

University Senate

April 4, 2013

Members Present

Members present at the meeting: 101

Call to Order

Senate Chair Smith called the meeting to order at 3:24 p.m.

Approval of the Minutes

Chair Smith asked for additions or corrections to the minutes of the February 14, 2013 meeting. Hearing none she declared the minutes approved as distributed.

Report of the Chair

Corcoran

Smith commented on the proposed new partnership with the Corcoran and the potential opportunities for our university. She explained that President Loh had discussed the potential for this partnership with the Senate Executive Committee (SEC) several weeks ago and again informed the SEC of the Memorandum of Understanding (MOU) prior to the announcement on Wednesday. She explained that SEC members had been given the opportunity to suggest potential task force members who would be responsible for exploring the new opportunity. Smith assured the Senate that shared governance was involved in this important decision.

Committee Volunteer Period

Smith explained that the volunteer period for Senate standing committees was now open. She encouraged the campus community to volunteer to serve on a committee by going to www.senate.umd.edu. The deadline to volunteer is April 19, 2013.

CUSF Alternate

Smith explained that the Nominations Committee is still looking for nominees for the CUSF alternate representative seat. She encouraged faculty to nominate himself or herself or a colleague by contacting the Senate Staff.

Remaining Senate Meetings

Smith reminded Senators that April 17, 2013 would be the last business meeting of the semester for any outgoing Senators. The May 2, 2013 transition meeting will be for all continuing and incoming senators. Vincent Novara will take over, as Senate Chair, and the Senate will vote for its next chair-elect and elected

committees. The names of candidates running for the various committees and their candidacy statements were distributed to incoming and continuing senators on April 10, 2013.

Implementation of the Policy On Smoking At USM Institutions (Senate Doc. No. 12-13-07) (Action)

Marcia Marinelli, Chair of the Campus Affairs Committee, presented the Implementation of the Policy on Smoking at USM Institutions and provided background information.

Smith opened the floor to discussion of the proposal.

Senator Miletich, Undergraduate, College of Arts & Humanities, stated that he feels that the measures are extreme. We need to look into creating designated smoking areas. We will create a second class of students if we do not have something to accommodate smoking without impinging on others. Many people will not give up smoking so asking them to give up what they have the legal right to do is not appropriate.

Senator Petkas, Exempt Staff, introduced Kristen Vessel, Senator in the Resident's Hall Association (RHA), stated that the RHA has been speaking in town halls with residents. The general consensus is that the ban should be in place to protect non-smokers, not punish smokers. We need, therefore, designated smoking areas. It is a safety issue for students. Locations can be easily accessible but not in heavily trafficked areas and should be covered in case of bad weather. She suggested several possible areas including the wooded area near Hagerstown Hall and Denton Hall, behind the Benjamin Building and Knight Hall, the grassy area near LaPlata Beach. She also suggested a grace period for fall 2013. Most students do not know about the ban or the 25-foot rule. We want to educate students in fall 2013 and then go into full enforcement. She asked the Senate to take the RHA's recommendation into account before making this decision.

Senator Joutz, Non-Exempt Staff, stated that he was curious how enforcement will be handled in this time of budget constraints. It does not make sense to waste people's time with enforcement.

Marinelli responded that the committee does not want the police or police auxiliary to handle enforcement. This is not consistent with our campus culture. Instead, the committee suggests graduated enforcement. We need to focus on a change in culture and in creating new social norms. We are an educational institution so we want to educate people about the health concerns related to smoking. We would like to get to a point where our community feels comfortable telling smokers that we are a smoke-free campus. We need to give people the

skills to have these types of conversations. This is going to be a long-term process.

Senator Lathrop, Faculty, College of Computer, Mathematical, & Natural Sciences, stated that our country's history of prohibition has not gone smoothly, often because of unintended consequences. When we extended the smoking distance, we removed a lot of the smoking receptacles, which has increased the litter from smokers. He showed a collection of cigarette butts collected around his building and commented on the impact on the environment. Another unintended consequence is that discarded cigarette butts are a fire hazard. He proposed an amendment to the committee's recommendation.

