



## **CALL TO ORDER**

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Senate Chair Falvey called the meeting to order at 3:18 p.m. He noted that Capital News Service, Journalism student reporters, had made a request to video record the Senate meeting. Falvey asked if there was a motion to approve the request. A Senator made a motion to allow video recording of the meeting and it was seconded. The vote to approve the motion passed.

## **APPROVAL OF THE DECEMBER 7, 2017 SENATE MINUTES (ACTION)**

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Chair Falvey asked for additions or corrections to the minutes of the December 7, 2017, meeting; hearing none, he declared the minutes approved as distributed.

## **SPECIAL ORDER: PRESIDENTIAL BRIEFING**

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Falvey invited President Loh to provide his Presidential Briefing. President Loh stated that due to the rise of hate bias incidents throughout the country the University's main focus is to improve the campus climate through diversity, inclusion, and safety. He had a meeting with fellow Big 10 presidents and one institution reported having to deal with 230 hate bias incidents last year. President Loh stated that he invited the Anti-Defamation League (ADL) to present strategies on education and prevention related to hate groups to all Deans, Vice Presidents, Presidents of the University System of Maryland (USM), and the Board of Regents. The presentation primarily focused on how extremist groups recruit on college campuses. Prevention measures have been put into place in partnership with the University of Maryland Police Department (UMPD), Prince George's County Police, and Maryland State Police to ensure the safety of the campus. The University has also increased the number of monitored video cameras around campus. In addition, the University has partnered with the National Consortium for the Study of Terrorism and Response to Terror (START) to enhance police response and prevention.

At a campus level, President Loh stated that there is a Rapid Response Team on campus, which is composed of representatives from the Division of Student Affairs, the Office of Diversity & Inclusion (ODI), the Office of Civil Rights & Sexual Misconduct (OCRSM), counselors, and the police that will respond to hate bias incidents and support the victims. He also noted that the University had hired an external firm to perform a campus climate survey, which will provide benchmarks and allow the University to track its progress in improving the climate.

President Loh discussed training opportunities being considered by the administration including mandatory online training for incoming freshmen and intergroup dialogues with the leadership of all recognized student groups on campus. The University is also expanding the number of sections of cultural competency courses in the General Education program. President Loh mentioned that the Center for Diversity and Inclusion in Higher Education (CDIHE) was created to serve as a national center for research, policy, professional standards, and consultation for universities across the country and abroad on critical issues related to diversity, inclusion, and social injustice in higher education.

## REPORT OF THE CHAIR

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### Senate Elections

Chair Falvey announced that the candidacy period for all staff, student, and single-member constituency Senators for the 2018-2019 academic year ended on February 3<sup>rd</sup>. He added that voting would run from February 19<sup>th</sup> through March 2<sup>nd</sup> and noted that more details about the timeline and process could be found on the Senate website.

### Senate Elected Committees/Councils

Chair Falvey noted that all Senators should have received an email from the Senate Office detailing available positions on senate-elected committees/councils for 2018-2019. This includes the Senate Executive Committee (SEC), Committee on Committees, Athletic Council, Council of University System Faculty (CUSF), and the Campus Transportation Advisory Committee (CTAC). He stated that the Nominations Committee is looking for individuals interested in serving on these important bodies. He asked interested Senators to visit the Senate website for more information on how to nominate themselves or a colleague.

### Spring Senate Meetings

Chair Falvey reported that the remaining Senate meetings would be held on March 8<sup>th</sup>, April 4<sup>th</sup>, April 24<sup>th</sup>, and May 9<sup>th</sup>. He announced that Provost Rankin would be addressing the Senate at the March 8<sup>th</sup> meeting to provide a report on the Strategic Plan Update. The April 24<sup>th</sup> meeting will be the last for any outgoing Senators. He noted that the May 9<sup>th</sup> meeting would be the transition meeting where new Senators will be seated. Chair Falvey stated that we are anticipating a significant amount of work coming out of our committees over the remainder of our meetings.

### Protocol

Chair Falvey reminded everyone that while Senate meetings are open, only Senators may speak. Senators may also introduce current members of the campus community to speak. He asked anyone who would like to speak when the floor is open for discussion, to approach the microphones in the aisles and wait until they are recognized to speak and state their name, constituency, and college or division for the record.

## **PCC PROPOSAL TO ESTABLISH A POST-BACCALAUREATE CERTIFICATE IN BILINGUAL SPEECH-LANGUAGE PATHOLOGY (SENATE DOCUMENT #17-18-18) (ACTION)**

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Dylan Roby, Chair of the Programs, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Establish a Post-Baccalaureate Certificate in Bilingual Speech-Language Pathology (Senate Document #17-18-18) and provided background information on the proposal.

