

March 1, 2012

MEMORANDUM

TO: University Senate Members

FROM: Eric Kasischke
Chair of the University Senate

SUBJECT: University Senate Meeting on Thursday, March 8, 2012

The next meeting of the University Senate will be held on Thursday, March 8, 2012. The meeting will convene at **3:15 p.m.**, in the **Atrium of the Stamp Student Union**. If you are unable to attend or plan to arrive late, please contact the Senate Office¹ by calling 301-405-5805 or sending an email to senate-admin@umd.edu for an excused absence. Your response will assure an accurate quorum count for the meeting.

The meeting materials can be accessed on the Senate Website. Please go to <http://www.senate.umd.edu/meetings/materials/> and click on the date of the meeting.

Meeting Agenda

1. Call to Order
2. Approval of the December 8, 2011 Senate Minutes (Action)
3. Report of the Chair

Committee Reports

4. Faculty Satisfaction with Student Academic Dishonesty Honor Review Procedures (Senate Doc. No. 10-11-59) (Information)
 5. Proposal to Retain "Clear and Convincing Evidence" as the Evidentiary Standard in Sexual Harassment Cases (Senate Doc. No. 11-12-09) (Information)
 6. PCC Proposal to Change the Name of the PhD in Public and Community Health to Behavioral and Community Health (Senate Doc. No. 11-12-25) (Action)
 7. PCC Proposal to Establish a Post-Baccalaureate Certificate in Principles of Public Health (Senate Doc. No. 11-12-26) (Action)
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8. PCC Proposal to Establish a Master of Public Health in Public Health Practice and Policy (Senate Doc. No. 11-12-29) (Action)
9. Policies on the Employment of Adjunct Faculty (Senate Doc. No. 11-12-06) (Action)
10. Activation of the USM Clinical Faculty Titles (Senate Doc. No. 11-12-20) (Action)
11. Title Updates in the Senate Bylaws (Senate Doc. No. 11-12-08) (Action)
12. New Business
13. Adjournment

¹ Any request for excused absence made after 1:00 p.m. will not be recorded as an excused absence.

University Senate

December 8, 2011

Members Present

Members present at the meeting: 85

Call to Order

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

Approval of the Minutes

Chair Kasischke asked for additions or corrections to the minutes of the November 9, 2011 meeting. Hearing none he declared the minutes approved as distributed.

Report of the Chair

Senate Elections

Kasischke announced that the Senate Office would begin the candidacy/election process for all staff, student, and single-member constituency senators for 2012-2013 on January 23, 2012. He encouraged those in attendance to run to be a senator and indicated that details about the timeline and process could be found under the "Elections" tab on the Senate website.

Spring 2012 Senate Meetings

Kasischke reminded the Senate that the first Senate meeting of the spring semester would be on February 8, 2012. He asked senators to mark all of the spring 2012 senate meeting dates on your calendar. We expect to have a very busy semester with much of the work that is currently in our various committees coming forward for a vote.

Kasischke reminded the Senate that the next two items on the agenda were ones that were not completed at the last meeting.

Title Updates in the Senate Bylaws (Senate Doc. No. 11-12-08) (Action)

Kasischke stated that the Office of the Provost has forwarded additional information related to the hiring of the new Chief Diversity Officer. The ERG Committee should consider this information before making a presentation. He asked the consent of the Senate to postpone its deliberation of this item to a future meeting. There were no objections.

Preservation of Shared Governance During Reorganizations, Consolidations, and Mergers (Senate Doc. No. 09-10-49) (Action)

Kenneth Fleischmann, Chair of the Elections, Representation, and Governance (ERG) Committee, presented the Preservation of Shared Governance During

Reorganizations, Consolidations, and Mergers proposal and provided background information.

Kasischke opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 59 in favor, 1 opposed, and 5 abstentions.
The motion to approve the proposal passed.

Revisions to the School of Public Health Plan of Organization (Senate Doc. No. 10-11-49) (Action)

Kenneth Fleischmann, Chair of the Elections, Representation, and Governance (ERG) Committee, presented the Revisions to the School of Public Health Plan of Organization and provided background information.

Kasischke opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 65 in favor, 1 opposed, and 2 abstentions.
The motion to approve the proposal passed.

Nominations Committee Slate (Senate Doc. No. 11-12-21) (Action)

Martha Nell Smith, Chair of the Committee on Committees, presented the Nominations Committee Slate and provided background information.

Kasischke opened the floor to any additional nominations; hearing none, he called for a vote on the slate. The result was 70 in favor, 1 opposed, and 0 abstentions.
The motion to approve the proposal passed.

Request to Review Domestic Partner Benefits (Senate Doc. No. 10-11-34) (Action)

Vincent Novara, Chair of the Equity, Diversity, and Inclusion (EDI) Committee, presented the Request to Review Domestic Partner Benefits proposal and provided background information.

Kasischke opened the floor to discussion of the proposal.

Senator Goodman, Faculty, College of Computer, Mathematical, and Natural Sciences, spoke strongly in favor of the proposal. It speaks strongly to the quality of our institution that we establish this type of benefit.

Senator Davis, Undergraduate, College of Undergraduate Studies, inquired whether transgender relationships were taken into consideration.

Novara responded that the committee consulted with the President's Commission on LGBT Issues. The decision would be based on whatever the transgender employee had transitioned to.

Dean Hamilton, College of Undergraduate Studies, inquired why opposite-sex domestic partners were excluded.

Novara stated that the committee viewed it as an issue of equity and fairness. Opposite-sex partners have the ability to marry in the State of Maryland where same-sex partners do not.

Dean Hamilton responded that she understood the direction of the committee's recommendation but thought that the wording should not exclude opposite-sex domestic partners.

Senator Tits, Faculty, College of Engineering, stated that he agrees that passing this proposal is a step in the right direction but sees it as discriminatory to exclude opposite-sex domestic partner benefits. He proposed an amendment that "same-sex" be removed from the recommendation. The motion to amend the recommendation was seconded.

Kasischke opened the floor to discussion of the amendment.

Novara stated that the State of Maryland defines domestic partners as being two people of the same-sex. We cannot just remove the qualifying adjective but must come up with all new language.

Senator Walters, Faculty, College of Computer, Mathematical, and Natural Sciences, inquired what would happen if the State Legislature approved same-sex marriages. If they were given that right and chose not to marry, would they be eligible for these benefits?

Novara responded that any State law would override any System policy expanding benefits to same-sex domestic partners. Same-sex domestic partners would not be given access to benefits when opposite-sex domestic partners do not have access if marriage equality were passed. At that time, the Senate or another administrative body could revisit the issue of extending spousal benefits to all domestic partners. That would probably have a fiscal impact and would have to be thoroughly researched. This has been proposed in the past and did not make it past the Senate or the Board of Regents.

Senator Myers, Faculty, College of Agriculture & Natural Resources, stated that he was opposed to this proposal. He feels that it is preemptive to State law and moves us along too quickly.

Senator Goodman, Faculty, College of Computer, Mathematical, and Natural Sciences, stated that he supports the sentiment of the amendment but suggested a substitute amendment. If the motion to approve the EDI Committee's recommendations is passed, the Senate will charge the committee with reconsidering expanding benefits to domestic partners of all sexes.

The motion was seconded.

Marvin Breslow, Parliamentarian, advised that Senator Goodman's amendment is a viable solution and asked Senator Tits and the seconder of the amendment whether he would consider withdrawing his amendment. Senator Tits agreed to withdraw his amendment.

Kasischke opened the floor to discussion of Senator Goodman's amendment.

Cliffonia Howard, Member of the EDI Committee, stated that there was discussion of opposite-sex partners within the committee. The State of Maryland does not recognize opposite-sex domestic partnerships as a marriage. Same-sex partners cannot get married which is why they are being included in this proposal.

Dean Hamilton, College of Undergraduate Studies, related the discussion to a similar discussion over whether bicyclists should also wear helmets if we were going to make scooter riders wear helmets but we need to start somewhere. She urged the Senate to pass this proposal now.

Senator Smith, Chair-Elect, suggested that we add "domestic" before partners in the amendment. She also encouraged the Senate to pass the proposal.

That change was accepted as a friendly amendment.

Senator Dinman, Faculty, College of Computer, Mathematical, and Natural Sciences, suggested that we include "between people."

Senator Myers, Faculty, College of Agriculture & Natural Resources, stated that he was in favor of a vote and that we have not shown that this is aligned with State Law so he opposes it.

Kasischke called for a vote on Senator Goodman's amendment. The result was 45 in favor, 23 opposed, and 7 abstentions. **The amendment passed.**

Kasischke opened the floor to discussion of the proposal as amended.

Senator Coates, Non-Exempt Staff, stated that we should make certain the wording comports with our intentions and objectives first and not just pass it for the sake of getting it through. What if the State Law does pass recognizing same-sex marriage? We should consider opposite-sex domestic partners before voting on this proposal.

Novara stated that there is no guarantee that the General Assembly will approve same-sex marriages in their next session. It stalled last year and could stall again. We are trying to put something in place in recognition of fairness and equity at the University.

Senator Parsons, Exempt Staff, stated that we should deal with what we have now and then adjust things as the scenario and landscape changes.

Senator Myers, Faculty, College of Agriculture & Natural Resources, recommended that we table the vote and that we make sure we are in alignment with State Law. It is too controversial of an issue for this vote to have substantial weight.

The motion to table the proposal was seconded.

Kasischke opened the floor to discussion of the motion to table the proposal.

Novara stated that this proposal is in line with the laws of the State of Maryland. It appears in the 2011 Maryland State Employees and Retirees Health Benefits guide, which defines same-sex domestic partners. The committee's work is based on Maryland State Law.

Senator Myers, Faculty, College of Agriculture & Natural Resources, stated that if the State does not recognize same-sex marriage, the University should not prescribe those rights to University members. It is preemptive to State Law.

Novara clarified that the recommendation is for the extension of system-level benefits to same-sex domestic partners rather than an alternate version of same-sex marriage.

Senator Smith, Chair-Elect, stated that as an educational body it is our responsibility to lead morally. She is supportive of something like this. We are not competitive with other institutions that offer these benefits.

Provost Wylie stated that she agreed that we should pass this proposal. She also clarified that as an institution, we do not have the capacity to do this. We are asking the Board of Regents to recognize this need. We are making a political statement to the Board of Regents that urges them to act.

Kasischke asked Breslow for an explanation of what the motion to table means.

Breslow explained that a motion to table would effectively kill a proposal because the procedures to bring it back are difficult. He reiterated and clarified that approving this motion will not send it back to the committee but will kill the proposal.

Kasischke called for a vote on the motion to table. The result was 17 in favor, 54 opposed, and 4 abstentions. **The motion to table failed.**

Kasischke called for further discussion on the proposal; hearing none, he called for a vote on the Request to Review Domestic Partner Benefits proposal. The result was 56 in favor, 15 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

Request for Non-Exempt Staff Issues and Development Review (Senate Doc. No. 10-11-57) (Action)

Steven Petkas, Chair of the Staff Affairs Committee, presented the Request for Non-Exempt Staff Issues and Development Review proposal and provided background information.

Kasischke opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 68 in favor, 2 opposed, and 2 abstentions.
The motion to approve the proposal passed.

Updates to Procedural Requirements Pertaining to Sexual Harassment and Sexual Violence (Senate Doc. No. 11-12-10) (Action)

Nan Ratner, Chair of the Student Conduct Committee, present the Updates to Procedural Requirements Pertaining to Sexual Harassment and Sexual Violence proposal and provided background information.

Kasischke opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 66 in favor, 3 opposed, and 2 abstentions.
The motion to approve the proposal passed.

New Business

Kasischke opened the floor to new business.

Martha Nell Smith, Chair-Elect, made a motion to pass the following resolution:

Over the last few weeks, many of us have been deeply disturbed by the use of force deployed by University of California campus police against peaceful, nonviolent protestors. Such a climate is far from conducive for research, teaching, and learning. The University of Maryland Senate would like to express concern formally and also state publicly our commitment to fostering and insuring a climate that guarantees free and open discussion and respect for all members of our community so that the scenes we have seen in California are unimaginable here.

The motion was seconded.

Kasischke opened the floor to discussion of the resolution.

Senator Davis, Undergraduate, College of Undergraduate Studies, stated that he agreed with the resolution but stated that he has seen some video showing that the protestors were not as peaceful as was reported.

Smith clarified that the resolution says University of California because there have been other issues related to peaceful protesting at Berkeley.

Senator Myers, Faculty, College of Agriculture & Natural Resources, stated that the resolution is fine but the language harbors ill will towards the University of California. He made a motion that the first two sentences be removed. There was a second to the motion.

Smith and other senators agreed to change the language of the resolution to the following:

Over the last few weeks, many of us have been deeply disturbed by the use of force deployed by campus police at other institutions against peaceful, nonviolent protestors. Such a climate is far from conducive for research, teaching, and learning. The University of Maryland Senate would like to express concern formally and also state publicly our commitment to fostering and insuring a climate that guarantees free and open discussion and respect for all members of our community so that the scenes we have seen elsewhere are unimaginable here.

Kasischke called for a vote on the amendment to the resolution. The result was 56 in favor, 4 opposed, and 2 abstentions.

Kasischke opened the floor to discussion of the resolution as amended.

Senator Celi, Faculty, College of Engineering, stated that he was in favor of the resolution. He proposed changing “unimaginable” to “unacceptable”. Smith agreed to the change in language.

The final language of the resolution is as follows:

Over the last few weeks, many of us have been deeply disturbed by the use of force deployed by campus police at other institutions against peaceful, nonviolent protestors. Such a climate is far from conducive for research, teaching, and learning. The University of Maryland Senate would like to express concern formally and also state publicly our commitment to fostering and insuring a climate that guarantees free and open discussion and respect for all members of our community so that the scenes we have seen elsewhere are unacceptable here.

Senator Cooperman, Faculty, College of Arts & Humanities, stated that the resolution is a dangerous statement and that it is self-righteous for us to comment on what happens at other institutions. It seems to forbid police from responding to “non-violent” post-football-game protestors who light things on fire. There is no definition or context. There is a rush to judgment. It is not our place to comment on this. This is not appropriate and should fail.

Hearing no further discussion, Kasischke called for a vote on the resolution. The result was 37 in favor, 22 opposed, and 4 abstentions. **The resolution passed.**

Senator Hample, Faculty, College of Arts & Humanities, made a motion for the Senate to approve a resolution to express sympathy and solidarity for members of the Virginia Tech Campus Community.

The motion was seconded.

Kasischke opened the floor to discussion of the resolution; hearing none, he called for a vote on the resolution. The result was 58 in favor, 1 opposed, and 1 abstention. **The motion to approve the resolution passed.**

Kasischke thanked everyone for their hard work this semester and wished everyone a safe and merry holiday season.

Adjournment

Senate Chair Kasischke adjourned the meeting at 4:21 p.m.



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February 14, 2012

Dr. Eric S. Kasischke
University Senate Chair
1153 LeFrak Hall
University of Maryland
College Park, MD 20742-8225

RE: Faculty Satisfaction with Student Academic Dishonesty Honor Review Procedures
(Senate Document #10-11-59)

Dear Dr. Kasischke:

Concerns about the Honor Review Process for cases of student academic dishonesty were raised during the Fall 2010 Semester. Donna Hamilton, Associate Provost for Academic Affairs and Dean for Undergraduate Studies, sent a memo requesting that the Student Conduct Committee (SCC) generate a survey to determine faculty satisfaction with the Office of Student Conduct and the Honor Review Process.

In accordance with Dean Hamilton's request of December 7, 2010, the SCC conducted a survey of the Faculty (including Tenured/Tenure-Track Faculty, Non-Tenured/Tenure-Track Faculty, Adjuncts, Teaching Assistants, Lecturers, Research Faculty, and Clinical Faculty) by randomly contacting 1500 full-time and part-time individuals selected from the University roster of current instructors. We received a response from faculty from each of the 13 colleges/schools at the University. The survey achieved just under a 20% response rate, well within that considered adequate for survey interpretation. In general, the committee believes that responses reflect a system that, although not perfect, is well-regarded by most respondents.

However, the survey has identified areas in which the referrals process and hearings could be improved. Thus, the committee suggests that the appropriate offices on campus facilitate a number of potential changes/improvements in order to effect continuous improvement in how cases of suspected academic misconduct are handled. These suggestions are included in the attached report.

On behalf of the SCC, I respectfully request that the Senate Executive Committee (SEC) forward this report and recommendations to Dean Hamilton.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Nan Ratner".

Nan Ratner
Chair, University Senate Student Conduct Committee

NR/cb

Cc: Reka Montfort, Executive Secretary and Director, University Senate
Andrea Goodwin, Director, Office of Student Conduct

Senate Student Conduct Committee (SCC)

Faculty Satisfaction with Student Academic Dishonesty Honor Review Procedures (Senate Document #10-11-59)

Report February 2012

Concerns about the Honor Review Process for cases of student academic dishonesty were raised during the Fall 2010 Semester. Donna Hamilton, Associate Provost for Academic Affairs and Dean for Undergraduate Studies, sent a memo requesting that the Student Conduct Committee (SCC) generate a survey to determine faculty satisfaction with the Office of Student Conduct and the Honor Review Process.

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However, the survey has identified areas in which the referrals process and hearings could be improved. Thus, the committee suggests that the appropriate offices on campus facilitate the following potential changes/improvements in order to effect continuous improvement in how cases of suspected academic misconduct are handled:

- 1) The SCC suggests that the Office of Student Conduct (OSC) update its factsheets for all members of the Honor Review Process (including the presiding officers, campus advocates, members of the board, faculty complainants, student respondents, etc.) with information about the process and responsibilities. The factsheets should at the least have two major sections: Understanding the Standard of Evidence and Ranges of Sanctions. Participants should be asked to sign or initial the factsheets before the hearing, to show that they received and reviewed the information. The Office of Student Conduct is open to this suggestion.
- 2) The SCC suggests that the Office of Student Conduct (OSC) create a general information factsheet for faculty members on campus, which further describes the Honor Review Process. This factsheet could be available on UMEG. This factsheet would cover information about how to correctly handle cases of suspected academic dishonesty, how to correctly refer the cases, what are the ranges of sanctions, what are the standards of evidence, and what to expect at a hearing. The Office of Student Conduct is open to this suggestion.
- 3) The SCC would like to meet periodically with Chairs Councils to share information on the Honor Review Process.
- 4) The SCC suggests that the Faculty Activities Report (FAR) and Student Activities Report (SAR) could be edited to allow faculty and graduate students to include Honor Board service. Additionally, a special notation could be included on undergraduate transcripts for all students who participate on the University Student Judiciary.

5) The SCC would like to affirm that it believes one of the best ways to reduce cases of academic dishonesty is to clearly specify course specific academic dishonesty policies on course syllabi. Faculty members should be encouraged to include requirements and expectations about academic honesty on their syllabi.

6) Based on the results of the survey, the SCC feels that it may be worthwhile to survey student perception, as well, in order to complement the process. Because most students are not involved in cases of academic dishonesty during their undergraduate careers, it would be most beneficial to focus such a survey on the campus advocates, presiding officers, and student board members, rather than the full undergraduate student body. The SCC is willing to conduct a survey of these identified students to best determine what additional improvements could be made to the process, based on their experiences. The OSC already surveys students who have been referred for academic dishonesty and faculty board members on a regular basis.

Appendices

Appendix One – Survey Results

Appendix Two – Letter from SCC to Dean Hamilton

Appendix Three – Request from Dean Hamilton to SCC

Satisfaction Survey of Honor Review Process

Description:

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Date Range: 4/20/2011 12:00:00 AM - 7/1/2011 11:59:00 PM

Total Respondents: 290

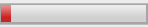
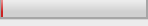
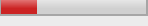
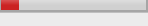
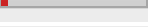
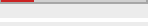

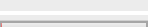

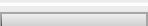


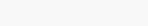
Q1. What is your faculty status?

Count	Percent		
129	44.33%		Tenured
30	10.31%		Tenure Track
56	19.24%		Faculty Non-Tenured/Tenure-Track
45	15.46%		Adjunct Faculty
1	0.34%		Teaching Assistant
30	10.31%		Other (please specify)


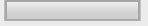
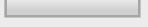
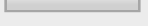
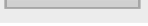
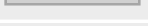

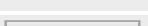
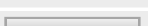



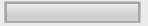
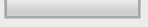
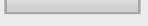
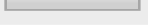
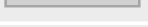

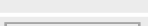
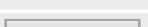
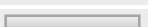




Count	Percent		
1	3.33%		Assistant Research Scientist
1	3.33%		clinical
1	3.33%		clinical faculty
1	3.33%		Emeritus, teaching
2	6.67%		Faculty Research Assistant
1	3.33%		FRA
1	3.33%		FRA/ Gemstone Mentor
1	3.33%		Full-time lecturer, non tenure track
1	3.33%		I have partial appt in Division of Research, but work primarily on an NSF grant
1	3.33%		instructor
2	6.67%		Instructor
1	3.33%		lecturer
3	10.00%		Lecturer
1	3.33%		postdoc
1	3.33%		Postdoc
1	3.33%		postdoctoral fellow
1	3.33%		postdoctoral research fellow
1	3.33%		research assistant
1	3.33%		Research associate
1	3.33%		Research Faculty- non teaching
1	3.33%		Research Scientist
1	3.33%		retired tenure track
1	3.33%		Senior Research Scientist
1	3.33%		supervisor- Elem. Educ. Interns
1	3.33%		working for NASA

291 Respondents

Q2. In which college do you teach?

Count	Percent		
19	6.53%		College of Agriculture and Natural Resources
4	1.37%		School of Architecture, Planning, and Preservation
73	25.09%		College of Arts and Humanities
37	12.71%		College of Behavioral and Social Sciences
13	4.47%		Robert H. Smith School of Business
67	23.02%		College of Computer, Mathematical and Natural Sciences
24	8.25%		College of Education
28	9.62%		A. James Clark School of Engineering
1	0.34%		The Graduate School
8	2.75%		Philip Merrill College of Journalism
1	0.34%		College of Information Studies
13	4.47%		School of Public Health
3	1.03%		School of Public Policy
291	Respondents		

Q3. What is your department?

Count	Percent		
285	100.00%		
Count	Percent		
1	0.35%		1
1	0.35%		aerospace
1	0.35%		Aerospace
1	0.35%		AGNR
1	0.35%		AIA
3	1.05%		Amst
1	0.35%		AMST
1	0.35%		Animal and Avian Sciences
2	0.70%		ANSC
1	0.35%		Anthropology
1	0.35%		ANTHROPOLOGY
1	0.35%		AOSC
1	0.35%		Arabic
2	0.70%		Architecture
2	0.70%		AREC
3	1.05%		Art
1	0.35%		ART
1	0.35%		Art History
2	0.70%		ARTH
1	0.35%		ARTT
2	0.70%		Astronomy
1	0.35%		Astronomy department
1	0.35%		Atmospheric & Oceanic Science
2	0.70%		BCH

1	0.35%	<input type="checkbox"/>	Behavioral & Community Health
2	0.70%	<input type="checkbox"/>	Behavioral and Community Health
3	1.05%	<input type="checkbox"/>	Bioengineering
2	0.70%	<input type="checkbox"/>	biol
1	0.35%	<input type="checkbox"/>	biology
8	2.81%	<input type="checkbox"/>	Biology
3	1.05%	<input type="checkbox"/>	CAPS
1	0.35%	<input type="checkbox"/>	Cbmj
4	1.40%	<input type="checkbox"/>	CBMG
3	1.05%	<input type="checkbox"/>	CCJS
1	0.35%	<input type="checkbox"/>	Cell Biology and Molecular Genetics
1	0.35%	<input type="checkbox"/>	Chem. & Biomol. Eng.
1	0.35%	<input type="checkbox"/>	Chemical & Biomolecular Engineering
1	0.35%	<input type="checkbox"/>	Chemistry
1	0.35%	<input type="checkbox"/>	chemistry & biochemistry
1	0.35%	<input type="checkbox"/>	Chemistry and Biochemistry
1	0.35%	<input type="checkbox"/>	Civil & Environmental
1	0.35%	<input type="checkbox"/>	Civil & Environmental Engineering
1	0.35%	<input type="checkbox"/>	Civil Eng.
1	0.35%	<input type="checkbox"/>	Civil, Project Management
2	0.70%	<input type="checkbox"/>	Classics
1	0.35%	<input type="checkbox"/>	CMPS
1	0.35%	<input type="checkbox"/>	cmsc
1	0.35%	<input type="checkbox"/>	communication
3	1.05%	<input type="checkbox"/>	Communication
1	0.35%	<input type="checkbox"/>	Communications
2	0.70%	<input type="checkbox"/>	Computer Science
1	0.35%	<input type="checkbox"/>	Counseling and Personnel Services
3	1.05%	<input type="checkbox"/>	CS
1	0.35%	<input type="checkbox"/>	curriculum
1	0.35%	<input type="checkbox"/>	Curriculum and Instruction
1	0.35%	<input type="checkbox"/>	Dance
1	0.35%	<input type="checkbox"/>	Dept of Music
1	0.35%	<input type="checkbox"/>	Dept. of Chemistry and Biochemistry
3	1.05%	<input type="checkbox"/>	DOIT
1	0.35%	<input type="checkbox"/>	ece
2	0.70%	<input type="checkbox"/>	ECE
1	0.35%	<input type="checkbox"/>	econ
1	0.35%	<input type="checkbox"/>	Econ
1	0.35%	<input type="checkbox"/>	ECON
1	0.35%	<input type="checkbox"/>	economics
4	1.40%	<input type="checkbox"/>	Economics
1	0.35%	<input type="checkbox"/>	edci
3	1.05%	<input type="checkbox"/>	EDCI

1	0.35%	<input type="checkbox"/>	EDCP
3	1.05%	<input type="checkbox"/>	EDHD
1	0.35%	<input type="checkbox"/>	EDHI
1	0.35%	<input type="checkbox"/>	edsp
2	0.70%	<input type="checkbox"/>	EDSP
1	0.35%	<input type="checkbox"/>	Education Leadership, Higher Education, & International Education
3	1.05%	<input type="checkbox"/>	ENGL
10	3.51%	<input type="checkbox"/>	English
1	0.35%	<input type="checkbox"/>	ENME
1	0.35%	<input type="checkbox"/>	ENNU
1	0.35%	<input type="checkbox"/>	ENSP
1	0.35%	<input type="checkbox"/>	ENST
1	0.35%	<input type="checkbox"/>	Entomology
1	0.35%	<input type="checkbox"/>	epib
1	0.35%	<input type="checkbox"/>	Epidemiology & Biostatistics
3	1.05%	<input type="checkbox"/>	ESSIC
1	0.35%	<input type="checkbox"/>	Extension
3	1.05%	<input type="checkbox"/>	Finance
1	0.35%	<input type="checkbox"/>	Fire Protection Engineering
1	0.35%	<input type="checkbox"/>	FMSC
1	0.35%	<input type="checkbox"/>	French italian
1	0.35%	<input type="checkbox"/>	FRIT
1	0.35%	<input type="checkbox"/>	GEOG
3	1.05%	<input type="checkbox"/>	Geography
4	1.40%	<input type="checkbox"/>	Geology
1	0.35%	<input type="checkbox"/>	Government and Politics
2	0.70%	<input type="checkbox"/>	GVPT
5	1.75%	<input type="checkbox"/>	HESP
2	0.70%	<input type="checkbox"/>	HIST
2	0.70%	<input type="checkbox"/>	History
1	0.35%	<input type="checkbox"/>	History/College Park Scholars/Gemstone
1	0.35%	<input type="checkbox"/>	History16
1	0.35%	<input type="checkbox"/>	I recently moved out of Biology
1	0.35%	<input type="checkbox"/>	IAA
2	0.70%	<input type="checkbox"/>	Institute of Applied Agriculture
1	0.35%	<input type="checkbox"/>	ipst
1	0.35%	<input type="checkbox"/>	IPST
1	0.35%	<input type="checkbox"/>	IREAP
1	0.35%	<input type="checkbox"/>	Italian
2	0.70%	<input type="checkbox"/>	Journalism
1	0.35%	<input type="checkbox"/>	Kinesiology
2	0.70%	<input type="checkbox"/>	KNES
2	0.70%	<input type="checkbox"/>	LBPP
1	0.35%	<input type="checkbox"/>	Ling

1	0.35%	<input type="text"/>	Linguistics
1	0.35%	<input type="text"/>	linguistics
4	1.40%	<input type="text"/>	Linguistics
1	0.35%	<input type="text"/>	Logistics, Business and Public Policy
1	0.35%	<input type="text"/>	M & O
1	0.35%	<input type="text"/>	M&O
1	0.35%	<input type="text"/>	Management
2	0.70%	<input type="text"/>	Maryland English Institute
1	0.35%	<input type="text"/>	Materials Science and Engineering
3	1.05%	<input type="text"/>	Math
1	0.35%	<input type="text"/>	mathematics
4	1.40%	<input type="text"/>	Mathematics
3	1.05%	<input type="text"/>	ME
2	0.70%	<input type="text"/>	Mechanical
1	0.35%	<input type="text"/>	mechanical engineering
1	0.35%	<input type="text"/>	Mechanical Engineering
1	0.35%	<input type="text"/>	Mechanical Engineering and ISR
1	0.35%	<input type="text"/>	MIAEK
1	0.35%	<input type="text"/>	MIEH
1	0.35%	<input type="text"/>	MSE
1	0.35%	<input type="text"/>	music
2	0.70%	<input type="text"/>	Music
1	0.35%	<input type="text"/>	n.a.
2	0.70%	<input type="text"/>	n/a
1	0.35%	<input type="text"/>	NFLC
1	0.35%	<input type="text"/>	NFS
1	0.35%	<input type="text"/>	no departments in college
1	0.35%	<input type="text"/>	Nutrition and Food Science
1	0.35%	<input type="text"/>	PHIL
1	0.35%	<input type="text"/>	philosophy
1	0.35%	<input type="text"/>	Philosophy
5	1.75%	<input type="text"/>	physics
9	3.16%	<input type="text"/>	Physics
1	0.35%	<input type="text"/>	Plant Science and Landsape Architecture
1	0.35%	<input type="text"/>	Plant Science and Landscape Architecture
1	0.35%	<input type="text"/>	Prof. Writing/English
1	0.35%	<input type="text"/>	PSLA
1	0.35%	<input type="text"/>	psyc
1	0.35%	<input type="text"/>	Psyc
2	0.70%	<input type="text"/>	PSYC
1	0.35%	<input type="text"/>	Research Center
1	0.35%	<input type="text"/>	Russian
1	0.35%	<input type="text"/>	School of Languages
2	0.70%	<input type="text"/>	School of Music

1	0.35%	<input type="text"/>	School of Music- Opera
1	0.35%	<input type="text"/>	School of Theatre, Dance, and Performance Studies
1	0.35%	<input type="text"/>	Science, Technology & Society
2	0.70%	<input type="text"/>	SLLC
1	0.35%	<input type="text"/>	SLLC/GERM
1	0.35%	<input type="text"/>	Social Policy
1	0.35%	<input type="text"/>	sociology
3	1.05%	<input type="text"/>	Sociology
1	0.35%	<input type="text"/>	socy
2	0.70%	<input type="text"/>	SOCY
1	0.35%	<input type="text"/>	Special Education
1	0.35%	<input type="text"/>	TDPS
1	0.35%	<input type="text"/>	theater
1	0.35%	<input type="text"/>	Theatre, Dance, and Performance Studies
1	0.35%	<input type="text"/>	TLPL
1	0.35%	<input type="text"/>	URSP
1	0.35%	<input type="text"/>	VETMED
1	0.35%	<input type="text"/>	voice/opera
2	0.70%	<input type="text"/>	WMST
1	0.35%	<input type="text"/>	WREC

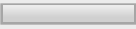
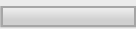

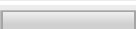

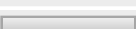

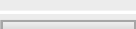
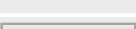
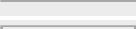

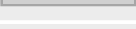
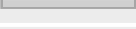
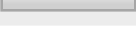
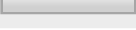
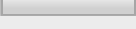
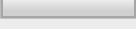
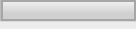
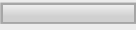
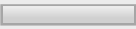





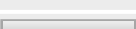
285 Respondents

Q4. How many years of teaching experience do you have?

Count Percent



288 100.00% (enter 0 for new faculty)

Count	Percent	<input type="text"/>	
1	0.35%	<input type="text"/>	54
1	0.35%	<input type="text"/>	48
2	0.69%	<input type="text"/>	42
7	2.43%	<input type="text"/>	40
1	0.35%	<input type="text"/>	39
5	1.74%	<input type="text"/>	38
3	1.04%	<input type="text"/>	37
2	0.69%	<input type="text"/>	36
6	2.08%	<input type="text"/>	35
2	0.69%	<input type="text"/>	34
2	0.69%	<input type="text"/>	33
1	0.35%	<input type="text"/>	32
2	0.69%	<input type="text"/>	31
14	4.86%	<input type="text"/>	30
2	0.69%	<input type="text"/>	29
2	0.69%	<input type="text"/>	28
2	0.69%	<input type="text"/>	27
4	1.39%	<input type="text"/>	26
		<input type="text"/>	

13	4.51%		25
5	1.74%		24
6	2.08%		23
2	0.69%		22
3	1.04%		21
19	6.60%		20
3	1.04%		19
5	1.74%		18
5	1.74%		17
7	2.43%		16
8	2.78%		15
5	1.74%		14
6	2.08%		13
9	3.13%		12
4	1.39%		11
17	5.90%		10
4	1.39%		9
9	3.13%		8
6	2.08%		7
15	5.21%		6
11	3.82%		5
17	5.90%		4
13	4.51%		3
9	3.13%		2
6	2.08%		1
21	7.29%		0
1	0.35%		1.5






288 Respondents

Q5. Are you full time or part time?

Count	Percent		
230	79.04%		Full time
61	20.96%		Part time

291 Respondents

Q6. As an instructor at the University of Maryland, how many suspected cases of academic dishonesty have you come across during the current academic year (including this semester and last semester)?

Count	Percent		
199	68.38%		None
73	25.09%		1 - 3
12	4.12%		4 - 6
3	1.03%		7 - 9
4	1.37%		10 or more

291 Respondents

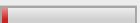




Q7. As an instructor at the University of Maryland, how many suspected cases of academic dishonesty have you come across during academic years prior to the current year?

Count	Percent		
103	35.40%		None
137	47.08%		1 - 5
24	8.25%		6 - 10
13	4.47%		11 - 15
14	4.81%		16 or more
291 Respondents			

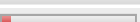
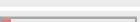
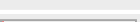
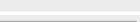
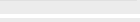
Q8. Of the suspected cases referenced in the previous questions, did you report any to the Student Honor Council or the Office of Student Conduct for review under the Code of Academic Integrity?

Count	Percent		
107	52.45%		Yes
97	47.55%		No
204 Respondents			

Q9. How satisfied were you with the following? - The case decision

Count	Percent		
13	12.75%		Very dissatisfied
11	10.78%		Moderately dissatisfied
10	9.80%		Neither satisfied nor dissatisfied
13	12.75%		Moderately satisfied
55	53.92%		Very satisfied
102 Respondents			
Top 2	23.53% (24)	Bottom 2	66.67% (68)
Mean	2.16	Std Deviation	1.49
Median	1.00	Std Error	0.15
Mode	1	Confidence Interval @ 95%	1.87-2.45

Q10. How satisfied were you with the following? - The sanction

Count	Percent		
15	14.71%		Very dissatisfied
15	14.71%		Moderately dissatisfied
10	9.80%		Neither satisfied nor dissatisfied
22	21.57%		Moderately satisfied
40	39.22%		Very satisfied
102 Respondents			
Top 2	29.41% (30)	Bottom 2	60.78% (62)
Mean	2.44	Std Deviation	1.49
Median	2.00	Std Error	0.15
Mode	1	Confidence Interval @ 95%	2.15-2.73

Q11. How satisfied were you with the following? - The process

Count	Percent		
14	13.73%		Very dissatisfied
11	10.78%		Moderately dissatisfied
10	9.80%		Neither satisfied nor dissatisfied
23	22.55%		Moderately satisfied
44	43.14%		Very satisfied
102 Respondents			
Top 2	24.51% (25)	Bottom 2	65.69% (67)
Mean	2.29	Std Deviation	1.46
Median	2.00	Std Error	0.14
Mode	1	Confidence Interval @ 95%	2.01-2.58

Q12. Please indicate your level of agreement with the following statements regarding the manner in which the report/s of academic dishonesty were handled: - The case(s) were handled in a timely manner.

Count	Percent		
50	49.02%		Strongly agree
32	31.37%		Moderately agree
6	5.88%		Neutral
8	7.84%		Moderately disagree
4	3.92%		Strongly disagree
2	1.96%		Not applicable
102 Respondents			
Top 2	82.00% (82)	Bottom 2	12.00% (12)
Mean	4.16	Std Deviation	1.11
Median	4.50	Std Error	0.11
Mode	5	Confidence Interval @ 95%	3.94-4.38

Q13. Please indicate your level of agreement with the following statements regarding the manner in which the report/s of academic dishonesty were handled: - The outcome(s) were fair.

Count	Percent		
48	47.06%		Strongly agree
22	21.57%		Moderately agree
12	11.76%		Neutral
8	7.84%		Moderately disagree
9	8.82%		Strongly disagree
3	2.94%		Not applicable
102 Respondents			
Top 2	70.71% (70)	Bottom 2	17.17% (17)
Mean	3.93	Std Deviation	1.33
Median	4.00	Std Error	0.13
Mode	5	Confidence Interval @ 95%	3.67-4.19

Q14. Please indicate your level of agreement with the following statements regarding the manner in which the report/s of academic dishonesty were handled: - The administrative staff with whom I had contact provided prompt service.

Count	Percent		
70	68.63%		Strongly agree
14	13.73%		Moderately agree
7	6.86%		Neutral
2	1.96%		Moderately disagree
4	3.92%		Strongly disagree
5	4.90%		Not applicable
102 Respondents			
Top 2	86.60% (84)	Bottom 2	6.19% (6)
Mean	4.48	Std Deviation	1.01
Median	5.00	Std Error	0.10
Mode	5	Confidence Interval @ 95%	4.28-4.69

Q15. Please indicate your level of agreement with the following statements regarding the manner in which the report/s of academic dishonesty were handled: - I received sufficient information or materials in advance to help me prepare or respond.

Count	Percent		
46	45.10%		Strongly agree
24	23.53%		Moderately agree
10	9.80%		Neutral
10	9.80%		Moderately disagree
3	2.94%		Strongly disagree
9	8.82%		Not applicable
102 Respondents			
Top 2	75.27% (70)	Bottom 2	13.98% (13)
Mean	4.08	Std Deviation	1.15
Median	4.00	Std Error	0.12
Mode	5	Confidence Interval @ 95%	3.84-4.31

Q16. Please indicate your level of agreement with the following statements regarding the manner in which the report/s of academic dishonesty were handled: - I was adequately informed about the process by which academic dishonesty cases are resolved.

Count	Percent		
49	48.04%		Strongly agree
22	21.57%		Moderately agree
9	8.82%		Neutral
14	13.73%		Moderately disagree
5	4.90%		Strongly disagree
3	2.94%		Not applicable
102 Respondents			
Top 2	71.72% (71)	Bottom 2	19.19% (19)
Mean	3.97	Std Deviation	1.27
Median	4.00	Std Error	0.13
Mode	5	Confidence Interval @ 95%	3.72-4.22

Q17. Do you have any comments about process, including composition of Honor Boards, advocates, speed of process, etc.?

Count	Percent

Count	Percent	
1	2.04%	<input type="checkbox"/> 1) i just got to UMD, so in a way you can ignore my survey. Another point of view is that there is nothing special about UMD compared to the other large state institution i used to teach for, and I am making a comment about academic dishonesty and cheating in general. I have seen much more of it than when i went to school. Our universities are turning degrees into commodities i feel, and we lack the resources and vision to provide individual supervision/intervention as well as whatever it means to be 'educated.' I see things like 'physics education' which we think is a joke here, or outside majors like family science, and i wonder what service a degree provides these people. I see people cheat when two things happen: a strong need or drive to succeed combines with a lack of character. education and supervision can help instill character --for example with a nice moral-philosophy component to education, or if the students themselves understand what the value in education is. Or you can continue with 'general business' degrees, like a vocational school; churning out people who can do accounting but have not thought about their broader impact in the world or how their work might have meaning. pre-med and medicine is essentially a vocational education if the Dr learns biochemistry/surgery etc without learning about empathizing with patients or how economics and public policy effect who they see in the ER. Do you want a Dr that hates the welfare cases that come for treatment, or one that understands how poor urban areas developed, can sympathize with the patient, and might work in the community? cheating is a symptom of people trying to achieve things through all means necessary, and helping 'build character' (calvin and hobbes) at the university can help reduce it. (p.s. I taught mostly premeds in the past, who will do 'anything' to get into med school, and about every year or two as a TA then lecturer i catch them)
1	2.04%	<input type="checkbox"/> A graduate student was caught in a flagrant attempt to fraudulently claim ownership of large expanses of text that he had plagiarized from unsourced online sites. His punishment, in part because he has a powerful patron/professor, was extremely light: no suspension, no expulsion, but only a fast "reintegration" into the culture of the department. I would have preferred to be consulted by the Honor Board, but as the student "self-referred" (after being caught), this was not the case. Had he fully confessed his action and understood it was not mitigated by being under pressure from his job with the military, I was prepared to argue he should be given another change, and I would have felt at ease with the no-expulsion penalty. As things were, I thought the whole thing, from my catching it, to the finish, was a waste of time.
1	2.04%	<input type="checkbox"/> All the above questions have answers that are totally dependent on the individual cases. In general, I feel that there should be a much wider range of approved sanctions. I don't want to refer someone for cheating on one exam or copying a sentence or two and have them end up with expulsion or an XF, but the other option is handle things informally and without generating a paper trail or else do nothing. In the one case that went to trial, the outcome was a miscarriage of justice.
1	2.04%	<input type="checkbox"/> Andrea Goodwin is excellent to work with.
1	2.04%	<input type="checkbox"/> As a faculty member who has served on many honor panels, overall, I have an extremely high opinion of the students who are active in student judiciary. My one complaint is where presiding officers all hearings to drag on way too long by allowing participants, both members of the board and others to get off topic, to repeat the same points endlessly, and to allow the introduction of "new" evidence that cannot be verified. Haraing in which the responding arty pleased responsible should not take as long or longer than those in which a responding party pleads not responsible.
1	2.04%	<input type="checkbox"/> As Director of Undergraduate Studies, I advised on all complaints of academic dishonesty that involved teaching assistants and new faculty. The process is slow. And in cases of plagiarism, my colleagues and teaching assistants have been disappointed time and again that students received no sanctions.
1	2.04%	<input type="checkbox"/> Both times that I was involved in a case before the board, the board proceeded w/out the requisite number of faculty members present; both times the student representatives appeared to be wholly unfamiliar with the case, despite the exhaustive preparation of materials & documents, all of which had been provided weeks before the hearings. Both times, I was subject to questioning as though I were capriciously harassing a student -- by the student members of the board; in both instances the faculty present had read the complaint. Such experiences depress faculty willingness to bring cases to the board.
1	2.04%	<input type="checkbox"/> Cheating continues to be rampant. If 80% or more of a large class (~60 students) are participating, especially in a homework type of setting where proctoring cannot reasonably be practiced and despite repeated clear instructions/warnings/signing of honor pledges etc, what is an instructor to do? Refer all ~50 students to the Student Honor Council and get reprimanded for not being duely diligent?
1	2.04%	<input type="checkbox"/> Cumbersome and uneven
1	2.04%	<input type="checkbox"/> For the second time in as many cases... I felt that the student(s) were not sanctioned as they should have been. I wasn't looking for them to get an "XF", but I think there was little acknowledgement of the seriousness of what transpired and the students involved will now feel empowered to continue their suspicious behaviors. After the two times I have gone through this process, I still wonder what it would take to actually get a sanction. My guess is that I would probably need photos and video (and fingerprints and DNA) in order to actually

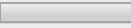
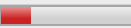



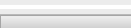

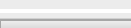
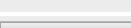

			get a satisfactory result.
1	2.04%	<input type="checkbox"/>	generally satisfied, but seems has been sizable variation between boards
1	2.04%	<input type="checkbox"/>	I found it frustrating that the student was let off when I and a TA observed him copying from another student's exam. I was told it was a case of "your word against his". I will likely not bring another case to honors council. I felt I wasted my time.
1	2.04%	<input type="checkbox"/>	I have also served as a faculty adviser to the Student Honor Board and was very impressed by the way they handled the cases I observed there.
1	2.04%	<input type="checkbox"/>	I have several complaints about the Honor Board process. - Based on attending multiple Honor Board hearings, it appears to me that what is considered "clear and convincing" evidence of academic dishonesty is being interpreted as being a much higher standard than intended. Evidence presented that a certain outcome (e.g., similar answers) has very low probability (e.g., 1 in a million statistically, repeated over multiple assignments) is not viewed as sufficiently convincing. In a second case, both the faculty and TA testified that the test score was X, yet the Board did not accept the testimony as a finding of fact (since there was no physical evidence). I have served on actual jury trials in the US where the standard "beyond a reasonable doubt" was interpreted less stringently than than the UMD Honor Board. I think the Honor Board needs to be given more concrete examples of what is considered "clear and convincing" so that it does not become "beyond a shadow of a doubt". - The Honor Board treats the faculty presenting the case as a biased witness, discounting his/her testimony as hearsay. For instance, in a case where a student was accused of altering grading marks on an exam, the faculty stated "these marks don't resemble my writing". Similarly, in another case the faculty presented statistical evidence that similarity was too great to be coincidence (software analysis showed 1 in a million similarity over multiple assignments between same pair of students). Yet the Board did not accept these as findings of fact. I think the Board needs to be told that except in rare cases, faculty members do not have an axe to grind against students, and are essentially putting a lot of time and effort participating in the Honor Hearing simply out of a sense of fairness to the non-cheating students. Unless there is reason to suspect the faculty are intentionally distorting evidence, their testimony should be viewed as non-biased expert testimony. - There is no disincentive for students to lie to the Honor Board, since the penalty (XF) is the same whether they admit to academic dishonesty. I reported 19 students to the Honor Board. 15 students admitted guilt and accepted their XFs. 4 students went to the Honor Board and were let off (due to the previous 2 points) without penalty, even though evidence of their cheating was even stronger than for most of the students who admitted guilt. I think this is a horrible lesson for the students involved, since they learn it is better to lie about cheating than to admit their guilt. I believe intentionally lying to the Honor Board is a much greater ethical lapse than simply cheating on an exam or project, and deserves suspension and/or expulsion if students are found guilty. In that way students have to weigh the risk of suspension vs. accepting an XF. - There needs to be a way for faculty to appeal the decision of the Honor Board decision. Right now only students may appeal decisions.
1	2.04%	<input type="checkbox"/>	I have stopped referring cases since my experience, as a faculty member teaching and serving as an examiner, has been so disappointing. I tried to resolve cases on my own.
1	2.04%	<input type="checkbox"/>	I only had contact with Andrea Goodwin. She helped me resolve the case before it appeared before the Honor Board. She was VERY quick in responding to all my questions.
1	2.04%	<input type="checkbox"/>	I received little or no information except for times to report to the council. I did not know what the process entailed.
1	2.04%	<input type="checkbox"/>	I think if a faculty member discovers cases of academic dishonesty, then they should be allowed to immediately turn over the "research" of the problem to Office of Academic Integrity. I don't think busy professors should have to spend hours of their time scanning the internet (or library) to document the issues -- especially during busy grading periods. I believe there is software available to find out if students are plagiarizing from the internet -- which was the case with my cases. I spent far too many hours finding all the places the students lifted text, and I think there should be more support for this from OAI.
1	2.04%	<input type="checkbox"/>	I was very impressed by the director of the office and the proceedings. Once i had this experience I took a number of steps to minimize the students' ability to cheat - lots of proctors, we provide the calculators. I felt that I had given the students a situation where they were tempted to cheat and I wasn't going to make that mistake again.
1	2.04%	<input type="checkbox"/>	I wish I had known that the process was quasi-judicial. At a few points in the process, I interrupted the proceedings because I didn't understand the process thoroughly.. But I finally figured it out.
1	2.04%	<input type="checkbox"/>	I would very much like to have heard the reasoning that went into the final decision. I was quite torn myself about what I thought the outcome should be. The student was either really ignorant or lying, and I don't see how a decision could be made. He clearly took the work of others improperly, but he claimed he didn't know better, and that may truly have been the case.
1	2.04%	<input type="checkbox"/>	I'm unclear about the difference between "case decision" and "sanction" in questions 9 and 10. Generally, decisions and sanctions have been reasonable, though on an occasion or two unnecessarily lenient (the offending student seems to have told a persuasive story of woes to explain away bad intentions). I value working with the Office of Student Conduct as a way of getting a second opinion on situations. However, I have some concern that, once I




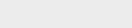
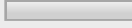
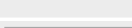
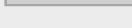

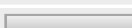
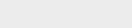
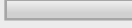
			submit the case to the judicial process, I lose control over the outcome. I have no way of ensuring that the staff and board's views of appropriate mercy in cases where I am sympathetic with students will be the same as mine. I.e., the virtue of the process is its formality, and the risks in the process pertain to its formality. Andrea Goodwin has been extraordinarily helpful to me in thinking about situations over the years.
1	2.04%	<input type="text"/>	I've had two cases referred to the office of academic integrity. One was handled extremely well. The process was clear and timely; the result was fair and appropriate. The second and most recent case was not satisfactorily resolved. A PhD student flagrantly cheated on a final exam by wholesale copying from websites. This was a closed book, no outside resources exam. I reported the issue to the program director and to the department chair. I reported it also to the office of academic integrity. The department chair was on January holiday and did not respond until his return in late January. The OAI staff were entirely professional. I, however, felt substantial pressure from the department chair and a ranking member of the faculty not to have reported the suspected issue and, having reported it, not to pursue it. As a result, I compromised in the sanctions agreed to in lieu of an honor board hearing. The department chairman informed me that I was not to have reported the matter to OAI without his express permission; further, he indicated that more experienced faculty knew not to report these sorts of things to OAI. When I reminded him of the university's policies, he was dismissive. This incident troubles me. The department rallied around a PhD student who flagrantly cheated on an exam while putting pressure on me as an adjunct to withdraw the allegation. As an adjunct I am somewhat free of the economic pressures of full-time, tenure track faculty and felt that I could comply with the university's policy on academic dishonesty with relative impunity. However, my husband works in the same program as the director and because of his potential for losing his position over this issue, I feel that I was forced to compromise... If the university is serious about academic integrity, then assuring that reporting faculty members are free of departmental interference and/or retaliation is essential. I did not feel that there was any recourse in resolving this departmental pressure other than compromising on the resolution of this referral.
1	2.04%	<input type="text"/>	I found the process clear, fair, and very helpful (in the sense that it is essential to have neutral third party evaluate these cases). My sense was, however, that some students were not aware of the severity of the potential sanctions, though I imagine you do disseminate that information widely.
1	2.04%	<input type="text"/>	In the one case I referred to the board, I got a letter and a phone call at the time the case was opened, but I never heard from the board again. As far as I know, the case was simply dropped. I was never informed of the outcome. In the phone conversation I had with someone from the board, I had the feeling they were not planning to take it as seriously as it seemed to me was necessary.
1	2.04%	<input type="text"/>	Individuals on the Board that are trying the case should have general familiarity with the field being tried. For example, a case involving a student in a science class should be heard by Board members that include individuals in that discipline to help explain nuances, etc.
1	2.04%	<input type="text"/>	It is difficult to firmly determine the point or extent of infraction to which a student should be identified and submitted for an Honor Code violation - that is, how much evidence is needed/required to proceed without risking professional repercussions. I have many faculty colleagues who don't think it is worth the effort and potential negative consequences, particularly to their teaching evaluations. I think this is a problem and may be one reason there are so many students who violate the Honor Code. Professional training and guidance would likely be very helpful. Perhaps case studies or examples as well.
1	2.04%	<input type="text"/>	It's a relatively slow process and one loses track of students once they have left your course, so the outcome has diminished impact for the instructor. Not sure it should have any relevance - it's mostly about student - but it's nice to have matters resolved and lessons learnt while you can remember the student.
1	2.04%	<input type="text"/>	Maybe scheduling some hearings during the day time hours would be helpful to accommodate schedules.
1	2.04%	<input type="text"/>	My case was resolved with a admission of guilt without requiring an Honor Board
1	2.04%	<input type="text"/>	My comment does not concern the process, but the pledge, which is ungrammatical. Because of that, I find myself embarrassed to ask my students to write it word for word on assignments and exams. It should read: "I have neither given nor received ..." If you could fix that, please, I'd find myself much more inclined to use it.
1	2.04%	<input type="text"/>	Not applicables above are due to the fact that my TAs grade papers and, while they check with me before referring plagiarism cases to the honor board, they, not I, handle the paperwork and pursue the process.
1	2.04%	<input type="text"/>	The cases this past year were a sham. The evidence against the students was absolutely clear. The Honor Board held the students to be not responsible. I as a faculty member was on trial. My colleagues told me that the process was ridiculous, and I thought otherwise before these cases. Now I am convinced that the system is worse than useless: It gives an appearance of a fair hearing when the decisions are at the whim and prejudices of an ill-trained board.
1	2.04%	<input type="text"/>	The cases of academic dishonesty that we could prove (note that qualifier) came through a TA in my large lecture course. There are other cases that I/we suspected but couldn't find the source. Just wanted to note that.

