

UNIVERSITY OF IOWA FACULTY SENATE

Minutes

Tuesday, 2 February 1999

Senate Chamber, Old Capitol

Members Present: J. Andrews, J. Arora, Z. ballas, M. barrick, C. Berman, J. Bertolatus, L. Burmeister, J. Cox, R. Curto, D. Davis, A. Dipardo, K. Ephgrave, G. Fischer, J. Hayes, J. Hoballah, R. Hohl, E. Irish, J. Kline, S. Lawrence, I Levin, B. Levy, D. Liddell, E. Link, C. Lynch, D. Manderscheid, K. Marra, L. Marshall, A. McCarthy, g. Milavetz, J. Moyers, V. Nair, G. Oden, M. Pincus, M. Raymond, C. ringen, J. ringen, C. Roy, E. Smith, D. Stephens, M. Stone, K. Tachau, B. Thompson, J. tomkovicz, D. Wakefield, M. Wall, R. Zbiek

Members Absent: F. Boos, M. clark, C. Colvin, B. Doebbeling, G. El-Khoury, M. Emery, J. Jew, D. Klemm, E. rivera, M. rizzo, D. rosenthal, M. Vargas

Members Absent (excused): A. Bhattacharjee, S. Bishara, P. Chang, M. Grover-McKay, P. Hitchen, T. Judge, A. Roberts, C. Stanford, W. Stanford

Guests: D. Shepardson (college of Ed.), L. Muller (Cedar Rapids Gazette), C. Brown (Speech Path and Aud.) B. Dewy (U I libraries), C. Johnston (the Daily Iowan), J. Whitmore (Office of the Provost), O. Newlin (Regents)

I. The meeting was called to order at 3:36 PM by President Wiley.

II. Prof. Tachau moved, Prof. Kline seconding, that the minutes of the meeting of the Faculty Senate of 17 November 1998 be approved. The motion carried without dissent.

III. Announcements: President Wiley

A. A reception for Regents Pres. Owen Newlin will be held immediately after the meeting.

B. University Pres. Mary Sue Coleman will hold a reception for Senators at her home on 13 April 1999.

C. The Senate is sponsoring a survey, now in progress, on faculty effort in the areas of research and service. The hope is for as good a response as the earlier survey on teaching effort. Senators were asked to encourage faculty to complete the survey.

D. The Faculty Council has discussed standards for admission to the University for undergraduate study. The question is whether more rigorous standards might be appropriate. Senators should forward their ideas on this subject to the officers.

E. Elections to the Faculty Senate will be held soon and nominees are needed. Senators were asked to pay particular attention to the nomination packets when they arrive.

IV. Reports and Discussion: Board of Regents President Owen Newlin

After being introduced by Senate President Wiley, Dr. Newlin addressed the Senate, organizing his remarks in two areas: looking back and looking forward.

In 1993, strategic planning was new. The situation now has dramatically changed. Comprehensive audits and strategic plans all have provided the Iowa higher education

enterprise an opportunity for greatness in the 21st century. Each university report on progress convinces one of this. The appointment of Mary Sue Coleman as University President was equally important. Dr. Newlin congratulated Pres. Coleman and numerous faculty on their receiving awards, fellowships and other recognition of excellence. He noted new university records for external support and patents, and an improving national reputation. The University continues as a leader in achieving diversity. The Regents and Iowans are proud of the stellar results of the recent North Central Association accreditation review, in particular the reviewers' positive comments about educational technology, student services, the caring attitude about student education exhibited by faculty, and the commitment to quality by the State Board of Regents. On behalf of the Regents, Dr. Newlin congratulated faculty on tackling the issue of post-tenure review in a way that responded to the need both for public accountability and for academic freedom.

In looking ahead, Dr. Newlin stated his experience that reviews like those for accreditation are notable for always recommending increased funding. The Regents recognize that excellence does not come without costs and they are willing to ask for more funding. Among uses for increased resources were mentioned new facilities for research and technology development; improvement in the humanities; undergraduate education; graduate student assistantships; educational technology; the University library, especially in the area of professional journals and computer technology; and competitive faculty salaries. The number one priority of the Regents is full funding of faculty salaries. Among planned capital projects were mentioned the new biology building, now under construction, and a new art building. The Regents are supporting U/IA initiatives in the areas of replacing key faculty, start-up funding for new faculty; research in the arts and humanities; public health; and biosciences. They have gone on record with Gov. Vilsack as supporting these initiatives, recommending them as important for the future of Iowa.

