote on the amendment. The result was 76 in favor, 2 opposed, and 8 abstentions. **The motion to approve the amendment passed.**

Senator Frank made a motion to amend Section 6 of the policy to incorporate language about negative and split decisions, which align it with the University's APT Policy and the Libraries' APPS Guidelines, as noted in pink:

Section 6: **Negative Decisions**

**In cases where both the eligible faculty and the Dean of the Libraries make negative recommendations, the case will be forwarded to the Provost for a review to ensure that there was no violation of substantive or procedural due process.**

**In cases where there is disagreement between the eligible faculty and the Dean of the Libraries, the case will proceed to the next level of review.**

Section 7: Appeals Procedure

The appeal process described in this section is derived from the "University of Maryland Policy **and Procedures** on Appointment, Promotion, and Tenure of Faculty" (BOR II-1.00 [A], Section V. The Appeals Process) and adapted for library faculty.

The motion to amend the policy was seconded.

Chair Falvey opened the floor to discussion of the amendment.

Timothy Hackman stated that the Libraries' APPS Committee would support the amendment as written.

Korzeniewicz stated that the proposed language aligns with the language in the APT policy, creating a parallel process and noted that the Faculty Affairs Committee would support the amendment.

Hearing no further discussion, Falvey called for a vote on the amendment. The result was 80 in favor, 2 opposed, and 4 abstentions. **The motion to approve the amendment passed.**

Hearing no further discussion, Falvey called for a vote on the revised policy as amended. The result was 80 in favor, 2 opposed, and 6 abstentions. **The motion to approve the proposal as amended passed.**

## **INCLUSION AND RESPECT AT THE UNIVERSITY OF MARYLAND (SENATE DOCUMENT #17-18-03) (ACTION)**

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Lucy Dalglish and Warren Kelley, Co-Chairs of the Joint President/Senate Inclusion and Respect Task Force, presented Inclusion and Respect at the University of Maryland (Senate Document #17-18-03) and provided background information on the proposal.

Falvey opened the floor to discussion of the proposal.

Chair-Elect Walsh made a procedural motion on behalf of the Senate Executive Committee as follows:

*Each speaker will be given two minutes to discuss Agenda Item 7 - Inclusion and Respect at the University of Maryland and any amendments thereto. A speaker may only speak a second time once everyone else has had an opportunity to speak.*

The procedural motion to limit the time of each speaker was seconded.

Chair Falvey called for a vote on the procedural motion and noted that it required a 2/3 vote in favor. The result was 75 in favor and 10 opposed. **The procedural motion to limit the time of each speaker passed.**

Chair Falvey noted that the Senate Office had put out a request for amendments in advance of the Senate meeting. He stated that voting senators could make and second amendments on the floor but previously submitted amendments would be considered first. Falvey also stated that the discussion and amendments would be discussed in order of the following six categories: Values of the University, Hate/Bias Incident Response & Policy on Threatening & Intimidating Conduct, Free Speech & Hate Speech, Prevention & Education, Evaluation & Assessment, and Other Task Force Recommendations.

Chair Falvey stated that the Senate would start with general comments about the proposal.

Senator Lanford, faculty, Division of Research, commended the task force for their enormous and wide-ranging effort. She noted that the real hard work has yet to come in implementation and encouraged the institution to take direct action to quickly and efficiently implement the recommendations.

Senator Moaddel, faculty, College of Behavioral and Social Sciences, inquired about the aggregated data the task force reviewed regarding the number of hate bias incidents at the University. He noted

that in order to prevent future incidents it is important to understand the causes and processes of the measures related to extremist behavior.

Dalglish stated that one of the task force's recommendations is for centralization of hate-bias incident reporting and relevant information. She noted that the Hate-Bias Response Manager and the Office of Diversity and Inclusion (ODI) would be responsible for this effort, which would provide additional details about hate-bias incidents that are reported and the associated action for each.

