CALL TO ORDER

Senate Chair-Elect Lanford called the meeting to order at 3:18 p.m. Lanford noted that Chair Walsh asked her to lead the meeting because he had to attend to an urgent family issue.

APPROVAL OF THE FEBRUARY 5, 2019 SENATE MINUTES (ACTION)

Chair-Elect Lanford asked for additions or corrections to the minutes of the February 5, 2019, meeting; hearing none, she declared the minutes approved as distributed.

REPORT OF THE CHAIR

Chair-Elect Lanford noted that the Nominations Committee is in the process of generating slates of candidates to run for open positions on Senate-elected committees and councils, including next year's Senate Executive Committee, Senate Committee on Committees, University Athletic Council, Council of University System Faculty (CUSF), and Campus Transportation Advisory Committee (CTAC). The committee is looking for candidates to run for these prestigious positions. Lanford stated that not all positions require Senate membership, so she suggested that Senators consider encouraging colleagues to run, in particular for CTAC and CUSF. Additionally, all newly elected Senators from this year's elections are also eligible to nominate themselves. The Nominations Committee will consider candidates for placement on the slates for election. All candidates will submit a short candidacy statement for the ballot after spring break. Elections will be held in-person at our Transition Meeting on May 7th. Lanford encouraged Senators to visit the Senate website for more information.

Lanford stated that Chancellor Caret would be on campus on March 7th to launch the presidential search process and to meet with and hear from key constituent groups. She noted that the Chancellor and Chair of the Board of Regents met with members of the Senate Executive Committee (SEC) several weeks ago, and that the Chancellor would be meeting with additional SEC members and Senate committee chairs during his visit to campus.

Chair-Elect Lanford introduced Senator Pound to make a procedural motion.

Senator Pound, faculty, College of Computer, Mathematical, and Natural Sciences made a motion to suspend the rules and reorder the agenda to move the Resolution to Emphasize the University's Principal Missions During the Search for a New President (Senate Document #18-19-30) towards the end of the agenda, just prior to New Business.

Lanford asked for a second. The motion was seconded. Lanford called for a vote on the motion to suspend the rules and reorder the agenda and noted that it required a two-thirds vote in favor to pass. The result was 75 in favor, 13 opposed. **The motion to suspend the rules and reorder the agenda passed**.

Senator Pound made a motion to limit all speakers to two minutes for the remainder of the meeting.

Lanford asked for a second. The motion was seconded. Lanford called for a vote on the motion and noted that it required a two-thirds vote in favor to pass. The result was 83 in favor, 6 opposed. **The motion to limit speakers to two minutes passed**.

PCC PROPOSAL TO RENAME THE PH.D. IN "HEALTH SERVICES" TO "HEALTH SERVICES RESEARCH" (SENATE DOCUMENT #18-19-23) (ACTION)

Betsy Beise, member of the PCC Committee, presented the PCC Proposal to Rename the Ph.D. in "Health Services" to "Health Services Research" (Senate Document #18-19-23) and provided background information on the proposal.

Chair-Elect Lanford opened the floor to discussion of the proposal.

Seeing no discussion, Lanford called for a vote on the proposal. The result was 86 in favor, 4 opposed, and 4 abstentions. **The motion to approve the proposal passed.**

PCC PROPOSAL TO RENAME THE DEPARTMENT OF "HEALTH SERVICES ADMINISTRATION" TO "HEALTH POLICY AND MANAGEMENT" (SENATE DOCUMENT #18-19-24) (ACTION)

Betsy Beise, member of the PCC Committee, presented the PCC Proposal to Rename the Department of "Health Services Administration" to "Health Policy and Management" (Senate Document #18-19-24) and provided background information on the proposal.

Chair-Elect Lanford opened the floor to discussion of the proposal.

Seeing no discussion, Lanford called for a vote on the proposal. The result was 92 in favor, 4 opposed, and 1 abstention. **The motion to approve the proposal passed.**

REVISIONS TO THE A. JAMES CLARK SCHOOL OF ENGINEERING PLAN OF ORGANIZATION (SENATE DOCUMENT #16-17-14) (ACTION)

Andrew Horbal, Chair of the Elections, Representation, & Governance Committee, presented the Revisions to the A. James Clark School of Engineering Plan of Organization (Senate Document #16-17-14) and provided background information on the revised Plan.

Chair-Elect Lanford opened the floor to discussion of the revised Plan.

