

Indiana University
UNIVERSITY FACULTY COUNCIL

April 25, 2023
1:30 P.M. – 4:30 P.M. (EST)
Tower Ballroom, IUPUI

Members Present: Baer, Mark Christopher; Ben Miled, Zina; Bruzzaniti, Angela; Buckman, Christopher; Carlton, Rebecca; Cohen, Rachael; Cole, Shu Tian; DeSawal, Danielle; Eisenstein, Marie A; Elliott, Rob; Evans, Cindy; Goff, Philip; Herrera, Israel; Jessie, Bernadette Faith; Johnson, Colin; Klein, Andrew; Lammers, Sabine; Lee, Karen; Letsinger, Sally; Marr, Deborah; Marrs, James; Maxcy, Brendan; Mayo, Lindsey; Medina, Monica; Miller, Leslie; Morgan, Gin; Nichols-Boyle, Shawn F.; Polly, P. David; Quenette, Andrea; Reck, Cathrine E; Rybas, Natalia; Schult, Carolyn A; Sciame-Giesecke, Sue; Seibert, Kyle; Shrivastav, Rahul; Simpson, Marietta; Singh, Kashika; Stucky, Thomas; Surma, David R; Wert, Joseph; Whitten, Pamela; Windsor, L. Jack;

Members Absent: Eskew, Kelly; Fowler, Shari Lynn; Keener, Joe King Thorius, Kathleen Ann; Kravitz, Ben; McMillen, Douglas; Pellegrom, Colin William; Polites, Mike; Raymond, Angie; Rozelle, Carol N; Trinidad, Jonathan

Guests:

AGENDA

1. Approval of minutes of December 13, 2022
2. Executive Committee Business (10 minutes); Cate Reck, Joseph Wert, and Philip Goff, Co-chairs of the University Faculty Council
3. Presiding Officer's Report (10 minutes); Pamela Whitten, President of Indiana University
4. Question/Comment Period (10 minutes); Faculty who are not members of the Council may address questions to President Whitten or Co-chairs Reck, Goff, and Wert by emailing ufcoff@iu.edu at least two business days in advance of the meeting.
5. UFC Executive Committee Statement on Academic Freedom and Shared Governance (5 minutes); Cate Reck, Joseph Wert, and Philip Goff, Co-chairs of the University Faculty Council
6. New Policy on Employee Relationships Involving Students (15 minutes); Jennifer Kincaid, University Director of Institutional Equity/ University Sexual Misconduct and Title IX Coordinator/University ADA Coordinator; Lin Zheng, Chair of the Faculty Affairs Committee; [Discussion Item]
7. Questions Comments on Employee Relationships Involving Students (20 minutes)
8. Proposed Amendment to ACA-33, Academic Appointee Responsibilities and Conduct (5 minutes); Alex Tanford, Chair of the Policy Review Committee; [Action Item]
9. Questions/Comments on Proposed Amendment to ACA-33, Academic Appointee Responsibilities and Conduct (10 minutes)
10. Repeal of ACA-10, Review of Administrators, and Approval of New Policy on Review of UA Offices; Accompanying Proposed Amendments to ACA-11, Review Procedures for Core School Deans (20 minutes); Todd Richardson, Vice President and Chief Human Resources Officer; Elizabeth Pear, Manager, Policy and Compliance; Alex Tanford, Chair of the Policy Review Committee; [Action Item]

11. Questions/Comments on Repeal of ACA-10, Review of Administrators, and Approval of New Policy on Review of UA Offices; Accompanying Proposed Amendments to ACA-11, Review Procedures for Core School Deans (20 minutes)
12. Proposed Policy STU-00: Code of Student Rights, Responsibilities, and Conduct (20 minutes); Julie Payne-Kirchmeier, Vice President for Student Success; Alex Tanford, Chair of the Policy Review Committee; [Action Item]
13. Questions/Comments on STU-00: Code of Student Rights, Responsibilities, and Conduct (15 minutes)
14. Proposed Policy on Short-term Military Deployment (15 minutes); John Summerlot, Director, Bloomington and Southern Divisions, IU Emergency Management & Continuity, IU Public Safety; and Adjunct Lecturer in the School of Public Health-Bloomington; Cate Reck, Joseph Wert, and Philip Goff, Co-chairs of the University Faculty Council; [Action Item]
15. Questions on Proposed Policy on Short-term Military Deployment (10 minutes)

TRANSCRIPT

AGENDA ITEM ONE:

WHITTEN: Good afternoon.

ALL: Good afternoon.

WHITTEN: Hello, way down there, you guys are so far away. It's so good to see you. We have a, looks like a pretty busy agenda, so I'm going to get us going, because it's 1:30, right, and we're supposed to start at 1:30. So it's so nice to see everyone in person, and I assume we have some folks that are joining us via Zoom as well, or no?

RECK: No.

WHITTEN: No, everyone's in person that's here? Oh great, okay, because I was going to look for where the camera was for the Zoom. So what a treat as well. So let me officially call the Spring 2023 meeting to order and welcome with everyone. We will start with the approval of the minutes from the December 13th, 2022 meeting. Do we have a motion for approval? Thank you. Do we have a second? Thank you. Any discussion? If there is none, hearing none, all those in favor, please signal by raising your hands. Any opposed? Okay, the minutes are approved. The next item, the next item on the agenda is the Executive Committee business, and so we're going to hear from each UFC co-chair in person. We'll hear of course from Cate Reck from IU Bloomington; Joe Wert from IU Southeast, who represents the regional campuses; and of course, Phil Goff right here from IUPUI. Cate, can we begin with you?

AGENDA ITEM TWO:

RECK: Sure. Thank you very much. So welcome to our last UFC meeting for the 22-23 academic year. We don't have a lot of time because as President Whitten said, we have a full agenda, so I'll try to make this as short as possible. I would like to take this opportunity, though, to thank everybody who's here. You've served on this council, you serve as representatives on all your campuses, and it's necessary for all of us to come together and continue with making progress. It's crucial, at least to me, that we stay connected and discuss and debate university-wide policies and continue to keep open dialogues between the campuses, especially coming into a time period where we are going to be focusing on strategic

planning and there's going to be, you know, hopefully, heightened communications between the campuses. I'd like to thank my partners in crime for the last year. This has been fantastic. Working with my co-chairs Phil Goff and Joe Wert. We've actually had what I would almost call too much fun for it being considered as service, and I'm happy to call them good colleagues and my dear friends. So as the old adage goes, nothing brings people closer together than shared suffering. So, just as a reminder to everyone in summer what will happen is we switch over the UFC co-chairs. So next year, Colin Johnson. Not just about. Thank you. Colin Johnson will be the co-chair from IU Bloomington. Phil Goff is admirably going to continue in his role as the co-chair from IUPUI, and in June, we do not know the regional co-chair individual yet, so we'll keep you in suspense. You know, nothing like a good suspense. So Phil and I would like to show our appreciation for Joe Wert on behalf of the current and past UFC members. So as some of you may not realize, Joe has been serving in his capacity as the regional co-chair, but also as the president of your campus for seven years. So I guess, you know, Tibet is not the only place that people get stuck for seven years. So Phil, do you have something for a good friend?

GOFF: I do. Those of you who don't know, Joe is a professor of political science and his specialization is in the Constitution and presidential elections. So, Joe, we are, Cate and I, want to give you this. It's a newspaper from April of 1865 with Abraham Lincoln's death announced in it from Philadelphia. And we're happy to say that you will have lived through your presidency.

{applause}

RECK: Fantastic. Thank you so much, Phil. Thank you very much, Joe, for your long years of service. We've all reaped the benefits of his long time in this position, and hopefully we're never too far from a text away from being able to get more information from him. So I'd also like to thank the entire UFC Executive Committee and all the other Campus Faculty Presidents. It has been a sincere pleasure getting to know all of you this year, so although I'll not be co-chair, thankfully I'll still be on UFC Exec for the next year and I'll continue to be working with you. And then finally, I would be remiss if I do not thank our Director of Faculty Offices, Lana Spendl, and our new addition, Heather. Where's Heather sitting? Fantastic. Thank you, Heather. Both of these individuals are crucial to making the IU faculty governance and the UFC run. So I'm gonna give you a Cliff Notes version of just kind of the bird's eye view of what we did on the Bloomington campus to give you an idea of what we accomplished. So the BFC Executive Committee has shaped over 20 search committees on our campus. As you know, we've gone through a lot of overturn with the new administration, so a lot of search committees. We have seen the reinstatement of the Student Appointee Academic Affairs Committee. This is to help oversee issues having to do with our SAAs, and this is to bring back this committee to handle student workers on our campus. And concomitantly, we also have a reinstatement of our SAA Mediation Committee. We've had two successful town halls. We've had an open house. We've had a very successful Task Force on Research Reorganization. We have a final report for the Task Force of the Future of General Education that's on hold until we figure out what we're doing with the Strategic Plan, how that fits together and seams together with the Strategic Plan and Gen Ed. We've made improvements to our SAA grievance and the SAA Board of Review through a Task Force on Mediation. In policy, we've made updates to Bloomington Faculty Grievance and Review Procedures to be in line with UFC policies that we passed last spring, actually, I think in this room last April. We've updated the review procedures for administrators on the Bloomington campus. We saw a strategic plan develop, unfold, and come to fruition within that time period. We've made flexible updates to the IUB University Admissions Policy. We've had the official rolling back of the end of semester drop deadlines to pre-Covid policies, so I think we're kind of coming back to a new normal. And we've changed our bylaws and we've changed our constitution. So I think we've done a lot in 10 meetings, especially when you have to have a reading, you know, a discussion item, and then an action item. So I feel pretty positive about the accomplishments that we've made, at least on the Bloomington campus. So it's lovely to witness what's possible when we come together, even though

it's hard, slow, and sometimes frustrating, but always vital work for faculty governance. I want to remind people we can't take faculty governance for granted. All of us, regardless of our campus, school unit, and rank need to continue to be staunch supporters of faculty governance, not just when there's an immediate action needed, but also, and not just when our own narrow interest is at stake, but we need to be constantly vigilant. Our overall success depends on our entire faculty participation, and it falls on each of us to be guardians of faculty governance. That's why you're sitting here. So to embrace the joyous task that we've been given to continually try to improve this great university of ours. Because for all of our differences, we all share the same proud distinction of being part of the IU Bloomington campus, or I should say IU overall campus. Sorry about that. My bad edit. IU as an overall campus. We're all on the same team. So I know it's been an honor of my, you know, my professional career to be the Bloomington Faculty President and I've really enjoyed being co-chair for this year. Phil, take it away.