Senator Breslow, emeritus faculty, College of Arts & Humanities, commended the task force's work but questioned how and where additional resources would be generated to implement the recommendations.

Kelley stated that the resources would be determined by the President and implemented by different administrative units on campus. Currently, there have already been resources committed toward educational programs, cultural competency, as well as intergroup dialogues.

Falvey asked if there were any further general comments on the proposal. Seeing none, he stated that the Senate would move to discussion of the Values of the University.

Dean Ball, College of Behavioral & Social Sciences, questioned if the Values of the University recommendation should be linked to the University's mission statement.

Kelley stated that the Values of the University recommendation is relevant to the work of the task force and the University's mission in research, education, scholarship, and public service is open to experience and individual interpretation.

Senator Barbarin, member of the task force, elaborated on the meaning of the values. He stated that everyone comes to the University of Maryland for education, to share a common space and resources, and to grow together. He noted that he had been serving on a committee that is reviewing the mission statement and noted that many of the themes in the Values of the University will be articulated in the mission.

Falvey asked if there was any further discussion on the Values of the University section. Seeing none, he stated that the Senate would move to the Hate/Bias Incident Response & Policy on Threatening & Intimidating Conduct section.

Falvey asked if there was any further discussion on the Hate/Bias Incident Response & Policy on Threatening & Intimidating section. Seeing none, he stated that the Senate would move to the Free Speech & Hate Speech section.

Falvey asked if there was any further discussion on the Free Speech & Hate Speech section. Seeing none, he stated that the Senate would move to the Prevention & Education section.

Senator Gammons, faculty, University Libraries, made a motion to amend the language in the Prevention & Education section to include an additional recommendation on training for instructional faculty, as noted in blue:

**ODI should consider developing training opportunities for those in instructional roles including instructional faculty and undergraduate and graduate teaching assistants in partnership with relevant administrative units, including TLTC and the Graduate School.**

The motion to amend the policy was seconded.

Chair Falvey opened the floor to discussion of the amendment.

Kelley noted the proposed amendment aligns with one of the task force's recommendations for faculty and staff and stated that the task force would support the amendment as written.

Hearing no further discussion, Falvey called for a vote on the amendment. The result was 65 in favor, 12 opposed, and 6 abstentions. **The motion to approve the amendment passed.**

Falvey asked if there was any other discussion on the Prevention & Education section. Seeing none, he stated that the Senate would move to the Evaluation & Assessment section.

Falvey asked if there was any further discussion on the Evaluation & Education section. Seeing none, he stated that the Senate would move to the Other Task Force Recommendations section.

Senator Hurtt, faculty, School of Architecture, Planning, & Preservation, inquired about the use of the word "should" in the recommendations and expressed concern about clarity for reporting.

Dalglish noted that mandatory requirements included in a policy are typically supported by a law. The task force wanted to encourage people to report but cannot require them to do so.

Kelley commented that the nomenclature throughout the recommendations is either "should" for the elements that are expected and "should consider" for elements that provide more flexibility in how they could be implemented.

Chair Falvey noted that the language is consistent with other University policies that the Senate has adopted using the distinction between "should" is strongly encouraged and "should consider" is more suggestive.

Senator Hurtt asked for further consideration and discussion with the legal office.

Michael Poterala, Vice President, Office of General Counsel, stated if the University starts to add "must" into policies then the University would have to enforce compliance, so he stated that he would not recommend changing the language.

Senator Cavanagh, graduate student, College of Computer, Mathematical, & Natural Sciences, commended the transparency of the task force's process but expressed concerns with transparency during implementation of the recommendations at other levels of the University.

Dalglish noted that part of the Senate structure includes some level of follow-up on recommendations that are approved by the Senate.

Hearing no further discussion, Falvey called for a vote on the revised proposal as amended. The result was 77 in favor, 4 opposed, and 4 abstentions. **The motion to approve the proposal as amended passed.**

## **NEW BUSINESS**

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There was no new business.

## **ADJOURNMENT**

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The meeting was adjourned at 4:36 p.m.