



CALL TO ORDER

Senate Chair Newman called the meeting to order at 3:18 p.m.

APPROVAL OF THE MINUTES, NOVEMBER 2, 2022 MEETING

Chair Newman asked for additions or corrections to the minutes of the November 2, 2022, meeting. Hearing none, she declared the minutes approved as distributed.

REPORT OF THE CHAIR

Spring 2023 Senate Meetings

Chair Newman reported that the first Senate meeting of the spring semester will be on February 7, 2023; a complete schedule is available at <https://senate.umd.edu/senate-meetings>. Newman noted that she expects to have a very busy semester with much of the work that is currently in the various committees coming forward for a vote.

Senator Elections

Chair Newman announced that the candidacy period for the staff, student, and single member constituencies for 2023-2024 will run from Tuesday, January 17, 2023 to Friday, February 3, 2023.

Newman reported that the Senate Office has sent letters to all of the Deans with a request to hold elections to replace any outgoing Tenured/Tenure-Track and Professional Track Faculty Senators, so elections for those seats should be underway. She added that the deadline for Faculty Senate elections is February 3, 2023.

Campus Transportation Advisory Committee

Chair Newman said that a replacement staff representative needed to be selected for the Campus Transportation Advisory Committee (CTAC). Since there was no staff vacancy when the elections were held in May 2022, there was no alternate to fill the vacancy, and a special election was necessary. She reported that staff Senators elected Miriam Sharpe to be the staff representative to the committee.

NOMINATIONS COMMITTEE SLATE (SENATE DOCUMENT #22-23-16) (ACTION)

Chris Jarzynski, Chair of the Committee on Committees, presented the Nominations Committee Slate (Senate Document #22-23-16) and provided background information on the proposal.

Newman asked whether there was discussion on the slate; seeing none, she called for a vote on the slate. The result was 98 in favor, 2 opposed, and 4 abstentions. **The motion to approve the slate was approved.**

PCC PROPOSAL TO ESTABLISH A POST-BACCALAUREATE CERTIFICATE IN CLIMATE POLICY AND ACTION (SENATE DOCUMENT #22-23-14) (ACTION)

Piotr Swistak, Chair of the Program, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Establish a Post-Baccalaureate Certificate in Climate Policy and Action (Senate Document #22-23-14) and provided background information on the proposal.

Newman asked whether there was discussion on Proposal to Establish a Post-Baccalaureate Certificate in Climate Policy and Action; seeing none, she called for a vote on the proposal. The result was 105 in favor, 0 opposed, and 4 abstentions. **The motion to approve the proposal was approved.**

PCC PROPOSAL TO ESTABLISH A MASTER OF ARTS IN HEARING AND SPEECH SCIENCES (SENATE DOCUMENT #22-23-15) (ACTION)

Piotr Swistak, Chair of the Program, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Establish a Master of Arts in Hearing and Speech Sciences (Senate Document #22-23-15) and provided background information on the proposal.

Newman asked whether there was discussion on the Proposal to Establish a Master of Arts in Hearing and Speech Sciences; seeing none, she called for a vote on the proposal. The result was 109 in favor, 1 opposed, and 1 abstention. **The motion to approve the proposal was approved.**

PROPOSAL TO PROMOTE MENTAL HEALTH AND EQUITY IN THE EXCUSED ABSENCE POLICY (SENATE DOCUMENT #21-22-04) (ACTION)

Chair Newman welcomed Amy Karlsson, Chair of the Academic Procedures and Standards (APAS) Committee, to present the proposal.

Karlsson presented the Proposal to Promote Mental Health and Equity in the Excused Absence Policy (Senate Document #21-22-04) and provided background information on the proposal.

Chair Newman opened the floor to discussion of the proposal.

Senator Berit, undergraduate, CMNS, introduced M Pease, graduate student, BSOS, to speak.

Pease explained that she was the creator of this proposal and thanked the Senate for moving forward with this report. Pease noted that the issue of excused absences is a systemic issue at the University, even though members of the community take pride in the University being a community that raises up the marginalized. While the changes proposed by the committee are helpful, the policy does not address equitable access to healthcare and education. Pease stated that the goal of this proposal had been to promote structural changes in teaching and education and to change the onus of equity in education to the University and away from the individual student. Pease asked the Senate to remember when they were younger and what they went through during their own education, and to ensure that the University treats students equitably and with compassion.

