

25.0 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

III-7.01 – POLICY ON THE REVIEW AND APPROVAL OF NEW ACADEMIC PROGRAMS THAT DO NOT REQUIRE NEW RESOURCES

(Approved April 7, 2000)

1. The Committee on Education Policy of the Board of Regents shall review each proposal for a new academic program and make a recommendation concerning approval to the full Board of Regents.
2. In accordance with Section 11-206.1(b) (2), new programs shall be consistent with the established mission of the institution and able to be implemented within the existing program resources of the institution.
3. The Committee's review and recommendation for approval or disapproval shall be given within 60 days of submission.
4. If the Committee recommends disapproval of a program proposal, the proposing institution shall be entitled to present its proposal to the full Board of Regents before the Board takes final action.
5. The full Board will take final action no later than 60 days after submission.
6. If, within 30 days of the Commission's receipt of notice of an institution's intent to establish a new program, an objection to a proposed new program is filed either by the Maryland Higher Education Commission or by any Maryland institution of higher education, on the basis of
 - (a) inconsistency of the proposed program with the institution's mission,
 - (b) unreasonable program duplication which would cause demonstrable harm to another institution, and/or
 - (c) violation of the State's equal educational opportunity obligations under State and federal law, in accordance with Section 11-106.1(c) and (d), and if the Commission upon review of supporting evidence finds the objection to be justified, the Board of Regents shall work with the President of the proposing institution and the Commission to attempt to resolve the objection.

(Replaces Resolution Regarding Action by the Board of Regents to Delegate to the Chancellor of the University System of Maryland the Authority to Review and Approve New Academic Programs, approved by the Board of Regents, April 26, 1990.)

III-7.02 POLICY ON THE REVIEW AND ABOLITION OF EXISTING ACADEMIC PROGRAMS

(Approved by the Board of Regents on October 27, 2000)

1. This policy applies to all proposals for the abolition of existing academic programs, whether they originate as a result of periodic program review, in response to the identification of such programs as “low productivity,” or as part of an overall institutional restructuring.
2. In accordance with Section 11-206.1(A)(1) of the Annotated Code of Maryland, a President who proposes to abolish an existing academic program shall provide the Board of Regents with evidence that the action is consistent with the adopted mission of the institution and can be implemented within the existing program resources of the institution. The Committee on Education Policy of the Board of Regents shall review each proposal for the abolition of an existing academic program and provide a report to the full Board of Regents.
3. The President shall provide the Board of Regents with information on the following:
 - a. proposed date after which no new students will be admitted into the program;
 - b. accommodation of currently enrolled students in the realization of their degree objectives;
 - c. treatment of all tenured and non-tenured faculty and other staff in the affected program;
 - d. reallocation of funds from the budget of the affected program; and
 - e. existence at other state public institutions of programs to which to redirect students who might have enrolled in the program proposed for abolition.

III-3.10 - POLICY ON CERTIFICATE OF MERIT AWARDS IN AGRICULTURE

(Approved by the Board of Regents, April 26, 1990)

The Chancellor, on the recommendation of either of the Presidents of the University System's land grant institutions and of the Vice Chancellor for Agriculture and Natural Resources shall approve the Certificate of Merit Awards in Agriculture.

Replacement for: BOR VI-35.00

263.0 VIII-2.61- POLICY ON OFF-CAMPUS PROGRAMS

(Approved by the Board of Regents, December 1, 1995)

PREAMBLE

The University of Maryland System is committed to providing access for all citizens to high-quality undergraduate and graduate programs. This entails extending its academic programs, as need and demand require and as resources permit, to serve students in all regions of the State. In many instances, program offerings will be extended beyond the bounds of what is traditionally thought of as the campus.

The following principles will guide the decision of an institution to offer both an off-campus program and/or individual courses for credit.

- A. Off-campus programs will be consistent with the approved mission of the institution.
- B. An institution may only offer off campus a program leading to a degree or certificate that is authorized for that campus.
- C. Standards of program quality and student performance will be comparable to those of the on-campus program.
- D. The institution will determine the method of program delivery that is best suited to the educational backgrounds, experience, and learning styles of the students.

Institutional Responsibilities

Institutions that offer off-campus programs have the following responsibilities:

- A. To provide necessary services at the off-campus site at times convenient to students.
- B. For degree/certificate seeking students, to schedule courses to permit completion of the degree or certificate in a reasonable amount of time.
- C. To keep students fully informed of program requirements and/or changes, program costs, and financial aid information.
- D. To provide learning resources for off-campus students that are comparable to those provided to on-campus students.
- E. To ensure that guidelines for the selection and assignment for faculty teaching at the off-campus site are comparable to those used on campus.