1	2.04%	<input type="text"/>	The hearing process cumbersome, and the boards lack sufficient understanding of technical disciplines like computer science. The sanctions are simply too low. the grade of XF (which can be converted to an F in one year) is not sufficient to discourage cheating. A rational student faced with a failing grade and the chance of not getting caught has little incentive not to cheat. The default penalty for a first offense should be raised to a one semester suspension.
1	2.04%	<input type="text"/>	The hearings ALWAYS make us feel like the instructors are on trial and or guilty in some way. We come with full documentation, including copies of papers & exams in question and email exchanges, and still we are treated as if we are the guilty party on trial. I'm seriously rethinking whether to continue to encourage our instructors to report incidences to the council.
1	2.04%	<input type="text"/>	The office of student conduct has been very helpful whenever I have called with questions or referred a case.
1	2.04%	<input type="text"/>	The problem the Honor Board can't address has to do with the cases of cheating where the prof. cannot find the source. Students use essay services (which now seem to disguise the prose), and they use essays submitted in earlier semesters. It's a real problem.
1	2.04%	<input type="text"/>	The process hasn't concluded yet, so I have no real opinion about it.
1	2.04%	<input type="text"/>	The referring faculty should be kept notified when a case is going through the process. I have referred cases and don't know what stage it has reached at a given time -- it might have been informally resolved and I haven't heard the outcome yet or it may still be coming up before a board. Other than that, I think the guidance available about what to expect next is provided. There are many faculty members, though, in this department that do not know how to prepare the materials needed to present a good case at to the board - they do not get the outcomes they would like because they don't know to prepare the evidence correctly. These faculty members feel the process is bad, but it is partly because they don't know the work they must do to have the process work for them.
1	2.04%	<input type="text"/>	The ruling was too lenient.
1	2.04%	<input type="text"/>	The student was judged responsible, which was justified. However, the honor council gave him a reduced penalty based on his claims of a difficult life a month before the event. This was absurd, and soured me on the process.
1	2.04%	<input type="text"/>	The way the process is set up, students who are referred to the integrity office can submit very low evaluations of instructors who refer them to the integrity office and can speak out amongst their friends against the instructor making the referral which can lead to further negative evaluations. I believe that the lowest student evaluation(s) of instructors should be disregarded for this and other reasons. It might also be fair to disregard an equal number of the highest evaluation. It appears in writing and I was told in advance that the entire process is handled by the integrity office after the referral from the instructor (an excellent system) with sanctions imposed by the office - not the instructor. At the same time, after I made a referral, the integrity officer repeatedly informed me that the student was asking for clemency - with the decision left to me. This back-and-forth puts the sanctions back onto the instructor, which is poor system and very time consuming for instructors. I will continue to make referrals to the integrity office (as required by the university procedures). Again, the process is generally most excellent; but I will not again become involved in clemency discussions.
1	2.04%	<input type="text"/>	The woman whom I spoke with in the office was extremely professional and helpful. I think she helped to find a solution that was extremely fair and in line with the offense. I was very comfortable talking to her about the case.
1	2.04%	<input type="text"/>	There is often too long a lag between reporting a student and that student being contacted by your office. at the same meeting where I informed them that they were being reported, what the process was, and how long it might take to receive word about it from your office. In general, student have no clue and are often taken quite off guard when they are finally notified.
1	2.04%	<input type="text"/>	There were too many students which favored excusing the student in what I felt was an open and shut case of direct plagiarism; also I felt having the student's parents present at the proceeding was not appropriate. In addition, I felt being instructed by the director of the proceedings to approach the student at the end and issue my own apology (!) since he was acquitted wildly out of line. On the whole (with the exception of how absurdly inequitable the pay scale is on this campus), it was my worst experience at this institution.
1	2.04%	<input type="text"/>	When I brought the case to the committee, I was told the first response would come in a matter of days. However, unless I contacted the office, I would usually not hear back about the case for weeks. I do thank the Honor Board for minimizing the time I had to spend on the case.
1	2.04%	<input type="text"/>	When I have submitted cases to the honor council each time they have been resolved informally without going to a hearing. This is a great option. The student realizes the severity of what they have done and receives a fair punishment that the instructor is able to help determine. The infraction is also recorded on their record.
1	2.04%	<input type="text"/>	Would recommend that the advocates get in touch with me several days in advance - I only met my advocate in the few minutes before the hearing.

53	51.96%		No
102	Respondents		

Q18. Why have you not referred a suspected case to the Student Honor Council or the Office of Student Conduct for review under the Code of Academic Integrity? (Check all that apply to past decisions not to refer)

Count	Respondent %	Response %	
1	1.04%	0.58%	 Never had reason to suspect academic dishonesty
51	53.13%	29.82%	 Handled it myself
23	23.96%	13.45%	 Handled it within my department/college
6	6.25%	3.51%	 Not familiar with the process
42	43.75%	24.56%	 Not enough evidence
16	16.67%	9.36%	 Difficult to detect academic dishonesty
7	7.29%	4.09%	 Too much work
8	8.33%	4.68%	 Heard that few cases are resolved in favor of the instructor
6	6.25%	3.51%	 Did not want to get the student in trouble
11	11.46%	6.43%	 Other (please specify)

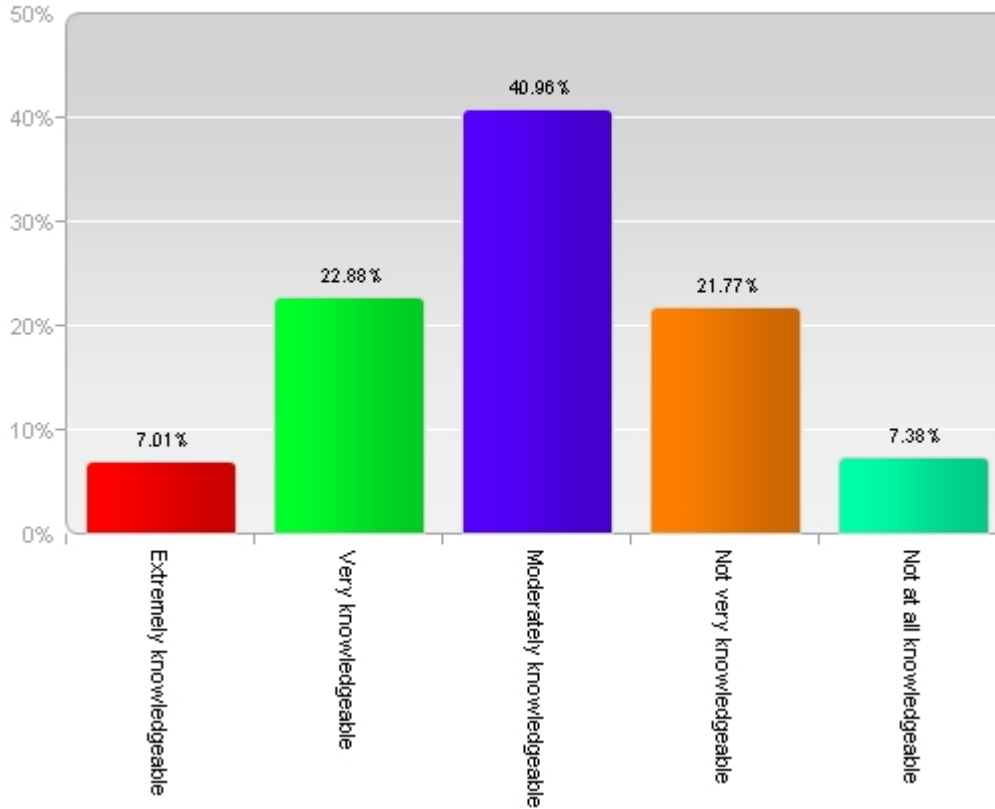
Count	Percent	
1	9.09%	 Department policy
1	9.09%	 determined students didn't understand how to correctly cite a source
1	9.09%	 gave student benefit of the doubt - international student, different prior expectations about paper writing, citing, paraphrasing, etc.?
1	9.09%	 I was either not directly in charge of the student--she wasn't technically my student. The second instance I wasn't in charge of the course at that time--I was a TA.
1	9.09%	 In each case it was student re-submitting work carried out elsewhere, and after I explained that this was not appropriate, the work was not included in assessment.
1	9.09%	 reiterated the cheating policy and stopped assigning book problems
1	9.09%	 The student was already failing the course--as well as other courses--and, as I had suspected, he did not return the next year anyway
1	9.09%	 They were homework related and I wanted to give the students one chance to 'get their act together'.
1	9.09%	 Thought the prescribed punishment too severe in this case.
1	9.09%	 was told that without a source for the (obviously) plagiarized text there was no point in pursuing it further. I have not returned to the Office of Student Conduct for similar cases for that reason. What's the point?
1	9.09%	 Your program often described as "broken"

96 Respondents

171 Responses

Q19. How knowledgeable are you regarding the process of referring students for academic dishonesty within your program?

Q19. How knowledgeable are you regarding the process of referring students for academic dishonesty within your program?



Q20. How knowledgeable are you regarding the campus's general guidelines for referring students for academic dishonesty?

Count	Percent		
19	7.01%		Extremely knowledgeable
60	22.14%		Very knowledgeable
120	44.28%		Moderately knowledgeable
57	21.03%		Not very knowledgeable
15	5.54%		Not at all knowledgeable
271 Respondents			
Top 2	29.15% (79)	Bottom 2	26.57% (72)
Mean	3.04	Std Deviation	0.97
Median	3.00	Std Error	0.06
Mode	3	Confidence Interval @ 95%	2.93-3.16

Q21. If I suspected academic dishonesty, my first move would be to:

Count	Percent	
246	100.00%	
Count	Percent	
1	0.41%	Try to confirm that it indeed was dishonesty.
1	0.41%	you have to be very careful. first i like to check there is a real problem, and once i have my evidence straight, i will talk to the student directly to resolve the issue. but at the moment i talk to the student, i have thought about whether that conversation ends with me saying that i am going to take action. it depends very much on the student's honesty and if i made a mistake myself.
1	0.41%	...contact my department chair.

1	0.41%	<input type="text"/>	1) Make a judgment as to the severity or degree of dishonesty 2) Determine weight of the evidence
1	0.41%	<input type="text"/>	1. Call the Assoc. Director for Academic Affairs in SLLC and let her know what is happening; 2. Call the Office of Student Conduct.
1	0.41%	<input type="text"/>	1. In case of a term paper, keep a copy of the paper. In case of cheating during an exam, confiscate the exam and give the student a new exam book. 2. Notify the student that I suspected academic dishonesty, discuss with him/her the issues, and tell her/him that I will be formally filing a complaint with the Office of Student conduct. 3. Complete the necessary form for a complaint with full documentation.
1	0.41%	<input type="text"/>	A) Discuss the matter with the student and B) Discuss the matter with the school administration responsible for such matters
1	0.41%	<input type="text"/>	address the question by making academic dishonesty less appealing. For example, in one case I suspected that the students were copying quiz answers from each other. I prepared two quiz versions with the right answer the opposite of each. Then I stacked the two versions such that if you copied from your neighbor you ended up with a negative score, which stuck. It was a much worse outcome that taking the quiz on your own. This was enough to shut down the behavior. In other cases you can print the same quiz on two different colored sheets of paper to suggest that they are different. Moving the questions around also helps. In one case, a student raised his hand and told me during an exam that his exam was not the same as his neighbors. I told him to just take his own exam. It was funny and shut down the behavior.
1	0.41%	<input type="text"/>	Address the student directly.
1	0.41%	<input type="text"/>	Allow the student to complete the exam and note my observations. I might ask the student about the work, saying that I was puzzled or wondered about some particular portion of the exam. Since I am in music, most of our "exams" are performance-related and honesty is not an issue. I have the information in my files about the next steps, and I would consult it and ask for advice from the academic coordinator.
1	0.41%	<input type="text"/>	Approach the student and express my suspicion.
1	0.41%	<input type="text"/>	As a new faculty member, my first move was to speak to the undergraduate director about the problem, who provided guidance about procedures. Now, I would contact the Office of Academic Integrity and follow the procedures outlined on the website.
1	0.41%	<input type="text"/>	Ascertain if my suspicions could be verified in order to forward concrete evidence to the Honor Board.
1	0.41%	<input type="text"/>	ask him or her the reason for doing it
1	0.41%	<input type="text"/>	ask advice/guidance of senior faculty
1	0.41%	<input type="text"/>	Ask the student for an explanation
1	0.41%	<input type="text"/>	Assuming the event has already happened, gather evidence and assess whether anything is likely to be provable.
1	0.41%	<input type="text"/>	Attempt to verify, then privately confer with the student, then confer with the dept. chair
1	0.41%	<input type="text"/>	be entirely convinced that the case warranted confronting the student
1	0.41%	<input type="text"/>	Call in the student and talk to the relevant advisors
1	0.41%	<input type="text"/>	call the honor council and talk about my options.
1	0.41%	<input type="text"/>	Call the Office of Student Conduct
1	0.41%	<input type="text"/>	Call the office of student conduct and ask for advice regarding how to approach the issue
1	0.41%	<input type="text"/>	call the student into my office to see if they admit anything additional to include in the honor report.
1	0.41%	<input type="text"/>	check if I had enough evidence and speak with student
1	0.41%	<input type="text"/>	Check it via Google searches, like every other faculty member
1	0.41%	<input type="text"/>	Check written faculty policy for documenting the issue, then talk to senior faculty (without names) of how best to approach if any gray areas (there always seem to be)
1	0.41%	<input type="text"/>	Collect data to be sure I have a good case to present. Then have someone else who teaches in my department review it to see if they are equally convinced. If they are convinced I submit it to the department staff who officially do the referring of the cases.
1	0.41%	<input type="text"/>	Collect evidence and consult my associate chair.
1	0.41%	<input type="text"/>	Collect evidence and then present it to the student
1	0.41%	<input type="text"/>	Collect information on the specific case, including documents such as any suspected of being plagiarized, or written testimony/description of TA actions, and any supporting testimony from other students (in the form of email, written doc, etc.)

1	0.41%	<input type="checkbox"/>	Collect sufficient evidence to convince myself academic dishonesty has occurred.
1	0.41%	<input type="checkbox"/>	Collect the evidence and talk to the student
1	0.41%	<input type="checkbox"/>	Collect the facts of the case; meet with student to tell them I am referring the case to JP (not to seek their explanation - they can save that for the honor board)
1	0.41%	<input type="checkbox"/>	Collecting evidence
1	0.41%	<input type="checkbox"/>	conduct a search, within reason, of the original source of the material in question
1	0.41%	<input type="checkbox"/>	Confirm my suspicions with a colleague or supervisor, discuss with the student, then refer to Honor Council if no resolution was found.
1	0.41%	<input type="checkbox"/>	Confirm, then give a zero for the assignment. For cheating on an exam, or repeated cheating, I would refer the case to the Honor Council
1	0.41%	<input type="checkbox"/>	Confront student and seek advice from chair or other advisor in math department.
1	0.41%	<input type="checkbox"/>	CONFRONT THE STUDENT
1	0.41%	<input type="checkbox"/>	Confront the student and ask for an explanation
1	0.41%	<input type="checkbox"/>	confront the student directly about it.
1	0.41%	<input type="checkbox"/>	Confront the student with the evidence and ask for an explanation. If I were not satisfied with the explanation, I would refer the case to the program director for further action.
1	0.41%	<input type="checkbox"/>	Confront the student.
1	0.41%	<input type="checkbox"/>	Consider the scale and scope of the assignment (is it a 1-page reflection paper or is it a term paper requiring footnotes), consider circumstances (in a "group project" setting did students actually share all their research, as assigned, or leave one student in the dark), for a minor assignment only consider student contact with me and statements of intention to admit fault and repair the relationship between themselves and their instructor (me, but sometimes including an undergrad T.A.). I do realize that I'm supposed to "hand it over" without speaking to the student or handling it myself.
1	0.41%	<input type="checkbox"/>	consult a colleague or department chair.
1	0.41%	<input type="checkbox"/>	Consult department
1	0.41%	<input type="checkbox"/>	consult my department's undergraduate director
1	0.41%	<input type="checkbox"/>	consult senior faculty in the department before further actions.
1	0.41%	<input type="checkbox"/>	consult the associate chair for undergraduate (or graduate) studies (depending on the course)
1	0.41%	<input type="checkbox"/>	Consult with my program and the Honors Board about appropriate actions to take, depending on each particular case.
1	0.41%	<input type="checkbox"/>	Contact a more senior member of the faculty in my department or the school's dean.
1	0.41%	<input type="checkbox"/>	contact Andrea Goodwin!
1	0.41%	<input type="checkbox"/>	Contact Associate Dean in the College
1	0.41%	<input type="checkbox"/>	Contact director of undergraduate studies for my college
1	0.41%	<input type="checkbox"/>	Contact Gemstone Staff
1	0.41%	<input type="checkbox"/>	Contact Honors.
1	0.41%	<input type="checkbox"/>	Contact Judicial Programs for advice
1	0.41%	<input type="checkbox"/>	contact my chair
1	0.41%	<input type="checkbox"/>	Contact my department's undergraduate director to verify proper procedure.
1	0.41%	<input type="checkbox"/>	Contact my Executive Dean
1	0.41%	<input type="checkbox"/>	Contact my faculty mentor, then the Honor Board
1	0.41%	<input type="checkbox"/>	Contact my supervisor/director
1	0.41%	<input type="checkbox"/>	contact my undergraduate director and/or department chair for guidance and direction.
1	0.41%	<input type="checkbox"/>	contact office that deals with academic dishonesty (having learned the hard way that this best)
1	0.41%	<input type="checkbox"/>	Contact student for explanation.
1	0.41%	<input type="checkbox"/>	Contact the appropriate department official
1	0.41%	<input type="checkbox"/>	Contact the dean

1	0.41%	<input type="checkbox"/>	contact the Department Head for guidance
1	0.41%	<input type="checkbox"/>	Contact the director of my department
1	0.41%	<input type="checkbox"/>	contact the director of the office on the student honor code
1	0.41%	<input type="checkbox"/>	Contact the honor board
1	0.41%	<input type="checkbox"/>	Contact the honor code council office
1	0.41%	<input type="checkbox"/>	contact the Honor Council
1	0.41%	<input type="checkbox"/>	Contact the Office of Dept Chair
1	0.41%	<input type="checkbox"/>	contact the office of student conduct
1	0.41%	<input type="checkbox"/>	contact the Student Honor Council
1	0.41%	<input type="checkbox"/>	Contact the student with the evidence and remind them of the honor code. They are also told they would get a 0 grade on that particular homework assignment. So far, the student's have usually agreed; and we move on without any problems. I do not give take home exams and actively proctor exams to ensure this issue does not arise during exams.
1	0.41%	<input type="checkbox"/>	Contact the student, (first contact office of student contact if I had a question)
1	0.41%	<input type="checkbox"/>	Contact the student, TA and then the Honor Board.
1	0.41%	<input type="checkbox"/>	Contact the vice-chair for undergraduate education in my department, Prof. Richard Ellis.
1	0.41%	<input type="checkbox"/>	Copy all work from students (ie 5th homework assignment or 2nd exam) and contact my department representative with the information..
1	0.41%	<input type="checkbox"/>	copy the material in dispute, fill out the form, and send everything to the Honor Council
1	0.41%	<input type="checkbox"/>	Dear sir/ma'am, I am a postdoc fellow, I do not teach nor grade students. Thus, I am incapable of answering these questions.
1	0.41%	<input type="checkbox"/>	depends on my degree of certainty. if i was completely certain a serious offense occurred, i'd email a dean. otherwise, i'd confront the student
1	0.41%	<input type="checkbox"/>	Determine how strong the evidence was
1	0.41%	<input type="checkbox"/>	Determine known facts in the case
1	0.41%	<input type="checkbox"/>	Discuss it with my dept chair.
1	0.41%	<input type="checkbox"/>	Discuss it with the Chair.
1	0.41%	<input type="checkbox"/>	Discuss it with the individual
1	0.41%	<input type="checkbox"/>	Discuss it with the person accused.
1	0.41%	<input type="checkbox"/>	Discuss it with the student.
1	0.41%	<input type="checkbox"/>	discuss the incident with the student first, then the Chairman of the Department.
1	0.41%	<input type="checkbox"/>	Discuss the issue with colleagues, and with the department chair, and seek their guidance.
1	0.41%	<input type="checkbox"/>	Discuss the issue with the student.
1	0.41%	<input type="checkbox"/>	Discuss the questionable behaviors with student
1	0.41%	<input type="checkbox"/>	discuss the situation with my supervisor, unless it was a minor/limited case of improper citation of others' work. In that situation, I've explained the problem to the student, and given them one chance to rectify the problem.
1	0.41%	<input type="checkbox"/>	Discuss with department contact in charge of academic dishonesty.
1	0.41%	<input type="checkbox"/>	Discuss with my chair and the student
1	0.41%	<input type="checkbox"/>	Discuss with my colleagues
1	0.41%	<input type="checkbox"/>	Discuss with my Dept. Chair
1	0.41%	<input type="checkbox"/>	Discuss with the Asst Dean for Students
1	0.41%	<input type="checkbox"/>	discuss with the student
1	0.41%	<input type="checkbox"/>	Discuss with the student(s)
1	0.41%	<input type="checkbox"/>	Discuss with the student. Some cultures have a different approach on what is considered Academic Honesty. A discussion often leads to a solution
1	0.41%	<input type="checkbox"/>	Discuss with the undergraduate/graduate director of the department
1	0.41%	<input type="checkbox"/>	Discussing with students

1	0.41%	<input type="checkbox"/>	do not contact student, report evidence to honor council
1	0.41%	<input type="checkbox"/>	Document suspicions then confront suspects
1	0.41%	<input type="checkbox"/>	document the case (collect evidence) without stopping an exam/test if it is in progress
1	0.41%	<input type="checkbox"/>	Document the suspected event/assignment and call the faculty liason for academic dishonesty.
1	0.41%	<input type="checkbox"/>	Document what I observed as completely as possible.
1	0.41%	<input type="checkbox"/>	Double check the evidence before me so that I am sure, and do not falsely accuse a student.
1	0.41%	<input type="checkbox"/>	Evaluate the severity of the case and determine how much evidence there was to prove the case.
1	0.41%	<input type="checkbox"/>	Find out about the procedures
1	0.41%	<input type="checkbox"/>	First I would discuss the situation with the student involved. If I still suspected academic dishonesty after that discussion, I would move on to Student Honor Council proceedings.
1	0.41%	<input type="checkbox"/>	First meet with the student to discuss the perceived act(s) and/or evidence
1	0.41%	<input type="checkbox"/>	Gather all documentation and statements from my teaching staff. Then call the office and make sure I don't mess up before I send things over
1	0.41%	<input type="checkbox"/>	gather and document the act
1	0.41%	<input type="checkbox"/>	gather data and submit case
1	0.41%	<input type="checkbox"/>	Gather evidence
1	0.41%	<input type="checkbox"/>	Gather evidence and confront student with my concerns
1	0.41%	<input type="checkbox"/>	Gather evidence.
1	0.41%	<input type="checkbox"/>	Gather infoirmation
1	0.41%	<input type="checkbox"/>	gather information about the issue inquire of student alert department chair and program director alert OAI
1	0.41%	<input type="checkbox"/>	Gather information to determine the facts.
1	0.41%	<input type="checkbox"/>	Gather substantial evidence, then discuss it with my academic advisor for the department, Grace Crussiah.
1	0.41%	<input type="checkbox"/>	Gather whatever evidence is available, such as obtain supporting information from a TA. If the case appeared valid, then I would contact the student honor council.
1	0.41%	<input type="checkbox"/>	Give a warning.
1	0.41%	<input type="checkbox"/>	give the student a D-
1	0.41%	<input type="checkbox"/>	Given my recent experience, I would probably not turn to the campus system.
1	0.41%	<input type="checkbox"/>	I owuld follow the university rules as I understand them. I would collect the evidence and present it to the integrity office in accordance with the university rules. This is the procedure prescribed in the universty rules. Instructors have no discretion under the rules. The instructor must make the referral; and the office must decide whether there has been an infraction, e.g. plagiarism, and the sanction. By the way, your question 18 is not properly phrased. I am only aware of university-wide procedures for making referrals. In making a referral last year (my first referral at UMD), I discussed the matter with my department chair and he indicated that the university procedures were the only procedures.
1	0.41%	<input type="checkbox"/>	I will talk to the student
1	0.41%	<input type="checkbox"/>	I would report it to your office... but I'd have low expectations as to the fairness of the result.
1	0.41%	<input type="checkbox"/>	I would talk to the student.
1	0.41%	<input type="checkbox"/>	If it was significant (rather than a potential misunderstanding of homework 'rules') I would refer to the academic honesty website and proceed.
1	0.41%	<input type="checkbox"/>	in small instances, my first student is to warn student and try to remove temptation
1	0.41%	<input type="checkbox"/>	Inform my department's director of undergraduate studies
1	0.41%	<input type="checkbox"/>	Inform my program director.
1	0.41%	<input type="checkbox"/>	Inform the student that I was referring them to the Council
1	0.41%	<input type="checkbox"/>	Inform the student that they are under investigation and then refer the case and my supporting evidence to the powers that be.
1	0.41%	<input type="checkbox"/>	Interview the students involved to see if their descriptions of what happened match and if

			anything described to me vilolates university policies.
1	0.41%	<input type="checkbox"/>	Investigate
1	0.41%	<input type="checkbox"/>	investigate further and collect evidence
1	0.41%	<input type="checkbox"/>	investigate it online, then speak with the student.
1	0.41%	<input type="checkbox"/>	Investigate suspicion
1	0.41%	<input type="checkbox"/>	Investigate the case (verify and collect evidence if necessary)
1	0.41%	<input type="checkbox"/>	Investigate the data thoroughly, advise the students, and refer the case as appropriate.
1	0.41%	<input type="checkbox"/>	Investigate the matter thoroughly
1	0.41%	<input type="checkbox"/>	it depends. I might talk to the student to clarify the situation, or I might talk to our undergrad advisor, or go right to the Academic Council
1	0.41%	<input type="checkbox"/>	Keep mouth shut
1	0.41%	<input type="checkbox"/>	Look at the facts.
1	0.41%	<input type="checkbox"/>	look into it
1	0.41%	<input type="checkbox"/>	Look up the policies in the faculty guidelines and then move to discuss any perceived incursions with my supervisor.
1	0.41%	<input type="checkbox"/>	Make sure I am correct
1	0.41%	<input type="checkbox"/>	My first respose is to check my course documents, my memory of what I said, and to talk with my TAs about they told students. Only after I am certain that a student was informed on more than one occasion and in more than one way about what is appropriate and inappropriate, will I write up a referral and forward all my evidence to the office of student conduct.
1	0.41%	<input type="checkbox"/>	Notify our director of UG studies
1	0.41%	<input type="checkbox"/>	Obtain evidence
1	0.41%	<input type="checkbox"/>	Personally address with student
1	0.41%	<input type="checkbox"/>	Program Director
1	0.41%	<input type="checkbox"/>	question the act
1	0.41%	<input type="checkbox"/>	Read the campus policy on academic dishonesty; but with regard to international students where the case may be an inadvertent incident, I contact our Director of the office of international student initiatives in the College of Education for further advice. If it is a clear case of breaking the honor code/pledge, then the honor board representatives would be my next step.
1	0.41%	<input type="checkbox"/>	read the honor code and talk to the organization in charge of enforcing it.
1	0.41%	<input type="checkbox"/>	Refer it to the honors office
1	0.41%	<input type="checkbox"/>	Refer the student to our Director
1	0.41%	<input type="checkbox"/>	report it to department chair
1	0.41%	<input type="checkbox"/>	Report it to the chair of our department.
1	0.41%	<input type="checkbox"/>	report it to the my department chair & undergraduate or graduate director.
1	0.41%	<input type="checkbox"/>	report it to the office of academic conduct
1	0.41%	<input type="checkbox"/>	Report the student to the Honor Board.
1	0.41%	<input type="checkbox"/>	report to Dean, then discuss how to deal with the student
1	0.41%	<input type="checkbox"/>	Report to Director of Undergraduate Studies
1	0.41%	<input type="checkbox"/>	report to Honor Council if not a citation issue
1	0.41%	<input type="checkbox"/>	Research it and confirm it to the best of my ability. In other words, before confronting or referring a student, I want to be sure (on my end).
1	0.41%	<input type="checkbox"/>	Review our policies and seek some advice.
1	0.41%	<input type="checkbox"/>	Review the policy.
1	0.41%	<input type="checkbox"/>	Search for the original source. My second would be to talk directly to the student, which I usually do even if I haven't found the source. Many times a student will confess.
1	0.41%	<input type="checkbox"/>	Search the web for material that may have been plagiarized.
1	0.41%	<input type="checkbox"/>	See if I could verify it on my own via the internet (this is what I had done previously and how

I discovered that the student had lifted his prose from someone else's essay).

1	0.41%	<input type="checkbox"/>	Seek evidence, then talk to student (possibly talk to colleagues first if I desired guidance due to circumstances).
1	0.41%	<input type="checkbox"/>	send a letter, plus relevant supporting materials, to the office of academic integrity.
1	0.41%	<input type="checkbox"/>	Speak with my department head.
1	0.41%	<input type="checkbox"/>	Speak with my unit coordinator, then contact the student and express my suspicion/facts
1	0.41%	<input type="checkbox"/>	Speak with the chair of the department
1	0.41%	<input type="checkbox"/>	Speak with the Chair of the Department where applicable
1	0.41%	<input type="checkbox"/>	Speak with the department's Chair or the Undergraduate Adviser
1	0.41%	<input type="checkbox"/>	Speak with the student
1	0.41%	<input type="checkbox"/>	Speak with the student.
1	0.41%	<input type="checkbox"/>	Speak with the undergraduate chair of our department
1	0.41%	<input type="checkbox"/>	start Googling the suspected plagiarism, then print out all the cribbed sources.
1	0.41%	<input type="checkbox"/>	take it straight to the honor board without mentioning it to my college's administration. Our system in our college has been first to take it to the dean, but in a recent case, our dean refused to send a blatant case of test cheating to the honor board for adjudication and dealt with it himself, against my wishes.
1	0.41%	<input type="checkbox"/>	talk in person with the student
1	0.41%	<input type="checkbox"/>	talk to colleagues in my department
1	0.41%	<input type="checkbox"/>	talk to my department chair
1	0.41%	<input type="checkbox"/>	Talk to my department director of undergraduate studies or director of graduate studies, per department policy.
1	0.41%	<input type="checkbox"/>	talk to my Department's adviser
1	0.41%	<input type="checkbox"/>	Talk to our undergraduate director and the department chair
1	0.41%	<input type="checkbox"/>	talk to senior colleagues
1	0.41%	<input type="checkbox"/>	talk to student
1	0.41%	<input type="checkbox"/>	Talk to the associate chair of the department
1	0.41%	<input type="checkbox"/>	Talk to the dean of the department,
1	0.41%	<input type="checkbox"/>	Talk to the program director
3	1.22%	<input type="checkbox"/>	talk to the student
1	0.41%	<input type="checkbox"/>	Talk to the student
1	0.41%	<input type="checkbox"/>	Talk to the student about it in a one-on-one meeting.
1	0.41%	<input type="checkbox"/>	talk to the student and then the dean
1	0.41%	<input type="checkbox"/>	Talk to the student to tell them about my concerns. I'm not inclined to bring another case to honors council.
1	0.41%	<input type="checkbox"/>	Talk to the student.
1	0.41%	<input type="checkbox"/>	talk to the undergraduate advisor (Dave Straney) in my department as to the best course of action.
1	0.41%	<input type="checkbox"/>	talk to the undergraduate/graduate chair
1	0.41%	<input type="checkbox"/>	talk with director of undergraduate studies
1	0.41%	<input type="checkbox"/>	Talk with other faculty who may have experience with violations.
1	0.41%	<input type="checkbox"/>	talk with our undergraduate director for advice
1	0.41%	<input type="checkbox"/>	talk with the director of my program
2	0.81%	<input type="checkbox"/>	Talk with the student
1	0.41%	<input type="checkbox"/>	Talk with the student about it.
1	0.41%	<input type="checkbox"/>	Talk with the student, with the evidence in hand.
1	0.41%	<input type="checkbox"/>	Talk with the student.

1	0.41%	<input type="checkbox"/>	Tell my colleagues about it
1	0.41%	<input type="checkbox"/>	Tell my deparmeny head
1	0.41%	<input type="checkbox"/>	tell my director
1	0.41%	<input type="checkbox"/>	The "first move" depends on the situation. My first step in "suspecting" is to find evidence to support or refute my suspicions. If they are supported, then there are still situational concerns. A paper wholly plagiarized from a published source is different from an unattributed quotation, for example. In both instances, however, I would first give the student an opportunity to explain himself, w/out accusing him of anything. Generally, I initiate a conversation that begins, "I had some concerns about your work. Is there anything that you were concerned about that you'd like to discuss with me?" Usually that has the desired result: the student will rewrite the work, talk to me about what happened, where he fell apart. Sometimes the student will say "What concerns?" and I will say that it appears that the work is someone else's and that I will be consulting with the OJP.
1	0.41%	<input type="checkbox"/>	To contact Student Conduct for advise on how to properly handle the situation before contacting the student.
1	0.41%	<input type="checkbox"/>	to contact the Honors Council office
1	0.41%	<input type="checkbox"/>	to discuss it with my colleagues
1	0.41%	<input type="checkbox"/>	to discuss it with the student in question
1	0.41%	<input type="checkbox"/>	to discuss with colleagues. I don't actually teach.
1	0.41%	<input type="checkbox"/>	To have an informal conversation with the individual concerned about the incident
1	0.41%	<input type="checkbox"/>	to look at the web page to refresh my mind on the rules and procedures
1	0.41%	<input type="checkbox"/>	To seek to find the sources for the essay. My second step is to speak to the student.
1	0.41%	<input type="checkbox"/>	to speak with the student
1	0.41%	<input type="checkbox"/>	To talk to director of the program.
1	0.41%	<input type="checkbox"/>	track down original
1	0.41%	<input type="checkbox"/>	Try to confirm it for myself--e.g., by tracking down a plagiarized passage.
1	0.41%	<input type="checkbox"/>	Try to determine whether a Review Board would conclude the student was "responsible".
1	0.41%	<input type="checkbox"/>	Try to find my file on Academic Dishonesty or online material. Then contact Office of Student Conduct.
1	0.41%	<input type="checkbox"/>	Try to find out whether my suspicions are correct!
1	0.41%	<input type="checkbox"/>	Try to verify information to check if indeed there is basis for suspicion and (if grounds for suspicion) and then accurately provide information of suspected dishonesty to the Honor Board
1	0.41%	<input type="checkbox"/>	Validate my accusation
1	0.41%	<input type="checkbox"/>	verify
1	0.41%	<input type="checkbox"/>	Verify it as far as I was able
1	0.41%	<input type="checkbox"/>	Verify that there is, in fact, plagiarism or fabrication in the work and then send the case to Judicial Programs (or whatever it's called these days).
1	0.41%	<input type="checkbox"/>	Warn student.

246 Respondents

Q22. Have you served on an Honor Board?

Count	Percent		
52	19.26%	<input type="checkbox"/>	Yes
218	80.74%	<input checked="" type="checkbox"/>	No

270 Respondents

Q23. On how many Honor Boards have you served?

Count	Percent	
49	100.00%	<input checked="" type="checkbox"/>

Count	Percent
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1	2.04%		25
2	4.08%		15
1	2.04%		12
4	8.16%		10
1	2.04%		8
2	4.08%		6
6	12.24%		5
6	12.24%		4
1	2.04%		3
11	22.45%		2
12	24.49%		1
2	4.08%		0

49 Respondents

Q24. Why have you not served on an Honor Board? (Check all that apply)

Count	Respondent %	Response %		
173	80.09%	57.10%		I've never been asked
20	9.26%	6.60%		Don't know how to volunteer
69	31.94%	22.77%		Don't have enough time
6	2.78%	1.98%		Timing of meetings
21	9.72%	6.93%		No incentives
14	6.48%	4.62%		Other (please specify)

Count	Percent		
1	7.14%		been meaning to but don't get around to it
1	7.14%		I already serve on numerous committees and this type of work is not highly valued by the department salary committee
1	7.14%		I am a productive, busy scholar/teacher!
1	7.14%		I am only a postdoc...
1	7.14%		I only work part time and I'm not certain I would have time.
1	7.14%		I probably could not handle the stress.
1	7.14%		I'm an adjunct and I suspect the time committment and bureaucracy would be too daunting
1	7.14%		New faculty and was not aware of this service position.
1	7.14%		not interested
1	7.14%		Part - time faculty
1	7.14%		short-term faculty

216 Respondents

303 Responses



UNIVERSITY OF
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April 26, 2011

Dr. Donna B. Hamilton
Professor and Dean
Office of Undergraduate Studies
2110 Marie Mount Hall
University of Maryland
College Park, MD 20742-5251

Dear Dean Hamilton:

In January 2011, Dr. John Zacker, who serves as a non-voting ex-officio member of the Senate Student Conduct Committee, informed the committee of the request in your memo dated December 7, 2010. It is our understanding that concerns about the student honor review process for cases of academic dishonesty had been raised last semester. Per the memo's instruction, Dr. Zacker requested that the Senate Student Conduct Committee generate a survey to determine faculty satisfaction with the Office of Student Conduct and the Honor Review Process.

During the course of the Spring 2011 Semester, the Senate Student Conduct Committee drafted such a survey. The survey questions have been finalized. Dr. Zacker's office is currently working with an external assessment and consulting company, StudentVoice, to complete the online formatting of the survey. Dr. Zacker will organize the dissemination of this survey to a random sampling of 1500 faculty members on campus. As per our earlier correspondence, we would appreciate any help your office can provide in creating incentives (gifts, etc.) that might convince faculty to participate. We had hoped to use UMEG to distribute the survey to all current instructors, but understand if you would prefer another method of promotion and circulation.

The results of the survey will be shared with you once collected. Thank you.

Sincerely,

A handwritten signature in purple ink that reads "Nan B. Ratner".

Nan Ratner
Chair, University Senate Student Conduct Committee

NR/cb

Cc: Reka Montfort, Executive Secretary and Director, University Senate
John Zacker, Director, Office of Student Conduct

**UNIVERSITY SENATE STUDENT CONDUCT COMMITTEE
SATISFACTION OF HONOR REVIEW PROCESS SURVEY**

1) What is your Faculty Status? (select one)

- Tenured
- Tenure Track
- Faculty Non-Tenured/Tenure-Track
- Adjunct Faculty
- Teaching Assistant
- Other, please specify _____

2) In which College do you teach? (select one)

- College of Agriculture and Natural Resources
- School of Architecture, Planning, and Preservation
- College of Arts and Humanities
- College of Behavioral and Social Sciences
- Robert H. Smith School of Business
- College of Computer, Mathematical and Natural Sciences
- College of Education
- A. James Clark School of Engineering
- The Graduate School
- Philip Merrill College of Journalism
- College of Information Studies
- School of Public Health
- School of Public Policy

3) What is your Department? (fill in the blank) _____

4) How many Years of teaching Experience do you have?
(enter 0 for new faculty) _____

5) Are you Full-time or Part-time? (select one)

- Full-time
- Part-time

6) As an instructor at the University of Maryland, how many *suspected* cases of academic dishonesty have you come across during...

The current academic year (including this semester and last semester)?

- None
- 1-2
- 3-4
- 5-6
- 7 or more

Academic years prior to the current year?

- None
- 1-2
- 3-4
- 5-6
- 7 or more

7) Do not display if Q6 = 0: Of the suspected cases referenced in the previous questions, did you report any to the Student Honor Council or the Office of Student Conduct for review under the Code of Academic Integrity?

- Yes
- No

If Yes:

How satisfied were you with the case decision?

Please rate from 1 (very dissatisfied)
Moderately dissatisfied
Neither satisfied nor dissatisfied
Moderately satisfied
5 (very satisfied)

How satisfied were you with the sanction?

Please rate from 1 (very dissatisfied)
Moderately dissatisfied
Neither satisfied nor dissatisfied
Moderately satisfied
5 (very satisfied)

How satisfied were you with the process?

Please rate from 1 (very dissatisfied) t
Moderately dissatisfied
Neither satisfied nor dissatisfied
Moderately satisfied
5 (very satisfied)

Please indicate your agreement with the following statements regarding the manner in which the report/s of academic dishonesty were handled:

Strongly Agree Moderately Agree Neutral Moderately Disagree Strongly Disagree
Not applicable

- The case/s were handled in a timely manner
- The outcome/s were fair
- The administrative staff with whom I had contact provided prompt service
- I received sufficient information or materials in advance to help me prepare or respond
- I was adequately informed about the process by which academic dishonesty cases are resolved

Do you have any Comments about process, including composition of Honor Boards, advocates, speed of process, etc. ?

Yes, please specify (Fill in the blank: _____)

No

If No:

Why have you not referred a suspected case to the Student Honor Council or the Office of Student Conduct for review under the Code of Academic Integrity? (check ALL that apply to past decisions not to refer)

- Never had reason to suspect academic dishonesty
- Handled it myself
- Handled it within my department/college
- Not familiar with the process
- Not enough evidence
- Difficult to detect academic dishonesty
- Too much work
- Heard that few cases are resolved in favor of the instructor
- Did not want to get the student in trouble
- Other, please specify _____

8) How knowledgeable are you regarding the process of referring students for academic dishonesty within your program?

- Extremely knowledgeable
- Very knowledgeable
- Moderately knowledgeable
- Not very knowledgeable
- Not at all knowledgeable

How knowledgeable are you regarding the campus's general guidelines for referring students for academic dishonesty?

- Extremely knowledgeable
- Very knowledgeable
- Moderately knowledgeable
- Not very knowledgeable
- Not at all knowledgeable

9) If I suspected academic dishonesty, my first move would be to: (fill in the blank) _____

10) Have you served on an Honor Board?

- Yes
- No

If Yes: On how many Honor Boards have you served? _____ (freeform numeric)

If No: Why have you not served on an Honor Board? (select all that apply)

- I've never been asked
- I don't know how to volunteer
- I don't have enough time
- Timing of meetings
- No incentives
- Other, please specify _____

11) Would you be willing to serve on an Honor Board?

- Yes
- No

If yes, please provide your email address _____

12) Are you willing to be contacted for further discussion about your experiences with academic dishonesty or the Honor Review process?

- Yes
- No

If yes, please provide email address _____



UNIVERSITY OF MARYLAND

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OFFICE OF THE ASSOCIATE PROVOST FOR ACADEMIC AFFAIRS
AND DEAN FOR UNDERGRADUATE STUDIES

December 7, 2010

To: Larry Davis, Jeffrey Hollingsworth, John Zacker, Andrea Goodwin, and James Newton

From: Donna Hamilton

Thank you for meeting on December 4, 2010, in regard to the questions raised recently by Jeffrey Hollingsworth about some situations in which CMSC students are not found responsible for plagiarism. Our detailed discussion yielded the following agreement about next steps.

1. Larry Davis will invite all of us to attend a meeting with CMSC faculty in Spring 2011, so that John Zacker and Andrea Goodwin can discuss these issues with them.
2. John Zacker will request that the Senate Committee on Student Conduct generate a survey to determine faculty satisfaction with Student Conduct Office and the Honor Board. The questions proposed for the survey and the results of the survey will be shared with those of us who met yesterday.
3. We will reserve judgment on the matter of whether to press for a process wherein faculty could appeal a "not responsible" decision until these first two steps have been completed.
4. There was agreement that effort should be made by the office of Student Conduct and by departments to raise the level of faculty preparation for presenting cases appropriately. Training of Community Advocates might also be improved.
5. Faculty need to be instructed to bring forward any aggravating factors, preferably at the time the case is sent to the Honor Board.

Thank you again for the meeting. I look forward to supporting your efforts to clarify and improve procedures.

Sincerely,

A handwritten signature in cursive script that reads "Donna B. Hamilton".

Donna B. Hamilton
Professor English
Associate Provost and Dean for Undergraduate Studies



University Senate TRANSMITTAL FORM

Senate Document #:	11-12-09
PCC ID #:	N/A
Title:	Proposal to Retain "Clear and Convincing Evidence" as the Evidentiary Standard in Sexual Harassment Cases
Presenter:	Vincent Novara, Chair of the Senate Committee on Equity, Diversity, and Inclusion (EDI Committee)
Date of SEC Review:	02/22/2012
Date of Senate Review:	03/08/2012
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	The EDI Committee was charged by the Senate Executive Committee (SEC) on September 28, 2011, with reviewing a proposal submitted by an Emeritus Professor. The proposal requested that it be explicitly stated that the "clear and convincing" standard of evidence will be used for cases of alleged sexual harassment. The EDI Committee was asked to advise on whether the University's sexual harassment policy should be revised to include information about the evidentiary standard and review process.
Relevant Policy # & URL:	http://president.umd.edu/policies/vi120a.html
Recommendation:	The EDI Committee recommends that no changes regarding evidentiary standards be made to the VI-1.20(A) University of Maryland Policy and Procedures on Sexual Harassment at this time.
Committee Work:	The EDI Committee met with the proposer on November 14, 2011, to discuss the proposal. The committee and proposer also discussed criticism from the American Association of University Professors (AAUP) of a new federal mandate related to sexual harassment policies on campuses throughout the nation. The EDI Committee researched sexual harassment policies at peer institutions to identify what evidentiary standards are used, and determined that the University of Maryland would be atypical if it used "clear and convincing" as an evidentiary standard. The committee consulted with the University's Campus Compliance Officer, who is often the individual to whom faculty, staff, and students report an alleged incident of sexual harassment. Additionally, the EDI Committee stayed

	abreast of developments within the Student Conduct Committee (SCC), as the SCC was charged with reviewing a proposal (Senate Doc 11-12-10) related to sections in the Code of Student Conduct that pertain to complaints of sexual harassment.
Alternatives:	The Senate could vote to have a committee re-charged with further review.
Risks:	There are no associated risks.
Financial Implications:	There are no financial implications.
Further Approvals Required: <i>(*Important for PCC Items)</i>	SEC Approval

Senate Committee on Equity, Diversity, & Inclusion

Senate Document 11-12-09

Proposal to Retain "Clear and Convincing Evidence" as the Evidentiary Standard in Sexual Harassment Cases

February 2012

BACKGROUND:

In April 2011, the US Department of Education's Office for Civil Rights (OCR) distributed a "Dear Colleague Letter" providing guidance to institution of education regarding sexual harassment and sexual violence disciplinary proceedings and appeals processes. The guidance was geared toward violations involving students on college campuses nationwide. This letter outlined an institution's responsibilities under Title IX for dealing with complaints of sexual harassment. As a recipient of Federal financial assistance, the University of Maryland was instructed to comply with the directives issued in the letter. In order to be in compliance, the burden of proof requirement and appeals process needed to be revised in the University's *Code of Student Conduct* to include "preponderance of the evidence" (i.e., it is more likely than not that the sexual harassment or violence occurred) instead of "clear and convincing" (i.e., it is highly probable or reasonably certain that the sexual harassment or violence occurred) as the evidentiary standard in proceedings. The OCR letter explained that the "preponderance of the evidence" evidentiary standard is the standard of proof established for violations of civil rights laws, and is thus "the appropriate standard for investigating allegations of sexual harassment or violence" (US Department of Education, Office for Civil Rights. 2011, April 4. Dear Colleague Letter, p. 11). The letter stated that grievance procedures that use "clear and convincing" standards for cases of sexual harassment and sexual violence are not equitable under Title IX. Additionally, the OCR letter recommended that institutions provide an appeals process for findings or remedies, and that they do so for both parties involved.

CURRENT PRACTICE:

According to the University's Policy and Procedures on Sexual Harassment, the University "is committed to maintaining a working and learning environment in which students, faculty, and staff can develop intellectually, professionally, personally, and socially. Such an environment must be free of intimidation, fear, coercion, and reprisal. Accordingly, the Campus prohibits sexual harassment." Sexual harassment by faculty, staff, and students is strictly prohibited. Additionally, sexual harassment may constitute violations of criminal and civil laws of the State of Maryland and the United States. The University policy defines sexual harassment as follows:

- (1) unwelcome sexual advances; or
- (2) unwelcome requests for sexual favors; or
- (3) other behavior of a sexual or gender-based nature where:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a University-sponsored educational program or activity; or
 - b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or

c. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or of creating an intimidating, hostile, or offensive educational or working environment.

To determine whether an incident or particular act constitutes sexual harassment, the policy states that the standard used shall be the "perspective of a responsible person within the College Park Campus Community." Additionally, it states that the rules of common sense and reason shall prevail in assessing these acts. Furthermore, the policy states, "Allegations of sexual harassment shall be judged with attention to the facts particular to the case and the context in which the alleged incident(s) occurred."

No evidentiary standard for determining responsibility (such as "clear and convincing" or "preponderance of the evidence") is prescribed in the policy at present time. Until recently, the *Code of Student Conduct* stated that the "clear and convincing" evidentiary standard would be used in cases of alleged sexual harassment.

COMMITTEE WORK:

The EDI Committee was charged by the Senate Executive Committee (SEC) on September 28, 2011, with reviewing the proposal and advising on whether the University's sexual harassment policy should be revised to include information about the evidentiary standard and review process. The committee was asked to consult with the proposer to discuss his specific concerns about the current process, review similar sexual harassment policies at peer institutions, consult with the Office of Legal Affairs, consult with the Student Conduct Committee on the impact that any changes to the existing policy may have on the *Code of Student Conduct*, and, if appropriate, recommend how evidentiary procedures could be implemented in the current policy.

The proposal was submitted by an Emeritus Professor. The proposal asserted that the *Code on Equity, Diversity, & Inclusion* (previously known as the *Human Relations Code*) suggests a burden of proof of the "clear and convincing evidence variety." On the contrary, Article III, Paragraph L on Enforcement Procedures during a Grievance Hearing in the *Code on Equity, Diversity, & Inclusion* states that "recommendations and conclusions by the Grievance Committee shall be based solely on the evidence presented during the hearing, and shall be based on a preponderance of the evidence having probative effect" (Policy VI-1.00(B), pg. 10). Therefore, the committee found this element of the proposal to be inaccurate.

The EDI Committee met with the proposer on November 14, 2011. The proposer explained the rationale behind his proposal. He discussed two letters from the American Association of University Professors (AAUP), which expressed criticism of the OCR's recommendation that Universities should use a "preponderance of the evidence" standard for proceedings in cases of sexual harassment. In the correspondence presented, the AAUP asserted that using a "preponderance of the evidence" standard would make it "more likely that faculty members will be unfairly accused and found guilty, their careers ruined" (2011, August 18. AAUP Renews Criticism of Education Dept.'s Sexual Harassment Guidance. *The Chronicle of Higher Education*. Retrieved online from <http://chronicle.com/>). The proposer explained that there had recently been a large amount of discussion regarding the "Dear Colleague Letter" in the comments section of the online version of *The Chronicle of Higher Education*. The committee reviewed this debate on both sides of the issue.

The EDI Committee concurred that there are often no witnesses in cases of sexual harassment; therefore, providing clear and convincing evidence may often prove to be difficult for complainants. The committee believes that the OCR's intention in recommending the use of a "preponderance of the evidence" standard for cases involving students was to develop a system that would encourage, rather than discourage, the reporting of alleged harassment.

The EDI Committee researched sexual harassment policies at peer institutions to identify what evidentiary standards are used. The EDI Committee found that most comparable universities use a "preponderance of the evidence" standard for violations, including UC Berkeley, the University of Illinois, UCLA, and the University of Michigan. Therefore, the committee determined that the University of Maryland would be atypical if it used "clear and convincing" as an evidentiary standard. According to the Office of Student Conduct, most institutions within the University System of Maryland (USM) use a "preponderance of the evidence" standard, as well.

Throughout its review, the committee regularly consulted with the University's Campus Compliance Officer, who is often the individual to whom faculty, staff, and students report an alleged incident of sexual harassment. The Campus Compliance Officer or the Legal Office must first be notified before any action to investigate or resolve the matter can be initiated.

Additionally, the EDI Committee stayed abreast of developments within the Senate's Student Conduct Committee (SCC), as the SCC was charged with reviewing a proposal (Senate Doc 11-12-10) related to sections in the *Code of Student Conduct* that pertain to complaints of sexual harassment. At its meeting on November 8, 2011, the SCC voted unanimously in favor of recommending that the University make the changes to the *Code of Student Conduct* necessary to get to the University in compliance with the directives outlined in the OCR letter. The committee also asked to be charged with revisiting the *Code* and the recommendations at the beginning of the Fall 2012 semester. The Senate approved these recommendations on December 8, 2011; the resulting vote was 56 in favor, 15 opposed, and 2 abstentions. Subsequently, the President approved the recommendations of the SCC on January 17, 2011, and the *Code* was officially edited.

The EDI Committee determined that the proposed change to the University's Sexual Harassment Policy would have a large effect on both the *Code of Equity, Diversity, and Inclusion* and the *Code of Student Conduct*, since inserting an evidentiary standard of "clear and convincing" would directly contradict the standard of "preponderance of the evidence" for cases of sexual harassment, which is now described in both documents.

RECOMMENDATION:


The EDI Committee recommends that no changes regarding evidentiary standards be made to the VI-1.20(A) University of Maryland Policy and Procedures on Sexual Harassment at this time.

APPENDICES:

- Appendix 1 – Charge from the Senate Executive Committee, September 28, 2011
- Appendix 2 – Proposal from Dr. Tossell, September 6, 2011
- Appendix 3 – Dear Colleague Letter from the Office for Civil Rights, April 4, 2011



**University Senate
CHARGE**

Date:	September 28, 2011
To:	Vincent Novara Chair, Equity, Diversity, and Inclusion (EDI) Committee
From:	Eric Kasischke Chair, University Senate 
Subject:	Proposal to Retain "Clear and Convincing Evidence" as the Evidentiary Standard in Sexual Harassment Cases
Senate Document #:	11-12-09
Deadline:	March 30, 2012

The Senate Executive Committee (SEC) requests that the Equity, Diversity, and Inclusion (EDI) Committee review the attached "Proposal to Retain 'Clear and Convincing Evidence' as the Evidentiary Standard in Sexual Harassment Cases" and make recommendations on whether the University of Maryland Policy and Procedures on Sexual Harassment (VI-1.20(A)) should be revised.

The University's sexual harassment policy defines which acts constitute sexual harassment and outlines procedures for filing a complaint. However, the procedures by which these cases are evaluated might be more clearly defined. The SEC requests that the EDI Committee review the proposal and advise whether the current policy should be revised to include information about the evidentiary standard and review process.

Specifically, we ask that you:

1. Consult with the proposer to discuss his specific concerns about the current process.
2. Review similar sexual harassment policies at our peer institutions.
3. Consult with the University's Office of Legal Affairs.
4. Consult with the Senate's Student Conduct Committee on the impact that any changes to the existing policy may have on the Code of Student Conduct.
5. If appropriate, recommend how evidentiary procedures could be implemented in the current policy.

We ask that you submit your report and recommendations to the Senate Office no later than March 30, 2012. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



University Senate PROPOSAL FORM

Name:	John A. Tossell
Date:	Sept. 6, 2011
Title of Proposal:	Proposal to Retain "Clear and convincing evidence" as the evidentiary standard in sexual harassment cases
Phone Number:	301 346 2750
Email Address:	tossell@umd.edu
Campus Address:	Chemistry, Bldg. 091, 1102A
Unit/Department/College:	Chemistry and Biochemistry, CMNS
Constituency (faculty, staff, undergraduate, graduate):	Faculty (emeritus)
Description of issue/concern/policy in question:	In April 2011 the Office of Civil Rights (OCR) of the Dept. of Education wrote a "Dear Colleague" letter to universities charging them to change the evidentiary standard for guilt in sexual harassment cases from "clear and convincing evidence" to the much weaker "preponderance of the evidence". The AAUP has strongly opposed this change in two letters to OCR, stating that this change would violate due process and weaken academic freedom for faculty and students. In effect it would substitute the weak standard used in civil cases where mostly money changes hands for the stronger standards using in criminal trials. Since penalties for sexual harassment convictions can include loss of tenure and termination of employment the higher evidentiary standard should be used.
Description of action/changes you would like to see implemented and why:	So far as I can tell, the evidentiary standard used in sexual harassment cases is never precisely stated in University documents. It is noted in the University of Maryland Policy and Procedures on Sexual Harassment (VI-1.20(A)) part B. Procedures that "The Campus is committed to protecting the rights of the alleged offender as well as the offended". It is also stated in the Human Relations Code Article III Paragraph L that "The burden of proof rests with the complainant". This seems to me to suggest a burden of proof of the "clear and convincing evidence" variety. I would like to see it stated explicitly that in sexual harassment cases the "clear and convincing" evidence standard should be used.

