Faculty Senate Meeting Minutes
November 13, 2012

Faculty Senate President Tim Nohe called the meeting to order at 3:33 p.m. The first item of business was the President’s Report.

Geoffrey Summers is stepping down as Vice President for Research. Dr. Summers has served UMBC in many capacities for a quarter of a century. A national search is being conducted to find a replacement. Anupam Joshi will chair the search committee.

Anupam Joshi is also director of the new Cybersecurity Center. On the policy and security sides there will be a concentrated focus on women in these fields. Professor Alan Sherman and Dr. Richard Forno recently received a $2.5 million NSF grant to fund undergraduate, graduate and professional students studying Information Assurance and Cybersecurity.

We have five members of the faculty nominated for the Regents’ Faculty Award. They are Suzanne Rosenberg, James Grubb, Rouben Rostamian, Tulay Adali and Nagaraj Neerchal.


MHEC has approved the new MA in English Studies. Jessica Berman and the English Department should be commended for their efforts.

On a recent Saturday CBEE sponsored an undergraduate research symposium that drew undergraduate students from all over the country.

The For All The World To See: Visual Culture and the Struggle For Civil Rights exhibit will be here from November 15, 2012 - March 10, 2013. The exhibit has traveled all over and is curated by Maurice Berger.

It’s Maryland Charity Campaign time again. We have done well on this campus with more than 11,000 faculty, staff and students participating last year. For the fifth year in a row UMBC was awarded the Maryland Charities Campaign Governor’s Cup for Outstanding Performance. Please remind your colleagues to give.

The Provost’s Report began with an announcement that the fall deadline for Innovation Fund applications has passed and nineteen were received. A committee will review the applications for awards. Recipients will be notified by the end of the semester.

The Data Gallery for the strategic planning process will be open on November 27th and 28th in the Ballroom. The data was gathered from the annual retreat in August. Everyone is welcome to come see.
The Provost will present the guiding principles for the planning process at the December meeting. These were put together at the retreat for shared governance leaders in September and will be put into place as the process moves forward in the spring.

*For All the World to See* is a great exhibit and everyone is urged to see it while it is here.

We came in second in the regional Ethics Bowl. Georgetown squeaked and took first place. We are now headed for the national competition.

The provost recognized Kimberly Moffitt, Tom Schaller and Donald Norris for their roles in the media coverage of the recent election. Claudia Galindo is to be commended for her work with the Latino Community.

Ben Lowenthal and Nico Washington are co-chairing a task force that is examining the concept of shared services centers. The task force’s report is expected by the end of the year.

Dean Jeffries noted that several faculty from the social sciences are to be congratulated. Kevin Eckert and the Center for Aging have received a $1.4 million grant from NIH. Robert Provine has a new book and Eric Zeemering recently received two scholar awards from the American Political Science Association.

The provost relinquished the floor to Patrice McDermott, Vice Provost for Faculty Affairs. Dr. McDermott reported that there is a new Parental Leave policy from the USM. It provides eight weeks of guaranteed paid parental leave. The parental leave period will include all forms of accrued leave supplemented by the university with additional days of paid leave totaling eight weeks. Upon request, departments will work together with faculty on a semester basis to create a Family Support Plan. The tenure time clock can also be extended for one year to eligible faculty up to two times during their employment in the USM.

CUSF has reviewed a new Sick Leave policy that expands the acceptable reasons for using sick leave.

Senators received a copy of the newly revised Meet and Confer policy. The policy allows graduate assistants and adjunct faculty to have union representation in meetings with senior administration. To implement representation under this policy, the Adjunct Faculty Steering Committee must notify the administration that it wants to call an election. To be a valid election, fifty percent of adjunct faculty or graduate assistants must participate.

The policy has been presented to the chairs, President’s Council and Council of Deans. A memo from Dr. McDermott and Dr. Rutledge will go out to adjunct faculty at the end of the week. AFT has submitted a public information request and will most likely launch an education agenda on campus later this semester. In response to a question, Dr. McDermott commented that faculty supervising GAs or adjuncts should remember that they are then in the role of employer. Meet and Confer is not collective bargaining. It is designed to facilitate communications and requires that senior administration meet with the group at least once per semester. Students being paid on training grants are considered to be GAs and are covered under this policy. The administration is
responsible for communicating with this group, not department chairs. All adjuncts and graduate assistants will receive the cover memo and a copy of the policy.

The Minutes from the October meeting were approved without correction or addition.

The Faculty Senate President’s Report followed Dr. McDermott’s presentation. President Nohe updated senators on the status of a recent faculty grievance.

The first item to address is the matter of an active grievance case related to Promotion and Tenure. Faculty Senators were contacted directly via email by the grievant, without the consultation of the Executive Committee or Faculty Senate President.

