



University System of Maryland Board of Regents
Universities at Shady Grove
November 22, 2019

Minutes of the Public Session

Call to Order. Chair Linda Gooden called the meeting of the University System of Maryland Board of Regents to order at 8:30 a.m. on Friday, November 22, 2019 at the Universities at Shady Grove. Those in attendance were: Chair Gooden; Regents Attman, Fish, Gonella, Gossett, Gourdine, Holzapfel, Johnson, Leggett, Malhotra, Neall, Pope, Rauch, Schulz, Wallace, and Wood; Presidents Anderson, Breaux, Burnim (Interim), Goodwin, Hrabowski, Loh, Miyares, Nowaczyk, Perman, Schatzel, Dr. Darlene B. Smith (for Schmoke), and Wight; Chancellor Caret, Vice Chancellors Boughman, Herbst, McDonough, Raley, and Sadowski; Ms. Wilkerson, and AAG Bainbridge.

Welcome from the Universities at Shady Grove (USG). Executive Director Stew Edelstein welcomed the regents and presidents and highlighted accomplishments of USG.

Educational Forum – *USM and MHEC: Cooperation and Challenges in Higher Education*. Secretary James Fielder from the Maryland Higher Education Commission (MHEC) presented an overview of the structure of the Commission, as well as discussed MHEC's responsibilities, members, advisory councils and partners. He then provided information on the 2017-2021 State Plan in reference to increasing student success with less debt; challenges that are faced with declining production of teachers; and, the challenge of Maryland students going out-of-state when pursuing a secondary education.

Chancellor's Report. Chancellor Caret started by introducing new Regents Geoff Gonella and Sam Malhotra.

Chancellor Caret thanked the Universities at Shady Grove and Executive Director Edelstein for hosting. He noted accomplishments both at USG and other USM institutions. He provided updates on the UMCP and CSU searches—expecting recommendations in the near future. He also acknowledged Dr. Jay Perman as the new Chancellor-elect; and, mentioned that soon a new presidential search committee for the University of Maryland, Baltimore would be initiated. He indicated that preliminary discussions with the governor and his team were underway concerning the budget; but that everything was still very early in the process. He closed by sharing that the expert panel report had been released concerning the adenovirus at the University of Maryland, College Park—indicating that it was comprehensive in scope, detailed in observations, and proactive in recommendations. He expressed appreciation to Governor Hogan for his request to undertake a review of the process that was followed; and, expressed sympathy and condolences to the friends and family of Olivia Paregol.

I. Report of Councils

- a. Council of University System Faculty (CUSF). Dr. Kauffman presented the report. CUSF met on October 24, 2019 where several resolutions were passed (e.g., Regent's Awards Committee, support for sharing the technical support in academic integrity with System campuses, and approval of their 2019-2020 action plan. They also discussed the development of an Emeritus Faculty BOR member. Lastly, there was discussion or interested expressed in Open Educational Resources, the Chancellor's Search Committee, Academic Integrity, and the Faculty Salary Initiative.
- b. Council of University System Staff (CUSS). Dr. Shishineh presented the report. CUSS met in September and October. The focus for this year is on sharing best practices and challenges around shared governance, and each institution that hosts the Council through the year will share their experiences in this area. Mention was made concerning CUSS's five standing committees (i.e., Benefits & Compensation, Board of Regents Staff Awards & Recognition, Communications & Marketing, Executive, and Legislative Affairs & Policy). Additionally, CUSS just published the fall edition of the quarterly newsletter.
- c. University System of Maryland Student Council (USMSC). Mr. Forrest presented the report. USMSC met in October and November. The October meeting focused a major portion of its time on preparing for the interview process for candidates for the Student Regent positions. They also considered Enterprise Risk Management and Crisis Management and discussed the importance of inclusion of student leaders in the processes. Additionally, they discussed incidents of Sexual Assault and Hate Bias and the responses of the different institutions. The November meeting once again focused on conducting interviews of the candidates for the Student Regent positions.
- d. Council of University System Presidents (CUSP). Dr. Perman presented the report. CUSP met in October and November. During the October meeting, the presidents were provided an update on the Board's request to facilitate more collaboration between the campuses; an update on the Coalition Case; and information was shared about MeToo kits on campuses. There was also an update on a request from AFSCME for information about employees; and, mentioned was made that the Intercollegiate Athletics Workgroup of the Board would remain a workgroup—adding student safety, financial s and academics as the primary focus. November's meeting focused on details in reference to the new partnership between the University of Maryland Global Campus and Amazon; discussion about leveraging Systemness; the Office of the Attorney General reiterated their willingness to work with the campuses if they would like the attorneys on campus more often; and information was shared about the State of Maryland moving forward with procuring cyber insurance. There was discussion about the FY 2021 Teacher's Education Enhancement Request; the draft of the new policy on non-discrimination and equal opportunity and the feedback received concerning shared governance; and a review of IX-2.00 Policy on Affiliated Foundations. Lastly, an inquiry from members of the General Assembly was shared concerning possibly developing a Financial Education Compatibility Commission. It was also announced that President Aminta Breaux was the new chair-elect of the Council of University System Presidents.