Suggestions for how your proposal could be put into practice:	Such changes could simply be announced and placed in the Policy and Procedures documents available online. No new personnel would need to be established.
Additional Information:	Reasonable people may well disagree with my desire to retain the old, stronger evidentiary standard. The probable result of retaining the stronger standard is that some people who are really guilty will be found not guilty. The probable result of using a weaker standard is that some people who are actually innocent will be found guilty. As I understand American justice, people are presumed innocent until proven guilty, not the reverse. I believe that the University should adhere to standard American justice standards. Surely there is a better way to deal with sexual harassment than simply making it easier to convict after the infraction is committed. Attached is the second AAUP letter to OCR.

Please send your completed form and any supporting documents to senate-admin@umd.edu or University of Maryland Senate Office, 1100 Marie Mount Hall, College Park, MD 20742-7541. Thank you!

AAUP

American Association of University Professors

Academic Freedom for a Free Society

June 27, 2011

VIA U.S. MAIL AND FACSIMILE (202.453.6012)

Ms. Russlynn Ali
Assistant Secretary for Civil Rights
Office for Civil Rights
United States Department of Education
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue SW
Washington, District of Columbia 20202-1100

Dear Assistant Secretary Ali:

Since its founding in 1915, the American Association of University Professors has served the common good by promoting sound academic standards in higher education. In cooperation with other higher-education organizations, the AAUP developed the policies and procedures on academic freedom, tenure, and governance that have become normative in American colleges and universities.

My purpose in writing is to convey our Association's concern with respect to the following passage in your office's "Dear Colleague" letter of April 4, 2011:

Thus, in order for a school's grievance procedures to be consistent with Title IX standards, the school must use a preponderance of the evidence standard (i.e., it is more likely than not that sexual harassment or violence occurred). The "clear and convincing" standard (i.e., it is highly probable or reasonably certain that the sexual harassment or violence occurred), currently used by some schools, is a higher standard of proof. Grievance procedures that use this higher standard are inconsistent with the standard of proof established for violations of the civil rights laws, and are thus not equitable under Title IX. Therefore, preponderance of the evidence is the appropriate standard for investigating allegations of sexual harassment or violence.

Our Association's interest in this mandate of the preponderance of the evidence standard of proof stems from our longstanding commitment to basic principles of academic freedom and tenure, as enunciated in the foundational 1940 *Statement of Principles on Academic Freedom and Tenure* (enclosed), developed jointly by the AAUP and the Association of American Colleges (now the

Ms. Russlynn Ali

June 27, 2011

Page 2

Association of American Colleges and Universities) and endorsed by more than 200 scholarly and educational organizations.

AAUP-supported standards for dismissal of faculty members derived from the 1940 *Statement* are set forth in Regulation 5 of our widely adopted *Recommended Institutional Regulations on Academic Freedom and Tenure* (enclosed), first issued in 1957. Regulation 5c(8) provides that, in dismissal cases, “[t]he burden proof that adequate cause exists rests with the institution and will be satisfied only by *clear and convincing evidence* in the record considered as a whole” (emphasis added).

Since charges of sexual harassment against faculty members often lead to disciplinary sanctions, including dismissal, a preponderance of the evidence standard could result in a faculty member’s being dismissed for cause based on a lower standard of proof than what we consider necessary to protect academic freedom and tenure. We believe that the widespread adoption of the preponderance of the evidence standard for dismissal in cases involving charges of sexual harassment would tend to erode the due-process protections for academic freedom.

In a May 5 letter, our colleagues at the Foundation for Individual Rights in Education wrote to urge, among other things, that the Office of Civil Rights of the U.S. Department of Education rescind its mandate of the preponderance-of-the-evidence standard. Our request regarding cases of potential dismissal is the same.

Sincerely,



Gregory F. Scholtz

Associate Secretary and Director

Department of Academic Freedom, Tenure, and Governance

Enclosures (via U.S. mail)

cc: Mr. William Creeley, Director of Legal and Public Advocacy, Foundation for Individual Rights in Education

U.S. Department of Education
Office for Civil Rights



Dear Colleague Letter: Sexual Violence
Background, Summary, and Fast Facts
April 4, 2011

Sexual Violence Statistics and Effects

- Acts of sexual violence are vastly under-reported.¹ Yet, data show that our nation's young students suffer from acts of sexual violence early and the likelihood that they will be assaulted by the time they graduate is significant. For example:
 - Recent data shows nearly 4,000 reported incidents of sexual battery and over 800 reported rapes and attempted rapes occurring *in our nation's public high schools*.² Indeed, by the time girls graduate from high school, more than one in ten will have been physically forced to have sexual intercourse in or out of school.³
 - When young women get to *college*, nearly 20% of them will be victims of attempted or actual sexual assault, as will about 6% of undergraduate men.⁴
- Victims of sexual assault are more likely to suffer academically and from depression, post-traumatic stress disorder, to abuse alcohol and drugs, and to contemplate suicide.⁵

Why is ED Issuing the Dear Colleague letter (DCL)?

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. Sec.1681, *et seq.*, prohibits discrimination on the basis of sex in any federally funded education program or activity. ED is issuing the DCL to explain that the requirements of Title IX cover sexual violence and to remind schools⁶ of their responsibilities to take immediate and effective steps to respond to sexual violence in accordance with the requirements of Title IX. In the context of the letter, sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.

¹ For example, see HEATHER M. KARJANE ET AL. SEXUAL ASSAULT ON CAMPUS: WHAT COLLEGES AND UNIVERSITIES ARE DOING ABOUT IT 3 (Nat'l. Institute of Justice, Dec. 2005).

² SIMONE ROBERS ET AL. INDICATORS OF SCHOOL CRIME AND SAFETY 104 (U.S. Dep't of Education & U.S. Dep't of Justice, Nov. 2010), *available at* <http://nces.ed.gov/pubs2011/2011002.pdf>.

³ EATON, D. K., KANN, L., KINCHEN, S., SHANKLIN, S., ROSS, J., HAWKINS, J., ET AL., YOUTH RISK BEHAVIOR SURVEILLANCE-UNITED STATES 2009, *Morbidity and Mortality Weekly Report*, 1-148.

⁴ CHRISTOPHER P. KREBS ET AL., THE CAMPUS SEXUAL ASSAULT STUDY FINAL REPORT xiii, 5-5. (Nat'l. Criminal Justice Reference Service, Oct. 2007), *available at* <http://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>.

⁵ For example, see WORLD HEALTH ORGANIZATION, WORLD REPORT ON VIOLENCE AND HEALTH 162-164 (Etienne G. Krug, et al. eds., 2002), *available at* http://whqlibdoc.who.int/publications/2002/9241545615_eng.pdf; CENTERS FOR DISEASE CONTROL, UNDERSTANDING SEXUAL VIOLENCE: FACT SHEET 1 (2011), *available at* http://www.cdc.gov/violenceprevention/pdf/SV_factsheet_2011-a.pdf.

⁶ "Schools" includes all recipients of federal funding and includes school districts, colleges, and universities.

What does the DCL do?

- Provides guidance on the unique concerns that arise in sexual violence cases, such as the role of criminal investigations and a school's independent responsibility to investigate and address sexual violence.
- Provides guidance and examples about key Title IX requirements and how they relate to sexual violence, such as the requirements to publish a policy against sex discrimination, designate a Title IX coordinator, and adopt and publish grievance procedures.
- Discusses proactive efforts schools can take to prevent sexual violence.
- Discusses the interplay between Title IX, FERPA, and the Clery Act⁷ as it relates to a complainant's right to know the outcome of his or her complaint, including relevant sanctions facing the perpetrator.
- Provides examples of remedies and enforcement strategies that schools and the Office for Civil Rights (OCR) may use to respond to sexual violence.

What are a school's obligations under Title IX regarding sexual violence?

- Once a school knows or reasonably should know of possible sexual violence, it must take immediate and appropriate action to investigate or otherwise determine what occurred.
- If sexual violence has occurred, a school must take prompt and effective steps to end the sexual violence, prevent its recurrence, and address its effects, whether or not the sexual violence is the subject of a criminal investigation.
- A school must take steps to protect the complainant as necessary, including interim steps taken prior to the final outcome of the investigation.
- A school must provide a grievance procedure for students to file complaints of sex discrimination, including complaints of sexual violence. These procedures must include an equal opportunity for both parties to present witnesses and other evidence and the same appeal rights.
- A school's grievance procedures must use the preponderance of the evidence standard to resolve complaints of sex discrimination.
- A school must notify both parties of the outcome of the complaint.

How can I get help from OCR?

OCR offers technical assistance to help schools achieve voluntary compliance with the civil rights laws it enforces and works with schools to develop approaches to preventing and addressing discrimination. A school should contact the OCR enforcement office serving its jurisdiction for technical assistance. For contact information, please visit ED's website at <http://wdcrocolp01.ed.gov/CFAPPS/OCR/contactus.cfm>.

A complaint of discrimination can be filed by anyone who believes that a school that receives Federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, disability, or age. The person or organization filing the complaint need not be a victim of the alleged discrimination, but may complain on behalf of another person or group. For information on how to file a complaint with OCR, visit <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html> or contact OCR's Customer Service Team at 1-800-421-3481.

⁷ The Family Educational Rights and Privacy Act is at 20 U.S.C. Sec. 1232g, and the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act is at 20 U.S.C. Sec 1092(f).



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

April 4, 2011

Dear Colleague:

Education has long been recognized as the great equalizer in America. The U.S. Department of Education and its Office for Civil Rights (OCR) believe that providing all students with an educational environment free from discrimination is extremely important. The sexual harassment of students, including sexual violence, interferes with students' right to receive an education free from discrimination and, in the case of sexual violence, is a crime.

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations, 34 C.F.R. Part 106, prohibit discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. In order to assist recipients, which include school districts, colleges, and universities (hereinafter "schools" or "recipients") in meeting these obligations, this letter¹ explains that the requirements of Title IX pertaining to sexual harassment also cover sexual violence, and lays out the specific Title IX requirements applicable to sexual violence.² Sexual violence, as that term is used in this letter, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape,

¹ The Department has determined that this Dear Colleague Letter is a "significant guidance document" under the Office of Management and Budget's Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007), *available at*:

http://www.whitehouse.gov/sites/default/files/omb/assets/regulatory_matters_pdf/012507_good_guidance.pdf.

OCR issues this and other policy guidance to provide recipients with information to assist them in meeting their obligations, and to provide members of the public with information about their rights, under the civil rights laws and implementing regulations that we enforce. OCR's legal authority is based on those laws and regulations. This letter does not add requirements to applicable law, but provides information and examples to inform recipients about how OCR evaluates whether covered entities are complying with their legal obligations. If you are interested in commenting on this guidance, please send an e-mail with your comments to OCR@ed.gov, or write to us at the following address: Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

² Use of the term "sexual harassment" throughout this document includes sexual violence unless otherwise noted. Sexual harassment also may violate Title IV of the Civil Rights Act of 1964 (42 U.S.C. § 2000c), which prohibits public school districts and colleges from discriminating against students on the basis of sex, among other bases. The U.S. Department of Justice enforces Title IV.

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sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

The statistics on sexual violence are both deeply troubling and a call to action for the nation. A report prepared for the National Institute of Justice found that about 1 in 5 women are victims of completed or attempted sexual assault while in college.³ The report also found that approximately 6.1 percent of males were victims of completed or attempted sexual assault during college.⁴ According to data collected under the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery Act), 20 U.S.C. § 1092(f), in 2009, college campuses reported nearly 3,300 forcible sex offenses as defined by the Clery Act.⁵ This problem is not limited to college. During the 2007-2008 school year, there were 800 reported incidents of rape and attempted rape and 3,800 reported incidents of other sexual batteries at public high schools.⁶ Additionally, the likelihood that a woman with intellectual disabilities will be sexually assaulted is estimated to be significantly higher than the general population.⁷ The Department is deeply concerned about this problem and is committed to ensuring that all students feel safe in their school, so that they have the opportunity to benefit fully from the school's programs and activities.

This letter begins with a discussion of Title IX's requirements related to student-on-student sexual harassment, including sexual violence, and explains schools' responsibility to take immediate and effective steps to end sexual harassment and sexual violence. These requirements are discussed in detail in OCR's *Revised Sexual Harassment Guidance* issued in 2001 (*2001 Guidance*).⁸ This letter supplements the *2001 Guidance* by providing additional guidance and practical examples regarding the Title IX requirements as they relate to sexual violence. This letter concludes by discussing the proactive efforts schools can take to prevent sexual harassment and violence, and by providing examples of remedies that schools and OCR may use to end such conduct, prevent its recurrence, and address its effects. Although some examples contained in this letter are applicable only in the postsecondary context, sexual

³ CHRISTOPHER P. KREBS ET AL., THE CAMPUS SEXUAL ASSAULT STUDY: FINAL REPORT xiii (Nat'l Criminal Justice Reference Serv., Oct. 2007), available at <http://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>. This study also found that the majority of campus sexual assaults occur when women are incapacitated, primarily by alcohol. *Id.* at xviii.

⁴ *Id.* at 5-5.

⁵ U.S. Department of Education, Office of Postsecondary Education, Summary Crime Statistics (data compiled from reports submitted in compliance with the Clery Act), available at <http://www2.ed.gov/admins/lead/safety/criminal2007-09.pdf>. Under the Clery Act, forcible sex offenses are

defined as any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. Forcible sex offenses include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. 34 C.F.R. Part 668, Subpt. D, App. A.

⁶ SIMONE ROBERS ET AL., INDICATORS OF SCHOOL CRIME AND SAFETY: 2010 at 104 (U.S. Dep't of Educ. & U.S. Dep't of Justice, Nov. 2010), available at <http://nces.ed.gov/pubs2011/2011002.pdf>.

⁷ ERIKA HARRELL & MICHAEL R. RAND, CRIME AGAINST PEOPLE WITH DISABILITIES, 2008 (Bureau of Justice Statistics, U.S. Dep't of Justice, Dec. 2010), available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/capd08.pdf>.

⁸ The *2001 Guidance* is available on the Department's Web site at <http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>. This letter focuses on peer sexual harassment and violence. Schools' obligations and the appropriate response to sexual harassment and violence committed by employees may be different from those described in this letter. Recipients should refer to the *2001 Guidance* for further information about employee harassment of students.

harassment and violence also are concerns for school districts. The Title IX obligations discussed in this letter apply equally to school districts unless otherwise noted.

Title IX Requirements Related to Sexual Harassment and Sexual Violence

Schools' Obligations to Respond to Sexual Harassment and Sexual Violence

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment prohibited by Title IX.⁹

As explained in OCR's *2001 Guidance*, when a student sexually harasses another student, the harassing conduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the school's program. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. Indeed, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. For instance, a single instance of rape is sufficiently severe to create a hostile environment.¹⁰

Title IX protects students from sexual harassment in a school's education programs and activities. This means that Title IX protects students in connection with all the academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program

⁹ Title IX also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. The Title IX obligations discussed in this letter also apply to gender-based harassment. Gender-based harassment is discussed in more detail in the *2001 Guidance*, and in the 2010 Dear Colleague letter on Harassment and Bullying, which is available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>.

¹⁰ See, e.g., *Jennings v. Univ. of N.C.*, 444 F.3d 255, 268, 274 n.12 (4th Cir. 2006) (acknowledging that while not an issue in this case, a single incident of sexual assault or rape could be sufficient to raise a jury question about whether a hostile environment exists, and noting that courts look to Title VII cases for guidance in analyzing Title IX sexual harassment claims); *Vance v. Spencer Cnty. Pub. Sch. Dist.*, 231 F.3d 253, 259 n.4 (6th Cir. 2000) ("[w]ithin the context of Title IX, a student's claim of hostile environment can arise from a single incident" (quoting *Doe v. Sch. Admin. Dist. No. 19*, 66 F. Supp. 2d 57, 62 (D. Me. 1999))); *Soper v. Hoben*, 195 F.3d 845, 855 (6th Cir. 1999) (explaining that rape and sexual abuse "obviously qualify as...severe, pervasive, and objectively offensive sexual harassment"); see also *Berry v. Chi. Transit Auth.*, 618 F.3d 688, 692 (7th Cir. 2010) (in the Title VII context, "a single act can create a hostile environment if it is severe enough, and instances of uninvited physical contact with intimate parts of the body are among the most severe types of sexual harassment"); *Turner v. Saloon, Ltd.*, 595 F.3d 679, 686 (7th Cir. 2010) (noting that "[o]ne instance of conduct that is sufficiently severe may be enough," which is "especially true when the touching is of an intimate body part" (quoting *Jackson v. Cnty. of Racine*, 474 F.3d 493, 499 (7th Cir. 2007))); *McKinnis v. Crescent Guardian, Inc.*, 189 F. App'x 307, 310 (5th Cir. 2006) (holding that "the deliberate and unwanted touching of [a plaintiff's] intimate body parts can constitute severe sexual harassment" in Title VII cases (quoting *Harvill v. Westward Commc'ns, L.L.C.*, 433 F.3d 428, 436 (5th Cir. 2005))).

sponsored by the school at another location, or elsewhere. For example, Title IX protects a student who is sexually assaulted by a fellow student during a school-sponsored field trip.¹¹

If a school knows or reasonably should know about student-on-student harassment that creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects.¹² Schools also are required to publish a notice of nondiscrimination and to adopt and publish grievance procedures. Because of these requirements, which are discussed in greater detail in the following section, schools need to ensure that their employees are trained so that they know to report harassment to appropriate school officials, and so that employees with the authority to address harassment know how to respond properly. Training for employees should include practical information about how to identify and report sexual harassment and violence. OCR recommends that this training be provided to any employees likely to witness or receive reports of sexual harassment and violence, including teachers, school law enforcement unit employees, school administrators, school counselors, general counsels, health personnel, and resident advisors.

Schools may have an obligation to respond to student-on-student sexual harassment that initially occurred off school grounds, outside a school's education program or activity. If a student files a complaint with the school, regardless of where the conduct occurred, the school must process the complaint in accordance with its established procedures. Because students often experience the continuing effects of off-campus sexual harassment in the educational setting, schools should consider the effects of the off-campus conduct when evaluating whether there is a hostile environment on campus. For example, if a student alleges that he or she was sexually assaulted by another student off school grounds, and that upon returning to school he or she was taunted and harassed by other students who are the alleged perpetrator's friends, the school should take the earlier sexual assault into account in determining whether there is a sexually hostile environment. The school also should take steps to protect a student who was assaulted off campus from further sexual harassment or retaliation from the perpetrator and his or her associates.

Regardless of whether a harassed student, his or her parent, or a third party files a complaint under the school's grievance procedures or otherwise requests action on the student's behalf, a school that knows, or reasonably should know, about possible harassment must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. As discussed later in this letter, the school's Title IX investigation is different from any law enforcement investigation, and a law enforcement investigation does not relieve the school of its independent Title IX obligation to investigate the conduct. The specific steps in a school's

¹¹ Title IX also protects third parties from sexual harassment or violence in a school's education programs and activities. For example, Title IX protects a high school student participating in a college's recruitment program, a visiting student athlete, and a visitor in a school's on-campus residence hall. Title IX also protects employees of a recipient from sexual harassment. For further information about harassment of employees, see *2001 Guidance* at n.1.

¹² This is the standard for administrative enforcement of Title IX and in court cases where plaintiffs are seeking injunctive relief. See *2001 Guidance* at ii-v, 12-13. The standard in private lawsuits for monetary damages is actual knowledge and deliberate indifference. See *Davis v. Monroe Cnty. Bd. of Ed.*, 526 U.S. 629, 643, 648 (1999).

investigation will vary depending upon the nature of the allegations, the age of the student or students involved (particularly in elementary and secondary schools), the size and administrative structure of the school, and other factors. Yet as discussed in more detail below, the school's inquiry must in all cases be prompt, thorough, and impartial. In cases involving potential criminal conduct, school personnel must determine, consistent with State and local law, whether appropriate law enforcement or other authorities should be notified.¹³

Schools also should inform and obtain consent from the complainant (or the complainant's parents if the complainant is under 18 and does not attend a postsecondary institution) before beginning an investigation. If the complainant requests confidentiality or asks that the complaint not be pursued, the school should take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the school should inform the complainant that its ability to respond may be limited.¹⁴ The school also should tell the complainant that Title IX prohibits retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

As discussed in the *2001 Guidance*, if the complainant continues to ask that his or her name or other identifiable information not be revealed, the school should evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the school may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the alleged harasser's rights to receive information about the allegations if the information is maintained by the school as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.¹⁵ The school should inform the complainant if it cannot ensure confidentiality. Even if the school cannot take disciplinary action against the alleged harasser because the complainant insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence. Examples of such steps are discussed later in this letter.

Compliance with Title IX, such as publishing a notice of nondiscrimination, designating an employee to coordinate Title IX compliance, and adopting and publishing grievance procedures, can serve as preventive measures against harassment. Combined with education and training programs, these measures can help ensure that all students and employees recognize the

¹³ In states with mandatory reporting laws, schools may be required to report certain incidents to local law enforcement or child protection agencies.

¹⁴ Schools should refer to the *2001 Guidance* for additional information on confidentiality and the alleged perpetrator's due process rights.

¹⁵ For example, the alleged harasser may have a right under FERPA to inspect and review portions of the complaint that directly relate to him or her. In that case, the school must redact the complainant's name and other identifying information before allowing the alleged harasser to inspect and review the sections of the complaint that relate to him or her. In some cases, such as those where the school is required to report the incident to local law enforcement or other officials, the school may not be able to maintain the complainant's confidentiality.

nature of sexual harassment and violence, and understand that the school will not tolerate such conduct. Indeed, these measures may bring potentially problematic conduct to the school's attention before it becomes serious enough to create a hostile environment. Training for administrators, teachers, staff, and students also can help ensure that they understand what types of conduct constitute sexual harassment or violence, can identify warning signals that may need attention, and know how to respond. More detailed information and examples of education and other preventive measures are provided later in this letter.

Procedural Requirements Pertaining to Sexual Harassment and Sexual Violence

Recipients of Federal financial assistance must comply with the procedural requirements outlined in the Title IX implementing regulations. Specifically, a recipient must:

- (A) Disseminate a notice of nondiscrimination;¹⁶
- (B) Designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX;¹⁷ and
- (C) Adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee sex discrimination complaints.¹⁸

These requirements apply to all forms of sexual harassment, including sexual violence, and are important for preventing and effectively responding to sex discrimination. They are discussed in greater detail below. OCR advises recipients to examine their current policies and procedures on sexual harassment and sexual violence to determine whether those policies comply with the requirements articulated in this letter and the *2001 Guidance*. Recipients should then implement changes as needed.

(A) Notice of Nondiscrimination

The Title IX regulations require that each recipient publish a notice of nondiscrimination stating that the recipient does not discriminate on the basis of sex in its education programs and activities, and that Title IX requires it not to discriminate in such a manner.¹⁹ The notice must state that inquiries concerning the application of Title IX may be referred to the recipient's Title IX coordinator or to OCR. It should include the name or title, office address, telephone number, and e-mail address for the recipient's designated Title IX coordinator.

The notice must be widely distributed to all students, parents of elementary and secondary students, employees, applicants for admission and employment, and other relevant persons. OCR recommends that the notice be prominently posted on school Web sites and at various

¹⁶ 34 C.F.R. § 106.9.

¹⁷ *Id.* § 106.8(a).

¹⁸ *Id.* § 106.8(b).

¹⁹ *Id.* § 106.9(a).

locations throughout the school or campus and published in electronic and printed publications of general distribution that provide information to students and employees about the school's services and policies. The notice should be available and easily accessible on an ongoing basis.

Title IX does not require a recipient to adopt a policy specifically prohibiting sexual harassment or sexual violence. As noted in the *2001 Guidance*, however, a recipient's general policy prohibiting sex discrimination will not be considered effective and would violate Title IX if, because of the lack of a specific policy, students are unaware of what kind of conduct constitutes sexual harassment, including sexual violence, or that such conduct is prohibited sex discrimination. OCR therefore recommends that a recipient's nondiscrimination policy state that prohibited sex discrimination covers sexual harassment, including sexual violence, and that the policy include examples of the types of conduct that it covers.

(B) *Title IX Coordinator*

The Title IX regulations require a recipient to notify all students and employees of the name or title and contact information of the person designated to coordinate the recipient's compliance with Title IX.²⁰ The coordinator's responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Title IX coordinator or designee should be available to meet with students as needed. If a recipient designates more than one Title IX coordinator, the notice should describe each coordinator's responsibilities (*e.g.*, who will handle complaints by students, faculty, and other employees). The recipient should designate one coordinator as having ultimate oversight responsibility, and the other coordinators should have titles clearly showing that they are in a deputy or supporting role to the senior coordinator. The Title IX coordinators should not have other job responsibilities that may create a conflict of interest. For example, serving as the Title IX coordinator and a disciplinary hearing board member or general counsel may create a conflict of interest.

Recipients must ensure that employees designated to serve as Title IX coordinators have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the recipient's grievance procedures operate. Because sexual violence complaints often are filed with the school's law enforcement unit, all school law enforcement unit employees should receive training on the school's Title IX grievance procedures and any other procedures used for investigating reports of sexual violence. In addition, these employees should receive copies of the school's Title IX policies. Schools should instruct law enforcement unit employees both to notify complainants of their right to file a Title IX sex discrimination complaint with the school in addition to filing a criminal complaint, and to report incidents of sexual violence to the Title IX coordinator if the complainant consents. The school's Title IX coordinator or designee should be available to provide assistance to school law enforcement unit employees regarding how to respond appropriately to reports of sexual violence. The Title IX coordinator also should be given access to school law enforcement unit investigation notes

²⁰ *Id.* § 106.8(a).

and findings as necessary for the Title IX investigation, so long as it does not compromise the criminal investigation.

(C) Grievance Procedures

The Title IX regulations require all recipients to adopt and publish grievance procedures providing for the prompt and equitable resolution of sex discrimination complaints.²¹ The grievance procedures must apply to sex discrimination complaints filed by students against school employees, other students, or third parties.

Title IX does not require a recipient to provide separate grievance procedures for sexual harassment and sexual violence complaints. Therefore, a recipient may use student disciplinary procedures or other separate procedures to resolve such complaints. Any procedures used to adjudicate complaints of sexual harassment or sexual violence, including disciplinary procedures, however, must meet the Title IX requirement of affording a complainant a prompt and equitable resolution.²² These requirements are discussed in greater detail below. If the recipient relies on disciplinary procedures for Title IX compliance, the Title IX coordinator should review the recipient's disciplinary procedures to ensure that the procedures comply with the prompt and equitable requirements of Title IX.²³

Grievance procedures generally may include voluntary informal mechanisms (e.g., mediation) for resolving some types of sexual harassment complaints. OCR has frequently advised recipients, however, that it is improper for a student who complains of harassment to be required to work out the problem directly with the alleged perpetrator, and certainly not without appropriate involvement by the school (e.g., participation by a trained counselor, a trained mediator, or, if appropriate, a teacher or administrator). In addition, as stated in the *2001 Guidance*, the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process. Moreover, in cases involving allegations of sexual assault, mediation is not appropriate even on a voluntary basis. OCR recommends that recipients clarify in their grievance procedures that mediation will not be used to resolve sexual assault complaints.

²¹ *Id.* § 106.8(b). Title IX also requires recipients to adopt and publish grievance procedures for employee complaints of sex discrimination.

²² These procedures must apply to all students, including athletes. If a complaint of sexual violence involves a student athlete, the school must follow its standard procedures for resolving sexual violence complaints. Such complaints must not be addressed solely by athletics department procedures. Additionally, if an alleged perpetrator is an elementary or secondary student with a disability, schools must follow the procedural safeguards in the Individuals with Disabilities Education Act (at 20 U.S.C. § 1415 and 34 C.F.R. §§ 300.500-300.519, 300.530-300.537) as well as the requirements of Section 504 of the Rehabilitation Act of 1973 (at 34 C.F.R. §§ 104.35-104.36) when conducting the investigation and hearing.

²³ A school may not absolve itself of its Title IX obligations to investigate and resolve complaints of sexual harassment or violence by delegating, whether through express contractual agreement or other less formal arrangement, the responsibility to administer school discipline to school resource officers or "contract" law enforcement officers. See 34 C.F.R. § 106.4.

Prompt and Equitable Requirements

As stated in the *2001 Guidance*, OCR has identified a number of elements in evaluating whether a school's grievance procedures provide for prompt and equitable resolution of sexual harassment complaints. These elements also apply to sexual violence complaints because, as explained above, sexual violence is a form of sexual harassment. OCR will review all aspects of a school's grievance procedures, including the following elements that are critical to achieve compliance with Title IX:

- Notice to students, parents of elementary and secondary students, and employees of the grievance procedures, including where complaints may be filed;
- Application of the procedures to complaints alleging harassment carried out by employees, other students, or third parties;
- Adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence;
- Designated and reasonably prompt time frames for the major stages of the complaint process;
- Notice to parties of the outcome of the complaint;²⁴ and
- An assurance that the school will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

As noted in the *2001 Guidance*, procedures adopted by schools will vary in detail, specificity, and components, reflecting differences in the age of students, school sizes and administrative structures, State or local legal requirements, and past experiences. Although OCR examines whether all applicable elements are addressed when investigating sexual harassment complaints, this letter focuses on those elements where our work indicates that more clarification and explanation are needed, including:

(A) Notice of the grievance procedures

The procedures for resolving complaints of sex discrimination, including sexual harassment, should be written in language appropriate to the age of the school's students, easily understood, easily located, and widely distributed. OCR recommends that the grievance procedures be prominently posted on school Web sites; sent electronically to all members of the school community; available at various locations throughout the school or campus; and summarized in or attached to major publications issued by the school, such as handbooks, codes of conduct, and catalogs for students, parents of elementary and secondary students, faculty, and staff.

(B) Adequate, Reliable, and Impartial Investigation of Complaints

OCR's work indicates that a number of issues related to an adequate, reliable, and impartial investigation arise in sexual harassment and violence complaints. In some cases, the conduct

²⁴ "Outcome" does not refer to information about disciplinary sanctions unless otherwise noted. Notice of the outcome is discussed in greater detail in Section D below.

may constitute both sexual harassment under Title IX and criminal activity. Police investigations may be useful for fact-gathering; but because the standards for criminal investigations are different, police investigations or reports are not determinative of whether sexual harassment or violence violates Title IX. Conduct may constitute unlawful sexual harassment under Title IX even if the police do not have sufficient evidence of a criminal violation. In addition, a criminal investigation into allegations of sexual violence does not relieve the school of its duty under Title IX to resolve complaints promptly and equitably.

A school should notify a complainant of the right to file a criminal complaint, and should not dissuade a victim from doing so either during or after the school's internal Title IX investigation. For instance, if a complainant wants to file a police report, the school should not tell the complainant that it is working toward a solution and instruct, or ask, the complainant to wait to file the report.

Schools should not wait for the conclusion of a criminal investigation or criminal proceeding to begin their own Title IX investigation and, if needed, must take immediate steps to protect the student in the educational setting. For example, a school should not delay conducting its own investigation or taking steps to protect the complainant because it wants to see whether the alleged perpetrator will be found guilty of a crime. Any agreement or Memorandum of Understanding (MOU) with a local police department must allow the school to meet its Title IX obligation to resolve complaints promptly and equitably. Although a school may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence, once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school must promptly resume and complete its fact-finding for the Title IX investigation.²⁵ Moreover, nothing in an MOU or the criminal investigation itself should prevent a school from notifying complainants of their Title IX rights and the school's grievance procedures, or from taking interim steps to ensure the safety and well-being of the complainant and the school community while the law enforcement agency's fact-gathering is in progress. OCR also recommends that a school's MOU include clear policies on when a school will refer a matter to local law enforcement.

As noted above, the Title IX regulation requires schools to provide equitable grievance procedures. As part of these procedures, schools generally conduct investigations and hearings to determine whether sexual harassment or violence occurred. In addressing complaints filed with OCR under Title IX, OCR reviews a school's procedures to determine whether the school is using a preponderance of the evidence standard to evaluate complaints. The Supreme Court has applied a preponderance of the evidence standard in civil litigation involving discrimination under Title VII of the Civil Rights Act of 1964 (Title VII), 42 U.S.C. §§ 2000e *et seq.* Like Title IX,

²⁵ In one recent OCR sexual violence case, the prosecutor's office informed OCR that the police department's evidence gathering stage typically takes three to ten calendar days, although the delay in the school's investigation may be longer in certain instances.

Title VII prohibits discrimination on the basis of sex.²⁶ OCR also uses a preponderance of the evidence standard when it resolves complaints against recipients. For instance, OCR’s Case Processing Manual requires that a noncompliance determination be supported by the preponderance of the evidence when resolving allegations of discrimination under all the statutes enforced by OCR, including Title IX.²⁷ OCR also uses a preponderance of the evidence standard in its fund termination administrative hearings.²⁸ Thus, in order for a school’s grievance procedures to be consistent with Title IX standards, the school must use a preponderance of the evidence standard (*i.e.*, it is more likely than not that sexual harassment or violence occurred). The “clear and convincing” standard (*i.e.*, it is highly probable or reasonably certain that the sexual harassment or violence occurred), currently used by some schools, is a higher standard of proof. Grievance procedures that use this higher standard are inconsistent with the standard of proof established for violations of the civil rights laws, and are thus not equitable under Title IX. Therefore, preponderance of the evidence is the appropriate standard for investigating allegations of sexual harassment or violence.

Throughout a school’s Title IX investigation, including at any hearing, the parties must have an equal opportunity to present relevant witnesses and other evidence. The complainant and the alleged perpetrator must be afforded similar and timely access to any information that will be used at the hearing.²⁹ For example, a school should not conduct a pre-hearing meeting during which only the alleged perpetrator is present and given an opportunity to present his or her side of the story, unless a similar meeting takes place with the complainant; a hearing officer or disciplinary board should not allow only the alleged perpetrator to present character witnesses at a hearing; and a school should not allow the alleged perpetrator to review the complainant’s

²⁶ See, e.g., *Desert Palace, Inc. v. Costa*, 539 U.S. 90, 99 (2003) (noting that under the “conventional rule of civil litigation,” the preponderance of the evidence standard generally applies in cases under Title VII); *Price Waterhouse v. Hopkins*, 490 U.S. 228, 252-55 (1989) (approving preponderance standard in Title VII sex discrimination case) (plurality opinion); *id.* at 260 (White, J., concurring in the judgment); *id.* at 261 (O’Connor, J., concurring in the judgment). The 2001 *Guidance* noted (on page vi) that “[w]hile *Gebser* and *Davis* made clear that Title VII agency principles do not apply in determining liability for money damages under Title IX, the *Davis* Court also indicated, through its specific references to Title VII caselaw, that Title VII remains relevant in determining what constitutes hostile environment sexual harassment under Title IX.” See also *Jennings v. Univ. of N.C.*, 482 F.3d 686, 695 (4th Cir. 2007) (“We look to case law interpreting Title VII of the Civil Rights Act of 1964 for guidance in evaluating a claim brought under Title IX.”).

²⁷ OCR’s Case Processing Manual is available on the Department’s Web site, at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

²⁸ The Title IX regulations adopt the procedural provisions applicable to Title VI of the Civil Rights Act of 1964. See 34 C.F.R. § 106.71 (“The procedural provisions applicable to Title VI of the Civil Rights Act of 1964 are hereby adopted and incorporated herein by reference.”). The Title VI regulations apply the Administrative Procedure Act to administrative hearings required prior to termination of Federal financial assistance and require that termination decisions be “supported by and in accordance with the reliable, probative and substantial evidence.” 5 U.S.C. § 556(d). The Supreme Court has interpreted “reliable, probative and substantial evidence” as a direction to use the preponderance standard. See *Steadman v. SEC*, 450 U.S. 91, 98-102 (1981).

²⁹ Access to this information must be provided consistent with FERPA. For example, if a school introduces an alleged perpetrator’s prior disciplinary records to support a tougher disciplinary penalty, the complainant would not be allowed access to those records. Additionally, access should not be given to privileged or confidential information. For example, the alleged perpetrator should not be given access to communications between the complainant and a counselor or information regarding the complainant’s sexual history.

statement without also allowing the complainant to review the alleged perpetrator’s statement.

While OCR does not require schools to permit parties to have lawyers at any stage of the proceedings, if a school chooses to allow the parties to have their lawyers participate in the proceedings, it must do so equally for both parties. Additionally, any school-imposed restrictions on the ability of lawyers to speak or otherwise participate in the proceedings should apply equally. OCR strongly discourages schools from allowing the parties personally to question or cross-examine each other during the hearing. Allowing an alleged perpetrator to question an alleged victim directly may be traumatic or intimidating, thereby possibly escalating or perpetuating a hostile environment. OCR also recommends that schools provide an appeals process. If a school provides for appeal of the findings or remedy, it must do so for both parties. Schools must maintain documentation of all proceedings, which may include written findings of facts, transcripts, or audio recordings.

All persons involved in implementing a recipient’s grievance procedures (*e.g.*, Title IX coordinators, investigators, and adjudicators) must have training or experience in handling complaints of sexual harassment and sexual violence, and in the recipient’s grievance procedures. The training also should include applicable confidentiality requirements. In sexual violence cases, the fact-finder and decision-maker also should have adequate training or knowledge regarding sexual violence.³⁰ Additionally, a school’s investigation and hearing processes cannot be equitable unless they are impartial. Therefore, any real or perceived conflicts of interest between the fact-finder or decision-maker and the parties should be disclosed.

Public and state-supported schools must provide due process to the alleged perpetrator. However, schools should ensure that steps taken to accord due process rights to the alleged perpetrator do not restrict or unnecessarily delay the Title IX protections for the complainant.

(C) *Designated and Reasonably Prompt Time Frames*

OCR will evaluate whether a school’s grievance procedures specify the time frames for all major stages of the procedures, as well as the process for extending timelines. Grievance procedures should specify the time frame within which: (1) the school will conduct a full investigation of the complaint; (2) both parties receive a response regarding the outcome of the complaint; and (3) the parties may file an appeal, if applicable. Both parties should be given periodic status updates. Based on OCR experience, a typical investigation takes approximately 60 calendar days following receipt of the complaint. Whether OCR considers complaint resolutions to be timely, however, will vary depending on the complexity of the investigation and the severity and extent of the harassment. For example, the resolution of a complaint involving multiple incidents with multiple complainants likely would take longer than one involving a single incident that

³⁰ For instance, if an investigation or hearing involves forensic evidence, that evidence should be reviewed by a trained forensic examiner.

occurred in a classroom during school hours with a single complainant.

(D) Notice of Outcome

Both parties must be notified, in writing, about the outcome of both the complaint and any appeal,³¹ *i.e.*, whether harassment was found to have occurred. OCR recommends that schools provide the written determination of the final outcome to the complainant and the alleged perpetrator concurrently. Title IX does not require the school to notify the alleged perpetrator of the outcome before it notifies the complainant.

Due to the intersection of Title IX and FERPA requirements, OCR recognizes that there may be confusion regarding what information a school may disclose to the complainant.³² FERPA generally prohibits the nonconsensual disclosure of personally identifiable information from a student's "education record." However, as stated in the *2001 Guidance*, FERPA permits a school to disclose to the harassed student information about the sanction imposed upon a student who was found to have engaged in harassment when the sanction directly relates to the harassed student. This includes an order that the harasser stay away from the harassed student, or that the harasser is prohibited from attending school for a period of time, or transferred to other classes or another residence hall.³³ Disclosure of other information in the student's "education record," including information about sanctions that do not relate to the harassed student, may result in a violation of FERPA.

Further, when the conduct involves a crime of violence or a non-forcible sex offense,³⁴ FERPA permits a postsecondary institution to disclose to the alleged victim the final results of a

³¹ As noted previously, "outcome" does not refer to information about disciplinary sanctions unless otherwise noted.

³² In 1994, Congress amended the General Education Provisions Act (GEPA), of which FERPA is a part, to state that nothing in GEPA "shall be construed to affect the applicability of title VI of the Civil Rights Act of 1964, title IX of Education Amendments of 1972, title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." 20 U.S.C. § 1221(d). The Department interprets this provision to mean that FERPA continues to apply in the context of Title IX enforcement, but if there is a direct conflict between the requirements of FERPA and the requirements of Title IX, such that enforcement of FERPA would interfere with the primary purpose of Title IX to eliminate sex-based discrimination in schools, the requirements of Title IX override any conflicting FERPA provisions. *See 2001 Guidance* at vii.

³³ This information directly relates to the complainant and is particularly important in sexual harassment cases because it affects whether a hostile environment has been eliminated. Because seeing the perpetrator may be traumatic, a complainant in a sexual harassment case may continue to be subject to a hostile environment if he or she does not know when the perpetrator will return to school or whether he or she will continue to share classes or a residence hall with the perpetrator. This information also directly affects a complainant's decision regarding how to work with the school to eliminate the hostile environment and prevent its recurrence. For instance, if a complainant knows that the perpetrator will not be at school or will be transferred to other classes or another residence hall for the rest of the year, the complainant may be less likely to want to transfer to another school or change classes, but if the perpetrator will be returning to school after a few days or weeks, or remaining in the complainant's classes or residence hall, the complainant may want to transfer schools or change classes to avoid contact. Thus, the complainant cannot make an informed decision about how best to respond without this information.

³⁴ Under the FERPA regulations, crimes of violence include arson; assault offenses (aggravated assault, simple assault, intimidation); burglary; criminal homicide (manslaughter by negligence); criminal homicide (murder and

disciplinary proceeding against the alleged perpetrator, regardless of whether the institution concluded that a violation was committed.³⁵ Additionally, a postsecondary institution may disclose to anyone—not just the alleged victim—the final results of a disciplinary proceeding if it determines that the student is an alleged perpetrator of a crime of violence or a non-forcible sex offense, and, with respect to the allegation made, the student has committed a violation of the institution’s rules or policies.³⁶

Postsecondary institutions also are subject to additional rules under the Clery Act. This law, which applies to postsecondary institutions that participate in Federal student financial aid programs, requires that “both the accuser and the accused must be informed of the outcome³⁷ of any institutional disciplinary proceeding brought alleging a sex offense.”³⁸ Compliance with this requirement does not constitute a violation of FERPA. Furthermore, the FERPA limitations on redisclosure of information do not apply to information that postsecondary institutions are required to disclose under the Clery Act.³⁹ Accordingly, postsecondary institutions may not require a complainant to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of this information.

Steps to Prevent Sexual Harassment and Sexual Violence and Correct its Discriminatory Effects on the Complainant and Others

Education and Prevention

In addition to ensuring full compliance with Title IX, schools should take proactive measures to prevent sexual harassment and violence. OCR recommends that all schools implement preventive education programs and make victim resources, including comprehensive victim services, available. Schools may want to include these education programs in their (1) orientation programs for new students, faculty, staff, and employees; (2) training for students who serve as advisors in residence halls; (3) training for student athletes and coaches; and (4) school assemblies and “back to school nights.” These programs should include a

non-negligent manslaughter); destruction, damage or vandalism of property; kidnapping/abduction; robbery; and forcible sex offenses. Forcible sex offenses are defined as any sexual act directed against another person forcibly or against that person’s will, or not forcibly or against the person’s will where the victim is incapable of giving consent. Forcible sex offenses include rape, sodomy, sexual assault with an object, and forcible fondling. Non-forcible sex offenses are incest and statutory rape. 34 C.F.R. Part 99, App. A.

³⁵ 34 C.F.R. § 99.31(a)(13). For purposes of 34 C.F.R. §§ 99.31(a)(13)-(14), disclosure of “final results” is limited to the name of the alleged perpetrator, any violation found to have been committed, and any sanction imposed against the perpetrator by the school. 34 C.F.R. § 99.39.

³⁶ 34 C.F.R. § 99.31(a)(14).

³⁷ For purposes of the Clery Act, “outcome” means the institution’s final determination with respect to the alleged sex offense and any sanctions imposed against the accused. 34 C.F.R. § 668.46(b)(11)(vi)(B).

³⁸ 34 C.F.R. § 668.46(b)(11)(vi)(B). Under the Clery Act, forcible sex offenses are defined as any sexual act directed against another person forcibly or against that person’s will, or not forcibly or against the person’s will where the person is incapable of giving consent. Forcible sex offenses include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. Non-forcible sex offenses include incest and statutory rape. 34 C.F.R. Part 668, Subpt. D, App. A.

³⁹ 34 C.F.R. § 99.33(c).

discussion of what constitutes sexual harassment and sexual violence, the school's policies and disciplinary procedures, and the consequences of violating these policies.

The education programs also should include information aimed at encouraging students to report incidents of sexual violence to the appropriate school and law enforcement authorities. Schools should be aware that victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of school or campus rules were involved.⁴⁰ As a result, schools should consider whether their disciplinary policies have a chilling effect on victims' or other students' reporting of sexual violence offenses. For example, OCR recommends that schools inform students that the schools' primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that use of alcohol or drugs never makes the victim at fault for sexual violence.

OCR also recommends that schools develop specific sexual violence materials that include the schools' policies, rules, and resources for students, faculty, coaches, and administrators. Schools also should include such information in their employee handbook and any handbooks that student athletes and members of student activity groups receive. These materials should include where and to whom students should go if they are victims of sexual violence. These materials also should tell students and school employees what to do if they learn of an incident of sexual violence. Schools also should assess student activities regularly to ensure that the practices and behavior of students do not violate the schools' policies against sexual harassment and sexual violence.

Remedies and Enforcement

As discussed above, if a school determines that sexual harassment that creates a hostile environment has occurred, it must take immediate action to eliminate the hostile environment, prevent its recurrence, and address its effects. In addition to counseling or taking disciplinary action against the harasser, effective corrective action may require remedies for the complainant, as well as changes to the school's overall services or policies. Examples of these actions are discussed in greater detail below.

Title IX requires a school to take steps to protect the complainant as necessary, including taking interim steps before the final outcome of the investigation. The school should undertake these steps promptly once it has notice of a sexual harassment or violence allegation. The school should notify the complainant of his or her options to avoid contact with the alleged perpetrator and allow students to change academic or living situations as appropriate. For instance, the school may prohibit the alleged perpetrator from having any contact with the complainant pending the results of the school's investigation. When taking steps to separate the complainant and alleged perpetrator, a school should minimize the burden on the

⁴⁰ The Department's Higher Education Center for Alcohol, Drug Abuse, and Violence Prevention (HEC) helps campuses and communities address problems of alcohol, other drugs, and violence by identifying effective strategies and programs based upon the best prevention science. Information on HEC resources and technical assistance can be found at www.higheredcenter.org.

complainant, and thus should not, as a matter of course, remove complainants from classes or housing while allowing alleged perpetrators to remain. In addition, schools should ensure that complainants are aware of their Title IX rights and any available resources, such as counseling, health, and mental health services, and their right to file a complaint with local law enforcement.⁴¹

Schools should be aware that complaints of sexual harassment or violence may be followed by retaliation by the alleged perpetrator or his or her associates. For instance, friends of the alleged perpetrator may subject the complainant to name-calling and taunting. As part of their Title IX obligations, schools must have policies and procedures in place to protect against retaliatory harassment. At a minimum, schools must ensure that complainants and their parents, if appropriate, know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred.

When OCR finds that a school has not taken prompt and effective steps to respond to sexual harassment or violence, OCR will seek appropriate remedies for both the complainant and the broader student population. When conducting Title IX enforcement activities, OCR seeks to obtain voluntary compliance from recipients. When a recipient does not come into compliance voluntarily, OCR may initiate proceedings to withdraw Federal funding by the Department or refer the case to the U.S. Department of Justice for litigation.

Schools should proactively consider the following remedies when determining how to respond to sexual harassment or violence. These are the same types of remedies that OCR would seek in its cases.

Depending on the specific nature of the problem, remedies for the complainant might include, but are not limited to:⁴²

- providing an escort to ensure that the complainant can move safely between classes and activities;
- ensuring that the complainant and alleged perpetrator do not attend the same classes;
- moving the complainant or alleged perpetrator to a different residence hall or, in the case of an elementary or secondary school student, to another school within the district;
- providing counseling services;
- providing medical services;
- providing academic support services, such as tutoring;

⁴¹ The Clery Act requires postsecondary institutions to develop and distribute a statement of policy that informs students of their options to notify proper law enforcement authorities, including campus and local police, and the option to be assisted by campus personnel in notifying such authorities. The policy also must notify students of existing counseling, mental health, or other student services for victims of sexual assault, both on campus and in the community. 20 U.S.C. §§ 1092(f)(8)(B)(v)-(vi).

⁴² Some of these remedies also can be used as interim measures before the school's investigation is complete.

- arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record; and
- reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.⁴³

Remedies for the broader student population might include, but are not limited to:

Counseling and Training

- offering counseling, health, mental health, or other holistic and comprehensive victim services to all students affected by sexual harassment or sexual violence, and notifying students of campus and community counseling, health, mental health, and other student services;
- designating an individual from the school’s counseling center to be “on call” to assist victims of sexual harassment or violence whenever needed;
- training the Title IX coordinator and any other employees who are involved in processing, investigating, or resolving complaints of sexual harassment or sexual violence, including providing training on:
 - the school’s Title IX responsibilities to address allegations of sexual harassment or violence
 - how to conduct Title IX investigations
 - information on the link between alcohol and drug abuse and sexual harassment or violence and best practices to address that link;
- training all school law enforcement unit personnel on the school’s Title IX responsibilities and handling of sexual harassment or violence complaints;
- training all employees who interact with students regularly on recognizing and appropriately addressing allegations of sexual harassment or violence under Title IX; and
- informing students of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by school employees in notifying those authorities.

Development of Materials and Implementation of Policies and Procedures

- developing materials on sexual harassment and violence, which should be distributed to students during orientation and upon receipt of complaints, as well as widely posted throughout school buildings and residence halls, and which should include:
 - what constitutes sexual harassment or violence
 - what to do if a student has been the victim of sexual harassment or violence
 - contact information for counseling and victim services on and off school grounds
 - how to file a complaint with the school
 - how to contact the school’s Title IX coordinator

⁴³ For example, if the complainant was disciplined for skipping a class in which the harasser was enrolled, the school should review the incident to determine if the complainant skipped the class to avoid contact with the harasser.

- what the school will do to respond to allegations of sexual harassment or violence, including the interim measures that can be taken
- requiring the Title IX coordinator to communicate regularly with the school’s law enforcement unit investigating cases and to provide information to law enforcement unit personnel regarding Title IX requirements;⁴⁴
- requiring the Title IX coordinator to review all evidence in a sexual harassment or sexual violence case brought before the school’s disciplinary committee to determine whether the complainant is entitled to a remedy under Title IX that was not available through the disciplinary committee;⁴⁵
- requiring the school to create a committee of students and school officials to identify strategies for ensuring that students:
 - know the school’s prohibition against sex discrimination, including sexual harassment and violence
 - recognize sex discrimination, sexual harassment, and sexual violence when they occur
 - understand how and to whom to report any incidents
 - know the connection between alcohol and drug abuse and sexual harassment or violence
 - feel comfortable that school officials will respond promptly and equitably to reports of sexual harassment or violence;
- issuing new policy statements or other steps that clearly communicate that the school does not tolerate sexual harassment and violence and will respond to any incidents and to any student who reports such incidents; and
- revising grievance procedures used to handle sexual harassment and violence complaints to ensure that they are prompt and equitable, as required by Title IX.

School Investigations and Reports to OCR

- conducting periodic assessments of student activities to ensure that the practices and behavior of students do not violate the school’s policies against sexual harassment and violence;
- investigating whether any other students also may have been subjected to sexual harassment or violence;
- investigating whether school employees with knowledge of allegations of sexual harassment or violence failed to carry out their duties in responding to those allegations;
- conducting, in conjunction with student leaders, a school or campus “climate check” to assess the effectiveness of efforts to ensure that the school is free from sexual harassment and violence, and using the resulting information to inform future proactive steps that will be taken by the school; and

⁴⁴ Any personally identifiable information from a student’s education record that the Title IX coordinator provides to the school’s law enforcement unit is subject to FERPA’s nondisclosure requirements.

⁴⁵ For example, the disciplinary committee may lack the power to implement changes to the complainant’s class schedule or living situation so that he or she does not come in contact with the alleged perpetrator.

- submitting to OCR copies of all grievances filed by students alleging sexual harassment or violence, and providing OCR with documentation related to the investigation of each complaint, such as witness interviews, investigator notes, evidence submitted by the parties, investigative reports and summaries, any final disposition letters, disciplinary records, and documentation regarding any appeals.

Conclusion

The Department is committed to ensuring that all students feel safe and have the opportunity to benefit fully from their schools' education programs and activities. As part of this commitment, OCR provides technical assistance to assist recipients in achieving voluntary compliance with Title IX.

If you need additional information about Title IX, have questions regarding OCR's policies, or seek technical assistance, please contact the OCR enforcement office that serves your state or territory. The list of offices is available at <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>. Additional information about addressing sexual violence, including victim resources and information for schools, is available from the U.S. Department of Justice's Office on Violence Against Women (OVW) at <http://www.ovw.usdoj.gov/>.⁴⁶

Thank you for your prompt attention to this matter. I look forward to continuing our work together to ensure that all students have an equal opportunity to learn in a safe and respectful school climate.

Sincerely,

/s/

Russlynn Ali
Assistant Secretary for Civil Rights

⁴⁶ OVW also administers the Grants to Reduce Domestic Violence, Dating Violence, Sexual Assault, and Stalking on Campus Program. This Federal funding is designed to encourage institutions of higher education to adopt comprehensive, coordinated responses to domestic violence, dating violence, sexual assault, and stalking. Under this competitive grant program, campuses, in partnership with community-based nonprofit victim advocacy organizations and local criminal justice or civil legal agencies, must adopt protocols and policies to treat these crimes as serious offenses and develop victim service programs and campus policies that ensure victim safety, offender accountability, and the prevention of such crimes. OVW recently released the first solicitation for the Services, Training, Education, and Policies to Reduce Domestic Violence, Dating Violence, Sexual Assault and Stalking in Secondary Schools Grant Program. This innovative grant program will support a broad range of activities, including training for school administrators, faculty, and staff; development of policies and procedures for responding to these crimes; holistic and appropriate victim services; development of effective prevention strategies; and collaborations with mentoring organizations to support middle and high school student victims.



