

## **University Senate**

May 4, 2011

### **Members Present**

Members present at the meeting: 123

### **Call to Order**

Senate Chair Mabbs called the meeting to order at 3:19 p.m.

### **Election of the Chair-Elect**

Chair Mabbs announced that the SEC met last week and agreed that the results for the Chair-Elect would not be displayed at the meeting but anyone could request the results from the Senate Office. She introduced Francis Alt, Robert H. Smith School of Business and Martha Nell Smith, College of Arts & Humanities as the candidates for Chair-Elect. She opened the floor to nominations. Hearing no additional nominations, she requested that all voting Senators vote on the Chair-Elect. Chair Mabbs announced that Martha Nell Smith had been elected Chair-Elect.

### **Approval of the Minutes**

Chair Mabbs stated that because we were unable to reach a quorum at the April 21, 2011 meeting, we could not conduct business. However, a brief memo described the informational items presented at that meeting. The action items slated for that meeting have been transferred to today's meeting. Mabbs asked for additions or corrections to the minutes of the April 7, 2011 meeting. Hearing none she declared the minutes approved as distributed.

### **Report of the Outgoing Chair, Linda Mabbs**

Chair Mabbs stated that she really enjoyed her past year as Senate Chair. She gave a brief overview of the activities from the past year including, the hiring of a new President, a new Provost, a new Assistant President and Chief of Staff, ongoing searches for several Vice Presidents, creation of a new college—College of Computer, Mathematical, and Natural Sciences (CMNS), reorganization of the College of Education, implementation of the new General Education Program, a new Diversity Plan, and the Medical Amnesty Policy. Mabbs thanked the Senate committee members and chairs for their efforts this past year. She welcomed incoming Senate Chair Kasischke and wished him the best.

Chair Mabbs summarized her comments at President Loh's inauguration ceremony. She explained that the Senate is a unique body whose elected representatives come from all constituencies on our campus. She explained that we share the governance on this campus and look forward to continuing the close relationship that we have established with him. She urged the President to reach out to the Senate and stated that working together we can move this institution forward.

Mabbs sang "So long, Farewell", from the *Sound of Music* as she departed.

Kasischke thanked Mabbs for the outstanding service and leadership that she provided this past year, which has been particularly important during this time of transition at the University. He hopes to meet the high standards that she and other past chairs of the Senate have set.

### **Special Elections**

Chair Kasischke thanked Timothy Hackman and the Nominations Committee for their work in developing the slates and the candidates who have agreed to run. He also encouraged senators to volunteer to serve on a senate committee. He then provided instructions on the process for the special elections.

Kasischke requested that all voting senators take out the ballots for the vote of the Senate Executive Committee and strike out Martha Nell Smith as a candidate because the chair-elect is an ex-officio member of the SEC. He opened the floor to nominations. Hearing none, he asked senators complete their ballots.

Kasischke asked all voting senators to take out the ballots for the vote of the Committee on Committees. He opened the floor to nominations. Hearing none, he asked the senators to complete their ballots.

Kasischke asked all faculty senators to take out the ballots for the vote of the Athletic Council. He opened the floor to nominations. Hearing none, he asked the faculty senators to complete their ballots.

Kasischke asked all faculty senators to take out the ballots for the vote of the Council of University System Faculty (CUSF). He mentioned that there is a vacancy for an alternate and opened the floor to nominations. Hearing none, he asked the faculty senators to complete their ballots.

Kasischke requested that all faculty, staff, and undergraduate senators take out the ballots for the vote of the Campus Transportation Advisory Committee (CTAC). Hearing none, he asked the senators to complete their ballots.

Chair Kasischke announced that Reka Montfort would announce the results of the special elections by email following the meeting. He explained that the new members of the SEC would be meeting on Thursday, May 12, 2011.

Kasischke announced that the Senate Meeting Schedule for 2011-2012 has been finalized and will be emailed to senators. He reminded everyone that only senators or those introduced by senators may speak. All speakers should state their name and constituency for the record prior to speaking.

## **Committee Reports**

### **Proposal to Review the Practice of Scanning License Plates (Senate Doc. No. 10-11-54) (Information)**

Kasischke gave a brief overview of the new system which scans license plates for parking violations instead of the old permit system. He explained that the Campus Affairs Committee has requested that the records from these scans only be retained for thirty days. They have also asked the Department of Transportation Services and the Chief of Police to report back to the committee about any requests for information related to these scans. Kasischke further explained that this report was presented to the Senate as an informational item and has been forwarded to David Allen, Director of the Department of Transportation Services and Chief Mitchell.

