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Academic Senate

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Senate Meeting, November 18, 2020

Academic Senate, Illinois State University

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Academic Senate Meeting Minutes
Wednesday, November 18, 2020
Approved

Call to Order

Academic Senate Chairperson Susan Kalter called the meeting to order.

Roll Call

Academic Senate Secretary Martha Horst called the roll and declared a quorum.

Senator Kalter: All right. Wonderful. We're going to begin this evening with public comment. We have one person signed up for public comment. I'll just read our standard introduction to public comment and then go to that person.

The Academic Senate of Illinois State University welcomes constructive communications from members of the University community and the citizens of Illinois. Students, faculty and staff are encouraged to provide information relative to the academic mission of the University.

The Academic Senate will allow up to ten (10) minutes in total for public comments and questions during a public meeting. An individual speaker will be permitted two (2) minutes for his or her presentation. When a large number of persons wish to speak on a single item, it is recommended they choose one or more persons to speak for them. The Academic Senate will accept copies of the speakers' presentations, questions and other relevant written materials. When appropriate, the Academic Senate may provide a response to a speaker's questions within a reasonable amount of time (24 hours or more) following the speaker's presentation.

During the pandemic, individual who wishes to make a presentation during a public meeting may email us at acsenate@ilstu.edu so that the Chair may be made aware of the request. In the event the number of requests exceeds the time allotted, the requests will be granted based upon the order of received and requests remaining will be carried over to the next scheduled meeting in the order requested. People may also submit written comments tonight if there are more than five commenters and we will distribute that tomorrow.

So, after Dr. Akman speaks, I'm going to ask if there are any others who wish to engage in public comment. But we start with Fusun Akman from the Department of Mathematics to make public comment. Go ahead. Dr. Akman.

Dr. Akman: Good evening Senators, Chairperson Kalter, President Dietz, and Provost Tarhule. I am Fusun Akman, Professor of Mathematics. I believe we should delay opening campus on January 11th and cancel Spring Break. There is a humanitarian crisis in the world, United States, Illinois, and McLean County. Tier 3 restrictions start on Friday. Hospitals are full. 100% of our student teachers tested positive at a school they were practice-teaching. We all have infected

students in our classes now. There are several cases just on my street, and all public schools are going online. No vaccine will be ready for months in Earth One.

Here is ISU reaction: up until Monday, the plan was to open the library during the finals. They still want to open the library on January 11th. This is petty cruelty towards our library staff. Dorms will be open right after Thanksgiving, infecting any students and RAs that are left. With a few notable exceptions, the administrators have just capitulated to the virus and other influences. There are no checks and balances left. Nothing we say matters.

This Senate's academic mission must now include protecting the lives of ISU's cafeteria, dorm, and maintenance workers, GAs, RAs, and athletes, who have no voice in what is being done to them. We are asking the senators, chairs, and deans to question decisions from the corner offices, because you're it.

I am additionally requesting the Senate to ask for a detailed answer within 24 hours from the administration as to who, and what processes, were involved in all opening decisions from this point on, including those for the dorms, gyms, and library. We are hurtling towards the peak of the third wave of infections with a quarter million Americans dead. What are the public health qualifications of these state employees who signed off on these life and death decisions? We'd like to know.

In conclusion, remember, all this suffering is avoidable. Let's do the opposite of what the Light Brigade of Tennyson did: Theirs not to make reply; Theirs not to reason why; Theirs but to do and die. Thank you.

Senator Kalter: Thank you, Dr. Akman. Do we have others who wish to make public comment at this meeting? (Pause) Alright. Seeing none.

Chairperson's Remarks

Senator Kalter: I will begin this meeting with Chairperson's Remarks. This meeting is being held electronically due to the issued disaster declaration and because the President has determined that at this time in person Senate meetings and Senate committee meetings are not prudent, practical, or feasible.

Just a reminder that if you would like to be recognized to speak, you should raise your hand through the participants function in Zoom, or click on either the yes or the no button, if the hand raise is not available to you.

We do have a short Faculty Caucus meeting tonight to do two elections, but there will be no hard stop time for this meeting because that meeting is expected to be very short.

I would like to wish everyone a safe and healthy Thanksgiving week. and a safe and healthy Success Week.

We are required by our ISU Constitution to hold one meeting during December, so we will see you again on Wednesday evening of finals week. And that's it for my comment. Does anybody have any questions? Alright. Seeing none.

We'll move on to Student Body President Remarks. Senator Harris was unable to be in attendance this evening, so the Student Body Vice President Ethan Kosberg is going to deliver Student Body President Remarks.

Student Body President's Remarks

Mr. Kosberg: Yes, thank you. So, President Harris apologizes for being absent tonight.

At last week's General Assembly meeting, we passed a resolution condemning Proctortrack, acknowledging that the university has a responsibility to hold students academically accountable, but the service that the University is providing is invasive and raises a number of privacy concerns. And so, I'm going to read from the resolution now. "Student Government Association finds the privacy violation, technology requirements of students, automated false flagging of suspected cheating, and the sizable risk of data and security breaches associated with this service to be highly concerning." So, yeah, we passed the resolution, I think it was unanimous.

The past few days, we've been assembling finals care packages to be distributed to students prior to finals week.

And then finally, we're just planning our winter retreat, which is going to be held at the beginning of January. And that was all we had.

Senator Kalter: All right. Thank you, Assemblyperson Kosberg. Does anybody have any questions for Mr. Kosberg? (Pause) Alright. Seeing none, I just want to remind everybody that resolutions are also possible under the Senate rules. They usually come under Communications in Senses of the Senate Resolutions, just so that you're all aware of that procedure.

Administrators' Remarks

• *President Larry Dietz*

President Dietz: Thank you very much. Part of my comments tonight are going to be about testing. And one of the things that has become a part of vocabulary around COVID 19 and the pandemic has been pivot. And it seems like we will have a plan together and we'll have spikes like we've been experiencing and will pivot to other scenarios, and this may be another opportunity to pivot again.