GOFF: With such a busy agenda, I'll just talk about a few things. It's been a very busy year in Indianapolis. I was elected to this post in May of last year, not knowing that 2-3 months later you'd be in your office learning that the news that IUPUI is going to be realigned. Everybody jumped into action quickly with the Vision 2024, offering feedback to the various task forces and at the same time trying to do a Strategic Plan. I think sometimes, Andy knows, that sometimes it felt like we were juggling both oranges and bananas at the same time. But Strategic Plan especially had a lot of faculty involvement. About 250 some people were involved, and so I want to thank Andy and Kathy Johnson for the way they structured it. There was a lot of faculty involvement in this. It's been a challenging year from the sense, from the IFC particularly, tried to protect our faculty who are moving over to the Purdue administration. There's been some not just perceived, there's been some real mistreatment, and we're still trying to work on that. I know that Pam and Andy are tired of hearing me talk about that because I do it every time, especially in front of the Board of Trustees. And even this, in the past week, there have been some more disappointments where the lecturers were supposed to hear last Friday and they still haven't heard anything and they're being told they won't know until the final agreement is signed and that's a new twist. In any case, we've been trying to monitor that and influence it as best we can. But looking forward, because I think that's what a lot of this year was about, whether we're talking 2024 with the realignment or the Strategic Plan IU in 2030. It's going to be a fun few years. I think it's exciting to try to rethink an entire university, and in a city which is looking for us to remake ourselves and to be more involved in its life. So implementing the final version of the realignment will be a fun challenge. Implementing the Strategic Plan, I think, will be a fun challenge. And also search for permanent Chancellor. I'm sure you're ready for that Andy. But we're looking forward to an important year next year. I'll join Cate in just giving a few words of thanks both to Andy and Pam for, you know, we meet outside this very regularly, and I appreciate that open communication between us. I want to thank everyone, like Cate did, around this table and also in the IFC for their service. You know, this is why I always try to encourage my colleagues in the School of Liberal Arts to get more involved in the service outside just the school. You meet the best people around tables like this, and I appreciate everyone I've gotten to know. The Executive Committee, wise, funny people. I've enjoyed my time with them. And especially the other co-chairs. It's amazing to think that at this meeting a year ago I didn't know either one of you. And now we are on speed dial with each other and up until 10:30 last night debating who was the best actor on the Beverly Hillbillies. So it's been a real joy to work with them.

WHITTEN: Well, who did you guys pick?

GOFF: Granny

WHITTEN: Granny. Good choice. Good.

RECK: Max Baer, Jr.

WHITTEN: Alright, Joe, you get the last word.

WERT: So I want to first thank Cate and Phil for this lovely gift here. I really wasn't expecting that. Thank you so much. Yeah. So I will be stepping down after seven years as co-chair. This has been a distinct honor and a privilege to be serving in this role for these seven years. I really enjoyed this. I can say that whoever takes my place next year, I know all of the potential candidates, and any of them will be, any of them will do a great job. So I want to thank the RFC. Carolyn Schwartz, Andrea Quennette. Gin Morgan, and Mark Baer. They've been, they've been wonderful colleagues and very good to work with. I also want to thank Vice President Sciamme-Giesecke for leading the RFC in this direction, and I wish you all well. And I will be back next year as a UFC member, just not up here in the co-chair. So. That's all.

AGENDA ITEM THREE:

WHITTEN: Great. Thank you. Thank you. And I need to express my thanks as well. First of all, well first of all to Joe, Cate, and Phil. This has been, really, a terrific year. It's been a challenging and hard year, but it's been a terrific year. And made all the better frankly because of the willingness the three of you had to just talk. To share information, to share your perspective. It's always appreciated when you say it like it is because that's exactly what we what we need to hear. And so I'm so grateful for all three of you. How available you made yourself, all made yourselves, on any in all subjects and topics that, at any time. I'm really very grateful. And thank you for your service, Cate and Joe, I know it's no small thing. And Phil and Colin, I'll be looking forward to working with you all next year as well as whoever takes your spot, Joe. So thank you for that, and please don't underestimate the commitment that these folks are making serving in the in the Chair capacity. It's really quite significant, and we're all the better for it. So thanks you guys, very much. Okay. So the next item on the agenda is the Presiding Officer's Report, and that would be me. So I'm going to provide a few brief university updates this afternoon and I will start by kind of continuing on the conversation about IU 2030 Strategic Planning. So earlier in the month at their last meeting, the Board of Trustees endorsed the IU 2030 Comprehensive University-Wide Strategic Plan and then the eight individual plans for each of the universities, campuses, and of course the School of Medicine as well. These metric-driven plans are based on a framework that was released last September and it emphasizes, of course, the three critical pillars for the university, and I'm quite confident everyone in this room could name those three pillars, of course, student success, research and creative discovery, and service to our state and beyond. And so, since last fall, there really has been just tremendous activity and energy around IU 2030. I've been quite amazed. It was a wonderful, wonderful thing to watch on many of our campuses to see just how many people stepped up, faculty, staff, and students stepped up to participate. And what that showed me was a real passionate energy for the future of the individual campuses on which people serve, as well as the institution as a whole. A desire to dream about what we will become and then to participate in determining and identifying those things that we'll do and implement in order to become the university that we want to become. Hundreds and hundreds and hundreds of faculty, students, staff, alums, community partners, and other critical constituencies around the state, of course, worked to adapt the framework to address what is unique about their campus, and then to create strategic plans specific to each campus as well. They served on executive committees, on campuses, working groups, and planning committees, and others gave feedback through online forums and town halls and sometimes just individual comments to various people that are participating. And members of our campus communities have really set some bold and ambitious goals that will position Indiana University to thrive into 2030 and beyond. So to further our mission to champion student success, we will create statewide initiatives to improve postsecondary attainment rates, improve retention and persistence rates, expand philanthropic support for student financial aid, which is so pivotal, and provide in-demand academic programs paired with robust academic and career advising, particularly in sectors and industries where we know there's a growing talent pipeline need as well. To advance our goal of

fostering transformative research and creative activity, we will expand the scope and the global reach of the university's research enterprise with significant growth in external research funding to pursue groundbreaking discovery, the advent of new industries, and awe-inspiring cultural and creative endeavors as well that will better, certainly, our state and our world. And to serve our state more effectively and beyond, we'll pursue a broad range of economic development goals and seek to expand collaboration with civic and business partners within Indiana and globally, and will partner with the state and with healthcare organizations and communities, of course, to improve Hoosier health. So all the campuses have identified tangible goals for themselves with specific metrics that can be measured, and our faculty and our staff and our students and our alums and our community partners are going to get to work on achieving these goals, and they'll continue that work, of course, to 2030 and well beyond that as well. So moving forward, we've established an Executive Leadership Implementation Council. Now that we've done the plan, we've got to get to the to the good work of actually rolling things out. So we have an Implementation Council to lead the overall central implementation, as well as Implementation Project Teams to develop advanced, detailed action plans with timelines and the ability to track progress against measures of success, and then, of course, there are campus-level teams, and they'll build out the action plans for campus implementation and drive all that happens on the campuses. And then, of course, the Office of Institutional Analytics that we have now will be helping to track specific metrics for each campus as they need as well. And so I certainly want to commend Rahul, our Provost in Bloomington; and Andy, our Interim Chancellor at IUPUI; and, of course, Sue Sciame-Giesecke for our regional campuses; and Jay Hess, the Dean of our Medical School, for their leadership in the planning processes on their campuses. Because this this was a campus-driven activity, and I appreciate the leadership on their campuses where the work happened and where the responsibility lies, for really setting the course for the future of each campus. I'm grateful for their leadership and for all the work that that went into it. I want to, of course, thank all the UFC members and others who served on various campus executive committees, planning committees, subcommittees, as well as all the faculty, staff, students, and community partners who gave invaluable input. I have to say, I was at a meeting last night or I was at an event. It wasn't last night, it was last week. It was in Bloomington. It was, and it was with a group of students, random students, and we were meeting and talking about various issues and to my surprise, they started to talk about the Strategic Plan. And I said, it's just not what I would expect students to be randomly talking about. And then I said, well, how many people participated in a committee or some aspect related to the development in Bloomington? And a whole bunch of the students raised their hands. And so I was so impressed, and I know I would see the same thing in Indianapolis and on our other campuses as well. So, so thank you to everyone for that. It's an exciting, it's an exciting time. We certainly have a lot of wonderful things about our university that we will continue, many wonderful things that we will build upon, and then some exciting new things that will be happening on all of our campuses as well. Okay. I'm going to transition for just a few minutes to Vision 2024 planning, which of course is the realignment planned right here on our Indianapolis campus. So as was referenced in the in the comments before, many of the people that were involved in the 2030 strategic planning were also engaged simultaneously in the Vision 2024 planning for the transformation of the Indianapolis campus, and I greatly appreciate the double dipping, but also the kind of simultaneous sense it made to be planning for your future while you're planning what the campus was going to become. And so if we think about it, it was just eight months ago, back in August of '22 that the Indiana University and the Purdue University Board of Trustees on each respective university came together and approved an MOU that outlined our intention to transform IUPUI into separate academic entities in which IU and Purdue would both govern their own universities. And so the plan's gonna allow both of our institutions to play to our respective strengths in the life sciences and engineering, to increase the number of job-ready graduates, to fuel economic growth in the region and state, and to enhance service to the Indianapolis community and beyond. And of course on the IU side of that, we have, we have the wonderful opportunity to continue and build upon the things that are already on our campus, right. So, you know, the humanities and the health sciences and business that's on campus, and art that's on campus and our professional schools such as our law school etcetera, all of course we are ambitious for all of those entities