Seeing no discussion, Lanford called for a vote on the revised Plan. The result was 92 in favor, 2 opposed, and 5 abstentions. **The motion to approve the revised Plan passed.**

REVIEW OF THE INTERIM UNIVERSITY OF MARYLAND PROCEDURES RELATED TO FAMILY AND MEDICAL LEAVE FOR FACULTY (SENATE DOCUMENT #18-19-03) (ACTION)

Chair-Elect Lanford noted that the Review of the Interim University of Maryland Procedures Related to Family and Medical Leave for Faculty and for Nonexempt and Exempt Staff Members (Senate Documents #18-19-03 and #18-19-04) would be presented and discussed together but voted on separately.

Jack Blanchard, Chair of the Faculty Affairs Committee, and Fulvio Cativo, Chair of the Staff Affairs Committee, presented the Review of the Interim University of Maryland Procedures Related to Family and Medical Leave for Faculty (Senate Document #18-19-03) and the Review of the Interim University of Maryland Procedures Related to Family and Medical Leave for Nonexempt and Exempt Staff Employees (Senate Document #18-19-04) and provided background information on the revised procedures.

Lanford opened the floor to discussion of the revised procedures.

Seeing no discussion, Lanford called for a vote on the Review of the Interim University of Maryland Procedures Related to Family and Medical Leave for Faculty (Senate Document #18-19-03). The result was 94 in favor, 1 opposed, and 6 abstentions. **The motion to approve the revised faculty procedures passed.**

REVIEW OF THE INTERIM UNIVERSITY OF MARYLAND PROCEDURES RELATED TO FAMILY AND MEDICAL LEAVE FOR NONEXEMPT AND EXEMPT STAFF EMPLOYEES (SENATE DOCUMENT #18-19-04) (ACTION)

Lanford called for a vote on the Review of the Interim University of Maryland Procedures Related to Family and Medical Leave for Nonexempt and Exempt Staff Employees (Senate Document #18-19-04). The result was 86 in favor, 1 opposed, and 10 abstentions. **The motion to approve the revised staff procedures passed.**

INTERIM UNIVERSITY OF MARYLAND POLICY AND PROCEDURES REGARDING RESEARCH MISCONDUCT (SENATE DOCUMENT #17-18-07) (ACTION)

Jack Blanchard, Chair of the Faculty Affairs Committee, presented the Interim University of Maryland Policy and Procedures Regarding Research Misconduct (Senate Document #17-18-07) and provided background information on the proposal.

Chair-Elect Lanford opened the floor to discussion of the proposal.

Senator Bhargava, faculty, School of Public Policy, noted that the term 'self-plagiarism' is an oxymoron. He stated that researchers in some fields, especially methodology, must reuse their old work in order to produce new research. He expressed concern over the inclusion of self-plagiarism as a form of research misconduct.

Blanchard responded that self-plagiarism can occur when there is not appropriate acknowledgement that a researcher is reusing their own work. He noted that some journals and organizations explicitly describe self-plagiarism as unethical behavior. He mentioned that reusing a previously-published introduction in a new paper or republishing a report as though it were new findings are examples of self-plagiarism as intended in the policy.

John Bertot, Associate Provost for Faculty Affairs and member of the Faculty Affairs Committee explained that the policy includes language to specify that accusations of self-plagiarism will be considered within the context of accepted practices in the accused individual's field of study.

Senator Pound expressed his support for the policy and asked about confidentiality of the complainant. He noted that while complainant privacy is important, the accused party also has a

right to face their accuser. He asked if the misconduct process could play out without the complainant ever being made known to the respondent.

Blanchard responded that the policy permits anonymous reports, so the complainant need not be identified.

Bertot confirmed that that is true and noted that whistleblower protections also allow anonymous complaints to be made.

Senator Priola, faculty, College of Agriculture and Natural Resources, asked for clarification on the standard evidence that would lead to a finding of research misconduct, and whether an accused individual is permitted legal counsel.

Blanchard responded that respondents may seek legal counsel but stated that the policy states that counsel may only take an advisory role and may not act on behalf of the respondent.

Bertot responded that research misconduct allegations require a preponderance of the evidence standard.

Senator Lau, faculty, College of Arts & Humanities, observed that none of the University's peer institutions include self-plagiarism in their research misconduct policies. She asked why the committee decided to include it in the policy.

Blanchard responded that it can be an ethical violation within certain disciplines. He noted that the Office of Faculty Affairs has also received complaints about self-plagiarism.