2. Consent Agenda. The Consent Agenda was presented to the regents by Chair Gooden. She asked if there were any items on the agenda that should be removed for further discussion. There were no requests to remove any items; therefore, Chair Gooden moved, and Regent Attman seconded the motion to accept the consent agenda; it was unanimously approved. The items included were:

Consent Agenda

Chair Gooden

- a. Committee of the Whole
 - i. Approval of meeting minutes from September 20, 2019 Public and Closed Sessions (action)
 - ii. Approval of meeting minutes from October 17, 2019 Closed Session (action)
- b. Committee on Audit
 - i. Approval of meeting minutes from October 30, 2019 Public and Closed Sessions (action)
 - ii. Proposed Revisions to the Committee on Audit Charter and Proposed Revisions to the Committee on Audit Bylaws (action)
- c. Committee on Education Policy and Student Life
 - i. Approval of meeting minutes from November 5, 2019 Public Session (action)
 - ii. New Academic Program Proposals (action)
 - 1. University of Baltimore: Bachelor of Arts in Legal Studies
 - 2. University of Maryland, College Park: Bachelor of Arts and Bachelor of Science in Immersive Media Design
 - 3. University of Maryland, College Park: Bachelor of Arts in Religions of the Ancient Middle East
 - 4. University of Maryland, College Park: Doctor of Public Health
 - iii. Report: Workload of the USM Faculty – Academic Year 2018-2019 (information)
 - iv. Report: Opening Fall 2019 Enrollments and FY 2020 Estimated FTE (information)
 - v. Proposal for University of Maryland Eastern Shore to Use Standardized Tests as an Optional Criterion for Admission (action)
 - vi. Update: William E. Kirwan Center for Academic Innovation (information)
- d. Committee on Governance and Compensation
 - i. Approval of meeting minutes from September 12, 2019 Public and Closed Sessions (action)
- e. Committee on Finance

- i. Approval of meeting minutes from September 12, 2019 Public and Closed Sessions (action)
- ii. University of Maryland Center for Environmental Science 2018 Facilities Master Plan Report (information)
- iii. Salisbury University: Real Property Acquisition (action)
- iv. Salisbury University: New Housing Complex (action)
- v. University System of Maryland: Amendment to the Forty-First Bond Resolution—Auxiliary Facility and Tuition Revenue Bonds (action)
- vi. University of Maryland Eastern Shore: Increase in Authorization for Construction of an Agricultural Research and Education Center (action)
- vii. University of Maryland, College Park: Increase in Authorization for New Residence Halls (action)
- viii. University of Maryland, College Park: Increase in Authorization for North Campus Dining Hall Replacement (action)
- ix. Bowie State University: Increase in Authorization for Thurgood Marshall Library HVAC Renovation Project (action)
- x. University of Maryland, College Park: University of Maryland College Park Foundation, Inc. Right of Entry for Construction of the Basketball Performance Center (action)
- xi. University of Maryland, College Park: Information Regarding Replacing Videoboards and Audio System at Maryland Stadium and the Associated Control Equipment (information)

f. Committee on Advancement

- i. Approval of meeting minutes from September 25, 2019 Public and Closed Sessions (action)
- ii. Proposed Revisions to the Committee on Advancement Charge (action)
- iii. Year-to-date Fundraising Report (information)

3. Review of Items Removed from Consent Agenda.

3. Committee Reports

a. Committee on Audit

- i. Committee on Audit Update. Regent Fish provided an update, indicating that the Committee reviewed its work plan for FY 2020, as well as reviewed its Charter and BOR Bylaws that pertained to the Committee's charge. Changes were to annually review Presidents, Chancellors and Regents' financial disclosure statements and added responsibility for overseeing USM's Enterprise Risk Management. Additionally, the Committee reviewed the Office of Legislative Audit reports that were issued prior to the meeting (for UMCES, CSU, USMO, UMB, and SU). And, Regent Fish mentioned that USM's Comptroller presented FYE June 30, 2019 "preliminary" financial statements, followed by a discussion concerning USM's overall healthy financial position.
- ii. Proposed Board of Regents Policy on Enterprise Risk Management. Regent Fish moved that the Board of Regents approve the proposed Board of

Regents Policy on Enterprise Risk Management that would require each institution, regional higher education center, and the System Office to develop processes to periodically identify, review and assess significant strategic, financial, operational and reputation risks. Regent Attman seconded the motion; unanimously approved.