I. Definitions

Program: A sequence of courses that leads to the awarding of an approved degree or certificate.

On-Campus Program: Any program offered in any format by a UMS institution at its own main campus.

Off-Campus Program: Any program delivered in any format to a site other than that of the main campus of the institution offering the program.

Closed Site: A program offered for a particular organization or constituency that is not open to the general public, e.g. military base, hospital, or business organization.

Open Site: A program site that is open to the general public, i.e. access to program offered at an open site is not restricted to members of any particular group or organization.

Tuition: The price students pay for their education, including those mandatory fees that do not fund auxiliary enterprises or other self-funded activities.

II. Policy: Tuition and Fees for Off-Campus Programs

- A. Applicability. This policy applies to all degree-granting institutions of the University of Maryland System. It applies to all courses and programs offered at open sites only. It does not apply to non-credit courses or to credit courses or programs offered under a contract for which there may be a different negotiated tuition.
- B. Tuition Levels.
 - 1. Tuition for both in-state and out-of state UNDERGRADUATE students who are enrolled either full- or part-time in an off-campus program will be the same as that for the on-campus program (see BOR Policy VIII-2.01, A).
 - 2. Tuition for both in-state and out-of-state GRADUATE students who are enrolled either full- or part-time in an off-campus program will be the same as that for the on-campus program as defined by BOR Policy VIII-2.01, B.
 - 3. The total cost (tuition and mandatory fees) to the student enrolled in an off-campus program will not exceed that for the student enrolled in the on-campus program, unless a waiver is granted. Where an institution can demonstrate that to deliver a quality off-campus program necessitates an additional delivery or specific program fee, such a fee may be requested. Off-campus programs for which a differential fee is requested will be approved by the Chancellor and reported to the Regents in the annual report on tuition.

III. Policy Implementation

- A. Each president will submit tuition and fee recommendations for off-campus programs and related data in accordance with the schedule and format set by the Chancellor. Supporting documentation will be provided for policy exceptions requested under section II.B.3. above.
- B. The Chancellor will recommend to the Board of Regents a tuition and fee schedule for off-campus programs offered by each institution as part of the annual operating budget request. Should the Chancellor's recommendation differ from that of the presidents, the Chancellor will make both recommendations available to the Committee on Finance of the Board of Regents.

(To be reviewed Fall, 1996 for possible revision and/or extension.)

67.0 III-2.10- POLICY ON SUMMER AND SPECIAL SESSIONS

(Approved by the Board of Regents, January 11, 1990)

Institutions may schedule summer and special sessions, consistent with institutional policies governing instruction during the academic year.

Replacement for: BOT XI-J

(Approved by the Board of Regents, January 11, 1990)

Each institution may establish guidelines for the development and implementation of combined bachelor's/master's programs. These plans may be of two types:

- (1) plans which permit the development by an individual student of a program specific to that student's career interests and goals, and
- (2) structured plans within or among departmental or program units or institutions which provide integrated programs attractive to larger groups of students. The program should be available only to students whose academic performance is exceptional and who are admissible to the graduate program. Institutional policy shall set the maximum number of credits applicable to both degrees, normally no more than nine. No more than one master's degree may be earned through a combined bachelor's/master's degree program.

Replacement for: BOR I-12.00

III-2.20(A) - UMES POLICY AND GUIDELINES FOR COMBINED BACHELOR'S/ MASTER'S PROGRAMS

(Approved by the President January 1, 1992)

I. POLICY

At the request of upper level students, the student's academic advisor may, where appropriate and beneficial to the student, recommend that a combined bachelor's/master's degree program be developed for the student or a student may enroll in a designated program. The program is available only to students whose academic performance is exceptional. The program is to be developed according to the individual career interests and goals of the student and should be an integrated learning experience rather than merely the completion of a certain number of graduate and undergraduate credits. No more than nine credits of courses taken at the advanced level (600 level courses and above) may be applied to both degree programs. No more than one master's degree may be earned through a combined bachelor's/master's degree program.

II. ACADEMIC REQUIREMENTS

In order to be considered for the program, a student must:

1. be a senior level student enrolled at UMES;
2. be eligible for admission into the Graduate School program;
3. have at least a 3.0 grade point average, with A's in all courses directly relating to, or prerequisites of, the proposed graduate course of study; and
4. receive at least two recommendations from faculty members from the department where the student is a major.

