CALL TO ORDER

Senate Chair Laura Dugan called the meeting to order at 3:17 p.m.

Dugan stated that the Senate Executive Committee (SEC) had set the agenda with two Special Order presentations at the end of the meeting in order to ensure that the action items on the agenda could be completed, while allotting the remainder of the time to the presentations. She asked if there were any objections to the order of the agenda; hearing none, she proceeded with the meeting.

Dugan asked if there were any objections to limiting speakers to two minutes each on each agenda item or motion for the entire meeting in order to allow as many people as possible to speak. She noted that speakers would not have the ability to speak again until all others have had an opportunity to do so. Dugan stated that there would be a timer on the screen to help speakers manage their time. Hearing no objections, she proceeded with the meeting.

APPROVAL OF THE OCTOBER 7, 2020 SENATE MINUTES

Chair Dugan asked if there were any corrections to the minutes as distributed.

Senator Lanford, faculty, Division of Research, made a motion to postpone consideration of the October 7, 2020 Senate meeting minutes to the December 8, 2020 Senate meeting in order to allow time for the Senate to vote on the amendments related to aligning the Senate Bylaws with current practice on the minutes that will be considered under New Business. She stated that any amendment that is approved by the Senate at this meeting would still need to be approved by the President before it is codified so postponing the approval of these minutes would allow them to be considered under the amended Bylaws.

The motion was seconded. Dugan opened the floor to discussion of the motion.

Lanford clarified that the motion will allow the Senate to move through this section of the meeting in an expedient manner and base the approval of the minutes on the amended Bylaws once they are aligned with current practice.

Hearing no further discussion, Dugan called for a vote on the motion. The result was 88 in favor, 8 opposed, and 7 abstentions. The motion to postpone the approval of the October 7, 2020 minutes to the December 8, 2020 Senate meeting passed.

REPORT OF THE CHAIR

Meeting Logistics: Chair Dugan provided an overview of meeting logistics for Senators including: the use of TurningPoint to vote whenever a voting slide is on the screen; the use of the Raise Hand feature in the participants window in Zoom if Senators would like to speak; and the use of the Coffee Mug feature in Zoom to make a point of information to get additional context, or a point of
personal privilege to report potential Zoombombing. She also noted that due to a change in Zoom features that prevents hosts from “force unmuting” participants, Senators should make sure to look for a “request to unmute” and unmute themselves when recognized to speak.

**BTAA Governance Leaders Conference:** Chair Dugan stated that Past Chair Lanford, Director Montfort, and her had attended the annual Big 10 Academic Alliance Governance Leaders Conference October 15-16, 2020, virtually at the University of Nebraska. Topics addressed included institutional responses to COVID-19, the Land-Grant Mission in the Age of COVID, electronic governance, academic freedom and leave without pay/suspension policies, Title IX responses, challenges and opportunities in higher education, and issues related to racisms, bias, and community safety. These topics were very relevant to the issues facing the University, so Dugan noted that it was an excellent opportunity to share best practices in higher education.

**Board of Regents’ Staff Awards:** Dugan stated that the Staff Affairs Committee is currently accepting nominations for the annual Board of Regents’ Staff Awards, which are the highest System-wide recognition of the exceptional work done by staff members across the University System of Maryland. Awards are presented to employees who have demonstrated excellence in one of five categories. Exempt and non-exempt staff who have been with the University for at least five years are eligible for nomination, and any member of the University community can nominate an eligible staff member. Nomination packages must be submitted to the Senate Office by Friday, November 13, 2020.

**SEC Charge to ERG:** Dugan noted that in order to address Senators’ concerns that have been raised about Senate processes outside of Senate meetings, as well concerns raised during the proceedings at the last two Senate meetings, the Senate leadership asked the Senate Executive Committee to charge the Elections, Representation, and Governance (ERG) Committee with a comprehensive review of the Senate Bylaws to ensure alignment with current practices. The Senate leadership takes these concerns seriously and has worked to find a balance to allow any concerns about Senate processes and procedures to be addressed constructively and ensure that the Senate is still able to conduct its business at each of its meetings. She suggested that any Senators who have concerns about the alignment of the Bylaws with current practice can raise them with the ERG Committee during the course of its review.