to thrive as we move into IU Indianapolis, as well as in the new areas for which will grow. And so since then, campus community members have worked tirelessly to create a road map for the transition to IU Indianapolis. And I mean tirelessly. It has been quite a significant lift, and it is not lost on me the incredible brainpower, work, energy, effort that went into this on this campus. There were 10 task forces initially, and these were IU task forces related to the IU side of this transition, created involving more than 125 campus community members. They worked at various operational details of the transition and academic affairs and research and communication, IT systems, HR, finance, facilities, and other areas as well. There's also a working group of Indianapolis business, nonprofit, civic, and internal leaders who provided insight and expertise to complement the work of these task forces. And so they have identified, or I should say are in the work, process of, they are not done yet, of identifying priorities of central Indiana. They're working hard to inventory promising practices from peer or aspirant higher ed institutions in urban areas. And then eventually they'll be generating recommendations to help shape the future of IU Indianapolis and the larger community as well. And then as we've mentioned in in several previous fora, there's planning underway for the science and technology corridor on the Indianapolis campus. That will help create new opportunities for IU students in STEM fields, expanding our focus on informatics and computing and advanced certificates and research programs that meet targeted regional workforce needs, making us a cornerstone partner to the state and to the business community. And then, just at the end of last month, just at the end of March, the 10 task forces submitted templates that encapsulated the issues associated with each of their respective areas of our of alignment. And so now our General Counsel's office, Tony Prather, is working with Purdue's General Counsel, as well as outside counsel, you can never have enough lawyers, I guess, working on things, to discuss the points now to be included in the definitive agreement, and when the definitive agreement is completed, then the members of the Board of Trustees for IU and the members of the Board of Trustees for Purdue will sign it and then it will be official, and that hopefully should be by the end of this semester or early part of the summer as well. And so, of course, I want to thank all the UFC members and other members of the IUPUI community who've contributed to this, this critical work. And of course it continues. Once the definitive agreement is finalized and signed, then next year we actually are still IUPUI as an institution. And then we'll do all the important work of actually transitioning, implementing all the things that will need to happen for the transition to occur effectively, and then we will be IU Indianapolis in the fall of '24. Then you will need new gear at that point. Biennial budget request. So we are of course in the in the final days of the General Assembly working. This is the first place I've lived that did biennial budgets instead of annual budgets. I will say it's much more civil to do it every other year, and by that I mean, thank goodness, you only have to do it every other year as well. And so that's in process now, it's almost done. And, of course, we're going to need resources. We're still dependent upon the state for resources to achieve success both for IU 2030, our overall Strategic Plan for all of Indiana University, as well as Vision 2024, the realignment here in the Indianapolis campus. And so we have made our request for the state for appropriations for the next two years. We have determined funding priorities for legislative support. We have engaged legislators and other policymakers in understanding and supporting of the vision for IU. We've worked really hard over the last couple of months under great leadership from our University Relations, our Government Relations Office that is led by Michael Huber. I spoke, I think, about IU's budget request at the December UFC meeting, but just a quick refresher for anyone who can't remember all the way back to last year in December. We requested no new line items and we asked for an inflationary increase of 2.5% for the existing line items that we have. The capital project request was focused on deferred maintenance for our regional campuses and renovations to laboratories in Bloomington, much needed renovation of the IU School of Nursing infrastructure, and a pretty significant renovation to portions of the Wells Quad and the School of Public Health facilities on the Bloomington campus. Particularly in Bloomington, those who work in Bloomington know it's beautiful, but there's a lot of really old buildings, and often there's very significant investment that has to be made to make sure the buildings are functional and safe. We don't necessarily see a lot of that in significant ways, but man, we have great HVACs in all those all those old buildings as well. We also asked for operating support for IU

Indianapolis in that budget as well. We just have a few more days and then we'll find out, hopefully by the end of this week, the General Assembly will conclude its business and we'll find out. Next month, the Indiana Commission of Higher Ed will issue tuition and fee guidance, so we'll have more information on that. And then in June, the IU trustees will approve tuition and fee rights for the upcoming biennium, as well, so that's still forthcoming. And finally, we are just, depending on what campus you're in on, we are just 10 to 17 days away, I guess, from the start of IU's commencement season, which will kick off with the IU Bloomington graduate commencement ceremony at Simon Skjodt Assembly Hall a week from Friday evening. This year at IU, we will grant 21,199 degrees across our seven campuses. The class of 2023 comes from, no surprise, all 92 counties across the state of Indiana, all 50 states, the District of Columbia and Puerto Rico, and 132 countries worldwide. Twenty-one percent of the members of the graduating class this year are first gen students, 19% are underrepresented students of color, and 9% are international students. And of course, I look forward to celebrating with the members of the graduating class across all over the state of Indiana. I have the great privilege of attending all nine graduations. And I mean that. It's a terrific, terrific week plus just, you know, the happiness, the joy that you get to share and experience with those students and their families is something. I feel sorry for people who don't work in higher education, that don't have the opportunity to, you know, to be able to share, you know, one of the most significant milestones in our lives is earning our college degrees, our graduate degrees, and what a privilege it is for us to get to share in that accomplishment with our students as well, so. That is conclusion of my report. So the next item on the agenda, so I'll keep my mic on, is the question and comment period. And so we have a few minutes allocated on the agenda. I know we have a lot of business, but we have a few minutes allocated on the agenda for any questions for me or for co-chairs or for others in the room as well. We didn't receive any questions from faculty outside the UFC for this meeting, so I'll open the floor to questions from UFC members for the 10 minutes is allocated on the agenda. So is there anyone that would like to pose a question? I think, wait, I'm sorry, we had one over here and then we'll go there.

AGENDA ITEM FOUR:

BAER: I'm wondering, President, if you could talk about the faculty role in executing the Strategic Plan going into next year. You know there the, the process of the creation of the plan over the year on our campus has been really engaged at times and then there was a period of very quick interchange at the end where our faculty maybe got dissociated from that process a little bit. So I'm looking to next year, what do you expect to be happening in terms of the building of the action plan and moving forward?

WHITTEN: Thank you for the question. I'm so, so I know that right now each of our campus leads is in the final stages of defining the process they're going to use on their own campuses for pretty significant participation by various folks and various teams etcetera. And so I can't answer that for each specific campus, but maybe I could ask each campus lead to just take a minute and talk about it. Maybe we could start with you, Rahul.

SHRIVASTAV: Sure. Thank you. President Whitten. In Bloomington will be developing our Implementation Committee. It'll be a mix of faculty, staff, students, and administrators. I don't have an exact size yet, but it's going to be reasonably big because of all the different things we have to do. I'm hoping that committee will draft a timeline, and then we'll have additional working groups for each specific recommendation to do it. So in short, there will be a very significant involvement of the faculty. And while she doesn't know it yet, Cate, I expect you to be leading part of that effort, too.

WHITTEN: Thanks, Cate. Thank you. Thank you, Rahul. Sue, you want to jump in?

SCIAME-GIESECKE: Alright, on the regional campuses, each campus will design its own process of how it wants to move forward. Each campus is just a little bit different. So this summer, the Chancellors, we've already started the conversation of how they can kind of get things lined up so that in August the plans are ready to roll. So each campus will do it a little different, I'm sure.

KLEIN: And very similar here. We're putting together the structure of a process and we'll be conferring with IFC as we go forward. Looking to a timeline, we'll get our Vice Chancellors together early this summer in June with the idea of starting to structure the implementation plan. Then we'll be back in touch with IFC and our Deans to make sure that we can staff the various committees. We have a Deans' Council retreat in August that Phil will attend in his role as IFC president, and the theme of that whole retreat will be the implementation of the Strategic Plan.

WHITTEN: Thank you. I think we had a question over here.

MARRS: Oh, yes, thank you. I would, this is for Phil. I, we referenced, you referenced the transition with the Purdue faculty, I want, and you referenced the lecturers having some bad news. I wonder, because I've heard that there was a meeting with administration that they weren't aware of some of the treatment that was going on from the departments, and I don't know if that, I don't have any details on that, but I wonder if you could give an update on how the transition is going for Purdue faculty?

GOFF: I'm not familiar with the meeting. Sorry. Rob Elliott isn't here. He's a member of UFC. He's President of our Engineering and Technology Senate on this campus, and he probably could fill us in quickly. The tenure track professors all had to apply for membership and departments, and of course these are departments that had already voted on their tenure previously. And so it's I think many of them felt humiliated having to go through the process of putting their folder files back together again and send it back through the same group, and many of them were being turned down for membership in that department, and there is no appeal process. About two dozen of our tenure track faculty have just decided they're not going to do it. They're either going to leave the university or retire rather than go through this. Others are still waiting to hear. They're supposed to hear by May 7th, and the non-tenure track, the lecturers, were waiting to hear. They were supposed to hear a week ago Friday, I believe. And they've heard nothing. So about 10 days ago, they were supposed to hear. They heard that they won't hear anything until the final agreement is struck. So I've got just a lot of people in limbo. I don't, didn't know anything about a meeting of the administration. If that happened and they didn't know what was going on with departments, that would be good news. That maybe things will go smoother, so.

WHITTEN: Are there any other questions?

QUENETTE: President Whitten, at IU East, we might have wanted sustainability to be a more prominent part of the Strategic Plan. So I was wondering if you might talk about the goals for implementing sustainability-related processes and procedures as a part of the system vision.

WHITTEN: Well, we have, so I know there are various things that threaded throughout all the, pretty significantly, related to sustainability, I want to address those, but I am expecting any day now the Climate Action Plan Group that's been working for probably close to a year at least, certainly all this academic year. I think they started last year in pretty significant ways, have met multiple times with all the campuses, had an outside group come in to bring in some data for them, have been working on a recommendation report that is supposed to be submitted by the end of this academic year. I haven't seen it yet, but I'm very hopeful that it's gonna be quite significant and very longitudinal in nature so that we'll be able to begin to address some of the significant issues more formally and measure as we go along. Thank you. Well, to keep us on track, um, unless someone has a burning question, I'm going to keep moving. The

next item on the agenda is a statement from the UFC Executive Committee on Academic Freedom and Shared Governance. Please note that this is an action item and we'll vote on it at the end of the discussion, so I will return the floor to our UFC co-chairs to present the statement.

AGENDA ITEM FIVE:

WERT: Okay, so this is the Statement on Academic Freedom and Shared Governance. Oh, there. I'll just read it through it. I'll read through it very quickly. Higher education in the United States is admired throughout the world for its pursuit of education and research as mutually reinforcing missions, and for its unflagging commitment to academic freedom and shared governance as bedrock principles of university operations. Indiana University has a proud tradition of academic freedom and shared governance at both the campus and university levels, exemplified by the university's nurturing of excellent pathbreaking research and the free expression of a wide diversity of academic opinion, despite the popularity or unpopularity of the subjects explored or the views expressed. On rare occasions, these commitments become a cause célèbre, and the university's commitments are tested against external challenges to its integrity and autonomy. On a day-to-day basis, these commitments are manifested by following the policies and practices concerning academic freedom and shared governance that have been adopted and regularly confirmed by the university faculty, board of trustees, and university administration. The University Faculty Council reaffirms its commitment to academic freedom and shared governance, and it calls upon the administrative leadership of the university to continue to follow the letter and spirit of IU's well-established policies and practices. So that's the resolution.

WHITTEN: Thank you. I believe we have an opportunity for any discussion. If there's anyone that wishes to comment. So we have a motion, I believe, which comes from a standing committee and does not require a second for the UFC to adopt the Executive Committee Statement on Academic Freedom and Shared Governance. So those in favor of the initial motion, could you please signify by raising your hands? Thank you. Any opposed? Thank you. The motion passes. Thank you. Next on the agenda is the discussion of a proposed new policy on employee relationships involving students. This is a discussion item. There will not be a vote taken today. So to present the proposed policy, I'll turn the floor to Jenny Kincaid, University Director of Institutional Equity, University Sexual Misconduct and Title 9 Coordinator/University ADA Coordinator. That might be the longest title at the university. And Lin Zheng, Chair of the Faculty Affairs Committee.