We have been hoping that the saliva-based testing at the University of Illinois would be available to us, actually quite some time ago, and following our progress with them, and it's really on both sides, it's been kind of a manic-depressive kind of experience. We'll get some good news and then we won't have that very long and then it turns into some bad news, and then it's been kind of a up and down kind of a new situation with a saliva-based testing from the U of I. A week ago Monday, I was in pretty good spirits, because we had had some progress with the saliva-based

testing and we were told that we possibly could have a system up and running that had a lot more capacity for testing than we currently have with the Reditus contract and a lot of the challenges on that we thought had been resolved through some of the lab setups and mainly with the technology that was being used on the back end of this process. Well, that turned around this Monday. And so, we've been told now that it may be February before we would have a saliva-based testing setup here. So, what we're doing at this point is pulling together information and data that will need to go to the Board of Trustees, and we anticipate having to have a special session of the Board of Trustees sometime in early December that would potentially expand our relationship with the Reditus contract which we were hoping to turn into the U of I because it's much less expensive. The Renaissance contract is \$100 per test, and the U of I saliva-based testing is somewhere around \$20 a test. So, we had been looking at contracts with U of I and so forth. But we need to have something for us as we began the start of this next year, and the most reliable thing that we have is the system that we've been working with. And so we're going to look to extend that contract with Reditus, which will require a Board approval to do that. And we're looking at the dollar amount right now, we don't have a firm dollar amount, but it's above the amount that I have the authority as the President to sign on this contract. So, we're back to, you know, Reditus testing. They've done a good job, but they don't have the capacity that the saliva-based testing does. So, we're going to continue to try to work with U of I, and we are hopeful that something can happen and again the sooner the better. But frankly, we've been working on this for months and months and we're still not there, and it still has not been approved by the FDA. And so, the other thing that we firmly agree on is that whatever process that we use, it should have FDA approval to use that. There's a possibility that we could also use some antigen testing after the first of the year that would help us in particular if we were targeting some hotspots that might be positivity spots, you know, after the first of the year. That if we found that out through a less invasive and less expensive antigen testing, then perhaps we could then, if we found people that were testing positive, then we would refer them over to the more thorough testing with Reditus, but it might be another way to try to address this. So, we're still working on those three fronts. John Baur has been working diligently on all this, and several other staffers have been working on this. And so, we hope that we'll have better news the next time around. But this is one of the... I've talked about the ups and downs, and unfortunately this week has been kind of a down week for us in trying to get that testing stood up from U of I.

A couple of other things related to this. I had a conversation at the end of last week with people in the Governor's office and they were concerned about how many institutions were going to continue with the spring break. That number has shifted over time and it's shifting even more as the number of cases have been spiking. And so, what at one time was about six of the 12 institutions were thinking about having a spring break. It's now down to two, and it's us and Northeastern University [Northeastern Illinois University, or NEIU]. And so, conversations at the end of last week with the Governor's office wanted us to rethink our spring break, and we have a group that's looking into that. Conversations today, specifically, with the presidents and chancellors group (our weekly call), I confirmed that that number that were planning to have a

spring break really was down to the two, and the week before it had gone from six to four, and now it's from four to two. After that meeting, I got another call from IBHE (Illinois Board of Higher Education), and they were asking us to rethink our spring break, and essentially to cancel the spring break. We have a group that's going to be talking about that as early as in the morning and what that might mean. I think if we do that, I think it's wise to, you know, heed the concerns of the students in particular, but I think faculty and staff thought that having a break was a great idea from a mental health perspective. And so perhaps there are ways that we can sprinkle some, you know, mental health days or development days or whatever we would want to call them, which is what a lot of the other institutions have done. Typically, you know, sometime during the week versus Mondays and Fridays, which again would entice people to take long weekends and perhaps travel, and that's the thing that the Governor's office is trying to discourage directly is travel. So, I bring that up tonight not to say that there's been a decision on this, but I received very strong language today from both the Governor's office and from Illinois Board of Higher Education that we probably need to be thinking in that direction. So, how we would do that is potentially up to us, but I bring it up tonight in particular for those individuals who might be thinking about buying airline tickets or whatever they would normally do over a normal spring break, to say you may want to rethink that, because I think we're going to end up with not having a spring break. So more on that to come, but that group will be meeting in the morning and talking about that.

Also talking about the start of school on the 11th of January and looking at other potential options for that. So, I think at one time we thought all those issues, perhaps we've made some decisions on that we were comfortable with. The survey was very helpful in getting us to the point on the spring break, everybody that participated in that, we had lots of feedback from students, and I think that's a, you know, was very, very helpful. But I think once again we get back to the word pivot, and given the spike, I think that some of these issues we're going to need to pivot again.

So, with that, I'll say I wish everyone a Happy Thanksgiving. Stay safe. Stay well. Good luck in Success Week. And if there are questions, I'd be happy to try to answer them.

Senator Kalter: All right, thank you, Senator Dietz. Do we have questions for Senator Dietz?

Senator Horst: As you know, faculty are finalizing their syllabus for the spring semester and certainly if we were planning mental health days that would sort of shuffle things around. So, do you have a deadline as to what we can say for the faculty when we expect a decision on this spring break?

President Dietz: I don't...the conversation literally occurred about 4:00 this afternoon, about 3:30 this afternoon. So, I've only had an opportunity to pass this topic on to the group in the morning and they'll have more discussions in the morning, but I know the sooner the better in terms of what we can tell folks and what they can expect.

Senator Haugo: Hi, President Dietz. This is not directly in response to your update. But I'm wondering about whether the University is coordinating with the City of Bloomington about the recent news about the bars and restaurants being occupied, and what the progress on that might be?

President Dietz: I haven't had a discussion today. We've had discussions prior to the incident and we generally are in, you know, pretty close contact on that. I'm going to... I don't mean to put Senator Johnson on the spot here, but sometimes the mayor's office talks to Senator Johnson's office. I have not heard anything directly. I do know that they're having conversations with the bar owners, and I wouldn't be surprised at all if some liquor licenses are either pulled or fines imposed or something of that nature. Senator Johnson, do you have anything to add?