- iii. Proposed Board of Regents Policy on Crisis Management. Regent Fish moved that the Board of Regents approve the proposed Board of Regents Policy on Crisis Management that required each institution, regional higher education center, and the System Office, develop processes and protocols for responding to negative unanticipated events and that there be an organization-wide understanding of the response process or protocol. Regent Pope seconded the motion; unanimously approved.

b. Committee on Education Policy and Student Life

- i. Report: Intercollegiate Athletics FY 2019 Academic Summary. Regent Gossett presented the report in the absence of Regent Gourdine, which reviewed the student-athlete academic measures discussed by the Workgroup during FY 2019 for USM's institutions with Division I athletics. The summary included aggregated synthesis for the measures required by the policy and included comparisons about the preparedness of incoming student-athletes, their ongoing academic success, and their graduation rates.

c. Committee on Finance

- i. University of Baltimore: Lease for the Baltimore City Police Academy. Regent Attman presented the report. The University of Baltimore leased 94,169 Gross Square Feet of space to Baltimore City for use by the Baltimore Police Department (BPD). BPD will use the space as a Police Academy for training and continued education for new police recruits, active duty officers, police management personnel and other public safety personnel.

d. Committee on Governance and Compensation

- i. Draft Board of Regents Policy VI-1.00—Policy on Non-Discrimination and Equal Opportunity. Regent Rauch presented the report that (1) amended the Policy on Affirmative Action and Equal Opportunity (VI-1.00) to reflect option A or B (renaming it the Policy on Non-Discrimination and Equal Opportunity), (2) rescinded the Policy on Non-Discrimination on the Basis of Sexual Orientation and Gender Identity or Expression (VI-1.05), and (3) rescinded the Policy on Acts of Violence and Extremism (VI-1.10); and moved for approval. Regent Attman seconded the motion; unanimously approved.

- e. Committee of the Whole
 - i. Update on Chancellor Search. Chair Gooden announced that President Jay Perman is the new chancellor-elect; and, thanked Regent Attman (co-chair) and Chief of Staff Wilkerson (staffed the search) for their work on the search committee.
 - ii. Update on Presidents' Searches. Regent Wallace reported on the Coppin State University search, indicating that great progress had been made. He stated that he was impressed with the level of intentionality, energy, and passion demonstrated in finding the next leader. Regent Wallace said they had a very inclusive committee that was dedicated to filling the position of president, which would be critical to such an institution in Baltimore as a whole and more specifically, West Baltimore. He also applauded the search firm—Academic Search—for their work in ensuring there was a strong response to the search. He said they were on track to identify the next president. Regent Attman reported on the University of Maryland, College Park search, stating that everything was going well. He said they have an excellent search committee, which boasted two Regents—Gonella and Gossett. Regent Attman reported that they held four forums and town halls with a cross-section of students, faculty, staff, president's cabinet, Deans, and officials from the City of College Park. He indicated that a special presidential website had been setup at <https://umd.edu/presidential-search> for anyone wanting to obtain additional information about the search. There were 100 nominations received in response to the announcement. It is hoped that a decision will be made in early 2020, identifying the next president of the University of Maryland, College Park. Regent Attman extended thanks and gratitude to Vice Chancellor Leonard Raley for his support in staffing the search.

Chair Gooden ended by addressing the Adenovirus and Mold Report. She stated that the experts made several recommendations for handling similar campus situations in the future. She also relayed how much information was reviewed and synthesized in order to complete their report. Key findings from the report revealed that UMCP complied with recognized federal, state and campus protocols; however, emergency management and information remained siloed. Chair Gooden indicated that the report was comprehensive in scope, detailed in observations, and proactive in its recommendations. She expressed gratitude for the work the experts performed, and appreciation for Governor Hogan's request that we undertake this review. Lastly, she expressed deepest condolences to the Paregol family.

- 5. Reconvene to Closed Session. Chair Gooden read the “convene to close” statement citing the topics for the closed session and the relevant statutory authority for closing the meeting under 3-305(b) and 3-103(a)(1)(i). (Moved by Regent Attman, seconded by Regent Gourdine; unanimously approved.)

Meeting adjourned at 11:02 a.m.