



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION, OR DISCUSSION

TOPIC: Regents' Professorship Awardee

COMMITTEE: Committee of the Whole

DATE OF COMMITTEE MEETING: Friday, October 21, 2016

SUMMARY: BOR Policy II-1.30 establishes the Regents' Professorship. The Professorship recognizes faculty members whose record of scholarly achievement and potential for truly exceptional service to the System and its institutions warrants appointment to this most prestigious rank. Appointment to a Regents' Professorship is made by the Chancellor upon recommendation by one or more of the presidents of USM institutions.

University of Maryland, Baltimore's President, Dr. Jay Perman, nominated Professor Mark Graber, the Jacob A. France Professor of Constitutionalism, for a Regents' Professorship. Professor Graber is a founding framer and one of the nation's best recognized and most eminent scholars of the American Constitutional Development movement, which integrates constitutional law, legal history, and government. His leadership in the field has brought prestige and attention to the Carey School of Law and the entire USM. Graber is a dedicated scholar who has vast, varied, and impressive scholarly writings, numerous prestigious honors, and scores of influential presentations. He is an inspiration to his peers as well as an inspiration, mentor, and advisor to countless junior scholars, graduate students, law students, and undergraduates from the University of Maryland, College Park.

After the review of a substantial amount of background material and after a lively and thoughtful meeting, an ad hoc committee of faculty in constitutional law, legal history, and/or government from three different USM institutions unanimously voted to recommend that Chancellor Caret approve UMB's nomination of Mr. Graber. Chancellor Caret reviewed and approved the recommendation and materials and, today, presents Professor Mark Graber to the Board of Regents.

The policy and a brief bio of Professor Graber are in your materials. Regents may have access to the complete nomination packet, which includes letters of support from colleagues at UMB, Yale Law School, UC Irvine, University of Toronto, UC Santa Barbara, UT Austin's School of Law, and Harvard Law School who all substantiate Mr. Graber's scholarly achievements and accolades and go to great lengths to describe the esteem and respect they have for him and the important contributions he has made and can make to the field.

ALTERNATIVE(S): This is an information item only.

FISCAL IMPACT: Per the policy, a modest monetary award, to be used for travel, research or publication costs, or personnel and equipment costs, accompanies the appointment. The amount is to be determined.

CHANCELLOR'S RECOMMENDATION: This is an information item only.

COMMITTEE RECOMMENDATION: Information Only DATE: October 21, 2016

BOARD ACTION: DATE:

SUBMITTED BY: Janice Doyle 301-445-1906 jdoyle@usmd.edu



UNIVERSITY SYSTEM OF MARYLAND

II-1.30 – POLICY ON THE REGENTS PROFESSORSHIP

(Approved by the Board of Regents, February 28, 1992)

The Regents Professorship is established by the Board of Regents of the University of Maryland System in order to recognize one or more faculty members whose record of scholarly achievement and potential for truly exceptional service to the System and its institutions warrants appointment to this most prestigious rank in the University System.

Appointment to a Regents Professorship is made by the Chancellor upon recommendation by one or more of the Presidents of University of Maryland System institutions. A modest monetary award, to be used for travel, research or publication costs, or personnel and equipment costs, accompanies the appointment.

Criteria for appointment include:

1. National or international recognition for achievements in the arts, the sciences or the professions.
2. Eligibility for appointment to the rank of professor at one or more institutions of the University System.

Regents Professors may:

1. Participate in the advisement and/or instruction of undergraduate students.
2. Present annually a public lecture or performance at one of the institutions of the University of Maryland System.
3. Participate in other scholarly activities that will enhance some aspects of the University of Maryland System and some of its components. This may include such activities as curriculum development (formal or informal courses), faculty development, citizen outreach, or organizational enhancement.

Replacement for BOR III-3.00 and BOT-XIV

Faculty



Mark Graber

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AB, 1978, Dartmouth College

MA and PhD, 1986 and 1988, Yale University

JD, 1981, Columbia University Law School

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Professor Graber held a faculty position in the Department of Government and Politics at the University of Maryland, College Park from 1993-2007 and taught at the University of Maryland School of Law as an adjunct professor beginning in the fall of 2002. In 2004, he was appointed Professor of Government and Law at the School of Law, a title he held until May 1, 2015 at which time he received an appointment as the Jacob A. France Professor of Constitutionalism. He served as associate dean for research and faculty development from 2010 to 2013. He has also been one of the organizers of the annual Constitutional Law "Schmooze", which attracts scholars from across the country to the law school.

Professor Graber is recognized as one of the leading scholars in the country on constitutional law and politics. He is the author of *A New Introduction to American Constitutionalism*, forthcoming in 2013 from Oxford University Press, and co-editor (with Keith Whittington and Howard Gillman) of *American Constitutionalism: Structures and Powers* and *American Constitutionalism: Rights and Powers*, both also from Oxford University Press. He is presently working on *Forged in Failure*, a book that will examine how much constitutional change in the United States has been caused by the failure of constitutional practices to function as expected.

Professor Graber is also the author of scores of articles, including "The Non-Majoritarian Problem: Legislative Deference to the Judiciary" in *Studies in American Political Development*, "Naked Land Transfers and American Constitutional Development", published in the *Vanderbilt Law Review* and "Resolving Political Questions into Judicial Questions: Tocqueville's Aphorism Revisited", published by *Constitutional Commentary*.

During fall 2013, he was a visiting faculty member at the University of Virginia School of Law.

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