University Senate TRANSMITTAL FORM

Senate Document #:	11-12-25
PCC ID #:	11023
Title:	Proposal to Change the Name of the Ph.D. in Public and Community Health to Behavioral and Community Health
Presenter:	David Salness, Chair, Senate Programs, Curricula, and Courses Committee
Date of SEC Review:	January 26, 2012
Date of Senate Review:	February 8, 2012
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>The School of Public Health and the Department of Behavioral and Community Health propose to change the name of the Ph.D. program in Public and Community Health. The proposed name of Behavioral and Community Health better conveys the nature of the work conducted within the program and more accurately reflects the program's focus on health behavior. The new name also reflects the name of the department, which was changed last year from Public and Community Health to Behavioral and Community Health, for the same reasons. This change was supported by the College of Behavioral and Social Sciences.</p> <p>The Academic Planning Advisory Committee approved the proposal on November 21, 2011. The Graduate PCC Committee approved the proposal on November 21, 2011, and the Graduate Council approved the proposal on January 13, 2012. The Senate PCC Committee approved the proposal on December 2, 2011.</p>
Relevant Policy # & URL:	N/A
Recommendation:	The Senate Committee on Programs, Curricula, and Courses recommends that the Senate accept the name change.
Committee Work:	The Committee considered the proposal at its December 2, 2011,

	meeting. Elbert Glover, Chair of Behavioral and Community Health, and Coke Farmer, Assistant Dean of the School of Public Health, were present to discuss the proposal and answer questions. After discussion, the Committee voted unanimously to recommend the proposal.
Alternatives:	The Senate could decline to approve the new name for this program.
Risks:	If the Senate does not approve this proposal, then the program will retain its existing name, which does not accurately reflect the activities of the program.
Financial Implications:	There are no significant financial implications with this proposal.
Further Approvals Required:	If the Senate approves this proposal, it would still require further approval by the President and the Chancellor, and the Maryland Higher Education Commission will need to be notified.

**THE UNIVERSITY OF MARYLAND, COLLEGE PARK
PROGRAM/CURRICULUM/UNIT PROPOSAL**

• Please email the rest of the proposal as an MSWord attachment to pcc-submissions@umd.edu.

PCC LOG NO.

11023

• Please submit the signed form to the Office of the Associate Provost for Academic Planning and Programs, 1119 Main Administration Building, Campus.

College/School: SPHL

Please also add College/School Unit Code-First 8 digits: **012033001**

Unit Codes can be found at: https://hypprod.umd.edu/Html_Reports/units.htm

Department/Program: Behavioral and Community Health

Please also add Department/Program Unit Code-Last 7 digits: **330301**

Type of Action (choose one):

- | | |
|--|---|
| <input type="checkbox"/> Curriculum change (including informal specializations) | <input type="checkbox"/> <i>New academic degree/award program</i> |
| <input checked="" type="checkbox"/> <i>Renaming of program or formal Area of Concentration</i> | <input type="checkbox"/> New Professional Studies award iteration |
| <input type="checkbox"/> <i>Addition/deletion of formal Area of Concentration</i> | <input type="checkbox"/> New Minor |
| <input type="checkbox"/> <i>Suspend/delete program</i> | <input type="checkbox"/> Other |

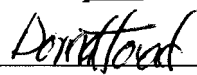
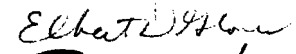
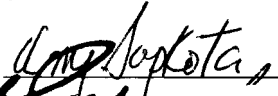
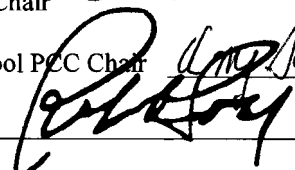
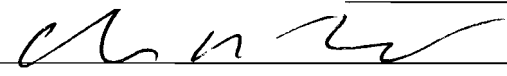
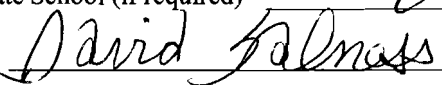
Italics indicate that the proposed program action must be presented to the full University Senate for consideration.

Summary of Proposed Action:

Our department name was officially changed in the Fall of 2010 and we became the Department of Behavioral and Community Health to more appropriately reflect our discipline within the field of public health. In addition, to meet the Council on Education in Public Health (the accrediting body for Schools of Public Health) requirements of departmental discipline clarity, it was not appropriate to have a generic department name such as the Department of Public and Community Health that was so similar to the name of our school (the School of Public Health).

We currently offer a PhD in Public and Community health (our old department name) and would like to change it to a PhD in Behavioral and Community Health to reflect our new discipline specific department name.

APPROVAL SIGNATURES - Please print name, sign, and date. Use additional lines for multi-unit programs.

1. Department Committee Chair 
2. Department Chair 
3. College/School PCC Chair 
4. Dean 
5. Dean of the Graduate School (if required)  11/18/12
6. Chair, Senate PCC  12/13/11
7. University Senate Chair (if required) _____
8. Senior Vice President for Academic Affairs & Provost _____



University Senate TRANSMITTAL FORM

Senate Document #:	11-12-26
PCC ID #:	11025
Title:	Proposal to Establish a Post-Baccalaureate Certificate in Principles of Public Health
Presenter:	David Salness, Chair, Senate Programs, Curricula, and Courses Committee
Date of SEC Review:	January 26, 2012
Date of Senate Review:	February 8, 2012
Voting (highlight one):	<ol style="list-style-type: none">1. On resolutions or recommendations one by one, or2. In a single vote3. To endorse entire report
Statement of Issue:	<p>The School of Public Health and the Department of Health Services Administration wish to establish a new Post-Baccalaureate Certificate program in Principles of Public Health. This certificate program will have a rigorous, multi-disciplinary, 15-credit curriculum that provides a foundation in core public health issues. This certificate program is designed for public health professionals who are committed to advancing their careers in public health and contributing to the health of people locally, nationally and globally.</p> <p>The course requirements are as follows: EPIB610: Foundations of Epidemiology; EPIB650: Biostatistics; HLTH665: Health Behavior; HLSA601: Introduction to Health Systems; and MIEH600: Foundations of Environmental Health. The course requirements reflect the five subject areas that are nationally recognized as the five core areas of public health. Instruction for the certificate program will be delivered online. Each course has already been approved and is currently taught on campus. As with the on-campus offerings, oversight for the teaching of each course will be conducted by the appropriate academic department. Each department will ensure that the quality of the online delivery is commensurate with that of the on-campus offering.</p>

	<p>The program is expected to enroll 12-15 students each year, and will be self-supported. Tuition revenue will be used to cover the program's expenses. The Department of Health Services Administration will provide general academic oversight for the program. The Office of Extended Studies will provide the administrative services for the program.</p> <p>The Academic Planning Advisory Committee approved the proposal on November 21, 2011. The Graduate PCC Committee approved the proposal on November 21, 2011, and the Graduate Council approved the proposal on January 13, 2012. The Senate PCC Committee approved the proposal on December 2, 2011.</p>
Relevant Policy # & URL:	N/A
Recommendation:	The Senate Committee on Programs, Curricula, and Courses recommends that the Senate approve this new certificate program.
Committee Work:	The Committee considered the proposal at its meeting on December 2, 2011. Laura Wilson, Chair of the Health Services Administration Department, and Coke Farmer, Assistant Dean of the School of Public Health, were present to discuss the proposal. After discussion, the Committee voted unanimously to recommend the proposal.
Alternatives:	The Senate could decline to approve the proposed program.
Risks:	If the Senate declines to approve this program, the University will lose an opportunity to establish a certificate program that meets a growing demand for post-baccalaureate training in public health.
Financial Implications:	There are no significant financial implications with this proposal.
Further Approvals Required:	If the Senate approves this proposal, it would still require further approval by the President, the Chancellor, and the Maryland Higher Education Commission.

**THE UNIVERSITY OF MARYLAND, COLLEGE PARK
PROGRAM/CURRICULUM PROPOSAL**

- Please submit the signed form to: Office of the Associate Provost for Academic Planning & Programs, 1119 Main Administration Building.
- Please email the rest of the proposal as an MSWord attachment to pcc-submission@umd.edu.

DATE SUBMITTED: October 21, 2011

PCC LOG NO.

11025

COLLEGE/SCHOOL: College/School Unit Code—First 8 digits: SPHL / 1330101

Unit Codes can be found at https://hypprod.umd.edu/Html_Reports/units.htm

DEPARTMENT/PROGRAM: Department/Program Unit code—Last 7 digits: SPHL / 1331301

TYPE OF ACTION (choose one):

- | | |
|---|--|
| <input type="checkbox"/> Curriculum change (including information specializations) | <input type="checkbox"/> <i>New academic degree/award program</i> |
| <input type="checkbox"/> <i>Renaming of program or formal Area of Concentration</i> | <input checked="" type="checkbox"/> New Professional Studies award iteration |
| <input type="checkbox"/> <i>Addition/deletion of formal Area of Concentration</i> | <input type="checkbox"/> New Minor |
| <input type="checkbox"/> <i>Suspend/delete program</i> | <input type="checkbox"/> Other |

Italics indicate that the proposed program action must be presented to the full University Senate for consideration.

SUMMARY OF PROPOSED ACTION:

APPROVAL SIGNATURES: *Please print name, sign, and date*

1. Department Committee Chair: Sharon Simson Sharon SIMSON 10/27/11
2. Department Chair: Laura Wilson Laura Wilson 10/27/11
3. College/School PCC Chair: Amy R. Sapkota Amy R. Sapkota 10/27/11
4. Dean: Robert S. Field Robert S. Field 10/27/11
5. Dean of the Graduate School (if required): Chau Chau 11/18/12
6. Chair, Senate PCC: David Galness David Galness 12/13/11
7. Chair of University Senate (if required): _____
8. Vice President of Academic Affairs & Provost: _____

THE UNIVERSITY OF MARYLAND, COLLEGE PARK

PROGRAM/CURRICULUM PROPOSAL

- Please submit the signed form to: Office of the Associate Provost for Academic Planning & Programs, 1119 Main Administration Building.
- Please email the rest of the proposal as an MSWord attachment to pcc-submission@umd.edu.

DATE SUBMITTED: November 22, 2011

PCC LOG NO.

COLLEGE/SCHOOL: College/School Unit Code—First 8 digits: SPHL / 1330101

Unit Codes can be found at https://hypprod.umd.edu/Html_Reports/units.htm

DEPARTMENT/PROGRAM: Department/Program Unit code—Last 7 digits: SPHL / 1331301

TYPE OF ACTION (choose one):

- | | |
|---|--|
| <input type="checkbox"/> Curriculum change (including information specializations) | <input type="checkbox"/> <i>New academic degree/award program</i> |
| <input type="checkbox"/> <i>Renaming of program or formal Area of Concentration</i> | <input checked="" type="checkbox"/> New Professional Studies award iteration |
| <input type="checkbox"/> <i>Addition/deletion of formal Area of Concentration</i> | <input type="checkbox"/> New Minor |
| <input type="checkbox"/> <i>Suspend/delete program</i> | <input type="checkbox"/> Other |

Italics indicate that the proposed program action must be presented to the full University Senate for consideration.

SUMMARY OF PROPOSED ACTION:

The School of Public Health submits this proposal to create the Post-Baccalaureate Certificate in Principles of Public Health. This Certificate is a 15 credit, 5 course rigorous, multi-disciplinary curriculum that provides a foundation in core public health courses including: 1) Foundations of Epidemiology, 2) Biostatistics, 3) Health Behavior, 4) Introduction to Health Systems, and 5) Foundations of Environmental Health. Instruction is delivered online. This core curriculum reflects the broad range of knowledge and skill-based competencies germane to public health practice in the 21st century.

APPROVAL SIGNATURES: *Please print name, sign, and date*

1. Department Committee Chair: _____
2. Department Chair: _____
3. College/School PCC Chair: _____
4. Dean: _____
5. Dean of the Graduate School (if required): _____
6. Chair, Senate PCC: _____
7. Chair of University Senate (if required): _____
8. Vice President of Academic Affairs & Provost: _____

PROPOSAL FOR

NEW INSTRUCTIONAL PROGRAM

UNIVERSITY OF MARYLAND AT COLLEGE PARK, MARYLAND

**Post-Baccalaureate Certificate
in Principles of Public Health**

PROPOSED INITIATION DATE: Fall 2012

I. OVERVIEW and RATIONALE

A. Briefly describe the nature of the proposed program and explain why the institution should offer it.

The Post-Baccalaureate Certificate in Principles of Public Health is a 15 credit, 5 course rigorous, multi-disciplinary curriculum that provides a foundation in core public health courses including: 1) Foundations of Epidemiology, 2) Biostatistics, 3) Health Behavior, 4) Introduction to Health Systems, and 5) Foundations of Environmental Health. Instruction is delivered online. These courses will enable students to advance their understanding of the science, theory, and practice of public health. This certificate targets public health professionals who are committed to advancing their careers in public health and contributing to the health of people locally, nationally and globally.

B. How big is the program expected to be? From what other programs serving current students, or from what new populations of potential students, onsite or offsite, are you expecting to draw?

Students will be admitted to begin their studies in the fall semester. It is estimated that 12 students will enroll in Year 1 and 15 in Year 2. Courses are offered online. The target audience is professionals working in public health sectors such as health delivery organizations, government agencies, clinical practices, research firms, state and local health departments, insurance companies, educational institutions, pharmaceutical companies, among others. Students do not have to take leave time from work and can complete the program in 12 months. They will benefit from the flexibility and accessibility of online courses, which fit in with their full-time personal and professional responsibilities.

II. Curriculum

A. Provide a full catalog description of the proposed program, including educational objectives and any areas of concentration.

The Post-Baccalaureate Certificate in Principles of Public Health is a 15 credit, 5 course rigorous, multi-disciplinary curriculum that provides a foundation in core public health courses including: 1) Foundations of Epidemiology, 2) Biostatistics, 3) Health Behavior, 4) Introduction to Health Systems, and 5) Foundations of Environmental Health. Instruction is delivered online. These courses will enable students to advance their understanding of the science, theory, and practice of public health. This core curriculum reflects the broad range of knowledge and skill-based competencies germane to public health practice in the 21st century.

Below is a standard plan of study for CPH completion:

Fall	Spring	Summer
2 courses/6 credits	2 courses/6 credits	1 course/3 credits

B. List the courses (number, title, semester credit hours) that would constitute the requirements and other components of the proposed program. Provide a catalog description for any courses that will be newly developed or substantially modified for the program.

Existing Courses modified for online delivery:

EPIB610: Foundations of Epidemiology

Introduction to the discipline of epidemiology and its applications to health issues and practices. Basic epidemiologic concepts and methods will be covered. (3 credits)

EPIB650: Biostatistics

Basic statistical concepts and procedures for Public Health. Focuses on applications, hands-on-experience, and interpretations of statistical findings. (3 credits)

HLTH665: Health Behavior

The psychological, social psychological, and sociological theories of health behavior. The relation of health knowledge, beliefs, attitudes, intentions, and behavior to preventive, illness, sick-role, and health utilization behaviors. (3 credits)

HLSA601: Introduction to Health Systems

Management and leadership skills for effective public health planning, organization, management and administration. Emphasis is on the role of institutions in learning and behavioral change process, organizational theory, administration management, and coordinating provision of community health services. (3 credits)

MIAEH600: Foundations of Environmental Health

Overview of the chemical, physical and biological hazards present in our living and working environment and their effects on human health. Topics include: exposure assessment, industrial hygiene and safety, pesticides, community and indoor pollution, food-borne diseases, solid and hazardous wastes, water resources, risk assessment, ecological issues and environmental laws. (3 credits)

C. Describe any selective admissions policy of special criteria for students selecting this field of study.

Admission is for the fall semester. Applicants must meet the following minimum admission criteria as established by the Graduate School:

- Applicants must have earned a four-year baccalaureate degree from a regionally accredited U.S. institution, or an equivalent degree from a non-U.S. institution.
- Applicants must have earned a 3.0 GPA (on a 4.0 scale) in all prior undergraduate and graduate coursework.
- Applicants must provide an official copy of a transcript for all of their post-secondary work.

International students must fulfill all requirements relating to international academic credentials, evidence of English proficiency, financial certification, and visa documentation.

III. STUDENT LEARNING OUTCOMES AND ASSESSMENT

The purpose of this assessment plan is to clear guidelines, identify articulated outcomes, and ensure avenues for continuous improvement for each graduate certificate program managed by the Program Oversight Committee and housed in the Graduate School. It is our mission to provide programs that meet UMD's institutional goals and objectives for educational activities.

Student Learning Outcomes

Based on the competencies required by the SPH's accrediting body, the Council on Education for Public Health, students will be able to:

1. Identify the causes of social and behavioral factors that affect health of individuals and populations.
2. Identify basic theories, concepts and models from a range of social and behavioral disciplines that are used in public health research and practice.
3. Describe the merits of social and behavioral science interventions and policies.
4. Apply ethical principles to public health program planning, implementation and evaluation.
5. Specify multiple targets and levels of intervention for social and behavioral science programs and/or policies.
6. Describe basic concepts of probability, random variation, and commonly used statistical probability distributions.
7. Describe and apply appropriate descriptive statistical methods for summarizing public health data.

8. Apply descriptive and inferential statistical methods that are appropriate to the different study designs used in public health research.
9. Critically review and summarize statistical analyses presented in public health literature
10. Draw appropriate inferences based on statistical analyses used in public health research.
11. Explain the importance of epidemiology for informing scientific, ethical, economic, and political discussion of health issues.
12. Describe a public health problem in terms of magnitude, person, time and place.
13. Apply the basic terminology and definitions of epidemiology.
14. Identify key sources of data for epidemiological purposes.
15. Calculate basic epidemiology measures.
16. Identify the principles and limitations of public health screening programs.
17. Evaluate strengths and limitations of epidemiologic reports.
18. Draw appropriate inferences from epidemiologic data.
19. Explain criteria for causality.
20. Identify the main components and issues of the organization, financing, and delivery of health services and public health system in the US.
21. Specify approaches for assessing, preventing, and controlling environmental hazards that pose risks to human health and safety
22. Describe the direct and indirect human, ecological and safety effects of major environmental and occupational hazards.
23. Describe genetic, physiologic, and psychosocial factors that affect susceptibility to adverse health outcomes following exposure to environmental hazards.
24. Explain the general mechanisms of toxicity in eliciting a toxic response to various environmental exposures.
25. Understand appropriate measures of environmental exposures.
26. Discuss ethical considerations of environmental health.
27. Demonstrate knowledge of major sources of data and information in environmental health.

Assessment Methods & Criteria

Students will attain these competencies by

1. Developing a needs assessment public health tool/instrument
2. Writing a paper applying theory to health behavior
3. Passing written examinations
4. Writing a paper on a current public health issue relevant to epidemiology
5. Writing a public health policy memo

IV. FACULTY AND ORGANIZATION

A. *Who will provide academic direction and oversight for the program?*

Graduate Director
Laura B. Wilson, Professor and Chair
School of Public Health
Department of Health Services Administration

Administrative Oversight
Terrie Hruzd, Director of Programs
Office of Extended Studies

B. *If the program is not to be housed and administered within a single academic unit, provide details of its administrative structure.*

The Post-Baccalaureate Certificate in Principles in Public Health will be academically housed in the Department of Health Services Administration. Administrative oversight will be provided by the Office of Extended Studies. Dr. Laura B. Wilson, professor and chair, will serve as the Graduate Director and provide academic leadership. Faculty selection and appointments are made by the Department of Health Services Administration. All faculty will be members of the Graduate Faculty and approved by the Dean of the Graduate School to teach.

V. OFF-CAMPUS PROGRAMS (if necessary)

A. *If at Shady Grove—indicate how students will access student services.*

Students have access to all University resources at Shady Grove as they are assessed the Shady Grove mandatory student services fee. In addition, students pay the College Park online mandatory fee to ensure that they receive seamless online technical support through this campus' Office of Information Technology (OIT). The online mandatory fee also provides students with access to other College Park campus-based online resources such as the library. OIT has also identified a vendor to provide instructional design and technical support for self-support programs. The Office of Extended Studies provides oversight of all administrative services and management of the instructional design and quality assurance for all course development and conversion processes. In addition, Extended Studies provides the management of all student services.

B. *If on-line—describe the concerns in "Principles and Guidelines for Online Programs" are to be addressed.*

1. *Program Initiation and Choice: The proposal should initiate with an academic unit, and must have the approval of the appropriate Dean (or Deans). It must develop naturally from the institution's strengths and be consistent with its strategic goals. The proposal should have a clear and well-thought-out financial plan, providing net revenue to the institution over time, and should include a thorough analysis of the potential market.*

The Post-Baccalaureate Certificate in Principles of Public Health has been developed by the Department of Health Services Administration in the School of Public Health. There are no comparable certificate programs in Maryland, Washington, DC or Northern Virginia. This certificate affords UMD the opportunity to meet the needs of public health professionals in the metropolitan, northeast, and southern regions. The certificate will enable them to advance their careers and make contributions to regional, national and global efforts that address public health issues. The potential net revenue generated from this market is outlined in the attached budget.

2. *Program Development, Control, and Implementation by Faculty: Although professional help may be used in adapting it to the online medium, the academic content of the curriculum must be developed by institutional faculty. The instructional strategy proposed must be appropriate for this content. UMCP faculty must have overall control of the program, and should provide the bulk of the instruction. Appropriate resources, including technical support personnel, must be made available for course development and also for faculty support during the offering of these courses. The business plan for the proposal must spell out the arrangements whereby this will be accomplished.*

There are three collaborators for the conversion of core public health certificate courses to the online format. The SPH Department of Health Services Administration faculty is the subject matter experts for the development and implementation of all curriculum and academic content as well as program evaluation and assessment. OIT (through the contracted vendor) provides instructional design and technical support for faculty, staff, and students. The Office of Extended Studies provides oversight of all administrative services and management of the instructional design and quality assurance for all course development and conversion processes. The budget includes funds for course development.

3. *Access to Academic Resources and Student Services: The proposal must indicate how students will have access to needed resources, such as library materials, other information sources, laboratory facilities, and others as*

appropriate. The arrangements in place for interaction with instructors, for advising, and for help with technical problems must be described. It must be shown how student services such as admissions, enrollment, financial aid, bursar services, career advisement, bookstore, and similar services available to on-campus students will be provided.

As officially admitted students to the University of Maryland, students in this program will have access to University resources relevant to online learning. In addition, online technical support for administrative matters is provided through the Office of Information Technology (OIT). For self-support programs, OIT has identified a vendor, which provides academic technical support services to both students and faculty for a fee. Students in online programs are assessed an online technology fee that covers this charge. Extended Studies provides the management of all student services.

4. *Intellectual Property Rights: The proposal must clearly delineate ownership and usage rights for materials that may be developed for courses in the program.*

The Department of Health Services Administration in the School of Public Health, University of Maryland maintains all intellectual property and copyrights for all courses and course content.

5. *Full Disclosure, Standards, and Evaluation: All published materials describing the program must carefully lay out the instructional methods to be used, the skills and background required for success, and the arrangements in place for access to instructors, to technical help, to academic resources, and to student services. There should be a means available whereby potential students can evaluate their readiness for the special demands of the program. Academic admission standards must be clearly described, and must be consistent with those for the on-campus program. Outcome expectations must also be consistent. The proposal must set out a continuing process of evaluation that will determine if these requirements are being met.*

The academic and administrative units will ensure that all printed and digital materials provide exhaustive information about the program. The Web site, administered through the Office of Extended Studies, will provide complete and transparent policies and procedures regarding admission requirements (in full compliance of the Graduate School), including registration, financials, technical assistance, digital access to university resources, academic and university policies, and all issues relating to the successful completion of the program. Potential students will be given the opportunity to complete a self-assessment ensuring that they possess the skill sets and mental models for online learning as well as the technical resources for program accessibility. The Department of Health Services Administration in the School of Public Health provides both incoming and admitted students with all advising assistance.

VI. OTHER ISSUES

- A. *Describe any cooperative arrangements with other institutions or organizations that will be important for the success of this program.*

None

- B. *Will the program require or seek accreditation? Is it intended to provide certification or licensure for its graduates? Are there academic or administrative constraints as a consequence?*

No

VII. COMMITMENT TO DIVERSITY

The University of Maryland is an equal opportunity institution with respect to both education and employment. The University does not discriminate on the basis of race, color, national origin, sex, age, or handicap in admission or

access to, or treatment or employment in, its programs and activities as required by federal (Title VI, Title IX, Section 504) and state laws and regulations.

The Post-Baccalaureate Certificate in Principles of Public Health will continue to demonstrate the University of Maryland's commitment to diversity by marketing and recruiting applicants from various professional organizations with demonstrated respect for individuals regardless of differences in age, race, ethnicity, sex, religion, disability, sexual orientation, class, political affiliation, and national origin. Course content will also demonstrate opportunities for instruction on tolerance and inclusion.

VIII. REQUIRED PHYSICAL RESOURCES

A. *Additional library and other information resources required to support the proposed program. You must include a formal evaluation by Library staff.*

See attached Library statement, Appendix II.

B. *Additional facilities, facility modifications, and equipment that will be required. This is to include faculty and staff office space, laboratories, special classrooms, computers, etc.*

None.

C. *Impact, if any, on the use of existing facilities and equipment. Examples are laboratories, computer labs, specially equipped classrooms, and access to computer servers.*

This program does not require additional resources.

IX. RESOURCES NEEDS AND SOURCES

A. *List new courses to be taught and needed additional sections of existing courses. Describe the anticipated advising and administrative loads. Indicate the personnel resources (faculty, staff, and teaching assistants) that will be needed to cover all these responsibilities.*

The Office of Extended Studies will provide administrative oversight for this self-support program. Extended Studies provides program development support (including budget development and projections), program management that includes scheduling, marketing research, planning and management, financial management (including faculty contracting and faculty pay processing), and student services management. There are no new courses for this certificate program.

B. *List new faculty, staff, and teaching assistants needed for the responsibilities in A, and indicate the source of the resources for hiring them.*

University of Maryland graduate faculty who teach in the program will be compensated using overloads. The faculty may include research faculty, retired faculty, and professionals in the field who meet UM graduate faculty standards.

C. *Some of these teaching, advising, and administrative duties may be covered by existing faculty and staff. Describe your expectations for this, and indicate how the current duties of these individuals will be covered, and the source of any needed resources.*

Approval of all graduate faculty overloads for teaching and advising will be in accordance with University of Maryland policies and procedures. The Office of Extended Studies is responsible for the overall administrative management of the program.

D. Identify the source to pay for the required physical resources identified in Section VIII above.

Tuition revenue will be used to cover this self-support program's expenses. Courses may be cancelled due to low enrollment.

E. List any other required resources and the anticipated source for them.

Not applicable

F. Complete the additional proposal and financial tables as required by MHEC.

See attached budget, Appendix I.

Appendix I—Budget

POST-BACCALAUREATE CERTIFICATE IN PRINCIPLES OF PUBLIC HEALTH: Budget [Cohort model used. This program is self-support. Instructors may not teach on-load.]					
Estimated Program Revenue & Support	Planning [2011-2012]	Year 1	Year 2	Year 3	Year 4
1. Total Tuition Revenue (a x b x c)		\$108,000	\$135,000	\$162,000	\$180,000
a. TTL # of Professional Students Annually		12	15	18	20
b. Per Credit Rate (assumes no increase)		600	600	600	600
c. TTL # of Credits Offered Annually		15	15	15	15
2. Student Fee: Online Mandatory Fee (OIT Support)		\$1,056	\$1,360	\$1,680	\$1,923
a. Rate; Assumes 3% increase		88	91	93	96
b. Number of terms annually		3	3	3	3
b. TTL # of Professional Students		12	15	18	20
3. Student Fee: Shady Grove Mandatory Fee		\$2,892	\$3,723	\$4,602	\$5,267
a. Annual rate; Assumes 3% increase		241	248	256	263
b. TTL # of Professional Students		12	15	18	20
4. Student Fee: Graduate School Application		\$900	\$1,125	\$1,350	\$1,500
a. Fee (one-time)		75	75	75	75
b. Total # of Newly Admitted Professional Students		12	15	18	20
Total Estimated Program Revenue & Support	\$0	\$112,848	\$141,208	\$169,633	\$188,690
Estimated Program Expenses					
	Planning	Year 1	Year 2	Year 3	Year 4
1. Total Instructional		\$37,800	\$38,934	\$40,102	\$41,305
Total Salary		\$35,000	\$36,050	\$37,132	\$38,245
a. # of Instructors		5	5	5	5
b. Instructor salary; assumes 3% increase		7,000	7,210	7,426	7,649
Total FICA (8%)		2,800	2,884	2,971	3,060
2. Development--Courses (see Executive MPH)					
a. Fee to Alivtek to convert course to online format					
b. Ttl # of courses					
3. Course Related Materials		\$1,500	\$1,875	\$2,250	\$2,500
a. TTL # of Course Offered Annually		5	5	5	5
b. TTL # of Professional Students Annually		12	15	18	20
c. Estimated cost		25	25	25	25
4. Marketing (Provided by academic unit; not through OES)		\$5,000	\$5,000	\$5,000	\$5,000
Estimates based on staff time only.		5,000	5,000	5,000	5,000

5. OIT Support for Online/Hybrid Instructors		\$1,000	\$1,000	\$1,000	\$1,000
a1. TTL # of online/hybrid instructors annually		5	5	5	5
a2. Estimated cost		200	200	200	200
6. UM Overhead (4.1% of expenses)		\$1,796	\$1,842	\$1,890	\$1,940
7. Student Fees (100 % returned to campus)		\$4,848	\$6,208	\$7,633	\$8,690
a. Shady Grove Mandatory Fee		2,892	3,723	4,602	5,267
b. Online/Hybrid Mandatory Fee (OIT Student Support)		1,056	1,360	1,680	1,923
c. Graduate School Application Fee		900	1,125	1,350	1,500
8. OES Administrative Fee		\$10,800	\$13,500	\$16,200	\$18,000
10% of tuition revenue for OES administrative costs		10,800	13,500	16,200	18,000
Estimated Program Expenses (Add 1 - 8)		\$62,744	\$68,359	\$74,075	\$78,435
Cost Containment: 1.34% of expenses (estimated)		\$841	\$916	\$993	\$1,051
Total Estimated Expenses	\$0	\$63,585	\$69,275	\$75,067	\$79,486

Appendix II—Library Assessment



UNIVERSITY OF MARYLAND

THE UNIVERSITY LIBRARIES

College Park, Maryland 20742

DATE: October 4, 2010

TO: Stephanie C. McKissic
Program Manager, Office of Extended Studies

FROM: Nedelina Tchangalova
Librarian, Liaison for the School of Public Health

Dr. Desider Viktor *DLV*
Director for Collection Management and Special Collections

Gerri Foudy
Manager of Collections and Scholarly Communication *GF*

RE: Library Collection Assessment

This assessment is to accompany the documentation for the Graduate Certificate and Masters of Professional Studies in Public Health Practice and Policy program proposed by the Office of Extended Studies in collaboration with the School of Public Health. The courses will be conducted by the Department of Health Services Administration. This program seeks to build upon established courses offered by the School of Public Health. Therefore, we feel that the UM Libraries' collections provide a strong base and continued growth to support adequately the curricular and research needs of this newly-proposed program.

Books

The Libraries' current collection of public health administration books is sufficient to meet the needs of the program. The ongoing acquisition of scholarly books is expected to be adequately covered through existing acquisition practices and budgeting. New electronic books are added yearly to library collections.

If there is a need beyond the UM Libraries' holdings for books, our University System of Maryland and Affiliated Institutions (USMAI) Catalog includes 15 other Maryland campuses from which books may be borrowed. Interlibrary loans are also an option for additional items.

Journals

The Libraries currently subscribe to 22 journals (print and electronic) dealing specifically with the topic of health services administration.

Journal Citation Reports (JCR), a database that uses citation data to rank and determine the impact factor of journals within given academic fields, lists 122 journals for the subject “Public, Environmental & Occupational Health.” Twenty three of these titles have an impact factor (IF) of 3.000 or above. The journal with the highest impact factor, *Epidemiologic Reviews*, to which the Libraries subscribe, has an IF of 17.500. UM Libraries have current subscriptions to all these top 23 titles with impact factor 3.000 and above.

JCR lists 69 journals for the subject “Health Care Sciences & Services.” Seven of these titles have an impact factor (IF) of 3.000 or above. The journal with the highest impact factor, *Health Technology Assessment*, to which the Libraries have a subscription, has an IF of 6.910. UM Libraries have current subscriptions to all of these top 7 titles with impact factor 3.000 and above.

In addition to the main journals for the field, the Libraries provide access to several electronic journals dealing with general aspects of the leadership concept: *Leadership Excellence*, *Leadership in Action*, *The Leadership Quarterly*, *Leadership Wisdom: Discovering the Lessons of Experience*, and more.

Databases and Additional Online Full Text

A wide variety of databases exist that provide indexing, and in many cases full text, for journal articles and other information sources in many different subject areas. These include:

- Health related databases such as *PubMed*, *CINAHL*, and *Health Source: Consumer Edition*.
- Politics and public policy such as *PAIS International*, *National Journal Policy Database*, *Worldwide Political Sciences Abstracts*, *CQ Almanac*, *LexisNexis Congressional*, and *LexisNexis State Capital*.
- Psychology of leadership such as *PsycInfo*.
- Leadership related to various ethnic groups could be further supported by such databases as: *Ethnic Newswatch*, *International Index to Black Periodicals*, *Hispanic American Periodicals Index*, *Chicano Database*, *GenderWatch*, *Women’s Studies International*, and *Contemporary Women’s Issues*.
- Business databases such as *Business Source Complete*, and *Factiva*.
- Sociology such as *SocIndex*, *Social Sciences Citation Index*, and *JSTOR Sociology*.
- News sources and current events such as *LexisNexis Academic*.
- Multidisciplinary databases such as *Academic Search Premier*, *Web of Science*, and *ScienceDirect*.

Conclusion

Our assessment is that the UM Libraries are able to support the courses that constitute the proposed Graduate Certificate and Masters of Professional Studies in Public Health Practice and

Policy program. The program is well-supported by existing collections and collecting practices and does not require added funding for library materials.



**University Senate
TRANSMITTAL FORM**

Senate Document #:	11-12-29
PCC ID #:	11024
Title:	Proposal to Establish an Executive Master of Public Health in Public Health Practice and Policy
Presenter:	David Salness, Chair, Senate Programs, Curricula, and Courses Committee
Date of SEC Review:	February 22, 2012
Date of Senate Review:	March 8, 2012
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>The School of Public Health and the Department of Health Services Administration wish to establish an Executive Master of Public Health (EMPH) in Public Health Practice and Policy. This 42-credit graduate degree will be an area of concentration within the currently existing Master of Public Health. The EMPH targets those working in the public health industry and emphasizes public health policy, practice and management.</p> <p>Students will be admitted as an annual cohort in the fall semester. Instruction will be delivered in a blended-learning format with on-site executive sessions and online courses. The EMPH curriculum will require students to take the 15 credits in core public health courses (Epidemiology, Biostatistics, Environmental Health, Health Behavior, and Health Systems), 12 credits in public health and public health management courses, and 15 credits in public health policy and practice courses. The EMPH also includes leadership training throughout its curriculum and requires a capstone course in which students integrate all course learning into a final project.</p> <p>The program is expected to enroll 12-18 students each year, and will be self-supported. Tuition revenue will be used to cover the program's expenses. The Department of Health Services Administration will provide general academic oversight for the</p>

	<p>program. The Office of Extended Studies will provide the administrative services for the program.</p> <p>The Academic Planning Advisory Committee approved the proposal on November 21, 2011. The Graduate PCC Committee approved the proposal on January 24, 2012, and the Graduate Council approved the proposal on February 13, 2012. The Senate PCC Committee approved the proposal on February 3, 2012.</p>
Relevant Policy # & URL:	N/A
Recommendation:	The Senate Committee on Programs, Curricula, and Courses recommends that the Senate approve this new concentration for the Master of Public Health program.
Committee Work:	The Committee considered the proposal at its meeting on February 3, 2012. Laura Wilson, Chair of the Health Services Administration Department, was present to discuss the proposal. After discussion, the Committee voted unanimously to recommend the proposal.
Alternatives:	The Senate could decline to approve the proposed program.
Risks:	If the Senate declines to approve this program, the University will lose an opportunity to establish a program specially designed for working professionals in the field of public health who seek to develop their leadership and management skills.
Financial Implications:	There are no significant financial implications with this proposal.
Further Approvals Required: <i>(*Important for PCC Items)</i>	If the Senate approves this proposal, it would still require further approval by the President, the Chancellor, and the Maryland Higher Education Commission.

**THE UNIVERSITY OF MARYLAND, COLLEGE PARK
PROGRAM/CURRICULUM PROPOSAL**

Please submit the signed form to: Office of the Associate Provost for Academic Planning & Programs, 1119 Main Administration Building.
Please email the rest of the proposal as an MSWord attachment to pcc-submission@umd.edu.

DATE SUBMITTED: October 21, 2011

PCC LOG NO.

11024

COLLEGE/SCHOOL: College/School Unit Code—First 8 digits: SPHL /1330101

Unit Codes can be found at https://hypprod.umd.edu/Html_Reports/units.htm

DEPARTMENT/PROGRAM: Department/Program Unit code—Last 7 digits: SPHL / 1331301

TYPE OF ACTION (choose one):

- | | |
|---|--|
| <input type="checkbox"/> Curriculum change (including information specializations) | <input type="checkbox"/> <i>New academic degree/award program</i> |
| <input type="checkbox"/> <i>Renaming of program or formal Area of Concentration</i> | <input checked="" type="checkbox"/> New Professional Studies award iteration |
| <input type="checkbox"/> <i>Addition/deletion of formal Area of Concentration</i> | <input type="checkbox"/> New Minor |
| <input type="checkbox"/> <i>Suspend/delete program</i> | <input type="checkbox"/> Other |

Italics indicate that the proposed program action must be presented to the full University Senate for consideration.

SUMMARY OF PROPOSED ACTION:

APPROVAL SIGNATURES: *Please print name, sign, and date*

1. Department Committee Chair: Sharon Simson Sharon Simson 10/27/11
2. Department Chair: Laura Wilson Laura Wilson 10/27/11
3. College/School PCC Chair: Amy R. Sapkota Amy R. Sapkota 10/27/11
4. Dean: Robert S. Gold Robert S. Gold 10/27/11
5. Dean of the Graduate School (if required): [Signature] 10/27/11
6. Chair, Senate PCC: David Galness David Galness 2/3/12
7. Chair of University Senate (if required): _____
8. Vice President of Academic Affairs & Provost: _____

**THE UNIVERSITY OF MARYLAND, COLLEGE PARK
PROGRAM/CURRICULUM PROPOSAL**

Please submit the signed form to: Office of the Associate Provost for Academic Planning & Programs, 1119 Main Administration Building.
Please email the rest of the proposal as an MSWord attachment to pcc-submission@umd.edu.

DATE SUBMITTED: November 30, 2011

PCC LOG NO.

COLLEGE/SCHOOL: College/School Unit Code—First 8 digits: SPHL /1330101

Unit Codes can be found at https://hypprod.umd.edu/Html_Reports/units.htm

DEPARTMENT/PROGRAM: Department/Program Unit code—Last 7 digits: SPHL / 1331301

TYPE OF ACTION (choose one):

- | | |
|---|--|
| <input type="checkbox"/> Curriculum change (including information specializations) | <input type="checkbox"/> <i>New academic degree/award program</i> |
| <input type="checkbox"/> <i>Renaming of program or formal Area of Concentration</i> | <input checked="" type="checkbox"/> New Professional Studies award iteration |
| <input type="checkbox"/> <i>Addition/deletion of formal Area of Concentration</i> | <input type="checkbox"/> New Minor |
| <input type="checkbox"/> <i>Suspend/delete program</i> | <input type="checkbox"/> Other |

Italics indicate that the proposed program action must be presented to the full University Senate for consideration.

SUMMARY OF PROPOSED ACTION:

The University of Maryland School of Public Health submits this proposal to create the ***Executive Master of Public Health in Public Health Practice and Policy (EMPH)***. This 42 credit (15 courses) graduate degree builds on the MPH in the accredited School of Public Health. The EMPH targets those working in the public health industry and emphasizes public health policy, practice and management. In addition, instruction is delivered in a blended learning format with on-site executive sessions and online courses. Completion of all courses including an internship and capstone project equips EMPH students with the knowledge, tools, and resources needed to assume leadership roles in addressing important public health policy, practice and managements issues that face the United States and the world today and in the future.

APPROVAL SIGNATURES: *Please print name, sign, and date*

1. Department Committee Chair: _____
2. Department Chair: _____
3. College/School PCC Chair: _____
4. Dean: _____
5. Dean of the Graduate School (if required): _____
6. Chair, Senate PCC: _____
7. Chair of University Senate (if required): _____
8. Senior Vice President & Provost: _____

PROPOSAL FOR

NEW INSTRUCTIONAL PROGRAM

UNIVERSITY OF MARYLAND AT COLLEGE PARK, MARYLAND

***Executive Master of Public Health
in Public Health Practice and Policy***

PROPOSED INITIATION DATE: Fall 2012

I. OVERVIEW and RATIONALE

A. Briefly describe the nature of the proposed program and explain why the institution should offer it.

The Executive Master of Public Health (EMPH) in Public Health Practice and Policy is designed to provide working professionals with the knowledge, tools, and resources needed to assume leadership roles in addressing important public health policy, practice and management issues that face the United States and the world today and in the future.

The EMPH builds on the existing MPH in the accredited University of Maryland School of Public Health. The EMPH will offer the same rigorous courses and academic requirements as the MPH. It will be a new track that offers some of the core courses in the existing MPH but differs in other course work. It also differs from the MPH in that the EMPH specifically targets those already working in the public health industry and emphasizes public practice. It includes public health leadership training throughout the curriculum and course content is oriented to the practice of public health. Instruction will be delivered in a blended learning format with on-site executive sessions and online courses. Unlike the MPH offered on the College Park campus, students do not have to take leave time from work and can complete the program in 24 months. Through weekend on-site and online instruction, students complete courses in the science, management, policy and practice of public health.

B. How big is the program expected to be? From what other programs serving current students, or from what new populations of potential students, onsite or offsite, are you expecting to draw?

Students will be admitted as an annual cohort in the fall semester. It is estimated that 12 students will enroll in Year 1 and 18 in Year 2. Utilizing a blended learning format, courses will be offered through weekend on-site and online instruction.

Executive programs use the cohort approach to education. The four top ranked EMPH programs in schools of public health admit students only in cohorts; students take the same courses together as a group. These institutions are 1) University of Michigan, 2) University of Minnesota, 3) University of North Carolina, and 4) University of Washington. The UMD EMPH will use the cohort approach in order to provide a specific high-level educational experience to students. Membership in a cohort will enable students to build a platform of professional network support, which will benefit them throughout their careers. A cohort approach is essential because a unique feature of the UMD EMPH is the intensive leadership training for the cohort that begins immediately on the first day of the program and is woven throughout the two years. In addition, the internship and capstone project require strong interaction among cohort members in order for them to optimize their learning. The leadership and capstone courses are conducted for a cohort on-site for two days for face-to-face instruction at the beginning of each of the three semesters for a total of 12 instructional days. Students must be able to weave their course learning into the applied leadership and practice experiences that define the onsite sessions. This can only be accomplished through a cohort approach.

The EMPH will target working public health professionals in the State of Maryland through its unique blended learning program. No other institutions in the University of Maryland System offer an Executive MPH. The University of Maryland Baltimore County offers a bachelor's degree in Health Administration and Policy through the sociology department. University of Maryland University College offers an M.S. in Health Care Administration. Unlike the EMPH, the UMUC program is not accredited by the Council on Education for Public Health, an essential requirement for leadership positions in public health and is not specifically focused on public health policy and practice.

The University of Baltimore offers an undergraduate B.S. and a graduate M.S. in Health Systems Management, both of which are housed in UB's School of Public Affairs. The proposed College Park EMPH and UB's M.S. focus

on different aspects of health management, with different curricula, audiences, learning methodologies, schedules and accreditation. The EMPH is a 42-credit program in the UMD School of Public Health and the M.S. is a 45-credit program. The EMPH emphasizes public health policy, practice and management whereas UB's M.S. focuses on health systems management. An MPH is specific to the public health network and is considered the entry-level degree for the public health system.

The EMPH will use a blended learning format, which emphasizes on-line courses supplemented with eight weekends of on-site instruction whereas UB MS. students attend 60 on-site days. The EMPH requires students to take the five core public health courses (Epidemiology, Biostatistics, Environmental Health, Health Behavior, and Health Systems) whereas the UB M.S. emphasizes epidemiology (four courses, 12 credits) and does not include environmental health or health behavior courses. The EMPH also includes leadership training throughout its curriculum and requires a capstone course in which students integrate all course learning into a final project.

The EMPH will attract and enhance the capabilities of public health professionals already working in the State of Maryland through advanced education in public health policy, practice and management. In addition, the EMPH will draw on SPH alumni who have undergraduate degrees in behavioral and community health, family science and kinesiology. The EMPH will also enable UMD medical school graduates and other physicians with the opportunity to acquire the education necessary for moving into careers in public health practice and management while at the same time continuing to work.

A preliminary market research analysis has determined that the target audience of professions in public health sectors such as research firms, state and local health departments, government agencies, health delivery organizations, insurance companies, and pharmaceutical companies, will benefit from the flexibility and accessibility of courses online which are convenient for those with full-time personal and professional responsibilities.

II. CURRICULUM

A. Provide a full catalog description of the proposed program, including educational objectives and any areas of concentration.

The Executive Master of Public Health in Public Health Practice and Policy (EMPH) is designed to provide working public health professionals with the knowledge, tools, and resources needed to assume leadership roles in addressing important public health policy, practice and management issues that face the United States and the world today and in the future.

This 42 credit (15 courses) graduate degree builds on the MPH in the accredited School of Public Health. The current MPH program has concentrations in Biostatistics, Epidemiology, Community Health Education, and Environmental Health Sciences. The EMPH will be a new track that offers the five core courses in the existing MPH but differs in other course work. The EMPH will offer rigorous public health courses that meet the standards of the School of Public Health for the MPH degree. The EMPH will differ in that it will include and emphasize public health practice and management. While students in the existing College Park MPH are predominantly enrolled full time and attend classes on weekdays, the EMPH targets those working in the public health industry. The EMPH includes a) basic core principles of public health (5 courses, 15 credits), b) public health and public health management courses (5 courses, 12 credits), c) public health policy and practice courses (5 courses, 15 credits), for a total of 42 credits (15 courses).

B. *List the courses (number, title, semester credit hours) that would constitute the requirements and other components of the proposed program. Provide a catalog description for any courses that will be newly developed or substantially modified for the program.*

Below is a standard plan of study for EMPH degree completion:

Term	Year 1		Year 2	
	Course	Credit	Course	Credit
Fall	HLSA 601	3	HLSA 720	3
	EPIBI 610	3	HLSA 740	2
	HSLA 772	3*	HLSA 785	3
			HLSA 709	1
Spring	HLSA 745	3	HLSA 711	3
	EPIB 650	3	MIEH 600	3
Summer	HLSA 775	3	HLTH 665	3
	HLSA 702	3	HLSA 786	3*
Total per year		21		21
Total program: 42 credits				

* Students enroll in the starred courses in the term listed but the course is held on-site throughout the year. A unique feature of the EMPH is the intensive leadership training that begins immediately on the first day of the program and is woven throughout the two years. The internship and capstone project are designed to launch students into the next stages of upward career paths.

C. *List the courses (number, title, semester credit hours) that would constitute the requirements and other components of the proposed program. Provide a catalog description for any courses that will be newly developed or substantially modified for the program.*

Existing Courses modified for online delivery:

- EPIB610: Foundations of Epidemiology
- EPIB650: Biostatistics
- MIEH600: Foundations of Environmental Health
- HLTH665: Health Behavior
- HLSA601: Introduction to Health Systems
- HLSA720: Health Law and Ethics
- HLSA711: Healthcare Economics and Analysis
- HLSA740: Healthcare Strategic Planning and Evaluation
- HLSA772: Health Leadership and Communications
- HLSA785: Internship in Public Health
- HLSA786: Capstone Project in Public Health

New and Revised Courses:

HLSA745: Public Health Practice and Management (3 credits): This course covers public health management and practice concepts and definitions; history and development of public health management and practice,

health determinants and Healthy People; policy, legal and ethical issues; health departments and programs; community assessment, change and performance measures; health data management; management of public health organizations and workforce; public health policy and practice regarding prevention and chronic disease, primary care, oral diseases, child health, injury control, environmental health, health in the 21st century; future of public health policies and practice.

HLSA775: Public Health Research Methods (3 credits): This course covers policy and social issues, theory, and methods of evaluation and participatory research, from simple community based health programs to large-scale interventions. The course emphasizes experimental and quasi-experimental designs to estimate program impact as well as evaluation of program implementation. Case studies drawn from the public health field illustrate various types of evaluations and participatory research initiatives.

HLSA740: Healthcare Strategic Planning and Evaluation (2 credits). This course has been revised from 3 credits to 2 credits. Content and requirements have been revised as appropriate for a 2 credits course.

HLSA709: Current Topics in Health Services (1-3 credits). This course covers current and classic readings on various aspects of the health services including the health care system and health care policy. The readings will be critically analyzed and applied to students’ research and health services issues.

D. Describe any selective admissions policy of special criteria for students selecting this field of study. Admission is for the fall semester. Applicants must meet the following minimum admission criteria as established by the Graduate School:

- Applicants must have earned a four-year baccalaureate degree from a regionally accredited U.S. institution, or an equivalent degree from a non-U.S. institution.
- Applicants must have earned a 3.0 GPA (on a 4.0 scale) in all prior undergraduate and graduate coursework.
- Applicants must provide an official copy of a transcript for all of their post-secondary work.

International students must fulfill all requirements relating to international academic credentials, evidence of English proficiency, financial certification, and visa documentation.

III. STUDENT LEARNING OUTCOMES AND ASSESSMENT

The purpose of this assessment plan is to set clear guidelines, identify articulated outcomes, and ensure avenues for continuous improvement for each graduate certificate program managed by the Program Oversight Committee and housed in the Graduate School. It is our mission to provide programs that meet UMD’s institutional goals and objectives for educational activities.

Student Learning Outcomes	Assessment Methods & Criteria
1. Students will learn how to evaluate public health practice and administrative policies from a health services multi-disciplinary perspective.	As required in HLSA 702 and 711 (which specifically aim to build this skill), students will write an analysis paper to demonstrate skills of public health practice and knowledge of public health policies from a multi-disciplinary perspective. Evaluation criteria and rubrics will be compiled from content and instruction delivered in courses HLSA 709, 601,711 and 710.

<p>2. Students will learn how to conduct an in-depth multi-disciplinary analysis of a current public health practice and/or health policy topic.</p>	<p>With completion of the HLSA 786 Capstone course, students will produce a culminating project in their area of interest that demonstrates the ability to conduct in-depth multi-disciplinary analysis of a current public health practice or health policy topic according to the evaluation criteria and assessment models of the course.</p>
<p>3. Students will be able to integrate the knowledge, skills and practice of public health practice and policy developed through their coursework in a structured practice experience.</p>	<p>With successful completion of HLSA785, students will conduct action research in a field placement practicum experience. In this structured internship, students must demonstrate their integration of public health practice knowledge, skills and practice developed during matriculation in the program.</p>

IV. FACULTY AND ORGANIZATION

A. Who will provide academic direction and oversight for the program?

Graduate Director
 Laura B. Wilson, PhD, Professor and Chair
 School of Public Health
 Department of Health Services Administration

Coordinator
 Sharon P. Simson, PhD, MSHA, Research Professor
 School of Public Health
 Department of Health Services Administration

Administrative Oversight
 Terrie Hruzd, Director of Programs
 Office of Extended Studies

B. If the program is not to be housed and administered within a single academic unit, provide details of its administrative structure.

The Executive Master of Public Health in Public Health Practice and Policy will be academically housed in the Department of Health Services Administration. The Office of Extended Studies will provide administrative oversight. Dr. Laura B. Wilson, professor and chair, will serve as the Graduate Director and provide academic leadership. Sharon P. Simson, PhD, MSHA, research professor in Health Services Administration, will serve as program coordinator. All faculty will be members of the Graduate Faculty and approved by the Dean of the Graduate School.

V. OFF-CAMPUS PROGRAMS (if necessary)

A. If at Shady Grove—indicate how students will access student services.

Students have access to all University resources at Shady Grove as they are assessed the Shady Grove mandatory student services fee. In addition, students pay the College Park online mandatory fee to ensure that they receive seamless online technical support through this campus' Office of Information Technology (OIT). The online mandatory fee also provides students with access to other College Park campus-based online resources such as the library. OIT has also identified a vendor to provide instructional design and technical support for self-support programs. The Office of Extended Studies provides oversight of all administrative services and management of the instructional design and quality assurance for all course development and conversion processes. In addition, Extended Studies provides the management of all student services. An EMPH program coordinator will assist the Graduate Director with hands-on interactions with students.

B. If on-line—describe the concerns in “Principles and Guidelines for Online Programs” are to be addressed.

- 1. Program Initiation and Choice: The proposal should initiate with an academic unit, and must have the approval of the appropriate Dean (or Deans). It must develop naturally from the institution's strengths and be consistent with its strategic goals. The proposal should have a clear and well-thought-out financial plan, providing net revenue to the institution over time, and should include a thorough analysis of the potential market.*

The program was developed by the Department of Health Services Administration in the School of Public Health. The Department of Health Services Administration designed the Executive Master of Public Health (EMPH) in Public Health Practice and Policy to provide working professionals with the knowledge, tools, and resources needed to assume leadership roles in addressing important public health management, policy and practice issues that face the United States and the world today and in the future. The program is fully supported by the SPH Dean as being in keeping with and advancing the mission of the School of Public Health: to advance a better state of health in Maryland, the nation and the world. The EMPH affords UM the opportunity to meet the needs of professionals in the metropolitan area, northeast, and southern regions to advance their careers and contributions to regional, national and global efforts to address public health issues with a professional certificate program. The EMPH will be a self-supporting program. Revenue will be based on tuition. Anticipated revenue and expenses are outlined in the attached budget.

- 2. Although professional help may be used in adapting it to the online medium, the academic content of the curriculum must be developed by institutional faculty. The instructional strategy proposed must be appropriate for this content. UMCP faculty must have overall control of the program, and should provide the bulk of the instruction. Appropriate resources, including technical support personnel, must be made available for course development and also for faculty support during the offering of these courses. The business plan for the proposal must spell out the arrangements whereby this will be accomplished.*

The EMPH will be directed by Laura B. Wilson, PhD, chair and professor, Health Services Administration. She will be responsible for faculty recruitment and supervision, relationships with SPH chairs, education quality control, assuring that EMPH courses meet the requirements of the Council on Education for Public Health, maintaining uniformity of course content with MPH curriculum, integration of curriculum including leadership and capstone courses, student professional development, relationships with professional associations, and ongoing program review and design.

The EMPH will be coordinated by Sharon P. Simson, PhD, MHSA, research professor in Health Services Administration. She has over 25 years experience (17 at UMD) directing graduate level professional education programs. She will attend all on-site sessions. She will be in charge of overseeing course administration,

student academic advising, addressing student needs and questions, internship arrangements, linkages between students and university resources and requirements, and course evaluation.

There are three collaborators for the conversion of EMPH courses to the online format. The Department of Health Services Administration in the School of Public Health faculty are the subject matter experts for the development and implementation of all curriculum and academic content as well as program evaluation and assessment; OIT (through the contracted vendor) provides instructional design and technical support for faculty, staff, and students); and the Office of Extended Studies provides oversight of all administrative services and management of the instructional design and quality assurance for all course development and conversion processes. The budget includes funds for course development.

