

## **University Senate**

April 22, 2010

### **Members Present**

Members present at the meeting: 70

### **Call to Order**

Senate Chair Miller-Hooks called the meeting to order at 4:01 p.m.

### **Approval of the Minutes**

Chair Miller-Hooks asked for additions or corrections to the minutes of the April 8, 2010 meeting.

Senator Coleman, Faculty, College of Arts & Humanities, asked that it be noted on page 12 of the minutes that she spoke against amendment 5.

Miller-Hooks called for a vote of the minutes as corrected. The minutes were approved as amended.

### **Report of the Chair**

Chair Miller-Hooks announced that the Senate Office is still accepting volunteers for vacancies on senate committees. There is still a need for faculty volunteers. She also explained that there were two more meetings left in the semester, April 29, 2010 and May 5, 2010. The April 29<sup>th</sup> meeting will be the final meeting for outgoing senators. She gave an overview of the agenda items for that meeting. The May 5<sup>th</sup> meeting will be the transition meeting where new senators will be seated and the Chair-Elect and elected committees will be selected. She also explained that the Senate has planned to take a group picture as a farewell gift for President Mote at the May 5, 2010 meeting.

### **Committee Reports**

#### **Review of the University of Maryland Undergraduate Catalog (Senate Document#: 09-10-22) (Information)**

Miller-Hooks explained that the Academic Procedures and Standards Committee reviewed the University of Maryland Undergraduate Catalog. They found that there are discrepancies between the catalog and the University's policies. The Senate Executive Committee has asked the Provost to conduct a formal review of the catalog and send a statement of actions that are planned to address the

concerns by October 1, 2010.

**Proposal for a Tobacco-Free Campus  
(Senate Document#: 08-09-15) (Information)**

Miller-Hooks explained that the Campus Affairs Committee reviewed the “Tobacco-Free Campus” proposal and recommended that the University NOT enforce a smoking ban on campus. However, they recommended that the University enforce existing policies more strictly and increase signs around buildings and designated areas. The SEC has asked Vice President Wylie to consider the Campus Affairs Committee’s recommendations and report back to the Senate by May 1, 2011.

**Review of the Decision-Making Process Regarding Site Selection for  
Construction Projects (Senate Document#: 09-10-24) (Action)**

Miller-Hooks gave a brief overview and thanked the committee for their work.

Gerald Miller, Chair of the Site Selection Processes Committee, presented the proposal to the Senate and provided background information.

Miller-Hooks opened the floor to discussion.

Vice President Wylie, Non-Voting Ex-Officio, proposed an amendment to recommendation #2 of the committee’s proposal. The amendment was seconded.

Vice President Wylie stated the purpose of her amendment and explained the changes that she was proposing.

**Amendment**

**Purpose of Amendment:**

The current report proposes changes to an existing well functioning committee, the Architectural Design Standards Board (ADSB). The primary responsibility of the ADSB is ongoing review of exterior facility design. The report proposes a significant expansion and restructuring of ADSB to undertake a significantly different responsibility, the review of proposed facility sites, a need that arises infrequently. The amendment proposes instead the establishment of an independent Facilities Site Review Committee that would fulfill the goals stated in the committee report without disrupting and perhaps undoing the important but mostly unrelated work that is currently the business of ADSB.

## **Proposed Amendment:**

**Change “Recommendation 2” in the current report as following:**

### **RECOMMENDATION 2:**

The University should have an independent Facilities Site Review Committee that reviews site selection and related facility development proposals, policies, practices, and standards and advises the Facilities Council on them. The Committee should make recommendations concerning these proposals to the Facilities Council before they are recommended by the Facilities Council for inclusion in the Facilities Master Plan and before they are recommended for inclusion in the Capital Budget, the System Funded Construction Program or approved for construction with other funds. The Committee should make recommendations to the Facilities Council for updating and improving policies, practices, and standards as the University’s needs and goals advance and as applicable regulations change.

