

## SALISBURY UNIVERSITY FACULTY SENATE MOTION

Submit this form to the Faculty Senate President

SUBJECT: APC Report for Religious Accommodations Policy

SENATOR PROPOSING MOTION: Anita Brown

SENATOR SECONDING MOTION: Mark de Socio

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**MOTION** (this section alone will be recorded in the minutes):

With the four additions identified below to the attached Revised Religious Accommodation Policy proposed by the Academic Policy Committee (APC), in May 2024,

1. add the following language at the end of Section IIIA.3

*If any party involved in this grievance process, at any time during the grievance review process, has concern that the faculty member was treated with distinction, preference, or detriment as compared to others based on an individual's religion, was harassed or discriminated against, they should refer the grievance to the Office of Institutional Equity (OIE) to be reviewed within the scope of the University's anti-discrimination policies and procedures.*

2. add the following language at the end of Section IIIA.5

*If any party involved in this grievance process, at any time during the grievance review process, has concern that the staff member was treated with distinction, preference, or detriment as compared to others based on an individual's religion, was harassed or discriminated against, they should refer the grievance to the Office of Institutional Equity (OIE) to be reviewed within the scope of the University's anti-discrimination policies and procedures.*

3. add the following language at the end of IIIB.6

*If any party involved in this grievance process, at any time during the grievance review process, has concern that the student was treated with distinction, preference, or detriment as compared to others based on an individual's religion, was harassed or discriminated against, they should refer the grievance to the Office of Institutional Equity (OIE) to be reviewed within the scope of the University's anti-discrimination policies and procedures.*

4. add the following language at the end of section IV.

*D. In regard to revisions, the Faculty Senate shall be regarded as the owner/author of this policy.*

the Faculty Senate approves the proposed policy to proceed through the following process:

1. The Faculty Senate (FS) President shall share this proposed policy and the APC response with the President/Chair of the other four campus governance groups (the Adjunct Faculty Caucus, the Staff Senate, the Student Government Association, the Graduate Student Council) and request feedback from those groups by 5 November 2024.
2. After 5 November 2024, the FS will decide upon any revisions to the suggested policy based upon the received feedback. The FS President will notify the President/Chair of each of the other four governance groups of any revisions.
3. The FS President will provide the proposed policy, from Step 2, to the Provost and to the Office of the General Counsel for review, discussion, and possible revision with the FS.
4. The General Counsel will present the version of the policy agreed upon in Step 3 to the Cabinet. Any revisions proposed by the Cabinet must be reviewed and approved by the FS.
5. The final approved policy will be placed in Chapter 6 (Teaching and Learning at Salisbury University) of the Faculty Handbook and linked in Chapter 3 (Faculty Leave) of the Faculty Handbook. The final approved policy will also be placed in appropriate locations, including the SU website and MyClasses, for access by all employees and students.

## **JUSTIFICATION:**

In response to Maryland Law that went into effect in July 2023, a temporary SU religious accommodations policy was posted during Summer 2023. The FS charged the APC to review and make recommendations regarding that temporary policy. The APC response to the FS charge, in consideration of the Maryland Law and BOR policy which was revised in December 2023, was sent to the FS and distributed to the Faculty with the revised policy now proposed by the APC. *The APC response includes a justification for each change to the temporary policy that the APC proposed.*

Because Part IIIA of the policy refers to policy for all employees, in May 2024, when the APC sent the response and the proposed policy to the FS, they also sent a copy to the Faculty Welfare Committee (FWC) and to the Staff Senate. The FWC indicated that the policy should more clearly identify that a committee involved in a grievance filed because the employee or student “was not satisfied with the accommodations,” should be able to send the grievance to be reviewed by the Office of Institutional Equity (OIE) before the committee made a decision regarding the grievance. After consultation with the Associate Vice President of Institutional Equity, the APC has suggested the addition of the statements in IIIA.3, IIIA.5, and IIIB.6 identified in this motion. The Staff Senate indicated that it would need time to review the proposed policy.

SU has a policy for development and oversight of university policies. However the central committee in that policy no longer exists. The process for adoption of this policy must be clear. Hence, this motion proposes a similar process to finalize and distribute this policy.

Because the FS is the body to propose the suggested policy and because faculty should be responsible for drafting academic policies (BOR policy indicates that faculty have a primary role in development of academic policies, and Section IIIB is clearly academic policy), and because faculty will clearly be impacted by all parts of this policy, when review and/or revision is considered, the FS is not willing to approve the policy before final edits are made.

The SU policy for development and oversight of university policies, identifies a policy owner and describes a specific role for revisions to a policy involving the policy owner. The primary role of the FS in the development and possible revision of this policy should always be clear, hence in the policy, the FS should be identified as the policy owner/author (and that change is included in this motion).

**ANTICIPATED IMPACT:**

Negative:

Until a final policy is approved and posted, SU must operate under the temporary policy.

Positive:

The temporary policy was not reviewed by the APC, by the FS, or by other governance groups. The proposed policy, revised from the temporary policy, provides more clear guidance and more clearly parallels other SU policies, and will produce an official policy.

Is this a recommendation to the Provost? Yes  No

Is this a recommendation to someone else? No  Yes, to \_\_\_\_\_

VOTE: Number of Senators Present:                      Motion Passes or Fails: