

THE UNIVERSITY OF IOWA

FACULTY SENATE

Tuesday, September 11, 2007

3:30 – 5:15 pm

Senate Chamber, Old Capitol

MINUTES

Present: D. Asprey; D. Balderston; J. Beckman; G. Bergus; J. Bertolatus; G. Buettner; C. Catney; M. Cohen; J. Cox; K. Culp; D. D'Alessandro; M. Donovan; E. Dove; D. Drake; G. El-Khoury; S. Fagan; J. Fieselmann; D. Filios; V. Grassian; C. Green; R. Herman; G. Hope; G. Jogerst; B. Justman; C. Kletzing; Y. Li; S. Lutgendorf; T. Mangum; N. Nisly; M. Noonan; F. Nothwehr; B. Plapp; A. Poremba; L. Richman; C. Ringen; L. Robertson; G. Russell; K. Schuh; B. Schutte; W. Sharp; S. Stromquist; A. Sullivan; N. Street; B. Thompson; J. Tomkovicz; T. Ton-That; M. VanBeek; W. Vispoel; R. Wachtel; R. Williams; M. Wilson Kimber; S. Wolfe; C. Woodman

Absent: L. Ayres; J. Carlson; S. Collins; C. Helms; T. Kresowik; S. Lagos Lavenz; J. Leddy; D. MacFarlane; M. Maktabi; A. Morris; D. Redlawsk; J. Sa-Aadu; T. Scruggs; L. Snetselaar; C. Thomas

Excused: L. Boyle; K. Brown; R. Martin; F. Mitros; S. Moorhead; K. Southard; S. Vincent; J. Woodhead

Officers

Present: S. Kurtz (Past President); S. McGuire (Secretary); M. O'Hara (Vice President); and V. Sharp (President)

Guests: S. Buckley (Human Resources- VPFUS); M. David (Provost's Office); T. Dean (Provost's Office); C. Green (Public Safety); S. Johnson (Provost's Office); K. Klein (Staff Council); M. Mills (General Counsel); C. Orgren (Emeritus Council); K. Ostrem (Student); C. Peterson (UISG); J. Troester (UI Wellness); and E. Van Allen-Shalash (Faculty Senate)

- I. Call to Order - The meeting opened at 3:35 pm.
- II. Approvals
 - a. Meeting agenda: Professor Ringen moved to approve the meeting agenda; Professor Dove seconded, motion passed.
 - b. Faculty Senate Minutes from April 24, 2007. Past President Kurtz moved; seconded by Professor Dove, the motion carried unanimously.
 - c. Committee Replacements (Michael O'Hara) –

- i. Presidential Committee on Athletics (PCA) – Susan Birrell (Health and Sports Studies) will replace Penelope Hall (Speech Pathology and Audiology)
- ii. Faculty-Staff Parking Appeals Committee – Kee-Ho Yuen (Art and Art History) to replace Palle Jorgensen (Mathematics)

Past President Kurtz moved; seconded by Professor Drake to approve these committee replacements. The motion was approved unanimously.

III. Guest Speaker: Sally Mason, President of the University of Iowa

Faculty Senate President Sharp introduced President Sally Mason who thanked senators for the invitation. She recalled the time spent at Old Capitol in open forums throughout the presidential search process. She commented on the generosity and welcoming nature of the campus to her and her husband. The beginning of the year is always full of excitement and she welcomes meeting at gatherings like the Senate. Her first job as president is to listen well to the campus community from both sides of the river and Oakdale and to people across the state. Before she maps out a detailed agenda she needs to listen.

Common threads from all units, she noted, are a passion for excellence, dedication to the institution, as well as a commitment to professional and commercial service. There is dedication to the *Iowa Promise*, which she said is an excellent plan in large part because it ties together these threads of excellence. In the end, this strategic plan cuts to the heart of what the university is all about—its promise. She wants the UI to be an institution that inspires as well as one that educates. “Our plan is central to the promise we make,” she said.

President Mason provided a brief summary of her perspective. Although she is actively listening, there are immediate issues that need tending to, one of which will be considered later in this meeting.

She announced the appointment of Professor Lola Lopes as Interim Provost. Professor Lopes brings a wealth of knowledge and experience with her; she is no stranger to that office. It was important to appoint someone who understands the university. She undertook her duties immediately upon being introduced in the Provost’s Office.