AGENDA ITEM SIX:

ZHENG: President Whitten, UFC co-chairs, and everyone here, thank you very much for the opportunity to present and share our work on this new proposed policy on employees relationships involving students. My name is Lin Zheng, an Indianapolis faculty and currently the Chair of Faculty Affairs Committee, and Jenny is the University Director of Institutional Equity, so we'll be co-presenting on this policy representing the collaborations between faculties and staff here. So, Jenny will start with the historical background of this policy related to other policies and she will continue on explaining changes proposed in the new policy and bring to you some considerations. Then I'll pick up the rest of presentation about the concerns I heard from faculty. So, Jenny, do you want to start?

KINCAID: Great. And I'll go pretty quickly to leave time for Lin and any discussion. So as some of you know, in 2020 and 2021, there was a UFC task force that met and then completed a report on a recommendation to revise the Policy on Consensual Relationships that are included in ACA-33, and that report recommended changes ACA-33, some of which were approved then in March 2021. That policy then was updated this past year, along with ACA-16, which is the part that covers Student Academic Appointees. The report in 2021 also recommended further work on a separate policy covering this area.

So this year the UFC co-chairs, with the support of campus academic leadership, requested a second committee work on drafting a separate policy. So they're the members of our committee, and it was very enjoyable group to meet with. We met weekly over a couple months this spring and just appreciated everybody's efforts and work on this. So this is the language that is currently in ACA-33 about this, consensual relations with students. Unless properly disclosed and managed, it's a violation if an academic appointee engages in an amorous or sexual relationship with a student for whom they have professional responsibility, and then even when both parties have consented or appear to have consented to the relationship. And the policy establishes that those disclosures must be to the principal administrator of the appointee's unit. So some of the key proposed changes in this draft policy, very similar language here, a little bit expanded into other assigned one-on-one roles. But again, you'll note that we took out the term "consensual" because the emphasis really is on the status of the student and the employee, and not whether they have consented to the relationship. The draft policy adds a similar provision for staff when they have responsibility for administering any aspect of the student's educational process, and that would be an areas of advising, coaching, counseling, approving accommodations, financial aid, international affairs, housing, enrollment decisions, or any career decisions. The draft policy also adds a section on attempts to initiate a prohibited relationship and that covers any inappropriately intimate behaviors or actions by an employee that attempt to initiate an amorous or sexual relationship with a student over whom they have professional responsibility. Um, and we ended up not using examples here, but rather factors to be considered because of the great variation that we have in age and discipline and settings that employees and students work together. The draft policy includes procedures for self-disclosure and management plans, procedures for responding to complaints. And reports could be made by a school or department, the parties involved, or third parties. It would establish investigations by Offices of Institutional Equity, and decisions and sanctions by Vice Provosts, Vice Chancellors for Academic Affairs, and then findings, appeals and Faculty Board of Review procedures, all of which would track UA O3, the Sexual Misconduct Policy. The draft policy also references how it would interact with investigation of sexual harassment. Here's the definition of the two types of sexual harassment that that policy covers, both quid pro quo and offensive behavior. Both of those, the key thing is unwelcome behavior of a sexual nature. So here are a few of the things that we considered as a group. We considered that the 2021 Task Force recommended including inappropriately intimate relationships. That language was struck at that March meeting, but what we ended up with was inappropriately intimate behaviors rather than the relationship. We currently have a gap in addressing non-overtly sexual but inappropriate behavior targeting students. That's something that we often struggle to cover in our administration of the policy. Relationships between staff and students are not covered elsewhere in university policies, and we also talked about graduate students that especially in 2021, the Bloomington Graduate Professional Student Resolution came out on sexual harassment. That was in the wake of some cases that were there, and they talked about a safer academic experience. I think with this policy and draft, hopefully, too, we could get more student feedback over the coming months. We talked a lot about privacy of those involved. That's such a big emphasis in our office. And I think one thing that I think would be good about this, that the reports would go to an office with trained investigators. There wouldn't be an investigation at school or department level. If there is an investigation report, many of ours do not go forward past initial assessment. Those reports would stay within Institutional Equity, HR, Academic Affairs, not at the school. Then there would be consistent, clear expectations for those involved in the process if we track on the UA-03 policy. We looked at other peer universities. Six universities in the Big 10 have outright prohibition on relationships with undergraduates. The Task Force conducted quite an extensive survey of more than 1000 faculty and students a few years ago. The majority favored a rigorous reporting rather than an outright ban. And then also we use multiple factors to consider in evaluating inappropriate behavior. Our intent is, was to avoid heteronormative structures, as well as recognize different disciplinary settings that students and faculty and staff may interact. So with that, I'll turn it over to Lin.

ZHENG: Thank you, Jenny. So after the working groups work was done on this proposed policy, I shared the draft policy with the Faculty Affairs Committee. I received strong feedback and serious concerns about the focus and the language in the proposed policy. So this slide here lists six of the major concerns here raised by faculty representatives on the FAC. So the first one here is about whether we need a standalone policy or should the policy, the language remain ACA-33 or ACA-16 here. As you can see that the Task Force recommended to change the revised language to ACA-33 so that a new section on, in ACA, I mean the section in ACA-33 was revised and has languages for procedures and other things here. The current proposed policy does not change substantially on what's currently in ACA-33. In most cases it provides more detailed languages and clarification. So there is always question from faculty that do we need standalone policy to address faculty student relationships? Well, we can simply keep the current language or having another round of revision to ACA-33. So that's the first issue here, first concern here from the faculty. The second one is, you know, on some units on campus at IU they really wanted a standalone policy, and when we when we draft a separate policy here, do we apply the policy to include all university employees? Currently we have this consensual relationships covered in ACA-33 for faculty academic appointees and in ACA-16 for Student Academic Appointees, but we do not have a policy addressing similar relationships for staff, and except for nepotism and conflict of interest here, mainly because we have different reporting lines for faculty and staff and you can see earlier on, Jenny mentioned that when we talk about management plan self-reporting, we have staff going the HR line and faculty going through their academic unit heads. So traditionally we do not have a single policy for faculty, staff, you know, academic appointees on the same topic except for, UCA, UA-03 for sexual misconduct. So as the working group here saw on the proposed policy, one suggestions here is to take the proposed policy but strip out all the languages related to faculty and simply adopt, approve, and implement it for staff only. So that's one suggestions here regarding whether it's for faculty only or will we expand it to all faculty and staff employees? And earlier Jenny talked about there are many relationships, you know, covered, and many relationships we considered as a group on this single one proposed policy. The both, the staff, the task force report and ACA-33 and they explicitly talk about consensual relationship, amorous or sexual relationship. However, the proposed policy here, the title is broader. It talks about employee relationships involving students, and when I was reading the title, it immediately reflected to me this is regarding both professional and personal relationships. So the, it's like the policy is trying to, you know, address everything, every relationship that faculty want, you know, to have found with students. Some faculty feel strongly that the language here is broader, so the language immediately turns off people, because this is not following the original focus of the task force and ACA-33, both mentioning consensual relationships only. So that's a third one here and the next one is regarding grooming behavior while other attempts to initiate inappropriate relationship, and Jenny brought these, you know, this language earlier so this is addressed in section B3, attempts to initiate a prohibited relationship. And two years ago at UFC meeting that the intimate relationship was struck out because of, you know, this is a very vague definition of subject to different interpretations, hard to implement, so that's why the intimate relationship or behavior was struck out in ACA-33. And faculty feel like this, the nature of this proposed policy is to, you know, for the self-reporting and management of consensual relationship, and the attempts and grooming relationship is not the focus or aligned with the nature of this policy. So faculty wondered, do we need to insert this language at all in this proposed policy? And this is regarding the, um, this section here, B3. So let me, yeah, let me go back here. So it's regarding whether there should be a place for grooming behavior in this policy at all. And number five is regarding the procedure for OIE, Jenny's office, to investigate consensual relationship might be coerced or exploitative. I think generally talk about this earlier. The last one is again related to Jenny's earlier consideration of do we treat all consensual relationships together or do we separate them into classes such as do we, you know, need to outright ban on all relationships with them, with undergraduate students, and I concur with our group and Jenny's earlier comments that majority of the survey respondents expressed, you know, a strong preference of, you know, reporting management rather than an outright ban. So this is just summarizing what we have on, you know, our

work here on this policy and faculty concerns. And thank you very much, and thank you everyone on the Drafting Committee.

AGENDA ITEM SEVEN:

WHITTEN: Thank you. We've allocated some time now to open the floor if anyone has questions of our presenters or an opinion that they'd like to reflect. Start over here and then I think Joe, then your next.

MARRS: We had some discussion in the Executive Committee that we'd like to, I think there was a general consensus, that we'd like to strengthen this as much as possible to make it protect those who are vulnerable to the greatest extent. And there's some concern about language that I think we need to make sure that it's all right and that it covers the things that we hope to cover and not, you know overlook anything but to address these grooming issues with very positive, positively expressed. There's certain disciplines where one-on-one interactions are the norm, and that's concerning to just leave that out. So I think really the, I understand the motivation that you want, you don't want to outlaw, you know, forbid all completely because there's sometimes where married couples or whatever happens that where they're in a situation and they'll need to disclose and they'll need to have it managed, but beyond those types of situations, I think we need to be very strong.

WHITTEN: Thank you. Joe, did you have your hand up?

WERT: Yes, I would like to echo those comments. I think particularly at the undergraduate level, we need stronger language, and I would much rather see just a complete ban on relationships with undergraduate students. And you know, I understand that sometimes, you know, two people who are a faculty member may be in a relationship with someone, and that person may become a student later on, but you could deal with those with exceptions and reporting and things like that. I would like to see an outright ban on these relationships.

COLE: We were at the Faculty Affairs Committee at Bloomington. We also have some discussion. I think we echoed the sentiments that's just expressed previously and some committee members who are suggesting, especially for undergraduate student relationship with faculty, with faculty and staff, there should be an outright ban.

JOHNSON: I'm, I teach in the department of gender studies. I teach feminist theory, and I'm fairly attuned to the kinds of considerations that I think are being addressed here. I do know, however, that there are a lot of logical inconsistencies that tend to enter into these conversations when I think principled articulations around concern for power dynamics enter the frame. So as I have mentioned to a couple of other people, I actually applaud the committee very much for its thoughtfulness in kind of weighing and considering the implications, the drafting committee, of the language that's being used. But I would certainly want if we were to go down that route, for somebody to explain to me how a university can simultaneously mandate an outright ban of relationships between, you know, anybody and undergraduates and at the same time publicly recognize and essentially subsidize those relationships in the form of undergraduate tuition benefits. So I actually think this is one of, the currently the university affords spouses, for example, of students subsidies in the form of tuition benefits. To say on the one hand, those relationships are formally banned as a matter of principle and at the same time create a structure where if you were to avail yourself of the opportunity to use a spousal tuition benefit so that somebody that you were married to, for example, could pursue an undergraduate education, you would technically be in violation of the spirit of that policy strikes me as just bad unobvious policymaking. So I would want to see that addressed.