Falvey opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 123 in favor, 2 opposed, 2 and abstentions. **The motion to approve the proposal passed.**

## **PCC PROPOSAL TO RENAME THE PROGRAM IN EDUCATION POLICY & LEADERSHIP TO TEACHING AND LEARNING, POLICY AND LEADERSHIP (SENATE DOCUMENT #17-18-19) (ACTION)**

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Dylan Roby, Chair of the Programs, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Rename the Program in Education Policy & Leadership to Teaching and Learning,

Policy and Leadership (Senate Document #17-18-19) and provided background information on the proposal.

Falvey opened the floor to discussion of the proposal.

Senator Callaghan, faculty, College of Arts & Humanities, questioned if a comma should be inserted after policy. Otherwise it looks like there are two names for the same thing.

Roby noted that the question came up in the committee meeting as well. He stated that the department's name is Teaching and Learning, Policy and Leadership so this would align the program with that name.

Senator Peercy, faculty, College of Education, confirmed that the rationale for the name change is because teaching and learning are one component and policy and leadership is another.

Chair Falvey called for a vote on the proposal. The result was 111 in favor, 4 opposed, and 6 abstentions. **The motion to approve the proposal passed.**

## **SPECIAL ORDER OF THE DAY - LUCY DALGLISH & WARREN KELLEY, CO-CHAIRS, JOINT PRESIDENT/SENATE INCLUSION & RESPECT TASK FORCE - *UPDATES ON TASK FORCE DELIBERATIONS***

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Lucy Dalglish & Warren Kelley, Co-Chairs, Joint President/Senate Inclusion & Respect Task Force provided an update on the progress that the task force had made since it was charged in August 2017.

The Co-Chairs provided some context on the various related activities associated with diversity and inclusion. They noted that the Chief Diversity Officer position was being elevated to a vice president role and that the Office of Diversity & Inclusion had received additional funding. They also stated that ODI was in the process of hiring a new Hate/Bias Manager. They noted that the Athletic Council had banned nooses in the stadiums and that the Anti-Defamation League held a training for the upper administration on hate groups and how they infiltrate higher education institutions. In addition, UMPD had charged individuals involved in a few hate/bias cases and that officers had received implicit bias training. The Senate Student Conduct Committee's revisions to the Code of Student Conduct include a hate/bias escalator. They also noted the creation of the Center for Diversity and Inclusion in Higher Education and the campus climate survey that was currently underway.

### Background

The task force held three campus-wide open forums and additional meetings with stakeholder groups to solicit feedback on elements of its charge. The Co-Chairs noted that the task force formed five working groups: 1. Climate 2. Prevention & Education 3. Free/Hate Speech 4. Hate/Bias Response 5. Policies & Procedures. Members of the task force also participated in a Design Thinking Workshop with representatives of the University's Academy of Innovation & Entrepreneurship. The Co-Chairs noted that the working groups suggested preliminary recommendations to the full task force after reviewing scholarly research, current policies & procedures, peer institution data, and consulting with relevant offices.

The Co-Chairs provided an overview of the guiding principles and preliminary directions for each working group area.

### Climate

Guiding Principle: A safe environment where individual opinions are valued, and free and open exchange of ideas is encouraged without fear of retribution.

Preliminary Recommendations: A university-wide principles & values statement that is ingrained in the experience of every member of the campus community and continually reinforced throughout their time at the University. A Biennial campus climate surveys that assess the experience of various constituencies and are used to evaluate training and educational efforts and progress towards our diversity-related goals.

### Prevention & Education

Guiding Principle: A coordinated diversity education and training program that includes existing programs and new opportunities for all members of the campus community (faculty, staff, and students). Programming is offered through different modes with a blend of mandatory and voluntary opportunities and is evaluated periodically to ensure alignment with the University's diversity-related goals.

Preliminary Recommendations: Training for all incoming undergraduate students; an e-Portfolio system that allows students to document and track skills gained throughout their experiences at the University; workshops and resources for faculty and TAs on difficult dialogues in a classroom setting; opportunities for individuals to learn and understand their personal biases through implicit association tests that link to relevant resources and training opportunities; and centralized information about prevention and education program options and events;

### Hate/Bias Response

Guiding Principle: The University should assure the campus community that their safety and ability to pursue their academic and work-related goals is a high priority and act assertively against threatening and intimidating conduct. The University must do more to promote civility and respectful treatment of all members of the campus and an environment where the free and open exchange of ideas can occur without the threat of intimidating conduct.