President Mason announced the launch of a national search for a new provost. Professors Raúl Curto and Michael O’Hara will co-chair the committee. Other committee members will be announced in due course.

Safety on campus and within the community is a serious issue of concern; not only at the UI, but across the nation. Initiatives focused on an emergency

warning system were around before she arrived, but it is her responsibility to shepherd them, she noted.

President Mason commented that arming campus security has been a controversial topic. She has been consulting with many groups, and has received countless comments. Some of the arguments have been intellectual, some more emotional, on both sides of the issues. She has to make a recommendation to the Board of Regents by 5:00 pm this afternoon so she looks to take into account the final set of voices. She added that the recommendation will take into account everyone's thoughts and comments, but she has to make a decision.

President Mason said Diversity has been and will continue to be a high priority of hers. We have to develop the social diversity of our campus, it cannot be delegated to one office or individual; it is something that must be woven into the fabric of our everyday work. She cited the excellent faculty and staff who work everyday to improve diversity on campus, including Jennifer Modestou, who has just been named the director of EOD. She thanked Marcella David, Special Assistant to the President for Equal Opportunity & Diversity, for her superb work in restructuring our diversity strategies.

Economic development is an important discussion. She sees the creation of a highly educated workforce for the economic vibrancy of the state as the UI's primary contribution. It will always be our main focus. There will always be many opportunities to contribute to economic development, and we should support them. Those who wish to should be encouraged to do so.

She noted that the UI can contribute in many ways to the public good—through service learning, through faculty & staff serving on boards and commissions, and partnering with social and cultural institutions in their work. She is delighted there is a renaissance in public engagement. Iowa Non-Profit is a good example of our publicly engaged community, she noted.

Resources pose the largest challenge. She sees her most important job as president is to make our dreams become real. There is no shortage of talent, but it is typical to be short on resources. She said it is important to be vigilant about new revenue streams.

President Mason said in the weeks and months to come she will be more specific about her concerns for the campus. She said the Faculty Senate is critical to this process.

She thanked her host and said she is honored to be on the faculty. She gave her best wishes for another year of creativity. She then opened the floor to questions.

Professor Kletzing commented that he is concerned that "economic development" which is touted by the university does not recognize the significant economic engine of research grants at the UI which are comparable to a large business. President Mason noted this good observation and said it would not get lost in the future. It is a huge economic engine.

IV. New Business— To facilitate discussion, the order of agenda items was switched.

a. Arming Campus Security –

President Sharp announced that at the previous Faculty Council meeting there was an endorsement to arm campus police officers. She laid out the process for the following discussion with the Director of Public Safety Charles Green. Following his presentation, there would be time for questions and comments, with priority given to senators. She called for a time limit on comments as they need to report their vote to President Mason in advance of 5:00 pm, her deadline to report to the Board of Regents.

While the presentation was being prepared, President Sharp took the opportunity to introduce Ms. Kathy Klein, President of Staff Council and Chair of the Shared Governance Council.

Due to a delay with the presentation, President Sharp moved the agenda along to the next item:

b. COIA annual report— (Faculty Senate Secretary Steve McGuire)

The Coalition on Intercollegiate Athletics (COIA) is an organization of 55 faculty senates of Division I schools that was created out of an effort to bring under some control the overlap of athletic schedules over finals week. It's a significant enough organization that meetings have garnered a good deal of information from the NCAA. There are 28 recommendations in the "Framing the Future document," all important steps towards bringing significant faculty governance to intercollegiate athletics.

Secretary McGuire, who is this year's COIA representative from the Faculty Senate, said he is looking to create a COIA committee in Faculty Senate, the idea being to review these recommendations and identify what is of particular importance to this campus. He would then give an annual report on the annual review by COIA. He welcomes input from senators.

Item a on Arming Campus Security continued with Marc Mills, General Counsel, beginning the discussion. He and Charles Green have attended meetings with a large variety of constituents to discuss the issue of arming campus security officers. He described the university's police force. He

commented that it is critical in his thinking that these individuals, who are as well trained as any others in the State, be allowed to carry firearms.

He added that it is important to note that they already handle guns, but there is a process they go through before officers take them into the field. He pointed out the issues of recruitment and retention of officers is another important point to consider in this discussion.