AGENDA ITEM EIGHT:

WHITTEN: Do we have anyone else that would like to ask a question, make a statement? Okay, seeing none, we will move on to the next item on the agenda. Thank you very much for your presentation. We appreciate your, the time and thought you put into that. Okay, so the next item is a motion to amend ACA-33, which covers academic appointee responsibilities and conduct, and the motion comes from a standing committee, so it's not going to require a second, and please note that this is an action item and we will be voting on it at the end of the discussion. So the UFC Policy Review Committee Chair, Alex Tanford, joins us today. Alex.

TANFORD: Thank you. This is probably the least surprising development to come before this group. This is a proposal from the Policy Review Committee to amend the ACA-33, the section on instructional responsibilities, which has about 12 provisions on the general responsibilities of an instructor, to place responsibility on the instructor to make clear the extent to which artificial intelligence and other outside assistance may be used and cannot in conjunction with their class. Just for those not familiar with the Policy Review Committee, we're standing committee of the UFC. Two people from Bloomington, two, and unfortunately Danielle DeSawal just got elected the next President of the Faculty Council, so you might be looking for another committee member. She'll have nothing else to do. And there are two from the regionals, two from each of the core campuses, and ex officio, floating in and out, the representative from the Academic Affairs Offices on both the core campuses and from the regional campuses, the Bill McKinney University Policy Office and Faculty Council Office. Here's what the proposal does. Notice, it does not particularly single out, it does not do two things. One, it does not ban students from using artificial intelligence. As soon as we floated that, I got an angry, a bunch of angry calls, from informatics, from art, from music, from all sorts of departments, from the medical school, saying are you serious about this? Like, our students use this stuff all the time. It's like a consensual relationship with your computer, it needs to be disclosed and managed, and that's what we are doing. And it does, the second thing it does not do, it does not single out artificial intelligence because we are reliably informed by our colleagues in UITS that various forms of artificial intelligence have been around forever. There will continue to be new things developed. They are all sorts of sources that students can use. But as you can see, the existing language, which talked about study aids or assistance from tutors, is a bit out of date and old-fashioned, so this is the new language that we are proposing to explain to students which outside resources may be used and it is designed to parallel a provision in the new Student Code which will be presented to you later today, and we would try to make these two parallel the Student Code. Distinguishes, it creates a, basically from the students that we, and Student Affairs and Student Life staff on campuses, say students are confused when they can and can't use this stuff, particularly outside of the exam/term paper context. Can they get, can they hire a tutor to help them through a math class when they're struggling? All sorts of questions like that, that weren't really answered in our current policy, either in the Student Code or there. So the Student Code now says, creates two presumptions. On exams, term papers, and graded assignments, external assistance is presumed unauthorized unless the instructor says you can use it. On all other kinds of academic-related activities that are not graded, class preparation, you can form study groups, you know, get whatever the modern equivalent is of Cliffs Notes which we used when I, you know, back in the dark ages when I went to college. The presumption is that you may use external assistance in ordinary academic work unless the instructor or syllabus prohibits their use. That then by definition places the responsibility on the instructor, which is the one we're bringing to you today, to clearly explain to students which outside resources may be used or may not be used on exams, assignments, curricular, or other academic related activities. And that is our proposal.

AGENDA ITEM NINE:

WHITTEN: Thank you. This is an action item, so I'll open the floor for discussion. Okay, if there is no desire for discussion, we need to vote on the initial motion. So all those in favor of amending ACA-33, Part C Section 5, Subsection E, please raise your hands. Thank you. Any opposed? Okay, the amendment passes. Thank you. Okay. Next up is a proposed new policy on reviews of university administrators that comes from IU's Human Resources Office. This would necessitate the repeal of ACA-10 and require amending ACA-11, the Review Procedures for Core School Deans. So please note that this is an action item and we are going to vote on it at the end of discussion. So I call on Todd Richardson, IU's Vice President of Human Resources; Elizabeth Pear, Manager of Policy and Compliance for IU Human Resources; and Alex Tanford to present these proposed changes.

AGENDA ITEM TEN:

TANFORD: Thank you. I want to say this has been a wonderful collaboration that we have, that we have worked on, on this policy and I am envious, if nothing else on the ability to produce PowerPoint slides that look like that. You saw mine just recently. They're blank white pieces of paper with writing on them. The Constitution of the IU Faculty has two different provisions related to the Review of Administrative Officers. Section 22-M gives legislative authority, primary legislative authority, to the faculty, the UFC, for standards and procedures for the review of academic officers. It doesn't define what an academic officer is. Section 23, Section 2.3 gives consultative authority to the faculty for administrative officers affecting the academic mission, offices, and the review of administrators filling those offices. With some discussion involving University Council, we decided this falls under the second of these two provisions. We are, this one talks about the 11 university administrative offices headed by Vice Presidents whose missions include a wide variety of in-university functions, including some that affect the academic admission mission and some that does not. The, this policy does not cover the four senior academic Vice Presidents, that is the Provost of IUB, the Chancellor of IUPUI, the Vice President for Regional Campuses, and the Executive Vice President for Clinical Affairs. We will get into those unless we're all fired, we'll get into those next year. There is one friendly amendment which I think has worked its way into these slides. As a Parliamentarian, I can tell you there is no such thing as a friendly amendment, that they are all hostile, but this one got to us before we made we are making this motion for approval so we are able in agreement to include one provision concerning the final report, if it involves academics also going to the co-chairs as well as the President, we are presenting that as part of the motion. So with that, I turn it over to Vice President Richardson.

RICHARDSON: Thank you, Alex. President Whitten, thank you for the opportunity to chat about an important topic. There we go. It's not nearly as exciting as consensual relationships or ChatGPT, but important, nonetheless. As Alex mentioned, I am appreciative of UFC chairs, the Exec Committee, Alex and the Policy Review Committee, and Elizabeth to my left in partnering on the review and then drafting of a new policy here that we're presenting. In our limited time today, we'll hit just the background on the policy, the review of our goals in creating the new policy, and then provide an overview of the policy itself, and there'll be some time at the end for Q&A, comments, questions, concerns. As we embarked on this journey, we went back about four administrations and at that point we stopped looking for any examples of administrative reviews that had been completed. When we found none, that was a pretty good indication that our current approach and policy was not working, so this provided the opportunity to partner with the UFC to come up with something that was more workable, and in this policy have created something that's actionable on an ongoing basis. We had a few specific goals in mind. They're pretty simple, as we created or crafted this policy. Again, they were clear. We wanted to accomplish the following. The first was establish a tool to assess UA offices and their support of each of the campuses. The second was to establish a concise, credible, consistently applicable and replicable process where every UA office would be reviewed every five years, with two or three offices reviewed in each year. The best policies and practices in general are those that are executed consistently in result and clear outcomes

and that was what we attempted to do with this. To summarize all of it, we wanted to drive accountability and UA unit growth and do so in a way that was consistently done year in and year out. As Alex mentioned, the policy itself includes 11 administrative offices, those that are listed here reporting directly to the President. Each committee will be comprised of seven to 10 different members, representative of all the different constituencies, yet nimble enough to be able to navigate the process in a timely fashion. I'll work left to right here. The committee chair is one of the unique elements of this process in that we'll be using an outside firm. This outside chair will provide experts, fresh and unbiased perspectives, and also help with just the administrative convening of the committee and keeping the process on track and to ensure that a consistent deliverable is provided. From a faculty membership perspective, every review committee will have a minimum of one faculty member. The faculty will be selected from a list supplied by the UFC Exec Committee, consistent with the faculty selection process for other committees. International Affairs, Research, Student Success will be made up predominantly of faculty, since they have considerable impact on the academic mission. Each oh, I should have gone back. That's the red button. Each committee will also have one outside expert in the functional area. So, for example, in my area with HR, there will be a CHRO from a university associated with the committee as well to bring in those perspectives. Various components would include five different pieces. The first part, and really what kicks off the process, is a self-report completed by the unit. This will be completed the month before actual kickoff with, it will include a concise overview of the unit being reviewed, will address things like strategic vision, success metrics, various policies and procedures associated with the unit, DEI initiatives underway, fiscal responsibility, and overall compliance with university policy, state, and federal laws. That is all done before the process officially kicks off. The remainder of the process will take three months in total. The second component of that will be surveys where primary stakeholders will all be surveyed around the actions of the office. Questions will generally be around the quality of service that's being offered, ease of interacting with the office, and the trust that the constituents have in it. Surveys will generally be the same from unit to unit to be able to compare and contrast accordingly. And we were very specific in the policy to call out the IU Center for Survey Research to be at the disposal For use in conducting those surveys. Next area will be the focus group portion. Targeted, structured, small focus groups with members of the offices. Primary constituents will be included in that. This will ensure input from all of the campuses. Next piece will be the committee assessment. Each committee will be responsible for completing an assessment of the same areas covered in the self-report. Again, all of these components will be completed in a three-month period, which will allow us to do one to two each semester. And then the last piece, and the most important if you will in terms of summarizing, will be the final report, and this will be a final report presented to the President summarizing the finding of the surveys, the focus groups, and the overall committee assessment. The report will highlight both key strengths as well as opportunities for improvement and any recommendation for future initiatives of the office. A summary of the high-level observations and recommendations will be shared with key stakeholders and the university community. As Alex mentioned, there is a friendly amendment. The UFC Exec Committee had asked for an addition to this section of the policy. It's a good addition, presented here as a friendly amendment. As you will see, the new language is offered in red. In conclusion, I'm really looking forward to the significant impact this will have on operations. Again, not having a history over four administrations of administrative reviews isn't the best way to hold accountability. This is a great step in that direction. I'm appreciative of the UFC co-chairs, the policy review committee and Alex's leadership, and the HR team and putting forward a meaningful tool. I want to thank each of you for your attention today and any questions you may have for Alex or myself. Alex.

TANFORD: I just want. I just want to add one thing in the quick summary. A lot of these offices contain within them subunits. And the subunit, so you can say, for example, the Office of Policy Administration is within the Office of the Vice President and General Counsel. The assumption is, built into this process, that in the review of the UA office, that is the whole, the unit headed by the Vice President, that this group

will also cover within it a review of the individual subunits and their leadership within those units. They're not, because, they're not separate reviews, but they're supposed to be covered. Thank you.

AGENDA ITEM ELEVEN:

WHITTEN: Okay. The floor is open for discussion. Thank you.

STUCKY: Hi. Excuse me, Tom Stucky. Could we go back to the slide at the friendly amendment? I had. I think it's probably easiest to see that. So, I'm confused on two points. One is, as I read the list of offices, I don't know of any of them don't have a significant effect on the academic mission of the university. So I'm, I'd like maybe a little more clarification on that. And then one is related to the final report being shared. Does this build in the potential for a perception of, an unnecessary perception of, lack of transparency because you're looking at only particular reports being shared with the co-chairs versus all of them. I mean, if the if the process is transparent, which it sounds like it is, then beneficial, the beneficial elements of sharing that information presumably would be true across the board. So, just a question, or, I don't know, a suggestion.