- 3. Access to Academic Resources and Student Services: The proposal must indicate how students will have access to needed resources, such as library materials, other information sources, laboratory facilities, and others as appropriate. The arrangements in place for interaction with instructors, for advising, and for help with technical problems must be described. It must be shown how student services such as admissions, enrollment, financial aid, bursar services, career advisement, bookstore, and similar services available to on-campus students will be provided.*

The Office of Extended Studies is responsible for the overall administrative management of the program. As officially admitted students to the University of Maryland, students in this program will have access to all University resources that are accessible in the online environment as well as campus-based resources when in face-to-face on-site sessions. Online technical support for administrative matters is provided through the Office of Information Technology (OIT). For self-support programs, OIT has identified a vendor who will provide academic technical support services to both students and faculty for a fee. Students in online programs are assessed an online technology fee that covers this charge. Extended Studies provides the management of all student services such as admissions, enrollment, financial aid, bursar services, career advisement, bookstore, and similar services available to on-campus students. The EMPH coordinator will be in charge of academic advising, addressing student needs and questions, linkages between students and university resources and requirements.

- 4. Intellectual Property Rights: The proposal must clearly delineate ownership and usage rights for materials that may be developed for courses in the program.*

The Department of Health Services Administration in the School of Public Health, University of Maryland maintains all intellectual property and copyrights for all courses and course content.

- 5. Full Disclosure, Standards, and Evaluation: All published materials describing the program must carefully lay out the instructional methods to be used, the skills and background required for success, and the arrangements in place for access to instructors, to technical help, to academic resources, and to student services. There should be a means available whereby potential students can evaluate their readiness for the special demands of the program. Academic admission standards must be clearly described, and must be consistent with those for the on-campus program. Outcome expectations must also be consistent. The proposal must set out a continuing process of evaluation that will determine if these requirements are being met.*

The Web sites of OES and HLSA will provide complete and transparent policies and procedures regarding admission requirements (in full compliance of the Graduate School), including registration, financials, technical assistance, digital access to university resources, academic and university policies, and all issues relating to the

successful completion of the program. Potential students will have the opportunity to complete a self-assessment ensuring that they possess the skill sets and mental models for online learning. The Department of Health Services Administration in the School of Public Health provides both incoming and admitted students with advising assistance. The academic and administrative units will ensure that all printed and digital materials provide exhaustive information about the program. The EMPH coordinator will facilitate student access to instructors, technical assistance and academic resources. Outcome expectations are consistent with SPH requirements. Course evaluations will follow UMD and SPH procedures.

VI. OTHER ISSUES

A. *Describe any cooperative arrangements with other institutions or organizations that will be important for the success of this program.*

None

B. *Will the program require or seek accreditation? Is it intended to provide certification or licensure for its graduates? Are there academic or administrative constraints as a consequence?*

The EMPH is already accredited as part of the existing accreditation by the Council on Education for Public Health, which is held by the School of Public Health.

VII. COMMITMENT TO DIVERSITY

The University of Maryland is an equal opportunity institution with respect to both education and employment. The University does not discriminate on the basis of race, color, national origin, sex, age, or handicap in admission or access to, or treatment or employment in, its programs and activities as required by federal (Title VI, Title IX, Section 504) and state laws and regulations.

The Executive Master of Public Health in Public Health Practice and Policy will continue to demonstrate the University of Maryland's commitment to diversity by marketing and recruiting applicants from various professional organizations with demonstrated respect for individuals regardless of differences in age, race, ethnicity, sex, religion, disability, sexual orientation, class, political affiliation, and national origin. Course content will also demonstrate opportunities for instruction on tolerance and inclusion.

The Department of Health Services Administration has a track record of excellence in diversity. HLSA students come from numerous ethnicities. Their cultural background enriches the educational experiences of fellow students and provides unique perspectives on public health issues and practice. HLSA has been successful in recruiting a diverse faculty, which includes African Americans, Latinos and Asians as well as a mix of female and male members. It is expected that this same pattern of diversity will be encouraged and maintained for the EMPH program.

VIII. REQUIRED PHYSICAL RESOURCES

A. *Additional library and other information resources required to support the proposed program. You must include a formal evaluation by Library staff.*

See attached Library statement, Appendix III.

B. *Additional facilities, facility modifications, and equipment that will be required. This is to include faculty and staff office space, laboratories, special classrooms, computers, etc.*

None

C. *Impact, if any, on the use of existing facilities and equipment. Examples are laboratories, computer labs, specially equipped classrooms, and access to computer servers.*

This program will not have any impact on existing facilities and equipment.

IX. RESOURCES NEEDS AND SOURCES

List new courses to be taught and needed additional sections of existing courses. Describe the anticipated advising and administrative loads. Indicate the personnel resources (faculty, staff, and teaching assistants) that will be needed to cover all these responsibilities.

See attached Appendix I

The following new courses will need to be approved by VPAC:

HLSA709: Current Topics in Health Services (1-3 cr)

HLSA740: Healthcare Strategic Planning and Evaluation (2 cr)

HLSA745: Public Health Practice and Strategic Management (3cr)

HLSA775: Community Based Evaluation and Participatory Research (3cr)

The Office of Extended Studies will provide administrative oversight for this self-support program. Extended Studies provides program development support (including budget development and projections), program management that includes scheduling, marketing research, planning and management, financial management (including faculty contracting and faculty pay processing), and student services management.

- A. *List new faculty, staff, and teaching assistants needed for the responsibilities in A, and indicate the source of the resources for hiring them.*
- B. *Some of these teaching, advising, and administrative duties may be covered by existing faculty and staff. Describe your expectations for this, and indicate how the current duties of these individuals will be covered, and the source of any needed resources.*

All faculty who will teach in the EMPH have a doctoral degree in the appropriate discipline for the course that he/she will be teaching, and will be members of the Graduate Faculty, approved by the Dean of the Graduate School. All faculty are experienced educators with university teaching experience. Faculty salaries will be covered by the tuition revenue of this self-supporting program. State-supported regular tenure/tenure track faculty members will only teach in the summer.

The course plan and faculty are:

YEAR 1: (21 credits)

Integrating course throughout all three Year I semesters

HLSA772: Health Leadership and Communications (3 credits)

Faculty: Tracey Manning, PhD, Adjunct Associate Professor, Health Services Administration

A unique feature of the UMD EMPH is the intensive leadership training that begins immediately on the first day of the program and is woven throughout the two years.

Fall

EPIB610 Foundations of Epidemiology (3 credits)
Faculty: Bev Wolpert, PhD, public health epidemiologist, FDA

HLSA601 Introduction to Health Systems (3 credits)
Karen Rosentraub, PhD, Research Professor, University of Michigan

Spring

HLSA745 Public Health Practice and Management (3 credits)
Faculty: Hiring PhD in process by Health Services Administration

EPIB650 Biostatistics (3 credits)
Faculty: Ed Hsu, PhD, Research Professor, Texas A and M

Summer

HLSA775 Public Health Research (3 credits)
Faculty: Rada Dagher, PhD, Assistant Professor, Health Services Administration
Summer salary

HLSA 702 Politics and Policy of Health (3 credits)
Faculty: Lori Simson-Rusinowitz, PhD, Associate Professor, Health Services Administration
Summer salary

YEAR 2: (21 credits)

Integrating course throughout all three Year 2 semesters

HLSA786: Capstone Project in Public Health (3 credits)
Faculty: Tracey Manning, PhD, Adjunct Associate Professor, Health Services Administration
The internship and capstone project are woven throughout the semester and are designed to launch students into the next stages of upward career paths.

Fall

HLSA740: Healthcare Strategic Planning and Evaluation (3 credits)
Faculty: Christopher King, PhD expected August 2012, Lecturer, Health Services Administration

HLSA720: Health Law and Ethics (3 credits)
Faculty: Mary Kivlighan, JD, Assistant Dean, School of Public Health

HLSA785: Internship in Public Health (2 credits) with HLSA709: Current Topics in Health (1 credits)
Faculty: Sharon Simson, PhD, MSHA, Research Professor, Health Services Administration

Spring

HLSA711: Healthcare Economics and Analysis (3 credits)

Faculty: Jack Meyer, PhD, Professor of the Practice, Health Services Administration

MIEH600: Foundations of Environmental Health (3 credits)

Faculty: PhD hiring in process by MIAEH

Summer

HLTH665: Health Behavior (3 credits)

Faculty: Katherine Sharp, PhD, Lecturer, Behavioral and Community Health

C. Identify the source to pay for the required physical resources indentified in Section VIII above.

Tuition revenue will be used to cover this self-supporting program's expenses. Courses may be cancelled due to low enrollment.

D. List any other required resources and the anticipated source for them.

Not applicable.

E. Complete the additional proposal and financial tables as required by MHEC.

See attached budget, Appendix II.

Appendix I

New Courses requiring VPAC Approval

HLSA709: *Current Topics in Health Services* (1-3 credits). This course covers current and classic readings on various aspects of the health services including the health care system and health care policy. The readings will be critically analyzed and applied to students' research and health services issues.

HLSA740: *Healthcare Strategic Planning and Evaluation* (2 credits). This course has been revised from 3 credits to 2 credits. Content and requirements have been revised as appropriate for a 2 credits course.

HLSA745: *Public Health Practice and Management* (3 credits): This course covers public health management and practice concepts and definitions; history and development of public health management and practice, health determinants and Healthy People; policy, legal and ethical issues; health departments and programs; community assessment, change and performance measures; health data management; management of public health organizations and workforce; public health policy and practice regarding prevention and chronic disease, primary care, oral diseases, child health, injury control, environmental health, health in the 21st century; future of public health policies and practice.

HLSA775: *Public Health Research Methods* (3 credits): This course covers policy and social issues, theory, and methods of evaluation and participatory research, from simple community based health programs to large-scale interventions. The course emphasizes experimental and quasi-experimental designs to estimate program impact as well as evaluation of program implementation. Case studies drawn from the public health field illustrate various types of evaluations and participatory research initiatives.

Appendix II Budget

EXECUTIVE MASTER OF PUBLIC HEALTH IN PUBLIC HEALTH PRACTICE AND POLICY: Budget [Cohort model used. This program is self-support. Instructors may not teach on-load.]						
Estimated Program Revenue & Support	Planning [2011- 2012]	Year 1	Year 2	Year 3	Year 4	Year 5
1. Tuition Revenue (a x b x c)		\$151,200	\$378,000	\$453,600	\$453,600	\$453,600
a. TTL # of Professional Students Annually		12	30	36	36	36
: Cohort 1		12	12			
: Cohort 2			18	18		
: Cohort 3				18	18	
: Cohort 4					18	18
: Cohort 5						18
b. Per Credit Rate (assumes no increase)		600	600	600	600	600
c. Annual # of credits taken by each cohort		21	21	21	21	21
2. Student Fee: Shady Grove Mandatory Fee		\$2,892	\$7,447	\$9,204	\$9,204	\$9,480
a. Annual rate; Assumes 3% increase		241	248	256	256	263
b. TTL # of Professional Students		12	30	36	36	36
3. Student Fee: Online/Hybrid Mandatory Fee		\$3,168	\$8,158	\$10,083	\$10,083	\$10,385
a. Rate; Assumes 3% increase		88	91	93	93	96
b. Number of terms annually		3	3	3	3	3
b. TTL # of Professional Students		12	30	36	36	36
4. Student Fee: Graduate School Application		\$900	\$1,350	\$1,350	\$1,350	\$1,350
a. Fee (one-time)		75	75	75	75	75
b. Total # of Admitted Students (per cohort)		12	18	18	18	18
5. Development (Courses & Marketing) Support	\$106,500					
a. OES Development Support (75% of total)	79,875					
b. Dean Support (25% of total)	26,625					
Total Estimated Program Revenue & Support	\$106,500	\$158,160	\$394,955	\$474,237	\$474,237	\$474,816

Estimated Program Expenses	Planning	Year 1	Year 2	Year 3	Year 4	Year 5
1. Total Instructional (Salary & FICA)		\$52,920	\$109,015	\$112,286	\$112,286	\$115,654
a.Total Salary		\$49,000	\$100,940	\$103,968	\$103,968	\$107,087
1). Ttl # of instructors		7	14	14	14	14
Instructors needed for 1 section based on 18 seats max		7	14	14	14	14
2). Instructor salary; assumes 3% increase		7,000	7,210	7,426	7,426	7,649
b. Total FICA (8%)		3,920	8,075	8,317	8,317	8,567
2. Total Academic Administrative (Salary & FICA)		\$7,560	\$7,787	\$8,020	\$8,020	\$8,261
a. Academic Director; assumes a 3% annual increase		1	1	1	1	1
b. Total Salary		7,000	7,210	7,426	7,426	7,649
c. Total FICA (8%)		560	577	594	594	612
3.Total Support Staff						
Administrative services such as program management (including program compliance with all University regulations, policies, and procedures), financial management (including faculty contracting and faculty pay processing), and student services management (including support for admissions, registration, payment, financial aid, and other campus services) provided by the Office of Extended Studies.						
4. Development--Courses	\$106,500					
a1. Development of New Courses: Faculty Time	6,000					
a2. Ttl # of new courses	4					
b1. Fee to convert existing course to online format	5,500					
b2. Ttl # of courses	11					
b1. Fee to convert new course to online format	5,500					
b2. Ttl # of courses	4					
5. Office, computers, furniture (Charges directly billed for telephone, copying, & postage.)		\$1,625	\$1,625	\$1,625	\$1,625	\$1,625
a. Shady Grove Office Fee		1,210	1,210	1,210	1,210	1,210
b. Office Facilities/Parking Fee		415	415	415	415	415
c. # of offices (one office per term)		1	1	1	1	1
6. Classroom Rental Space		\$525	\$525	\$1,050	\$1,050	\$1,050
a. Shady Grove Usage Fee: traditional classrooms		525	525	525	525	525
b. TTL # of courses annually requiring classrooms		1	1	2	2	2
: Cohort 1 (18 students max per section)		1	1			
: Cohort 2 (18 students max per section)			1	1		
: Cohort 3 (18 students max per section)				1	1	
: Cohort 4 (18 students max per section)					1	1
: Cohort 5 (18 students max per section)						1

Estimated Program Expenses (con't)	Planning	Year 1	Year 2	Year 3	Year 4	Year 5
7. Course Related Materials		\$2,100	\$11,250	\$13,500	\$13,500	\$13,500
a. TTL # of Courses Offered Annually		7	15	15	15	15
b. TTL # of Professional Students Annually		12	30	36	36	36
c. Estimated cost per course		25	25	25	25	25
8. Marketing (Provided by academic unit; not through OES)	\$0	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
9. Support for Online/Hybrid Instructors		\$1,200	\$2,400	\$2,400	\$2,400	\$2,400
a. TTL # of online/hybrid instructors annually		6	12	12	12	12
b. Estimated cost		200	200	200	200	200
10. UM Overhead (4.1% of expenses)		\$6,790	\$4,773	\$4,907	\$4,907	\$5,045
11. Student Fees (100 % returned to campus)		\$6,960	\$16,955	\$20,637	\$20,637	\$21,216
a. Shady Grove Mandatory Fee		2,892	7,447	9,204	9,204	9,480
b. Online/Hybrid Mandatory Fee (OIT Student Support)		3,168	8,158	10,083	10,083	10,385
c. Graduate School Application Fee		900	1,350	1,350	1,350	1,350
12. OES Administrative Fee		\$30,240	\$75,600	\$72,315	\$45,360	\$45,360
a. 10% of tuition revenue for OES administrative costs		15,120	37,800	45,360	45,360	45,360
b. 10% of tuition revenue to repay OES development fund		15,120	37,800	26,955		
Estimated Program Expenses (Add 1 - 12)	\$106,500	\$106,760	\$215,575	\$218,703	\$191,748	\$195,495
Cost Containment: 1.34% of expenses (estimated)		\$2,858	\$2,889	\$2,931	\$2,569	\$2,620
Total Estimated Expenses		\$109,618	\$218,464	\$221,634	\$194,318	\$198,115



UNIVERSITY OF MARYLAND

THE UNIVERSITY LIBRARIES

College Park, Maryland 20742

DATE: October 4, 2010

TO: Stephanie C. McKissic
Program Manager, Office of Extended Studies

FROM: Nedelina Tchangalova
Librarian, Liaison for the School of Public Health

Dr. Desider Viktor *DLV*
Director for Collection Management and Special Collections

Gerri Foudy
Manager of Collections and Scholarly Communication *GF*

RE: Library Collection Assessment

This assessment is to accompany the documentation for the Graduate Certificate and Masters of Professional Studies in Public Health Practice and Policy program proposed by the Office of Extended Studies in collaboration with the School of Public Health. The courses will be conducted by the Department of Health Services Administration. This program seeks to build upon established courses offered by the School of Public Health. Therefore, we feel that the UM Libraries' collections provide a strong base and continued growth to support adequately the curricular and research needs of this newly-proposed program.

Books

The Libraries' current collection of public health administration books is sufficient to meet the needs of the program. The ongoing acquisition of scholarly books is expected to be adequately covered through existing acquisition practices and budgeting. New electronic books are added yearly to library collections.

If there is a need beyond the UM Libraries' holdings for books, our University System of Maryland and Affiliated Institutions (USMAI) Catalog includes 15 other Maryland campuses from which books may be borrowed. Interlibrary loans are also an option for additional items.

Journals

The Libraries currently subscribe to 22 journals (print and electronic) dealing specifically with the topic of health services administration.

Journal Citation Reports (JCR), a database that uses citation data to rank and determine the impact factor of journals within given academic fields, lists 122 journals for the subject "Public, Environmental & Occupational Health." Twenty three of these titles have an impact factor (IF) of 3.000 or above. The journal with the highest impact factor, *Epidemiologic Reviews*, to which the Libraries subscribe, has an IF of 17.500. UM Libraries have current subscriptions to all these top 23 titles with impact factor 3.000 and above.

JCR lists 69 journals for the subject "Health Care Sciences & Services." Seven of these titles have an impact factor (IF) of 3.000 or above. The journal with the highest impact factor, *Health Technology Assessment*, to which the Libraries have a subscription, has an IF of 6.910. UM Libraries have current subscriptions to all of these top 7 titles with impact factor 3.000 and above.

In addition to the main journals for the field, the Libraries provide access to several electronic journals dealing with general aspects of the leadership concept: *Leadership Excellence*, *Leadership in Action*, *The Leadership Quarterly*, *Leadership Wisdom: Discovering the Lessons of Experience*, and more.

Databases and Additional Online Full Text

A wide variety of databases exist that provide indexing, and in many cases full text, for journal articles and other information sources in many different subject areas. These include:

- Health related databases such as *PubMed*, *CINAHL*, and *Health Source: Consumer Edition*.
- Politics and public policy such as *PAIS International*, *National Journal Policy Database*, *Worldwide Political Sciences Abstracts*, *CQ Almanac*, *LexisNexis Congressional*, and *LexisNexis State Capital*.
- Psychology of leadership such as *PsycInfo*.
- Leadership related to various ethnic groups could be further supported by such databases as: *Ethnic Newswatch*, *International Index to Black Periodicals*, *Hispanic American Periodicals Index*, *Chicano Database*, *GenderWatch*, *Women's Studies International*, and *Contemporary Women's Issues*.
- Business databases such as *Business Source Complete*, and *Factiva*.
- Sociology such as *SocIndex*, *Social Sciences Citation Index*, and *JSTOR Sociology*.
- News sources and current events such as *LexisNexis Academic*.
- Multidisciplinary databases such as *Academic Search Premier*, *Web of Science*, and *ScienceDirect*.

Conclusion

Our assessment is that the UM Libraries are able to support the courses that constitute the proposed Graduate Certificate and Masters of Professional Studies in Public Health Practice and

Policy program. The program is well-supported by existing collections and collecting practices and does not require added funding for library materials.



University Senate TRANSMITTAL FORM

Senate Document #:	11-12-06
PCC ID #:	N/A
Title:	Policies on the Employment of Adjunct Faculty
Presenter:	Charles Fenster, Chair, Senate Faculty Affairs Committee
Date of SEC Review:	February 22, 2012
Date of Senate Review:	March 8, 2012
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>On October 3, 2010 the Board of Regents approved the USM II-1.07 Policy on the Employment of Adjunct Faculty, which required all institutions of the University System of Maryland (USM) to adopt and implement an adjunct faculty policy by September 1, 2011. Because of the short timeline, the University of Maryland's Office of Faculty Affairs developed an interim policy (II-1.07(A)) to satisfy the USM request. In addition, an amendment to the University of Maryland Policy on Full-Time and Part-time Non-Tenure Track Instructional Faculty policy (II-1.00(F)) was also approved on interim basis for clarification purposes.</p>
Relevant Policy # & URL:	http://president.umd.edu/policies/ii107a.html http://president.umd.edu/policies/II-100F.html
Recommendation:	<p>The Faculty Affairs Committee (FAC) recommends that the new policy, UMCP Policy on the Employment of Adjunct Faculty II-1.07(A) be approved as it appears in Appendix 1. In addition, the FAC recommends that the amendment to the University of Maryland Policy on Full-Time and Part-Time Non-Tenure-Track Instructional Faculty policy II-1.00(F) be approved as it appears in Appendix 2.</p>
Committee Work:	<p>The FAC reviewed these policies during the Fall 2011 semester. The committee consulted with the Office of Faculty Affairs and the President's Legal Office to ensure that the proposed amendments were appropriate. The committee also held an open forum to get input from the affected adjunct faculty and reviewed similar policies at peer institutions. The FAC also</p>

	<p>reviewed suggestions from the Senate Executive Committee</p> <p>At its meeting on February 16, 2012, following deliberation, the FAC voted unanimously in favor of recommending the University make proposed amendments to both policies.</p>
Alternatives:	The University could use the USM policy, which only affects a small group of adjunct faculty on our campus.
Risks:	There are no associated risks.
Financial Implications:	Individual units will have to bear the cost of the compensation increment for those adjunct faculty I who are promoted to adjunct faculty II status.
Further Approvals Required:	Senate Approval, Presidential Approval.

Senate Faculty Affairs Committee

Senate Document 11-12-06

Policies on the Employment of Adjunct Faculty

February 2012

BACKGROUND:

On October 3, 2010 the Board of Regents approved the USM II-1.07 Policy on the Employment of Adjunct Faculty, which required all institutions of the University System of Maryland (USM) to adopt and implement an adjunct faculty policy by September 1, 2011. Because of the short timeline, the University of Maryland's Office of Faculty Affairs developed an interim policy (II-1.07(A)) to satisfy the USM request. In addition, an amendment to the University of Maryland Policy on Full-Time and Part-time Non-Tenure Track Instructional Faculty policy (II-1.00(F)) was also approved on interim basis for clarification purposes.

The new policy is designed to establish baseline standards related to searches, appointments, contracts, and conditions of employment for adjunct faculty. Its goal is to assure the quality of instruction by individuals with appropriate credentials and experience and to facilitate a continuous improvement in their status at the University. The policy applies to non-tenure-track instructors appointed to teach specific courses who are (a) compensated on a course-by-course basis or (b) on a salaried appointment at less than 50% FTE and ineligible for benefits. The amendment to the existing policy ((II-1.00(F)) clarifies that that particular policy applies only to instructional faculty with appointments of 50% or more FTE.

The Senior Vice President and Provost, Ann Wylie, submitted a proposal for the Senate to conduct a thorough official review of the new interim policy (II-1.07(A)) as well as the amendment to the existing policy (II-1.00(F)) in August 2011.

COMMITTEE WORK:

The Senate Faculty Affairs Committee (FAC) was charged (Appendix 3) by the Senate Executive Committee (SEC) with reviewing the proposal, "Policies on the Employment of Adjunct Faculty" on September 12, 2011 (Appendix 4). The SEC asked the FAC to review the proposed new policy and amendment to existing policy to determine whether they are appropriate.

The SEC asked the FAC to consult with the Office of Faculty Affairs and the Office of Legal Affairs. Dr. Juan Uriagereka, Associate Provost for Faculty Affairs, sits on the

FAC and provided input throughout the review process. A member of the University's Office of Legal Affairs was also consulted on the proposed revisions to the policy.

The FAC created a working group to determine any necessary revisions to the interim policy. In addition, the FAC held an open forum on November 15, 2011 to gather input from adjunct faculty whom the new policy would affect. The FAC also reviewed data from the Office of Institutional Research, Planning, and Assessment (IRPA) to better understand the total population that would be affected based on the revised guidelines that the working group was proposing. In addition, the committee reviewed similar policies at peer institutions and found that the proposed policy was in line or slightly better than what they currently have in place. The FAC also reviewed suggestions from the Senate Executive Committee (SEC)

RECOMMENDATIONS:

At its meeting on February 16, 2012, the Faculty Affairs Committee voted unanimously in favor of recommending that the new policy, UMCP Policy on the Employment of Adjunct Faculty II-1.07(A) be approved as it appears in Appendix 1. In addition, the FAC recommends that the amendment to the University of Maryland Policy on Full-Time and Part-time Non-Tenure Track Instructional Faculty policy II-1.00(F) be approved as it appears in Appendix 2.

APPENDICES:

- Appendix 1 – Recommended Policy Changes to the Interim UMCP Policy on the Employment of Adjunct Faculty II-1.07(A)
- Appendix 2 – Recommended Amendment to the University of Maryland Policy on Full-Time and Part-time Non-Tenure Track Instructional Faculty policy II-1.00(F)
- Appendix 3 – Charge from the Senate Executive Committee, September 12, 2011
- Appendix 4 – Policies on the Employment of Adjunct Faculty Proposal

APPENDIX 1

Recommended Policy Changes to the Interim UMCP Policy on the Employment of Adjunct Faculty II-1.07(A)

II-1.07(A) UNIVERSITY OF MARYLAND POLICY ON THE EMPLOYMENT OF ADJUNCT FACULTY

I. POLICY STATEMENT

This policy is designed to establish baseline standards for the University related to search processes, appointments, contracts and conditions of employment for adjunct faculty. The goal of the policy is to assure a high quality of instruction by individuals with appropriate credentials and experience and to facilitate a continuous improvement in the status of adjunct faculty at the University.

II. APPLICABILITY

- A. This policy applies to adjunct faculty defined as faculty who are:
 - 1. Employed to provide instructional services;
 - 2. Neither tenured nor eligible for tenure; and
 - 3. Appointed to teach specific courses and compensated either
 - i. on a course-by-course basis or
 - ii. on a salaried appointment at less than 50% FTE **and are ineligible for health benefits.**

- B. Policies for Salaried Part-Time, Non-Tenure Track Faculty. Part-Time, Non-Tenure Track (PTNTT) faculty who are appointed to salaried positions at 50% FTE or more are not included as “adjunct faculty” for the purposes of this policy, and are covered instead by II-1.00(F) University of Maryland Policy on Full-Time and Part-Time Non-Tenure Track Instructional Faculty.

III. CATEGORIES OF ADJUNCT FACULTY

For the purposes of this policy, adjunct faculty shall be designated as one of the following:

- A. “Adjunct Faculty I”: All adjunct faculty, except those faculty members who have been designated by an institution as “Adjunct Faculty II”;

- B. “Adjunct Faculty II”: Adjunct faculty members who have been determined by the University to have a consistent record of high-quality instruction. Upon the written request of the faculty member to the department chair or unit head, the University shall consider granting Adjunct Faculty II status to adjunct faculty members who meet the following criteria:
 - 1. ~~Have an established record of teaching for at least six (6) semesters, e.g., Fall and Spring; and~~ **Are currently teaching in the department;**

2. **Have taught a minimum of 36 credits each at the University within the past 5 academic years (excluding summer and winter terms); and**
3. Are supported by a series of high-level performance evaluations.

“Adjunct Faculty II” status shall be granted upon the recommendation of the department or unit chair and Dean, subject to approval by the Provost.

IV. ADJUNCT FACULTY POSITION TITLES

Adjunct faculty who are designated as Adjunct Faculty I or Adjunct Faculty II by the University may hold the titles of Lecturer, Senior Lecturer, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor.

V. RECRUITMENT AND SELECTION OF ADJUNCT FACULTY

- A. Credentials. The University shall develop written standards for the academic degrees or professional certification and professional experience required for appointment as adjunct faculty. These standards may vary depending on the level of courses to be taught.
- B. Selection Procedures. The Provost shall assure that each college or hiring unit has in place written procedures for selecting adjunct faculty. Procedures shall include verification of credentials and shall reflect the University’s commitment to equal opportunity and affirmative action.

VI. PROFESSIONAL DEVELOPMENT AND WORKING CONDITIONS

- A. Support for Teaching. The University shall provide each Adjunct Faculty member with the support it determines to be necessary for the execution of the appointee’s duties, which may include access through the University’s website or other electronic resources, including the following:
 1. Information on the **university**, college, and department’s policies, requirements, learning outcomes and goals for each course, along with access to examples of past course syllabi (if available);
 2. Official schedule of classes, including academic calendar and time frames of class meetings;
 3. Assistance with textbook ordering and completing textbook compliance form.
 4. A University email account along with access to on-campus computing facilities; and
 5. For Adjunct Faculty teaching face-to-face classes on campus;
 - a. Telephone or other voice access, as appropriate;
 - b. Necessary office supplies;
 - c. Copying services for course materials; and

- d. Appropriate space for meeting with students during scheduled office hours.

B. Professional Development. To the extent feasible, professional development opportunities for new Adjunct Faculty shall include:

1. Departmental orientation and overview
2. Campus orientation
3. Introduction to teaching ~~policies and~~ resources
4. Training in using UMEG, TESTUDO; ELMS and other course administration and learning instruction information technology.

Subsequent opportunities for development also will be provided to the extent feasible. Such opportunities may include invitations to departmental, college, University, and external faculty development events, mentoring from senior faculty, and support for attending academic conferences.

C. Performance Evaluation. The Senior Vice President and Provost will assure that each department has in place written procedures for evaluating Adjunct Faculty performance on a regular schedule, as required by BOR II-1.20 Policy on Evaluation of Performance of Faculty and ~~Policy~~ II-1.20(A) UMCP Policy on Periodic Evaluation of Faculty Performance.

1. Among other things, performance evaluation procedures shall include student evaluations and faculty classroom visitation and observation.
2. Departments shall evaluate the teaching by Adjunct Faculty members on the same basis used to evaluate the teaching of tenure-track faculty members.
3. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, compensation, and any subsequent appointments are made.

VII. Appointment, Designation and Assignment

A. Appointment of Adjunct Faculty Members

1. Contracts and Letters of Appointment. Each Adjunct Faculty member, including both Adjunct Faculty I and Adjunct Faculty II, shall be provided a written contract or formal letter of appointment prior to the beginning of the assignment, which includes:
 - a. Position title;
 - b. Contract term;
 - c. Per-course compensation **or salary rate and % FTE appointment;**
 - d. Description of the assignment;
 - e. Institution benefits, if any;
 - f. Information regarding faculty policies and procedures, including performance evaluation policies;

- g. Explanation of the implications of the cancellation of a course before the start date;
 - h. Information about eligibility for and benefits associated with designation of Adjunct Faculty II status;
2. Provisions for Adjunct Faculty II
- a. After designation of “Adjunct Faculty II” status, a faculty member:
 - i. Shall be sent a letter of notification from the Dean’s Office. The letter shall stipulate the benefits of designation of “Adjunct Faculty II” status, including provisions (2) through (4) below.
 - ii. Shall receive a compensation increment **beginning the following year and continuing each year thereafter in the amount** of at least 10% of the ~~average per course minimum, annual~~ compensation ~~of his/her department or unit~~ **for adjunct faculty at the University set by the Provost for that year**, consistent with State and USM budget policies;
 - iii. Shall be given priority consideration, to the extent operationally feasible, among adjunct faculty for future teaching assignments in the subjects for which the adjunct faculty member has had consistent instructional experience at the University;
 - iv. May be eligible for longer-term appointments that assure the adjunct faculty member assignment to a fixed number of classes during the term of the appointment.
 - b. Designation of “Adjunct Faculty II” status does not prevent an adjunct faculty member from competition for or selection into a salaried part-time non-tenure-track or other faculty position.
3. Teaching Assignments. The appointing department shall provide adjunct faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes.
- a. The University has the goal of providing such notice 45 days before the class start date, to the extent feasible. Nothing in this section shall prevent a department from making an adjunct faculty teaching appointment on short notice based on changed circumstances in class enrollments, the availability of resources, or other factors.
 - b. If the University has a fall or spring semester class to which an adjunct faculty member has been assigned that is cancelled less than 30 days prior to the class start date, and has been unable to offer the adjunct faculty member re-assignment to a comparable class, the University shall compensate the adjunct faculty member 10% of the payment amount specified in the contract or appointment letter for that class.

VIII. Compensation and Benefits

- A. Compensation. Every effort should be made to make adjunct faculty compensation professionally appropriate and competitive to the extent allowed by available fiscal resources.
- B. Benefits for Adjunct Faculty. Adjunct faculty shall be entitled to receive institutional benefits as designated in their written contract or formal letter of appointment.
- C. Sabbatical and Terminal Leave. Adjunct faculty members are ineligible for sabbatical leave or for terminal leave, regardless of length of service.

IX. Grievance and Appointment Rights

- A. Grievance Procedure. Adjunct faculty shall have available the same grievance procedures as all other faculty, consistent with the USM Policy on Faculty Grievances, II-4.00 and UMCP Policy and Procedure Governing Faculty Grievances II-4.00(A).
- B. Process Related to the Termination of Adjunct Faculty. Prior to terminating an Adjunct faculty member's appointment before the end of its term, the faculty member shall be offered an opportunity to meet and discuss the matter at the level of the College or School. The University may remove the Adjunct faculty member from the classroom, provided, however, it shall continue to pay the Adjunct faculty member pending a reasonable opportunity to be heard.

X. Participation in the Campus Community

- A. Adjunct faculty members shall be invited, to the extent feasible, to participate in the scholarly, intellectual, academic, and social life aspects of the department, college and University.
- B. Shared Governance Participation: The University shall provide opportunities for adjunct faculty to communicate their concerns to campus administration, provide advice in the development and implementation of policies and procedures related to adjunct faculty, and otherwise participate fully in shared governance through participation in existing shared governance bodies, with sufficient numbers of positions designated for adjunct faculty to ensure their **significant** representation.

APPENDIX 2

Recommended Amendment to the University of Maryland Policy on Full-Time and Part-time Non-Tenure Track Instructional Faculty policy II-1.00(F)

II-1.00(F) UNIVERSITY OF MARYLAND POLICY ON FULL-TIME and PART-TIME NON-TENURE TRACK INSTRUCTIONAL FACULTY

APPROVED BY THE PRESIDENT May 16, 2002; Technical Amendments February 23, 2009

This policy applies to faculty employed to provide instructional services who (1) have salaried appointments of 50% FTE or greater and (2) are neither tenured nor eligible for tenure. This policy does not apply to adjunct faculty as defined by II-1.07(A) University of Maryland Policy on the Employment of Adjunct Faculty. Instructional faculty who are: (1) neither tenured nor eligible for tenure and (2) are either compensated on a course-by-course basis or on salaried appointments at less than 50% are covered by II-1.07(A) University of Maryland Policy on the Employment of Adjunct Faculty.

STANDARD EMPLOYMENT ELEMENTS

1. Credentials: Each department or unit shall develop written standards for the academic degrees or professional certifications and/or professional experience required for appointment to part time non-tenure track (PTNTT) and full-time non-tenure track instructional faculty (FTNTT) ranks. These standards should be appropriate for the needed instructional level.
2. Search Procedures: Hiring of PTNTT and FTNTT faculty members should be conducted under procedures that will ensure the selection of qualified professionals. Each department or unit shall develop written procedures for evaluating credentials and selecting faculty.
3. Written Contracts: All FTNTT and PTNTT faculty members shall be provided with clear written and approved contracts prior to the beginning of their assignment. The contract shall stipulate the term of the contract, the salary, assignments and expectations, expected notification about renewal or non-renewal, resources, and performance-evaluation policies and procedures.
4. Support for Teaching: In the best interest of students, all FTNTT and PTNTT instructional faculty members should be provided with the necessary and appropriate department or unit support for the execution of their duties. These resources should conform to departmental practices with respect to assistance in ordering books, duplication of class syllabi and examination questions, provision of teaching supplies. Care should be taken to ensure that students can have access

to FTNTT and PTNTT faculty members through mailboxes, appropriate spaces for meeting students, electronic mail, telephones, etc. Where appropriate and feasible, and with the agreement of the department faculty, the professional development of FTNTT and PTNTT faculty members should be supported. This may include extending invitations to departmental and institutional faculty development events.

5. Performance Evaluation: Each department shall have written procedures for evaluating FTNTT and PTNTT faculty performance on a regular schedule, as required by BOR Policy II-1.20. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions are made about rank, salary, and contract renewal. FTNTT and PTNTT faculty members shall have the opportunity to review each evaluation and sign off on it.

CONTRACT COMPONENTS

6. Term of Employment: Normally, initial contracts for FTNTT instructional faculty should be for one academic year, and initial contracts for PTNTT instructional faculty should be for a period of one semester. Departments are encouraged to offer two or three year contracts to FTNTT faculty members with records of long-term satisfactory service verified by written evaluations of performance and to offer longer-term contracts, not to exceed three years, to PTNTT instructional faculty in cases of demonstrated departmental need.
7. Notice of Non-Renewal: FTNTT instructional faculty should receive adequate notice of non-renewal of contracts as specified in Board of Regents Policy II-1.00 University System Policy on Appointment, Rank, and Tenure of Faculty (section 1. C. 12). PTNTT instructional faculty should receive at least 30 days of notice of non-renewal prior to the end of a current contract. After five or more years of continuous service, any PTNTT or FTNTT instructional faculty member whose contract is not renewed should be informed in writing of the basis of a decision not to renew. The faculty member has the right to appeal the decision consistent with the institution's faculty grievance policy and procedures.
8. Faculty Grievance: Departments shall inform PTNTT and FTNTT instructional faculty members that they have full access to the faculty grievance procedure. Grievances may include the non-renewal of a contract.
9. Teaching Assignment: Whenever possible, departments should provide notice of projected teaching assignment(s) at least 45 days prior to the start of classes to allow for appropriate preparation. In addition, all contracts should specify the consequences of the class being cancelled prior to the start of classes.

INTEGRATION INTO THE INSTITUTION

10. Faculty Participation: Each department or unit should make every effort to integrate FTNTT and PTNTT faculty members into the scholarly, intellectual and academic life of the department or unit, and institution. Departments are encouraged to have policies aimed toward this integration.
11. Shared Governance: All FTNTT and PTNTT faculty should be informed of the procedures and calendar for the election of their representatives in the University Senate.
12. Ranks: The University should confer appropriate, non-tenure track instructional ranks commensurate with credentials and professional experience. For long-term PTNTT and FTNTT instructional faculty, academic units should consider the development of procedures for progression in rank.

APPENDIX 3



University Senate CHARGE

Date:	September 12, 2011
To:	Charles Fenster Chair, Faculty Affairs Committee
From:	Eric Kasischke Chair, University Senate 
Subject:	Interim Policies on the Employment of Adjunct Faculty
Senate Document #:	11-12-03
Deadline:	November 18, 2011

The Senate Executive Committee (SEC) requests that the Faculty Affairs Committee review the attached proposal entitled, “Interim Policies on the Employment of Adjunct Faculty” and make recommendations on whether the draft policy and amendment to a related policy are appropriate.

The Board of Regents approved the USM II-1.07 Policy on the Employment of Adjunct Faculty. They have tasked the University with developing a campus policy that aligns with the University System of Maryland (USM) policy. The attached proposed adjunct policy and amendment to the existing UMCP II-1.00(F) University of Maryland Policy on Full-Time and Part-Time Non-Tenure Track Instructional Faculty responds to this request. The SEC requests that the Faculty Affairs Committee review the proposed new policy and amendment to existing policy to determine whether they are appropriate.

Specifically, we ask that you:

1. Review similar policies for adjunct faculty at our peer institutions.
2. Consult with the University’s Office of Faculty Affairs on the impact of this new policy on our adjunct faculty.
3. Review whether the proposed new policy aligns with the USM Policy.
4. Review whether additional UMCP policies must be amended to address the new policy.
5. If appropriate, recommend whether the proposed policy and amendment should be revised.

We ask that you submit your report and recommendations to the Senate Office no later than November 18, 2011. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

APPENDIX 4



**University Senate
PROPOSAL FORM**

Name:	Ann Wylie
Date:	August 31, 2011
Title of Proposal:	INTERIM POLICIES ON THE EMPLOYMENT OF ADJUNCT FACULTY
Phone Number:	x-56814
Email Address:	juan@umd.edu
Campus Address:	1119 Main Administration, College Park, MD 20742
Unit/Department/College:	Office of the Senior Vice President and Provost
Constituency (faculty, staff, undergraduate, graduate):	Instructional non-tenure-track Faculty (adjunct faculty)
Description of issue/concern/policy in question:	<p>USM II-1.07 Policy on the Employment of Adjunct Faculty (approved by the Board of Regents 10.3.10) requires all campuses in the USM to adopt an implementing adjunct faculty policy by 9.1.11. The attached proposed adjunct policy satisfies that request. In addition, a clarification to the existing UMCP II-1.00(F) FT and PT NTT Instructional Faculty policy is also proposed to delimit the instructional faculty constituency each policy serves (depending on whether the employee is appointed above or below 50% FTE). Because of the 9.1.11 USM deadline, although President Loh approved the interim policies on August 30, 2011, both policies are presented to the SEC as “interim”, and pending University Senate Action in Fall 2011. The Senate should review the draft policies and submit them for presidential approval before they are finalized, as is normally the case.</p>
Description of action/changes you would like to see implemented and why:	<p>The new Adjunct policy is designed to establish baseline standards related to searches, appointments, contracts and conditions of employment for adjunct faculty. Its goal is to assure the quality of instruction by individuals with appropriate credentials and experience, and to facilitate a continuous improvement in their status at the University. The policy applies to non-tenure-track instructors appointed to teach specific courses and compensated (a) on a course-by-course basis or (b) on a salaried appointment at less than 50% FTE. The FT PT NTT Instructional policy modification clarifies that the policy applies only to instructional faculty with appointments of 50% or more FTE.</p>

Suggestions for how your proposal could be put into practice:	The USM requires a version of this policy by 9.1.11.
Additional Information:	The present draft has been carefully reviewed by the Chancellor.

Please send your completed form and any supporting documents to senate-admin@umd.edu or University of Maryland Senate Office, 1100 Marie Mount Hall.

II-1.07(A) UNIVERSITY OF MARYLAND POLICY ON THE EMPLOYMENT OF ADJUNCT FACULTY (Interim Policy: Pending University Senate Action in Fall 2011)

I. POLICY STATEMENT

This policy is designed to establish baseline standards for the University related to search processes, appointments, contracts and conditions of employment for adjunct faculty. The goal of the policy is to assure a high quality of instruction by individuals with appropriate credentials and experience and to facilitate a continuous improvement in the status of adjunct faculty at the University.

II. APPLICABILITY

- A. This policy applies to adjunct faculty defined as faculty who are:
 - 1. Employed to provide instructional services;
 - 2. Neither tenured nor eligible for tenure; and
 - 3. Appointed to teach specific courses and compensated either
 - i. on a course-by-course basis or
 - ii. on a salaried appointment at less than 50% FTE.

- B. Policies for Salaried Part-Time, Non-Tenure Track Faculty. Part-Time, Non-Tenure Track (PTNTT) faculty who are appointed to salaried positions at 50% FTE or more are not included as “adjunct faculty” for the purposes of this policy, and are covered instead by II-1.00(F) University of Maryland Policy on Full-Time and Part-Time Non-Tenure Track Instructional Faculty.

III. CATEGORIES OF ADJUNCT FACULTY

For the purposes of this policy, adjunct faculty shall be designated as one of the following:

- A. “Adjunct Faculty I”: All adjunct faculty, except those faculty members who have been designated by an institution as “Adjunct Faculty II”;

- B. “Adjunct Faculty II”: Adjunct faculty members who have been determined by the University to have a consistent record of high-quality instruction. Upon the written request of the faculty member to the department chair or unit head, the University shall consider granting Adjunct Faculty II status to adjunct faculty who have met the following criteria:
 - 1. Have an established record of teaching for at least six (6) semesters, e.g., Fall and Spring; and
 - 2. Are supported by a series of high-level performance evaluations.

“Adjunct Faculty II” status shall be granted upon the recommendation of the department or unit chair and Dean, subject to approval by the Provost.

IV. ADJUNCT FACULTY POSITION TITLES

Adjunct faculty who are designated as Adjunct Faculty I or Adjunct Faculty II by the University may hold the titles of Lecturer, Senior Lecturer, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor.

V. RECRUITMENT AND SELECTION OF ADJUNCT FACULTY

- A. **Credentials.** The University shall develop written standards for the academic degrees or professional certification and professional experience required for appointment as adjunct faculty. These standards may vary depending on the level of courses to be taught.
- B. **Selection Procedures.** The Provost shall assure that each college or hiring unit has in place written procedures for selecting adjunct faculty. Procedures shall include verification of credentials and shall reflect the University's commitment to equal opportunity and affirmative action.

VI. PROFESSIONAL DEVELOPMENT AND WORKING CONDITIONS

- A. **Support for Teaching.** The University shall provide each Adjunct Faculty member with the support it determines to be necessary for the execution of the appointee's duties, which may include access through the University's website or other electronic resources, including the following:
 - 1. Information on the college and department's policies, requirements, learning outcomes and goals for each course, along with access to examples of past course syllabi (if available);
 - 2. Official schedule of classes, including academic calendar and time frames of class meetings;
 - 3. Assistance with textbook ordering and completing textbook compliance form.
 - 4. A University email account along with access to on-campus computing facilities; and
 - 5. For Adjunct Faculty teaching face-to-face classes on campus;
 - a. Telephone or other voice access, as appropriate;
 - b. Necessary office supplies;
 - c. Copying services for course materials; and
 - d. Appropriate space for meeting with students during scheduled office hours.

- B. **Professional Development.** To the extent feasible, professional development opportunities for new Adjunct Faculty shall include:
 - 1. Departmental orientation and overview
 - 2. Campus orientation
 - 3. Introduction to teaching policies and resources
 - 4. Training in using UMEG, TESTUDO; ELMS and other course administration and learning instruction information technology.

Subsequent opportunities for development also will be provided to the extent feasible. Such opportunities may include invitations to departmental, college, University, and external faculty development events, mentoring from senior faculty, and support for attending academic conferences.

- C. **Performance Evaluation.** The Senior Vice President and Provost will assure that each department has in place written procedures for evaluating Adjunct Faculty performance on a regular schedule, as required by BOR II-1.20 Policy on Evaluation of Performance of Faculty and Policy II-1.20(A) UMCP Policy on Periodic Evaluation of Faculty Performance.
 - 1. Among other things, performance evaluation procedures shall include student evaluations and faculty classroom visitation and observation.

2. Departments shall evaluate the teaching by Adjunct Faculty members on the same basis used to evaluate the teaching of tenure-track faculty members.
3. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, compensation, and any subsequent appointments are made.

VII. Appointment, Designation and Assignment

A. Appointment of Adjunct Faculty Members

1. Contracts and Letters of Appointment. Each Adjunct Faculty member, including both Adjunct Faculty I and Adjunct Faculty II, shall be provided a written contract or formal letter of appointment prior to the beginning of the assignment, which includes:
 - a. Position title;
 - b. Contract term;
 - c. Per-course compensation;
 - d. Description of the assignment;
 - e. Institution benefits, if any;
 - f. Information regarding faculty policies and procedures, including performance evaluation policies;
 - g. Explanation of the implications of the cancellation of a course before the start date;
 - h. Information about eligibility for and benefits associated with designation of Adjunct Faculty II status;
2. Provisions for Adjunct Faculty II
 - a. After designation of “Adjunct Faculty II” status, a faculty member:
 1. Shall be sent a letter of notification from the Dean’s Office. The letter shall stipulate the benefits of designation of “Adjunct Faculty II” status, including provisions (2) through (4) below.
 2. Shall receive a compensation increment of at least 10% of the average per course compensation of his/her department or unit, consistent with State and USM budget policies;
 3. Shall be given priority consideration, to the extent operationally feasible, among adjunct faculty for future teaching assignments in the subjects for which the adjunct faculty member has had consistent instructional experience at the University;
 4. May be eligible for longer term appointments that assure the adjunct faculty member assignment to a fixed number of classes during the term of the appointment.
 - b. Designation of “Adjunct Faculty II” status does not prevent an adjunct faculty member from competition for or selection into a salaried part-time non-tenure-track or other faculty position.
3. Teaching Assignments. The appointing department shall provide adjunct faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes.
 - a. The University has the goal of providing such notice 45 days before the class start date, to the extent feasible. Nothing in this section shall prevent a department from making an adjunct faculty teaching appointment on short notice based on changed circumstances in class enrollments, the availability of resources, or other factors.

- b. If the University has a fall or spring semester class to which an adjunct faculty member has been assigned that is cancelled less than 30 days prior to the class start date, and has been unable to offer the adjunct faculty member re-assignment to a comparable class, the University shall compensate the adjunct faculty member 10% of the payment amount specified in the contract or appointment letter for that class.

VIII. Compensation and Benefits

- A. Compensation. Every effort should be made to make adjunct faculty compensation professionally appropriate and competitive to the extent allowed by available fiscal resources.
- B. Benefits for Adjunct Faculty. Adjunct faculty shall be entitled to receive institutional benefits as designated in their written contract or formal letter of appointment.
- C. Sabbatical and Terminal Leave. Adjunct faculty members are ineligible for sabbatical leave or for terminal leave, regardless of length of service.

IX. Grievance and Appointment Rights

- A. Grievance Procedure. Adjunct faculty shall have available the same grievance procedures as all other faculty, consistent with the USM Policy on Faculty Grievances, II-4.00 and UMCP Policy and Procedure Governing Faculty Grievances II-4.00(A).
- B. Process Related to the Termination of Adjunct Faculty. Prior to terminating an Adjunct faculty member's appointment before the end of its term, the faculty member shall be offered an opportunity to meet and discuss the matter at the level of the College or School. The University may remove the Adjunct faculty member from the classroom, provided, however, it shall continue to pay the Adjunct faculty member pending a reasonable opportunity to be heard.

X. Participation in the Campus Community

- A. Adjunct faculty members shall be invited, to the extent feasible, to participate in the scholarly, intellectual, academic, and social life aspects of the department, college and University.
- B. Shared Governance Participation: The University shall provide opportunities for adjunct faculty to communicate their concerns to campus administration, provide advice in the development and implementation of policies and procedures related to adjunct faculty, and otherwise participate fully in shared governance through participation in existing shared governance bodies, with sufficient numbers of positions designated for adjunct faculty to ensure their significant representation.

DRAFT
08/29/11 Version 8

Amendments to Existing UM Policy

II-1.00(F) UNIVERSITY OF MARYLAND POLICY ON FULL-TIME and PART-TIME NON-TENURE TRACK INSTRUCTIONAL FACULTY

APPROVED BY THE PRESIDENT May 16, 2002; Technical Amendments
February 23, 2009 (Amendments Pending University Senate Action in Fall 2011)

This policy applies to faculty employed to provide instructional services who (1) have salaried appointments of 50% FTE or greater and (2) are neither tenured nor eligible for tenure. This policy does not apply to adjunct faculty as defined by II-1.07(A) University of Maryland Policy on the Employment of Adjunct Faculty. Instructional faculty who are: (1) neither tenured nor eligible for tenure and (2) are either compensated on a course-by-course basis or on salaried appointments at less than 50% are covered by II-1.07(A) University of Maryland Policy on the Employment of Adjunct Faculty.

STANDARD EMPLOYMENT ELEMENTS

1. Credentials: Each department or unit shall develop written standards for the academic degrees or professional certifications and/or professional experience required for appointment to part time non-tenure track (PTNTT) and full-time non-tenure track instructional faculty (FTNTT) ranks. These standards should be appropriate for the needed instructional level.
2. Search Procedures: Hiring of PTNTT and FTNTT faculty members should be conducted under procedures that will ensure the selection of qualified professionals. Each department or unit shall develop written procedures for evaluating credentials and selecting faculty.
3. Written Contracts: All FTNTT and PTNTT faculty members shall be provided with clear written and approved contracts prior to the beginning of their assignment. The contract shall stipulate the term of the contract, the salary, assignments and expectations, expected notification about renewal or non-renewal, resources, and performance-evaluation policies and procedures.
4. Support for Teaching: In the best interest of students, all FTNTT and PTNTT instructional faculty members should be provided with the necessary and appropriate department or unit support for the execution of their duties. These resources should conform to departmental practices with respect to assistance in ordering books, duplication of class syllabi and examination questions, provision of teaching supplies. Care should be taken to ensure that students can have access to FTNTT and PTNTT faculty members through mailboxes, appropriate spaces for meeting students, electronic mail, telephones, etc. Where appropriate and feasible, and with the agreement of the department faculty, the professional development of FTNTT and PTNTT faculty members should be supported. This may include extending invitations to departmental and institutional faculty development events.

5. Performance Evaluation: Each department shall have written procedures for evaluating FTNTT and PTNTT faculty performance on a regular schedule, as required by BOR Policy II-1.20. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions are made about rank, salary, and contract renewal. FTNTT and PTNTT faculty members shall have the opportunity to review each evaluation and sign off on it.

CONTRACT COMPONENTS

6. Term of Employment: Normally, initial contracts for FTNTT instructional faculty should be for one academic year, and initial contracts for PTNTT instructional faculty should be for a period of one semester. Departments are encouraged to offer two or three year contracts to FTNTT faculty members with records of long-term satisfactory service verified by written evaluations of performance and to offer longer-term contracts, not to exceed three years, to PTNTT instructional faculty in cases of demonstrated departmental need.
7. Notice of Non-Renewal: FTNTT instructional faculty should receive adequate notice of non-renewal of contracts as specified in Board of Regents Policy II-1.00 University System Policy on Appointment, Rank, and Tenure of Faculty (section 1. C. 12). PTNTT instructional faculty should receive at least 30 days of notice of non-renewal prior to the end of a current contract. After five or more years of continuous service, any PTNTT or FTNTT instructional faculty member whose contract is not renewed should be informed in writing of the basis of a decision not to renew. The faculty member has the right to appeal the decision consistent with the institution's faculty grievance policy and procedures.
8. Faculty Grievance: Departments shall inform PTNTT and FTNTT instructional faculty members that they have full access to the faculty grievance procedure. Grievances may include the non-renewal of a contract.
9. Teaching Assignment: Whenever possible, departments should provide notice of projected teaching assignment(s) at least 45 days prior to the start of classes to allow for appropriate preparation. In addition, all contracts should specify the consequences of the class being cancelled prior to the start of classes.

INTEGRATION INTO THE INSTITUTION

10. Faculty Participation: Each department or unit should make every effort to integrate FTNTT and PTNTT faculty members into the scholarly, intellectual and academic life of the department or unit, and institution. Departments are encouraged to have policies aimed toward this integration.
11. Shared Governance: All FTNTT and PTNTT faculty should be informed of the

procedures and calendar for the election of their representatives in the University Senate.

12. Ranks: The University should confer appropriate, non-tenure track instructional ranks commensurate with credentials and professional experience. For long-term PTNTT and FTNTT instructional faculty, academic units should consider the development of procedures for progression in rank.