The Senate recommends placing at least one fireproof garbage receptacle near each major building, but at least 50 feet away from any building air intake.

The amendment was seconded.

Smith opened the floor to discussion of the amendment.

Senator Popkin, Undergraduate, College of Behavioral & Social Sciences, inquired why Senator Lathrop was proposing 50 feet instead of 25 feet, which is the current rule on campus. He was concerned about the confusion that the change could cause.

Lathrop stated that he had no objection to changing it to 25 feet.

Senator Popkin proposed that the amendment be amended from 50 feet to 25 feet. The amendment was seconded.

The Senate recommends placing at least one fireproof garbage receptacle near each major building, but at least 25 feet away from any building air intake.

Smith opened the floor to discussion of the amendment to the amendment; hearing none, she called for a vote on the amendment to the amendment. The result was 73 in favor, 11 opposed, and 2 abstentions. **The motion to approve the amendment to the amendment passed.**

Smith opened the floor to discussion of the amendment as amended.

Senator Walters, Faculty, College of Computer Mathematical and Natural Sciences, stated that he supported the amendment and encouraged the campus to post a sign at each receptacle stating that, "the University of Maryland is a smoke-free campus, please dispose of your cigarette here."

Hearing no further discussion, Smith called for a vote on the amendment as amended. The result was 81 in favor, 6 opposed, and 3 abstentions. **The motion to approve the amendment passed.**

Senator Davis, Faculty, A. James Clark School of Engineering, stated that he supports the University following Board of Regents policy. However, he feels that we should focus our efforts on education not enforcement. He also expressed his displeasure with the litter caused by cigarette butts. We should encourage people to refrain from smoking because doing so is a healthy thing, but we should not waste resources on enforcement.

Senator Popkin, Undergraduate, College of Behavioral & Social Sciences, stated that he supports the policy and the implementation plan. He also reviewed several statistics about smoking. He also made a motion to approve two amendments.

Communication: Bullet Point 1

The Campus Affairs Committee recommends that the Division of Administration and Finance and University Relations lead the development and dissemination of an appropriate communication and signage strategy for the campus, beginning with awareness communication to start immediately. A smoke-free campus identity campaign should be promulgated throughout campus, and adequate and appropriate signage should be located at all entrances to campus, as well as at major public thoroughfares and spaces, and in campus buildings. **An emphasis should also be placed on the area in front of McKeldin Library.**

The amendment was seconded.

Smith opened the floor to discussion of the amendment.

Senator Popkin, Undergraduate, College of Behavioral & Social Sciences, stated that the area in front of McKeldin Library is a high traffic area. This is to insure that this area is well educated about this policy.

Hearing no further discussion, Smith called for a vote of the amendment. The result was 49 in favor, 33 opposed, and 9 abstentions. **The motion to approve the amendment passed.**

Popkin also made a motion for an additional amendment.

The Campus Affairs Committee recommends that the University conduct periodic evaluations of effectiveness of the policy during the first five years of its implementation. **A specific evaluation of the area in front of McKeldin Library should also be conducted.** The data collected could include measurements of the utilization of health and educational services, and annual surveys of random faculty, staff, and students, among other sources.

The motion was seconded.

Smith opened the floor to discussion of the amendment; hearing none, she called for a vote on the amendment. The result was 30 in favor, 53 opposed, and 10 abstentions. **The motion to approve the amendment failed.**

Smith opened the floor to discussion of the amended proposal.

Senator Miletich, Undergraduate, College of Arts & Humanities, agreed with Senator Davis's comments about implementation. He stated that if we want to change the culture, we need to take a proactive stance on changing culture. The current policies are not effective so he hopes that future policies are more effective.