III. PROCEDURE

1. A student meeting the above requirements wishing to be considered for the program must make a request in writing to their undergraduate advisor. The request should state the proposed course of study, and what the student wishes to accomplish.
2. The undergraduate advisor shall forward the request, with a recommendation to either approve or deny the request, to the chair of the department or program offering the undergraduate major, and the dean of the undergraduate school. The advisor should include a copy of the student's transcript and any additional information, which may be relevant. Both the department chair and the dean must approve the request prior to seeking approval at the graduate level.
3. If the request is approved at the undergraduate level, the undergraduate dean shall forward the request and all relevant information to the graduate dean for approval by the department offering the graduate program.
4. The student should be informed by the undergraduate advisor whether the request is approved or denied. If the request is approved, the undergraduate advisor and an advisor selected by the appropriate graduate department chair shall work with the student to develop an appropriate course of study.

III-5.00 - POLICY ON ACADEMIC CALENDAR

(Approved by the Board of Regents, January 11, 1990;
Amended by the Board of Regents, June 10, 1994; Amended
December 1, 1995; Amended April 6, 2001)

1. All institutions of the University System of Maryland will follow a common academic calendar to assist student planning, facilitate joint and cooperative programs and appointments, simplify student and faculty movement among institutions, and facilitate use of distance education technologies throughout the System.
2. The common academic calendar will provide sufficient time for instruction and examinations as recommended by the Middle States Association and as stipulated by the Maryland Higher Education Commission. Within the common framework, each president shall be authorized to adjust class time to meet instructional needs.
3. The features of the common calendar will include:
 - a) a fall semester which begins before Labor Day, except in those calendar years when a start after Labor Day can also accommodate the requirements for class meeting time, interrupted by a recess for Thanksgiving. The final examination period will conclude on or before December 23.
 - b) a minimum of fourteen instructional days over a three-week period in January available for institutions to use for an academic winter session or, for those institutions which do not plan to offer coursework, an extended winter holiday.
 - c) a spring semester interrupted by a one-week common spring break. The final examination period will conclude prior to Memorial Day.
4. The particular dates for each year's common calendar will be recommended by the Presidents' Council and approved by the Chancellor for publication and dissemination. The academic calendar will be adopted at least two/three years in advance.
5. The Law School at the University of Baltimore, the professional programs in the schools of the University of Maryland, Baltimore, and distributed learning and cohort programs are exempted from this policy. Each president shall be authorized to designate the programs to be exempted and adjust class time to meet instructional needs. However, all programs not otherwise constrained by the requirements of professional accrediting bodies or designated as an exempt distributed learning or cohort program should be on the USM common academic calendar.
6. By June 1 of each year, each institution will provide for the files of the Office of the Chancellor a copy of its detailed academic calendar for the upcoming academic year, including information such as registration periods, drop/add periods, and commencement dates as well as dates for summer sessions. Professional schools, and distributed learning and cohort programs exempted from the common academic calendar under provision 5 will provide copies of their academic calendars to the Chancellor's office on the same schedule.

Replacement for: BOR I-5.00 and VI-19; BOT XIII-Y

89.0 III-6.10- POLICY FOR THE NUMBERING OF ACADEMIC COURSES

(Approved by the Board of Regents, January 11, 1990)

Academic courses offered at institutions in the University of Maryland System shall be numbered according to the following scheme:

000-099	Non-degree-credit Courses
100-299	Lower Division Courses, primarily for freshmen and sophomores
300-399	Upper Division Courses, primarily for juniors and seniors;
400-499	courses may be available for credit toward some graduate degrees
500-899	Post-baccalaureate Courses
900-999	Post-doctoral Courses

Replacement for: BOT XI-F

90.0 III-6.20- POLICY ON GRADING SYMBOL IDENTIFICATION

(Approved by the Board of Regents, January 11, 1990)

Each institution shall develop for approval by its President grading symbols and other notations to be used on academic transcripts.

Replacement for: BOR I-8.00 and BOT XI-P

III-6.20(A) UMES GRADING SYMBOLS AND NOTATIONS USED ON ACADEMIC TRANSCRIPTS

(Approved by the President January 1, 1992)

The following symbols are used at UMES on students' permanent records:

"A"	Excellent 4 quality points per semester hour
"B"	Good 3 quality points per semester hour
"C"	Fair 2 quality points per semester hour
"D"	Passing 1 quality point per semester hour
"F"	Failure 0 quality points per semester hour
"S"	Satisfactory performance. This is not included in computation of cumulative average.
"W"	Used to indicate withdrawal from a course in which a student has enrolled at the end of the schedule adjustment period. This is not included in computation of cumulative average.
"Aud"	A student may register to audit a course that has been designated as available under the audit option where space is available. This does not imply attendance or any other effort in the course. Once a student has audited a credit by examination may not be established.
"Pass/Fail"	In certain specified courses, the grading system involves only pass or fail.
"Incomplete"	The mark of "I" is an exceptional mark that is an instructor option. It is only given to a student whose work has been qualitatively satisfactory, when, because of illness or other circumstances beyond the student's control, he or she has been unable to complete some small portion of the work of the course. In no case will the mark "I" be recorded for a student who has not completed the major portion of the work of the course.
"Repeat"	The highest grade received in the repeated course is used to calculate the GPA. Any course may be repeated but if a student repeats a course in which a mark of B, C, D, P, or S has already been earned, the subsequent attempt shall not increase the total hours earned toward a degree. Under unusual circumstances, the student's dean may grant an exception to this policy.
"A-Clemency"	Clemency credit is noted when academic clemency has been granted.

96.0 III-7.00- POLICY ON DEGREE AND CURRICULAR REQUIREMENTS

(Approved by the Board of Regents, April 26, 1990)

I. Degree and Other Formal Award Requirements

The primary responsibility for the development of curriculum and of degree requirements resides in the faculty and administration of an institution with final internal approval by the President.

A. Each institution shall establish its requirements for the conferring of baccalaureate, master's, and doctoral degrees and for certificates at any level. These requirements shall at least meet MHEC minimum standards.

B. Curricular specializations that do not qualify as areas of concentration, and do not lead to the award of certificates, may be developed within the institution and are approved by the President or designee.

II. Board of Regents and MHEC Approval of Academic Programs

In accord with the annotated code of Maryland, new degree-granting programs, certificate programs, substantial modifications of existing programs or programs offered at a new site, require the approval of the Board of Regents and the approval of the Maryland Higher Education Commission (MHEC).

Major modifications of the general education requirements, as well as suspension, curtailment, or discontinuance of programs shall be submitted to the Chancellor for approval. Prospectuses and program proposals forwarded for consideration by the Board of Regents and the Maryland Higher Education Commission must be in conformance with the procedures and format as published in the most current University of Maryland System Academic Program Development Procedures and the Policies and Procedures for Academic Program Proposals of the Maryland Higher Education Commission.

Replacement for: BOR I-7.00 and
BOT II-D.1, XI-A, XI-B, XI-C, XI-D, and XI-G

III-7.00

149.0 VI-5.00- POLICY ON INSPECTION OF PUBLIC RECORDS

(Approved by the Board of Regents on January 11, 1990)

Public records regarding the affairs of the University System and the official acts of the Board of Regents, its officers, and employees shall be made available for inspection in accordance with the Maryland Access to Public Records Act (Annotated Code of Maryland, Section 10-611 et seq.) and related System or institutional procedures.

The Chancellor is authorized to establish regulations for the officers of System Administration governing the inspection of public records. Each president and unit head is authorized to establish rules for the institution or unit so long as they are consistent with State law.

Replacement for: BOR VI-41.00

VI-5.00(A) - UMES GUIDELINES AND PROCEDURES GOVERNING THE INSPECTION OF PUBLIC RECORDS

(Approved by the President January 1, 1992)

I. POLICY

It is the policy of the University of Maryland Eastern Shore to permit the inspection of public records, at reasonable times and at a reasonable cost, by any person in interest consistent with the Maryland Access to Public Records Act, State Government Article, Sec. 10-601 et seq., Annotated Code of Maryland.

II. DEFINITIONS

- A. "Act" means the Maryland Access to Public Records Act, State Government Article, Annotated Code of Maryland, Sec. 10-611 et seq. [1984].
- B. "Applicant" means any person requesting disclosure of a public record.
- C. "Custodian" means any authorized UMES employee who has physical custody and control of a public record.
- D. "Official Custodian" means the person who is responsible for keeping the public record, whether or not that person has physical custody and control of the public record.
- E. "Persons" means any natural person, corporation, partnership, firm, or association, or governmental unit.
- F. "Person in Interest" means:
 - 1. a person, as defined above, who is the subject of a public record or the designee of the person; or,
 - 2. if the person has a legal disability, the parent or the legal representative of the person.
- G. "Public Record" means the original or any copy of documentary material that:
 - 1. is made or received by UMES in connection with the transaction of public business; and
 - 2. is in any form including a card, a computerized record, correspondence, a drawing, film or microfilm, a form, a map, a photograph or Photostat, a recording, or a tape.
 - 3. includes a document that lists the salary of an official or employee of UMES.
- H. "Personal Record" means any public record that names or with reasonable certainty otherwise identifies an individual by an identifying factor such as address, social security number or other identifying number, description, finger or voice print, or picture.
- I. "Working Day" means any day except Saturday, Sunday, scheduled UMES holidays, and emergency closings between the hours of 8:00 AM and 5:00 PM.