The charge to the Committee should require a consistent, transparent, open and public process for considering and for recommending facility siting and other related facility development actions to the Facilities Council for all projects, those in the Facilities Master Plan and those that are not. The Facilities Review Committee’s review should be early in the facility development process, so that problems are found and issues resolved before costs mount and changing course becomes very difficult. The criteria used to evaluate the facility siting and related facility development actions must include

- the missions of teaching, research, and service as stated in the University’s current Strategic Plan, and
- the policies, practices, and standards adopted by the University, including those policies, practices, and standards pertaining to the environment and sustainability. The Facilities Site Review Committee’s review process, its agenda, and the schedule of public hearings should be publicized and public comment should be invited. The Facilities Site Review Committee should keep a written record of its activities and its recommendations.

The Facilities Site Review Committee should be independent from the Architectural Design Standards Board and have an independent chair. A solid majority of its voting members should also be independent faculty and staff members with appropriate experience and professional expertise. The committee membership should include an independent undergraduate student and an independent graduate student, both with voting rights. For facility projects associated with a member’s unit, that committee member should absent himself

or herself from the committee discussion and from the vote on the Committee's recommendation.

| The Facilities [Site](#) Review Committee should also provide for appropriate public notice to the University community about projects being considered and the opportunity for public input. As the independent, expert, standing review committee, it is in a position to react quickly when necessary.

On environmental matters, issues can and will arise between conception of the facility and the decision-making necessary to build the facility

- for projects that are already in the FMP (in some cases, perhaps for a decade or longer) and for those projects that are not in the FMP,
- for projects in campus areas with many facilities already present as well as for campus areas with few facilities or none at all,
- for large projects and for small projects, and
- for State-funded projects as well as for projects to be built with other funds.

For these reasons, we strongly recommend that all project proposals be reviewed by the Facilities [Site](#) Review Committee.

| The composition of the Facilities [Site](#) Review Committee is similar to the composition requirement for the Academic Planning Advisory Committee (APAC), which is required to have a majority of its members be non-administrative faculty members. It conforms to the DOE principle of independent review by capable individuals who don't have a stake in the project other than advancing the quality of the campus environment. The requirement for members absenting themselves from discussion of or voting on Facilities [Site](#) Review Committee actions involving their own unit is analogous to that followed by members of the Campus Promotion & Tenure Committee when candidates from their academic unit are being considered. (Outside advisory membership for the Committee may be sought if projects being reviewed exclude a significant number of the members with professional expertise.) The membership of the Facilities [Site](#) Review Committee should draw on the expertise, experience, and talent of the faculty and staff of our University and should include participation by students.

Similar to those of community planning/zoning boards, the charge to the Facilities [Site](#) Review Committee includes requirements for public meetings, written criteria, early review, and written records of actions.

The credibility of the Facilities [Site](#) Review Committee will depend upon the quality of the appointments, the independence of the Committee, the openness of the process, the quality of their reviews, and the influence of their reviews in creating the best University facilities and advancing excellence at all scales of design across the campus.

Miller-Hooks opened the floor to discussion on the amendment.

Vice President Wylie introduced Carlo Colella, Director of Capital Projects to speak about the functions of the ADSB.

Carlo Colella, Director of Capital Projects, explained that the ADSB focus on the aesthetics of construction projects including the types of materials used and overall style. They are involved in the specifics of construction well after the site selection process has been completed. He believes that adding site selection to the charge of ADSB will hurt their work. He applauded the committee's recommendations, but did not believe combining site selection with the work of ADSB was appropriate. He supported the amendment.

Matthew Bell, Member of the Site Selection Processes Committee, stated that the committee would like to look at design as a whole and not atomize it. It is important to get expertise from the beginning and throughout the process to properly understand the objectives. He believes that an integrated process will ultimately lead to good decisions.

Deans Gold, Halperin and Harris all spoke in support of the amendment and the work of the ADSB. They have all had extensive experience working on construction projects with ADSB and applauded their work. They agree with the recommendations of the committee, but do not agree with the implementation. Gold suggested that we compromise by accepting the amendment and reassess in the future.

Senator Sachs, Undergraduate, College of Behavioral & Social Sciences, stated that he believes the committee's report gives a lot of clarity to the process. He is against the amendment, because the addition of another committee in the process would just confuse the situation further. He does not believe that the amendment solves the problem that we set out to solve. He believes that the Facilities Advisory Committee should be involved in site selection and placed above the other subcommittees.