### **PCC Proposal to Establish an Area of Concentration in Graphic Design within the Bachelor's Program in Studio Art (Senate Doc. No. 10-11-52) (Action)**

Elizabeth Beise, Member of the Programs, Curricula, & Courses (PCC) Committee, presented the proposal to establish an area of concentration in Graphic Design within the Bachelor's Program in Studio Art to the Senate 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 119 in favor, 0 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

### **Revisions to the Policy and Procedures for Non-Creditable Sick Leave for Faculty Members (Senate Doc. No. 10-11-37) (Action)**

Robert Schwab, Chair of the Faculty Affairs Committee, presented the proposal to revise the Policy and Procedures for Non-Creditable Sick Leave to the Senate and provided background information.

Kasischke opened the floor to discussion of the proposal.

Senator Milton, Faculty, School of Public Health, asked what the policy means in practice. Does it mean that for childbirth, a faculty member gets 25 days and the department cannot give them a longer period for maternity leave?

Schwab responded that the policy codifies existing practice. This policy allows a faculty member who must miss a class to have a colleague step in to teach for us. The current stated policy requires each department to have a formal policy on this. This proposal is to align the implicit policy with the official policy.

Senator Milton, Faculty, School of Public Health, stated that the language regarding childbirth suggests that we cannot give a progressive maternity leave to our faculty.

Schwab stated that that is beyond the scope of the charge to the committee. The alternative would be to preclude childbirth as an option but the policy does not say that the department cannot have any further policy on matters dealing with childbirth.

Senator Loeb, Faculty, Robert H. Smith School of Business, stated that he worries about overly specifying every possible scenario. He has concerns about creating a bureaucratic procedure that limits existing circumstances. He does not believe the current process needs to be changed.

Schwab responded that we are just removing the requirement that every department establish formal written procedure for this policy.

Senator Loeb, Faculty, Robert H. Smith School of Business, inquired how teaching on a religious holiday would change due to this policy.

Schwab responded that there is nothing in the revised policy that changes current practice. This merely removes the requirement that every department have a lengthy written policy that would have to identify every religious holiday that applied.

Senator Blagodarskiy, Undergraduate, College of Undergraduate Studies, asked what constituted those 25 days, all calendar days, all days excluding weekends, or only days where a faculty member is expected to teach or hold office hours.

Schwab stated that the committee's view was that the 25 days would apply to days in which a faculty member was expected to teach or hold office hours. The alternative would be to ask a colleague to step in on a day where you do not have official responsibilities.

Hearing no further discussion, Kasischke called for a vote on the proposal. The result was 83 in favor, 17 opposed, and 17 abstentions. **The motion to approve the proposal passed.**

**Faculty Affairs Committee Report on Amendment to the UMCP Policy on  
Sabbatical Leave for Faculty  
(Senate Doc. No. 10-11-54) (Action)**

Robert Schwab, Chair of the Faculty Affairs Committee, presented the proposal to amend the UMCP Policy on Sabbatical Leave for Faculty to the Senate 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 105 in favor, 6 opposed, and 7 abstentions. **The motion to approve the proposal passed.**

**Transition of the Senate CORE Committee  
(Senate Doc. No. 10-11-13) (Action)**

Laura Rosenthal, Chair of the CORE Committee, presented the proposal to amend the Senate Bylaws to reflect new General Education Program and Committee to the Senate and provided background information.

Kasischke opened the floor to discussion of the proposal.

Senator Calderon, Part-Time Undergraduate, College of Computer, Mathematical, and Natural Sciences, asked how engaged the students are on this committee and with such a small fraction of the committee composed of students, how can we ensure that their concerns are being addressed.

Rosenthal stated that the student membership was expanded but there was the need not to make the committee too large. She encouraged members to get involved and volunteer on the committee. She also stated that the committee now has a new membership with a new role so it is hard to assess their involvement.

Hearing no further discussion, Kasischke called for a vote on the proposal. He also noted that because this proposal required an amendment to the Senate Bylaws, it requires a 2/3 vote in favor. The result was 102 in favor, 11 opposed, and 7 abstentions. **The motion to approve the proposal passed.**

**Review of the Family Care Resource and Referral Service  
(Senate Doc. No. 10-11-19) (Action)**

Cynthia Shaw, Chair of the Family Care Review Committee, presented the proposal to continue and slightly extend the benefits provided by the Family Care Resource and Referral Service to the Senate and provided background information.

Kasischke opened the floor to discussion of the proposal.

Senator Kahn, Faculty, College of Computer, Mathematical, and Natural Sciences, stated that this service does not solve our childcare problems. We should really have on-campus childcare that is subsidized by the University. This service is great and should continue but it is not the answer.