Senator Johnson: No, I'm aware of the same information. I do know as well that the Council has pulled together a special group to look at these violations from the these 10 or more businesses and bars, and we suspect that there's going to be a significant response to those individuals as it relates to fines and/or holding them accountable. And we believe that if they do so, that's going to send a message to our students, or anyone that would frequent those type of places. So, we're supportive of them doing what they need to do in order to curtail behavior, and we're waiting to see what the results of that group getting together and what their outcomes are.

President Dietz: I wouldn't say that if we can identify individuals out of that group. I know there was a, I've not seen it, but I understand that there was a clip with WGLT that covered some of that, and there was an interview, if we're going to identify students that are there not wearing masks and not complying with what we would normally view as good standards that we've been talking about for a long time, that they are potentially subject to the conduct code.

Senator Kalter: All right, further questions for Senator Dietz? (Pause) I have a question that's more of a comment, Senator Dietz. You mentioned a possible meeting of the Board of Trustees in December. If the Campus Communication Committee could just get a heads up about that when it's finally scheduled, that'd be wonderful.

President Dietz: Yeah. We're doing a Doodle Poll right now to try to figure out when that might be. I would imagine the earliest would probably be the second week, but we don't have a date yet.

Senator Kalter: Okay, thank you.

President Dietz: Will do. Thank you.

Senator Kalter: Wonderful. Alright, we move on to Senator Tarhule for Provost Remarks.

- ***Provost Aondover Tarhule***

Provost Tarhule: Thank you so much, Chairperson Kalter. I have just a couple of updates. One is, FYI, and the second is, maybe FYI and a request. The FYI, really, is our spring enrollment

numbers are down 10%. We're especially down with respect to gen ed classes. So, we're way behind where we should be now from where we normally are at this point in the registration process. In terms of the number of students that have already registered, so I think really, we're something like 4,000 students behind. That's not a good sign. It may be a reflection of the overall challenges that we know the pandemic has wrought in all of us, but my office is especially concerned that the high vacancy numbers in gen ed, that this may be a reflection of the students that are not registering maybe first year students (or FTICs). We are still looking into the data to try and better understand it. And we're trying to contact the students to see if we can figure out why or who has not registered. So, this is FYI only, but again, just a reminder to all of us of the challenges that we have face, and anything that we can do with respect to supporting students will be welcome. But at this point, it looks like we're down about 10%.

We're also down with respect to applications for fall. I think this is a little bit premature at this point. We think there may be some factors that are counting for that, and we're hoping that we might be able to catch up once some of those factors work themselves out. But at the present time, we're significantly down in terms of number of applications for fall. We are not unique. It's not just ISU. All of the other public institutions in the state are experiencing the same number of low enrollments or low applications. So, it's just probably something to keep in mind, that those numbers are not where we would like them to be.

The second information is, as we start getting ready for exams here and Thanksgiving, we would like to remind students and all of you on this call, if you can take the message out, we still have a number of loaner laptops that we can make available to students. So, if you have any students or know of students who may be in need of loaner laptops, MiFis, or webcams, or any kind of technology that they might need for the exams, please ask them to contact the Technology Support Center. We still have a lot of these available. And in general, we can process them between one to two days and get them into the hands of the students. So, as we're preparing here for students to get ready for exams. I think this is the appropriate time to remind students if they're in need of those resources. So, with that I'll wish everyone an early Happy Thanksgiving, and be happy to answer the questions.

Senator Kalter: All right. Wonderful. Do we have any questions for Senator Tarhule? (Pause) Alright, it looks like they're letting you off the hook for the night. That's wonderful. We go now to Senator Johnson for Vice President for Student Affairs Remarks.

- ***Vice President of Student Affairs Levester Johnson***

Senator Johnson: Good evening, everyone. I'll pick up where the Provost left off at and talk a little bit about preparations for a student's ability to be able to study on campus, between now and the end of the semester. We will continue to have space available within the Bone Student Center for our students to study and break away from, whether it's their residential environment or off campus dwelling in order to study within that facility. We will have dining options open

and available within those facilities as well, despite, you know, some of the additional Tier 3 mitigations that will be in place. So, we still have some study spaces available for students.

One of the other things that I want to clear up as relates to, you know, the anxiety that students may be feeling and needing some out, some type of out in order to release some of that anxiety, the recreation facility will continue to be open. And with our new mitigation type of things in place with the state, what we're going to do then is this coming Friday we're going to start with, we'll limit the capacity for the facility, but that the second floor will still remain open, again, with that reduced capacity, in that students will continue to need to register for workout times. face coverings, before it was such that you would need to wear face covering all the way until you got to the machine or apparatus that you were about to utilize, but now you will have to have face covering the entire time while you're in the facility, in addition to while you're on your machine or within the apparatus that you are utilizing. So, that's an important distinction for folks to be aware of. Locker rooms will not be available. They'll be closed. And with the locker rooms being closed, the pool will be closed as well.

Also, the Bowling and Billiards Center will be closed, but the Redbirds Adventure Center will continue to support outside equipment rentals. So, you can still stop by there and pick up outside equipment rental if you're doing something outside. And I think those are the updates that I have regarding some of the mitigation type of plans that we have between now and the end of the semester.

Senator Kalter: All right. Thank you very much, Senator Johnson. Do we have any questions for Senator Johnson? (Pause) Looks like people are ready for Thanksgiving break. So, we'll go to Senator Stephens for Vice President for Finance and Planning Remarks.

- ***Vice President of Finance and Planning Dan Stephens***

Senator Stephens: Thank you, Senator Kalter. I only have one item of interest to cover this evening. It is actually on a positive note. As many of you know, the federal government awarded ISU over \$16 million in the CARES ACT fund, with \$8 million of that dedicated to students and \$8 million dedicated to support the cost for the university. We started taking applications back in the spring. And as we got to the end of the fiscal year on June 30, we had distributed about 50% or about \$4 million out to students. Well, I found out this past week that (I'm proud to say) that we finally reached the remaining \$4 million has been awarded to the students. So, the entire \$8 million has been processed. And I believe if all the checks haven't been sent out or credited, those will be finished sometime over the next couple of weeks. That release of the \$8 million for the students allows the university to now draw down the administrative portion of the grant, which is the other \$8 million. It's a matching responsibility. And so, we are in the process now of completing all the grant documentation and should be finishing that over the next few weeks and seeking the drawdown from the federal government on those funds. Just a quick couple of statistics there. Overall, we provided CARES ACT funding to over 10,500 students, with an average amount hitting somewhere around \$765.