UNIVERSITY OF
MARYLAND

OFFICE OF THE SENIOR VICE PRESIDENT AND PROVOST

1119 Main Administration Building
College Park, Maryland 20742-5031
301.405.5252 TEL 301.405.8195 FAX

MEMORANDUM

DATE: August 30, 2011

TO: Wallace D. Loh
President

FROM: Ann G. Wylie
Senior Vice President and Provost

A handwritten signature in black ink, appearing to read "Ann G. Wylie", written over the printed name and title.

SUBJECT: Interim University of Maryland Policy on the Employment of Adjunct Faculty

1. This is to request that you approve, on an interim basis, the attached *Policy on the Employment of Adjunct Faculty* effective immediately. Speaking generally, the policy offers more job security to adjunct faculty. I am comfortable with it.
2. This is a new policy required by the Board of Regents. A USM Policy on the Employment of Adjunct Faculty was issued to USM institutions during Fall Semester, 2010, with a requirement they adopt parallel implementing policies. There followed significant discussion about the intended scope by of the policy. This has only recently been decided. Nevertheless, we are supposed to have a University policy in place by September 1.
3. Typically, University policies of this nature would emanate from the University Senate for your approval. However, where time constraints such as presently exist, the practice has been for the President to institute a policy on an interim basis, pending further study and possible recommended amendment by the Senate. Like in previous instances, we have informed the Senate Executive Committee and shared the proposed policy with them. We have incorporated its suggested changes into the document. The policy has also been reviewed for form and legal sufficiency by Legal Affairs.
4. I recommend you approve the policy on an interim basis. If you concur, please approve it below.

APPROVED: _____

A handwritten signature in black ink, appearing to read "Wallace D. Loh", written over a horizontal line.

Wallace D. Loh
President

Date: _____

8/30/11

Attachment (1)

II-1.07(A) UNIVERSITY OF MARYLAND POLICY ON THE EMPLOYMENT OF ADJUNCT FACULTY

(Interim Policy Approved by the President August 30, 2011 pending University Senate Action)

I. POLICY STATEMENT

This policy is designed to establish baseline standards for the University related to search processes, appointments, contracts and conditions of employment for adjunct faculty. The goal of the policy is to assure a high quality of instruction by individuals with appropriate credentials and experience and to facilitate a continuous improvement in the status of adjunct faculty at the University.

II. APPLICABILITY

- A. This policy applies to adjunct faculty defined as faculty who are:
 - 1. Employed to provide instructional services;
 - 2. Neither tenured nor eligible for tenure; and
 - 3. Appointed to teach specific courses and compensated either
 - i. on a course-by-course basis or
 - ii. on a salaried appointment at less than 50% FTE.

- B. Policies for Salaried Part-Time, Non-Tenure Track Faculty. Part-Time, Non-Tenure Track (PTNTT) faculty who are appointed to salaried positions at 50% FTE or more are not included as “adjunct faculty” for the purposes of this policy, and are covered instead by II-1.00(F) University of Maryland Policy on Full-Time and Part-Time Non-Tenure Track Instructional Faculty.

III. CATEGORIES OF ADJUNCT FACULTY

For the purposes of this policy, adjunct faculty shall be designated as one of the following:

- A. “Adjunct Faculty I”: All adjunct faculty, except those faculty members who have been designated by an institution as “Adjunct Faculty II”;

- B. “Adjunct Faculty II”: Adjunct faculty members who have been determined by the University to have a consistent record of high-quality instruction. Upon the written request of the faculty member to the department chair or unit head, the University shall consider granting Adjunct Faculty II status to adjunct faculty who have met the following criteria:
 - 1. Have an established record of teaching for at least six (6) semesters, e.g., Fall and Spring; and
 - 2. Are supported by a series of high-level performance evaluations.

“Adjunct Faculty II” status shall be granted upon the recommendation of the department or unit chair and Dean, subject to approval by the Provost.

IV. ADJUNCT FACULTY POSITION TITLES

Adjunct faculty who are designated as Adjunct Faculty I or Adjunct Faculty II by the University may hold the titles of Lecturer, Senior Lecturer, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor.

V. RECRUITMENT AND SELECTION OF ADJUNCT FACULTY

- A. **Credentials.** The University shall develop written standards for the academic degrees or professional certification and professional experience required for appointment as adjunct faculty. These standards may vary depending on the level of courses to be taught.
- B. **Selection Procedures.** The Provost shall assure that each college or hiring unit has in place written procedures for selecting adjunct faculty. Procedures shall include verification of credentials and shall reflect the University's commitment to equal opportunity and affirmative action.

VI. PROFESSIONAL DEVELOPMENT AND WORKING CONDITIONS

- A. **Support for Teaching.** The University shall provide each Adjunct Faculty member with the support it determines to be necessary for the execution of the appointee's duties, which may include access through the University's website or other electronic resources, including the following:
 - 1. Information on the college and department's policies, requirements, learning outcomes and goals for each course, along with access to examples of past course syllabi (if available);
 - 2. Official schedule of classes, including academic calendar and time frames of class meetings;
 - 3. Assistance with textbook ordering and completing textbook compliance form.
 - 4. A University email account along with access to on-campus computing facilities; and
 - 5. For Adjunct Faculty teaching face-to-face classes on campus;
 - a. Telephone or other voice access, as appropriate;
 - b. Necessary office supplies;
 - c. Copying services for course materials; and
 - d. Appropriate space for meeting with students during scheduled office hours.

- B. **Professional Development.** To the extent feasible, professional development opportunities for new Adjunct Faculty shall include:
 - 1. Departmental orientation and overview
 - 2. Campus orientation
 - 3. Introduction to teaching policies and resources
 - 4. Training in using UMEG, TESTUDO; ELMS and other course administration and learning instruction information technology.

Subsequent opportunities for development also will be provided to the extent feasible. Such opportunities may include invitations to departmental, college, University, and external faculty development events, mentoring from senior faculty, and support for attending academic conferences.

- C. **Performance Evaluation.** The Senior Vice President and Provost will assure that each department has in place written procedures for evaluating Adjunct Faculty performance on a regular schedule, as required by BOR II-1.20 Policy on Evaluation of Performance of Faculty and Policy II-1.20(A) UMCP Policy on Periodic Evaluation of Faculty Performance.
 - 1. Among other things, performance evaluation procedures shall include student evaluations and faculty classroom visitation and observation.

2. Departments shall evaluate the teaching by Adjunct Faculty members on the same basis used to evaluate the teaching of tenure-track faculty members.
3. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, compensation, and any subsequent appointments are made.

VII. Appointment, Designation and Assignment

A. Appointment of Adjunct Faculty Members

1. Contracts and Letters of Appointment. Each Adjunct Faculty member, including both Adjunct Faculty I and Adjunct Faculty II, shall be provided a written contract or formal letter of appointment prior to the beginning of the assignment, which includes:
 - a. Position title;
 - b. Contract term;
 - c. Per-course compensation;
 - d. Description of the assignment;
 - e. Institution benefits, if any;
 - f. Information regarding faculty policies and procedures, including performance evaluation policies;
 - g. Explanation of the implications of the cancellation of a course before the start date;
 - h. Information about eligibility for and benefits associated with designation of Adjunct Faculty II status;
2. Provisions for Adjunct Faculty II
 - a. After designation of "Adjunct Faculty II" status, a faculty member:
 1. Shall be sent a letter of notification from the Dean's Office. The letter shall stipulate the benefits of designation of "Adjunct Faculty II" status, including provisions (2) through (4) below.
 2. Shall receive a compensation increment of at least 10% of the average per course compensation of his/her department or unit, consistent with State and USM budget policies;
 3. Shall be given priority consideration, to the extent operationally feasible, among adjunct faculty for future teaching assignments in the subjects for which the adjunct faculty member has had consistent instructional experience at the University;
 4. May be eligible for longer term appointments that assure the adjunct faculty member assignment to a fixed number of classes during the term of the appointment.
 - b. Designation of "Adjunct Faculty II" status does not prevent an adjunct faculty member from competition for or selection into a salaried part-time non-tenure-track or other faculty position.
3. Teaching Assignments. The appointing department shall provide adjunct faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes.
 - a. The University has the goal of providing such notice 45 days before the class start date, to the extent feasible. Nothing in this section shall prevent a department from making an adjunct faculty teaching appointment on short notice based on changed circumstances in class enrollments, the availability of resources, or other factors.

- b. If the University has a fall or spring semester class to which an adjunct faculty member has been assigned that is cancelled less than 30 days prior to the class start date, and has been unable to offer the adjunct faculty member re-assignment to a comparable class, the University shall compensate the adjunct faculty member 10% of the payment amount specified in the contract or appointment letter for that class.

VIII. Compensation and Benefits

- A. Compensation. Every effort should be made to make adjunct faculty compensation professionally appropriate and competitive to the extent allowed by available fiscal resources.
- B. Benefits for Adjunct Faculty. Adjunct faculty shall be entitled to receive institutional benefits as designated in their written contract or formal letter of appointment.
- C. Sabbatical and Terminal Leave. Adjunct faculty members are ineligible for sabbatical leave or for terminal leave, regardless of length of service.

IX. Grievance and Appointment Rights

- A. Grievance Procedure. Adjunct faculty shall have available the same grievance procedures as all other faculty, consistent with the USM Policy on Faculty Grievances, II-4.00 and UMCP Policy and Procedure Governing Faculty Grievances II-4.00(A).
- B. Process Related to the Termination of Adjunct Faculty. Prior to terminating an Adjunct faculty member's appointment before the end of its term, the faculty member shall be offered an opportunity to meet and discuss the matter at the level of the College or School. The University may remove the Adjunct faculty member from the classroom, provided, however, it shall continue to pay the Adjunct faculty member pending a reasonable opportunity to be heard.

X. Participation in the Campus Community

- A. Adjunct faculty members shall be invited, to the extent feasible, to participate in the scholarly, intellectual, academic, and social life aspects of the department, college and University.
- B. Shared Governance Participation: The University shall provide opportunities for adjunct faculty to communicate their concerns to campus administration, provide advice in the development and implementation of policies and procedures related to adjunct faculty, and otherwise participate fully in shared governance through participation in existing shared governance bodies, with sufficient numbers of positions designated for adjunct faculty to ensure their significant representation.



UNIVERSITY OF MARYLAND

OFFICE OF THE SENIOR VICE PRESIDENT AND PROVOST

1119 Main Administration Building
College Park, Maryland 20742-5031
301.405.5252 TEL 301.405.8195 FAX

MEMORANDUM

DATE: August 30, 2011

TO: Wallace D. Loh
President

FROM: Ann G. Wylie
Senior Vice President and Provost

A handwritten signature in black ink, appearing to read "Ann G. Wylie".

SUBJECT: Interim University of Maryland Policy on Full-Time and Part-Time Non-Tenure-Track Instructional Faculty

1. This is to request that you approve, on an interim basis, an amendment to the University's existing *Policy on Full-Time and Part-Time Non-Tenure-Track Instructional Faculty* effective immediately. The amendment is shown in bold on the attached document. The amendment is required by USM policy. It complements the proposed interim *University Policy on the Employment of Adjunct Faculty*. I think it is helpful.
2. The amendment should be in place by September 1.
3. Typically, an amendment of this nature would emanate from the University Senate for your approval. However, where time constraints such as presently exist, the practice has been for the President to institute an amendment on an interim basis, pending further study and possible recommended changes by the Senate. Like in previous instances, we have informed the Senate Executive Committee and shared the proposed amendment with them. The policy has also been reviewed for form and legal sufficiency by Legal Affairs.
4. I recommend that you approve the amendment on an interim basis. If you concur, please approve it below.

APPROVED: Wallace D. Loh Date: 8/30/11
Wallace D. Loh
President

Attachment (1)

II-1.00(F) UNIVERSITY OF MARYLAND POLICY ON FULL-TIME and PART-TIME
NON-TENURE TRACK INSTRUCTIONAL FACULTY

APPROVED BY THE PRESIDENT May 16, 2002; Technical Amendments
February 23, 2009; (Interim Amendments approved by the President August 30,
2011 pending University Senate Action)

This policy applies to faculty employed to provide instructional services who (1) have salaried appointments of 50% FTE or greater and (2) are neither tenured nor eligible for tenure. This policy does not apply to adjunct faculty as defined by II-1.07(A) University of Maryland Policy on the Employment of Adjunct Faculty. Instructional faculty who are: (1) neither tenured nor eligible for tenure and (2) are either compensated on a course-by-course basis or on salaried appointments at less than 50% are covered by II-1.07(A) University of Maryland Policy on the Employment of Adjunct Faculty.

STANDARD EMPLOYMENT ELEMENTS

1. Credentials: Each department or unit shall develop written standards for the academic degrees or professional certifications and/or professional experience required for appointment to part time non-tenure track (PTNTT) and full-time non-tenure track instructional faculty (FTNTT) ranks. These standards should be appropriate for the needed instructional level.
2. Search Procedures: Hiring of PTNTT and FTNTT faculty members should be conducted under procedures that will ensure the selection of qualified professionals. Each department or unit shall develop written procedures for evaluating credentials and selecting faculty.
3. Written Contracts: All FTNTT and PTNTT faculty members shall be provided with clear written and approved contracts prior to the beginning of their assignment. The contract shall stipulate the term of the contract, the salary, assignments and expectations, expected notification about renewal or non-renewal, resources, and performance-evaluation policies and procedures.
4. Support for Teaching: In the best interest of students, all FTNTT and PTNTT instructional faculty members should be provided with the necessary and appropriate department or unit support for the execution of their duties. These resources should conform to departmental practices with respect to assistance in ordering books, duplication of class syllabi and examination questions, provision of teaching supplies. Care should be taken to ensure that students can have access to FTNTT and PTNTT faculty members through mailboxes, appropriate spaces for meeting students, electronic mail, telephones, etc. Where appropriate and feasible, and with the agreement of the department faculty, the professional development of FTNTT and PTNTT faculty members should be supported. This may include extending invitations to departmental and institutional faculty

development events.

5. Performance Evaluation: Each department shall have written procedures for evaluating FTNTT and PTNTT faculty performance on a regular schedule, as required by BOR Policy II-1.20. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions are made about rank, salary, and contract renewal. FTNTT and PTNTT faculty members shall have the opportunity to review each evaluation and sign off on it.

CONTRACT COMPONENTS

6. Term of Employment: Normally, initial contracts for FTNTT instructional faculty should be for one academic year, and initial contracts for PTNTT instructional faculty should be for a period of one semester. Departments are encouraged to offer two or three year contracts to FTNTT faculty members with records of long-term satisfactory service verified by written evaluations of performance and to offer longer-term contracts, not to exceed three years, to PTNTT instructional faculty in cases of demonstrated departmental need.
7. Notice of Non-Renewal: FTNTT instructional faculty should receive adequate notice of non-renewal of contracts as specified in Board of Regents Policy II-1.00 University System Policy on Appointment, Rank, and Tenure of Faculty (section 1. C. 12). PTNTT instructional faculty should receive at least 30 days of notice of non-renewal prior to the end of a current contract. After five or more years of continuous service, any PTNTT or FTNTT instructional faculty member whose contract is not renewed should be informed in writing of the basis of a decision not to renew. The faculty member has the right to appeal the decision consistent with the institution's faculty grievance policy and procedures.
8. Faculty Grievance: Departments shall inform PTNTT and FTNTT instructional faculty members that they have full access to the faculty grievance procedure. Grievances may include the non-renewal of a contract.
9. Teaching Assignment: Whenever possible, departments should provide notice of projected teaching assignment(s) at least 45 days prior to the start of classes to allow for appropriate preparation. In addition, all contracts should specify the consequences of the class being cancelled prior to the start of classes.

INTEGRATION INTO THE INSTITUTION

10. Faculty Participation: Each department or unit should make every effort to integrate FTNTT and PTNTT faculty members into the scholarly, intellectual and academic life of the department or unit, and institution. Departments are encouraged to have policies aimed toward this integration.

11. Shared Governance: All FTNTT and PTNTT faculty should be informed of the procedures and calendar for the election of their representatives in the University Senate.
12. Ranks: The University should confer appropriate, non-tenure track instructional ranks commensurate with credentials and professional experience. For long-term PTNTT and FTNTT instructional faculty, academic units should consider the development of procedures for progression in rank.



University Senate TRANSMITTAL FORM

Senate Document #:	11-12-20
PCC ID #:	N/A
Title:	Activation of the USM Clinical Faculty Titles
Presenter:	Charles Fenster, Chair, Senate Faculty Affairs Committee
Date of SEC Review:	January 26, 2012
Date of Senate Review:	February 8, 2012
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>The University System Policy on Appointment, Rank, and Tenure of Faculty (II-1.00) describes the general criteria and procedures related to faculty personnel actions for all constituent institutions of the University System of Maryland (USM). The policy includes a section on "Faculty Engaged Exclusively or Primarily in Clinical Teaching". The University of Maryland-College Park has not yet activated these titles on its campus. There has been an increase, over the last several years, in faculty who are expert practitioners and whose primary focus is teaching, supervising, and mentoring students in practical environments. It is estimated that six of the University's colleges now employ faculty who serve in this capacity including the College of Architecture, Planning, and Preservation, The College of Education, The School of Public Policy, The College of Behavioral and Social Sciences, The School of Public Health, and the Robert H. Smith School of Business.</p>
Relevant Policy # & URL:	http://www.president.umd.edu/policies/ii100a.html
Recommendation:	The Faculty Affairs Committee (FAC) recommends that the University make the proposed changes (Appendix 1) to the University Maryland Policy on Appointment, Promotion, and Tenure of Faculty II-1.00(A)
Committee Work:	The FAC reviewed this issue during the Fall 2011 semester. The committee consulted with the Office of Faculty Affairs and the President's Legal Office to ensure that the activation of the

	<p>clinical faculty titles was appropriate for the University. The committee also reviewed data from the Deans on how many faculty would be eligible for these titles.</p> <p>At its meeting on December 12, 2011, following deliberation, the FAC voted unanimously in favor of recommending the University make the changes to the policy in order to activate the clinical faculty titles.</p>
Alternatives:	The University could continue to operate under the currently available titles for faculty. However, this may hinder the recruitment and retention of faculty who might warrant a clinical faculty title.
Risks:	There are no associated risks.
Financial Implications:	There are no related financial implications.
Further Approvals Required:	Senate Approval, Presidential Approval.

Senate Faculty Affairs Committee

Senate Document 11-12-20

Activation of the USM Clinical Faculty Titles

January 2012

BACKGROUND:

The University System Policy on Appointment, Rank, and Tenure of Faculty (II-1.00) describes the general criteria and procedures related to faculty personnel actions for all constituent institutions of the University System of Maryland (USM). The policy includes a section on “Faculty Engaged Exclusively or Primarily in Clinical Teaching”. The University of Maryland-College Park has not yet activated these titles on its campus. There has been an increase, over the last several years, in faculty who are expert practitioners and whose primary focus is teaching, supervising, and mentoring students in practical environments. It is estimated that six of the University’s colleges now employ faculty who serve in this capacity including the College of Architecture, Planning, and Preservation, The College of Education, The School of Public Policy, The College of Behavioral and Social Sciences, The School of Public Health, and the Robert H. Smith School of Business.

Various deans have raised concerns that the range of currently available titles hinders the recruitment and retention of faculty who might warrant a clinical faculty title. There are several current faculty who are performing the functions of clinical faculty without the appropriate recognition of their status, qualifications, and activities. The University administration also notes the importance of increasing connections with highly regarded community professionals.

The Office of Faculty Affairs has provided the following set of criteria for appointments and promotions within these ranks. Once activated, clinical faculty appointments can be made at levels from 0-100% and can be paid or unpaid. Initial appointments may be made for up to three years, with the possibility of reappointment for up to five years. Appointments and promotions should require a similar process to research professorships, which are handled at the unit-level with oversight from the Dean. At a minimum, this must include the development of a dossier, a review by the department’s professorial and clinical faculty at or above the rank that the faculty member is seeking, and a review by the College APT Committee. The Dean or Provost (in the case of non-departmentalized colleges) should make the final decision. Dossiers should include a current CV, external references, teaching and mentoring documentation (if appropriate), an evaluative report from departmental faculty, the Chair’s letter, and the College APT Committee’s report. Clinical faculty may request promotion after five years in rank.

The Office of the Senior Vice President and Provost submitted a proposal to the University Senate in October 2011 to consider activation of the clinical faculty titles in response to unanimous support from the deans of all of the colleges.

COMMITTEE WORK:

The Senate Faculty Affairs Committee (FAC) was charged (Appendix 2) by the Senate Executive Committee (SEC) with reviewing the proposal, "Activation of the USM Clinical Faculty Titles" on October 28, 2011 (Appendix 3). The SEC asked the FAC to make recommendations on whether the University of Maryland-College Park should activate these titles on its campus.

The SEC asked the FAC to consult with the Office of Faculty Affairs and the Office of Legal Affairs. Dr. Juan Uriagereka, Associate Provost for Faculty Affairs, sits on the FAC and provided input throughout the review process. A member of the University's Office of Legal Affairs was also consulted on the proposed revisions to the policy.

The FAC reviewed data from the Office of Faculty Affairs, which estimates that the clinical faculty titles could apply to 60-70 of our current faculty. The committee also reviewed similar policies at peer institutions and found that all of them already have clinical faculty titles in place.

RECOMMENDATIONS:

At its meeting on December 12, 2011, the FAC voted unanimously in favor of recommending that the clinical assistant professor, clinical associate professor, and clinical professor titles be included in the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty II-1.00(A).

Therefore, the following language should be included in section I. of the policy:

D. Faculty Engaged Exclusively Or Primarily in Clinical Teaching

1. Clinical Assistant Professor

The appointee shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of specialization. There must be clear evidence of a high level of ability in clinical practice and teaching in the departmental field, and the potential for clinical and teaching excellence in a subdivision of this field. The appointee should also have demonstrated scholarly and/or administrative ability.

2. Clinical Associate Professor

In addition to the qualifications required of a Clinical Assistant Professor, the appointee should ordinarily have had extensive successful experience in clinical or professional practice in a field of specialization, or in a subdivision of the departmental field, and in working with and/or directing others (such as professionals, faculty members, graduate students, fellows, and residents or interns) in clinical activities in the field. The

appointee must also have demonstrated superior teaching ability and scholarly or administrative accomplishments.

3. Clinical Professor

In addition to the qualifications required of a Clinical Associate Professor, the appointee shall have demonstrated a degree of excellence in clinical practice and teaching sufficient to establish an outstanding regional and national reputation among colleagues. The appointee shall also have demonstrated extraordinary scholarly competence and leadership in the profession.

In addition, the FAC recommends that Departments/Colleges determine the criteria and review process for appointment and promotion of clinical faculty at all levels and that grievance procedures be put in place.

APPENDICES:

Appendix 1 – Recommended Policy Changes to the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty II-1.00(A)

Appendix 2 – Charge from the Senate Executive Committee, October 28, 2011

Appendix 3 – Activation of Clinical Faculty Titles Proposal

Appendix 1 - Recommended Policy Changes to the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty II-1.00(A)

II-1.00(A) UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY

APPROVED BY THE PRESIDENT, FEBRUARY 16, 1993; APPROVED BY THE CHANCELLOR, MARCH 26, 1993; TEXT ON DISTINGUISHED UNIVERSITY PROFESSOR APPROVED BY THE CHANCELLOR ON APRIL 15, 1994; TEXT ON EMERITUS STATUS ADDED 1995; TEXT ON MANDATORY RETIREMENT AT AGE 70 REMOVED MARCH, 1996; TEXT ON TERM OF SERVICE FOR APT COMMITTEE MEMBERS AMENDED FEBRUARY 1998; TEXT ON PROFESSOR OF PRACTICE AMENDED 1998; TEXT ON SENIOR LECTURER ADDED NOVEMBER 2002; TEXT ON APPEALS PROCESS AMENDED AUGUST 2003; TEXT ON FIELD FACULTY ADDED OCTOBER 2003; TEXT ON LIBRARIANS ADDED APRIL, 2004; APPROVED BY THE PRESIDENT AND THE CHANCELLOR, DECEMBER 2004, EFFECTIVE AUGUST 23, 2005, TEXT ON COLLEGE PARK PROFESSOR ADDED JUNE 2005, CONTINUING THROUGH MAY 2012. TEXT ON LIBRARIAN EMERITA /EMERITUS STATUS ADDED APRIL 2006; TEXT ON FACULTY WITH SPLIT APPOINTMENTS ON APT COMMITTEES ADDED APRIL 2006; TEXT ON FACULTY EXTENSION AGENT AND ASSOCIATE AGENT AMENDED DECEMBER 15, 2006; TEXT ON COMPOSITION OF THIRD OR CAMPUS-LEVEL REVIEW COMMITTEE AMENDED NOVEMBER 23, 2010.

This policy complements the University of Maryland System Policy on Appointment, Rank, and Tenure of Faculty, adapting that policy in accordance with the institutional mission of the University of Maryland at College Park. Within the framework of the System Policy, it specifies the criteria and procedures related to faculty personnel actions which shall apply to the University of Maryland at College Park.

Subject to the provisions of paragraphs I.C.15 and I.C.17 of the University of Maryland System Policy on Appointment, Rank and Tenure of Faculty (1989), the provisions of paragraph III.C of this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be published in the Faculty Handbook and shall constitute part of the contractually binding agreement between the university and the faculty member. Any proposed changes to this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be submitted for initial review and endorsement by the College Park Campus Senate.

Terminological Note

The procedures spelled out in this document for tenure and promotion review specify three levels of review below the President's office. For most faculty members these are the department, the college, and the campus levels. However, some faculty members are appointed in colleges and schools that are not departmentalized and that conduct the initial review at the college or school level. For uniform terminology the initial review, whether conducted by a department or a non-departmentalized school or college, is referred to as a "first-level review," and "department" is usually replaced by "first-level unit." First-level units thus comprise departments, non-

departmentalized schools, and non-departmentalized colleges. Higher levels of review are referred to as “second-level” and “third-level.”

For the purpose of this policy, the term "university" and the term "institution" shall be synonymous and shall mean the University of Maryland at College Park. For the purpose of this policy, the word "days" shall refer to calendar days.

Purpose of this Policy

The University of Maryland is dedicated to the discovery and the transmission of knowledge and to the achievement of excellence in its academic disciplines. Each faculty member has a personal responsibility for contributing to the achievement of excellence in his or her own academic discipline and for exercising the best judgment in advancing the department, the college, and the University. Those faculty members holding the rank of Professor have the greatest responsibility for establishing and maintaining the highest standards of academic performance within the University. This Policy on the Appointment, Promotion, and Tenure of Faculty exists to set the standards for appointment and promotion to the various faculty ranks and to recognize and to encourage the achievement of excellence on the part of the faculty members through the awarding of tenure and through promotion within the faculty ranks. Through this process the University builds and enhances its educational programs and services and it advances the state of knowledge which supports the growth and development of our society.

I. MINIMUM QUALIFICATIONS FOR APPOINTMENT OR PROMOTION TO THE ACADEMIC AND ACADEMIC ADMINISTRATIVE RANKS

The only faculty ranks which may involve a tenure commitment are: Professor, Associate Professor, Assistant Professor, Principal Agent, Senior Agent, and Agent, and such other ranks as the Board of Regents may approve. Effective April 5, 1989, appointments to all other ranks, including any qualified rank, other than an honorific qualification, in which an additional adjective is introduced, are for a definite term and do not involve a tenure commitment. Those granted tenure in such a rank before April 5, 1989, shall continue to hold tenure in that rank.

The following shall be the minimum qualifications for appointment or promotion to the academic ranks in use by the University of Maryland at College Park.

A. Faculty with Duties in Teaching and Research

1. Instructor^a

An appointee to the rank of Instructor ordinarily shall hold the highest earned degree in his or her field of specialization. There shall be evidence also of

^a As of November 14, 1995, this title may NOT be used for new appointments.

potential for excellence in teaching and for a successful academic career. The rank does not carry tenure.

2. Assistant Professor

The appointee shall have qualities suggesting a high level of teaching ability in the relevant academic field, and shall provide evidence of potential for superior research, scholarship, or artistic creativity in the field. Because this is a tenure-track position, the appointee shall at the time of appointment show promise of having, at such time as he or she is to be reviewed for tenure and promotion in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, the qualities described under "Associate Professor" below. In most fields the doctorate shall be a requirement for appointment to an assistant professorship. Although the rank normally leads to review for tenure and promotion, persons appointed to the rank of Assistant Professor after the effective date of this policy shall not be granted tenure in this rank.

3. Associate Professor

In addition to having the qualifications of an Assistant Professor, the appointee shall have a high level of competence in teaching and advisement in the relevant academic field, shall have demonstrated significant research, scholarship, or artistic creativity in the field and shall have shown promise of continued productivity, shall be competent to direct work of major subdivisions of the primary academic unit and to offer graduate instruction and direct graduate research, and shall have served the campus, the profession, or the community in some useful way in addition to teaching and research. Promotion to the rank from within confers tenure; appointment to the rank from without may confer tenure.

4. Professor

In addition to having the qualifications of an Associate Professor, the appointee shall have established a national and, where appropriate, international reputation for outstanding research, scholarship or artistic creativity, and a distinguished record of teaching. There also must be a record of continuing evidence of relevant and effective professional service. The rank carries tenure.

B. Faculty with Duties Primarily in Research, Scholarship, or Artistic Creativity

All appointments in the following titles are renewable. Appointments with these faculty titles do not carry tenure.

1. Faculty Research Assistant

The appointee shall be capable of assisting in research under the direction of the head of a research project and shall have ability and training adequate to the carrying out of the particular techniques required, the assembling of data, and the use and care of any specialized apparatus. A baccalaureate degree shall be the minimum requirement.

2. Research Associate

The appointee shall be trained in research procedures, shall be capable of carrying out individual research or collaborating in group research at the advanced level, and shall have had the experience and specialized training necessary for success in such research projects as may be undertaken. An earned doctorate shall normally be a minimum requirement.

3. Research Assistant Professor; Assistant Research Scientist; Assistant Research Scholar; Assistant Research Engineer

These ranks are generally parallel to Assistant Professor. In addition to the qualifications of a Research Associate, appointees to these ranks shall have demonstrated superior research ability. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other senior research personnel). The doctoral degree will be a normal requirement for appointment at these ranks. Appointment to these ranks may be made for a period of up to three years.

4. Research Associate Professor; Associate Research Scientist; Associate Research Scholar; Associate Research Engineer

These ranks are generally parallel to Associate Professor. In addition to the qualifications required of the assistant ranks, appointees to these ranks should have extensive successful experience in scholarly or creative endeavors, and the ability to propose, develop, and manage major research projects. Appointment to these ranks may be made for a period of up to three years.

5. Research Professor; Senior Research Scientist; Senior Research Scholar; Senior Research Engineer

These ranks are generally parallel to Professor. In addition to the qualifications required of the associate ranks, appointees to these ranks should have demonstrated a degree of proficiency sufficient to establish an excellent reputation among regional and national colleagues. Appointees should provide tangible evidence of sound scholarly production in research, publications,

professional achievements or other distinguished and creative activity.
Appointment to these ranks may be made for a period of up to five years.

6. Assistant Artist-in-Residence; Associate Artist-in-Residence; Senior Artist-in-Residence

These titles, parallel to Assistant Professor, Associate Professor, and Professor, respectively, are intended for those persons whose professional activities are of a creative or performance nature, including but not limited to theatre, dance, music, and art. In each case, the qualifications shall reflect demonstrated superior proficiency and excellence and progressively higher national and international reputation, as appropriate to the ranks involved. Appointment to the rank of Senior Artist-in-Residence may be made for a period of up to five years; appointment to the ranks of Assistant Artist-in-Residence and Associate Artist-in-Residence may be made for a period of up to three years.

C. Field Faculty

1. Associate Agent

The appointee shall hold at least a bachelor's degree and shall show evidence of ability to work with people. The appointee shall have an educational background related to the specific position and should demonstrate evidence of creative ability to plan and implement Cooperative Extension Service programs. This is a term appointment and may be renewed annually.

2. Faculty Extension Assistant

The appointee shall be capable of assisting in Extension under the direction of the head of an Extension project and have the specialized expertise, training and ability to perform the duties required. An earned bachelor's degree and experience in the specialized field is required.

3. Faculty Extension Associate

The appointee shall be capable of carrying out individual instruction or collaborating in group discussions at the advanced level, should be trained in Extension procedures, and should have had the experience and specialized training necessary to develop and interpret data required for success in such Extension projects as may be undertaken. An earned doctorate shall be the minimum requirement.

4. Agent (parallel to the rank of Assistant Professor)

The appointee must hold a master's degree in an appropriate discipline and show evidence of academic ability and leadership skills. The appointee shall have an educational background related to the specific position.

5. Senior Agent (parallel to the rank of Associate Professor)

In addition to the qualifications of an Agent, the appointee must have demonstrated achievement in program development and must have shown originality and creative ability in designing new programs, teaching effectiveness, and evidence of service to the community, institution, and profession. Appointment to this rank may carry tenure.

6. Principal Agent (parallel to the rank of Professor)

In addition to the qualifications of a Senior Agent, the appointee must have demonstrated leadership ability and evidence of service to the community, institution, and profession. The appointee must also have received recognition for contributions to the Cooperative Extension Service sufficient to establish a reputation among State, regional and/or national colleagues, and should have demonstrated evidence of distinguished achievement in creative program development. Appointment to this rank carried tenure.

D. Faculty Engaged Exclusively Or Primarily in Clinical Teaching

1. Clinical Assistant Professor

The appointee shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of specialization. There must be clear evidence of a high level of ability in clinical practice and teaching in the departmental field, and the potential for clinical and teaching excellence in a subdivision of this field. The appointee should also have demonstrated scholarly and/or administrative ability.

2. Clinical Associate Professor

In addition to the qualifications required of a Clinical Assistant Professor, the appointee should ordinarily have had extensive successful experience in clinical or professional practice in a field of specialization, or in a subdivision of the departmental field, and in working with and/or directing others (such as professionals, faculty members, graduate students, fellows, and residents or interns) in clinical activities in the field. The appointee must also have demonstrated superior teaching ability and scholarly or administrative accomplishments.

3. Clinical Professor

In addition to the qualifications required of a Clinical Associate Professor, the appointee shall have demonstrated a degree of excellence in clinical practice and teaching sufficient to establish an outstanding regional and national reputation among colleagues. The appointee shall also have demonstrated extraordinary scholarly competence and leadership in the profession.

E. Faculty Engaged Exclusively or Primarily in Library Services

Library faculty hold the ranks of Librarian I-IV. Each rank requires a master's degree from an American Library Association accredited program or a graduate degree in another field where appropriate. The master's degree is considered the terminal degree. Appointments to these ranks are for 12 months with leave and other benefits provided to twelve-month tenured/tenure track faculty members with the exception of terminal leave, sabbatical leave, and non-creditable sick leave (collegially supported).

Permanent status is an institutional commitment to permanent and continuous employment to be terminated only for adequate cause (for example, professional or scholarly misconduct; incompetence; moral turpitude; or willful neglect of duty) and only after due process in accordance with relevant USM and campus policies. Librarians at the rank of Librarian I and Librarian II are not eligible for permanent status. Permanent status is available for library faculty holding the rank of Librarian III and Librarian IV. Those candidates without permanent status applying for the rank of Librarian III and Librarian IV shall be considered concurrently for permanent status.

1. Librarian I

This is an entry-level rank, assigned to librarians with little or no professional library experience. This rank does not carry permanent status.

2. Librarian II

Librarians at this rank have demonstrated professional development evidenced by achievement of a specialization in a subject, service, technical, administrative, or other area of value to the library. This rank does not carry permanent status.

3. Librarian III

Librarians at this rank have a high level of competence in performing professional duties requiring specialized knowledge or experience. They shall have served the

Libraries, the campus, or the community in some significant way; have shown evidence of creative or scholarly contribution; and have been involved in mentoring and providing developmental opportunities for their colleagues. They shall have shown promise of continued productivity in librarianship, service, and scholarship or creativity. Promotion to this rank from within the Libraries confers permanent status; appointment to this rank from outside the Libraries may confer permanent status.

4. Librarian IV

Librarians at this rank show evidence of superior performance at the highest levels of specialized work and professional responsibility. They have shown evidence of and demonstrate promise for continued contribution in valuable service and significant creative or scholarly contribution. Such achievement must include leadership roles and have resulted in the attainment of Libraries, campus, state, regional, national, or international recognition. This rank carries permanent status.

F. Additional Faculty Ranks

1. Assistant Instructor

The appointee shall be competent to fill a specific position in an acceptable manner, but he or she is not required to meet all the requirements for an Instructor. He or she shall hold the appropriate baccalaureate degree or possess equivalent experience.

2. Lecturer

The title Lecturer will ordinarily be used to designate appointments, at any salary and experience level, of persons who are serving in a teaching capacity for a limited time or part-time. This rank does not carry tenure.

3. Senior Lecturer

In addition to having the qualifications of a lecturer, the appointee normally shall have established over the course of six years a record of teaching excellence and service. Appointment to this rank requires the approval of the departmental faculty. The appointment is made for a term not to exceed five years and is renewable. This rank does not carry tenure.

4. Adjunct Assistant Professor, Adjunct Associate Professor, Adjunct Professor

The appointee shall be associated with the faculty of a department or non-

departmentalized school or college, but shall not be essential to the development of that unit's program. The titles do not carry tenure. The appointee may be paid or unpaid. The appointee may be employed outside the University, but shall not hold another paid appointment at the University of Maryland at College Park. The appointee shall have such expertise in his or her discipline and be so well regarded that his or her appointment will have the endorsement of the majority of the members of the professorial faculty of the academic unit. Any academic unit may recommend to the administration persons of these ranks; normally, the number of adjunct appointments shall comprise no more than a small percentage of the faculty in an academic unit. Appointments to these ranks shall not extend beyond the end of the fiscal year during which the appointment becomes effective and may be renewed.

5. Affiliate Assistant Professor, Affiliate Associate Professor, Affiliate Professor, Affiliate Librarian II, Affiliate Librarian III, and Affiliate Librarian IV

These titles shall be used to recognize the affiliation of a faculty member or other university employee with an academic unit other than that to which his or her appointment and salary are formally linked. The nature of the affiliation shall be specified in writing, and the appointment shall be made upon the recommendation of the faculty of the department with which the appointee is to be affiliated and with the consent of the faculty of his or her primary department. The rank of affiliation shall be commensurate with the appointee's qualifications.

6. Visiting Appointments

The prefix Visiting before an academic title, e.g., Visiting Professor, shall be used to designate a short-term professorial appointment without tenure.

7. Emerita, Emeritus

The word emerita or emeritus after an academic title shall designate a faculty member who has retired from full-time employment in the University of Maryland at College Park after meritorious service to the University in the areas of teaching, research, or service. Emerita or emeritus status may be conferred on Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV.

8. Distinguished University Professor

The title Distinguished University Professor will be conferred by the President upon a limited number of members of the faculty of the University of Maryland at College Park in recognition of distinguished achievement in teaching; research or

creative activities; and service to the University, the profession, and the community. College Park faculty who, at the time of approval of this title, carry the title of Distinguished Professor, will be permitted to retain their present title or to change to the title of Distinguished University Professor. Designation as Distinguished University Professor shall include an annual allocation of funds to support his or her professional activities, to be expended in accordance with applicable University policies.

9. Professor of the Practice

This title may be used to appoint individuals who have demonstrated excellence in the practice as well as leadership in specific fields. The appointee shall have attained regional and national prominence and, when appropriate, international recognition of outstanding achievement. Additionally, the appointee shall have demonstrated superior teaching ability appropriate to assigned responsibilities. As a minimum, the appointee shall hold the terminal professional degree in the field or equivalent stature by virtue of experience. Appointees will hold the rank of Professor but, while having the stature, will not have rights that are limited to tenured faculty. Initial appointment is for periods up to five years, and reappointment is possible. This title does not carry tenure, nor does time served as a Professor of the Practice count toward achieving tenure in another title.

10. College Park Professor

This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who would qualify for appointment at the University of Maryland at College Park at the level of professor but who normally hold full-time positions outside the University. Holders of this title may provide graduate student supervision, serve as principal investigators, and participate in departmental and college shared governance. Initial appointment is for three years and is renewable annually upon recommendation to the Provost by the unit head and dean. Appointment as a College Park Professor does not carry tenure or expectation of salary.

11. Other Titles

No new faculty titles or designations shall be created by the University of Maryland at College Park for appointees to faculty status without approval by the Campus Senate and the President.

II. CRITERIA FOR APPOINTMENT AND PROMOTION

The criteria for appointment, tenure, and promotion shall reflect the educational mission of the University of Maryland at College Park: to provide an undergraduate education

ranked among the best in the nation; to provide a nationally and internationally renowned program of graduate education and research, making significant contributions to the arts, the humanities, the professions, and the sciences; and to provide public service to the state and the nation embodying the best tradition of outstanding land-grant colleges and universities.

In the case of both appointments and promotions every effort shall be made to fill positions with persons of the highest qualifications. Search, appointment, and promotion procedures shall comply with institutional policies, including affirmative action guidelines, and be widely publicized and published in the Faculty Handbook.

It is the special responsibility of those in charge of recommending appointments to make a thorough search of available talent before recommending appointees. At a minimum, the search for full-time tenure-track or tenured faculty and academic administrators shall include the advertisement of available positions in the appropriate media.

Decisions on tenure-track appointments must also take account of the academic needs of the department, school, college, and institution at the time of appointment and the projected needs at the time of consideration for tenure. This is both an element of sound academic planning and an essential element of fairness to candidates for tenure-track positions. Academic units shall select for initial appointment those candidates who, at the time of consideration for tenure, are most likely to merit tenure and also whose areas of expertise are most likely to be compatible with the unit's projected programmatic needs. The same concern shall be shown in the renewal of tenure-track appointments.

Each college, school, and department shall develop brief, general, written Criteria for Tenure and/or Promotion. The criteria to be considered in appointments and promotions fall into three general categories: (1) performance in teaching, advising, and mentoring of students; (2) performance in research, scholarship, and creative activity; (3) performance of professional service to the university, the profession, or the community. The relative importance of these criteria may vary among different academic units, but each of the categories shall be considered in every decision. The criteria for appointment to a faculty rank or tenure shall be the same as for promotion to that rank (or for tenuring at the rank of associate professor), whether or not the individual is being considered for an administrative appointment. An academic unit's general Criteria for Tenure and/or Promotion must receive the approval of the next level administrator. Any exceptional or unusual arrangements relating to criteria for tenure and/or promotion shall be specified in writing at the time of appointment and shall be approved by the faculty and administrator of the first-level unit, by the dean of the school or college, and by the Provost.

Upon appointment, each new faculty member shall be given by his or her chair or dean a copy of the unit's Criteria for Tenure and/or Promotion and the chair or dean shall discuss the Criteria with the faculty member. Each faculty member shall be notified promptly in writing by his or her chair or dean of any changes in the unit's Criteria for

Tenure and/or Promotion.

Decisions on promotion of tenured faculty members shall be based on the academic merit of the candidate as evaluated using the relevant Criteria. Decisions on the renewal of untenured appointments and on promotion decisions involving the granting of tenure shall be based on the academic merit of the candidate as evaluated using the relevant Criteria and on the academic needs of the department, school, college, and institution. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may be legitimately considered in the context of a tenure decision. In no case, however, may programmatic considerations affecting a particular candidate be changed following the first renewal of the faculty contract of that candidate. It is essential that academic units develop long-range projections of programmatic needs in order that decisions on tenure and tenure-track appointments and promotions to tenure ranks be made on a rational basis.

A. Teaching and Advisement

Superior teaching and academic advisement at all instructional levels (or reasonable promise thereof in the case of initial appointments) are essential criteria in appointment and promotion. Every effort shall be made to recognize and emphasize excellence in teaching and advisement. The general test to be applied is that the faculty member be engaged regularly and effectively in teaching and advisement activities of high quality and significance.

The responsibility for the evaluation of teaching performance rests on the academic unit of the faculty member. Each academic unit shall develop and disseminate the criteria to be used in the evaluation of the teaching performance of its members. The evaluation should normally include opinions of students and colleagues.

B. Research, Scholarship, and Artistic Creativity

Research, scholarship and artistic creativity are among the primary functions of the university. A faculty member's contributions will vary from one academic or professional field to another, but the general test to be applied is that the faculty member be engaged continually and effectively in creative activities of distinction. Each academic unit shall develop and disseminate the criteria for evaluating scholarly and creative activity in that unit.

Research or other activity of a classified or proprietary nature shall not be considered in weighing an individual's case for appointment or promotion.

C. Service

In addition to a demonstrated excellence in teaching and in research, scholarship and artistic creativity, a candidate for promotion should have established a commitment to the University and the profession through participation in service activities. Such participation may take several different forms: service to the university; to the profession and higher education; and to the community, school systems, and governmental agencies. Service activity is expected of the faculty member, but service shall not substitute for teaching and advisement or for achievement in research, scholarship, or artistic creativity. Service activity shall not be expected or required of junior faculty to the point that it interferes with the development of their teaching and research.

III. APPOINTMENT OF FACULTY

A. Search Process

1. Recruitment of faculty shall be governed by written search procedures, which shall anticipate and describe the manner in which new professorial faculty members will be recruited, including arrangements for interinstitutional appointments, interdepartmental appointments, and appointments in new academic units.
2. Search procedures shall reflect the commitment of the University to equal opportunity and affirmative action. Campus procedures shall be widely disseminated and published in the Faculty Handbook.
3. Faculty review committees are an essential part of the review and recommendation process for new full-time faculty appointments. The procedures which lead to new faculty appointments should hold to standards at least as rigorous as those that pertain to promotions to the same rank.

B. Offers of Appointment

1. An offer of appointment can be made only with the approval of the President or his or her designee. Full-time appointments to the rank of Associate Professor or Professor require the written approval of the President.
2. All faculty appointments are made to a designated rank effective on a specific date. A standard letter of appointment shall be developed for each rank and tenure status and shall be approved by the Office of the Attorney General for form and legal sufficiency. The University shall publish in a designated section of the Faculty Handbook all duly approved System and University policies and procedures which set forth faculty rights and

responsibilities. Subject to the provisions of paragraphs I.C.15 and I.C.17 of the System Policy on Appointment, Rank, and Tenure of Faculty and paragraph III.C of this document, the terms described in the letter of appointment, together with the policies reproduced in the designated portions of the Faculty Handbook, shall constitute a contractually binding agreement between the University and the appointee.

C. Provisions Related to Appointments, Promotion, and Tenure

The following provisions are adapted from the System Policy on Appointments, Rank, and Tenure to reflect the mission of the University of Maryland at College Park and are to be furnished to all new faculty at the time of initial appointment.

1. Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified shall become effective as of the date of the modification.
2. Subject to any special conditions specified in the letter of appointment, full-time appointments to the rank of Assistant Professor shall be for an initial term of one to three years. The first year of the initial appointment shall be a probationary year, and the appointment may be terminated at the end of that fiscal year if the appointee is so notified by March 1. In the event that the initial appointment is for two years, the appointment may be terminated if the appointee is so notified by December 15 of the second year. After the second year of the initial appointment, the appointee shall be given one full year's notice if it is the intention of the University not to renew the appointment. If the appointee does not receive timely notification of nonrenewal, the initial appointment shall be extended for one additional year. An initial appointment may be renewed for an additional one, two, or three years. Except as set forth in paragraph III.C.3 below, an appointment to any term beyond the initial appointment shall terminate at the conclusion of that additional term unless the appointee is notified in writing that it is to be renewed for another term allowable under University System policies or the appointee is granted tenure. Such appointments may be terminated at any time in accordance with paragraphs III.C.5-11.
3. An Assistant Professor whose appointment is extended to a full six years shall receive a formal review for tenure in the sixth year. (An assistant professor may receive a formal review for tenure and be granted tenure earlier (cf. IV.A.4.)). The appointee shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision to grant or deny tenure. Notwithstanding anything in

paragraph III.C.2 to the contrary, a full-time appointee who has completed six consecutive years of service at the University as an Assistant Professor, and who has been notified that tenure has been denied, shall be granted an additional and terminal one year appointment in that rank, but, barring exceptional circumstances, shall receive no further consideration for tenure. In the event that an Assistant Professor in his or her sixth year of service is not affirmatively awarded tenure by the President or otherwise notified of a tenure decision, then he or she shall be granted a one-year terminal appointment.

4. Full-time appointments or promotions to the rank of Associate Professor or Professor require the written approval of the President. Promotions to the rank of Associate Professor or Professor carry immediate tenure. New full-time appointments to the rank of Professor carry immediate tenure. New full-time appointments to the rank of Associate Professor may carry tenure. If immediate tenure is not offered, such appointments shall be for an initial period of up to four years and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure. An Associate Professor who is appointed without tenure shall receive a formal review for tenure. No later than one year prior to the expiration of the appointment, the formal review must be completed, and written notice must be given that tenure has been granted or denied. Appointments carrying tenure may be terminated at any time as described under paragraphs III.C.5-11.
5. A term of service may be terminated by the appointee by resignation, but it is expressly agreed that no resignation shall become effective until the termination of the appointment period in which the resignation is offered except by mutual agreement between the appointee and the President or designee.
6. a. The President may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty, provided that the charges be stated in writing, that the appointee be furnished a copy thereof, and that the appointee be given an opportunity prior to such termination to request a hearing by an impartial hearing officer appointed by the President or a duly appointed faculty board of review. With the consent of the President, the appointee may elect a hearing by the President rather than by a hearing officer or a faculty board of review. Upon receipt of notice of termination, the appointee shall have thirty (30) calendar days to request a hearing. The hearing shall be held no sooner than thirty (30) calendar days after receipt of such a

request. The date of the hearing shall be set by mutual agreement of the appointee and the hearing officer or faculty board of review. If a hearing officer or a faculty board of review is appointed, the hearing officer or board shall make a recommendation to the President for action to be taken. The recommendation shall be based only on the evidence of record in the proceeding. Either party to the hearing may request an opportunity for oral argument before the President prior to action on the recommendation. If the President does not accept the recommendation of the hearing officer or board of review, the reasons shall be communicated promptly in writing to the appointee and the hearing officer or board. In the event that the President elects to terminate the appointment, the appointee may appeal to the Board of Regents, which shall render a final decision.

- b. Under exceptional circumstances and following consultation with the chair of the faculty board of review or appropriate faculty committee, the President may direct that the appointee be relieved of some or all of his or her University duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. (In case of emergency involving threat to life, the President may act to suspend temporarily prior to consultation.)
- c. The appointee may elect to be represented by counsel of his or her choice throughout the termination proceedings.

- 7. If an appointment is terminated in the manner prescribed in paragraph III.C.6, the President may, at his or her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period of time. The appointee's compensation shall continue for a period of one year commencing on the date on which the appointee receives notice of termination. A faculty member whose appointment is terminated for cause involving moral turpitude or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the President or Board of Regents.
- 8. The University may terminate any appointment because of the discontinuance of the department, program, school or unit in which the appointment was made; or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with written University policies. The President shall give a full-time appointee holding tenure notice of such

termination at least one year before the date on which the appointment is terminated.

9. Notwithstanding any provisions to the contrary, the appointment of any untenured faculty member, fifty percent or more of whose compensation is derived from research contracts, service contracts, gifts or grants, shall be subject to termination upon expiration of the research funds, service contract income, gifts or grants from which the compensation is payable.
10. Appointments shall terminate upon the death of the appointee. Upon termination for this cause, the University shall pay to the estate of the appointee all of the accumulated and unpaid earnings of the appointee plus compensation for accumulated unused annual leave.
11. If, in the judgment of the appointee's department chair or supervisor, a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, a moderate sanction such as a formal warning or censure may be imposed, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure.
12. Unless the appointee agrees otherwise, any changes that are hereafter made in paragraphs III.C.1-12 will be applied only to subsequent appointments.
13. Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.
14. The appointee shall be subject to all applicable policies and procedures duly adopted or amended from time to time by the University or the University System, including, but not limited to, policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation or discontinuation of programs; and criteria on teaching, scholarship, and service.

D. Provisions Relating to Formal Promotion and Tenure Reviews

1. Reviews for promotion and tenure shall be conducted according to the duly adopted written policies and procedures of the University. These procedures shall be published in the Faculty Handbook.
2. Faculty review committees are a part of the review process at each level.

3. Each review by a faculty committee and each review by the administrator of an academic unit (chair or dean) shall be focused on the evaluation of the candidate using the Criteria for Tenure and/or Promotion of that unit. Each review shall be based on materials that must include the candidate's *c.v.*, the candidate's Personal Statement, the Summary Statement of Professional Achievements, the Candidate's Response to the Summary Statement of Professional Achievements (if one is written), the letters from external evaluators, and the other prescribed elements in the University Appointment, Promotion and Tenure Procedures Manual. At the second and third levels of review, these promotion materials include the promotion committee reports and the letters from academic unit administrators.
4. A faculty member eligible to vote on the promotion recommendation on a candidate of an academic unit may not participate in a review of that candidate or vote on that candidate at a higher level of review. Because they provide an independent evaluation, department chairs, academic deans, and the Provost are ineligible to vote at any level.
5. Candidates shall have the right to appeal negative promotion and tenure decisions on grounds specified in the policies and procedures of paragraph V.B.

IV. PROMOTION, TENURE, AND EMERITUS REVIEW

The Provost shall develop detailed written procedures, implementing the University and the System policies on appointment, promotion, and tenure. This set of procedures shall be known as the University's Implementation of the University Appointment, Promotion and Tenure Policy and these procedures shall govern the University's decision-making. The procedures developed shall be subject to review and approval by the University Senate. The Provost shall also develop useful guidelines, suggestions, and advice for candidates for tenure and/or promotion and for academic units responsible for carrying out reviews of candidates. Each year the Provost shall publish the University Appointment, Promotion and Tenure Procedures Manual. This manual shall contain the entire text of the University's Appointment, Promotion and Tenure Policy, the University's implementation of this policy, and the guidelines, suggestions, and advice for candidates and for academic units. The University's Implementation should contain the University's required procedures clearly identified as such. All guidelines, suggestions, and advice in the Manual must be so labeled and distinguished from the required procedures.

Each college, school, and department shall develop detailed written procedures implementing the University and System policies on appointment, promotion, and tenure

and the University's implementation of the University's Policy. The procedures of each academic unit shall be subject to review and approval by the policy-setting faculty body of the college or school for an academic unit in a departmentalized college or school, as established in its plan of organization, by the dean, and by the University Senate.

The University's required procedures and the required procedures of each academic unit to which a candidate belongs shall apply to promotion and tenure decisions for all full-time faculty and for academic administrators who hold faculty rank, or who would hold faculty rank if appointed.

The Provost has the responsibility for systematically monitoring the fair and timely compliance of all academic units with the approved procedures of this Appointment, Tenure and Promotion Policy and for the prompt remedying of any failure to fulfill a Provision of this Policy that occurs prior to the institution of a formal tenure and/or promotion review. A violation of procedural due process during a formal review for tenure and/or promotion is subject to the provisions of Section V, The Appeals Process.