III. PERSONS ENTITLED TO REQUEST ACCESS

Subject to the limitations set forth below and except as otherwise provided by law, UMES shall permit any person to inspect or copy any public record in its custody and control.

IV. NECESSITY FOR WRITTEN REQUEST

- A. All requests for inspection of public records shall be in writing unless the custodian of the record being requested specifically waives the requirement.
- B. Requests shall contain the applicants name and address and shall be signed by the applicant.
- C. The applicant shall reasonably identify by brief description the record sought.
- D. The custodian is entitled to seek clarification in writing whenever records are not identified with reasonable specificity, and is not obligated to respond until the request is sufficiently specific to permit identification of the requested record.

V. FILING THE REQUEST

A written request for inspection of a public record shall be addressed to the custodian having physical custody and control of the record.

VI. RESPONSE TO A REQUEST

- A. Upon receipt of a request to inspect or copy public records, the custodian shall have 30 calendar days to respond. The custodian should consult the guidelines set forth below to determine the appropriate response. In instances where records are being requested as a result of a lawsuit or an impending lawsuit, or if the request is unreasonably burdensome, the custodian should notify the President's Office.
- B. If a requested public record is not in the custody and control of the person to whom the written application is made, that person shall notify the applicant of that fact within 10 working days of receipt of the request, and provide the name of the custodian and the location or possible location of the record if known.
- C. If a requested public record has been destroyed or lost, the custodian shall notify the applicant of that fact within 10 working days of receipt of the request. The reason for the custodian's inability to produce the record shall be given.
- D. If the guidelines regarding classes or categories of accessible records do not allow disclosure of the requested record or any portion of it, the custodian shall notify the applicant in writing within 10 working days of the denial. The denial shall include:
 - 1. the reasons for the denial;
 - 2. the legal authority for the denial; and,
 - 3. notification of the right to seek judicial review in accordance with Sec 10-623 of the Act.

Inspection of any reasonably severable portion of a record shall be permitted after the deletion of those portions that may be withheld from disclosure.

- E. With the consent of the applicant, any time period for response may be extended for not more that 30 calendar days.
- F. UMES is not required to provide information in a format other than that which is, in fact, the existing record.
- G. Unless prohibited by law, the custodian may, in his or her discretion, notify any person in interest that a request for inspection of a public record has been made.

VII. GUIDELINES FOR DETERMINING ACCESS

A. Denial of Access

The custodian shall deny access to the following records as required by Sec. 10-615 through 10-617 of the Act:

1. letters of reference for employees and students;
2. library circulation records;
3. library, archival, or museum material given by a donor who limits disclosure as a condition of the gift;
4. sociological information if the custodian has adopted rules or regulations defining the term;
5. confidential commercial, financial, geological or geophysical information or trade secret provided by or obtained from another;
6. public employees' home addresses or telephone numbers unless permission is given or inspection is deemed necessary to protect the public interest;
7. information about the security of an information system;
8. student education records;

NOTE: Disclosure is restricted by the Federal Family Educational Right to Privacy Act; the UMES POLICY ON CONFIDENTIALITY AND DISCLOSURE OF STUDENT RECORDS should be consulted.

9. retirement records;

NOTE: Inspection is permitted by the person in interest; the appointing authority of the individual; after the death of the individual by a beneficiary, or personal representative; and by any law enforcement agency in order to obtain the home address of a retired employee when contact with the retired employee is deemed necessary for official agency business.

10. personnel records.

NOTE: Inspection is permitted by the person in interest; or an elected or appointed official who supervises the work of the individual.

B. Permissible Denials

Unless otherwise provided by law, a custodian may deny inspection of part of the following public records if it is believed that inspection would be contrary to the public interest:

1. interagency and Intra-agency documents that would not be available by law to a private party in litigation;
2. examinations including test questions, scoring keys;
NOTE: A person in interest may inspect an examination after it has been given and graded, but may not copy the document.
3. research projects except the name, title, expenditures and date when the final project summary will be available;
4. appraisals of UMES or System owned real property;

5. records of investigations by the Attorney General, a State's Attorney, a city or county attorney, a police department or a sheriff.

C. Temporary Denials

If the custodian of a public record believes that inspection would cause substantial injury to the public interest, inspection may be denied temporarily even if the document is one that is authorized for inspection under the Act.

NOTE: The custodian should contact the President's Office for guidance.

VIII. REVIEW OF A DENIAL

A. Judicial Review

If the custodian denies an applicant's request, the applicant may file a complaint with the circuit court for the county where the applicant resides or has a principal place of business, or where the public record is located.

B. Place of Inspection

The record shall be inspected at the location where it is normally kept unless the custodian determines that another place of inspection is more suitable.

C. Costs

1. When a copy can be made on a photocopy machine, the charge is 25 cents per page. For more than 25 pages, a charge of \$10.00 per hour staff time shall be added to the per page cost.
2. When a copy cannot be made on a photocopy machine, the charge shall be the actual cost of reproduction.
3. An applicant should be informed of the estimated cost of reproduction and agree to the cost in advance.
4. If a copy of a record cannot be made using UMES facilities, the custodian should make arrangements for reproduction at an outside facility, with costs paid by the applicant either in advance to the custodian or directly to the outside facility.
5. The custodian may charge reasonable fees for time required to search, prepare, and copy requested records beyond the initial two hours.
6. Any fee for copying, searching, or preparation may be waived by the custodian if it is determined to be in the public interest.
7. If the applicant requests that the records be mailed or shipped, the custodian may charge the applicant the cost of postage or delivery.

NOTE: THE PROCEDURES SET FORTH ABOVE DO NOT APPLY TO REQUESTS FOR INFORMATION CONTAINED IN SUBPOENAS OR SOUGHT BY GOVERNMENTAL AGENCIES PURSUANT TO INVESTIGATION OR AUDITS.

152.0 VI-6.00- POLICY ON REQUESTS FOR ADVICE OF COUNSEL AND OFFICIAL OPINIONS FROM
THE ATTORNEY GENERAL

(Approved by the Board of Regents on January 11, 1990)

The Attorney General of the State of Maryland shall serve as the legal advisor to the Board of Regents and the University of Maryland System.

Official opinions from the Attorney General of the State of Maryland may be requested only by the Chancellor, on behalf of the University System and its institutions, or by the Chair of the Board of Regents, on behalf of that Board. The Chancellor shall advise the Presidents of official opinions in matters of general interest.

Advice of counsel on matters of institutional or unit application may be requested by the Chancellor, President or unit head or designee. Each President shall keep the Chancellor informed where appropriate.

Replacement for: BOR VI-37.00, and BOT I-K

170.0 VI-12.00 - POLICY ON EMERGENCY CONDITIONS, CANCELLATION OF CLASSES AND RELEASE OF EMPLOYEES

(Approved by the Board of Regents, May 1, 1992)

I. Purpose and Applicability

This policy governs work and the use of leave in the event of an emergency condition. This policy applies to all University of Maryland System Employees.

II. Cancellation of Classes

Each employee of the University is expected to report to work as scheduled, even if classes are canceled, unless the employee has been notified through established campus procedures not to report.

III. Closing Facilities

A. Before the Start of Work. When any facility is closed prior to the start of normal work hours or shifts, non-essential employees, except those on previously approved leave, are to be considered to be on Administrative Leave.

The status of contractual employees will be determined by the terms of their contracts.

B. After the Start of Work. When, as a result of emergency conditions any facility is closed after the start of normal work hours or shifts non-essential employees are to be placed on Administrative Leave. Non-essential employees who have not reported to work and are not on previously approved paid leave must be given the option to use appropriate accrued paid leave, or be placed in a no-pay status.

The status of contractual employees will be determined by the terms of their contracts.

IV. Essential Employees

Employees who are required to perform duties after an emergency condition has been declared shall be compensated with compensatory leave or cash payment equivalent to the Administrative Leave granted to non-essential employees who are released from the same facility.

Only extenuating circumstances of a most serious nature will warrant the exemption of an essential employee from the requirement to report for duty in a timely manner.

V. Liberal Leave

A Chief Executive Officer (CEO) or designee may declare a policy of Liberal Leave in which case non-essential employees who fail to report to work, or who report late, or choose to leave early, because of dangerous traffic or highway conditions, hazardous weather, civil disorder or other circumstance not yet declared as an emergency shall be excused. Such excused absence must be charged to appropriate paid or unpaid leave.

VI. Evacuation of an Institution Facility

In the interest of personal safety, nothing in this policy precludes the necessary, immediate evacuation of a campus facility by the person in charge or his/her designee.

DEFINITIONS:

"Emergency Conditions" - Those conditions which are determined by each campus CEO or designee to be serious enough to warrant the cancellation of classes or the release of employees. Such conditions may arise because of inclement weather, fire, power failure, civil disorders or other unusual circumstances which may endanger students and/or employees.