We consulted with the Office of the Attorney General for advice on whether and to what extent the Faculty Senate was empowered to review or take action in connection with a grievance filed by a candidate in an ongoing promotion and tenure review. We have been advised that no Faculty Senate review or action should be taken at this time on the Faculty Grievance Committee’s report or the grievant’s claims for the following reasons:

1. The USM and UMBC Promotion and Tenure policies do not provide for Faculty Senate involvement in an ongoing promotion and tenure review. The matter being grieved is an ongoing promotion and tenure review.
2. The Faculty Grievance policy does not authorize the Faculty Senate to review or take action in connection with an ongoing promotion and tenure review.
3. Individual promotion and tenure cases are confidential personnel matters not subject to review and discussion outside the promotion and tenure review process.
4. Under Maryland law, confidential personnel information is protected from public disclosure. As such, the identity of the candidate and the confidentiality of communications in connection with the process must be protected.

As such, the report of the FGC will not be distributed through Faculty Senate communication channels, nor will it be conveyed through the FGC Chair or Members, or through the grievant to members of the Faculty Senate. Furthermore, no oral or written testimony may be taken in the Faculty Senate until this case has been concluded.

Even after this case is concluded, any communications must protect the identity of the candidate and the confidentiality of communications in the promotion and tenure review. These measures are necessary to protect the due process rights of the candidate and the confidentiality of the process and avoid subjecting the University and individuals to legal claims.

We the Senate, inclusive of the members of the FGC, have been charged to protect the confidentiality of the grievant, DP&TC, Mentor, Chair and Dean. This stands regardless of actions taken by the grievant to disclose details of the case to members of the Faculty Senate. The legal determination of the Attorney General governs our interpretation of the Faculty Senate By-Laws and Handbook sections pertaining to this case.
We have also been advised that documents, notes and emails created in this case are subject to a "litigation hold" and may not be destroyed or deleted. Please secure and keep safe the documents, notes and communications pertaining to this case.

If you have questions on this matter you may consult with UMBC Office of the General Counsel, David Gleason.

The senate will be kept apprised of any developments.

The Executive Committee recently took a tour of campus facilities. The tour included an underground view of the infrastructure and was very informative. President Nohe will arrange for the senate to see a presentation on this issue.

There was no APB report this month.

Marv Mandell distributed a copy of the Graduate Council report to senators. The Council approved three new courses and four applications for graduate faculty. There were minor changes to the graduate programs in Computer Engineering.

Senators received a copy of the UGC report prior to the meeting. Chairman Worchesky noted that the council had approved the usual complement of courses. The UGC is working with the Registrar’s Office to update the UGC webpage calendar to reflect deadlines for submissions that will facilitate getting the new information into online class schedules.

In Other Reports, Senator Forestiere asked senators representing departments with undergraduate programs to respond to a survey that will be forwarded to them electronically. A sample copy of the four-question survey was distributed. The Academic Standards Committee is examining the question of how many credits toward graduation should undergraduates be able to earn outside of UMBC. The survey will help to determine if this is a widespread issue among academic departments.

Provost Rous updated senators on the billing issue raised by EHS at the October meeting. Lynne Schaefer, Janet Rutledge and Ben Lowenthal met to review how quickly bills are going to collections. The process has been changed so that multiple bills are sent before the matter is referred to collections. Financial Services is also working to create a sort of system cross-reference so that when an address is changed one place it is updated in all other applicable places. Several senators commented that this problem extends beyond students to faculty. Senator Ritschel related an anecdote about an overdue book fine that continued to grow and eventually was turned over to collections. The only notice of the fine appeared on his campus account, of which he was unaware. Notice was not sent via email or regular mail, two widely recognized means of conveying information.

Before ending his remarks, Provost Rous thanked everyone for their efforts during Hurricane Sandy. There was some water damage but facilities people responded very quickly minimizing the impact.
Ben Lowenthal arrived to expand on the Provost’s remarks concerning billing issues. Essentially we need to get better address information from all students, particularly graduate students who are graduating and not likely to continue checking their UMBC email. Once obtained, we must insure that the information is shared among administrative units even though students will only be asked to change it in one place. Senator Kogan asked if the bills are sent regular or certified mail. Presently they go only by regular mail but we are looking at the feasibility of using certified mail. Additionally the billing office has begun issuing monthly bills over a six-month period instead of sending one notice and turning it over to Collections thirty days later. Email notifications are also being sent. In November we sent 540 paper bills, most of which have been paid. At the beginning of the year the number of bills sent increases significantly. The cost of sending them by certified mail would be prohibitive. Senator Pitts suggested sending the final bill by certified mail before turning the account over to collections. Mr. Lowenthal responded that the university wants to be proactive in getting correct address information but that sending the final bill by certified mail may be possible as the number of outstanding bills is pared down to a few over six months. Undergraduate students automatically get a checklist when graduating or leaving and it prompts them to verify their permanent address. It is different with graduate students. We are working to create a process that allows us to collect accurate information in this circumstance, too. Senator Chuku commented that many students leave without notice and suggested getting permanent address information from all students when they arrive. Mr. Lowenthal responded that we do collect address information from students when they first arrive on campus but it is sometimes tough to capture this particular group because they may not update their information when they decide to leave. Senator Pitts suggested that Graduate Program Directors are potentially a good source of information since they do try to maintain contact with graduating students. Senators requested an update in the spring. An electronic copy of Mr. Lowenthal’s report will be forwarded to senators.

The meeting was adjourned.