

WAYNE STATE UNIVERSITY
ACADEMIC SENATE

PROCEEDINGS OF THE POLICY COMMITTEE

October 17, 2022

Present: D. Aubert; M. Barnes; L. Beale; r. hoogland; P. Khosla; M. Kornbluh; N. Rossi; B. Roth; S. Schrag; N. Simon

Absent with Notice: J. Lewis

I. APPROVAL OF PC PROCEEDINGS

The October 10, 2022 proceedings were approved as submitted.

II. REPORT FROM THE CHAIR

Graduate Application Apps and Online Master's Programs: Provost Kornbluh announced a change in the way graduate applications are done at the university. A new app was added to the recently used SLATE application: EngineeringCAS (College of Engineering), BusinessCAS (Mike Illitch School of Business) and GradCAS (other graduate and professional programs). The Graduate School made the decision in January 2021 with the expectation that it would increase the number of applications, and it may explain the increase in master's students in Business and Engineering this year. There was, however, poor communication from the Graduate School regarding this additional step in the application process: while it had been mentioned at meetings, even participants at the Graduate Council (including Beale) were not fully aware of how it would function. Kornbluh noted that the SLATE license is a single set cost, with no additional per applicant cost: it remains a part of the application system for graduate students. The CAS agreement implemented on September 9 was set up in a way that did not allow schools to access names until applications were complete and students had paid the application fee. This limited access was especially problematic for schools like Law and Nursing and others that tend to contact applicants very early in the process and may pay the application fee for sought-after candidates. These problems were made worse by the late start. Those problems have been resolved: the applications now move from CAS to SLATE on a daily basis so that graduate program directors have access to the information.

Additionally, CAS charges \$38 per application and \$58 for Business and Engineering applications. Our graduate application fee is \$50. We are therefore subsidizing every Business and Engineering application for \$8 and receiving only \$12 net from other applications. Kornbluh wanted to eliminate the application fee, but we cannot if we continue to use the CAS system because of that expense. The Graduate School anticipated the increase of applications would offset most of the lost revenue. The provost explained that application fee revenue carried over into the Graduate School budget in an account that is never tried up. The Graduate School thought it had the money, and the contract with CAS was signed by Rebecca Cooke (the former CFO) without any notice to the interim provost at the time (Laurie Lauzon Clabo). Provost Kornbluh is working to change the signature authority on such major pieces of educational

software to avoid this kind of problem. Although Cooke approved the contract, she did not adjust the budget: the Graduate School's anticipated \$300K in revenue for FY 2023 will not be realized. The Graduate School now estimates only \$100K in revenue, though the premium cost for Business and Engineering could reduce or eliminate that estimated revenue because of the increased new student applications this fall in Business and Engineering. Since there were no improvements in programs or marketing, it can be assumed that using the CAS Common App helped those programs recruit students. Nonetheless, the university now needs to resolve these questions. The CAS contract can be canceled with 90 days notice, but it is not clear whether we should do so: it may be a net gain for the university if it helps in recruiting even though it is expensive.

Beale questioned how the app worked for the other schools in colleges. Kornbluh noted that the Law School was unhappy with the late implementation, the lack of information about potential applicants, and the likely impact on the incoming class. The Graduate School did not allow school/college and departmental graduate admissions people to look at the applications in CAS until they were moved into SLATE, and there were mistakes in the process. Nursing is also worried that its recruitment started behind the curve, with the dean noting there was no consultation about the CAS program. There is a NursingCAS that is more expensive than the GradCAS, but Nursing at this point does not want to charge students that extra amount. Similarly, the Chemistry Department is the largest and most demanding STEM program, and it experienced similar miscommunications and Graduate School impatience regarding communications.

Beale questioned whether the CAS contract can be kept for Business and Engineering without using it for the other schools. Kornbluh responded that the contract can be renegotiated, but it is not clear whether that is the best path forward. We do need the information in a timely manner. Academic leaders are devising solutions. For example, Chemistry has worked out a fee waiver for their international applicants, and the Engineering dean conducted a social media storm offering a free application for a month, which has resulted in a large number of applications.

III. REPORT FROM THE SENATE PRESIDENT

UROP: An announcement for the winter-spring/summer 2023 UROP (Undergraduate Research Opportunities Program) went out in a timely fashion. Noreen Rossi in the School of Medicine said she did not receive the announcement. Beale will follow up to find out who the announcement went out to.