Bertot explained that funding agencies are increasingly monitoring self-plagiarism, so the standards are being raised. He noted that the policy is written such that it recognizes that different fields have different standards for misconduct, so each allegation will be examined within the context of that field.

Senator Lau asked if instances of self-plagiarism are increasing.

Bertot responded that it is difficult to gauge, but that funding agencies are paying more attention to it than previously. He noted that there is an emerging practice for researchers to reuse published material to enhance their resumes.

Blanchard noted that current technology makes it much easier to determine whether materials have been used before.

Bertot agreed and stated that the University subscribes to Authenticate to scan publications for self-plagiarism and noted that many journals use the same service.

Jeffrey Hollingsworth, Vice President and Chief Information Officer, expressed his support for including self-plagiarism in the policy. He asked if allegations will be examined within the context of standards for self-plagiarism at the time of publication.

Bertot responded that the policy includes a preliminary assessment of each allegation which will look into the standard practice at the time of publication and the norm of each field of study.

Senator Bhargava noted that some fields encourage repetitive publication so that researchers look more productive. He stated that the University is too bureaucratic and that the idea of keeping track of who is and is not committing self-plagiarism is preposterous.

Blanchard noted that investigations first require an allegation, and that the University is not continuously monitoring all publications. He stated that the first stage of investigation would be to examine the instance against the standards of the field.

Senator Cohen, faculty, College of Computer, Mathematical, and Natural Sciences stated that self-plagiarism is a serious, unethical problem, and expressed his support for its inclusion in the policy. He expressed concern about the standard of proof required and noted that there is ambiguity about individuals publishing the same presentation multiple times. He stated that norms in each field may not be well-defined and expressed concern that referring to the norm of the field when investigating an allegation could be problematic. He noted that there may be problems with the standard of proof in a field where researchers are not in agreement about what is unethical versus simply being tacky.

Blanchard responded that credible evidence must be available in order to escalate an instance from an inquiry to an investigation. He said that in an instance in which there may not be agreement in the field about what is considered unethical, that would affect the definition of preponderance of the evidence for that case.

Blanchard noted that there are many steps between an allegation being reported and a researcher actually being found to have committed misconduct. Three expectations must be met in order to reach a finding of misconduct: departure from practices in the field; intentional, knowing, and reckless behavior; and preponderance of the evidence. He stated that by the time all levels of investigation are complete, it would likely have already been determined whether a researcher actually committed misconduct.

Senator Bianchini, faculty, College of Arts & Humanities, asked why the Research Integrity Officer (RIO) is no longer required to be a tenured faculty member.

Bertot responded that the practice of investigating misconduct at academic institutions is evolving. He noted that there is a trend that Research Integrity Officers are being housed in compliance offices, so there may be a broad spectrum of how research misconduct is handled at a given institution. He stated that the goal of the revised policy was to give the University the flexibility to handle investigations as appropriate in the future.

Senator Bianchini asked if the job could be filled internally at the University or if the policy could create an entirely new position that could be filled from outside the campus community.

Bertot responded that either could occur.

Senator Vishkin, faculty, A. James Clark School of Engineering, expressed concern about having preponderance of the evidence as the standard for a finding of misconduct. He suggested that the standard of evidence be 'beyond a reasonable doubt'. He stated that his sense of justice is not served when there may be differing opinions about standards within the same discipline.

Bertot responded that the standard of evidence is based on federal regulations. He noted that evidentiary standards are higher outside of the University. If federal funding is involved, once the

allegation has been investigated at the University and forwarded to the Office of Research Integrity, the standard becomes legal sufficiency.

Senator Ming, staff, noted that the Student Conduct Committee faced similar issues as those laid out in this policy, and urged Senators to support it.

Senator Priola stated that the policy offends his sense of justice. He stated that he was offended by the standard of the preponderance of evidence without a guarantee of being able to face one's accuser, and without the ability to have legal counsel for representation. He stated that he would not support the policy.

Bertot responded that federal requirements set the standard for proof, and that the University must comply with the federal regulations in order to receive research funding.

Seeing no further discussion, Lanford called for a vote on the proposal. The result was 54 in favor, 32 opposed, and 16 abstentions. **The motion to approve the proposal passed.**

SPECIAL ORDER OF THE DAY

Philip Evers, Chair, Course Evaluation Subcommittee of the Academic Procedures & Standards (APAS) Committee
Student Course Evaluations at the University of Maryland

Philip Evers, Chair of the Course Evaluation Subcommittee of the Academic Procedures & Standards (APAS) Committee, provided an overview of the subcommittee's preliminary directions.

