

## **University Senate**

March 8, 2017

### **Members Present**

Members present at the meeting: 120

### **Call to Order**

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

### **Special Order: Presidential Briefing**

President Loh spoke about the budget cuts facing the University in fiscal year 2018 and the effect of repealing the Affordable Care Act on the state of Maryland. He specifically, noted that repeal of the Act would decrease the state budget by around \$1B because of a decrease in federal Medicaid funding. This could lead to layoffs and other cuts which would decrease the state's revenue and could further effect the University's budget. He noted that an alternative could be for the state not to enact the budget cuts and to take money from the University's fund balance. He noted that this was advantageous because it was a one-time cut but budget cuts last for a long time.

President Loh also discussed actions taken by the Trump Administration and how the actions are threats to the fundamentals of higher education. He noted that the potential for decreased funds for research, science, and the arts impact on the work of faculty, staff, and students at UMD as well as the regional workforce.

President Loh closed with a statement about how the University's funding from the state has continually decreased and the tuition has continually increased. He noted that the new fiscal normal involves increased fundraising, development of partnerships, and alternative revenue sources. He encouraged the Senate to pay attention to the repercussions of federal actions on academic freedom and evidence-based thinking.

Goodman thanked Loh for his presentation and opened the floor for questions.

Senator Zimmerman, undergraduate student, Office of Letters and Sciences, introduced Colin Byrd, undergraduate student, College of Behavioral and Social Sciences.

Byrd noted he had three issues: academic priorities, scholarships, and Under Armour. He noted that the highest paid University employees are the football and basketball coaches and asked if the University thinks it is more important to teach people how to play football than to teach academic subjects.

President Loh responded that the salaries for coaches are high, but the money paid to coaches does not come from tuition or state appropriations. The same is true for athletic facilities.

### **Approval of the Minutes**

Chair Goodman asked for additions or corrections to the minutes of the February 9, 2017, Senate meeting; hearing none, he declared the minutes approved as distributed.

### **Report of the Chair**

#### Philanthropy

Goodman spoke about the importance of giving to the University. He noted that the alumni giving rate is calculated into University rankings because the percentage of alumni who give serves as a proxy for how satisfied students are with their alma mater. He explained that the more faculty and staff that give, the more it shows that employees appreciate the institution, which in turn makes it easier to raise outside funds.

Goodman explained that an endowment is a gift that is setup so the University can invest it and then use the income from that investment as a perpetual source of support without spending down the principal. He added that endowed professorships are helpful in recruiting and retaining top faculty and that endowed fellowships can be used to enhance an academic program's ability to attract top graduate students. Endowed gifts can be for scholarships, teaching, public service, or almost anything and more often than not are restricted to be used only for the purpose that they were given. One critical part of the University's giving campaign is doubling the endowment. State funding has decreased, so it is now necessary to create a culture of giving at the University to offset that decrease. Gifts of all sizes are important. It is necessary to have some large gifts but it is also necessary to have a large donor base of small gifts.

Goodman concluded his remarks with a quiz that showed how Maryland's endowment compared to other Big Ten institutions to convey the importance of the endowment.

#### Nominations Committee

Goodman noted that the Senate Nominations Committee is in the process of generating slates of candidates to run for open positions on Senate-elected committees and councils, including next year's Senate Executive Committee, Senate Committee on Committees, University Athletic Council, Council of University System Faculty (CUSF), and Campus Transportation Advisory Committee (CTAC). The committee is still looking for candidates to run for these prestigious positions. Not all positions require Senate membership, so he suggested that Senators consider encouraging colleagues to run, as well – in particular for CTAC and for CUSF. Additionally, all newly-elected Senators from this year's elections are also eligible to nominate themselves.

Candidates will be considered by the Senate Nominations Committee for placement on the slate for election. All candidates will submit a short candidacy statement for the ballot after spring break. Elections will be held in-person at our Transition Meeting on May 4th. Goodman encouraged Senators to visit the Senate website for more information on any of the positions. Those interested in running should contact the Senate Office or fill out a nomination form and return it to a Senate Staff member.

### **Review of the Interim University of Maryland Equal Employment Opportunity & Affirmative Action Statement of Policy (Senate Doc. No. 16-17-26) (Action)**

Charles Delwiche, Chair of the Equity, Diversity, & Inclusion (EDI) Committee, presented the Review of the Interim University of Maryland Equal Employment Opportunity & Affirmative Action Statement of Policy report.