Shaw agreed that on-campus childcare would be great but in this current budget climate, it is not likely to happen. There are constituents on campus that do not have access to the resources necessary to do the type of research that this service provides so it does serve a purpose, and is, for example, especially beneficial for finding elder care. It is a Band-Aid but it is a good Band-Aid.

Senator Blagodarskiy, Undergraduate, College of Undergraduate Studies, asked for the dollar amount needed for the increased funding and where that additional funding would come from.

Shaw responded that the funding was negotiated with the consulting service but she is unsure where the funds would come from.

Senator Coates, Non-Exempt Staff, stated that she supports Senator Kahn's comments that we need childcare on campus. However, the family care service is wonderful in what it offers. The consultant met with her after-hours and gave her services above and beyond her expectations.

Senator Morrow, Graduate Student, College of Education, asked whether just using a consultant is a comment on the level of commitment that the University has to this service.

Shaw responded that there might be a transition to a regular staff member in the future. The current consultant is not interested in becoming a staff member so she would have to train someone else to take over.

Hearing no further discussion, Kasischke called for a vote on the proposal. The result was 98 in favor, 10 opposed, and 10 abstentions. **The motion to approve the proposal passed.**

#### **Revisions to the Policy for Class Excuses from the Health Center (Senate Doc. No. 10-11-51) (Action)**

Matthew Stamm, Chair of the Student Affairs Committee, presented the proposal to amend the Policy for Class Excuses from the Health Center to the Senate and provided background information.

Kasischke thanked Stamm for his extensive efforts on this proposal and opened the floor to discussion.

Senator Miletich, Undergraduate, College of Arts & Humanities, endorsed the proposal. When a student has a cold and all that they need is a day of rest, they do not want to have to go to a primary care physician or the health center. He was very supportive of the idea of a self-signed note.

Senator Gullickson, Faculty, College of Arts & Humanities, stated that not all faculty would establish a policy for their course so what are the consequences for not doing so.

Stamm responded that there is a section in the policy that explains the process of resolution of disputes. This aspect is as important as the grading requirements but the department head would deal with consequences.

Senator Blagodarskiy, Undergraduate, College of Undergraduate Studies, has concerns that this policy could have a negative impact if students abuse the policy for frivolous reasons. He feels like the requirement to go to the Health Center for an

excuse helps filter the frivolous excuses. He is not opposed to the revisions in the policy but asked how we prevent abuse of the policy.

Stamm responded that the Health Center does not currently issue excuses because 20% of their time was spent writing excuses. In the proposed policy, you can only excuse yourself once, so abuse would be limited to one time. The current policy states that medical excuses must come from the Health Center despite the fact that they no longer issue excuses. This policy allows any medical provider to supply documentation.

Senator Levy, Faculty, College of Computer, Mathematical, and Natural Sciences, asked whether the policy includes classes where we give exams.

Stamm stated that the new policy specifically states that self-signed notes cannot be used for major scheduled grading events such as exams or presentations. The instructor has the ability to state in the course policy for which circumstances self-signed notes will not be accepted.

Senator Levy further asked about the timeline in which a student should report that she or he would not be able to attend class.

Stamm stated that the new policy states that a student must notify the instructor before the class begins whether they plan to miss class because of illness and must provide the note upon their return to class. Students are also bound by the Honor Code.

Senator Goodman, Faculty, College of Computer, Mathematical, and Natural Sciences, asked why the word “minimum” was used instead of “maximum” in section 2.

Stamm responded that an instructor is only required to accept a self-signed note once but they could accept it more frequently if they chose.

Senator Goodman stated that it sounds like something the student does not what the instructor does. He questioned the wording in this section.

Stamm stated that the University’s Legal Office crafted the language. This would not preclude an instructor from accepting more.

Senator Loeb, Faculty, Robert H. Smith School of Business, asked whether the revised policy takes into consideration courses where class participation is counted in their grading.

Stamm responded that a student could only use the self-signed note once a semester. However, this policy does not dictate how instructors handle that excuse. They could choose to give a make-up assignment or recalculate the grade without that excused day. The self-signed note is similar to an excuse from the Health Center and is akin to sick leave.

Senator Gabriel, Faculty, College of Engineering, stated that he was under the impression that attendance could not be counted towards a grade. It seems to be a non-issue for lectures.

Stamm responded that the attendance and assessment policy does not prohibit faculty from using attendance as a factor in grading. He further stated that small assignments or quizzes may occur during class so this protects a student from those situations.

Senator Gabriel asked what constitutes a “class.”

Stamm responded that a student would be excused from one class no matter the duration of the class session.

Senator Davis, Undergraduate, College of Undergraduate Studies, asked what determines a legitimate excuse from class.

Stamm responded that it is a personal assessment when you are feeling ill and you are unable to attend class or are contagious.