Preliminary Recommendations: A new policy to establish the principle that the University will not tolerate an environment where students, faculty, and staff are subjected to hate-based conduct that intimidates or threatens. Make clear in policy and in practice about the distinction between protected speech and prohibited conduct motivated by bias. Centralize information and resources on reporting hate/bias incidents.

### Free/Hate Speech

Guiding Principles: Free speech and freedom of expression are of paramount importance at a public university and should be upheld throughout University policy and practice. However, the University should speak out against speech that does not align with its core principles & values and should empower members of the University community to use speech to combat hate and bias on campus.

Preliminary Recommendations: A free speech values statement that embraces the ideals of freedom of inquiry, freedom of thought, and freedom of expression; while controversial ideas and differing views are necessary in a community of scholars, conduct that violates criminal law or university policy should not be tolerated; counterspeech must be encouraged to attack hate speech; a civics education program that includes education on free speech and hate speech and how to use speech to promote interests; centralize information on policies, guidelines, reference documents and resources related to free speech, expression, and demonstration on campus.

### Next Steps

The Co-Chairs noted that the task force would be collecting feedback on its preliminary recommendations from the University Senate and other campus stakeholder groups. It is also holding a design thinking workshop with the support of the Academy of Innovation & Entrepreneurship. The task force will work to refine and finalize its recommendations in order to present them to the University Senate on April 24, 2018 for a vote before they are forwarded to the President for final approval.

Falvey thanked Dalglish & Kelley for their presentation and opened the floor to any questions or comments.

### Q & A

Senator Borgia, faculty, College of Computer, Mathematics, and Natural Sciences, raised concerns related to transparency of the individuals that are included in the reports of hate/bias incidents.

Dalglish stated that peer institution models provide information about what happened and how the University responded in broad terms since all parties have rights. Kelley commented that the policy would abide by privacy rules to protect the rights of the individual during a disciplinary process.

Dean Ball, College of Behavioral & Social Sciences commented on counterspeech at the University. He made a suggestion that organizers provide an opportunity for a question and answer period following any speaker when discussing important issues. He also suggested that the University hold a small symposium where everyone could come together to discuss ideas and data to determine any limitations.

Dalglish agreed and noted that the task force would consider ways to facilitate a place where continued discussion can occur.

Senator Priola, faculty, College of Agriculture & Natural Resources, questioned if the principles and values that the University would be codified so everyone knew what they are accountable for.

Kelley responded that once the principles and values statement is established the University will work on how they should be operationalized throughout the campus community.

Senator LaRonde, faculty, College of Computer, Mathematics and Natural Sciences, questioned how proposed programs would aid in monitoring or preventing students from joining hate groups; how voluntary student activities would be; and how to identify and address students who already have their bias in place prior to coming to campus.

Kelley commented that students will continue to live in worldwide environments and will make their own decisions. From a University perspective, they will continue to learn about hate group strategies, which will allow us to come up with counter-strategies. Education is key to inform the campus community and allow them to make their own decisions.

Dalglish stated that the task force is considering ways in which the University's principles & values statement can be shared with all members of the campus community from the start of their time through orientations and admission letters. She noted that the University is unable to have everyone pledge to the values but is hopeful that peer pressure and standing behind strong values will create an environment that will change people's viewpoints for the better and help them to reflect common values.

Kelley commented that everyone is allowed to have their biases and are free to choose as we wish. The exposure of education, involvement in the programs, and the campus environment allows individuals to use that experience. The hope is that their growth would represent what is best for the country.

Senator Moore, exempt staff & task force member, stated that there is implicit bias training in the recommendations, so individuals will be able to identify biases, which would lead to suggestions on available resources or opportunities on campus associated to those biases.

Senator Lothian, faculty, College of Arts & Humanities, questioned if the task force consulted with academic departments such as Women Studies, American Studies, African Studies, Ethnic Studies, etc.

Dalglish stated that the task force includes faculty representatives from the Sociology and African American Studies departments but noted that they are continuing to collect information and want to hear about any relevant research.

Senator Vasquez, undergraduate student, College of Behavioral & Social Sciences, commented on how hate bias incidents are reported. She suggested that a database be created and members of the University should have the option to opt into an email service that sends monthly links to what is happening on campus. She also mentioned reaching other student groups such as transfer students, freshman connection students, and students in IEP programs. Vasquez suggested adding language in the syllabi for the first day of all classes. The goal would be to reach all students and continue to reach out once the task force has completed its recommendations.