Goodman opened the floor to discussion of the proposal; hearing none, Goodman called for a vote on the proposal. The result was 106 in favor, 3 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

**Revision to the Senate Bylaws to Provide Representation for Ombuds Officers on Senate Committees (Senate Doc. No. 16-17-09) (Action)**

Marc Pound, Chair of the Elections, Representation, & Governance (ERG) Committee, presented the Revision to the Senate Bylaws to Provide Representation for Ombuds Officers on Senate Committees report.

Goodman opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. He reminded Senators that this motion requires a 2/3 vote to pass and no abstentions would be allowed. The result was 107 in favor and 4 opposed. **The motion to approve the proposal passed.**

**Revision to the Membership of the Senate's Equity, Diversity, and Inclusion Committee (Senate Doc. No. 16-17-12) (Action)**

Marc Pound, Chair of the Elections, Representation, & Governance (ERG) Committee, presented the Revision to the Membership of the Senate's Equity, Diversity, and Inclusion Committee report.

Goodman opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. This proposal also required a 2/3 vote and abstentions were not allowed. The result was 104 in favor and 7 opposed. **The motion to approve the proposal passed.**

**Review of the Senate Student Affairs Committee Specifications (Senate Doc. No. 16-17-15) (Action)**

Marc Pound, Chair of the Elections, Representation, & Governance (ERG) Committee, presented the Review of the Senate Student Affairs Committee Specifications report.

Goodman opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. This proposal also required a 2/3 vote and abstentions were not allowed. The result was 107 in favor and 4 opposed. **The motion to approve the proposal passed.**

**Revisions to the Charge of the Faculty Affairs Committee and Plan of Organization Review Procedures (Senate Doc. No. 16-17-25) (Action)**

Marc Pound, Chair of the Elections, Representation, & Governance (ERG) Committee, presented the Revisions to the Charge of the Faculty Affairs Committee and Plan of Organization Review Procedures report.

Goodman opened the floor to discussion of the proposal.

Senator Raghavan, faculty, Robert H. Smith School of Business asked for clarification regarding why the current Senate Bylaws do not already cover the proposed changes.

Pound explained that the current Bylaws covers the review of the College-level Appointment, Promotion, and Tenure (APT) policies and not the Appointment, Evaluation, and Promotion (AEP) policies. He noted that APT policies do not cover professional track faculty and are only for tenured/ tenure-track faculty.

Senator Raghavan quoted University policy II-1.00(A) University of Maryland, College Park Policy on Appointment, Promotion and Tenure of Faculty and stated that he believed professional track faculty were included as their titles are listed in this policy.

Pound explained that while the faculty titles are all listed in the policy, the instructions for how the College-level policies should be written are in the University APT Guidelines and AEP Guidelines respectively. The proposed change to the Bylaws ensures the proper review.

Senator Raghavan noted that there is a difference between a guideline document and a policy document.

Pound clarified that the guidelines were passed by the Senate and signed by the President and the Chancellor which effectively makes them a policy document that Colleges are required to follow.

Goodman called on KerryAnn O'Meara, Chair of the Faculty Affairs Committee and faculty senator, College of Education, to respond.

Senator O'Meara stated that the Faculty Affairs Committee supports the proposed change because the University and the Office of Faculty Affairs is trying to create parallel structures between tenured/ tenure-track faculty and professional track faculty. The proposed change would allow for a parallel approval structure.

Senator Raghavan proposed two amendments as noted below in pink:

Amendment #1

6.7.f Charge: The committee shall review the Faculty Appointment, Promotion, and Tenure or Permanent Status section of each College, School, or the Library Libraries Plan of Organization in accordance with Appendix 7 of these Bylaws. ~~In conjunction with this review, the committee shall also review the professional track faculty Appointment, Evaluation, and Promotion Policy of each College, School, or the Library.~~

The motion was seconded.

Chair Goodman opened the floor to discussion of the amendment.

Pound noted that the proposed amendment would not cover professional track faculty as APT polices only cover tenured/tenure-track faculty as previously stated. Pound noted that he is also

a senator representing professional track faculty and that his constituents would not support this amendment either.

Senator Raghavan noted that the word “faculty” covers both types of faculty in other discussions and stated that he believed the word “faculty” covers both types of faculty here.

Senator Knapp, undergraduate student, College of Behavioral and Social Sciences, noted that the word “faculty” does cover both groups of faculty in most discussions; however, he added that if the language regarding the AEP policy was not included, one could assume that a College has to have their APT policy cover both tenured/tenure-track and professional track faculty which would be incorrect and would remove clarity from the Bylaws.

Seeing no further discussion, he called for a vote on the amendment. The result was 17 in favor, 89 opposed, and 5 abstentions. **The motion to approve the amendment failed.**

Amendment #2

Appendix 7 of Bylaws

2 b. The Senate Faculty Affairs Committee shall review the **Faculty** Appointment, Promotions, and Tenure (**APT**) or **Permanent Status** section of each Plan and any related documentation for compliance with the University’s APT Policy. ~~The Senate Faculty Affairs Committee shall also review the Appointment, Evaluation, and Promotion Policy and any related documentation for compliance with University policies on professional track faculty and the University’s Guidelines for Appointment, Evaluation, and Promotion of Professional Track Faculty.~~

The motion was seconded.

Chair Goodman opened the floor to discussion of the amendment.

Pound noted he was against this amendment for the reasons previously stated in regards to the previous amendment. He also added that passing this amendment would make this section of the Bylaws inconsistent with the other sections as the first amendment failed.

Senator Raghavan stated that there is a difference between the first and second amendments in that the first one does not explicitly discuss the University APT and AEP guideline documents and the second one does refer to these documents by name. He noted that passing the proposed text by the ERG Committee creates unintended consequences of making the guidelines documents the same as policy documents. He again noted the difference between guidelines and policy.

Pound explained that the proposed changes from the ERG Committee are codifying what is currently being done.

Senator Baden, faculty, College of Computer, Mathematical and Natural Sciences, stated the guidelines are written as an interpretation of policy. He noted that sometimes these guidelines can be difficult to understand and put to practice in departmental or college policies. He added that it is beneficial to have the Faculty Affairs Committee to look over the documents to make sure that the College-level policies adhere to the University and System policies.

Seeing no further request for discussion, the chair called for a vote on the amendment. The result was 25 in favor, 66 opposed, and 33 abstentions. **The motion to approve the amendment failed.**

Senator Raghavan asked for clarification on the words “or equivalent.”

Pound explained that the University of Maryland Plan of Organization for Shared Governance requires College Plans of Organization to have a college assembly and that the words “or equivalent” were there to cover Colleges that have a college assembly that is not called a college assembly.

Goodman explained that some Colleges call it a council while other call it a senate and this change is to clarify that it is the governmental body of the College regardless of the name.

Seeing no further request for discussion, Goodman called for a vote on the proposal. This proposal also required a 2/3 vote and abstentions were not allowed. The result was 82 in favor and 18 opposed. **The motion to approve the proposal passed.**

**Special Order of the Day**  
**Philip DeShong**  
**Professor, Dept. of Chemistry & Biochemistry and Chair of the Conflict of Interest**  
**Committee**  
***An Overview of Conflict of Interest Issues***

Phillip DeShong, Chair of the Conflict of Interest Committee, provided an overview of conflict of interest issues. He noted that State Ethics Law defines conflict of interest but provides several exceptions. DeShong stated that Universities and federal funding agencies have become entrepreneurial and have established “relationships” with commercial and non-profit entities. He also explained that the point of COI training is to remind us that the university’s objectivity and integrity in generating new knowledge is its most precious asset and must be protected at all costs.

Goodman thanked DeShong for his presentation.

**Special Order of the Day**  
**Brian Ullmann**  
**Associate Vice President of Marketing & Communication, University Relations**  
**Brian Logue**  
**Senior Director of Annual Giving, University Relations**  
***Fearless Ideas: The Campaign for Maryland and Giving Day***

Brian Ullmann and Brian Logue provided a presentation on the University of Maryland Giving Day and Fearless Ideas: The Campaign for Maryland. They noted that the campaigns goals were to raise money, double the endowment, enhance our reputation, establish a philanthropic volunteer culture, establish best practices in advancement, and increase the donor base. They also showed the progress of Giving Day donations and provided information on leaderboards and various challenges throughout the day to encourage donations.

Goodman thanked Ullmann and Logue for their presentation.

**New Business**

There was no new business

**Adjournment**

Chair Goodman adjourned the meeting at 4:56 p.m.