**PCC PROPOSAL TO ESTABLISH A POST-BACCALAUREATE CERTIFICATE IN TECHNOLOGY MANAGEMENT (SENATE DOCUMENT #20-21-12) (ACTION)**

Betsy Beise, member of the Programs, Curricula, and Courses (PCC) Committee, presented the proposal and provided background information.

Dugan thanked Biese and opened the floor to discussion of the proposal; hearing none, she called for a vote. The result was 105 in favor, 3 opposed, and 3 abstentions. **The proposal passed.**

**PCC PROPOSAL TO ESTABLISH A POST-MASTER’S CERTIFICATE IN BILINGUAL SPEECH-LANGUAGE PATHOLOGY FOR PRACTITIONERS (SENATE DOCUMENT #20-21-13) (ACTION)**

Betsy Beise, member of the Programs, Curricula, and Courses (PCC) Committee, presented the proposal and provided background information.
Dugan opened the floor to discussion of the proposal; hearing none, she called for a vote. The result was 114 in favor, 2 opposed, and 3 abstentions. **The proposal passed.**

**SPECIAL ORDER**

**Damon Evans**  
**Director of Athletics**  
**State of Maryland Athletics**

Chair Dugan introduced Damon Evans, Director of Athletics, and invited him to provide his presentation.

Evans summarized the reinvention of the Athletics program in response to three major events, which have upended the intercollegiate athletics model: the COVID19 pandemic, racism and social injustice, and paying student athletes for the use of their name, image, and likeness. Evans commended the outstanding efforts of the medical team and training staff, emphasized the University’s unwavering commitment to diversity and inclusion, and praised the resiliency of the University’s student athletes.

**The COVID-19 Pandemic**
- The decision to start and restart Athletics was made under the guidance of medical professionals conducting daily antigen testing and symptom check-ins for student athletes.
- Only football and men’s and women’s basketball will be competing this fall; all other sports will start in the new year and schedules are still being developed.
- Scholarships will be honored for any student-athletes who opt-out of participating.
- Many head coaches have continued to volunteer to take pay reductions to mitigate the impact of COVID-19 related budget cuts.

**Racism and Social Injustice**
- Student athletes spearheaded the VOTERP initiative to educate voters and open XFinity Center as an early polling site.
- Student athletes on the football team replaced the names on their game jerseys with expressions of solidarity.
  - The University amplified their voices by adding stencils to the football field visible to television audiences, and releasing a video from student athletes.
- Athletics has hired a Senior Associate Athletic Director of Diversity, Equity, and Inclusion, Cynthia Edmunds, to enhance and better align the culture, climate, and community.

**Compensating Student Athletes**
- Athletics has developed a five part strategy in anticipation of the NCAA passing legislation to permit student athletes to be compensated for the use of their name, image, and likeness:
  - Advocate for student athletes;
  - Educate student athletes on what they can and cannot do;
- Create content to provide personalized videos and pictures to student athletes so they can grow their social media following;
- Showcase student athletes in the media market; and
- Advise student athletes on how to benefit from new opportunities while complying with NCAA rules.

Evans emphasized the integration of Athletics with the University, and provided suggestions for harnessing the media coverage of Maryland Athletics to benefit the broader work of the University.

Dugan thanked Evans and opened the floor to questions.