I want to personally thank the staff and several departments across campus that helped support this effort over the past several months. Staff involved areas with Financial Aid, Student Accounts, the Controller's Office, Grants and Contracts Administration, Student Affairs, the Budget Office, and the Web Communications group within IT. As you can imagine, it was a lot of effort done from a staffing effort, and reporting effort, because this is a compliance matter and so very much appreciative that all the team members who were involved in this effort. And now, and as we finish the rest of it.

And then finally, there is talk that, at least in the news, that in the next stimulus package, there may be evidence of another type of round dedicated to CARES Act support, if they call it that, you know, for universities and for students as well. So, we haven't gotten any details yet. Those negotiations are still going on. But we are actually hopeful that there will be another round of some type of funding that will be sent in our direction that we will be able to support our students and our university. So, that's all I got for the evening, and I'll be happy to answer any questions.

Senator Kalter: All right. Thank you, Senator Stephens. Do we have any questions for Senator Stephens? (Pause) Looks like none.

11.17.15.02 Policy 6.1.13_Amplification_current_policy (Administrative Affairs and Budget Committee)

10.27.20.01 Proposed Policy 6.1.13 Sound Amplification Mark Up (Administrative Affairs and Budget Committee)

10.27.20.02 Policy 6.1.13_Sound Amplification Clean Copy (Administrative Affairs and Budget Committee)

Senator Kalter: We're going to start with Senator Marx from Administrative Affairs and Budget Committee with the Amplification, which is turning into the Sound Amplification Policy.

Senator Marx, I do recall that there were some questions and comments from two weeks ago. I'm wondering if your committee was able to discuss those and if you made any revisions to the proposed changes based on them?

Senator Marx: No revisions were made in the policy.

Senator Kalter: All right. Oh, but you did discuss the feedback.

Senator Marx: We did not. We did not as a committee discuss the feedback.

Senator Kalter: Are you ready then to put the item on the floor for action?

Motion by Senator Marx, on behalf of the Administrative Affairs and Budget Committee, to approve the changes to the Sound Amplification Policy.

Senator Kalter: The one thing that I would suggest that was accepted as a friendly amendment came from Senator Nikolaou about the contact person and sponsored person. I was wondering if that part got tweaked? I didn't have a chance to look closely at that.

Senator Marx: Yes, I accepted that as a friendly amendment at the last meeting.

Senator Kalter: Okay, wonderful. Alright, so with the motion on the floor, do we have debate about this motion?

Senator Horst: As the lone Music faculty, I'm going to speak against this Amplification policy. One of the main reasons is I find the terminology very confusing. It says it's a general policy on sound control instead of sound amplification, which it was originally. It uses the definition of sound amplification to mean any noise that unreasonably interfered with the enjoyment of life. Then it switches to talking about amplification of sound. Then it says that the amplified sound is prohibited when it disrupts the education activities or businesses. You know, I just don't know how this is applied. Then it says that the use of sound amplification device that produces sound can be heard greater than 100 feet from the device requires approval. So, I'm confused whether we're doing a sound control policy or an amplification policy. That's my first problem is the terminology.

The next thing is the university Legal said that there was an exemption for music instruments and classroom activity, but I still can't find that language. It says that academic programs are given maximum protection from the intrusion of amplified sound, but it doesn't talk about sound coming from academic programs. Then it says amplification of sound by student organizations and university departments or other event activity sponsors must be approved in writing. So, that's like everything that Music does, and a lot of what Theatre does. We do amplified sound. University departments... We do amplified sound all the time in Kemp. We do amplified sound in theaters. And so, I'm really confused by that. It doesn't list Kemp or CPA as being areas that amplified sound can be in. It talks about this amplification policy applying to all indoor spaces and outdoor spaces. So, every time in CPA that we have amplified sound, we would need to get permission. I'm confused by that.

I'm also confused by how like a group can get permission but then they don't have permission, I found that very confusing. And just in general, I just think that the authors of this group didn't think about how academic departments such as Theatre and Music use an amplified sound, and it doesn't talk about what, you know, do we need exemptions from this, And I'm just very concerned because Music is about to lose their building and we're going to go into all kinds of other areas. And every single time I teach a class with amplified sound, you know, am I going to be violating the Amplification policy and somebody will have to shut me down. So, based on all those reasons, I'm speaking against this policy.

Senator Mainieri: I think I would like to put a motion to table this item until the committee has had a chance to review the feedback offered at the last Senate meeting. I feel like several Senators offered feedback, and I guess I'd like the committee to consider the feedback before we're considering action on this item.

Motion by Senator Mainieri, seconded by Senator Nichols, to table the Amplification policy for further committee review. The motion was approved, with abstentions from Garrahy, Marx, Murphy, Nahm, Walsh, and Kalter

09.24.20.01 Library Committee Bluebook page Current Copy (Rules Committee)

11.12.20.01 Proposed Library Committee Bluebook page - MARK UP (Rules Committee)

11.12.20.02 Proposed Library Committee Bluebook page - CLEAN COPY (Rules Committee)

Senator Kalter: The next one actually goes to Senator Horst. And this was the Library Committee Blue Book page, and I believe also, Senator Horst, that you received at least one suggested edit from two weeks ago. Was your committee able to discuss that one, and did you make any revisions?

Senator Horst: Yes, we were. And since I'm a cohost [on the night's Zoom meeting platform], I can share the edits that we made in the committee. And so, let me do that right now. We have deleted, under the Officers, the "Secretary (Secretaries)" and we're going to have the text read, "Secretary: An Associate Dean of the Milner Library rotating annually between the two Associate Deans, if feasible. The secretary will be responsible for recording meeting minutes."

Senator Kalter: All right. And I assume there were no other changes to the policy between then and now.