Senator Klier, Exempt Staff, stated that this policy is long overdue, and he hopes that it passes. The way to change the culture and to improve our campus is to pass this policy. The cigarette butts around campus are disgusting. All of the reasons against it or for caution ought not be considered. This is the right thing to do.

Senator Popkin, Undergraduate, College of Behavioral & Social Sciences, stated that the Student Government Association (SGA) passed a resolution supporting the implementation and encouraging President Loh to consider designated areas. He also suggested that the campus community be consulted when decisions are made. The SGA supports the education and outreach component of the proposal.

Hearing no further discussion, Smith called for a vote on the proposal as amended. The result was 71 in favor, 22 opposed, and 1 abstention. **The motion to approve the proposal passed.**

**PCC Proposal to Establish a Master of Finance (Senate Doc. No. 12-13-46)
(Action)**

William Idsardi, Chair of the Programs Curricula and Courses (PCC) Committee, presented the PCC Proposal to Establish a Master of Finance and provided background information.

Smith opened the floor to discussion of the proposal.

Senator Ellis, Non-Tenured Research Faculty, inquired whether this program would be a terminal professional degree.

Idsardi confirmed that was the case.

Ellis stated that even though no additional resources were needed, additional funds would be generated from this new program.

Idsardi stated that the business program overall is at a disadvantage in recruitment and placement because of the lack of this program. They receive 1,400 applicants and take fewer than 200. There is, therefore, a demand for the program.

Senator Lubrano, Graduate Student, Robert H. Smith School of Business, echoed the importance of this program. The current configuration does put Smith School students at a disadvantage. Employers are looking for applicants with a Masters in Finance, so this is a necessary change in order to make our students competitive. An asset to the Smith School, the program would also help the alumni.

Hearing no further discussion, Smith called for a vote on the proposal. The result was 89 in favor, 0 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

Special Order of the Day
Bradley Hatfield
Chair, Joint Provost/Senate APT Guidelines Task Force
Feedback on the Task Force's Charge

Smith introduced Bradley Hatfield, Chair of the Joint Provost/Senate APT Guidelines Task Force, to address the Senate and get feedback.

Hatfield gave a brief overview of the task force's work thus far and noted the breadth of experience of the members on the task force. He stated the importance of the APT process. The task force would like to develop language that is reflective of national trends, is reasonable, clear, and sensitive to a dynamic landscape of issues and recognizes heterogeneity in scholarly paths. The process should not be overly cumbersome or redundant but offer an attempt at leadership in this important process. We have to strike a balance in order to finish our work in a timely manner. He reviewed the elements of the charge, noted that the task force will meet with campus leaders in a variety of areas, and explained that this presentation was an opportunity for the task force to get feedback from the Senate.

Smith opened the floor to feedback and reminded the Senate not to discuss any specific APT cases.

Senator Mallios, Faculty, College of Arts & Humanities, echoed a sense of high importance of this work but raised concerns about the confusing elements about the external evaluators that are currently in the guidelines. He noted that #10 in

the guidelines manual excludes the candidate's mentors and collaborators, item #12 says that a solicitation letter should ask if the reviewer is a co-author or collaborator, item #13 states that an evaluator who is the candidate's dissertation advisor, former teacher, co-author or student should be avoided. This language is ambiguous and confusing. The language feels like policy language and it is difficult to know what to do, particularly with the issue of collaboration and former teachers. This is a subject of grave concern. This is a complicated matter on which people from different disciplines across and outside of our campus should weigh in.

Hatfield reiterated that the purpose today is to get an awareness of what is in the minds of people here. Our goal is to have language that is reasonable and clear and reflective of national trends. There is a standard of reasonableness to which we subscribe that works for cases that are not controversial. Our purpose is to remove ambiguity and be reasonable. As far as the notion of conflict of interest is concerned, we need something that is reasonable but gives good guidance.

Senator Mallios stated that conflict of interest as the principle that underlies selecting outside reviewers is sound but wonders when it comes to matters of policy—principle alone is insufficient for guiding APT committees. More specific guidance is needed.

Hatfield noted that we want to preserve the goal that the people doing the evaluation should be knowledgeable about that scholar.

Senator Kalnay, Faculty, College of Computer, Mathematical, and Natural Sciences, stated that in her experience with writing letters of reference, she frequently gets an email asking whether she would be willing to write a letter. These other universities filter out people who do not want to write letters using this manner, but our University does not consistently follow this procedure. There must be a good reason either to do it or not, but some very good universities do follow this procedure so it is worth looking into. Hatfield stated that this procedure is in our sphere of consideration of different issues.

Senator Segal, Faculty, College of Behavioral & Social Science, stated that two trends to which we have to be sensitive are that the number of references we require is increasing and aligns with the national trend. Also, we place a high premium on the letterhead more than the appropriateness of the writer. This means that requests for letters get highly concentrated. The fact that our faculty are asked more frequently to write letters is a sign of our increasing prestige. The question for UM is, what is reasonable. When we are asked has also become a factor. The other trend is that those who get asked to write letters have elderly parents or have other family obligations. This trend will increase but we need to be careful about how we interpret the reasons potential evaluators

decline when it is unrelated to the quality of the candidate but rather the demography of their family.

Senator Levy, Faculty, College of Computer, Mathematical, and Natural Sciences, stated that the APT process should be one of the most stable processes on our campus. It is a good idea to review the process periodically, but changes should be minor since the way we mentor our junior faculty is based on the principles in the APT guidelines. If we make major changes in our procedures frequently, though could inadvertently adversely affect our junior faculty. We need to consider how we phase in any changes. Do the principles apply for people hired by a certain date or do they apply retroactively to everyone? He asked the task force to consider that aspect of the process. Hatfield stated that Levy had made an excellent point that should be considered.

Senator Beckett, Faculty, College of Computer, Mathematical, and Natural Sciences, asked that the task force consider consistency within departments and across departments. She also suggested that the task force consider the correlation between the letterhead and knowledge of writer. In other words, does prestigious letterhead guarantee knowledge of the field and the work being reviewed. If you just look at the letterhead, you will get a short letter that does not address the qualifications of the candidates. Departments feel a lot of pressure for the best letterhead but that is not wise because you need substantive feedback by people who are knowledgeable about the candidate and the work being reviewed.

Hatfield stated that the expertise of the reviewer is of critical concern.

Senator Mallios introduced Kumea Shorter-Gooden, Chief Diversity Officer and Associate Vice President. She stated that she is grateful to see an element about diversity in the task force's charge. She would like the task force to consider this broadly. We have huge disparities in the promotion and tenure rates of faculty by ethnicity. The issue of how diversity and diversity issues are engaged in the APT process is critical. She stated to consider whether faculty research on diversity issues in underserved populations can be evaluated fairly. We should also consider how to diminish the impact of any negative biases about faculty members from underrepresented groups, including colleagues' biases and students' biases expressed in course evaluations. There should be consideration of whether contributions from faculty from underrepresented groups to the diversity of the University should be considered. In other words, the task force should consider whether being diverse and contributing a diverse perspective in background, identity group, or heritage are factors that should be counted in some way, given our commitment to inclusive excellence. She encouraged the task force to think broadly to help address the persistent disparities in tenure and promotion rates by ethnicity.

Non-Tenure-Track Faculty Policies & Procedures (Senate Doc. No. 12-13-41) (Action)

Thomas Holtz, Co-Chair of the Joint Provost/Senate Non-Tenure-Track Faculty Task Force, presented the Non-Tenure-Track Faculty Policies and Procedures report and provided background information.

Smith opened the floor to discussion of the task force's report.

Senator Davis, Faculty, A. James Clark School of Engineering, thanked the task force for its work. He stated that this is a complex issue. We benefit greatly from the Non-Tenure Track (NTT) faculty. He also pointed out that salary committees review the Faculty Activity Report (FAR) but some if not all NTT faculty cannot access that system so that they cannot be considered for merit. Holtz responded that some NTT faculty have to complete the FAR but it could be inconsistent.

Marc Pound, Member of the Task Force, stated that the survey that the task force conducted showed that 50% of NTT faculty did not know what a FAR is. Some have to complete it, but some do not.

Senator Ellis, Non-Tenured Research Faculty, stated that in his unit, research faculty can complete the FAR but it does not go to merit because there is no existing policy on merit for NTT faculty. He also noted that NTT faculty could not be Primary Investigators (PIs) on grants, so tenured/tenure-track faculty must be listed and therefore get the official credit for the work. Obviously, there are many administrative and policy issues that need to be addressed. He reminded the Senate that by accepting the report and asking the SEC to examine these recommendations, the body is not agreeing with all of the recommendations but rather making a statement that these are issues that require further consideration. He encouraged the Senate to vote in favor of the proposal.

Senator Lathrop, Faculty, College of Computer, Mathematical, and Natural Sciences (CMNS), stated that 1100 of 2800 research faculty are in CMNS. They play a vital role in research and teaching. He clarified that all faculty with faculty titles are required at least to certify their conflict of interest in the FAR. Whether they choose to enter information is up to them, but the FAR must be completed because it is needed for qualifying for merit. Each college or department determines who can or cannot be a PI. It is not a campus-wide policy. Many colleges have PI policies. In CMNS, research faculty can be PIs. He stated that he does agree uniformly with the broader issues and recommendations in the report.

Senator Macri, Full-Time Instructors, thanked the task force for its work. She explained that the survey itself was a huge gesture to NTT faculty. She noted that NTT faculty teach more than half of credits for honors and scholars students.

She also noted that there are 3 NTT faculty who were awarded CTE Lily fellowships. Some administrators are also NTT faculty. This shows the dedication and distinction that NTT faculty bring to our campus. We want to continue the dialogue that is in the report.

Senator Burns, Undergraduate, College of Computer, Mathematical, and Natural Sciences, expressed that he is afraid that student evaluations will not be taken seriously because the report states, "Ensure that evaluations of Instructional Faculty are not tied solely to the CourseEvalUM tool".

Senator Macri, Full-Time Instructors, introduced Scott Wible, Director of Professional Writing Program (PWP) & Associate Professor of English, who stated that professional writing is one of three required fundamental studies requirements in the general education program. He stated that he was speaking on behalf of the 60 NTT instructors in PWP. PWP instructors are a diverse group that comes with extensive and various work-place expertise. Collectively, NTT teaching faculty in the PWP program teach over 5,000 students each year. Writing instruction demands a lot of time and energy. While our instructors' contractual obligations are instructional by nature, the relatively small class size in PWP courses means that many of its instructors also provide informal service for the University and its undergraduates. A variety of students turn to these instructors when they have problems because these instructors know them well. PWP instructors give their time generously to help these students. The NTT faculty in turn needs the Senate's time and energy in determining how best to engage, how best to support financially, and how best to support intellectually this large group of our faculty as they help us enhance the University's collective research, teaching, and service missions. He thanked the task force and encouraged the Senate to vote in favor of the proposal.

Senator Popkin, Undergraduate, College of Behavioral & Social Sciences, commended the task force on its work and stated that we should especially consider the representation of NTT faculty on the Senate.

Senator Reynolds, Faculty, College of Computer, Mathematical, and Natural Sciences, thanked the task force for its work. He stated that Astronomy lives and dies by its NTT faculty in the instructional and research realms. He explained that the current merit review process is for a merit increase in April 2014. For NTT faculty who are only here for 1-2 years, this timeline means that they are not fairly assessed for merit during that period. He inquired whether the task force considered this.