Our three Regent institutions are only a very small number in the nation that have certified police officers who do not carry firearms. Given the dangers they tend to run into, he recommended that this be changed.

Mr. Mills noted that we know that carrying firearms did not stop Gang Lu on the UI campus or the fellow at Virginia Tech. He also acknowledged that the tragic accidental shooting of Eric Shaw in Iowa City is on everyone's mind.

Charles Green was introduced. He acknowledged the passionate view on both sides of this important topic.

Via a PowerPoint presentation, Mr. Green gave an overview of his department, starting with the mission. He has never understood why some people on campus consider his officers the enemy. He has been here for 12 years and the force has been professionalized. There are 35 sworn police officers, "24-7" patrolling, a canine unit and bomb disposal. His services also include fire safety, a rape defense program, welcome campaigns in the residence halls, crime prevention and numerous other things behind the scenes.

Mr. Green explained that his officers meet all the same qualifications as any police officer in the State of Iowa. They attend a 13-week academy, 520 hours of basic training, the same as officers on the Iowa City and Coralville police forces. The background investigations of all applicants are very strenuous. They have to pass psychological tests, cognitive and drug tests, and a physical agility test even before they can attend the academy. Representatives are sent to their home towns to get a full picture of the person before he/she is hired at the university.

In the 1960's, University security was armed. Green said this was a philosophical change, triggered by the Kent State situation. Security departments were transformed into police agencies. We do have arms on campus, he said. Guns are kept locked in officers' lockers at their headquarters. The UI practices "provisional arming;" Green has to get permission to arm them. He contacts Marc Mills or Doug True first. Firearms are used for dignitary protection, in collaboration with the County, or in suspected bomb situations (the bomb tech is automatically armed when he goes out). In other situations when there is no time to contact Mills or True, Green will give the go-ahead to arm them. He cited a recent threat to

the Office of the Provost. If a preliminary check is credible, he said, they may arm officers. Provisional arming works only in situations where you have knowledge of a dangerous situation—it doesn't take care of a blind situation where you don't know what you're getting into.

Prior to April, Green was asked to prepare a recommendation document for arming the campus. He emphasized that this was before Virginia Tech; that incident was not a catalyst for this document.

Recommendations for arming campus police were submitted to the three presidents. Legislators are calling for a report from the BOR. Green proceeded to explain recent situations where they worked in concert with the Iowa City police, but went into with firearms.

Hiring and retention has become a big problem. Green has lost several officers recently, partly because of the arming issue. He asked Senators to remember that the offices are here to serve them. He added he believes senators (and all others on campus) want good officers. He reiterated that his standards and training are high and that the gun issue hampers us. In order to compete, we need to do something or rethink what we're doing in terms of law enforcement.

Mr. Green concluded his presentation and opened the floor to questions.

Senator Buettner wondered if officers at other universities that have arms are as well trained as ours.

Mr. Green said they are in terms of qualifications and that UI, UNI and ISU are better trained than most other departments in the State of Iowa, who do not have the same resources. Our peers in the Big Ten follow the same standards.

Secretary McGuire raised the issue of the Eric Shaw incident and a previous discussion about removing officers' weapons from their holsters.

Mr. Green said it is not at all easy to remove the gun from an officer's holster. He said their "4-level holster" takes four locks to undo it. He commented that most people would not be able to access it. An officer can draw it closer to his/her body and it will not fire while in the holster.

Mr. Green said the Eric Shaw incident was a tragic accident. One man lost his life, one his career. It cast a shadow over Iowa City, the police, and his unit. He cited another profession where loss of life may occur, that of physicians. He still believes they are good people, and there should be a review board, but there's no expectation that they would lose their jobs.

He cited "blue prejudice." When something of a negative nature occurs, it is

splashed across the nation. He said one incident overshadows all police officers. He asked senators if they would advocate that Iowa City gives up their guns to do police work. He said, "Someone on campus will have guns—why shouldn't it be us?" Mr. Green said they have used tasers about 2.5 times per year, and before that used clubs and pepper spray. If we were prone to violence, there would be a history of that.

Senator Ringen commented that the arguments are similar to what was said previously about the taser. She wondered why the taser could not be used; why security officers wanted to escalate the situation. She suggested paying officers more rather than arming them.