Senator Horst: No. The other one that I announced, the "3-4," is in the copy that everybody has. So, I'd like to make a motion and put it on the floor of the Library Committee Blue Book charge.

Motion by Senator Horst, on behalf of the Rules Committee, to approve the Library Committee Blue Book charge revisions. The motion was unanimously approved.

11.17.15.03 Policy 6.1.16_FlagsOnCampus_current_policy (Administrative Affairs and Budget Committee)

10.22.20.05 Proposed Policy 6.1.16 Display of Official Flag on Campus_MarkUp (Administrative Affairs and Budget Committee)

10.22.20.04 Policy 6.1.16_DisplayFlagsOnCampus_clean_copy (Administrative Affairs and Budget Committee)

Senator Kalter: All right. We're going to go back to Senator Marx for the Display of Official Flags on Campus policy, or at least that's what it's turning into. We did not receive comment about this last time. So, Senator Marx, would you like to place that motion on the floor?

Motion by Senator Marx, on behalf of the Administrative Affairs and Budget Committee, to approve the changes to the Display of Flags on Campus policy. The motion was unanimously approved.

10.27.20.03 Policy 7.2. Parking (clean copy) (Administrative Affairs and Budget Committee)

10.22.20.07 PROPOSED DELETION Policy 7.2.1 Parking Lots and Spaces (Administrative Affairs and Budget Committee)

10.22.20.08 PROPOSED DELETION Policy 7.2.2 Permits for Parking (Administrative Affairs and Budget Committee)

10.22.20.09 PROPOSED DELETION Policy 7.2.3 Parking Permit Types (Administrative Affairs and Budget Committee)

10.22.20.10 PROPOSED DELETION Policy 7.2.4 Parking Citations (Administrative Affairs and Budget Committee)

10.22.20.11 PROPOSED DELETION Policy 7.2.5 Motor Assistance Program (Administrative Affairs and Budget Committee)

Senator Kalter: Now back to Senator Marx for the astonishingly wonderful cleanup of the Parking policy, 7.2.

Motion by Senator Marx, on behalf of the Administrative Affairs and Budget Committee, to approve the revision and deletions to the parking policies. The motion was unanimously approved.

Information Items:

11.12.20.03 Policy 1.8 Integrity in Research and Scholarly Activities Current Copy (Faculty Affairs Committee)

11.13.20.01 Integrity Policy Section I Mark Up (Faculty Affairs Committee)

11.13.20.02 Integrity policy Section II Mark Up (Faculty Affairs Committee)

11.13.20.03 Integrity policy Section III Mark Up (Faculty Affairs Committee)

11.12.20.04 Policy 1.8 Integrity in Research and Scholarly Activities Clean Copy (Faculty Affairs Committee)

Senator Kalter: Wonderful. We are becoming so efficient with our mics on and off that we should enter the Guinness Book of World Records at this point. We're going to move on to our Information Items. Before handing this over to Senator Hollywood as the committee chair for Faculty Affairs Committee, I just wanted to reiterate the note that came in your packets with this. Because this Integrity policy has been under revision on and off since 2016, the Faculty Affairs Committee decided to complete the review this year in two stages instead of in one stage in order to make progress, and to begin moving the policy through the Senate floor process. So, the first stage, which we are looking at tonight, are the three sections that form, basically, the policy part of the policy. The second stage, which we're hoping will come to the Senate in the spring semester, is the final long section that forms basically the transparently posted procedures portion of the policy. Senator Hollywood is going to basically be asking for our feedback section by section starting with Section I. So, please hold comments for her on Sections II and III until she's ready for you to go to those sections one at a time. And that way we can, if we need to, we can screenshare the markup as necessary.

The other thing I should mention before we go to this is that we have both Craig McLauchlan (who's a Senator) here. He is our Vice President for Research and Graduate Studies to help us with this. And also, Kathy Spence from our Research Compliance office. So, take it away, Senator Hollywood.

Senator Hollywood: Okay, so we have been working on these diligently. Thank you. By the way, Chairperson Kalter. We have been working on these to try and clean up the language, review the policy, and then bring it up to date with new compliance issues. So, there are some issues we know. We have changed some language from scholarly to research and/or where it says research and scholarly, we have been going through and just trying to clean those up and just review the whole policy and clear up the language. So, Section I is the Introduction. And so, we tried to go through and just add in some language that made it more clear about what this policy was supposed to mean. I know I'm not explaining it well, I apologize.

Senator Kalter: All right. I think that's good enough actually, Senator Hollywood. We'll start with Section I and find out if there are any comments, questions or concerns about this section, remembering that this is the Information Stage. So, this is the time to help to polish the policy before it goes to Action.

Senator Mainieri: Actually, I'm just seeing that Cera has put in a comment about the... in paragraph one, in the first sentence, it says, "...in all research, scholar, and creative activity hereinafter referred to as research." And so, I think just throughout the document replacing any other variations with just research I think will help that consistency throughout the whole policy was one thing I noted.

Senator Nikolaou: I think another item that we brought up in Exec was whether the title of the policy needs to change so that it reflects that it is research, scholarly, and creative activity, instead of research and scholarly activities. So, to explicitly state that it is about the creative activity as well.

Senator Hollywood: I did bring up that in our committee meeting tonight, and it is something that we agreed that we would look at.

Senator Stewart: Yeah, this is an extremely minor comment. I just find one of the changed sentences extremely weird. It reads, "It is their responsibility to exercise supervisory duties through examples of fastidious compliance with ethical standards." I'm an ethicist and I do not understand what it is to "exercise a supervisory duty."

Senator Hollywood: Can you lead me to where that is in the which paragraph? Sorry.

Senator Stewart: This is on the second page. The first full sentence on the second page.

Senator Hollywood: Okay, thank you.

Senator Stewart: If anything, I guess I would suggest reversing it. It is their duty to exercise supervisory responsibility. And that's it. That's my comment

Senator Hollywood: Okay, thank you. We will take that under advisement.

Senator Kalter: All right, do we have further comment on this first section. (Pause) Alright. Senator Hollywood, would you like to say anything about Section II.

Senator Hollywood: We were just doing the same thing. So, no, I don't think so.