Background
Evers stated that in January 2017, the APAS Committee was tasked with reviewing the current student course evaluation system and making recommendations to improve it. He shared the current course evaluation items, noting that the current questions are divided based on who has access to the results, either administrators and faculty or students. As a result, there is some overlap of questions between the two sets. Evers raised concerns about the impact of asking students similar questions multiple times and stated that students are also asked questions about teaching assistants (TAs). He also noted that colleges and departments are able to add additional questions, which vary widely across campus.

Subcommittee Work
Evers stated that the subcommittee was guided by the supposition that student learning does not equal student satisfaction. He noted that when the current system was implemented in 2008, it was intended to: measure instructor effectiveness; provide information to prospective students; provide diagnostic feedback to faculty; and assess student learning. The subcommittee performed peer institution research and examined changes that other institutions have recently made to their student surveys. Through its research, it determined that student surveys are best suited to provide a summative measure of teaching effectiveness, and to provide information to prospective students.

Evers noted that instructor effectiveness can be measured through a number of questions and stated that the best source for data may not be the same for each measure of effectiveness. The subcommittee focused on evidence of effective teaching that can be provided by students. It found that characteristics of valid survey items are those that implicitly measure student perceptions of

instructional practices known to predict student learning, and items for which students are the best source of data. Evers noted that instructors should be able to change specific behaviors or practices to address areas of improvement identified by students.

Preliminary Recommendations
Evers provided an overview of the committee's preliminary directions.
- The current system should be renamed to emphasize that it gathers student perceptions and does not serve as an evaluation.
- New survey items should be developed that focus on areas where students are the best or only source of information and focus on assessing baseline and best practices associated with teaching effectiveness.
- Survey items should be developed based on the series of constructs that could measure baseline and best practices in teaching effectiveness.
- All survey results should be available to faculty and students, with the exception of responses to open-ended questions.
- Individual item results should not be averaged into one instructor score.
- Survey items should include a set number of questions about TAs;
- Colleges should continue to have the ability to include additional questions in the survey, but the number of questions should be capped at five.

Next Steps
Evers provided an overview of the committee's next steps. He noted that the APAS Committee would use feedback gathered from the Senate and other stakeholders to finalize its recommendations. The Senate will then be asked to approve the recommendations, including specific survey item constructs. He stated that subject-matter experts would then use the approved constructs to develop specific survey items, which will be shared with the Senate.

Chair-Elect Lanford opened the floor to questions and comments.

Senator Rozenblit, faculty, College of Arts & Humanities, expressed her delight and support that the course evaluation system is being revised. She noted that many faculty members feel that students only respond to the survey if they have extreme answers and asked if there are plans to improve the response rate.

Evers responded that the subcommittee discussed response rates at length and agreed that it is a difficult issue to address. He noted that the Provost has suggested that instructors set aside class time for students to complete the survey, but that the responses could be biased because students may be absent. He suggested that students may be more likely to complete the survey if they were aware that they would have access to the results.

Senator Cohen stated that he is not delivering the presentation despite his position as Chair of the APAS committee because he has concerns with the subcommittee report. He advocated for the inclusion of current questions like 'I learned a lot in this course' and emphasized their value to instructors.

Senator Selterman, faculty, College of Behavioral and Social Sciences, noted that the subcommittee report mentioned the intent to pilot new questions. He asked what the subcommittee had in mind, and if it planned to collect learning outcomes data.

Senator Evers introduced Alice Donlan, Teaching and Learning Transformation Center (TLTC).

Donlan responded that TLTC does plan to pilot new survey items before implementing a new survey campus-wide. She stated that they would perform cognitive testing to understand how questions are perceived by students and instructors, and indiscriminate validity testing to determine whether questions are being related to their intended topics.

Senator Callaghan, faculty, College of Arts & Humanities, suggested including a question to evaluate whether the instructor allowed the expression of differing viewpoints during class.

Senator Borgia, faculty, College of Computer, Mathematical, and Natural Sciences, noted that the margin of error for student responses is so wide that the results are meaningless due to low student participation. He stated that he teaches courses in evolutionary biology and noted that he receives low scores because some students do not believe in evolution. He stated that student biases should be considered when reviewing survey results.

Senator Bhargava noted that students want to be praised by instructors. He stated that some students leave offensive or racist comments to open-ended questions and noted that students may submit negative responses when completing the survey late at night. He stated that these responses are used by instructors' peers during evaluations and suggested that feedback should be limited to very specific items.