- Senators expressed their appreciation for the University supporting initiatives for compensating student athletes for the use of their name, image, and likeness; and giving athletes the freedom to express themselves in support of social justice issues.
- Senators also noted that athletes are still compensated in the form of scholarships, travel expenses, and coaching.
- Senators expressed appreciation for progress the University has made in medical oversight and review of the Athletics program.
- Senators inquired about the funding sources for paying student athletes, and asked questions about the current COVID-19 positivity rate, the percentage of student athletes who opt-out of competition, how long student athletes who opt-out of competition will keep their scholarships, and how they will be re-incorporated into their teams.
- Evans clarified that the University does not set aside funding for compensating student athletes. Evans stated that the current COVID-19 positivity rate is around 2.2%, and the University will honor scholarships. Evans shared that as the Big 10 revamped its medical protocols, more student athletes opted back into competition. All services are available for student athletes who opt out, except for training with the team, which requires separate medical protocols. An acclimation period will occur to allow for student athletes to return to competition.
- Senators also inquired if athletes will receive a financial education on how to handle outside contracts; and if there are outreach programs.
- Evans stated that student athletes will receive education in financial literacy, and provided an overview of current outreach programs and future partnerships.

Evans thanked the Senate Leadership and the SEC for meeting with Athletics after the passing of Jordan McNair, and helping to guide Athletics in coming up with an autonomous health care model. Dugan thanked Evans for his presentation and encouraged Senators to send any additional questions to the Senate Office so they could be forwarded to Evans for a response.

SPECIAL ORDER

Oscar Barbarin (co-chair)
Professor, Department of African American Studies

William Cohen (co-chair)
Associate Provost & Dean of Undergraduate Studies
Chair Dugan introduced Oscar Barbarin, Professor in the Department of African American Studies (co-chair), William Cohen, Associate Provost & Dean of Undergraduate Studies (co-chair), and Cynthia Kay Stevens, Associate Dean of Undergraduate Studies to provide their presentation.

Cohen thanked the Senate for allowing them to share their presentation.

Stevens provided background information on the Diversity Education Task Force (DETF):
- The Joint President/Senate Inclusion and Respect Task Force released a report in 2018, which delegated educational and curricular elements to the DETF.
- The DETF was charged with considering how education and civic issues could contribute to students’ capacities, making recommendations for improving them, and looking at general educational efforts, and civic education and engagement.
- Committee work was largely completed by March 2020.
- In September and October 2020, DETF sought feedback from key constituents and fine-tuned recommendations.

Barbarin presented the DETF’s findings:

The 2016 ASHE Report
- Campus infrastructure has a huge impact on teaching and learning about identity based differences;
- Effective programs support students’ identity based development and promote perspective-taking, empathy, and intergroup learning;
- First year experiences are formative; greater attitude change occurs with 2+ courses; and
- Faculty need ongoing development to create inclusive classrooms.

Current Understanding of Diversity Education
- The University has a patchwork of varied efforts, some of which are college-specific.
- GenEd requirements are two Diversity courses; there are a wide range of optional experiences.

Current Campus Climate
- Hate-bias incidents have created uncertainty regarding campus leaders’ commitment to diversity & inclusion;
- Black and Latinx members feel less safe and question institutional commitment; and
- Current initiatives can duplicate effort and isolate impact.

Barbarin summarized goals and key constraints for proposed changes in diversity & civic engagement education.
Goals:
- Reflect how culture and background factor into identity formation;
- Recognize how societies have embedded systems that promote inequality;
- Develop empathy for social and material costs of exclusion & marginalization;
- Respect cultural differences, including internalization of University values; and
- Develop communication skills to engage and communicate constructively with others different from themselves.

Constraints:
- Changes should not hinder degree progress by adding more credit hours;
- Voluntary activities should be incorporated with required ones to reduce pushback;
- All members of the University community need to be involved in this initiative;
- Colleges should be involved in development and delivery to their students; and
- Requirements should be scaled and deployed to not overload TLTC and ODI staff.

Cohen summarized the DETF’s recommendations:
- Create introductory activities for new students which communicate the University’s values and incorporate UNIV100 enhancements, and incentivize instructors and students to participate in First Year Book activities;
- Modify the diversity requirement category labels and learning outcomes for General Education (including a required outcome focused on racism) and require one course in each diversity category, and incorporate more explicit diversity content into Academic Writing and Oral Communication;
- Offer optional diversity and civic engagement credentials, including microcredentials and expanding available programs; and
- Ask all departments to include discipline-relevant diversity education into their majors.