Senator Kalter: All right, do we have any comments, questions, concerns, observations about Section II? This is the General Provisions, Coverage, Oversight, Research Integrity Officer, the Confidentiality, etc.

Senator Nahm: Yes. So, on item E. Academic Freedom, just to read the current wording “It shall be a prime concern of all persons who implement this policy and these procedures to protect the...” I think that the next word “policy” should be changed to “principles of academic freedom and tenure” and if there are specific policies, maybe to list them at the end. But I think in this case, in the context here, principles of academic freedom and tenure might...

Senator Hollywood: I’m making a note of that to discuss with committee again.

Senator Kalter: Senator Hollywood, that one came up in Exec. I did point out there that we do have specific policies referring to academic freedom, referring to tenure, and things like that. So, we may want to indeed embed those links at that stage.

Senator Nikolaou: I had a question for A. Coverage. Because when it says, “...may include administrators, faculty, university staff,” and then we erased “graduate or undergraduate students,” and this part of the sentence talks about research. And then the second part says, “...and graduate or undergraduate students,” etc, etc, “the alleged misconduct is related to the grant work or employment.” So, does that mean that graduate and undergraduate students, they do not fall under the Integrity policy for research? Because now it says explicitly that it is graduate and undergraduate students, it’s for grants or employment.

Senator Hollywood: Right, the graduate students were actually covered under the SCCR

Senator Kalter: Actually, I’m going to pitch this one to Kathy Spence because graduate students and undergraduate students do fall under this policy under certain circumstances. Ms. Spence, could you kind of go over for us exactly what those circumstances are, and then maybe speak to Senator Nikolaou’s question about that specific sentence.

Ms. Spence: Sure, there was some overlap between this policy and the Student Code of Conduct, and who would have jurisdiction over what. It was decided a couple of years ago now that for things like plagiarism in papers written for a course, that kind of thing would be handled by the SCCR process. So, only for things that are directly related to working on a grant or something that's done in the course of their employment, those things would be covered under this policy rather than going through SCCR.

Senator Nikolaou: A follow up question. So, because you mentioned specifically about coursework, what if I am co-authoring a paper with a graduate student, which is not related with the course, and there is a case of, you know, messing up with the data, wouldn't that case fall under... this specific case fall under this specific policy? Because it's not specific to the course, it is research activity, and it has to do with integrity in research.

Ms. Spence: I believe the intent was for that this would... that would come under this policy because it's research related, not related to a course. So, that might be something the committee considers revising.

Senator Nikolaou: And that was mainly my question, why the graduate and undergraduate students, they were erased from the first part of the sentence that explicitly refer to research. Because that's what I had in mind, not the coursework.

And then one small thing under F. I see that we added the sections for where the Inquiry Team and the Investigation Panel refer, but I think they are Sections IV.C and D for the Inquiry Team, and Sections IV.E and F for the Investigation Panel. So, they are not Sections B.

Senator Hollywood: You're saying that they're in Section IV.

Senator Nikolaou: Yes. So, the Inquiry Team report in Section IV, but it is not B, it is IV.C and D. They report to the Inquiry Team. And then the Investigation Panel, they refer to Sections IV E and F. But that might change because you are working on that.

Senator Hollywood: Yeah right. We're looking at Section IV, and then we are going to be going back to these first three sections to make sure both of them work together.

Senator Nikolaou: Yeah.

Senator Mainieri: I appreciate the clarification on that item regarding graduate and undergraduate students. I might just suggest making that a separate sentence that says, "Graduate and undergraduate students are also included under this policy when it's not related coursework and related to X, Y, or Z," because I hear the explanation and I'm not sure I can pick it out on the wording that it is right now, so.

Senator Kalter: And I guess I kind of want to echo that. As it was coming up here, even though I'm on the committee, I do know of a case from a while back at another university where a doctoral student plagiarized a significant part of a dissertation. And so, graduate students are kind of in that about-to-be-in-the-profession type of, you know, situation, and there are some cases where it seems as though the integrity process may be more relevant, and more significant, and more serious than the student disciplinary process, because that person is beginning to have a reputation in the field. And so, because this process actually involves an outsider to the university there may be some situations there. So, I just wanted to kind of echo Senators Nikolaou and Mainieri about how exactly we word that section so that we don't put too much

under the student code system and not enough under the integrity system. Do we have any further comments about Section II? (Pause) All right, looks like we can move on to Section III, Senator Hollywood.

Senator Hollywood: No comments on this one either. We just cleaned up the language.

Senator Cline: Yes, thank you. I just wanted to make a suggestion in the first paragraph near the end of that sentence. That you say, "...accepted within the scholarly community for proposing, conducting..." I would suggest "reporting and disseminating" because reporting and disseminating in some fields are different. So, I might suggest adding that.

Senator Horst: Yeah, I believe the item G. Misrepresentation Regarding Conflicts of Interest, Financial or Otherwise has been added, and I did a bit of research, and this does fall under the Code of Ethics. It says to avoid conflicts of interest and conflicts of commitment. And it also does show up in policy 7.1.1 Significant Financial Conflicts of Interest. And so, the problem is if somebody is getting charged under this policy and then the conflict of interest policy, there's actually completely different committees that would handle that. So, I was just wondering if you considered that?

Senator Hollywood: Craig, do you want to address that?

Senator McLaughlan: Excellent. That is totally fine. So, 7.1.1, I mean, there is conflict of interest in both 7.1.1 and this policy, and we even discussed this in committee on different uses of the term conflict of interest. Right. When we get to the procedure, we're going to use conflict of interest a little bit differently than explicit scientific conflict of interest or conflict of commitment. In this particular case, we're trying to distinguish between misrepresentation and falsification. But maybe Ms. Spence could elaborate a little bit further, because we did discuss that, and it's in many of the notes from several years ago as well.

Ms. Spence: We did add that. I believe there's, in 7.1.1, there is no provision on what to do if someone misrepresents. So, we're not sure what the mechanisms would be for addressing potential misrepresentation there. That was one of the reasons this was added. And then I'm not sure about the overlap with the Code of Ethics you're describing.

