

June 6, 2024

MEMORANDUM

TO:

Angela Nastase
Office of Civil Rights & Sexual Misconduct
Emily Leigh
Office of General Counsel
Kanitta Tonggarwee
Office of the President

FROM:

Jordan Sly
Chair of the University Senate

SUBJECT:

University Senate Equity, Diversity, and Inclusion Work on University of Maryland Sexual Harassment and Non-Discrimination Policies

During the 2023-2024 academic year, the University Senate Equity, Diversity, and Inclusion (EDI) Committee was charged by the University Senate Executive Committee (SEC) to review proposed technical and legal changes to the University of Maryland Non-Discrimination Policy and Procedures ([VI-1.00 \(B\)](#)) and the University of Maryland Policy and Procedures on Sexual Harassment and Other Sexual Misconduct ([VI-1.60 \(A\)](#)).

To manage the workload efficiently, the committee was divided into subcommittees, each responsible for evaluating the proposed changes to one of the policies. Each subcommittee scrutinized the technical and legal amendments, assessed clarity for the campus community, and engaged with various campus entities for consultation.

On April 19, 2024 the U.S Department of Education issued final federal regulations regarding sex-based discrimination under Title IX. The Office of General Counsel (OGC) advised that these regulations necessitated substantial revisions to the policies under review. The final federal regulations require universities to implement the changes by August 1, 2024. Consequently, OGC recommended that the proposal be paused to allow for an interim Non-Discrimination policy that encompasses the substantive changes to be developed. The recommendation was made to limit the number of policy drafts existing and avoid confusion for ongoing and new cases.

The EDI Committee deliberated this recommendation and voted to recommend submitting its reports and recommendations to the Office of General Counsel, the Office of Civil Rights & Sexual Misconduct, and the Office of the President. This approach would allow the committee's work to be able to be considered in the development of the interim Non-Discrimination and Sexual Harassment policies, thereby preserving the committee's efforts.

On May 17, 2024, the EDI Committee presented its findings and recommendations to the SEC. The SEC, acting on behalf of the University Senate, approved the completion of the EDI Committee's charge by forwarding the work and recommendations to the aforementioned stakeholders.

As Chair of the University Senate, I am providing you with a detailed report of the committee's work and findings during their review. This report serves as a resource for your consideration in developing new interim policies in compliance with Title IX regulations.

Thank you for your consideration and attention to this matter.

If you have any questions, please contact the University Senate Office at senate-admin@umd.edu.

Sincerely,

Jordan Sly
Chair
University Senate