Dugan thanked Stevens, Barbarin, and Cohen, and opened the floor to questions.

- Senators expressed concern that the initiative may focus on social categories of diversity over ideological diversity, focusing on addressing racism instead of other forms of oppression that intersect with racism, such as gender or disability; and that students who are relatively unaffected by forms of oppression will be incentivized to pursue microcredentials.
- Barbarin stated that the focus of the task force is on social categories, and the task force aims to promote an intersectional approach to show how race interacts with forms of oppression.
- Senators asked questions about the timeline for implementing these requirements, and if transfer students will need to meet these requirements.
- Cohen stated that the proposed recommendations will likely take a number of years to implement, as they need to go through the Senate approval process prior to development of the new category of courses. Cohen shared that different layers were built into the
requirements in part so transfer students who would not take Gen Ed requirements at the University would receive discipline specific upper-level diversity education.

- Senators asked how students can handle contradicting experiences between what they learn in classes and what they may experience on campus as a member of a marginalized group.

- Barbarin shared that he hopes that the underlying change would be towards more empathetic behavior rather than a transactional relationship, and that focusing on developing the core values of the University through the curriculum will create an auspicious environment where students will feel that they can express their concerns.

- Senators expressed appreciation for faculty training and development in diversity issues, and stated a need for universal design for campus community members with physical disabilities.

- Barbarin stated that universal design is beyond the purview of the task force.

Dugan thanked Stevens, Barbarin, and Cohen, and encouraged Senators to send additional questions to the Senate Office to forward to them.

NEW BUSINESS

Chair Dugan stated that the Senate received two separate amendments to the Bylaws for consideration that address minute-keeping procedures. She noted that the Senate will consider the amendment from each Senator separately and will vote on all three modifications by each Senator in a single vote. Both amendments were provided to Senators by email prior to the meeting.

Dugan explained that when multiple competing amendments are submitted, Robert’s Rules states that the Chair should arrange amendments in a logical order, taking the least inclusive amendment first. She stated that the Senate will consider Senator Lanford’s amendment first, as these two amendments are identical except for an additional phrase in Senator Sparks’s amendment to Article 11.1.a. Based on the outcome of the vote on Senator Lanford’s amendment, Dugan explained that the Senate will either consider Senator Sparks’s amendment in whole, or just the additional sentence that differentiates the two amendments. Dugan provided an overview of voting procedures for the decisions and related actions or changes to the Bylaws language.

Dugan invited Senator Lanford to propose her amendment. Lanford made a motion to amend the Senate Bylaws as follows:

5.3.b Minutes of the proceedings of each committee meeting shall be kept in accordance with Robert’s Rules of Order for Small Committees.

7.3.c Minutes: Minutes of the special committee’s proceedings shall be kept in accordance with Robert’s Rules of Order for Small Committees.

11.1.a The minutes shall include only actions and business transacted, at a minimum. They shall be submitted to the Senate for approval. Copies of the approved minutes shall be made available to all chief administrative officers of Colleges, Schools, departments, and other units, and to the campus news media.
Senator Lanford explained that the purpose of the amendment is to delete more restrictive language in the Bylaws in order to align it with current minute-keeping practices that provide more detailed information in the minutes.

The motion to amend the Bylaws was seconded. Dugan opened the floor to discussion of Senator Lanford’s amendment.

Senator Iliadis, faculty, A. James Clark School of Engineering, expressed support for the amendment and inquired how long recordings of the Senate meetings are kept.

Dugan stated that recordings of the meetings are archived in the University Libraries indefinitely and can be requested through the Archives.

Senator Callaghan, faculty, College of Arts & Humanities, stated her support for the amendment, as the more information disseminated is better for transparency and improving the University as a whole.