Senator Horst: Susan Kalter: And that would go under AFEGC, right?

Senator Kalter: Yes. So, that's kind of the question, Ms. Spence, is how does the administration distinguish the pathway? When it goes to Academic Freedom, Ethics, and Grievance procedures, or when it goes to the Integrity in Research and Scholarly (and now Creative) Activities procedures? How would that get separated out if, for example, if you only had a conflict of interest issue and as Senator Horst is saying, there is something about conflicts of interest in the Code of Ethics, which would ordinarily take it through the ethics system, but because it's also in

here, it could go through the research and integrity system. So, how would we make those distinctions?

Ms. Spence: I'm not sure in writing how to make that distinction. I know we've had some cases that had... there was a question as to whether it would go through this policy or through the AFEGC. And there were meetings held to determine which policy would prevail and which process would be followed. I'm not sure if we have a way to articulate, you know, exactly every single case that would go one way or the other. But that could be something we look into further as well.

Senator Kalter: And do you happen to recall if those meetings included the chair of the Academic Freedom, Ethics, and Grievance Committee? Or were they more with Legal and with Dr. Catanzaro or with others?

Ms. Spence: I do see that Dr. Catanzaro is on this, he may recall, who was in there. But I know he was in the meeting and Lisa Huson was in the meeting, and I believe the... it may have been John Baur at the time as the AVP for Research. I'm not sure who else was in the meeting.

Senator Kalter: Dr. Catanzaro, did you want to say anything?

Dr. Catanzaro: I think, excuse me, and good evening. I think Ms. Spence got it. I think the thinking was we would sort it through and then whichever committee ended up with it, the chair wouldn't have been, sort of, we don't want to create a conflict of interest for the chair, right, who ended up with it. So, we sorted through where it would go, knowing that it needed to go to one or the other, and then there'd be an outcome. And of course, since I've got the mic, then either of those processes if they were to result in a finding, then that could potentially feed into disciplinary policies. Right. So, that's sort of then the consequence part.

Senator Kalter: Senator Horst, does that help?

Senator Horst: I guess I'm just suggesting that a little bit more language be included, so that the future people will be able to figure out exactly what conflicts of interest are going through this policy, as opposed to the AFEGC and the Code of Ethics violation. So, I'm suggesting that some additional language be included to elaborate as to what you're talking about. That this policy would apply.

Senator Kalter: All right. And it looks like we've got Senator Nikolaou.

Senator Nikolaou: Yes, I had a clarification question for D. Falsification in Research. When, for the "eg," now it is added "selective reporting or omission of conflicting data." So, my question is, what was the rationale for adding the omission of conflicting data? Because is it that I... So, I'm working on a topic, and I have different data sources, for example. But one of these data sources, we know that they did not correctly collect the information. So, there is a better data source that I can use. But it might be that these two data sources, they create conflicting data. So,

based on these additional data, am I going to have to report all data that may be related to my topic? Otherwise, I'm in trouble of being accused of falsification of research?

Senator Hollywood: I believe in, if I remember right, our discussion revolved around omission of conflicting data when that data could disprove what you're trying to say. Am I remembering that right?

Senator Kalter: Ms. Spence, it looks like you have additional information about that one.

Ms. Spence: These definitions are pretty old so I'm not sure exactly what the reason was for adding that. But my impression is that anything that's included in here, you would only be brought up for action if it was something that deliberately misrepresented your research. So, if it was a misrepresentation to not include that, then this could be a cause of action. But someone who maybe has more experience with the reporting of these things might be able to weigh in on that.

Senator Nikolaou: Because, for example, I could interpret it that let's say that I am analyzing data from the US and there is different data from the UK. It might be that the data are conflicting with each other. So, based on what it says over there, where it says, "omission of conflicting data," I would fall under the falsification in research, but it is not really that I have to use the UK data, because that's not the point of the paper. Because you're talking about two different countries. So, the results may be different for these two different countries. So, that's why I don't, you know, "the selective reporting," I understand what it means. But then the "omission of conflicting data" it's, you know, I don't know specifically what you were trying to capture with that. Which would be different that there is a data source, and I am on purpose deleting observations from this data source because they are giving me conflicting results from what I would want to find. But then, these would fall under the publication of data. Which is part A.

Senator Hollywood: Okay.

Senator Nikolaou: So, so that's one thing. And then the other one is, was the intention for the, under Falsification again, adding the names and misrepresentation to be part of the "eg" or are they separate ones?

Senator McLauchlan: That one is specifically separate for the misrepresentation on grants, we're trying to get in compliance.

Senator Nikolaou: Do we need then the same with the names? So, do we need a semicolon before "adding names" and then a semicolon before "misrepresentation?" Because otherwise, it seems that they are part of the "eg." So, "Selective reporting or omission of conflicting data; adding the names of other authors without permission;" and I guess to match the sentence "misrepresenting any information included in grant proposals."

Senator Kalter: And also, I'll just suggest we simply move that one with the “eg” to the bottom of that section so that it's totally clear that that's where that stops.

Senator Hollywood: Okay.

Senator Kalter: That will also help. And it looks like Dr. Catanzaro had something to say about one or the other of those.

Dr. Catanzaro: Thank you. It sounds like the issue, the integrity issue, is suppression of data. Right. So, in Senator Nikolaou's example, he's not suppressing the other data set. He's just not interested in it. Right. But if he's, you know, selectively deleting observations or if he's run five experiments and two of them he's unhappy about, and three of them he's happy about, and he only publishes the three, that's arguably suppression. Is that a word that the committee would consider appropriate for the text?

Senator Kalter: Let me just ask... Sorry, I interrupted Senator Hollywood. Go ahead.

Senator Hollywood: I was going to ask Kathy Spence if that was something we wanted to... If suppression would be a word that we would want to put in there.

Ms. Spence: That makes it more clear than, you know, that you're not excluding it because you're not interested in it. If you're excluding it because it would conflict with what you're trying to say your results are, I think the suppression, that would be an appropriate word, but that would be up to the committee.

Senator Kalter: And so, Ms. Spence, that was not one that came from a specific compliance document.