Karlsson commented that Pease's comments were in line with APAS discussions. She stated that the challenge that APAS faced is that it is questionable whether a policy change is the correct course of action for this proposal. Karlsson agreed that the University needs to address these issues through education of faculty. These issues should also be explored through the mental health task force.

Senator Straub, T/TK faculty, BSOS, asked that Chair Newman go back to the slide showing the actual policy so that the Senate could see the policy on screen during the discussion. The slide was shown to Senators.

Senator Jacobs, undergraduate, BSOS, introduced Mariam Khan, undergraduate, ARHU, who collaborated with Pease on the original proposal.

Khan stated that she was disappointed in how APAS interpreted this proposal, going on to state that APAS did not have enough diversity of views on the committee. Kahn said the policy recommendations from APAS do not prioritize mental health and instead focus on not placing a burden on faculty. Kahn noted that current policy focuses on obtaining documentation for absences but does not eliminate the barriers for getting those excused absences. She stressed that practicing compassion should be a priority.

Karlsson clarified that APAS is made up of faculty and students and had consulted with students about the proposal. She found that the faculty had great concern for students and they understood the issues at stake. However, Karlsson said that resolving the problem would be a complicated balance between education for faculty and accommodation for any health issues.

Karlsson introduced John Buchner, PTK, CMNS, to speak as a member of the APAS committee.

Buchner noted that he sets a maximum number of absences but maintains flexibility and does not require documentation for absences. He also observed that he provides a live stream for lectures, does not take attendance, and records lectures. However, he stated that he does not have the budget for additional labs and it is important for students to attend labs because of the experiential learning that happens. He said that learning is about being in the classroom and if a student is in crisis, having health problems, or has a family or mental health crisis, they still need to be in the classroom if that is what the expectations are for that class. He stated that this is an issue of equity, and while the University cannot solve all equity issues, faculty have to be educated on what is allowed with regard to the attendance policy. He suggested that faculty should be educated on how to make their classes more available and accessible to students who are having issues.

Senator Oates, T/TK faculty, JOUR, asked for clarification on the policy, asking whether the Senate is voting for the policy, and whether the Senate is asking the University to move forward with all the recommendations specified.

Karlsson pointed out that the policy was intended to cover mental health when it was written, but that the changes proposed by the committee were due to the fact that there did not seem to be a firm understanding on campus that “mental health” was a part of “health.” Karlsson stated that by explicitly adding “mental health” as a part of “health” the policy was made clearer to the community and also helped to destigmatize the need for mental health care.

Senator Oates agreed that it was important to destigmatize the issue of mental health and stated that she had the strongest support for her students. She also noted that the reality of mental health on campus is that there is a lot of suffering and that good intentions are not enough.

Senator Moaddel, T/TK faculty, BSOS, stated that he fully supported this policy language change, but asked if there was any empirical data on mental health issues at the University. He asked whether there had been any studies to see if mental health issues are more prevalent by year in school, or at

certain times of the year. He suggested that the University sponsor studies on these questions. He also suggested that the university needs to change our behavior and/or structure of the institution to make education more accommodating to our students.

Chair Newman stated that there have been many studies showing that mental health issues have been increasing over the past decade.

Karlsson said that she did not know if any studies had been conducted on our campus on mental health issues, but indicated that this could be something that the mental health task force could look into. She added that when APAS was discussing this policy, it did not have access to any studies on this topic.

Senator Gandhi, PTK, BSOS, asked if APAS had consulted the Counseling Center to see if getting documentation for excused absences was a problem, especially for marginalized communities. Gandhi noted that she had asked the head of the Counseling Center if there were problems with students getting notes for excused absences. She said that the director said that there was not a documentation problem because students did not go to the Counseling Center. Gandhi said that giving students an option to write as many excuses as they wanted to, it may exacerbate the problem that remained unaddressed because the students were not going to the Counseling Center.

Karlsson said that one of the reasons APAS included the recommendation for education components for faculty is so they could better design and adjust their courses to what students needed, based on what the Counseling Center had to suggest. She noted that the University must support the students in their courses instead of exacerbating the challenges students are experiencing.