Kelley acknowledged that the task force had considered an opt-in email notification system. There are several ways incoming students can come to campus, so we need to present a suite of engagement throughout their time on campus. Continuing and ongoing education is important and they will consider virtual reality and implicit bias trainings and intergroup dialogue programs.

Senator Zimmerman, undergraduate student, A. James Clark School of Engineering, encouraged the University to allow all speakers to come to campus to provide their viewpoints even if they do not align with the majority of the students' views. It is important to be exposed to different people and their viewpoints.

Dalglish stated that it is important to allow people to react to speakers and allow access to campus space for students with opposing viewpoints. It is important to clarify who manages the University's response. The Resident Hall Association Executive Board noted that students will primarily protest or comment using social media. The University needs to identify those means to make sure the students are portraying their own views and not the University driving that speech.

Zimmerman commented that students will always be online so encouraging scholarly dialogue is important. He proposed a model where multiple speakers with opposing views speak on certain issues happening on campus.

Senator Barath, graduate student, School of Public Health, inquired how the University could incentivize hate bias training for faculty.

Dalglish stated that in the College of Journalism they have college-wide assemblies that could be used for this purpose. At peer institutions, graduate students inquired about the training, so the institution provided a monthly training with lunch on how to manage difficult dialogues in the classroom. Most people want to do the right thing and will make it a priority to follow through with available training.

Barath commented that onboarding for faculty, undergraduate, and graduate students is an opportunity to demonstrate the University's values.

Senator Cavanaugh, graduate student, College of Computer, Mathematics, and Natural Sciences, asked how hate speech, bullying, or harassment are seen through different lenses.

Dalglisch stated that in general hate speech is presumptively legal under the United States Constitution. Speech that threatens someone or encourages imminent lawless action would be considered a crime or a violation of policy. This is why hate crimes are usually attached to other violations such as vandalism, harassment, or bullying.

Dalglisch introduced Diane Krejsa, Deputy General Counsel and Chief of Staff, Office of General Counsel. Krejsa stated that in any situation the particulars of the facts are very important. Conduct must accompany speech for disciplinary measures to be taken. Dalglisch stated that the facts matter in these situations and they need to be looked at individually.

Kelley stated that the University must abide by the First Amendment. There has to be consideration that not everyone sees things through the same lens so what may be offensive to some may not be offensive to others. The Task Force will be carefully considering what actions the University can take and what should be prohibited.

Senator Rodriguez, undergraduate student, Robert H. Smith School of Business, commented on the speed of reporting hate bias incidents. She stated that the campus community should be notified first by the University when a hate-bias incident occurs instead of other news sources. She also stated that once the task force provides its recommendations, it is important to continue community outreach through suggestions and support.

Ishaan Parikh, member of the task force, noted that one of the recommendations under consideration is a design thinking workshop offered monthly that would allow a tight feedback loop through human centered method innovation.

Senator Sribhashyam, graduate student, School of Public Policy, asked if there was a current policy that reflected conduct and hate bias incidents. He also had concerns regarding including international students in training.

Kelley stated that different cultures see through a different lens when defining hate. It will be important to integrate and understand the international student experience to ensure there is a common understanding. There are policies in place for nondiscrimination and departmental level policies but not currently a campus wide policy to include all the information.

Senator Kenny, exempt staff, questioned if the programs and interventions would include staff to ensure that the University's values are being upheld and reinforced by the entire campus community.

Dalglisch stated that the plan is to make sure all recommendations are available to everyone.

Kelley commented that there is a goal to identify and expand the capacity of training for all staff.

Senator Aldridge, graduate student, College of Arts & Humanities, questioned whether there would be any reform to the current curriculum or the general education requirements.

Dalglish stated that there is currently a working group focusing on general education curriculum changes. There is a recommendation to amplify civics education to focus in on the value the role of history, context, and policy play in the entire college education experience.

Senator Kahn, faculty, College of Computer, Mathematics, and Natural Sciences, asked if there would be an opportunity to provide additional feedback through an email link.

Chair Falvey ensured Senators that the Senate staff would send out an email link to collect additional comments.

Senator Peer, faculty, Agriculture & Natural Resources, stated that the word, “attack” in the language on counterspeech should be reconsidered so we do not use violent language to fight violence. She suggested that using language on encouraging alternative viewpoints to counter hate speech might be more appropriate.

## **NEW BUSINESS**

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There was no new business.

## **ADJOURNMENT**

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The meeting was adjourned at 5:00 p.m.