At the time of appointment, each new faculty member shall be provided by the chair or dean of the first-level unit with a copy of the University's Appointment, Promotion and Tenure Procedures Manual and the procedures for the lower-level academic units to which he or she belongs and the chair or dean shall discuss the procedures with the faculty member. Faculty members should stay up to date on these procedures and academic units should keep their faculty members informed of any changes.

Faculty review committees shall be an essential part of the review and recommendation process for all full-time faculty. Review committees and administrators at all levels shall impose the highest standards of quality, shall ensure that all candidates receive fair and impartial treatment, and shall be responsible for maintaining the integrity and the confidentiality of the review and recommendation process.

Candidates for tenure and/or promotion are responsible for providing their academic unit with an accurate *curriculum vitae* detailing their academic and professional achievements. Candidates holding faculty rank at the University shall also make a written Personal Statement advocating their case for tenure and/or promotion based on the facts in their *c.v.*, on the applicable Criteria for Tenure and/or Promotion, and on their perspective of those achievements in the context of their discipline. Both the *c.v.* and the Personal Statement shall be presented in the form required by the University Appointment, Promotion and Tenure Procedures Manual at the beginning of the academic year in which a formal review for tenure and/or promotion will occur. These two documents shall be included with each request for external evaluation and shall be included in the promotion dossier reviewed at each level within the University. Within the University review system, units and administrators may express their judgments on the contents and on the significance of elements in either of the candidate's documents. Units may only ask in neutral language for external evaluators to comment on elements

of these documents as part of their review but not suggest conclusions.

The burden of evaluating the qualifications and suitability of the candidate for tenure and promotion is greatest at the first level of review. Great weight shall be given at the higher levels of review to the judgments and recommendations of lower-level review committees and to the principle of peer review.

The decision whether or not to award tenure or promotion shall be based primarily on the candidate's record of accomplishment in each of the three areas of teaching and advisement, research, and service, and the anticipated level of future achievements as indicated by accomplishments to date. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may legitimately be considered in the context of a tenure decision; but in no case shall the year of the tenure review be the first occasion on which these considerations are raised. The faculty and the unit chair or dean are responsible for advising untenured faculty on any and all programmatic considerations relative to the tenure decision, conveying such information to the candidate at the earliest opportunity during annual assessments of progress towards tenure.

When the President has completed his or her review of the tenure or promotion case and informed the candidate of the decision, the list of members of the unit, college, and campus committees shall be made public.

A. First-level Review

1. Eligible Voters: At the first-level unit of review, the review committee shall consist of all members of the faculty of that unit who are eligible to vote. To be eligible to vote within the first-level unit, the faculty member must hold a tenured appointment in the university and must be at or above the rank to which the candidate seeks appointment or promotion. Tenured faculty voting on promotions cases at the first-level of review may only do so in a single academic department or non-departmentalized school, and may only vote in units in which they have a regular appointment and where this is permitted by the unit's plan of organization. In those cases where a faculty member has the opportunity to vote in more than one department or non-departmentalized school, the faculty member votes in that department/school in which the faculty member holds tenure.

In those cases where a faculty member has the opportunity to vote at more than one level of review, the faculty member votes at the first level of review at which the faculty member has the opportunity to vote. There are two exceptions: (a) chairs or deans are excluded from voting as faculty in their first level unit; (b) if there are fewer than three (3) eligible faculty members in the first-level unit, the dean at his/her discretion shall appoint

one or more eligible faculty members from related units as voting members of the first-level review committee, to ensure that the review committee shall contain at least three (3) persons. Consequently, in promotion and tenure cases of faculty with joint appointments, faculty appointed by the dean to the first-level review committee of the primary unit, who are also members of a secondary unit providing input on a candidate, are permitted to vote on the candidate only in the primary unit where they have been appointed as member of the review committee by the Dean.

Although they do not have voting privileges, other faculty and the head of the first-level unit may be invited to participate in discussion about the candidate if the plan of organization and the bylaws of the unit permit.

Advisory Subcommittee: The first-level unit review committee may establish an advisory subcommittee to gather material and make recommendations, but the vote of the entire eligible faculty of the first-level unit shall be considered the faculty recommendation of the first-level unit.

Conduct of the Review: The first-level review committee shall appoint an eligible member of the faculty from the first-level unit to serve as chair and spokesperson for the candidate's review committee. The chair of the review committee is responsible for writing the recommendation on the candidate and recording the transactions at the review meeting. Under no circumstances may the chair of the unit or dean serve as spokesperson for the first-level unit review committee or write its report.

As the first-level administrator, the chair or dean shall submit a recommendation separately; the recommendation of the chair or dean shall be considered together with all other relevant materials by any reviewing committee at a higher level. Requests for information from higher level review units shall be transmitted to both the chair of the first-level unit review committee and the first-level unit administrator.

Joint Appointments: Faculty members with joint appointments hold both a primary appointment (in their tenure home) and one or more secondary appointments (in the unit or units that are not their tenure home). When a joint appointment candidate is reviewed for appointment, promotion and/or tenure, the primary appointment unit is responsible for making the recommendation after first obtaining advisory input from the (one or more) secondary units, as appropriate. The advisory input from secondary unit(s) will be as follows:

- If the candidate holds a temporary appointment in the secondary unit, then the secondary unit's advice to the primary unit shall consist solely of a written recommendation by the chair or director of the secondary unit.
- If the candidate holds a permanent appointment in a secondary unit that is neither an academic department nor a non-departmentalized school, then the director's recommendation will be informed by advice from the faculty in the unit who are at or above the rank to which the candidate aspires. That advice shall be in a format consistent with the unit's plan of organization. If the plan of organization includes a vote, the vote may not include those eligible to vote elsewhere on the candidate.
- If the candidate holds a permanent appointment in a secondary unit that is either an academic department or a non-departmentalized school, then there shall be both a vote of the faculty in the unit who are at or above the rank to which the candidate aspires and a written recommendation by the head of that unit. The restriction on multiple faculty votes continues to apply in this instance.

The secondary unit's review of the candidate shall be provided to the first-level unit review committee and the first-level administrator. If the chair/director of the secondary unit is also a member of the candidate's primary unit, the chair/director may participate in the deliberations of the primary unit, but may not vote on the candidate's promotion in that unit.

2. The committee shall solicit letters of evaluation from six or more widely recognized authorities in the field, chosen from a list that shall include individuals nominated by the candidate. At least three letters and at most one-half of the requested letters shall be from persons nominated by the candidate.
3. Each first-level unit shall provide for the mentoring of each assistant professor and of each untenured associate professor by one or more members of the senior faculty other than the chair or dean of the unit. Mentors should encourage, support, and assist these faculty members and be available for consultation on matters of professional development. Mentors also need to be frank and honest about the progress toward fulfilling the criteria for tenure and/or promotion. Following appropriate consultations with members of the unit's faculty, the chair or dean of the unit shall independently provide each assistant professor and each untenured associate professor annually with an informal assessment of his or her progress. Favorable informal assessments and positive comments by mentors are purely advisory to the faculty member and do not guarantee a favorable tenure and/or promotion decision.

The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for tenure and promotion in the third year of an assistant professor's appointment. The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for promotion to the rank of professor in the fifth year of a tenured associate professor's appointment and every five years thereafter. An associate professor may request an intermediate review earlier than the five years specified. The purposes of these intermediate reviews are to assess the candidate's progress toward promotion, to inform the reviewed faculty member of that assessment, to inform the faculty members more senior to that faculty member who will eventually consider him or her for promotion of that assessment, and to advise the candidate and the first-level administrator of steps that should be taken to improve prospects for promotion. These intermediate reviews shall be structured in a similar fashion to reviews for tenure and/or promotion according to the unit's plan of governance but normally will not involve external evaluations of the faculty member. If it is deemed necessary to obtain informal external evaluations, the academic unit must adopt written procedures applying this requirement to all intermediate reviews and these procedures must be approved by the academic administrator (dean or provost) at the next level of review.

Any change in the nature of the institution's or the unit's programmatic needs which may have a bearing on the candidate's prospects for tenure should be brought to the attention of the candidate at the earliest possible time. In addition, first-level units shall make the best possible effort to advise tenure-track faculty of the prevailing standards of quality and of the most effective ways to demonstrate that they meet the standards. The advice and assessments provided to untenured candidates should avoid simplistic quantitative guidelines and should not suggest or imply that tenure decisions will be based on the quantity of effort or scholarly activity, independently of its intellectual quality.

4. A tenure-track or tenured faculty member may request a formal review for tenure or promotion.
5. The tenure or promotion case shall go forward to the next level of review if fifty percent of the faculty vote cast is favorable (or such higher percentage as may be established by procedures or guidelines of the first-level unit) or if the recommendation of the administrator of the first-level unit is favorable. If both faculty and unit administrator recommendations are negative, the case shall be reviewed at the next level only by the dean (or, in the case of a non-departmentalized school or college, the Provost).

The dean (or Provost) shall review the case to ensure that the candidate has received procedural and substantive due process, as defined in Section V.B.1.b. If the dean (or Provost) believes that the candidate has not received due process, he or she shall direct the unit to reconsider. The candidate may withdraw from his or her review at any time prior to the President's decision.

6. The first-level review committee shall prepare a concise Summary Statement of Professional Achievements on each candidate for tenure and/or promotion. The Summary Statement shall place the professional achievements of the candidate in scholarship, research, artistic performance, and/or Extension in the context of the broader discipline. It shall place the candidate's professional achievements in teaching and in service in the context of the responsibilities of the unit, the college or school, the University, and the greater community. The Summary Statement shall be factual and objective, not evaluative. The Summary Statement shall be reviewed by the candidate at least two weeks before the meeting at which the academic unit begins consideration of its recommendation on tenure and/or promotion. If the candidate and the committee cannot agree on the Summary Statement, the candidate has the right and the responsibility to submit a Response to the Summary Statement of Professional Achievements for the consideration of the voting members of the review committee and the academic unit must note the existence of the Response in the unit's Summary Statement. The purpose of the Summary Statement is to set the candidate's work in the context of the field for each level of review within the University and it is not to be sent to external evaluators or others outside the University.
7. The chair of the first-level review committee shall prepare a written report stating the committee's vote and recommendation on whether or not to grant tenure or promotion, and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taking place among the members of the committee. This letter will be provided to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberation who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.
8. The recommendation of the first-level administrator shall likewise be in writing. The administrator's recommendation shall be transmitted to the second-level review and shall be made available to all eligible members of the first-level faculty.

9. If a faculty member must be given a formal review for tenure in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, and the chair or dean of the first-level academic unit of which the appointee is a member fails to transmit, by the date specified in paragraph IV.F.2 of this policy, a tenure recommendation for the appointee, the Provost shall extend the deadline for the transmittal of such recommendations and instruct the first-level unit to forward recommendations and all supporting documents as expeditiously as possible.

B. Second-level Review

1. Second-level review of recommendations for promotion and tenure from departments shall be conducted within the appropriate college. The second-level review committees shall be established in conformity with the approved bylaws of the college. The dean may be a non-voting ex-officio member but not a voting member of the committee. Each second-level committee shall elect its own chair and an alternate chair; the latter shall serve as chair when a candidate from the chair's own unit is under discussion. A committee member who is entitled to vote in a lower-level review of a candidate may be present for the discussion of that candidate but shall not participate in the discussion in any way and shall not vote on that candidate. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the second-level review committee shall not discuss specific cases with anyone who is not a member of the second-level review committee. The membership of the committee shall be made public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.
2. Review of recommendations for promotion and tenure from non-departmentalized schools and colleges shall be conducted by the third-level review (see Section IV.C.1) committee.
3. Both the recommendation of the second-level committee and the recommendation of the second-level administrator shall go forward to be considered, together with all other relevant materials, at higher levels of review.
4. When significant questions arise regarding the recommendations from the first-level review or the contents of the dossier, the second-level review committee shall provide an opportunity for the chair of the first-level

academic unit and the designated spokesperson of the first-level unit review committee to meet with the second-level committee to discuss their recommendations; the committee shall provide them with a written list of the committee's general concerns about the candidate's case prior to the meeting. The second-level review committee may also request additional information from the first level of review by following the procedures described in Section F1 below.

5. Whether its recommendation is favorable or unfavorable, the committee shall, as soon as possible and no later than thirty (30) days after the decision, transmit through the dean its decision, its vote, and a written justification to the Provost. The dean of the college shall also promptly transmit his or her recommendation with a written justification to the Provost.

C. Third-level Review

1. A third- or campus-level review committee shall be established in the following manner: The Provost shall appoint nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical, and Natural Sciences; Education; Engineering; School of Public Health) and one from among the four small colleges (Architecture, Planning, and Preservation; Information Studies; Journalism; Public Policy). Since this committee shall make its recommendations on the basis of whether or not the University's high standards for tenure and/or promotion have been met, members of this committee shall have a track record of outstanding academic judgment along with sufficient intellectual breadth and depth to be capable of comparing and judging candidates from varied disciplinary, cross-disciplinary, and professional backgrounds. No small college shall be represented on the committee more frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position may serve as a voting member of the committee. The Provost shall be a non-voting ex-officio member. A committee member who is entitled to vote in a lower-level review of a candidate shall not be present for the discussion of that candidate and shall not vote on that candidate. Appointments to the third-level review committee from the eight large colleges shall be for three years while the appointment from one of the five small colleges shall be for two years, with the terms staggered so that approximately one-third of the committee is replaced each year. No one may serve two consecutive terms. The third-level review committee shall

elect its own chair and alternate chair. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the third-level review committee shall not discuss specific cases with anyone who is not a member of the third-level review committee. The membership of the committee shall be made public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.

2. When questions arise regarding the recommendations from either the first- or second-level reviews or the contents of the dossier, the third-level committee shall provide the opportunity for the first-level unit administrator, the spokesperson for the first-level faculty review committee, the dean of the college, and the chair of the second-level review committee to meet with the third-level committee to discuss their recommendations; the committee shall provide them with a written list of the committee's general concerns about the candidate's case prior to the meeting. The third-level review committee may also request additional information from the first and second levels of review by following the procedures prescribed in Section F1 below.
3. The committee shall promptly transmit its recommendation and a written justification through the Provost to the President, along with all materials provided from the lower levels of review. The Provost and the President shall confer about the case, and the Provost shall transmit his or her recommendation and a written justification to the President. If the Provost's recommendation differs from that of the third-level committee or from that of the Dean, the Provost will meet with the committee and/or the dean to discuss the review. After the President has made a decision, a report on the decisions reached at the third level of review shall be provided to the second-level administrator and faculty committee chair, the first-level administrator and faculty chair, and to the candidate.
4. The Third-level Review Committee and the Provost shall conduct an end-of-the-year review of appointment, promotion, and tenure. The Committee shall write a public Annual report, the purpose of which includes improving the understanding of faculty members and of academic units about appointments, promotion, and tenure. The report should include any recommendations for improvements in policy, procedures, or the carrying out of reviews of candidates. The Provost shall write a public report annually giving statistical information on the appointment, promotion, and tenure cases considered during the academic year.

D. Notification to Candidates for Tenure and/or Promotion

Upon completion of the first-level review, the unit administrator at the first level shall within two weeks of the date of the decision: (1) inform the candidate whether the recommendations made by the faculty committee and the unit administrator were positive or negative (including specific information on the number of faculty who voted for tenure and/or promotion, the number who voted against, and the number of abstentions), and (2) prepare for the candidate a letter summarizing in general terms the nature of the considerations on which those decisions were based. At higher levels of review, summaries shall be provided to the candidate whenever either or both faculty and administrator recommendations are negative. The chair of the faculty committee shall review the summary letter prepared by the unit administrator in order to ensure that it accurately summarizes the considerations regarded as relevant by the faculty committee at that level. The chair of the faculty committee at each level shall be provided access to the unit administrator's letters to the candidate and to the next level of review in order to ensure that the summary accurately reflects the recommendation and rationale provided to higher levels of review. In addition, both letters shall be made available for review in the office of the chair (dean or Provost) by any member of the faculty committee at that level. In the event that the chair of the faculty committee and the unit administrator are unable to agree on the appropriate language and contents of the summary letter, each shall write a summary letter to the candidate. A copy of all materials provided to the candidate shall be added to the tenure or promotion file as the case proceeds through higher levels of review.

E. Presidential Review

Full-time appointments or promotions to the ranks of Associate Professor or Professor require the written approval of the President, in whom resides final authority for promotion and granting of tenure to faculty. Final authority for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.

F. General Procedures Governing Promotion and Tenure

1. With the exception of the third-level review committee, in their reviews of tenure and promotion recommendations from lower levels, upper-level administrators or review committees may not seek or use additional information from outside sources concerning a candidate's merits unless: (1) the materials forwarded from lower levels indicate the presence of a significant dissenting vote or divided recommendations from a lower level; (2) representatives from the first-level unit participate in the selection of additional persons to be consulted; and (3) the assessments

received from these external sources are shared with and considered by the first-level review committee and by the unit's chair or dean; and (4) the review committee and the unit's academic administrator have the opportunity to reconsider their recommendations in the light of the augmented promotion dossier. The third-level review committee may seek additional information on any candidate as it chooses, although it must follow (2), (3) and (4) as described above. In doing so, the committee should ask the Provost to obtain the additional information from the Dean, who would then consult with the Department Chair to obtain faculty input. The evidential basis for upper-level committees and administrators should be restricted to the materials as assembled and evaluated by the first-level unit, with the exception of information obtained in compliance with the procedures just described. Candidates for tenure or promotion, however, are permitted to bring to the attention of the university administration any changes in their circumstances which might have a significant bearing on the tenure or promotion question. In the event that candidates for tenure or promotion bring information of this sort to the attention of upper-level committees or administrators after the first-level review has been concluded, these committees or administrators may take these changes into account in reaching their decisions and may elect to send the case back to the first-level for reconsideration.

2. The candidate's application and supporting materials, and the reports and recommendations of the first-level committee and administrator, shall be transmitted to the appropriate levels of secondary review no later than a date set annually by the Provost.
3. If an untenured faculty member requests leave without pay for a year or more, the dean of the college in which the faculty member will be considered for tenure shall recommend whether or not the faculty member's mandatory tenure review will be delayed. A positive recommendation from the dean to stop the tenure clock shall require evidence: (1) that the leave of absence will be in the interest of the University, and (2) that the faculty member's capacity to engage in continued professional activity will not be significantly impaired during the period of the leave. The dean's recommendation shall be included in the proposal for leave submitted to the Provost. Delay of the mandatory tenure review requires the written approval of the Provost.
4. A faculty member who would otherwise receive a formal review for tenure may waive the review by requesting in writing that he or she not be considered for tenure. A faculty member who has waived a tenure review shall receive whatever terminal appointments he or she would have received if tenure had been denied. A faculty member at any rank who has

been denied tenure and who is ineligible for further consideration shall receive an additional and terminal one-year appointment in that rank.

5. All recommendations for the appointment of faculty below the rank of Associate Professor shall be transmitted for approval through the various levels of review to the President or designee. Final authority for any appointment that confers tenure or for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.
6. After a negative decision by the President, candidates for promotion or tenure shall be notified by certified mail. Determination of the time limits for the period during which an appeal may be made shall be based on the date of the candidate's receipt of the President's letter.

G. Procedures Governing the Granting of Emerita/Emeritus Status

1. Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV who have been members of the faculty of the University of Maryland at College Park for ten or more years, and who give to their chair or dean proper written notice of their intention to retire, are eligible for nomination to emerita/emeritus status (see I.E.7 Emerita, Emeritus). Only in exceptional circumstances may Professors with fewer than ten years of service to the institution be recommended for emerita/emeritus status.
2. The decision whether or not to award emeritus standing shall be based primarily on the candidate's record of significant accomplishment in any of the three areas of (1) teaching and advisement, (2) research, scholarship, and creative activity, and (3) service.
3. If a faculty member gives notice of intention to retire before March 15, the first-level tenured faculty shall vote on emeritus standing within 45 days of the notice. If notice is given after March 15, the vote shall be taken no later than the 45th day of the following semester. The result of the vote shall be transmitted in writing to the candidate and to the administrator of the unit no later than ten days after the vote is taken. A faculty member who has not been informed of the decision concerning his or her emeritus standing within the time limits specified, shall be entitled to appeal the action as a negative decision in accordance with V.B.2.
4. The review committee of the first-level unit shall consist of all eligible members of the faculty. Eligible members of the faculty are all full-time

tenured associate and full professors, as appropriate, excluding the chair or dean. The vote of the entire eligible faculty shall be considered the recommendation of the faculty. The chair or dean shall submit a recommendation separately; the recommendation of the chair or dean shall be considered together with all relevant materials by administrators at higher levels.

5. An emeritus case shall go forward to the next level of review if the department chair's recommendation is positive or the faculty vote is at least fifty percent favorable.
6. The chair of the first-level committee shall prepare a written report, stating the committee's vote and recommendation on whether or not to award emeritus standing and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taken place among the members of the committee. This letter will be forwarded to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberations who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.
7. The recommendation of the first-level administrator shall also be in writing. The administrator's recommendation shall be transmitted to the second-level of review and a copy shall be made available for review by any member of the faculty participating in the unit's review deliberations.
8. Second-level review of recommendations of emeritus standing shall be conducted by the appropriate dean. Second-level reviews of recommendations from non-departmentalized schools and colleges shall be conducted by the Provost. The second-level recommendation of the dean or the Provost, together with all other relevant materials, shall be transmitted to the President.
9. The President shall make the final decision on the award of emeritus standing.
10. Faculty members with ten or more years of service to the University who retired prior to the effective date of this policy and who have not been granted emeritus standing may apply to their departments for consideration as in Section IV.G.1.

H. Termination of Faculty Appointments for Cause

If a tenured or tenure-track faculty member whose appointment the campus administration seeks to terminate for cause requests a hearing by a hearing officer, the hearing officer shall be appointed by the President from a college or school other than that of the appointee, with the advice and consent of the faculty members of the Executive Committee of the Campus Senate. If the appointee requests a hearing by a faculty board of review, members of the board of review shall be appointed by the faculty members of the Executive Committee of the Campus Senate from among tenured Professors not involved in administrative duties.

V. THE APPEALS PROCESS

A. Appeals Committees

1. The President shall appoint an appeals committee. This committee shall consist of nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical and Physical Sciences; Education; Engineering; Chemical and Life Sciences) and one from among the five small colleges (Architecture, Planning, and Preservation; Health and Human Performance; Information Studies; Journalism; Public Policy). No small college shall be represented on the committee more frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position and no one who has participated in the promotion and tenure review process of the appellant shall serve on the campus appeals committee. Appointment to the campus appeals committee shall be for one year, and no one may serve two consecutive terms. Appeals committees shall elect their own chairs. The committee members must maintain absolute confidentiality in their consideration of cases.
2. Special appeals committees at the college, school or campus level shall be appointed by the dean, Provost or President in a manner consistent with the policies, bylaws, or practice of the respective unit.

B. Guidelines and Procedures for Appeals

1. Negative Promotion and/or Tenure Decisions
 - a. Mandatory and Non-Mandatory Reviews

When a candidate for promotion and/or tenure receives notification

from the President, dean or chair that promotion or tenure was not awarded, the candidate may appeal the decision by requesting that the President submit the matter to the Campus Appeals Committee for consideration. The request shall be in writing and be made within sixty (60) days of notification of the negative decision. If the request is granted, all papers to be filed in support of the appeal must be submitted to the Appeals Committee not later than one hundred and twenty (120) days after notification unless otherwise extended by the President because of circumstances reasonably beyond control of the candidate. In writing these appeals letters, the appellant should be aware that these letters serve as the evidentiary basis for investigations of the validity of the appeal and that, should the President accept the request and refer the appeal to the Campus Appeals Committee, these letters shall be shared by the Campus Appeals Committee with the parties against whom allegations are made and any other persons deemed necessary by the Committee for a determination of the issues.

b. Grounds for Appeal

The grounds for appeal of a negative promotion and tenure decision shall be limited to (1) violation of procedural due process, and/or (2) violation of substantive due process.

A decision may not be appealed on the ground that a different review committee, department chair, dean or Provost exercising sound academic judgment might, or would, have come to a different conclusion. An appeals committee will not substitute its academic judgment for the judgment of those in the review process.

Violation of procedural due process means that the decision was negatively influenced by a failure during the formal review for tenure and/or promotion by those in the review process to take a procedural step or to fulfill a procedural requirement established in relevant promotion and tenure review procedures of a department, school, college, campus or system. Procedural violations occurring prior to the review process are not a basis for an appeal and are dealt with under the provisions of paragraph 4 of the introduction to Section IV, Promotion, Tenure, and Emeritus Review.

Violation of substantive due process means that: (1) the decision

was based upon an illegal or constitutionally impermissible consideration; e.g. upon the candidate's gender, race, age, nationality, handicap, sexual orientation, or on the candidate's exercise of protected first amendment freedoms (e.g., freedom of speech); or (2) the decision was arbitrary or capricious, i.e., it was based on erroneous information or misinterpretation of information, or the decision was clearly inconsistent with the supporting materials.

c. Standard of Proof

An appeal shall not be granted unless the alleged grounds for appeal are demonstrated by a preponderance of the evidence.

d. Responsibilities and Powers of the Appeals Committee

1. The appeals committee shall notify the relevant administrators and APT chairs in writing of the grounds for the appeal and meet with them to discuss the issues.
2. The appeals committee shall meet with the appellant to discuss and clarify the issues raised in the appeal.
3. The appeals committee has investigative powers. The appeals committee may interview persons in the review process whom it believes to have information relevant to the appeal. Additionally, the Appeals Committee shall examine all documents related to the appellant's promotion or tenure review and may have access to such other departmental and college materials as it deems relevant to the case. Whenever the committee believes that a meeting could lead to a better understanding of the issues in the appeal, it shall meet with the appropriate party (with the appellant or with the relevant academic administrator and APT chair).
4. The Appeals Committee shall prepare a written report for the President. The report shall be based upon the weight of evidence before it. It shall include findings with respect to the grounds alleged on appeal, and, where appropriate, recommendations for corrective action. Such remedy may include the return of the matter back to the stage of the review process at which the error was made and action to eliminate any harmful effects it may have had on the full

and fair consideration of the case. No recommended remedy, however, may abrogate the principle of peer review.

5. The President shall attach great weight to the findings and recommendations of the committee. The decision of the President shall be final. The decision and the rationale shall be transmitted to the appellant, the department chair, dean, chair(s) of the relevant APT committee(s) and Provost in writing.

e. Implementation of the President's Decision

1. When the President supports the grounds for an appeal, the Provost has the responsibility for oversight of the implementation of the corrective actions the President requires to be taken. Within 30 days of receipt of the President's letter, the Provost shall request the administrator involved to formulate a plan and a timeline for implementing and monitoring the corrective actions. Within 30 days after receipt of this letter, the administrator must supply a written reply. The Provost may require modification of the plan before approving it.
2. The Provost shall appoint a Provost's Representative to participate in all stages of the implementation of the corrective actions specified in the approved plan for the re-review, including participation in the meeting or meetings at which the academic unit discusses, reviews, or votes on its recommendation for tenure and/or promotion for the appellant. The Provost's Representative shall participate in these activities but does not have a vote. After the academic unit completes its review, the Provost's Representative shall prepare a report on all of the elements of corrective action specified in the approved plan and this report will be included with the complete dossier to be reviewed at higher levels within the University. The Provost's Representative shall be a senior member of the faculty with no previous or potential involvement at any level of review or appeal pertaining to the consideration of the appellant for tenure and/or promotion except for the participation as Provost's Representative as defined in this paragraph.

3. The Provost's request and the administrator's approved plan of implementation must be included in the dossier from the inception of the review. Re-reviews begin at the level of review at which the violation(s) of due process occurred and evaluate the person's record at the time the initial review occurred unless otherwise specified by the President. The administrator at the level at which the errors occurred, in addition to evaluating the candidate for promotion, must certify that each of the corrective actions has been taken and describe how the actions have been implemented. Re-reviews must proceed through all levels of evaluation including Presidential review. The Provost's review of the dossier will include an evaluation of compliance with the requirements imposed in the President's decision to grant the appeal. If the Provost discovers a serious failure by the unit to comply with the corrective actions required, the Provost shall formulate and implement a new plan for corrective action with respect to the appellant. In addition, the Provost shall inform (in writing) the administrator of the unit where the failure arose and the Provost shall take appropriate disciplinary action.

f. Extension of Contract

In the event that the appellant's contract of employment will have terminated before reconsideration can be completed, the appellant may request the President to extend the contract for one additional year beyond the date of its normal termination, with the understanding that the extension does not in itself produce a claim to tenure through length of service.

2. Decision Not to Review

If a faculty member requests his or her first level academic unit to undertake a review for his or her promotion or early recommendation for tenure, and the academic unit decides not to undertake the review or fails to transmit a recommendation by the date announced for transmittals, as specified in IV.F.2, above, the faculty member may appeal to the dean (if in a department) or to the Provost (if in a non-departmentalized school or college) requesting the formation of a special appeals committee to consider the matter. The request shall be made in writing. It shall be made promptly, and in no case later than thirty (30) days following written notification of the decision of the first-level academic unit.

If the dean or Provost determines not to form a special appeals committee, the faculty member may appeal to the Provost (if the decision was the dean's) or to the President (if the decision was the Provost's) requesting formation of the special appeals committee. Request shall be made in writing. It shall be made promptly, and in no case no later than thirty (30) days following written notification of the decision of the dean or Provost.

The grounds for appeal and the burden of proof shall, in all instances, be the same as set forth in V.B.1.b and c, above. A committee shall not substitute its academic judgment for that of the first-level unit. The responsibility of a special appeals committee shall be to prepare findings and recommendations. The committee may, for example, recommend that the dean or Provost extend the deadline for transmitting a recommendation and instruct the first-level unit to forward supporting documents as expeditiously as possible. A decision by a dean or the Provost, upon receiving the findings and recommendations of a special appeals committee, shall be final. A decision by the President shall be final.

3. Decision Not to Renew

When, prior to the mandatory promotion and tenure decision, an untenured tenure-track faculty member receives notification that his or her appointment will not be renewed by the first-level unit, he or she may appeal the decision in the manner described in V.B.1.a above.

4. Emeritus Standing

An unsuccessful candidate for emeritus standing may appeal the decision in the manner described in V.B.1. above.



**University Senate
CHARGE**

Date:	October 28, 2011
To:	Charles Fenster Chair, Faculty Affairs Committee
From:	Eric Kasischke Chair, University Senate 
Subject:	Activation of the USM Clinical Faculty Titles
Senate Document #:	11-12-20
Deadline:	February 10, 2012

The Senate Executive Committee (SEC) requests that the Faculty Affairs Committee review the attached proposal entitled, "Activation of the USM Clinical Faculty Titles."

The University System of Maryland (USM) Policy on Appointment, Rank, and Tenure of Faculty (II-1.00) includes a section on faculty engaged in clinical teaching. Our campus currently has faculty in at least six colleges who fulfill the requirements of the clinical faculty titles as defined in the USM policy. The SEC requests that the Faculty Affairs Committee review whether University of Maryland-College Park should activate these titles on our campus.

Specifically, we ask that you:

1. Review the USM Policy on Appointment, Rank, and Tenure of Faculty (II-1.00).
2. Consult with the University's Office of Faculty Affairs on the impact of these new titles on our faculty.
3. Review whether our peer institutions have instituted similar clinical titles.
4. Consult with the University's Office of Legal Affairs.
5. If appropriate, recommend whether the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty II-1.00(A) should be revised to include clinical faculty titles.

We ask that you submit your report and recommendations to the Senate Office no later than February 10, 2012. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



**University Senate
PROPOSAL FORM**

Name:	Ann Wylie
Date:	October 25, 2011
Title of Proposal:	ACTIVATION OF THE USM CLINICAL FACULTY TITLES
Phone Number:	x-56814
Email Address:	juan@umd.edu
Campus Address:	1119 Main Administration, College Park, MD 20742
Unit/Department/College:	Office of the Senior Vice President and Provost
Constituency (faculty, staff, undergraduate, graduate):	Instructional non-tenure-track Faculty
Description of issue/concern/policy in question:	<p>The USM POLICY ON APPOINTMENT, RANK, AND TENURE OF FACULTY, on section IIC (FACULTY RANKS), includes a section (4) on FACULTY ENGAGED EXCLUSIVELY OR PRIMARILY IN CLINICAL TEACHING. UMD does not have such titles presently activated, even though it currently employs expert practitioners whose primary focus is teaching, supervising, and mentoring students in practical environments in at least six colleges. The present request, with the unanimous approval of the Council of Deans, is to activate the USM titles as soon as the University Senate approves this policy change. Specifically the titles in question are 4 e (Clinical Assistant Professor), 4f (Clinical Associate Professor) and 4g (Clinical Professor). No other titles would be activated.</p>
Description of action/changes you would like to see implemented and why:	<p>Since the University does not use the clinical faculty title, concerns have been expressed by various deans that the range of available titles hinders the recruitment and retention of faculty who might warrant such a title. There are currently individuals who are, in effect, carrying out the functions of Clinical Professors without suitable recognition of their status, qualifications, and activities or the opportunity for career development – using inappropriate titles at this point in time. The importance of increasing connections between the University and highly regarded community professionals is also recognized as having value to the institution. Schools or colleges that have already conveyed a desire to utilize the title series are Architecture, Planning, and Preservation; Education; Public Policy; Behavioral and Social Sciences; Public Health; and Business, and no college has expressed opposition to the title.</p>

<p>Suggestions for how your proposal could be put into practice:</p>	<p>Once the titles are activated, Clinical appointments would be 0-100% appointments, paid or unpaid. Departments, schools, and colleges using this title should determine criteria for appointment and promotion and develop a formalized process for review. Initial appointments to these non-tenure-track positions may be for up to three years, with reappointment up to five years being possible. Appointments and promotions should require the sort of process involved in Research Professorships, which is centered at the unit level with oversight from the Dean. At a minimum, this must include the development of a dossier, a meeting of the department's professorial faculty and the clinical faculty at or above the rank the faculty member is seeking, and a meeting of the college APT committee. The final decision should be made by the Dean (Provost in the case of non-departmentalized colleges). The dossier should include a current CV, external references, teaching and mentoring documentation (if possible and relevant), an evaluative report from department faculty, the chair's letter, and the college APT committee report. Clinical faculty may request promotion after five years in rank. Grievance procedures should also be in place.</p>
<p>Additional Information:</p>	<p>Clinical Professors at all ranks must hold the terminal professional degree in their field, any required licensure or certification, and training or experience in an area of specialization. Evidence of ability in clinical practice and teaching should be required, ranging from "potential" at the Clinical Assistant Professor level to "a degree of excellence sufficient to establish an outstanding regional and national reputation among colleagues" for Clinical Professor rank. Similarly, documentation of scholarly or administrative accomplishments should always be expected. Naturally, also, the level and degree of accomplishment should increase with higher ranks.</p>

Please send your completed form and any supporting documents to senate-admin@umd.edu or University of Maryland Senate Office, 1100 Marie Mount Hall.



University Senate TRANSMITTAL FORM

Senate Document #:	11-12-08
Title:	Title Updates in the Senate Bylaws
Presenter:	Kenneth R. Fleischmann, Chair, Elections, Representation, and Governance (ERG) Committee
Date of SEC Review:	February 15, 2012
Date of Senate Review:	March 8, 2012
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>During the past several years, a number of administrative offices at the University have been renamed, staff titles have been revised, and a new Chief Diversity Officer position was created. Additionally, in the Spring of 2011, the Senate approved the renaming of the Senate CORE Committee to the General Education Committee. These changes have all occurred since the Senate Bylaws were last updated.</p>
Relevant Policy # & URL:	NA
Recommendation:	<p>The ERG Committee recommends the Senate approves the suggested changes to the Senate Bylaws to reflect recent revisions and updates to University titles and positions. The suggested changes can be found in the attached report.</p>
Committee Work:	<p>The ERG Committee considered the charge and proposed changes to the Senate Bylaws at its October 3, 2011 meeting and found the suggested changes to be appropriate and necessary.</p> <p>In December 2011 the University Senate Office was notified of an additional title change in the Office of the Provost. The ERG Committee voted electronically to incorporate this change into the legislation.</p> <p>In February 2012, the ERG Committee was notified of a structural change within the Office of Diversity Education and Compliance (ODEC), which resulted in the Director of ODEC now reporting to the Chief Diversity Officer. As such, the Chief Diversity Officer (or a representative of) should replace the Director of ODEC in the</p>

	ex-officio role of the Campus Affairs Committee.
Alternatives:	Titles in the Bylaws could remain out-of-date and the Campus Affairs Committee membership would not have direct communication with the primary diversity office on campus.
Risks:	If the Bylaws remain outdated, there would be inaccuracies in staff and committee titles, possibly causing confusion when appointing future members to Senate standing committees. Additionally, the Campus Affairs Committee would not be in direct communication with the primary diversity office on campus, creating potential inefficiencies in the Committee's work.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate Approval. Presidential Approval.

Elections, Representation, and Governance (ERG) Committee
Report on Title Updates in the Senate Bylaws
Senate Doc # 11-12-08

Background

During the past several years, a number of administrative offices at the University have been renamed, staff titles have been revised, and a new Chief Diversity Officer position was created. Additionally, in the Spring of 2011, the Senate approved the renaming of the Senate CORE Committee to the General Education Committee. These changes have all occurred since the Senate Bylaws were last updated.

Committee Work

The ERG Committee considered the charge and proposed changes to the Senate Bylaws in the Fall of 2011. The committee discussed the importance of keeping Senate documents, such as the Senate Bylaws, updated. A careful review of the suggested changes found them to be appropriate and necessary. The ERG Committee voted unanimously to approve all the suggested changes.

In December 2011 the University Senate Office was notified of an additional title change in the Office of the Provost. The ERG Committee voted electronically to incorporate this change into the legislation.

In February 2012, the ERG Committee was notified of a structural change within the Office of Diversity Education and Compliance (ODEC), which resulted in the Director of ODEC now reporting to the Chief Diversity Officer. As such, the Chief Diversity Officer (or a representative of) should replace the Director of ODEC in the ex-officio role of the Campus Affairs Committee.

Recommendation

The ERG Committee recommends the Senate approve the suggested changes to the Senate Bylaws as noted in blue font/track changes in Appendix 1.

Appendices

Appendix 1 – Proposal/Suggested Changes

Appendix 2 – Charge

Appendix 1 - Proposal/Suggested Changes



**University Senate
PROPOSAL FORM**

Name:	University Senate Office
Date:	September 14, 2011
Title of Proposal:	Title Updates in the Senate Bylaws
Phone Number:	301- 405-5805
Email Address:	senate-admin@umd.edu
Campus Address:	1100 Marie Mount Hall, College Park, MD 20742-7541
Unit/Department/College:	University Senate Office
Constituency (faculty, staff, undergraduate, graduate):	Staff
Description of issue/concern/policy in question:	Many position and unit titles have changed since the Bylaws of the University Senate were last updated.
Description of action/changes you would like to see implemented and why:	The University Senate Office would like for a review to be conducted of the areas identified in attached PDF of the Bylaws. For accuracy purposes, the Bylaws should be updated to reflect proper titles.
Suggestions for how your proposal could be put into practice:	The Senate Elections, Representation, & Governance (ERG) Committee could be charged with reviewing these suggested changes to the Bylaws. If the committee approves, the recommended changes would be sent to the SEC and Senate for approval, as well.
Additional Information:	http://www.senate.umd.edu/governingdocs/bylawsrevised05-04-11.pdf

BYLAWS

OF THE

UNIVERSITY

SENATE

Amended May 4, 2011

BYLAWS OF THE UNIVERSITY SENATE
University of Maryland, College Park
Amended May 4, 2011

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BYLAWS OF THE UNIVERSITY SENATE
The University of Maryland, College Park

ARTICLE 1
AUTHORIZATION

- 1.1 These *Bylaws of the University Senate* (hereafter referred to as the *Bylaws*) are adopted according to Article 7 of the *Plan of Organization* (hereafter referred to as the *Plan*), and are subject to amendment as provided for in the *Plan*.

ARTICLE 2
MEMBERSHIP

- 2.1 The members of the Senate are as designated in Article 3 of the *Plan* and further specified in 2.1 and 2.2 below. All elected members are subject to the conditions stated in the *Plan*, including its provisions for expulsion, recall, and impeachment (Article 4.10, 4.11, and 5.6 of the *Plan* and Article 2.3 below).

2.1.a Staff Senators

For the purpose of Senate representation, the Staff Constituency is divided into the following categories. Each category shall elect one Senator from among its ranks for each 200 staff members or major fraction thereof.

1. Executive, Administrative, and Managerial Staff
2. Professional Staff
3. Secretarial and Clerical Staff
4. Technical and Para-Professional Staff
5. Skilled Crafts
6. Service and Maintenance

Exempt staff are in categories 1 and 2; non-exempt staff are in categories 3-6.

- 2.1.b Staff member job categories will not include the category designated for the President, vice presidents, provosts, and deans if they hold faculty rank.
- 2.1.c Any individual within the faculty member voting constituency cannot be included in the staff member voting constituency or nominated for election as a Senate staff member. Staff candidates for the Senate must have been employed at the University of Maryland College Park for 12 months prior to standing as candidates for Senate. Staff members may not stand for Senate elections while in the probationary period of employment.
- 2.1.d An ex officio member denoted in the *Plan* (Article 3.6.a.) who is not precluded from staff member categories as noted in Articles 2.1.b and 2.1.c may be elected as a voting member of the Senate by an appropriate constituency. Such ex officio members should also have been employed by the University of Maryland College Park for 12 months prior to standing as candidates for the Senate.
- 2.1.e As noted in the *Plan* (Article 3.3.c), the term of each staff Senator shall be three (3) years. Terms of staff members will be staggered in such a way that for each term, one-third of the total members from a job category are serving the first year of their term. Not every member of a specific job category shall be elected in the same year except in the case that the job categories are redefined by the University or these *Bylaws*. In such a circumstance, at the completion of the election, from those members who were elected:
- (1) One-third of the members in a job category who received the lowest number of votes will serve a one-year term,
 - (2) One-third of the members in a job category who received the second lowest number of votes will serve two-year terms,
 - (3) One-third of the members in a job category who received the highest number of votes will serve

three year-terms.

A person serving a one-year term is defined not to have served a full term and is eligible for re-election to a full term the following year.

2.2 Single Member Constituencies

The Senators defined in (a)-(e) below shall be voting members of the Senate. All elections held pursuant to this section shall be organized by the Senate Office.

- (a) Teaching Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall elect two (2) Senators, for a term of one (1) year, their terms renewable for up to three (3) years. Full-time Instructor/Lecturers shall elect one (1) full-time representative and part-time Instructor/Lecturers shall elect one (1) part-time representative representing the Instructor/Lecturer constituency. When the Senate votes by constituencies, those Senators shall have the same voting rights as a Faculty Senator.
- (b) Research Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.
- (c) The part-time undergraduate students shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other student Senators. A part-time student Senator who changes to full-time status subsequent to election may serve out his/her term.
- (d) The Contingent 2 Staff shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other Staff Senators. The Contingent 2 Staff Senator shall have been employed by the University for twelve months prior to their election.
- (e) Emeritus Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.
- (f) The part-time graduate students shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other student Senators. A part-time student Senator who changes to full-time status subsequent to election may serve out his/her term.
- (g) Adjunct Professors and Professors of the Practice who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan together shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.

- 2.3 If any elected Senator is absent from two (2) consecutive regularly scheduled meetings of the Senate without prior approval from the Office of the University Senate (Article 4.10.a of the Plan), the Executive Secretary and Director shall notify the constituency of this fact. Also in accordance with Article 4.9 and 4.10 of the Plan, until the member attends a meeting of the Senate, or the Senator is expelled, that Senator shall be counted in the total membership when a quorum is defined for a meeting.

ARTICLE 3 MEETINGS

3.1 Regular Meetings:

The Senate shall schedule at least four (4) regular meetings each semester. The notice, agenda, and Amended May 4, 2011

supporting documents shall be mailed, by campus or electronic-mail, from the Senate Office to the membership no later than one calendar week prior to each regular meeting unless otherwise approved by the Executive Committee.

3.2 **Special Meetings:**

3.2.a Special meetings of the Senate may be called in any of the following ways, with the matter(s) to be considered to be specified in the call:

- (1) By the presiding officer of the Senate;
- (2) By a majority vote of the Executive Committee of the Senate;
- (3) By written petition of a majority of the elected members of the Senate. The petition shall be delivered to the Chair or the Executive Secretary and Director of the Senate. The Chair shall give notice of arrangements for the meeting within seventy-two (72) hours of receipt of a valid petition; and
- (4) By resolution of the Senate.

3.2.b The notice of a special meeting shall include the agenda and shall be sent to the members of the Senate as far in advance of the meeting as possible. The agenda of a special meeting may specify a scheduled time of adjournment and provide information on adjourned meetings.

3.2.c The scheduling of a special meeting shall reflect the urgency of the matter(s) specified in the call, the requirement of reasonable notice, and the availability of the membership.

3.3 **Openness of Meetings and Floor Privileges:**

3.3.a Meetings of the Senate shall be open to all members of the campus community except when the meetings are being conducted in closed session.

3.3.b Representatives of the news media shall be admitted to all meetings of the Senate except when the meetings are conducted in closed session. The use of television, video, or recording equipment shall not be permitted except by express consent of the Senate.

3.3.c When a report of a committee of the Senate is being considered, members of that committee who are not members of the Senate may sit with the Senate and have a voice but not a vote in the deliberations of the Senate on that report.

3.3.d Any Senator may request the privilege of the floor for any member of the campus community to speak on the subject before the Senate. The Chair shall rule on such requests.

3.3.e By vote of the Senate, by ruling of the Chair, or by order of the Executive Committee included in the agenda of the meeting, the Senate shall go into closed session. The ruling of the Chair and the order of the Executive Committee shall be subject to appeal, but the Chair shall determine whether such appeal shall be considered in open or closed session.

3.3.f While in closed session, the meeting shall be restricted to voting members of the Senate (Article 3 in the *Plan*), to members granted a voice but not a vote (Articles 3.6 and 5.2.c of the *Plan*), to the Executive Secretary and Director, to the parliamentarian and any staff required for keeping minutes and audio recordings, and to other persons expressly invited by the Senate.

3.4 **Rules for Procedure:**

3.4.a The version of *Robert's Rules of Order* that shall govern the conduct of Senate meetings shall be *Robert's Rules of Order, Newly Revised*.

3.4.b A quorum for meetings shall be defined as a majority of elected Senators who have not received prior approval for absence from the Office of the University Senate, or fifty (50) Senators, whichever number is higher. For the purpose of determining a quorum, ex officio members with or without vote shall not be considered.

ARTICLE 4 EXECUTIVE COMMITTEE

4.1 Membership and Election:

- 4.1.a As set forth in the *Plan* (Article 8.2), the members of the Executive Committee shall include the Chair and Chair-Elect of the Senate, and twelve (12) members elected from the voting membership of the Senate. One of the two staff members shall be elected by and from the Senators representing exempt staff, and the other shall be elected by and from the Senators representing nonexempt staff.
- 4.1.b Non-voting members of the Executive Committee shall be the President and the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost or their representatives; the Executive Secretary and Director of the Senate, who shall be secretary of the Executive Committee; and the Parliamentarian.
- 4.1.c The election of the Executive Committee shall be scheduled as a special order at the transitional meeting of the Senate in the Spring Semester, but in no case shall it precede the election of the Chair-Elect as provided for in the *Plan* (Article 5.3). In the event of a tie vote in the election for members of the Executive Committee, a ballot will be mailed to each Senator as soon as the votes are counted and the tie discovered. Ballots are to be returned within one (1) week from the date mailed.
- 4.1.d In the event of a vacancy on the Executive Committee, the available candidate who had received the next highest number of votes in the annual election for the Executive Committee shall fill the remainder of the unexpired term.

4.2 Charge: The Executive Committee shall exercise the following functions:

- 4.2.a Assist in carrying into effect the actions of the Senate;
- 4.2.b Act for the Senate as provided for by and subject to the limitations stated in Article 4.3;
- 4.2.c Act as an initiating body suggesting possible action by the Senate;
- 4.2.d Review and report to the Senate on administrative implementation of policies adopted by the Senate;
- 4.2.e Prepare the agenda for each Senate meeting as provided for by and subject to limitations stated in Article 4.4;
- 4.2.f Serve as a channel through which any member of the campus community may introduce matters for consideration by the Senate or its committees;
- 4.2.g Prepare and submit reports on the Senate's work to the President and the campus community;
- 4.2.h Review the operations of the Office of the University Senate in January of each year, and make recommendations to the President for improvements in those operations and for the replacement or continuation of the Executive Secretary and Director;
- 4.2.i Serve as the channel through which the Senate and the campus community may participate in the selection of officers of the campus and the University;
- 4.2.j Perform such other functions as may be given it in other provisions of these *Bylaws* and the *Plan*; and
- 4.2.k Conduct elections, by Senators representing faculty constituencies, for membership on system-wide bodies requiring faculty representatives.

4.3 Rules Governing Executive Committee Action for the Senate:

- 4.3.a Where time or the availability of the membership precludes a meeting of the Senate, as, for example, during the summer or between semesters, the Executive Committee may act for the Senate.
- 4.3.b A report of all actions taken by the Executive Committee when acting for the Senate, with supporting material, shall be included with the agenda of the next regular meeting of the Senate. By written request of ten (10) Senators, received by the Chair of the Senate prior to the call to order of that meeting, any Executive Committee action on behalf of the Senate shall be vacated and the item in question placed on the agenda as a special order. If any such item is not petitioned to the floor, it shall stand as an approved action of the Senate.

4.4 Rules Governing Preparation of the Senate Agenda:

- 4.4.a The order of business for regular meetings shall be as follows:
- (1) Call to order;
 - (2) Approval of the minutes of the previous regular meeting and any other intervening special meeting(s);
 - (3) Report of the Chair;
 - (4) Report of the Executive Committee;
 - (5) Special orders of the day;
 - (6) Unfinished business;
 - (7) Reports of committees;
 - (8) Other new business; and
 - (9) Adjournment.
- 4.4.b For regular meetings the Executive Committee shall consider all submissions for inclusion on the Senate agenda. The Executive Committee may not alter a submission, but may delay its inclusion, may include it on the agenda of a special meeting, may submit the material directly to a committee of the Senate, or may refuse to place it on the agenda if the material is inappropriate, incomplete, or unclear. The party making a submission shall be notified of the action taken in this regard by the Executive Committee.
- 4.4.c The order of business for a special meeting shall be as follows:
- (1) Call to order;
 - (2) Statement by the Chair of the nature and origin of the call of the meeting;
 - (3) The special order;
 - (4) Other business as determined by the Executive Committee; and
 - (5) Adjournment.
- 4.4.d For a special meeting the agenda shall include the matter(s) specified in the call of that meeting as the Special Order. Other items may be included on the agenda as the Executive Committee deems appropriate.

4.5 Meetings of the Executive Committee: A quorum of the Executive Committee shall be seven (7) voting
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members. Minutes of the meetings shall be kept. A report of the Executive Committee shall be submitted to the next regular meeting of the Senate. The Executive Committee shall meet at the call of the Chair or by petition of seven (7) voting members of the Executive Committee, or by petition of twenty-five (25) voting members of the Senate.

- 4.6 The Senate Budget: The Executive Secretary and Director shall be responsible for the Senate budget, shall consult with the Executive Committee on the preparation of the budget request, and shall report to the Executive Committee the funds received. The Executive Secretary and Director shall make an annual report to the Senate on expenditure of the Senate budget. Consent of the Executive Committee shall be required before any change in the budgeted use of Senate funds involving more than ten percent (10%) of the total may be undertaken.
- 4.7 **Referral of Items to Standing Committees:** The Executive Committee shall refer items to the standing committees.
- 4.7.a The Executive Committee shall refer an item to an appropriate committee when instructed by the Senate or when requested by the President, or when petitioned by 150 members of the Senate electorate.
- 4.7.b The Executive Committee may also refer any item it deems appropriate, and the standing committee shall give due consideration to such requests from the Executive Committee.
- 4.7.c The Chair of the Senate may, as need requires, act for the Executive Committee and refer items to standing committees. All such actions shall be reported at the next meeting of the Executive Committee.
- 4.8 To the extent permitted by law and University policy, the records of the Senate shall be open.

ARTICLE 5 COMMITTEES OF THE SENATE

- 5.1 **Standing Committees - Specifications:** The specifications of each standing committee of the Senate shall state its name, its specific charge, and any exceptions or additions to the basic charge to standing committees stated in Article 5.2. The specifications shall list all voting ex officio members and may restrict committee composition.
- 5.1.a General Standing Committees: In an appropriate section of Article 6 there shall be specifications for each general committee.
- 5.2 **Standing Committees - Basic Charge:** In its area of responsibility, as defined in its specifications, each committee shall be an arm of the Senate with the following powers:
- (1) To formulate and review policies to be established by the Senate according to the *Plan* (Article 1);
 - (2) To review established policies and their administration and to recommend any changes in policies or their administration that may be desirable;
 - (3) To serve in an advisory capacity, upon request, regarding the administration of policies;
 - (4) To function on request of the President or of the Executive Committee as a board of appeal with reference to actions and/or decisions made in the application of policies; and
 - (5) To recommend the creation of special subcommittees (Article 5.8) when deemed necessary.
- 5.3 **Standing Committees - General Committee Operation:**
- 5.3.a Agenda Determination:

- (1) Nonprocedural items shall be placed on the agenda of a general committee by vote of that committee, by referral from the Executive Committee (Article 4.7), or by referral of policy recommendations. The committee shall determine the priorities of its agenda items.
- (2) A general committee shall have principal responsibility for identifying matters of present and potential concern to the campus community within its area of responsibility. Such matters should be placed on the agenda of the general committee.

5.3.b Rules for Procedure of Standing Committees: The version of *Robert's Rules of Order* that shall govern the conduct of Standing Committees shall be *Robert's Rules of Order, Newly Revised*.

5.3.c Quorum Requirements of Standing Committees: Unless a quorum number is specified in the membership description of a committee, the quorum shall be a majority of voting members of the committee.

5.4 **Standing Committees - Reporting Responsibilities:** Each committee shall be responsible through its presiding officer for the timely delivery of the following reports.

5.4.a The Executive Secretary and Director shall receive an announcement of each meeting of the committee stating the time and place of the meeting with agenda items. It shall be sent as far in advance of the meeting as possible.

5.4.b The committee shall report its progress on agenda items as required by the Executive Secretary and Director or the Chair of the Senate.

5.4.c Reports providing information and/or recommendations to the Senate shall be submitted to the Executive Committee for inclusion on the Senate agenda. Reports resulting from the committee's advisory or board of appeals function shall be submitted to the appropriate Senate or campus officer, and the Executive Committee notified of the submission.

5.4.d Upon written request of at least four (4) members of a committee, the presiding officer of that committee shall include a minority statement with any committee report. Those requesting inclusion need not support the substance of the minority statement.

5.4.e An annual report shall be presented to the Chair of the Senate at the end of the academic year, or, if approved by the Chair, no later than August 16, for submission to the Senate. The report shall include a list of all items placed on the committee's agenda, noting the disposition of each. In the case of committees with little activity, the committee may recommend inactive status the ensuing year.