Mr. Green said tasers do work in most situations but one: when the officer is facing deadly force. The taser can be discharged only once and only within 21 feet. "You're out of luck after that." The taser is good as long as you have back-up with lethal weapons available. In terms of pay, he added, it would help some. A lot of officers' families were at the open forum. They share their loved ones with you. We ask our officers to get between you and the weapon. To counter a question of "loss of innocence," Green argued that innocence is not there; there are many things the public does not know about.

Senators were reminded that there was a motion on the floor from Faculty Council.

Senator Cox wished to make an historical connection. The argument that the Regents disarmed police because of Kent State is not accurate; the issue of the students was the war, the sheriff was aggressive. He felt the safety of the students came first; he probably didn't know he was setting up a 43-year experience with a disarmed campus. There has been no demand from faculty, staff and students to arm them. Whatever decision is made, this campus will be less safe. There have been unanimous votes in several departments against it. The police say they are less safe; it's a matter of trust and perception. He said he would like us to write this off as age of innocence; this has been a success. It may be that the climate may change one day. In light of the NRA's statement that we are all safer with guns, we should remember this experiment.

He wished to thank legislators and Sandy Boyd who have been active in speaking out against an armed campus. They have been our advocates on this.

Senator Balderston spoke on behalf of Senator Lutgendorf, who was unable to attend. She would vote against it and observed that the way the town and campus are so integrated that the town police are nearby and should be relied upon.

Senator Nisly noted that if physicians who care for people are sent without masks or gloves to protect themselves are in danger without giving them what they need. When she grew up in the 1960's her childhood was very different than what children face these days. She said we have to consider the people we are sending to protect us.

Senator Mangum thanked Mr. Green and the police for making her feel very safe on campus. She just returned from a conference "Imagining America" which addressed ways the academy can be involved in public service. One of the things that most impressed her was college presidents who are doing things against the grain, trying to change the world from the inside out. She said she would not expect us to change the world, but she has seen how creative our officers have been to find ways not to use weapons, but when they needed them, to work collaboratively with them. She wished to acknowledge that we can work with Iowa City police and to maintain what we have done for 40 years.

Senator Cohen, who was privy to the Faculty Council discussion, said this is not an argument about "arming vs. not arming". Officers are already armed a few times a month, so it's a change from some of the time to all of the time.

He moved to endorse the recommendation to arm University of Iowa police officers (coming from the Faculty Council):

The Faculty Senate vote was 27 in favor; 22 opposed; no abstentions. The motion carried.

- V. Susan Johnson, Associate Provost for Faculty, Sue Buckley (Associate Vice President FO/Director of Human Resources) and Joni Troester (Director, UI Wellness) addressed the implementation of the Smoking Policy. They are gearing up to recommend to President Mason that smoking should now be banned across the entire campus. They want to provide her their input by early December. AP Johnson recommended that the ban be in place by July 1, 2009.

Past President Kurtz, although supportive of the policy, felt that significant smoking cessation programs needed to be instituted. He also asked about enforcement issues.

AP Johnson believes that 100% enforcement is not a necessary end point in order to see a public health benefit; she expects peer pressure to be a significant motivator. She did not anticipate any arrests. Steps would need to be taken to alleviate clustered smoking areas.

Ms. Troester estimates that 10-15% of UI employees are smokers. She broke this down to approximately 18% Merit; 8-10% Faculty, and around 30%

Students. The compelling argument, she said, is that the students pick up the habit when they arrive on campus. Ms. Buckley said cessation programs are critical. Ms. Troester added that there is free behavioral counseling and funds are available up to \$200 for appropriate over-the-counter medication. She said they may look at increasing that reimbursement rate. The only requirement for this help is that the employee completes a health risk assessment.

A further challenge will be defining what is and what is not the “campus.” Discussions with city administrators may prove difficult. Ms. Buckley said the current vision of the policy does not include smoking-friendly spaces.

VI. Announcements

- Faculty Senate Orientation, Tuesday, October 2, 3:30 – 5:15 pm, 116 Art Building West
- The next meeting of the Faculty Senate will be Tuesday, October 23, 3:30 – 5:15 pm, Senate Chamber, Old Capitol

VII. Adjournment – The meeting adjourned at 5:14 pm