RICHARDSON: Yeah, No. I guess I would defer a little bit to Policy Committee and the UFC chairs for the amendment that was in placed forward, maybe, and the thinking associated with that.

TANFORD: Again, I think the, this suggestion came from Phil, and he may expand on this. The idea, there are two things behind this. One is that the UFC does not have sole legislative authority over the process. This is a, we have consultative authority and this is to reflect that notion of consultation. And it was also assuming that there may be parts, for an office like University Councils Office. I'm only picking on them because I'm a lawyer and probably know what they do better than other university administrative offices. The, in the in a full review of their office, of that office, for example, there may be very well things in it about legal matters involving the university that they're working on. Those go to the President, but don't necessarily go to the co-chairs that we, I personally thought, that there should be some discretion on the part of the President to decide how much of a report should, in good, shared governance, be shared with the co-chairs and how much really is between the President and the Trustees and should not be shared. So I think this was a kind of a compromise.

RICHARDSON: It also should go without saying that there is a likelihood that there will be personnel information associated with these reports in some way, shape, or form and we want to use discretion and compassion in engaging with those subjects. I saw one red light go on.

GOFF: Tom's at IUPUI, like I am, and for the longest time we've had a very successful system here of reviewing administrators, but it's really a team effort between IFC and the Chancellor's Office. And Andy and I go and give the charge to the committee, and then the committee does its work, and it comes back. The report comes to Andy and me, and then he would redact it. And for just, summarize it for common consumption. I think that's a good way. So that, you know, the highest elected officials among faculty get to see. Frankly, you know, I got to thinking about it. Do I really want to see the ones about buildings or something like that? And ultimately I think it's the three where faculty have more substantial membership of the committee, those are the three that go to the academic mission. Now I get your point. I mean, why not all of them? But it, I sort of thought that this was a good compromise at the end of the day.

PEAR: I think it would be fair to amend the friendly amendment. I know, Alex, it's okay, but if we wanted to say instead of the significant effect on the academic mission, call out the three.

TANFORD: I think so.

PEAR: I think that that's okay. That would make a lot of sense to clarify this going forward.

SCHULT: Well, that takes care of one of my points. Thank you. The other one is the word “should,” and just as a policy thing I'm thinking should is not a very good word to use in policy, so I would like to see it changed to “will.” The President will share the final report for those three committees.

TANFORD: Again, the, in the four years or five years that I've spent as chair of the Policy Review Committee, I think the most discussion we've had is over the choice of shall versus should. Were this a policy in which the UFC had legislative authority, I would agree with you. But because we have only consultative authority, I guess it would depend, I don't think we unilaterally have the power to amend it without the consent of the administration, but that's my view on the scope of our authority on this.

PEAR: Just one more thing that we've talked about, but I don't think we, well we haven't mentioned today, is that we're going to have to do a couple of these. We're going to have to do a year or a few of these, and probably come back. I'm afraid you'll probably see the three of us again this time next year for us to talk about what worked and didn't. And then, you know, that might be the time for, hey, this “should” is not strong enough, we need a “will.” But I think for now, we're all kind of approaching this as though we need to try these and figure out what works and what doesn't. And this is where we'd like to start.

RICHARDSON: I should mention as we were doing our just due diligence on Okay, what's best practice out there, we could find no best practices. So, good news, bad news going back four administrations and beyond, we didn't have any examples. As we talked to peer institutions, they, too, did not have examples. So, again, we're trying something fairly novel here, and I don't want to treat it as a pilot necessarily, but there are going to be lots of learnings in these first two groups. We'll see who gets the short stick of having to have their review either first or second, because there will be some stuttering that occurs and some learnings that will happen. And Elizabeth's point, we'll be back here with some nips and tucks and some fine tunings that are gonna need to happen.

WHITTEN: Any other comments or questions, Well, I want to, I want to thank you all for doing this frankly in such a timely fashion so that we're able to roll out next year doing this and, you know, remind all of us that, though I believe, was there a policy in place before, it was just never administered for decades?

PEAR: There, there is a current policy that's actually going to be rescinded here, hopefully in a minute ...

WHITTEN: I understand.

PEAR: ... not focused not on all 11 offices, it was more limited.

WHITTEN: I understand.

PEAR: Focused on leaders, people rather than offices.

WHITTEN: Than function. Yeah. And I make that point also to make the point to remind us all why we're doing this. And you know, the bottom line is, I was, you know, very happy when this came to my attention because it also brought to my attention that it had not happened in in decades at the university and you know this, this is about offices that are in play to make sure that students and faculty and staff are able to excel at their jobs and be successful in their jobs. And so the intent of this is to go to these various offices, these various functions, and make sure they're operating in a way so that you're all able to be

successful in what you were brought to the university to do. And so that's the intent and that's what we'll be looking for. And the things that we find that are hindering or hampering your ability to do that in some way or you know could just be done better, this will give us the opportunity to fix and adjust them to the extent that we can because we do live in a world with limited resources as well. But the intent again is to help us all be better and these are offices that exist to serve all of you in your capacity and your role in Indiana University. So again, I want to thank you for the hard work because I know you guys worked hard to get it done this year for us and I appreciate it as well. So, if we are done with discussion and it appears that there's no further discussion, we need to vote on this amendment. So, all of those in favor of the amendment to the new policy, please signify by raising your hands. Thank you. All opposed? Okay, it appears the amendment passes. Um, so it looks like we're ready to vote in the initial motion as amended. So all of those in favor of the initial motion as amended to rescind ACA-10, which I take it is the old policy and replace it with the new proposed policy for administrator view, please signify by raising your hands. Thank you. Any opposed? Great. The motion passes. So we need to vote as well on the proposed amendment to ACA-11 for Core School Deans.

TANFORD: This one is within the legislative jurisdiction of the faculty, and this is another one of those policies not only has it, far as I know not been used, you can see when you get to that, these who it says we are supposed to review [unclear]: School of Education, School of Journalism (remember that?), School of Library and Information Science? Those don't exist anymore as core schools. It's not even clear what the exact definition of a core school is with, in consultation with the sort of administration. It seems clear that that being that we have five schools that have significant operations on more than one campus, and they are Informatics, Business, SPEA, Nursing, and Social Work. So this amends the list of the Deans to whom this policy applies. It makes one substantive change, which is that the reviews are conducted every five years instead of every four. Since they've never been conducted at all, it kind of doesn't make any difference. But all the policy that we that you just approved has a five-year rotating cycle. They're like every other review policy that we have has a five- year rotating cycle for no apparent reason, this one had four. It strikes me that is unnecessarily confusing. The assumption behind that and this, is that President Whitten and her cabinet will put these university-wide officers on a regular rotating basis of, so that everything gets reviewed every five years, and this is to include this in that group. And then the other thing, again to show you how old it is, it keeps referring to the Agenda Committee of the University Faculty Council, and I don't know how many decades has been since that existed. It is now the Executive Committee. It makes no other substantive changes to the current review policy, which is a kind of a cumbersome process involving multiple campuses. The Policy Review Committee next year will continue to look at the policies on reviewing the senior academic offices and officers of the campus, that will include the core schools and it will include the four Vice Presidents that are the academic cabinet, so we, you'll see this again, but this is an update to hold things in place until we can get together again with the assistance of HR and figure out how the best way is to review these offices.

WHITTEN: Thank you. Is there any discussion or questions related to the proposed amendment to ACA-11? Okay, let's move to a vote. Those in favor signify please by raising your hands. Thank you. Any opposed? Okay, the motion passes. All right. Moving right along, we are on STU-00, the Code of Student Rights, Responsibilities, and Conduct. Please note that this once again is an action item and we're going to vote on it at the end of the discussion. So I will turn the forward to our Vice President for Student Success Julie Payne-Kirchmeier and Alex Tanford, Cause Review Committee, to present this policy.

AGENDA ITEM TWELVE:

TANFORD: You're probably sick and tired of listening to me right now. This is a proposed revision to the code, was originally called the Code of Student Conduct, then it became the Code of Student Rights, Responsibilities, and Conduct, and then last year we approved giving it an actual policy home and a

policy title that is to be an STU policy, which policies are, you will see, fall under the University Office of the Vice President for Student Success. This is one again where the Constitution of the University Faculty gives legislative authority over the standards and procedures for student conduct and discipline to the faculty to be exercised by the UFC. Last substantive revision of the Student Code, as you can see, was in 1990.

PAYNE-KIRCHMEIER: So it's been a minute, and Alex and I'll go back and forth. For those of you who don't know me, I'm Julie Payne-Kirchmeier, Vice President for Student Success. And thank you all for allowing me to be here today to co-present with Alex as we traveled this road since I started at the beginning of August, and him even longer, along with a pretty robust committee of folks who contributed to this process. So we want to obviously thank all the students and the faculty and the staff and the leaders in student affairs conduct work that contributed their time and attention to this as well. And today we are here really to, well, first of all, we've got six parts to the code and today we're going to talk more about the three that you see in the bracket here, which are the student rights, the academic misconduct, and personal misconduct section. There is a section obviously around procedures. We will gather another collective group of folks to work on the procedures across all of our universities over the next year that we need the kind of codes at first and then we can really move into the procedures to make sure that everything aligns well. But we're still presenting them in their current state right now. So they're okay in their current state. We do have a few changes stylistically to the preamble and updated definitions and some other adopted parts as well.

TANFORD: Alright, just to give you a minute. First of all, I just want to say that this revised code has been a three-year process with another year to go because we haven't dealt with procedures yet. Before you panic, the, I tracked it down. In 1990, the then President of the Bloomington, one of the co-chairs, then known as a co-secretary of the UFC, summarized to the Trustees the process and imported that that one had taken more than five years to draft. So we're we've operating more efficiently ...

PAYNE-KIRCHMEIER: We shaved two years off the time.