"Essential Employee" - An employee of a facility who has been designated as vital to the operation of the facility, whose presence is required regardless of the existence of an emergency condition, and whose absence from duty could endanger the safety and well being of the campus population and/or physical plant. Examples of such employees are police, stationary engineers or other heating plant and maintenance personnel, snow removal employees, food service staff, hospital staff, etc.

IMPLEMENTATION PROCEDURES:

Each Chief Executive Officer shall develop procedures as necessary to implement this policy and submit a copy to the Chancellor.

Replacement for: BOR VI - 18.00, Policy Relating to Emergency Conditions, page 1 UM Personnel Policies and Procedures for Classified Employees - Section VI Leave with Pay, page VI-21

190.0 VII-2.20- POLICY ON SOLICITING PERSONNEL DURING WORKING HOURS

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

Employees of the University of Maryland System shall have an undisturbed opportunity to perform assigned duties and responsibilities. Solicitation of any UMS employee for any purpose, except where such solicitation is a part of the assigned duties and responsibilities or has been approved by the Chancellor or designee for system-wide purposes or the Chief Executive Officer or designee for institution purposes, is prohibited.

IMPLEMENTATION PROCEDURES:

Each Chief Executive Officer shall develop procedures as necessary and submit a copy to the Chancellor.

Replacement for: BOR VI - 26.00, Policy on Contacting Personnel During Working Hours.

UM Personnel Policies and Rules for Classified Employees - Section VIII Conduct and Discipline, Page VIII-4.

UM Personnel Policies and Rules for Associate Staff - Section E.3 Professional Ethics, Page 9.

X-1.0 POLICY ON USM INSTITUTIONAL INFORMATION TECHNOLOGY POLICIES,
INCLUDING FUNCTIONAL COMPATIBILITY WITH THE STATE INFORMATION
TECHNOLOGY PLAN

(Approved by the Board of Regents on August 24, 2001)

Background

Senate Bill 682 specifically outlines the requirements of the University System of Maryland Board of Regents Information Technology Plan concerning information technology policies and standards:

The Board of Regents shall develop an information technology plan for the University System of Maryland that includes information technology policies and standards, including policies and standards for information management and telecommunication systems, that are functionally compatible with the State Information Technology Plan established under Title 3, Subtitle 4 of the State Finance and Procurement Article.

The University System of Maryland (USM) is specifically exempted from Title 3, Subtitle 4 of the state finance and procurement article. This exemption implies that the USM may develop its own unique policies and standards for effective management of information technology, provided that they are functionally compatible with those in the State Information Technology Master Plan (ITMP).

Unlike a typical state agency, where the majority of internal users of information technology services are employees, in the USM the majority of internal users are students. Increasingly, the computers connected to our networks and accessing our services are not USM-owned computers, but personally owned computers. Furthermore, a typical state agency will focus information technology policies around agency business processes. In the USM, the focus is also on our mission activities of teaching, learning, and research. These activities naturally require a flexible approach to policies and standards, and many of the activities inherently push the envelope of current technology.

Purpose

The purpose of this policy is to establish a framework, as required in Senate Bill 682, for creating institutional information technology policies, standards, guidelines, and operating practices that address the requirements of policies articulated in the State ITMP, where applicable. Equally critical, this policy fosters the development of additional information technology policies, standards, and guidelines indigenous to the higher education administration and mission activities of teaching, learning, and research.

Guidelines

USM institutions shall develop, document, and maintain information technology policies, standards, guidelines, or operating practices that are functionally compatible with the State's ITMP policies and standards, where applicable. The State has identified policies and standards in the areas of information technology management, hardware and software standards, networking, systems development, web services, and security.

The USM Information Technology Coordinating Council (ITCC) will provide copies of the current applicable State information technology policies and standards as well as checklists and guidelines to assist the USM institutions in developing functionally compatible policies, standards, guidelines, or operating practices. The USM Chief Information Officer (CIO), in consultation with the ITCC, will also propose and develop additional information technology policies and standards as necessary for consideration of the Board of Regents Technology Committee and subsequently to the full Board of Regents.

Statewide Process

As outlined in the Statewide Policy Implementation Guideline, State information technology policies will be reviewed semi-annually and forwarded to the State Information Technology Advisory Committee (ITAC) for review and comment. Official announcements of State policy publications and changes will be made via ITAC.

USM Accountability

Each USM institution will establish procedures for annually reviewing and certifying the functional compatibility of its information technology policies, standards, guidelines, and operating practices with the State ITMP. These certifications will be filed with the USM CIO and reviewed by the USM ITCC.