Senator Best, Non-Exempt Staff, stated that the Health Center is not free so a receipt from them should be a legitimate excuse.

Stamm responded that receipts are only given for prescriptions. Otherwise, they would have to print their student account log, which may violate HIPPA laws. He also noted that students do not typically go to the doctor for just a cold.

Senator Coates, Non-Exempt Staff, stated that students need to take the time to rest so that their illness does not escalate to a more serious illness. We should treat them as adults.

Stamm responded that this policy was suggested by the Health Center.

Senator Ahmed, Undergraduate, School of Public Health, stated that as a former Resident Assistant, he has seen illness spread through a residence hall. He also noted that going to the Health Center is not always feasible and asked how this policy will be shared with the undergraduate body and how it affects final exams.

Stamm responded that the Health Center will write excuses during finals because it is not really an appropriate time for students to excuse themselves. He also stated that implementation is not specifically stated in the policy, but in the past the Provost has distributed a letter notifying the community of new policies.

Senator Rothenberg, Undergraduate, College of Arts & Humanities, stated that he supports the revised policy. He thinks going to the Health Center is a waste of time and money. He asked what the note must say.

Stamm responded that they have outlined that notes must include their name, date, and that they missed class because they were ill and could not attend. A template could be created for students.

Senator Miletich, Undergraduate, College of Arts & Humanities, stated that we should treat student as responsible adults. There are ramifications for missing a class so there are reasons not just to skip a class.

Senator Gullickson, Faculty, College of Arts & Humanities, stated that she does not believe these changes do anything for the students. They do not have any more rights or opportunities than the current policy.

Stamm responded that the current policy states that documentation is required from the Health Center but they no longer provide excuses. Currently, instructors do not have to establish a sick leave policy. There is a lack of clarity as to what the policy is. The policy needs to offer protection for those low probability events.

Gullickson stated that we could simply remove the section in the policy that requires documentation from the Health Center. She objected to writing a policy for the worst-case scenario. If students are concerned, they should talk to their instructor. We do not penalize students for illness.

Stamm responded that students should know at the beginning of the semester what the policy is. While the policy states that we do not penalize students for illness, if students cannot prove whether they were ill, it is entirely up to the instructor's discretion whether or not to accept the student's word. This has been examined because it has been raised as an issue repeatedly.

Senator Miletich, Undergraduate, College of Arts & Humanities, stated that his theatre courses are based on attendance so he would like the security to know that he would not be penalized for an absence due to illness.

Hearing no further discussion, Kasischke called for a vote on the proposal. The result was 75 in favor, 21 opposed, and 4 abstentions. **The motion to approve the proposal passed.**

### **Special Order**

#### ***Discussion of the Draft Facilities Master Plan Update*** **Frank Brewer, Interim Vice President for Administrative Affairs**

Kasischke introduced Frank Brewer, Interim Vice President for Administrative Affairs to present the Draft Facilities Master Plan.

Brewer gave a brief overview on the Facilities Master Plan Steering Committee's work.

### Scope of Work

The committee has an objective of updating the Facilities Master Plan (FMP) in order to provide a framework to guide growth and development while integrating the goals of the Strategic and Climate Action Plans, which are focused on landscape master planning and transportation systems. Development has been a collaborative process, working with the College Park City Council and holding public forums. They have been given twelve months to complete the update. The committee is also working with a consultant team, Oehme, van Sweden & Associates, Inc. on landscape architecture, multi-modal transportation, cultural university landscapes, environmental ecosystems, and restoration and sustainability.

Brewer stated that they would like to get feedback from the Senate and present a final report in the fall 2011.

Kasischke opened the floor to discussion of the draft Facilities Master Plan.

Senator Gullickson, Faculty, College of Arts & Humanities introduced Steve Hurtt, College of Architecture to speak. Hurtt stated that he has been involved with facilities related councils and committees on our campus for years. He expressed frustration that despite our efforts, we are not able to be involved with the East Campus Redevelopment project, which should be part of our master planning effort. Instead, it seems to be “off the table.” He thinks that this is a problem and something should be done to insure this is a more inclusive process.

### **New Business**

Senator Petkas, Exempt Staff, introduced Eugene Ferrick to speak. Ferrick stated that he is the current Chair of the Campus Affairs Committee and noted that the Resident Hall Association (RHA) Senate approved a resolution for a helmet policy 27-5. He wanted to let the campus know that the Campus Affairs Committee also approved a helmet policy at their April 5, 2011 meeting. The proposal has not yet come forward because the committee is still working out implementation details and collecting survey results. He encouraged senators to complete the survey on the Senate website.

### **Adjournment**

Hearing no further business, Senate Chair Kasischke adjourned the meeting at 4:56 p.m.