Senator Baron, Part-Time Instructors, thanked the Senate and the Provost for commissioning the task force and the task force for its amazing work. She stated that she has been a NTT faculty member her entire career. She noted that she used to have to complete the FAR but longer is required. NTT faculty in her unit are not part of the merit review process, and she has not received a raise in her

entire career at the University. She has worked on issues relating to the status and condition of NTT faculty for several years. There is a lot of useful information coming out of this report including how much research funding NTT faculty bring in. This is a great step in leadership for our University. This is not a conversation on our campus but is a nationwide discussion for which UM is emerging as a leader.

Senator Mallios introduced Kumea Shorter-Gooden, Chief Diversity Officer and Associate Vice President. She stated that this is in part an issue of diversity and inclusion. She applauded the task force for its recommendations and encouraged the Senate to take this up. She noted that we are wrestling with and can be leaders in how to include fully people who are engaged in different ways, who have different gifts/skills/capacities/areas of work, and so not have people who are marginalized or second-class citizens. We are addressing that in part with staff, which is part of the same bailiwick.

Hearing no further discussion, Smith called for a vote to accept the report. The result was 74 in favor, 1 opposed, and 1 abstention. **The motion to accept the report passed.**

Novara made a motion to direct the Senate Executive Committee (SEC) to charge the appropriate Senate committees with the specific policy recommendations.

Smith opened the floor to discussion of the motion; hearing none, she called for a vote on the motion. The result was 64 in favor, 1 opposed, and 3 abstentions. **The motion passed.**

Proposal to Change the Committee on the Review of Student Fees (CRSF) Operating Procedure (Senate Doc. No. 11-12-13) (Action)

Joshua Hiscock, Chair of the Student Affairs Committee, presented the Proposal to Change the Committee on the Review of Student Fees (CRSF) Operating Procedure and provided background information.

Smith opened the floor to discussion of the proposal.

Senator Popkin, Undergraduate, College of Behavioral & Social Sciences, stated that the new recommendations get to the concerns raised in the minority report and expand the review process so that it is more comprehensive. He encouraged the Senate to vote in favor of the proposal.

Hearing no further discussion, Smith called for a vote on the proposal. The result was 55 in favor, 0 opposed, and 9 abstentions. **The motion to approve the proposal passed.**

Calculation of Commencement Honors (Senate Doc. No. 12-13-03) (Action)

Christopher Davis, Chair of the Academic Procedures & Standards (APAS) Committee, presented the Calculation of Commencement Honors report and provided background information.

Smith opened the floor to discussion of the proposal; hearing none, she called for a vote on the proposal. The result was 58 in favor, 0 opposed, and 1 abstention. **The motion to approve the proposal passed.**

Revisions to the College of Behavioral and Social Sciences (BSOS) Plan of Organization (Senate Doc. No. 12-13-08) (Action)

Devin Ellis, Chair of the Elections, Representation & Governance (ERG) Committee, presented the Revisions to the College of Behavioral and Social Sciences (BSOS) Plan of Organization and provided background information.

Smith opened the floor to discussion of the proposal; hearing none, she called for a vote on the proposal. The result was 50 in favor, 0 opposed, and 7 abstentions. **The motion to approve the proposal passed.**

Revisions to the Philip Merrill College of Journalism Plan of Organization (Senate Doc. No. 12-13-09) (Action)

Devin Ellis, Chair of the Elections, Representation & Governance (ERG) Committee presented the Revisions to the Philip Merrill College of Journalism Plan of Organization and provided background information.

Smith opened the floor to discussion of the proposal; hearing none, she called for a vote on the proposal. The result was 50 in favor, 1 opposed, and 4 abstentions. **The motion to approve the proposal passed.**

New Business

There was no new business.

Adjournment

Senate Chair Smith adjourned the meeting at 5:18 p.m.