Plans for public higher education in Iowa start with the Regents but rely on the institutions to make their vision a reality. The Regents' plan is to be an exemplary model of stewardship, the best higher education enterprise in the nation. Four key result areas are quality, access, diversity and accountability. These will be assessed by performance indicators, each of which can be measured so progress can be documented. Dr. Newlin advised faculty to stay the course, follow through with the strategic plans, keep finding ways to serve Iowans. The Regents will provide the support needed.

There followed a question and answer period. In response to a question from Prof. Lynch, Dr. Newlin evaluated the first meeting between the Regents and Gov. Vilsack as having gone extremely well. The funding forwarded to the legislature by the governor is slightly more than recommended previously by Gov. Branstad. The Regents are optimistic. Prof. Tachau praised the Regents for the high priority they are giving to the university library. In response to a question from Prof. Burmeister, Dr. Newlin stated that there would be three appointments to the Regents as of 1 May 1999. In response to a question from Prof. Marra, Dr. Newlin reported that a Regents' goal of 8.5% minority students was set some time ago. The University of Iowa has already achieved that goal and is still working on increasing diversity among faculty and staff.

V. There was no Old Business to discuss.

VI. New Business

- A. Proposed amendment to Constitution and Bylaws: Jon Carlson, Chair, Committee on Rules & Bylaws.

At the last Faculty Senate meeting a similar motion to amend the Constitution and Bylaws was defeated. Senators requested a new motion that opened eligibility for election to a Senate office to immediately departing Senators, rather than to all faculty with prior service in the Senate. The present proposal does this. (Typographical errors in the text distributed will be corrected.) Prof. Irish moved, Prof. Lawrence seconding, adoption of the proposals. The proposed amendments were approved without dissent. A ballot of the entire faculty, required for final passage, will be conducted.

B. Committee on Elections

1. Approval of faculty rosters and ballots for 1999 Faculty Senate Election: Leon Burmeister, Chair, Committee on Elections

Senators have received rosters of eligible voters. Corrections to the lists were solicited. In response to a question by Prof. Tachau, Pres. Wiley stated that the ByLaws do not limit Senate membership by department. The rosters were approved without dissent.

2. Recommended replacements: Charles Lynch (Preventive Medicine) to replace Robert Weir (Medical Ethics) for the remainder of his term (1999) and Samir Bishara (Orthodontics) to replace Kay Mescher (Preventive & Community Dentistry) for the remainder of her term (1999) on the Faculty Council; Elaine Smith (Preventive Medicine) to replace Robert Weir (Medical Ethics) for the remainder of his term (1999) and Ronald Ettinger (Prosthodontics) to replace Kay Mescher (Preventive & Community Dentistry) for the remainder of her term (1999) on the Faculty Senate. Prof. Stone moved, Prof. Kline seconding, approval of the replacements. The motion was passed without dissent.

- C. Committee on Committees Recommended Replacements: Lisa Troyer (Sociology) to fill a vacancy (Social Science) on the Research Council (1998-2001); Erin Irish (Biological Sciences) to replace Katherine Kusnick (Radiology) for the remainder of her term (1998-2001) on the UI Lectures Committee. Prof. Nair moved, Prof. Lawrence seconding, approval of the replacements. The motion passed without dissent.

- D. A proposed list of members for a Committee to Review the Office of Vice President for Student Services was distributed: Profs. James Lindberg (Chair), David Bills, Matthew Rizzo, Elizabeth Whitt, Norbert Malik, Lola Lopes; Ms. Jessica Villanueva (Student) and Mr. William Asbury (Vice President for Student Services, Pennsylvania State University). Prof. Lawrence moved, Prof. Tachau seconding, approval of the proposed committee. The motion passed without dissent.

- E. Prof. Tachau moved, Prof. Curto seconding, the following Resolution of the Faculty Senate: to thank Mary Mathew Wilson for her outstanding service to the Senate, to register our regret that she has left our office, but to congratulate her on her new position. The resolution was accepted by acclamation.

- F. Proposed Policy on Acceptable Use of Technology: Bob Wiley, Senate President

Pres. Wiley noted that the Faculty Council had discussed the proposed policy; reservations about the policy were reduced to writing and brought to the Senate for discussion. Several suggested changes were added to the policy distributed to the Senators before the meeting. Chris Preuss, University Webmaster, was reported to have

agreed that all the suggested changes are acceptable. The Senate was then asked to discuss the policy as amended. Prof. Lawrence moved, Prof. Irish seconding, that the Senate endorse the report as amended.