Newman asked whether there was any more discussion on the Proposal to Promote Mental Health and Equity in the Excused Absence Policy. Hearing none, she called for a vote on the proposal. The result was 109 in favor, 9 opposed, and 7 abstentions. **The motion to approve the proposal was approved.**

AGNR PLAN OF ORGANIZATION REVIEW (SENATE DOCUMENT #19-20-39) (ACTION)

Gene Ferrick, Chair of the Elections, Representation, and Governance (ERG) Committee, presented the AGNR Plan of Organization Review (Senate Document #19-20-39) and provided background information on the proposal.

Newman opened the floor to discussion of the AGNR Plan of Organization. Hearing none, she called for a vote on the Plan. The result was 107 in favor, 1 opposed, and 4 abstentions. **The motion to approve the Plan was approved.**

SPECIAL ORDER OF THE DAY

Suzanne Ashour-Bailey, Chair of the Student Conduct Committee ***Preliminary Report and Discussion on Review of Code of Academic Integrity*** ***and Code of Student Conduct Presentation***

Chair Newman invited Suzanne Ashour-Bailey, Chair of the Student Conduct Committee (SCC), to provide her presentation on the Preliminary Report and Discussion on Review of Code of Academic Integrity and Code of Student Conduct Presentation.

Ashour-Bailey began her presentation by stating that the Code of Student Conduct has not been substantively changed since 2019. Ashour-Bailey said that in October 2021, the Office of Student Conduct submitted a proposal to the Senate Office requesting that the Codes be reviewed. The proposal included several proposed revisions to the Codes that addressed three primary areas: better alignment between the structures of the Codes and less legal terminology; a clearer indication of potential sanctions; and to modify processes to allow for expeditious resolution of matters.

Ashour-Bailey explained that in August 2021, the Senate Office received a proposal from a group of students that requested that the Codes be amended to include an “Other Exceptional Circumstances” provision. The proposers requested that the sanctioning process in student adjudications provide an opportunity for the consideration of the cumulative impact of a sanction. Among the potential consequences identified in the proposals were impact on visa status, non-University housing insecurity, and loss of access to medical insurance.

Ashour-Bailey described that the SCC reviewed the Codes and other student conduct guidance from several peer institutions. The committee focused on resolution processes; the sanctioning options and how sanctions are described; and whether there were provisions for considering “exceptional circumstances” and mitigating and aggravating factors during sanctioning.

Ashour-Bailey told the Senate that the committee has engaged in ongoing consultation with the Director of Student Conduct and also met with representatives for the “exceptional circumstances” proposal.

In reviewing the proposals and the current Codes, Ashour-Bailey shared that the committee has developed several principles to guide its review and recommendations: the Codes should provide campus community members with awareness and guidance on student conduct expectations; processes for addressing violations; and potential consequences for violations.

Ashour-Bailey also noted that for minor misconduct, processes such as initial screenings should be available to allow early assessments and possible resolution of alleged violations. She added that resolution options incorporating restorative justice practices should also be made available at the discretion of the Director of Student Conduct.

Ashour-Bailey said that sanctions should be consistent whether addressed through instructor intervention, initial assessment, informal resolution, or adjudication. She stated that instructors should provide clear guidance on what constitutes academic misconduct in the course and what work is a major assignment subject to sanctions under the Code of Academic Integrity. Ashour-Bailey also said that it was important for students to be aware of potential sanctions for violations so they have sufficient notice, but that sanction options also should be flexible to be responsive to specific circumstances. She stressed that equity in sanctions and undue hardship based on unique circumstances of a respondent is an appropriate consideration as a ground for appeal based on disproportionate sanction.

Ashour-Bailey and the committee suggested the following proposed revisions.

In the Code of Academic Integrity:

- Permit Honor Reviews and Appeals only for cases where transcript notation is possible sanction, e.g., major assignment infractions.

- Honor Board recommends a sanction to the Office of Student Conduct (OSC) instead of determining the sanction.
- “XF” referenced as a typical sanction instead of normal sanction for high value assignments.
- Provide greater flexibility as to limiting factors of “XF.”
- No additional appellate grounds for Complainant (usually Instructor).

For the Code of Student Conduct:

- Add restorative practices as resolution options.
- Clarify notification provisions to Respondents when violations under consideration are amended.
- Allow consideration of “exceptional circumstances” during an appeal based upon the disproportionate impact of sanctions.
- Vest dismissal approval with Dean of Students instead of VP Student Affairs.
- Provide greater flexibility as to limiting factors of Disciplinary Probation.