5.5 **Standing Committees - Selecting Members:** Persons shall be named to standing committees in accordance with the procedures listed below.

5.5.a The Committee on Committees, through the Senate office, shall maintain a database of the qualifications, preferred committees, and past committee service of members of the Senate electorate. Opportunity to update this database shall be provided annually. In the case of students, new information will be solicited through the most practical means. In the case of staff and faculty, current information will be forwarded with a request that the elector update the information. In conjunction with this annual update, the Senate office shall circulate prepared information on the duties, powers, and membership specifications of each committee and council to each unit, to all new electors, and to students requesting the information.

5.5.b The Committee on Committees shall submit nominations as necessary to maintain full and effective committee membership. No person shall be nominated for a committee position without consenting to serve on that committee, either through indicated preference or explicit agreement. In making nominations, the Committee on Committees shall keep in view the continuing membership of the committee to ensure that the full membership complies with specifications of the *Plan* and these *Bylaws*. Committee members shall be nominated consistent with requirements for diversity specified in Section 8.1 of the *Plan*.

- 5.5.c Ex officio members named in a committee's specifications shall be voting members unless otherwise specified in the *Bylaws*. Upon recommendation of the Committee on Committees, the Executive Committee may appoint ex officio members with particular expertise or benefit to the committee. Such members shall serve with voice, but without vote. The Executive Committee is empowered to make such changes in non-voting ex officio membership as appropriate.
- 5.5.d The Committee on Committees shall forward nominations to the Executive Committee to place on the Senate agenda for approval. Each nominee shall be identified by name, constituency, and Senate committee experience. The notice of nomination shall also include the name and constituency of continuing members of the committee, and the name and office of the current ex officio members, listed for information only. The nominations shall be subject to action by the Senate consistent with the *Plan* and the specifications of these *Bylaws*.
- 5.5.e Terms on standing committees shall be two (2) years for faculty and staff, and one (1) year for students. Appointments to two-year terms shall be staggered: that is, as far as practical, half of the terms from each faculty or staff constituency shall expire each year. Terms shall begin on the date of the transitional meeting of the Senate in the appropriate year.
- 5.5.f A member of a standing committee whose term is expiring may be appointed to another term, subject to restrictions (1) and (2) below. The Committee on Committees is particularly charged to consider the reappointment of active student members.
- (1) No reappointment shall be made that would cause the appointee to serve longer than four consecutive years on the same committee.
 - (2) At most, half of the non-student members of a committee whose terms are expiring in any given year may be reappointed.
- 5.5.g Terms as presiding officer of a committee shall be one year. A presiding officer may be reappointed if his/her tenure as a committee member is continuing; however, no one shall serve as presiding officer of a committee for more than two (2) consecutive years.
- 5.5.h Appointments of the presiding officers of committees shall be designated as the annual committee slate and shall be approved by the Senate at an appropriate meeting. Appointments to unexpired terms shall be for the remainder of the unexpired term and shall be acted upon by the Senate as placed on the agenda by the Executive Committee.
- 5.6 **Standing Committees - Replacing Presiding Officers and Members:** The presiding officer and members of any active standing committee may be replaced for cause after inquiry by the Executive Committee, subject to approval by the Senate (see Article 5.6.c).
- 5.6.a Cause, for presiding officers, is defined as the following:
- (1) Failure to activate the committee during the first semester after appointment in order to organize its business and determine an agenda; or
 - (2) Failure to activate the committee in order to respond to communications referred from the Executive Committee; or
 - (3) Failure to activate the committee in order to carry out specific charges required in Article 6 or other Senate documents.
- 5.6.b Cause, for members, is defined as the following:
- (1) Continual absence from committee meetings and/or lack of participation in committee activities; or
 - (2) Lack of registration on campus for students or termination of employment on campus for faculty and staff.

- 5.6.c Procedure for replacing presiding officers and members:
- (1) The decision to replace a presiding officer rests with the Executive Committee; and
 - (2) Requests for replacing a committee member shall be submitted by the presiding officer of a committee to the Executive Committee; such requests will contain a statement citing the appropriate "cause."
- 5.6.d When the Executive Committee decides to replace a presiding officer or committee member, it shall request the Committee on Committees to identify a suitable replacement.
- 5.7 **Standing Committees - Appointing Special Subcommittees:** A standing committee of the Senate may appoint special subcommittees to assist in the effective performance of its responsibilities. Persons appointed to special subcommittees who are not members of standing committees must be approved by the Executive Committee. The Chair of any special subcommittee must be a member of the standing committee making the appointment.
- 5.8 **Special Committees:** A special committee of the Senate may be established by resolution of the Senate to carry out a specified task. The empowering resolution shall also stipulate the means of selecting the committee and any restrictions on its composition. The committee shall function until the completion of its tasks or until discharged by the Senate. A final report of its work shall be presented to the Senate. Members shall serve for the duration of the committee unless otherwise specified by the Senate.

ARTICLE 6 STANDING COMMITTEE SPECIFICATIONS

- 6.1 **Academic Procedures and Standards Committee:**
- 6.1.a Membership: The committee shall consist of an appointed presiding officer; ten (10) faculty members; three (3) undergraduate and two (2) graduate students; and the following persons or a representative of each: the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost, the Director of Undergraduate Admissions, ~~and~~ the Associate Provost for Academic Affairs and Dean ~~of for~~ Undergraduate Studies, and the Associate Provost for Academic Affairs and Dean of the Graduate School.
 - 6.1.b Quorum: A quorum of the Academic Procedures and Standards Committee shall be nine (9) voting members.
 - 6.1.c Charge: The committee shall formulate and continually review policies, rules, and regulations governing the admission, readmission, academic standing, and dismissal of all students for academic deficiency.
 - 6.1.d Charge: The committee shall continually review policies and procedures for academic advisement, scheduling of classes, and registration.
 - 6.1.e Charge: The committee shall formulate and continually review policies to be observed by the instructional staff in conducting classes, seminars, examinations, students' research, and student evaluations.
 - 6.1.f Policies, rules, and regulations exclusively governing admission, readmission, scholastic standing, and dismissal of graduate students for academic deficiency shall be reviewed by an appropriate committee of the Graduate School. Such policies, rules, and regulations will be transmitted by the Graduate School directly to the Senate through the Executive Committee. Policies, rules, and regulations that concern both graduate and undergraduate matters shall be considered by both the Educational Affairs Committee and the appropriate committee of the Graduate School.

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; the President or a representative of the Student Government Association; the President of the Graduate Student Government or the President's graduate student designee; and the following persons or a representative of each: the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, the Vice President for Administrative Affairs, the Vice President for Student Affairs, the Vice President for University Relations, and the ~~Director of the Office of Diversity & Inclusion~~ Chief Diversity Officer.
- (2) When discussions of safety are on the agenda, the Chief of Police, the President's Legal Office, 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 member designated by the Chair and approved by the Senate Executive Committee will serve as an ex officio member of the Athletic Council and 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 total campus, its functions, its facilities, its internal operation and 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 establish procedures for the periodic review of campus level administrators.

6.2.e Charge: The committee shall gather community input on safety and security issues and shall act as a liaison between the police and the campus community. The committee shall provide an annual report to the Senate regarding this charge.

6.3 Committee on Committees:

6.3.a Membership and terms:

- (1) As set forth in the *Plan* (Article 8.3.a), the Committee on Committees shall be chaired by the Chair-Elect of the Senate.
- (2) Besides the Chair-Elect of the Senate, the voting membership, as defined in the *Plan* (Article 8.3.a), shall consist of six (6) faculty members, with no more than one (1) from any college, elected by faculty Senators; two (2) staff members elected by staff Senators; and two (2) students elected by student Senators.
- (3) Students are elected to serve for one (1) year, faculty and staff for two (2) years, whether or not their membership in the Senate continues beyond their first year of service in the committee.
- (4) Terms of faculty and staff members are staggered in such a way that, at any time, no more than three (3) faculty members and one (1) staff member are serving the second year of their term.
- (5) In the event of a vacancy on the Committee on Committees, the available candidate who had received the next highest number of votes in the last annual election for the Committee on Committees, subject to provisions in 6.3.a(2), shall fill the remainder of the unexpired term.

6.3.b Charge:

- (1) As set forth in the *Plan* (Article 8.3.b), responsibilities of the Committee on Committees include:
- (a) Identification and recruitment of individuals for service on Senate committees,
 - (b) Identification and recruitment of individuals to serve as representatives of the Senate on University committees.
 - (c) Identification and recruitment of individuals to serve as representatives of the Senate on University committees.
- (2) Additional duties include
- (a) Identification of individuals for service on System committees,
 - (b) Ongoing assessment of the effectiveness of committees, and recommendation for improvements and changes in the operations and structure of the Elections, Representation and Governance Committee and the Executive Committee.
- 6.3.c Operation: The Committee on Committees shall follow the procedures specified for standing committees in Article 5 above, with the exception of 5.5.

6.4 Educational Affairs Committee:

- 6.4.a Membership: The committee shall consist of an appointed presiding officer; twelve (12) faculty members; two (2) staff members; two (2) undergraduate students and one (1) graduate student; the President or a representative of the Student Government Association; the President of the Graduate Student Government or the President's graduate student designee; and the following persons or a representative of each: the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, the Director of ~~the~~ Honors College, ~~and the Associate Provost for Academic Affairs and Dean of~~ for Undergraduate Studies, and the Associate Provost for Academic Affairs and Dean of the Graduate School. The presiding officers of the Program, Curricula, and Courses (PCC) and the ~~General Education CORE Liberal Arts & Sciences (CORE)~~ Committees shall be non-voting, ex officio members.
- 6.4.b Quorum: A quorum of the Educational Affairs Committee shall be eleven (11) voting members.
- 6.4.c Charge: The committee shall formulate and continually review plans and policies to strengthen the educational system of the College Park campus. The committee shall receive ideas, recommendations, and plans for educational innovations from members of the campus community and others. The committee shall inform itself of conditions in the colleges, schools, and other academic units, and shall propose measures to make effective use of the resources of the campus for educational purposes.

6.5 Elections, Representation, and Governance Committee:

- 6.5.a Membership: The committee shall consist of an appointed presiding officer; seven (7) faculty members; two (2) staff members; two (2) undergraduate and two (2) graduate students; and the Director of Human Resources and the ~~Assistant Vice President for Institutional Research and Planning~~ Associate Vice President for Institutional Research, Planning, and Assessment.
- 6.5.b Quorum: A quorum of the Elections, Representation, and Governance Committee shall be eight (8) voting members.
- 6.5.c Charge: The committee shall review and recommend policies regarding the conduct of elections, determine correct apportionments for all constituencies, and investigate and adjudicate all charges arising from the management and results of Senate elections.

- 6.5.d Charge: The committee shall determine the correct apportionment for all constituencies every five (5) years in association with any review or revision of the *Plan* (Articles 3.8 and 6.3 of the *Plan*).
- 6.5.e Charge: The committee shall supervise all Senatorial elections and referenda in accordance with the *Plan* (Article 4.2), and shall cooperate with certain constituencies in their nomination and election processes in accordance with the *Plan* (Article 4.4) or as requested by the Executive Committee.
- 6.5.f Charge: The committee shall establish appropriate procedures for the tallying and reporting of election results (Article 4.8 of the *Plan*), and other such duties as appropriate (Articles 3.3.b and 3.4.b(2) of the *Plan*).
- 6.5.g Charge: The committee shall review the plans of organization of the colleges, schools, and other units, in accordance with the *Plan* (Article 11).
- 6.5.h Charge: The committee shall review and observe the operation and effectiveness of the University Senate and make any appropriate recommendations for improvements.
- 6.5.i Charge: The committee shall receive all petitions for impeachment of the Chair or Chair-Elect in accordance with the *Plan* (Article 5.6).
- 6.5.j Charge: The committee shall initiate procedures for expelling Senators in accordance with the *Plan* (Article 4.10).
- 6.5.k Charge: The committee shall receive all petitions for the recall of Senators in accordance with the *Plan* (Article 4.11).

6.6 **Equity, Diversity, & Inclusion Committee:**

- 6.6.a Membership: The committee shall consist of an appointed presiding officer; four (4) undergraduate and two (2) graduate students; six (6) faculty members; three (3) non-exempt staff members; the ~~Director of the Office of Diversity & Inclusion~~ [Director of the Office of Diversity Education and Compliance](#); one (1) exempt staff member or a Director from the ~~Office of Academic Affairs~~ [Office of the Senior Vice President for Academic Affairs and Provost](#); one (1) exempt staff member or a Director from the ~~Office~~ [Division](#) of Administrative Affairs; one (1) exempt staff member or a Director from the ~~Office~~ [Division](#) of Student Affairs; and the following persons or a representative of each: the ~~Senior Vice President for Academic Affairs and Provost~~ [Senior Vice President and Provost](#), the Vice President for Administrative Affairs, and the Vice President for Student Affairs.
- 6.6.b Quorum: A quorum of the Equity, Diversity, & Inclusion Committee shall be eleven (11) voting members.
- 6.6.c Charge: The committee shall carry out its responsibilities as detailed in Article 1, Section E of the Code on Equity, Diversity, and Inclusion, University of Maryland, College Park, and recommend any appropriate changes in the Code. It shall consider programs for improving equity, diversity, and inclusiveness at the University.

6.7 **Faculty Affairs Committee:**

- 6.7.a Membership: The committee shall consist of an appointed presiding officer; ten (10) faculty members, of whom four (4) shall be senators and two (2) must be untenured; one (1) undergraduate student and two (2) graduate students; one (1) staff member; and the following persons or a representative of each: the President, the ~~Senior Vice President for Academic Affairs and Provost~~ [Senior Vice President and Provost](#), and the Director of Human Resources.
- 6.7.b Quorum: A quorum of the Faculty Affairs Committee shall be eight (8) voting members.
- 6.7.c Charge: The committee shall formulate and continually review policies pertaining to faculty life,

employment, academic freedom, morale, and perquisites.

6.7.d Charge: The committee shall work for the advancement of academic freedom and the protection of faculty and research interests.

6.7.e Charge: The committee shall, in consultation with colleges, schools, and other academic units, establish procedures for the periodic review of academic administrators below the campus level.

6.8 General Education Committee:

6.8.a Membership: The committee shall consist of:

- (1) A presiding officer, who is a member of the faculty and is appointed by the chair of the Senate;
- (2) Twelve (12) faculty members consisting of:
 - (a) One (1) representative from each of the following entities: the College of Agriculture and Natural Resources; the School of Architecture, Planning, and Preservation; the College of Arts and Humanities; the College of Behavioral and Social Sciences; the Robert H. Smith School of Business and Management; the College of Computer, Mathematical, and Natural Sciences; the College of Education; the A. James Clark School of Engineering; the College of Information Studies; the Philip Merrill College of Journalism; the School of Public Health; and the School of Public Policy;
- (3) Four (4) students, of whom at least one (1) must be an undergraduate student and at least one (1) must be a graduate student, from four (4) different entities listed in 6.8.a(2)(a) above and those under the Office of Undergraduate Studies.
- (4) The Associate Provost for Academic Affairs and Dean for Undergraduate Studies, the Director of the Honors College, the Executive Director of College Park Scholars (or their designees), and the Associate Dean for General Education shall serve as voting ex officio members.

6.8.b Charge:

- (1) To facilitate the ongoing Core Liberal Arts and Sciences Program for students under the Core requirements, the General Education Committee shall exercise continuing supervisory authority and general oversight of the Core Liberal Arts and Sciences Program at the University of Maryland consistent with its authority as mandated by the report on undergraduate education entitled Promises to Keep: The College Park Plan for Undergraduate Education (Pease Report), adopted by the College Park Senate in March 1988 and in coordination with the General Education Program at the University of Maryland as described in the 2010 document Transforming General Education at the University of Maryland and the General Education Implementation Plan approved by the University Senate in February 2011. It shall also make periodic reports to the Senate on its evaluation of the effectiveness of the program and make any recommendations for revision or improvements it deems appropriate.
- (2) The General Education Committee shall exercise broad oversight and supervision of the General Education Program at the University of Maryland as described in the 2010 document Transforming General Education at the University of Maryland and the General Education Implementation Plan approved by the University Senate in February 2011. The General Education Committee shall review and make recommendations concerning the General Education Program to the Senate and the Associate Provost for Academic Affairs and Dean for Undergraduate Studies. Such recommendations shall include, as the committee deems appropriate, the program's requirements and its vision, especially with regard to evaluating trends, reviewing learning outcomes, and maintaining the balance of courses in the General Education categories.

- 6.8.c The committee may, under the provisions of Section 5.7, establish subcommittees for each major segment of its work. A member of the General Education Committee shall serve as the presiding officer of each subcommittee. The other members may, but need not, be members of the General Education Committee as the General Education Committee and the Senate Executive Committee deem appropriate.
- 6.8.d Relation of the General Education Committee to the Office of the Associate Provost for Academic Affairs and Dean for Undergraduate Studies:
- (1) The Associate Provost for Academic Affairs and Dean for Undergraduate Studies will prepare an annual report on the status of the General Education Program and will send the report to the General Education Committee by September 1.
 - (2) The Associate Provost for Academic Affairs and Dean for Undergraduate Studies will meet with the General Education Committee as needed to discuss or update the report. Topics will include but not be limited to: the membership and ongoing work of the General Education Faculty Boards; the proposal and approval process for General Education courses; the learning outcomes for the different course categories; areas where additional courses or rebalancing may be needed; trends and developments that may impact the General Education Program; and informational resources for students, faculty, and advisors about the General Education Program.
 - (3) The Office of the Associate Provost for Academic Affairs and Dean for Undergraduate Studies shall inform the committee of modifications in the proposal or review process, the disposition of recommendations from the committee, and any other changes regarding the implementation of the General Education Program as specifically delegated to that office.

6.9 **Governmental Affairs Committee:**

- 6.9.a Membership: The committee shall consist of the Chair-Elect of the Senate; the current Chair of the Senate; the immediate past Chair of the Senate; a federal and a state campus legislative liaison appointed by the President; two (2) faculty members; one (1) undergraduate student; one (1) graduate student; one (1) non-exempt staff member; one (1) exempt staff member; and such additional non-voting, ex officio members as shall be appointed under Section 5.5.c of these *Bylaws*. Committee members shall not be limited to two consecutive terms as specified in Section 5.5.f(1) of these *Bylaws*. To assure continuity, selection of members should be made in a way that will return at least four (4) of the members of the immediate past committee to the newly appointed committee.
- 6.9.b Charge: The committee shall initiate activities to provide contact with and information for executive and legislative bodies; shall serve as an advisory body to the President concerning campus needs requiring legislation; and shall keep the Senate abreast of legislative issues important to the campus.

6.10 **Programs, Curricula, and Courses Committee:**

- 6.10.a Membership: The committee shall consist of an appointed presiding officer; ten (10) faculty members; two (2) undergraduate students and one (1) graduate student; and the following persons or a representative of each: the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, the Associate Provost for Academic Affairs and Dean ~~of for~~ Undergraduate Studies, the Associate Provost for Academic Affairs and Dean of the Graduate School, and the Dean of Libraries.
- 6.10.b Quorum: A quorum of the Programs, Curricula, and Courses Committee shall be nine (9) voting members.
- 6.10.c Charge: The committee shall formulate, review, and make recommendations to the Senate concerning policies related both (1) to the establishment, modification, or discontinuance of academic programs, curricula, and courses; and (2) to the establishment, reorganization, or abolition of

colleges, schools, academic departments, or other units that offer credit-bearing programs of instruction or regularly offer courses for credit.

- 6.10.d Charge: The committee shall review and make recommendations to the Senate in at least the areas designated by (1) through (3) below. Recommendations in these areas are not subject to amendment on the Senate floor unless a detailed objection describing the area of concern has been filed with the Senate Office at least forty-eight (48) hours prior to the meeting at which the recommendations will be introduced. The committee will announce proposed recommendations to the campus community sufficiently in advance of the meeting at which they are to be considered so as to allow time for concerned parties to file their objections.
- (1) All proposals for the establishment of a new academic program, for the discontinuance of an existing academic program, for the merger or splitting of existing academic programs, or for the renaming of an existing academic program;
 - (2) All proposals for the creation, abolition, merger, splitting, or change of name of colleges, schools, departments of instruction, or other units that offer credit-bearing programs of instruction or regularly offer courses for credit; and
 - (3) All proposals to reassign existing units or programs to other units or programs.
- 6.10.e Charge: The committee shall review and shall directly advise the Office of Academic Affairs concerning proposals to modify the curricula of existing academic programs, or to establish citation programs consistent with college rules approved by the Senate. The committee shall inform the Senate of its actions in these cases.
- 6.10.f Charge: The committee shall review, establish, and advise the Vice President's Advisory Committee concerning policies for adding, deleting, or modifying academic courses.
- 6.10.g Charge: The committee shall be especially concerned with the thoroughness and soundness of all proposals, and shall evaluate each according to the mission of the University, the justification for the proposed action, the availability of resources, the appropriateness of the sponsoring group, and the proposal's conformity with existing regulations. The committee shall be informed of any recommendations made by the Academic Planning Advisory Committee concerning resource issues, the consistency of the proposed action with the University's mission and strategic directions, or both.
- 6.10.h The committee shall meet regularly as needed.
- 6.10.i Relation of the Programs, Curricula, and Courses Committee to the Office of the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost.
- (1) The committee, in consultation with the Office of the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost, shall determine the requirements for supporting documentation and the procedures for review for all proposals.
 - (2) The committee shall be informed by the Office of the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost of all proposed modifications to existing programs and curricula. After consulting with the presiding officer of the committee, the Provost's Office shall act on all minor changes that are not of a policy nature.
 - (3) The committee shall be informed by the Office of the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost of all changes made pursuant to 6.10.h(2). The committee shall be informed by the Office of the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost of all other changes in academic curricula whose approval has been specifically delegated to that office. In particular, this includes the approval to offer existing academic programs through distance education or at a new off-campus location.

6.10.j Relationship of the Programs, Curricula, and Courses Committee to the Graduate School: Proposals concerned with graduate programs and curricula shall receive the review specified by the Graduate School, in addition to the review of the Programs, Curricula, and Courses Committee. Any such proposal whose approval has been denied by the Graduate School shall not be considered by the committee.

6.11 Staff Affairs Committee:

6.11.a Membership: The committee shall consist of an appointed presiding officer; ten (10) staff members, including a member, preferably a Senator, from each of the elected staff categories; three (3) faculty members; two (2) students; the Director of ~~Personnel Human Resources~~; and one (1) representative each from the offices of the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, the Vice President for Administrative Affairs, the Vice President for University Relations, and the Vice President for Student Affairs. The elected UMCP representatives to the Council of University System Staff (CUSS), the two staff representatives on the Executive Committee, and two Category II contingent employees shall also be members of the committee.

6.11.b Quorum: A quorum of the Staff Affairs Committee shall be twelve (12) voting members.

6.11.c Charge: The committee shall formulate and continually review campus policies affecting staff members, including policies regarding periodic review of campus departments and administrators that employ staff members.

6.11.d Charge: The committee shall assist the Office of the University Senate in soliciting nominations and encouraging participation in elections of staff Senators as specified in Article 4.4 of the *Plan*.

6.11.e Charge: Staff Affairs shall assist the Committee on Committees and the Senate Executive Committee in identifying and recruiting staff representatives for campus and Senate committees, including system-wide activities involving staff.

6.11.f Charge: The committee shall administer the Council of University System Staff (CUSS) nomination and election process. Definitions of eligible staff shall be defined by the Board of Regents and CUSS.

6.11.g Charge: The committee shall actively promote and provide orientation and opportunities for staff involvement in shared governance at every administrative level.

6.12 Student Affairs Committee:

6.12.a Membership: The committee shall consist of an appointed presiding officer; ten (10) undergraduate students, of whom five (5) must be Senators; four (4) graduate students, of whom two (2) must be Senators; three (3) faculty members; two (2) staff members; the President or a representative of the Student Government Association; the President of the Graduate Student Government or the President's graduate student designee; two representatives of the Office of the Vice President for Student Affairs; and one representative each from the Graduate School and the ~~Offices Division of Administrative Affairs, Academic Affairs the Office of the Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, the Division of University Relations, and the Department of Resident Life.

6.12.b Quorum: A quorum of the Student Affairs Committee shall be twelve (12) voting members.

6.12.c Charge: The committee shall formulate and continually review policies regarding all non-academic matters of student life including, but not limited to, student organizations, resident life, extracurricular activities, and student concerns in the campus community.

6.12.d Charge: The committee shall assist the Office of the University Senate and the colleges and schools as appropriate in soliciting nominations and encouraging participation in the election of student Senators.

6.13 Student Conduct Committee:

Amended May 4, 2011

- 6.13.a **Membership:** The committee shall consist of an appointed presiding officer; four (4) faculty members; five (5) students, of whom at least three (3) must be undergraduate students and one (1) must be a graduate student; and the Director of the Office of Student Conduct, or a representative, as a non-voting consulting member.
- 6.13.b **Charge:** The committee shall formulate and continually review recommendations concerning the rules and codes of student conduct, as well as means of enforcing those rules and codes.
- 6.13.c **Charge:** The committee acts as an appellate body for infractions of the approved Codes of Student Conduct and Code of Academic Integrity. Procedures for the committee's operation in this role are to be developed and filed with the Office of Student Conduct and the Executive Secretary and Director of the Senate. The committee shall also confirm members of all judicial boards listed in the Codes of Student Conduct, except conference and ad hoc boards.

ARTICLE 7 UNIVERSITY COUNCILS

- 7.1 **Definition:** University councils are established by Article 8.4 of the *Plan* to exercise an integrated advisory role over specified campus units and their associated activities. University councils are jointly sponsored by the University Senate, the College Park campus administration, and the chief administrative officer(s) of the designated unit(s) (hereafter indicated by "director"). University councils may be assigned reporting responsibilities to any member(s) of the College Park administration at the dean level or above (hereafter referred to as the "designated administrative officer").
- 7.2 **Creation of University Councils:** Proposals to create a University council shall be evaluated by a task force appointed jointly by the University Senate Executive Committee and the designated administrative officer to whom the new council would report. Following its deliberations, this task force shall present a report to the Senate, the designated administrative officer, and the director of the unit whose activities are the focus of the council. That report shall indicate the specifications that define the working relationship among the Senate, the designated administrative officer, and the director. The report shall include at least the following: the scope and purpose of the new council; a review of the current committees and advisory relationships to be superseded by the proposed council; identification of the designated administrative officer and unit director to whom the council reports; the charge to the council; the size, composition, and appointment process of members of the council; the council's relationship to the Senate, the designated administrative officer, and the director including the responsibilities of these three sponsors to the council and the responsibilities of the council to these three sponsors; and principles for operation of the council. The proposal of the task force shall be reviewed by the appropriate Senate committees, approved by the designated administrative officer, and then approved by the Senate. At the same time, the Senate shall approve appropriate revisions in its *Bylaws* to incorporate the council into its committee structure. The report of the task force, as approved, shall be preserved with official Senate documents, serving as a record of the original agreements establishing the council.
- 7.3 **Specifications in Senate Bylaws:** For each council, Senate bylaws shall: state its name; specify its responsibilities to the Senate; define its membership, including any voting privileges of ex officio members; and identify any exceptions or additions to the provisions of Article 7 of these *Bylaws* particular to the council.
- 7.4 **Basic Charge:**
- 7.4.a The council's responsibilities to the University Senate shall include those specified for Senate committees in Article 5.2 of these *Bylaws*. In addition, each council shall:
- (1) Sponsor hearings, as appropriate, on issues within its purview that are of concern to the Senate and the campus community.
 - (2) Provide a mechanism for communication with the campus community on major issues facing the unit and its activities.

- (3) Respond to charges sent to the council by the Senate Executive Committee.
- (4) Provide an annual written report to the Senate on the council's activities including the status of unresolved issues before the committee.

7.4.b Responsibilities to the designated administrative officer shall be specified in the Task Force Report and may include:

- (1) To advise on the unit's budget, space, and other material resources, in addition to personnel, staffing and other human resources.
- (2) To advise on the unit's administrative policies and practices.
- (3) To advise on the charges to be given to periodic internal and external review committees.
- (4) To respond to requests for review, analysis, and advice from the designated administrative officer.
- (5) To meet at least annually with the designated administrative officer to review the major issues facing the unit and its activities on campus.
- (6) To fulfill such other responsibilities as specified in the Task Force Report.

7.4.c Responsibilities to the unit's director shall be specified in the Task Force Report and may include:

- (1) To advise on the needs and concerns of the campus community.
- (2) To advise on opportunities, policies, and practices related to the unit's ongoing operations.
- (3) To review and advise on unit reports, studies, and proposed initiatives.
- (4) To respond to requests for review, analysis, and advice made by the director.
- (5) To meet at least annually with the director to review the major issues facing the unit and its activities on campus.
- (6) To fulfill such other responsibilities as specified in the Task Force Report.

7.5 **Membership and Appointment to University Councils:**

7.5.a **Membership:** Councils shall have nine (nine) (9) to thirteen (13) members as specified in the appropriate subsection of Article 8 of these *Bylaws*. In addition, each council shall include an ex officio member designated by the administrative officer, and such other ex officio members as specified in the appropriate subsection of Article 5 of these *Bylaws*. These ex officio members shall have voice but no vote.

7.5.b **Appointment:** Representatives of the designated administrative officer's office and the Committee on Committees of the University Senate shall agree on nominees for vacancies on the council. These nominations shall be submitted to the designated administrative officer and to the University Senate for approval. In exercising its powers of appointment to the council, the Senate shall follow procedures for review and approval for Senate committee appointments specified in Article 5.5.d and 5.5.g of these *Bylaws*.

7.5.c **Terms:** Rules governing beginning date and length of terms, and restrictions on reappointment shall be those specified for Senate committees, except that the presiding officer shall serve a three (3) year term and cannot be reappointed.

- 7.5.d Appointment of Presiding Officer: The designated administrative officer and the Senate Executive Committee shall reach an agreement on a presiding officer, and the joint choice shall be submitted to the Senate for approval. If the presiding officer is selected from among the membership of the council, a replacement shall be appointed to the vacated seat.

7.6 Operational Relationship of University Councils to Sponsors:

- 7.6.a The University Senate Office shall support activities of the council in a manner similar to all other Senate committees.
- 7.6.b The office of the designated administrative officer, through its ex officio council member, shall provide liaison to other administrative units as required.
- 7.6.c The unit director shall provide the council with internal data, reports, studies, and any other materials required to support the council's work. In addition, the director shall also arrange for unit staff to appear before the committee as requested.
- 7.6.d Control of the University council's agenda shall be the responsibility of the presiding officer of the council and the voting members of the council, subject to the charges provided in Article 7.4 of these *Bylaws*, the appropriate subsection of Article 8 of these *Bylaws*, and the approved Task Force Report governing the council.
- 7.6.e Each University council shall develop its own bylaws which must be approved by the designated administrative officer and by the Senate.
- 7.6.f In addition to the required annual report, the presiding officer shall keep the Chair of the Senate informed of the major issues before the council and shall indicate when action or information items are likely to be forwarded for Senate consideration. In submitting recommendations for Senate action, the council shall inform the unit director and the designated administrative officer in advance of its recommendations. For purposes of conducting Senate business, reports from the University council and floor privileges of the Senate shall be managed in the same manner as general committees of the Senate defined in these *Bylaws* (3.3.c, 4.4.b, 4.7, and 5.3.a). In the case where the presiding officer of the University council is not a member of the Senate, he or she may report to the Senate and participate in the deliberations of the Senate subject to the provisions of Article 3.3.c of these *Bylaws*.

7.7 Review of University Councils:

- 7.7.a Five (5) years after a University council is formed, a review of the council shall be undertaken jointly by the Senate and administration, and a written report issued. The review may recommend continuation of the council in its original form and mode of operation, modification of the council structure and/or operations, or discontinuance of the council.
- 7.7.b Following the initial review, the University council and its operations shall be reviewed in conjunction with the periodic review of the *Plan*.

**ARTICLE 8
UNIVERSITY COUNCIL SPECIFICATIONS**

8.1 University Library Council

- 8.1.a Charge: The University Library Council has the responsibility to provide advice and to report on policy issues concerning the University Libraries to the University Senate, to the ~~Senior Vice President for Academic Affairs and Provost~~ [Senior Vice President and Provost](#), and to the Dean of Libraries. (See Appendix 2 for additional responsibilities and the Council's Bylaws).
- 8.1.b Membership: The Council shall consist of thirteen (13) appointed members and three (3) ex officio members. The appointed members shall be: the Chair, ten (10) other faculty members including at least one (1) member of the library faculty, a graduate student, and an undergraduate student. The

three (3) ex officio members shall be a representative of the office of the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost, a representative of the Office of the Dean of the Libraries-Office, and the Chair-Elect of the Senate.

8.1.c The Chair shall be a tenured faculty member.

8.1.d Reporting Responsibilities: The University Library Council shall report to the University Senate and the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost under the terms of responsibility defined in Article 7.4 of these *Bylaws*.

8.2 University Research Council:

8.2.a Charge: In addition to the charges specified in Articles 5.2 and 7.4 of these *Bylaws*, the Council shall be governed by the following: The Council is charged to formulate and continually review policies regarding research, its funding, its relation to graduate and undergraduate academic degree programs, and its service to the community. Also, the Council is charged to review the research needs of faculty, other researchers and students, and to make recommendations to facilitate the research process and productivity of the University. Further, the Council shall formulate and continually review policies on the establishment, naming, reorganization, or abolition of bureaus, centers, or institutes that do not offer programs of instruction or regularly offer courses for credit, including their relationship to graduate and undergraduate academic programs. Additionally, when it perceives problems, the Council has the power to undertake investigative studies and recommend solutions.

8.2.b Membership: The University Research Council shall consist of thirteen (13) appointed members and ten (10) ex officio members. The appointed members shall be the Chair and eight (8) other faculty members; one (1) staff member; and three (3) students, including at least one (1) graduate and one (1) undergraduate student. The ten (10) ex officio members shall be a representative of the President (non-voting), a representative of the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost (non-voting), a representative of the Vice President for Research, a representative of the Dean of the Graduate School, a representative of the Dean of Undergraduate Studies, the Director of the Office of Research Administration and Advancement, and the Chairs of four (4) subcommittees of the University Research Council as follows: Research Development and Infrastructure Enhancement Subcommittee (RDIES); Research Advancement and Administration Subcommittee (TAAS); Intellectual Property and Economic Development Subcommittee (IPEDS); and Awards and Publicity Subcommittee (APS). The Chair shall be a tenured faculty member.

8.2.c Reporting Responsibilities: The University Research Council shall report to the University Senate and the Vice President for Research under the terms of responsibility defined in Article 7.4 of these *Bylaws* and the report establishing the University Research Council.

ARTICLE 9 DUTIES OF THE EXECUTIVE SECRETARY AND DIRECTOR

9.1 The Executive Secretary and Director of the Senate shall be responsible for the minutes and audio recordings of all Senate meetings.

9.1.a The minutes shall include only actions and business transacted. They shall be submitted to the Senate for approval. Copies of the approved minutes shall be sent to all chief administrative officers of colleges, schools, departments, and other units, and to the campus news media.

9.1.b A complete audio recording shall be made of each meeting. An indexed copy of each audio recording, excluding only those parts recorded during closed sessions, shall be placed with the minutes in the University Archives for open access.

9.2 The Executive Secretary and Director shall also maintain the following kinds of Senate records (see Article 4.8):

- (1) All material distributed to Senate members;
 - (2) All material received by or distributed to members of the Executive Committee;
 - (3) Any minutes of the Senate or the Executive Committee not otherwise included under (1) and (2);
 - (4) Annual reports of all committees of the Senate not otherwise included under (1) and (2);
 - (5) The audio records of Senate meetings;
 - (6) The current and all previous versions of the *Plan* and the *Bylaws*;
 - (7) Articles concerned with Senate structure and operation from campus and University publications as they come to the attention of the Executive Secretary and Director; and
 - (8) Other items deemed appropriate by the Executive Secretary and Director or the Chair of the Senate.
- 9.3 The Executive Secretary and Director shall store inactive records of the Senate in the University Archives.
- 9.4 The Executive Secretary and Director shall be responsible for the preparation of the Senate budget in accordance with Article 4.6.
- 9.5 The Executive Secretary and Director shall prepare as soon as possible after each annual senatorial election, a directory of the membership of the new Senate indicating for each member the constituency, term, office, local address, and telephone number. A copy of this directory shall be distributed to all members of the new Senate.
- 9.6 The Executive Secretary and Director shall furnish all available information concerning the membership of the appropriate categories to each staff candidate nominated for election to the Senate.
- 9.7 The Executive Secretary and Director shall keep a list, with campus addresses and telephone numbers, of all Senate officers and of all presiding officers of all Senate committees. This information shall be available upon request to any member of the campus community.
- 9.8 The Executive Secretary and Director shall send to each Senator, by campus or electronic mail, a copy of the agenda and supporting material for each meeting. The receipt of the agenda and the supporting material then available shall satisfy the notice requirements of the meeting in question (Article 3.1 and 3.2.b).
- 9.9 The Executive Secretary and Director shall prepare for the members of the Senate and its Executive Committee, as appropriate, all agendas, minutes, reports, and other documents, with the exception of proposals relating to the Programs, Curricula, and Courses (PCC) Committee. Nonetheless, the Executive Secretary and Director shall be responsible for the distribution of all items of Senate business, including PCC items to the members of the Senate and its Executive Committee, and to other such committees as necessary.
- 9.10 The Executive Secretary and Director shall inform the Executive Committee of the status of all members of the Senate in accordance with the *Plan* (Article 3.4.a(4-5), 3.4.b(4-5), and 3.7) and these *Bylaws* (Articles 2.2, 4.1, 5.5, and 5.6).
- 9.11 The Executive Secretary and Director shall have the privilege of attending the meetings of all standing committees and ad hoc committees of the Senate to assist in the coordination of Senate business.
- 9.12 The Executive Secretary and Director, as the Senate's representative, shall provide information or assistance as requested to the committee for revision of the undergraduate catalog.

ARTICLE 10
ANNUAL TRANSITION OF THE SENATE

10.1 Preparation for Transition:

10.1.a By no later than the scheduled December meeting of the Senate, the Committee on Committees shall present to the Senate at least eight (8) nominees from among outgoing Senate members to serve on the Nominations Committee. The nominees shall include four (4) faculty members, one (1) exempt staff member, one (1) non-exempt staff member, one (1) graduate student, and one (1) undergraduate student. Further nominations shall be accepted from the floor of the Senate. The Senate, as a body, shall elect four (4) faculty members, one (1) exempt staff member, one (1) non-exempt staff member, one (1) graduate student, and one (1) undergraduate to serve as the Nominations Committee. The Chair-elect of the Senate shall serve as a non-voting, ex officio member of the Nominations Committee. The Nominations Committee shall elect its own Chair. The Nominations Committee shall solicit nominations from the membership of the Senate and shall present to the Chair of the Senate by April 1:

- (1) A slate of at least two (2) candidates per seat from each constituency for elected membership on the Executive Committee, including those incumbent elected members who are eligible and willing to stand for reelection,
- (2) Slates of candidates to replace the outgoing members of the Committee on Committees and such other committees as required by these *Bylaws*, including at least one (1) nominee for each position to be filled, and
- (3) A minimum of two (2) candidates for the office of Chair-Elect.

Before reporting to the Chair of the Senate, the nominating committee shall secure the consent of all nominees in writing.

10.1.b. A brief statement of each candidate's qualifications shall be sent to the voting membership of the incoming Senate a minimum of twenty (20) calendar days before the Transitional Meeting of the Senate. Any further nominations made by members of the Senate and accompanied by a brief supporting statement and the consent of the candidate must be received by the Executive Secretary and Director at least twelve (12) working days before the Transitional Meeting. These additional nominations shall be mailed to the membership of the incoming Senate at least ten (10) working days before the Transitional Meeting.

10.2 Transitional Meeting:

10.2.a The Transitional Meeting will be the last regularly scheduled meeting of the Spring semester, and starts a new Senate session.

10.2.b Terms of office of newly elected Senators will begin, and the terms of the outgoing Senators will end, with the call to order of the transitional meeting by the outgoing Chair.

10.2.c Election of the Chair-Elect, as provided for in section 5.5.a of the *Plan*, shall be the first order of business of the Transitional Meeting, after which the outgoing Chair will pass the gavel to the previous Chair-Elect, who will assume the Chair.

10.2.d The election of the Executive Committee and the election of incoming members of the Committee on Committees, and such other persons elected by the members of the Senate as prescribed in these *Bylaws*, shall be scheduled special orders of the Transitional Meeting. Nominations may be received from the floor by the Chair, in addition to those provided for in Article 10.1. Any such nomination is contingent on the consent of the candidate, which must have been secured beforehand in writing if the nomination is made in the absence of the candidate. In the event of a tie vote in the election for members of the Executive Committee or the Committee on Committees, a ballot will be mailed to each Senator in the appropriate constituency. Ballots are to be returned to the Senate Office within one (1) week from the date mailed.

10.2.e The elected members of the outgoing Executive Committee and the Committee on Committees shall continue to serve until the election of new members is held.

10.2.f After the conclusion of the Transitional Meeting, any remaining vacancies on standing committees will be filled on an acting basis by the new Committee on Committees, subject to the approval of the Executive Committee and pending confirmation by the full Senate at its next regularly scheduled meeting.

APPENDIX 1 COMMITTEE APPOINTMENTS AND TERMS

Implementation Procedures

In the initial year [1994-95] of implementation of Section 5.5, the following provisions shall govern appointment of members eligible for appointment to two-year terms:

- (1) Half of the members shall be appointed to the committee for a one-year term and half for a two-year term.
- (2) When multiple members are selected for a committee from a particular constituency, half shall be appointed for one-year terms and half for two-year terms.
- (3) Incumbent committee members may be re-appointed to their committees for a one-year term, as long as their serving the one-year term does not extend their service beyond the length of service specified in Sections 5.5.e and 5.5.f.
- (4) In preparing their slate for Senate action, the Committee on Committees shall identify one-year nominees and two-year nominees. The Senate may change the length of term of any nominee as long as such changes do not violate provisions of the *Plan* and *Bylaws*.

APPENDIX 2 BYLAWS OF THE UNIVERSITY LIBRARY COUNCIL

1. **Charge to the Council:** The University Library Council has the responsibility to provide advice about policy issues concerning the University Libraries to the University Senate, to the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost, and to the Dean of Libraries.

A. The Council's Responsibilities to the University Senate:

- (1) Make recommendations for major changes and improvements in policies, operations, and services of the Libraries that represent the concerns and interests of Senate constituencies as well as other users of the Libraries. Such recommendations should specify the resource implications. Reports and recommendations to the University Senate shall be submitted to the Senate Executive Committee for placement on the agenda of the University Senate in the same manner as reports from the Senate's general committees. It is expected that the Council will also inform the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost in advance of these legislative recommendations. In addition to the mandatory annual report, the Chair of the Council shall keep the Chair of the Senate informed of the major issues before the Council and shall indicate when action or information items are likely to be forwarded for Senate consideration.
- (2) Respond to charges sent to the Council by the Senate Executive Committee.
- (3) Provide an annual written report of the Council's activities, including the status of recommendations made by the Council each year, and of unresolved issues before the Council.

B. The Council's Responsibilities to the ~~Senior Vice President for Academic Affairs and Provost~~Senior Vice President and Provost:

- (1) Advise on the Libraries' budget, space, personnel and staffing, and other resources. It is expected that the

~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost will consult the Council before undertaking major reviews of the Libraries with APAC and before preparing the annual budget for the Libraries.

- (2) Advise on the Libraries' administrative policies and practices.
- (3) Advise on the charges to be given to the committees to review the Dean of Libraries and to conduct the unit review of the University Libraries based on University policy
- (4) Advise on matters concerning the Libraries in conjunction with accreditation review and strategic planning.
- (5) Respond to requests for review, analysis, and advice made by the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost.
- (6) Meet at least annually with the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost to review the major issues facing the Libraries and its activities on campus.
- (7) The Council is responsible for informing the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost of pending reports and recommendations to the University Senate.

C. The Council's Responsibilities to the Dean of Libraries:

- (1) Advise on the needs and concerns of diverse constituencies within the campus community with respect to Library policies, services, and new resources and technology.
- (2) Advise on strategies to involve Library users in the initiation, evaluation, and integration of new Library policies, practices, procedures, and technology. Such strategies might include forums for the discussion of changes, workshops for adjusting to new technologies, and ongoing programs of Library education.
- (3) Advise on operations, policies and new opportunities.
- (4) Advise on Library planning including strategic planning and other major plans for Library operation and development.
- (5) Review and advise on the Libraries' reports, studies, and proposed initiatives that have significant long-term resource implications for the Libraries.
- (6) Hold at least one (1) meeting each year at which the Dean shall review major issues and plans, summarized in a State of the Libraries report distributed in advance to the Council.
- (7) It is expected that the Council will adopt a broad campus perspective and that the Dean of the Libraries will inform the Council of the University Libraries' needs and concerns and seek advice about major modifications of policies and operations affecting the campus community.

D. To Fulfill Its Responsibilities, the Council May:

- (1) Undertake investigative studies in matters concerning the University Libraries and recommend solutions to the University Senate, the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, the Dean of Libraries, or the general campus community.
- (2) Conduct open hearings on major issues concerning the University Libraries and their activities.
- (3) Communicate directly with the campus community on concerns related to support for, policies of, and services provided by the University Libraries.

2. **Composition of the Council:** The Council shall consist of thirteen (13) appointed members and three (3) ex officio members. The appointed members shall be: the Chair, ten (10) other faculty members including at least one (1) member of the Library faculty, a graduate student, and an undergraduate student. The three (3) ex officio members shall be a representative of the Office of the ~~Senior Vice President for Academic Affairs and~~

~~Provost~~[Senior Vice President and Provost](#), a representative of the Dean of the Libraries Office, and the Chair-Elect of the Senate.

A. Tenure in Office:

- (1) The Council Chair should be a tenured faculty member appointed for a single three-year term. Normally, the Chair shall have served as a member of the Council. If the Chair is serving as a regular member of the Council at the time of appointment, a new member shall be appointed to serve the remainder of the term the Chair has vacated. The ~~Senior Vice President for Academic Affairs and Provost~~[Senior Vice President and Provost](#) and the Senate Executive Committee shall reach an agreement on the Council Chair, and the joint choice shall be submitted to the University Senate for its approval.
- (2) The remaining ten (10) faculty members shall be appointed for staggered two-year terms. No faculty member shall serve more than two (2) terms consecutively. For this purpose, members who have served more than a year should be considered to have served a full term.
- (3) The two (2) student members shall be appointed for one-year terms. No student member should serve more than two (2) terms consecutively. For this purpose, student members who have served more than half their term should be considered to have served a full term.
- (4) The Office of the ~~Senior Vice President for Academic Affairs and Provost~~[Senior Vice President and Provost](#) will appoint a member of the Provost's staff as an ex officio member of the Council who will have voice but not vote.
- (5) The Dean of Libraries' Office will appoint an upper-level member of the Libraries' administrative staff as an ex officio member of the Council who will have voice but no vote.
- (6) The Chair-Elect of the Senate shall serve as an ex officio member of the Council who will have voice but no vote.

B. Qualifications of Council Members: Successful operation of the Council requires that the members of the Council understand the nature of the Libraries and represent the best interests of the campus as well as the particular interests of their specific constituencies.

1. The Council members should be chosen from people who can bring a campus-wide perspective to their deliberations on Library matters and who have shown interest and willingness to foster a good working relationship between the Libraries and their users.
2. Council members should be selected to represent as broad a range of campus disciplines and interests as possible. Faculty members should include representatives from both the professional and arts and sciences colleges, and within these constituencies, representatives of the arts and humanities, social sciences, and physical and biological sciences.

C. The Appointment Process: In the spring of each year, the Chair of the University Library Council shall notify the representative of the Office of the ~~Senior Vice President for Academic Affairs and Provost~~[Senior Vice President and Provost](#) and the Chair-Elect of the Senate of the appointments required for the following academic year. The representative of the Office of the ~~Senior Vice President for Academic Affairs and Provost~~[Senior Vice President and Provost](#) and the Chair-Elect of the Senate shall draw up a slate of committee members who will agree to serve, and the slate will be submitted to the ~~Senior Vice President for Academic Affairs and Provost~~[Senior Vice President and Provost](#) and the Committee on Committees for approval. The list of nominees for Council membership shall be submitted to the University Senate for approval. Ordinarily, the slate will be presented at the same Senate meeting at which other committee slates are approved. Dates of appointment and beginning of terms shall correspond with those of Senate committees. Replacement of Council members will take place through the same consultative process as the initial appointment, with submission of names to the Senate occurring as needed.

3. Operation of the Council: Effective and efficient Council operation will require adequate support and full cooperation among the Senate, the ~~Senior Vice President for Academic Affairs and Provost~~[Senior Vice President and Provost](#), the Dean, and their offices.

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- A. The University Senate Office or its designee will provide normal committee support to the Council, including maintaining mailing lists, reproducing Council documents, keeping a copy of Council minutes, maintaining files for the Council, and arranging meeting rooms.
- B. The Office of the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, through its ex officio Council member, will provide liaison to other administrative units, such as the Office of Institutional Research, Planning and Assessment, for their reports, data, or assistance. The Office of the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost office will also provide website space for the Council.
- C. The Dean of the Libraries will provide the Council with internal data, reports, studies, etc. as needed to support the Council's work. The Dean will also arrange for unit staff to present testimony concerning such reports as the Council finds useful in carrying out its responsibilities. The Dean's assistance to the committee shall also include providing the Council members with the opportunity to attend an appropriate orientation session dealing with the Libraries.
- D. Control of the Council's agenda will be the responsibility of the Council Chair and the voting members of the Council.
- E. While being responsive to the needs of the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost and the Senate in a timely manner is necessary, the sponsoring parties and the Dean of the Libraries must not attempt to micro-manage the ongoing operation of the Council. In turn the Council must not attempt to micro manage the Libraries.
- F. The Council shall meet as necessary, but in no case less than once per semester. Meetings may be called by the Chair. In addition, upon receiving a request of any three members of the Council, the Chair shall call a meeting. A majority of the voting members of the Council shall constitute a quorum for the conducting of official business of the Council.
- 4. Operational Relationship of the Council to its Sponsors:**
- A. For purposes of University Senate action, a Council created through Senate action will appear in essentially the same role as a general committee of the University Senate.
- B. The Chair may present reports and recommendations to the Senate but will not have a vote in Senate proceedings, unless he or she is a member of the Senate.
- C. Since the committees of the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost range widely in form and function, and do not operate under a formal plan of organization and bylaws, there is no need to specify the Council's standing in the same fashion. For other purposes, such as APAC review of the Unit, the Council might be consulted like a College Advisory Council (that colleges will have under the shared governance plan) could be.
- D. The Dean of Libraries will ordinarily meet with the Council and have a voice in its deliberations. Since one of the three main functions of the Council is to advise the Dean, the Dean shall not formally be a member of the Council. On formal reports and recommendations of the Council to the University Senate or to the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, the Dean of the Libraries may send a separate memorandum to the Senate or the ~~Senior Vice President for Academic Affairs and Provost~~ Senior Vice President and Provost, as appropriate, supporting or opposing the report or the recommendations, and providing the rationale for the Dean's position.
- 5. Review of the Council:** The Council and its operations will be reviewed in conjunction with the periodic review of the Senate and the *Plan*.

**APPENDIX 3
PROCEDURES FOR ELECTIONS OF UMCP REPRESENTATIVES TO THE
COUNCIL OF UNIVERSITY SYSTEM FACULTY (CUSF)**

The Chair of CUSF is not a member of CUSF. Thus, if the Chair is from College Park, a replacement must be named. At the end of his/her term as Chair, if his/her term on CUSF is not finished, he/she resumes his/her position as a CUSF member.

The normal term for CUSF representatives is three (3) years, with two alternates serving three (3) – year terms; if both
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alternates are elected at the same time, priority to be a replacement shall be in order of votes received; if a regular representative is unable to serve out his/her term, an alternate replaces him/her for the remainder of the term, and a new alternate is named. The replacement representative shall be chosen in order of number of votes received. The Nominations Committee will select a replacement alternate subject to confirmation by the Senate.

The University Senate, in accordance with its usual procedures, will elect representatives to CUSF in the spring. Faculty members only are entitled to vote. Each faculty Senate member has as many votes as there are open positions. If there are more candidates than positions, the person(s) receiving the most votes, in order, are declared representatives. The person receiving the next most votes is declared alternate. The remaining person, in order of vote tally, will be asked to move into the alternate position if the previous paragraph comes in to play. A record of the outcome of the election will be retained by the Executive Secretary and Director of the University Senate. If there are not sufficient candidates, or the pool of candidates is exhausted, representatives are chosen by the Executive Committee.


Dates of Approval, Updates and Amendments to the Senate Bylaws

(Approved, Campus Senate, October 9, 1986)	(Amended, October 16, 2003)
(Approved, Board of Regents, February 6, 1987)	(Amended, April 19, 2004)
(Updated, July 11, 1988)	(Amended, April 4, 2005)
(Amended, February 13, 1986)	(Amended, May 15, 2007)
(Amended, December 7, 1986)	(Amended, May 8, 2008)
(Amended, May 7, 1990)	(Amended, October 16, 2008)
(Amended, September 13, 1990)	(Amended, February 9, 2009)
(Amended, November 15, 1990)	(Amended, May 4, 2009)
(Amended, October 14, 1993)	(Amended, November 12, 2009)
(Amended, December 6, 1993)	(Amended, March 3, 2010)
(Amended, March 31, 1994)	(Amended, February 9, 2011)
(Amended, April 18, 1994)	(Amended, May 4, 2011)
(Amended, May 5, 1994)	
(Amended, November 10, 1994)	
(Amended, August 28, 1996)	
(Amended, May 15, 1997)	
(Amended, March 5, 1998)	
(Amended, April 2, 1998)	
(Amended, April 6, 2000)	
(Amended, February 12, 2001)	
(Amended, September 19, 2002)	
(Amended, February 3, 2003)	

Appendix 2 - Charge



**University Senate
CHARGE**

Date:	September 27, 2011
To:	Kenneth Fleischmann Chair, Elections, Representation, & Governance Committee
From:	Eric Kasischke Chair, University Senate 
Subject:	Title Updates in the Senate Bylaws
Senate Document #:	11-12-08
Deadline:	October 14, 2011

The Senate Executive Committee (SEC) requests that the Elections, Representation, & Governance (ERG) Committee review the attached proposal, "Bylaws Title Updates," and make recommendations on whether the proposed amendments to the Senate Bylaws are appropriate.

Over the last several years, several administrative offices at the University have been renamed and staff titles have been revised. In addition, the Senate approved the renaming of the Senate CORE Committee to the General Education Committee. These changes have not yet been updated in the Senate Bylaws. The SEC requests that the ERG Committee consider the proposed changes to the Senate Bylaws and recommend whether they are appropriate.

We ask that you submit your report and recommendations to the Senate Office no later than October 14, 2011. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.