Hearing no further discussion, Dugan called for a vote on Senator Lanford’s amendment to the Bylaws, and stated that an amendment to the Bylaws requires a ⅔ vote in favor to pass. The result was 112 in favor, and 7 opposed. The motion to amend the Senate Bylaws passed.

Dugan stated that the Senate will now consider the amendment by Senator Sparks. Because Senator Lanford’s amendment passed, the only remaining element of Senator Sparks’s amendment is the additional clause in 11.1.a.

Dugan invited Senator Sparks to propose his amendment. Senator Sparks made a motion to amend the Senate Bylaws as follows:

11.1.a The minutes shall include actions and business transacted, at a minimum. In cases of discrepancies between the minutes and the Senate recordings, the recordings supersede the minutes. They shall be submitted to the Senate for approval. Copies of the approved minutes shall be made available to all chief administrative officers of Colleges, Schools, departments, and other units, and to the campus news media.

The motion was seconded.

Dugan reminded the Senate that the Senate Parliamentarian has advised that this amendment conflicts with the passage in Robert’s Rules that states, the minutes comprise the official record of the assembly’s proceedings. He also advised that Robert’s Rules states that, any such record or transcript of the proceedings prepared for publication, however, does not take the place of the minutes.

Senator Sparks, non-exempt staff, explained that passages in Robert’s Rules state that what the Senate decides is in the Bylaws supersedes Robert’s Rules. Senator Sparks stated that the reason for the amendment is for increased transparency in the Senate. In cases when the Senate Staff is not being as fair to outsiders trying to get information from the Senate as possible, it would ensure that there is a requirement that state that the recordings should take precedence over the minutes.
because they have more detail and therefore can be a better use for holding the Senate accountable and giving more transparency for this body.

Senator Giovacchini, faculty, College of Arts & Humanities appreciated the spirit of the amendment, but expressed concern that the amendment could open the door to endless discussion of what constitutes a discrepancy, and suggested finding a different way to address the problem.

Senator Rozman, non-exempt staff, expressed support for the amendment, for the sake of transparency, that a recording would have more detail.

Senator Lanford, faculty, Division of Research made a motion to extend the meeting by 10 minutes to complete this particular business. The motion was seconded. Dugan called for a vote on the motion and stated that a ⅔ vote is needed in order for the motion to pass. The result was 85 in favor and 22 opposed. The motion to extend the meeting passed.

Senator Ashour-Bailey, exempt staff, expressed support for transparency in the Senate, and expressed concerns over this language causing unnecessary discussion about discrepancies between recordings and minutes.

Dugan clarified that the purpose of the amendment is not to compare minutes and recordings.

Senator Sparks clarified that his intention in proposing the amendment is for more accountability for the Senate, and that recordings should take precedence because the minutes are just a summary of proceedings.

Dugan clarified that the recordings and minutes are available to the public and archived in the University Library.

Senator Lanford stated that there are instances where the minutes are more accurate than the recordings, because the Senate Office Staff must often fill in names, and affiliations, and details not provided during the meetings. She also stated that the Senate, as a body approves the minutes and that is not the case for the recordings. Lanford explained that if the Senate is already approving the minutes, it seems duplicative to state that the recordings are basically a second set of minutes, especially because no one is comparing the two to ensure accuracy. Because the minutes and recordings are both publicly available, she stated that there is no issue in terms of transparency. In terms of what the public has access to, Lanford stated that she does not see a problem and that she does not see the point in having this statement in there.

Dugan stated that there was only time for one more comment before the Senate had to move to a vote on the amendment based on the time remaining in the meeting.

Senator Huard, faculty, College of Computer, Mathematical, & Natural Sciences, expressed concern over the word discrepancy suggesting an error in the minutes, and asked if there was a mechanism for suggesting changes to the minutes prior to approval. He stated that he agreed with Senator Lanford.

Dugan called for a vote on Senator Sparks's amendment to the Bylaws. The result was 28 in favor, and 73 opposed. The motion to amend the Senate Bylaws failed.
ADJOURNMENT

The meeting was adjourned at 5:10 p.m.