Time-Line

The certifications by the USM institutions will be filed starting August 15, 2002 and every August 15th thereafter.

144.0 VI-4.00 - POLICY ON THE NAMING OF BUILDINGS AND ACADEMIC PROGRAMS

(Approved by the Board of Regents on January 11, 1990;
Amended January 24, 1991; Amended April 4, 1997)

The Board of Regents of the University of Maryland System recognizes its responsibility to determine the appropriate naming of new and existing buildings owned by the University System or any of its constituent institutions. The Board also reserves the right to approve the naming of academic programs. Academic programs include colleges, schools, departments, centers, and institutes. The naming of scholarships, fellowships and chairs does not require Regents' approval.

In those cases where buildings and academic programs are named for people, they should be named for scholars and other distinguished individuals who are both preeminent in their field of endeavor and/or have contributed meaningfully to the University of Maryland System or to any of its constituent institutions.

The Board prefers to commemorate donors' generosity through other means, such as the naming or dedication of scholarships, programs, or professorships. However, the Board will also consider the naming of a building when a donor's gift represents a major contribution to the institution.

Any University System institution wishing to adopt a person's name for a building, any campus grounds, major portions of facilities, or academic programs must submit a request to the Chancellor. The Chancellor will determine which naming opportunities require Regents' approval.

In making requests, the institutions of the University of Maryland System must comply with the following guidelines. (Foundation-owned buildings are excluded from the Board of Regents' policy.)

Guidelines

1. No building, other campus facility, or academic program will be named for individuals currently employed by the University of Maryland System or the State of Maryland.
2. When the person to be honored is living and a non-donor, three years must have passed since any formal association with the University of Maryland System or employment with the State. Such affiliation includes time spent as an undergraduate, graduate, or post-graduate student; as a paid member of the faculty or staff, whether full- or part-time; as a paid State employee; and as a member of the Board of Regents.
3. When the person to be honored is deceased, two years must have passed since the date of death before their name can be applied to a University of Maryland System building or academic program.
4. A naming opportunity associated with a gift to the University of Maryland System, a constituent institution, or an affiliated foundation, will normally receive favorable consideration only when the present value of the gift is an amount equal to or greater than 10 percent of the cost to construct or substantially renovate the building proposed for naming. The gift may be in cash or a legally binding pledge and should be paid within five years of the naming of the building or program. A portion of the gift may be in the form of an irrevocable trust or a contractual bequest. The Board of Regents reserves the right to remove names from buildings and programs when the gift remains unpaid beyond the five-year limit. Should this occur, the Regents may name an area of the building or seek another appropriate naming opportunity that would be proportionate to the value of the gift received. The naming of a building or program follows the building or program for its useful life unless otherwise determined by the Board of Regents.
5. In making requests for naming of buildings or academic programs, the following information is to be submitted in the standard Board of Regents format:
 - (a) Institution name;
 - (b) A detailed request, citing the facility or program in question, the proposed name, the existing name if any, etc.; and

- (c) Justification, including such relevant information as the nature and duration of the individual's affiliation with the University System or constituent institution. If the naming is a stipulation of the gift, the request must explain the proposed arrangement. If the gift represents partial or total funding of the construction, remodeling, or renovation, the following information must be included:
 - *A timetable for project implementation;
 - *Relationship of the project to the institution's long-range plans;
 - *Source and status of capital budget funds needed in addition to the gift;
 - *Operating budget implications, and sources of funds; and
 - (d) A copy of the gift contract and/or pledge agreement must be filed with the request for approval.
6. The institutions will determine the appropriate level of gift support required to name scholarships, fellowships, and professorships. The institutions will provide an annual report to the Regents on all such gifts and the form of recognition. Gifts for naming these purposes may be in cash and/or a legally binding pledge instrument.

Replacement for: BOR VI 3.00BOR XIII-H

145.0 VI-4.10- POLICY ON THE USE OF THE PHYSICAL FACILITIES OF THE UNIVERSITY SYSTEM
FOR PUBLIC MEETINGS

(Approved by the Board of Regents on January 11, 1990)

The physical facilities of the University System may be used for public meetings, including political meetings, if proper safeguards are provided to assure the orderly use of facilities.

Persons wishing to use a facility must apply to the proper administrative authorities. Each president will be responsible for adopting rules governing the use of its facilities, and procedures for the application for such use.

A reasonable charge may be made to cover costs of such facilities, including utilities, police protection, janitorial service and other necessary expenses.

Permission to use a facility does not imply endorsement by the University or its institutions of the view or programs of the user.

Replacement for: BOR VI-5.00 BOT XIII-G