Senator Levermore, Faculty, College of Computer, Mathematical & Physical Sciences, stated that he endorses the holistic view. Getting a committee involved earlier works out better in the end. He was skeptical about adding another committee.

Vice President Wylie clarified the roles of the various committees under the Facilities Council. The Facilities Master Plan Committee is an inclusive committee that meets once every ten years to adjust the Master Plan. The Facilities Advisory Committee advises on all proposals to the Facilities Council and has broad representation. The Facilities Improvement Committee is a small committee that operates to approve renovations on teaching facilities that are less than \$125,000 and need immediate action. The Teaching Facilities Committee is involved in classroom renovations. Wylie further explained that a site selection committee would have been useful in avoiding the Wooded Hillock situation. They appointed an ad hoc committee with representation from the campus, but it did not work. It would be better to have an established committee to have public hearings and make the site selection decisions with public input. We should not confuse site selection and design.

Senator Leone, Faculty, College of Behavioral & Social Sciences, stated that the current structure does not preserve our archeological sites on our campus. We do not have a structure, which will allow for the appointment of independent experts in the various fields necessary. He spoke against the amendment. We need to think about the integrated nature of our environment.

Matthew Bell, member of the Site Selection Processes Committee, clarified that the committee was not proposing to remove the charge of the ADSB. There is a natural evolution towards taking those responsibilities and including a review of site early on in the process. The design should start with the selection of site.

Senator Evans, Faculty, College of Computer, Mathematical & Physical Sciences, asked if the Facilities Council could take on the holistic nature of the design process.

Matthew Bell, member of the Site Selection Processes Committee, explained that there are different charges. The proposal is for professional experts to give recommendations to the Facilities Council. The committee feels that there is a significant benefit to having a committee made up of experts with a specific charge from the site through the design. He does not feel it is effective to add it to the charge of the Facilities Council.

Vice President Wylie explained that the ADSB does have faculty experts on it. They are used throughout the process. Site selection is a very specific problem. She explained that an architect is not asked where to put a property. The owner decides on which property is used.

Senator Tilley, Faculty, College of Agricultural & Natural Sciences requested permission for Kwame Joquam, Undergraduate. He stated that he was concerned with the cost of adding committees and the rise in tuition.

Chair Miller-Hooks explained that committee members volunteer and are not paid.

Senator Sachs, Undergraduate, College of Behavioral & Social Sciences, stated that the facilities process is done in the dark, and no one knows how it works. He would like to have better insight in how this process works. He made a motion to call the question on the amendment.

Miller-Hooks called for a vote to end debate on the amendment. **The motion passed.**

Miller-Hooks called for a vote on the amendment. **The amendment passed.**

Miller-Hooks opened the floor to discussion of the report as amended.

Senator Buchanan, Faculty, College of Agricultural & Natural Resources, asked about the scope of the committee's recommendations and if they also apply to facilities and land owned by the experiment station. He also asked about the phrase, "and other related facilities actions" and whether there was a dollar value associated with that statement. He asked for clarification on that section.

Gerald Miller, Chair of the Site Selection Processes Committee, stated that the intention of the recommendation is to cover all outlying properties of the University.

Senator Kahn, Faculty, College of Life Sciences, proposed an amendment to include the Director of Environmental Safety in the membership of the site selection committee.

**Proposed Amendment:**

The Director of the Department of Environmental Safety (DES) will also be a voting member of the Facilities Site Review Committee.

Miller-Hooks opened the floor to discussion of the amendment. Hearing none, she called for a vote. **The amendment passed.**

Miller-Hooks opened the floor to discussion of the report as further amended.

Senator Hurtt, Faculty, College of Architecture, stated that he has been close to this process for a long time. He agrees that the function that the committee proposes is necessary. He urged people to pass the report. He called the question to end debate on the report as amended.

Miller-Hooks called for a vote on the motion to call the question and end debate. **The motion failed.**

Senator Sachs, Undergraduate, College of Behavioral & Social Sciences, called for a quorum check.

Miller-Hooks asked that all Senators press 1 to check the quorum. There was no longer a quorum, so the meeting was adjourned.

### **New Business**

There was no new business.

### **Adjournment**

Senate Chair Miller-Hooks adjourned the meeting at 5:11 p.m.