Prof. Cox declared that the proposed policy needs more discussion by the Faculty Council. After line 4, the tone is relentlessly negative; we need a positive document encouraging faculty and students to use technology for the benefit of instruction and research. In section III, 3rd paragraph, the phrase "unusual and excessive activity" should not apply to any instructional/research uses. Monitors chosen to review computer use patterns are unlikely to be familiar with the research fields of all faculty. The policy needs an affirmative statement. Prof. Tachau agreed. Faculty had been encouraged to use the internet for more and more purposes. The proposed policy addresses the issue of faculty debate with political officials, but is this lobbying or professional input? The proposed restrictions on personal use can't distinguish between these possibilities. Prof. Levy asked whether records or databases generated by faculty are public information. University Counsel Mark Schantz opined that according to state law, everything faculty do is potentially a public record, although proprietary information is excepted. Most university documents are public records and would be disclosed after a formal request and payment for copying. There could be a cost/benefit analysis done which might protect research databases. Mr. Schantz also pointed out that medical records are excepted. Prof. Menninger asked about the possibility of encrypting documents. Counsel Schantz stated that was allowed but would not insulate them from being part of the public record. Prof. Tachau asked about information generated by faculty personal computers at their homes and transmitted by electronic means; would they be included in the public record? Mr. Schantz declared that if they concerned University business, then it's a public record. Prof. Hayes asked where are our rights? The Department of Communications Studies isn't wired yet. Prof. David asked about the adjective "excessive"; it appears often and isn't clearly defined. Such neat categories of information are unlikely to exist. If someone elsewhere finds one's e-mail address and makes contacts, is that excessive personal use? The moral connotations of the proposed policy are troubling and not likely to be workable. The term "ethical" violations is bad language for a policy.

Prof. Cox asked whether the proposed policy might again be referred to the Faculty Council or should the Senate consider some modifications now. After Pres. Wiley stated that modifications were in order Prof. Cox moved, Prof. Kline seconding, to amend the preamble to add, after the word "community" in the fifth line: ". The University encourages and supports the broadest possible use of Information Technology Resources by faculty members in the course of their research, teaching and service. Each individual faculty member...." The motion passed without dissent.

Prof. Cox then moved, Prof. Irish seconding, to amend part III, 3rd paragraph, before the semicolon preceding part (e): "(use of Informational Technology Resources by faculty in pursuit of their research teaching and service obligations will not be considered unusual or excessive activity)". The motion passed without dissent.

Counsel Schantz, responding to earlier comments by Prof. David, stated that the University was concerned with having a policy forced on us from external sources, pointing out there was now in the Iowa legislature a proposed policy of no personal use of computers. He pointed out that commercial concerns assume there is to be no personal use by employees; all data, e-mail, etc., belong to the company. He prophesied that the University's first response to a finding of inappropriate use would be a request not to do that anymore; only after another finding would penalties be enacted. The University would respond to third-party complaints, which now occur at a rate of one-two per week. On

receiving a complaint about a web site, Webmaster Preuss looks at the site in question and its owner is consulted. Prof. Marshall asked for the response to incidents like one she recalled that contrasted personal versus professional use of computers. A moderator of a "listserve" on emerging diseases received unsolicited e-mail in the form of a tract from someone expressing a Christian belief in God, expectations for the millennium, opinions degrading to those of the Jewish faith, etc. Webmaster Preuss stated that her first response is educational. Some incidents are serious — threats and harassment are referred right away to Public Safety. For the others she tries to understand the position of the person complaining. Prof. Raymond asked what standard will be applied before monitoring of faculty computer use; would there be monitoring of content? The third paragraph on p. 2 suggests multiple standards. What is the standard for a state institution probing into communications? Counsel Schantz responded that the proposed policy had too many editors. Probable cause is the primary standard. He solicited editorial suggestions for the language of the proposed policy. Prof. Kline asked about the uniform application of the policy to students, faculty and staff; is personal use by students excessive? Webmaster Preuss explained that they expected frequent communications between students on courses, etc. Prof. Kline pointed out that the document doesn't draw such distinctions.

Prof. Davis agreed, stating that we need a more thoughtful policy; she moved to refer the matter to a committee, Prof. C. Ringen seconding. In response to a question from Prof. Kline, Pres. Wiley stated that he would appoint an ad hoc committee to review the proposed policy and make recommendations to the Council who would pass them along to the Senate. The motion to refer the proposed policy to committee was passed without dissent.

VII. President Wiley declared the meeting adjourned at 16:49 PM. There followed an informal reception in honor of Regents President Newlin.

Respectfully submitted,

John R. Menninger, Secretary