Evers responded that the subcommittee is not recommending that everyone should be able to see the results from open-ended questions.

Evers introduced Mike Passarella-George, Office of Institutional Research, Planning, & Assessment (IRPA).

Passarella-George noted that contrary to public perception, a majority of students are not submitting their answers between midnight and 8:00a.m. and offered to share further details with the APAS Committee.

Evers introduced Doug Roberts, Associate Dean for Undergraduate Studies and member of the Course Evaluation subcommittee.

Roberts noted that the subcommittee is aware of the types of answers that can result from open-ended questions. He stated that one of the subcommittee's recommendations is to be very clear with students about who sees the results. He spoke to low student response rates and noted that all results should be reviewed in context. He stated that results between courses should not be averaged, and that results can be so polarized that using them for instructor evaluations is a misuse of the information. He said that subcommittee members felt that with the expansion of new teaching portfolios, survey results should not be used to evaluate teacher effectiveness.

Senator Huntley, student, College of Agriculture and Natural Resources, expressed concerns about the survey question 'do you believe you deserve your grade'. He noted that in most cases, students complete the course evaluation survey before they have received their final grade for the class. He stated that he would support the removal of this question.

Senator Butts, faculty, College of Computer, Mathematical, and Natural Sciences, stated that he appreciated the thoughtfulness that led to the subcommittee's report. He noted that for some

courses, it can be helpful to compare a distribution of averages for the whole department. He suggested that there may be ways to provide more information to put the survey results in context for review.

Passarella-George responded that the current course evaluation survey is a contracted system, and that standard reports are available with statistical data points. He stated that IRPA is in the process of designing new data structures in the University data warehouse to allow more complex analytic studies of raw data from the surveys. He noted that this was a high priority request from the Course Evaluation Advisory Group.

Senator Klank, faculty, College of Arts & Humanities, expressed concern that courses that contain new, paradigm-shifting, or otherwise controversial content may receive negative survey results.

Senator Levermore, faculty, College of Computer, Mathematical, and Natural Sciences expressed his appreciation that the proposed survey constructs would focus on student perspectives rather than evaluating the course or instructor. He suggested including questions to evaluate the classroom itself, noting that the University is in the process of upgrading its facilities and that such feedback could be valuable to that end.

Donlan responded that TLTC is performing a research project comparing student experiences in active learning classrooms versus traditional classrooms. She noted that they are collecting data about student perceptions of each physical space and what barriers it may provide to learning in the classroom.

Senator Winters, exempt staff, noted that some students are biased due to courses that were program requirements but that they did not perform well in. He stated that such biases should be considered when survey results are reviewed. He recommended making course evaluation surveys a requirement in order to boost response rates.

Senator V. Lee, faculty, College of Computer, Mathematical, and Natural Sciences, expressed concern that course evaluation surveys may not be a good reflection of student learning as student learning may not have anything to do with the instructor. He expressed confusion about why student response rates tend to be low.

Senator Koppel, faculty, College of Computer, Mathematical, and Natural Sciences, noted that students may gain new perspective about a course long after they have taken it. She asked if there is any way to perform an evaluation after students may gain more perspective.

Evers agreed that students may not realize all that they learned immediately after a course ends but is unsure if it is possible to perform evaluations at a later date.

Daniel Falvey, Past Senate Chair, noted that the advantage of using a flawed survey for many years is that the campus community knows how to interpret the data. He asked if the subcommittee considered ways to provide continuity so that survey results may still be used while the University learns how to interpret the new data.

Evers responded that the subcommittee discussed this issue at length. He noted that the University must transition to a new system in the future and that a lack of data continuity is not a reason to avoid doing so.

Falvey suggested including several questions from the old survey until the University is able to properly interpret the new data.

Senator Pound made a motion to extend the meeting by 15 minutes.

Chair-Elect Lanford asked for a second. The motion was seconded. Lanford called for a vote. The result was 42 in favor, 29 opposed. **The motion to extend the meeting failed**.

Senator Dorland, faculty, College of Computer, Mathematical, and Natural Sciences, recommended that the University perform mid-semester evaluations in order to provide instructors with feedback that they may act upon before the end of the course. He stated that personnel decisions about TAs should not be made based on course evaluation results, and that students should not be able to see the results from TAs' evaluations. He noted that averaging data can make it difficult to constructively interpret the results. He suggested that survey results be sorted based on 'good', 'bad', and 'other'.

NEW BUSINESS

There was no new business.

ADJOURNMENT

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