TANFORD: And it has been a very, very careful process, and I must say that that the revised code to me is just an outstanding example of the para, of the shared governance paradigm. I mean it falls within the jurist, legislative jurisdiction of this body, but we couldn't possibly have done this without the day-to-day involvement of the various campus student conduct offices, who can tell you, line by line, every place they've had trouble with students over the past 10 years, every place students have found a loophole in the current code, and it really has been an excellent process. I'm glad, while I haven't been consistently glad to be involved in it. As you can see, we started in 2021. The group was convened by the University Policy Office that she, at that point there was no university office for students. So that the, it was convened by the Chief Student Affairs officers at IUB and IUPUI, and the UFC delegated it to the Policy Review Committee. It worked for about 18 months, and subcommittees made-up of faculty, students, and all the right people on in those three substantive areas. One worked on student rights, one on personal misconduct, and one on academic misconduct. And though he's not here, I really want to commend, from IU East, Professor Yu Kay from IU East who just, I swear he worked 20 hours a week on the academic misconduct side and just was a tremendously valuable asset. Then this year, they all got their work done a year ago. This year, all these raw reports, you've never seen so many. I didn't know that the process for redlining could produce red lines in four different colors when four different people edited it, but they could. And then we took those documents and with a smaller working group, including Julie Payne-Kirchmeier, we tried to put that all into [unclear], work out inconsistencies, vetted out through campus Student Affairs Offices, Student Government, student affair, Campus Student Affairs Committees, and put all of that together into incorporating a final draft, which is what you have. The, just point out one thing. Not only will the working group continue to work on the, we would maybe reconstruct, reconstitute now

that we have a leader, the, but the final draft of this was put together approximately 24 hours before Lana would have come hunting me down because they needed it to go out to the agenda. And so we'd go to President Whitten and other people who need to see the agenda in advance, so that the final agreement, in a flurry of sorts, the thing was like the day before it was due. We believe that there may still be a need to sort of pass through it one more time for grammatical and typographical errors. You don't have to point them out to us if that's what you were going to do. And also it may be we are we, we're hoping for comments and feedback from this group. There is a final provision in what you're voting on that gives the Executive Committee the authority to approve a final version if, to correct some of those typos, to add, you know, language if words were omitted, and to incorporate any proposals that this group makes.

PAYNE-KIRCHMEIER: So much like the earlier policies, there were some central principles that we adhere to as we went through and updated these pieces, and these also align to the Association of Student Conduct Administrator Standards and Guidelines, so that we were trying to make sure that we were adhering to professional standards as we went through the process. We wanted to update to address the realities of student life, and you can see what those examples might be there, including but not limited to, but you also probably found throughout the code, because it has been since 1990 since a true substantive review happened, there were several of those. We needed it to align and be consistent with other policies that were also evolving and not necessarily replicate them so we don't copy and paste the existing policies into the code, but link them so that when those policies are updated, the code is current, so we're not constantly coming back and forth. We wanted to avoid judicial-based terms. The code is an educational- and behavioral-focused document, it is not coming from a court of law, so we needed to remove judicial terminology that is also an alignment with ASCA standards. We also needed to allow for and cover both virtual and in-person conduct. We've got some programs that are significantly, or sometimes exclusively, online and we needed to make sure that whatever we were putting forward would cover all of these different environments. We needed to include additional behavioral concerns so when we think about what wasn't in the current code, like bullying, intimidation, the things that students are experiencing now in many different ways, we needed to address that, and in some cases make sure that we weren't out of step with things that the state has defined, but also not go so far down the line that we're trying to become the court of law in the state. So. And then you heard Alex talk earlier about the final approval component of this. We just really wanted to make sure that we had a little time if there was feedback here, or any small errors that we could get those fixed, approved, and that we were ready for July 1st. So. This first part, and we're not going to go through this line by line. As you saw when you got the side by side, there was a lot, and as Alex jokingly referred to the red lines upon red lines upon red lines, your eyes would cross. But I do appreciate, Alex, you taking the time along with Taylor to do the side by side so that it's easier for people to go through and see what was changed and to what extent it was changed and the rationale. So some of the main changes here, we clarified the right of speech, of free speech in the classroom and outside of the classroom. So we weren't necessarily stepping on the First Amendment. We know that this is a concern right now of our students, and in general we want to make sure we're adhering appropriately to that. It gives student government the right to be involved in activity fee processes. This is a concern that students wanted clarified. Many student governments are already involved, in fact all of them are to some degree, but these at least codifies it and now we can work on the how and the procedures part. It clarified the extent to which the use of ChatGPT and other outside resources constitutes cheating. You heard Alex go through that earlier when we were discussing the revision to a different policy. Talks about off-campus behavior and when that connects over to either impacting the university or university event or something like that, that there is an allowance to be able to apply the tenants of the code to that behavior. That is in alignment with best practice. Dropped prohibition against lude and indecent behavior because that's inconsistent with the First Amendment. Quite difficult to define. In the personal misconduct section we added a prohibition against bullying. That's in alignment, too, with best practice and it defines what that is much more clearly. And we clarify the definition of stalking. In personal misconduct, there were a lot of questions that student have on what did constitute stalking, what

didn't, if it's online, if it's not, if it's one person, if it's two, you know? There were just so many questions. We needed to make sure that that was as clear as it could be.

TANFORD: One of the things that that. I'm sorry I cannot. I was reading my notes and the screen at the same time and my eyes crossed. The existing policy was on the, and this came from the Student Conduct Officers is that their attempts to hold student organizations accountable, and student organizations includes the definition of student-supported organizations such as fraternities and sororities. It makes clear that they are in the mix, that they can be held accountable for, specifically for hazing or on- or off-campus events and policies where an organization, student organization, unlawfully supplies alcohol. This coincides with the next line. The entire section. If you want. If you're bored one night, you want to, you know, can't sleep, read the deleted section on the alcohol policy from 1990 as applied to students and student organizations when, at least, IU Bloomington was famous as a dry campus, and indeed the usual Little 500 T-shirt had a picture of, you know, had a front that said "Dry Campus" and two students in the library studying and on the back was a picture of students partying and saying "My Ass." So it, and we had this bizarre process that required student organizations and students who needed, wanted to have an alcohol event, even if they were over 21, to go get permission from the Dean of Students. We heard overwhelming from the Dean of Students that nobody comes and asks them anymore and they didn't want to have that responsibility in any event. So that's gone. The one, like I said, we're going to address procedures next year. But the one thing that came to us over and over again from the Student Conduct Officers was that if we are going to allow the presence of a Student Advisor as we currently do, they needed some language that would allow them to tell that person to leave the room if they started to abuse the process. So that was the one change to the procedure section, everything else is the same as it was. We also discovered that there is something known as the Advanced College Project, which some people knew about and I never did. Apparently now there are high school teachers for enrolled students. Students in high school can take courses by instructors who are actually appointed as adjuncts to IU, and obviously if they commit academic misconduct in the course of that course, which is done for IU credit but is done at the high school level, this policy has to be subject to that. So that was added to the definition of student, and, as they said, gives the Executive Committee the authority to approve any last-minute changes.

PAYNE-KIRCHMEIER: So, back to you.

WHITTEN: Great. Thank you. Thank you for that thorough presentation. Are there any issues that people would like to bring up to discuss?

STUCKY: So I did have one minor question. Excuse me. So in the section of the ...

TANFORD: Can I have the things still up? Because there's 36 slides with all the text in case anybody wants to refer to any particular paragraph.

STUCKY: So I was I was looking at Section Part 2A2, where it says, "obey all university policies and procedures and all local, state, and federal laws." So that is a positive statement, that of an expectation. And then down below, where it has personal misconduct, it calls out specific behaviors that are prohibited. Would it make sense to have a catch-all phrase in the personal misconduct that the violation of any federal, state, or local law can also be handled? Because you have specifics here, so presumably if a student said, well this isn't listed, what I did isn't listed here so I can't be held accountable, then you have a catch-all that allows for that to be included.

TANFORD: There is ...

STUCKY: Because otherwise, why have a specific set of them? I mean, otherwise you just say, well, if you violated university policy, then you could be held accountable.

PAYNE-KIRCHMEIER: Yeah, I think I'll start. And oftentimes you see this happen in codes that have been revised because we're trying to do two things. One is, yes, you're absolutely right, if you do the general statement about, you know, any violation of local, state, and federal law. But we also try and use this a little bit as a teaching tool, so we have included but not limited to, and give some examples so that when students go to that section they can add, they can at least see some things that are there. It does help demystify a little bit what it means, but obviously this is good feedback for us and if there's a tweak to some language that we might need to make, we can certainly consider it.

TANFORD: Well, there is Paragraph 24, which is at the bottom of your screen.

PAYNE-KIRCHMEIER: That's the general one.

TANFORD: That's the general one. And we are told by University Council's Office that there has been a, that there are cases that say because of the constitutional presumption of innocence, we as a state organization cannot say we will punish you for violating a state or federal, violating a law unless they have been convicted or pled guilty, unless there's been a determination that they have violated that law. So this has been a change over the old policy that just said, "can't violate the laws." We put this in and I think, does that?

STUCKY: Apologies. I didn't get to Number 24.

PAYNE-KIRCHMEIER: That's okay, it's a big document.

STUCKY: Apparently my computer didn't go that far down. I'm very sorry.

PAYNE-KIRCHMEIER: It's a big document, we understand.

TANFORD: It's 34 pages long.

PAYNE-KIRCHMEIER: It is 34 pages long, yes.

STUCKY: I did have one other question though. How are you defining obscene in this?

TANFORD: Obscene is, there is constitutional definition which is "no redeeming social, cultural value as judged by community standards." It's subject to the most famous line, I think, in all of Supreme Court jurisprudence by Justice Potter Stewart says, "I can't define it, but I know it when I see it." You know, if we actually, I don't know if we've actually tried to discipline a student for obscenity in the last generation. I suspect we probably wouldn't, but it's in there as an educational tool.

NICHOLS-BOYLE: Is it working? Okay. Mine was a, I apologize I don't have the exact section, but it was on bullying, the section on bullying. I don't know what the number was for that. And I appreciate this is a really difficult thing to define. But it did seem like this section where it said the intent part, that committed with intent to harass, ridicule, humiliate, or harm the targeted individual. But that's problematic, right? Because somebody could just say I didn't intend to do that, and then that sort of negates all the other things. It seems like it would just be clearer to just say, they're committed by a student group of students toward an individual that harasses, ridicules, humiliates, etcetera. So I'm wondering if it's necessary to have the intent part in there.

TANFORD: Well, thank you. I think that we are not concerned that the respondent, I mean of course the respondent is going to say I didn't intend it. That's where they're going to say in response to sexual misconduct, discrimination, harassment, and all that. It's, but there, you know, bullying, there, I think that it's, this is an attempt to draw a line, a compromise, between inadvertent behavior that happens to cause some more susceptible people to feel bullied, versus, you know, but really isn't bullying. It's oversensitive, it hit a nerve that the person speaking couldn't have known about, or they might have known about it. I myself committed such an act just the other today. I'm a track official and a kid wandered into the middle of my event and I yelled, "Get out of there!" It turned out he was autistic. So that, if I had known he was autistic, it might have been bullying. As it was, he felt bad about, you know, it just it was an inadvertent thing and that's why it's in there to capture it now. It was widely discussed in our working group that this may require some tweaks over the next couple of years as cases under this policy come into student conduct offices and they start to find out is this, is this definition working. So I would say we, we're not committed to it, but that seemed the best compromise.

PAYNE-KIRCHMEIER: And I would also say that our student conduct professionals work really hard to suss this out in those discussions to help students understand when they walk in and say something, which does happen quite a bit. We didn't intend to do that. It's like, yeah, intent versus impact, let's talk about this a little bit. It doesn't mean they can't be held responsible for it. So, but I appreciate the feedback on that line because it is something that, when we look across not just Big Ten peers, but any real, you know, comprehensive universities as well that have adopted or are starting to adopt these, it is a little bit difficult because it's not been an area that's been long standing in student conduct policy. So thank you.