Ashour-Bailey explained that the committee will consult with representatives of Undergraduate and Graduate Student Legal Aid Offices; University Student Judiciary (USJ); Academic Integrity Liaisons; SGA and GSG, and with the Office of Faculty Affairs and the Office of Undergraduate Studies.

Ashour-Bailey stated that the committee will return to the Senate in the spring semester with its final recommendations, after the Office of General Counsel has reviewed them. She welcomed any feedback that the Senate may have to offer.

Chair Newman thanked Ashour-Bailey for her presentation and opened the floor to questions or comments.

Senator Lloyd, T/TK faculty, ENGR, stated that what she heard was reasonable. She emphasized the importance of the Codes and conduct process being fair for all students.

Senator Cleaveland, T/TK faculty, CMNS, noticed that there was a focus on the academic integrity section of the Code, but not necessarily on the other sections of the Code of Student Conduct. He asked if Ashour-Bailey will be evaluating the other sections of the Code.

Ashour-Bailey answered that the committee will be looking at each section that is given to them to evaluate.

Cleaveland commented that the prospect of leniency may be acceptable in academics, but not in harassment.

Senator Clegg, T/TK faculty, INFO, asked whether honor reviews take place only when transcript notation is available and, in the event transcript notation is not applied, what information is left out. She asked whether this is a common issue.

Ashour-Bailey asked if James Bond, exempt staff, OSC, could answer that question.

Bond stated that an “XF” is placed on a transcript for high level or serious offenses, which are geared toward honor hearings, such as suspension and expulsion. If the student is only dismissed, they will go to a hearing, otherwise lower level cases are discussed with staff members. He stated that the OSC wanted to limit the number of cases that go to a hearing while allowing students to be heard.

Senator Stairs, T/TK faculty, ARHU, mentioned that it is going to be very important that faculty understand which cases they should and should not put forward. He said that it is very different from twenty years ago and that faculty are not necessarily aware of changes that have occurred in practice. Stairs suggested that education needed to be provided to faculty on these issues.

Ashour-Bailey agreed that clarity and guidance on what has changed needs to be given to faculty.

Senator Mark, T/TK faculty, BMGT, stated that, as someone who has served on honor boards and the Student Conduct Committee, he is concerned about consistency with the charges and sanctions.

Bond said that this was a type of alignment issue. He said that under the Code of Conduct, staff get sanction recommendations and they are put in place. He stated that staff do not currently have the ability to tailor the sanctions so that they are consistent between like violations.

Mark replied that with regard to adequate notice, his concern is that the OSC is entitled to change the charges up until the moment of hearing. He stated that this does not provide adequate notice, and asked if the committee had looked at this.

Ashour-Bailey said that sufficient and adequate time is one of the guiding principles for the committee. She said that the committee wanted to ensure that students are adequately informed of charges. She recognized this may have been an issue before, but agreed that it needs to be addressed.

Mark also asked about consistency in sanctioning and said that it was very difficult for the honor board to have consistency across circumstances. He added that this was difficult because there is often no awareness of what came before.

Bond said that some cases can go to a hearing where the same type of violation is resolved with a staff member. In the hearing, the more information, the more thoroughly vetted the case is by the board. Bond stated that the OSC does not want to ignore the sanction that is recommended, but would like to be able to suggest minor changes.

Senator Zenginoglu, PTK faculty, CMNS, asked if there will be guidance about AI chatbots in regard to plagiarism and cheating.

Bond noted that the topic has come up many times, but that it might fall outside the purview of the Codes. He recommended that this topic be part of a collective conversation. Bond said that OSC wants faculty to refer any possible cheating to the OSC to determine if academic misconduct has occurred. Bond added that there is no answer right now, but the topic needs to be addressed and a plan of action determined.

Senator Herman, PTK faculty, CMNS, asked for clarification about the term restorative justice.

Ashour-Bailey responded that restorative practices are listed under the Code of Student Conduct and asked Senator Bond to explain more fully what restorative practices are.

Bond said that when it comes to restorative practices regarding behavioral issues occurring on campus, UMD needs to catch up with the rest of the country. Bond said that restorative justice

process information is being integrated into the Code of Student Conduct so that the community is aware that these practices can be used and can take the place of a traditional disciplinary process.

Chair Newman thanked Ashour-Bailey for her presentation.

NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting was adjourned at 4:35 p.m.