Ms. Spence: It may have, I will have to check that. But there's always room for some interpretation on the wording of these items from the PHS policy. So, you know, the policy—I'm not sure how much background you want here—but the policy, the PHS policy that we're supposed to follow, as long as we have the spirit of the policy, and all of the required elements, things like changing a word from omission to suppression. I'm sure it would not impact their approval of our policy.

Senator Kalter: Okay. Let me just explain for everybody what Ms. Spence is discussing there. So, there is a Public Health Service law or regulation that we have to follow. But of course, we have a lot more disciplines than just that deal with public health. And so, the trickiness is to try to write a policy for the entire campus but also embed within it issues that have to be in our policy based on that particular regulation. So, that's kind of the dance that the committee is having to do with that. Terrific. Okay. Thank you, Senator Nikolaou, for those. I also saw Senator Cline with her hand up. Senator Cline, did you want to say anything about Section III? (Pause) And if not, if Senator Cline didn't have anything to say about that one, I also saw Senator Seeman with his hand up.

Senator Seeman: Yeah, I just had a question. I was listening to Senator Nikolaou's comment, where you wanting to add that language about suppression, because I've seen selective reporting, I didn't know that was saying the same thing as suppression. That was it.

Senator Kalter: And you're asking Senator Nikolaou or the committee?

Senator Seeman: I guess Nikolaou.

Senator Nikolaou: Well, I could understand this selective reporting, but my question was whether the omission should be in the policy. So, when we mentioned the suppression, you know, it made sense that it's more clear what we mean with suppression of conflicting data, but if it is already captured by the first part (before the other "or") that's also perfectly fine. I'm assuming that's for the committee to determine which makes more sense.

Senator Seeman: Okay, that was it. I think that answers it.

Senator Kalter: Okay, wonderful. And I just want to make sure...I have a feeling Senator Cline had to step away. Senator Cline, did you have anything? (Pause) [When asked again in Faculty Caucus if she has a comment she would like to add: Senator Cline: Oh no, sorry, I had a canine interruption. I just wanted to... if it helped Senator Nikolaou at all to look at the contextualizing words of that sentence. If the amplification was extreme negligence in and also for the purposes of deception. So, it wasn't just that you were omitting, but suppression is fine. I just, I didn't know if the kind of couching language, in terms of intensity and intent made it any easier. But that was it. And my dog's apologies.]

Alright. If not, does anybody else have any comments about Section III? (Pause) All right. Wonderful. That was, I think for the committee relatively painless, right, Senator Hollywood?

Senator McLauchlan: If I may offer while we have everyone. It seems that the common language across policies across the land is to have the language say, "Purposeful omission of conflicting data with the intent to falsify results." Not that I want to plagiarize everyone else's policy, but it's in the top six searches when I searched for the PHS policy.

Senator Kalter: All right. And, Senator Nikolaou, does the inclusion of the word omission there, does that matter to you as long as all of those other modifiers are also in there?

Senator Nikolaou: Well, the addition of the next part, it makes it more clear what we mean with the omission of conflicting data. Because it says that this is the intent of omitting them.

Senator Kalter: Okay. All right. Wonderful. And I'm just going to add one other thing that I almost forgot to say. In the meeting tonight, the Faculty Affairs Committee was talking about how we found a section in the first part of Section IV, we had found a little paragraph or a sentence, actually, that we're going to move up to be with G. Misrepresentation Regarding Conflicts of Interest, Financial or Otherwise. So, that self-edit from the committee will also be

part of the committee's deliberations before we bring it back to the floor. Anything else before we move on to committee reports? (Pause) All right. Wonderful. Thank you so much, Senator Hollywood and also to Kathy Spence, and to Senator McLauchlan.

Academic Affairs Committee: Senator Nikolaou

Senator Nikolaou: The Academic Affairs Committee met this evening. And we continued our discussion for the IDEAS graduation requirement, and we had Dr. Doris Houston join us to provide us some insight, especially for the definitions of each of the terms of the IDEAS: inclusion, diversity, equity and access. And that's what we need to see

Administrative Affairs and Budget Committee: Senator Marx

Senator Marx: Yes, thank you. The committee met this evening. We discuss the survey instruments that are used in our annual survey on the President, looking at the questions that are being asked on the survey. And we also continued our policy review of policies related to administrator evaluation. Thank you.

Faculty Affairs Committee: Senator Hollywood

Senator Hollywood: Tonight in committee, we discussed Section IV of the Integrity document. We basically just got to start on the first page of it, and discovered that we may have to, you know, we're going to have to go back and forth between Sections I, II, III, and IV because we did separate the two issues. So, that took up the bulk of our meeting.

Planning and Finance Committee: Senator Avogo

Senator Avogo: Yeah, in our committee, we are continuing to make progress on our priority for this semester, which is to increase the quality of online course offerings here at ISU. We have emailed questions to a number of stakeholders on campus: the Provost, the VP for Student Success, CTLT, the Dean of Mennonite College of Nursing. And they have all been scheduled to come to the committee to talk to us starting December 2, our next meeting, and in the spring of 2021. But then today what we did is we started to discuss the feedback we have gotten so far from the Provost and the VP for Student Success. And then we talked about the nationwide picture of online learning in order for us to see if we can learn some lessons for the contextual solution here at ISU.

Rules Committee: Senator Horst

Senator Horst: We got through quite a bit in the Rules Committee. We finalized the language for the Library Committee, which we passed. We discussed the Policy 9.7.1 on Mass Electronic Communications. We had a preliminary discussion on the Reinstatement Committee Appendix II Blue Book charge, and also the Academic Planning Committee Blue Book charge.

Communications

Senator Kalter: Alright. Do we have any communications for the Senate? (Pause) Alright, seeing none from you. I will just reiterate what I said at the beginning in Chairperson's Remark as my communication. Have a safe and healthy Thanksgiving week. A safe, healthy, and successful

Success Week. And we will see you all again on Wednesday evening of finals week, unless of course, you have a final exam the next day, in which case we usually, you know, understand that.

Adjournment

Motion by Senator Jones, seconded by Senator Blum, to adjourn. The motion was unanimously approved.