RECK: So thank you for bringing that up. I wasn't going to comment, but I do support the idea of about the intent part I think is, is difficult. There's a national news story that I heard about maybe three weeks ago it at a higher federal level that was actually talking about the person perpetrating the quote, crime, kept saying, well, I didn't intend to do that. So I mean that this has been at the national level, this conversation. So this is, it's crucial. Alex, do you mind going back to 24? So do you think it's problematic that it says, "violation of any state, federal or foreign law"? So there's different drinking ages in other foreign countries, let's say, or foreign jurisdiction where we have complete different, you know, so if you have an international student who comes over here, are they complying to U.S. law? Or their home country? Like, I mean, it is confusing that foreign law and foreign jurisdiction is in there. So what? Can you help explain the intent of that?

TANFORD: Well, it was, we were thinking more in terms of our own students going over to another country and violating their drinking laws because it has to be a violation of law based on the outcome of a proceeding. So if an international student came here and got convicted for underage drinking when it was, they're from Finland or something where you can drink ...

RECK: Okay. So that's outside the country?

TANFORD: Right. Plus, you know, we can't control the criminal process, but if there were cultural or international differences, our student conduct professionals assure us that that is why they call this an education rather than a disciplinary process, that they would for a first offense they would not be disciplined, they would be educated about American laws.

RECK: All right. So while abroad.

PAYNE-KIRCHMEIER: Yes.

BAER: So just to be clear, I wanted to amplify Cate and Sean. We're leaving the word "intent" and not considering an amendment there to clarify that the responsibility for an action is on is on the actor and not what they imagine their impact will be.

TANFORD: I defer to the Chair, but this one is within our legislative jurisdiction. So I think somebody could propose an amendment to that.

BAER: And if there's, if there's a, you mentioned consultation with professionals within your area, right? If there's a specific track record on this that makes this the way that policies are written, I wouldn't hear that, but I tend to hear that the impact of our words is their response is my, when I speak, the impact of my words is my responsibility, not my intended impact, but the actual impact of my words. So I guess I would move.

WHITTEN: There we go.

BAER: Sorry. Thank you, Robert. So guess I would move to strike the word "intent" from that line, I don't know. I'm sorry.

WHITTEN: Make the rest of it grammatical ...

TANFORD: This this is the kind of drafting issue that if the if the body wishes to replace the, to remove the word "intent," the drafting group can figure out how to then phrase that, and that would be something that would then be approved, if this body voted for it, would that be approved by the Executive Committee. The final wording.

WHITTEN: Do we get a second?

SIMPSON: So then should somebody move for that, Alex, is that what you're saying?

WHITTEN: So is there any discussion on removing the word "intent"? And maybe you could pull up item 24? I don't know, where is it? It's right here. I'm sorry.

TANFORD: It's right three lines down under Number 17, Intent to Harass.

PAYNE-KIRCHMEIER: And the two things that will offer in is, in a sidebar with my colleague over here, the university's definition of harassment does not include intent, and when I read this, intent is actually, could be implied in the first line when you start looking at overt, unwanted and repeated acts. So, I just offer that to the room. [unclear]

WHITTEN: And so, is there a revision suggestion, or do you want to leave that up to the writers?

TANFORD: I would urge the body to leave it up to ...

WHITTEN: Rather than "intent," do you want it to say, "with the effect of harass, harassing, humiliating," or something? Or do you ...

BAER: I like effect. I, I'm hesitant to try to wordsmith in a meeting. I write, so I don't. I would rather ...

WHITTEN: I appreciate that. So we have someone that you all trust.

BAER: Yes.

WHITTEN: Very good. Any other questions or comments? I see one. Danielle?

DESAWAL: I wonder if we also, while you wordsmith it if you want to think about if you want to leave “targeted individual”? Because it may change how that phrasing looks if you take out “intent.”

PAYNE-KIRCHMEIER: Okay. Again, could be implied in the first line.

DESAWAL: Yeah.

WHITTEN: Okay. Alright.

STUCKY: Sorry, just one last substantive point. So the Point C, up above there, in terms of harassment where it talks about severe, pervasive, or persistent. When you get down to the bullying, it, it's over unwanted and repeated acts or gestures. Just a suggestion that it might be worth considering whether something could be egregious or severe enough in a single instance that it would be considered to be bullying as with harassment. So I don't, I don't know if those, it's hard to say how those might play into each other, so something to consider.

TANFORD: When we discussed that at the committee level, it was the consensus of the student conduct professionals that bullying could not be a single act. There was a, that there was a, from what they wanted to be able to deal with students about and what they saw was it, you know, if it's a single act, it's harassment. But there's also a more subtle course of action which constitutes the bullying, and that's the distinction that they wanted to draw.

WHITTEN: Okay if there is no further discussion, let's vote on this amendment to replace the word intent with words to be chosen that we all trust. So all those in favor of the amendment to the new policy, please raise your hands. Any opposed? Very good. Thank you. And now, if there is no further discussion, then I think we're ready to vote on the initial motion as amended. So all those in favor of the initial motion. I guess it's not amended. The initial motion, I guess with the amendment of intent. Excuse me to adopt STU-00, please signify by raising your hand. Thank you. Any opposed? Okay, the motion passes. All right. And our final item on today's agenda is a motion to approve a new policy on short- term military deployment. So please note that this is an action item and that we will vote on it at the end of the discussion. So to present this policy, I will turn the floor to John Summerlot, Director of IU Emergency Management and Continuity for Bloomington and Southern Divisions and Adjunct Lecturer in the School of Public Health in Bloomington. The UFC co-chairs are listed under the siding because the policy was routed through the UFC Executive Committee, but John will lead the presentation.

AGENDA ITEM FOURTEEN:

SUMMERLOT: Thank you. So what is this policy? Well, back up a little bit. I spent six years as the University Coordinator for Military and Veteran Services, and I've volunteered for about 4 1/2 years, on again, off again in the Veteran Services Office at IU. So I've spent about 10 years working with our military and veteran students. One of the issues that we ran across repeatedly this is hoping to address. So it's addressing students who are currently serving in the military. This would be our National Guard Reserve components of the US Armed Services as well as our active duty service members that are present on campus as well as sometimes in our online programs. It also helps the faculty who are navigating requests related to these. This includes things like three-day weekend drills. Those of us that have served in the National Guard know that the military sometimes defines weekends in whatever way

they want to define them, and so this is one of the sort of repeated issues that we run across. Activation for short disaster response missions. During Covid, we saw a lot of folks activated for five- and 10-day missions within the state. And then various one-day orders, having to report somewhere for physicals or training or some sort of assessment along the way. We currently have a gap in the policy. We have employee and academic appointee policies that cover these things. For those that are paid through the university, we have a student policy, USS-02, the Military Withdrawal Policy, which allows a student with a conflict to drop a course, no matter where they are in the semester, but dropping a course for a one-day absence from the course seems a little extreme, although it has been done. Procedures that are outlined in it, the student notifies the faculty member as soon as they are aware of the conflict. For some of our students, they may have a heads up that orders are coming a month in advance or six months in advance. Sometimes they may get notified the day before. It just depends on the type of deployment that they're going on. The student will provide documentation of the military obligation. We left this a little bit vague. All the branches of service do documentation in different ways, and whether it is an emergency deployment or something that was more planned, those orders may come in a variety of ways. Every campus has a Veteran Services Office that's used to seeing these and translating the orders so that we can have somebody that sort of vets these to make sure they say with the student says they say if there's any question about that. Excused absence may or may not be possible. Recognizing that there are some things that you can't miss. One of the courses that I teach is a two weekend course on search and rescue. If you're going to miss the weekend, then you have missed half of the course, so there are some things that just may not be feasible to do. A missed test, lab, or other event that can't reasonably be made up, and if the absence isn't excusable in some way, then USS-02 may come into play, and they may need to withdraw from the course. I put three examples in here. These are all out of the past couple of years of cases that that we have dealt with. A student with a three-day National Guard drill in June was taking a summer course. They had to report at 7:00 a.m. on Friday morning and were missing the midterm exam. Faculty member reached out to me and said I want to accommodate them, but I need to know what the policy is so that I can accommodate them. And I explained there is no policy, as I've explained many times over to faculty. And so they weren't real sure because they didn't want to seem they were backing down on a request from a student that they wanted to support, but at the same time didn't want to open the door to lots of other requests for other things as well. We had a student last year in their Nursing clinical phase that was also a Medical Specialist in the Reserves. Their unit required them to travel to Wisconsin for a three-day training that ran Wednesday through Sunday. They would have missed roughly a week of their clinicals in the Nursing Program and the student came to us wanting to know what policy they needed to present to the faculty in order to say that they were excused or allowed to miss this because they understood that as they were told in Nursing Program you cannot miss any minute anywhere of your clinicals. And they were sure that this was going to get them booted out of the program by making this request. And then third example, a student in a course that requires all the students to take the exams at the same time in the same room under the supervision of a proctor, on three specific evenings in a semester. Two weeks before the second exam, the student received orders for five days of training at Camp Atterbury that included one of the exam days. The faculty member as well as the student's unit commander, who happened to be an IU alum, were very understanding in trying to work something out related to this. Eventually, we were able to get the commander to agree to proctor the exam in the dining hall at Camp Atterbury on that Wednesday evening so that the students could take it at the same time as everyone else affording them no advantage in any way. But those are the sort of workarounds that we've been able to do outside of this policy. But this policy enables us to find ways to meet these students needs as needed a little bit easier.

AGENDA ITEM FIFTEEN:

WHITTEN: Thank you, John. Is there any discussion? Anybody want to ask a question or have a concern? No, thank you. Okay. Well, if there's no further discussion, we need to vote on the amendment.

So all of those in favor, please signify by raising your hands. Very good. Thank you. Any opposed? Very good. The motion passes. Thank you.

SUMMERLOT: Thank you.

WHITTEN: We've concluded the final item on our agenda, believe it or not. I wanna thank everyone for your participation and your thoughtful discussion. Obviously, I want to give a special thanks to Alex and all the Policy Review and Faculty Affairs Committee members for their hard work. I know it takes a lot of time and a lot of patience to work through these details. I also want to thank all of you all for participating in on the UFC and for believing in and, you know, walking the walk in regard to regard to participating in shared governance. It's so important. We can't make this work unless we all show up and have a voice and have an opinion about things to move things forward at the university so I'm grateful for your time and your effort. I'm also aware that most of you have a lot to do in the next week or so between finishing up classes. And is everyone's favorite thing in the whole world to do grading? I got that right? Well, well, thank you, and hang in there. I know the end is in sight. Do I have a motion to adjourn? {laughter} All right. All those in favor of adjourning, please raise your hand. Opposed. You may stay here by yourself. {laughter} Thank you all. Have a wonderful rest of the semester.