Inside Higher Ed: Beale had shared with Policy members the *Inside Higher Ed* webcast titled "The Evolving Faculty Affairs Landscape" dealing with burnout and demoralization. Beale thought it was an interesting approach because she has talked to many faculty who have experienced these issues. She referenced the article on student-centered education that reflects some of the issues Policy has been talking about in connection with the chemistry professor at NYU who was fired because his class was too hard. She recommended the Faculty Affairs Committee and the DEI Committee think about these ideas. The university mentions student support as a constant, but there are also faculty support issues that need to be considered: what do we do to help faculty with workload stress? If any Policy members have any other ideas

about how to approach the issue, she asked for email notes that can be shared with the relevant standing committees.

OVPR: The Office of the Vice President for Research held a town hall on several of the core facilities, as well as a workshop to train those interested on Pivot (a searchable database of funding opportunities and expertise).

Post-Roe Committee Update: Beale met with the Post-Roe Committee prior to this Policy meeting and reported a consensus not to recommend a response team approach but to focus on having informal processes available for student needs, which already exist through DOSO. The committee members discussed the fact that students may not know what kind of medical contraceptives and advice services exist on campus (i.e., Plan B is available at the Campus Health Center) and how to get that information to students other than via emails that are overlooked. Beale suggested putting flyers in restrooms and in the Student Center and a website with information with reproductive information. Michael Barnes suggested putting that information on campus monitors. The committee also discussed data issues related to provision of medical care by clinicians associated with the university and research issues arising because of neighboring state laws banning abortion that may result in such states seeking information about services provided in Michigan to their citizens.

BOG Listening Tour: The first BOG listening session took place on October 13 with approximately 30 people attending. Comments were good, though some were rambling and off target. After the session, Beale had lunch with BOG members Mark Gaffney and Terri Lynn Land: their takeaways included thinking about the curriculum (because of one particular comment) and noting the concerns requesting a more consultative process of choosing among finalists expressed by several of the attendees. There was an initial sense after the Senate plenary session that the BOG might bring only one finalist back to meet with particular groups of campus constituencies, but there was pushback from several people including Patricia Wren (CLAS, Chair of Public Health) who articulated the importance of transparency and getting the perspective of different campus constituencies on multiple finalists. There seemed to be a clear consensus among the attendees that it would be best to bring two or three finalists back rather than a single finalist that the BOG already expected to hire. This could be done, as with the decanal candidates, by having those finalists meet smaller groups that are able to maintain confidentiality, if necessary, such as the Academic Senate Policy Committee, the Council of Deans, and the Provost's Office associate and assistant vice presidents.

renée hoogland questioned how many candidates were brought here when M. Roy Wilson was hired. Beale believed he was the only one, which clearly was not an ideal process. When Allan Gilmour was brought in, there was a search committee that never met because several on the BOG decided to make Gilmour president. President Noreen was similarly selected as a single finalist. The university regrettably does not have a good institutional history on presidential selections, and various of those decisions have resulted in poor leadership for the university.

Kornbluh noted that this will be a difficult market for hiring a president. MSU has lost three presidents in a very short period of time, Michigan recently fired a president, and our current president remained in office several years ago when half the elected members of the BOG openly

called for his resignation or removal, by counting himself (a non-voting member of the Board) as part of the BOG quorum. Coming from the outside to serve as president under a publicly elected board is a hard recruit and difficult market. Kornbluh expressed his concern that the university could lose candidates if there is insistence on multiple finalists engaging in open campus meetings: that could make it hard even to solicit good candidates. Having the Policy Committee and other faculty committees that can be relied on to maintain confidentiality able to meet candidates is the best solution. The university has established a practice of having the Policy Committee talk to administration finalists, and Policy's feedback has been taken seriously. Policy has a good record—the CFO would likely not have been hired if this committee had concluded that hiring someone with no university experience was unacceptable. Furthermore, everyone knows that Policy has kept these interviews confidential.

Beale noted that she is not necessarily arguing for a fully open process but that at the minimum there should be an opportunity for key constituent groups to meet with and provide feedback on finalists. The idea that is most worrisome is that the BOG would decide on a *single* finalist without getting input from key campus groups beyond the search committee on at least the 'best' two or three candidates. Even if the BOG is close to deciding, they should have some breadth of input beyond the search committee on the top candidates. Kornbluh agreed to support the suggestion to Mark Gaffney that Policy should have the opportunity to talk to finalists.

Danielle Aubert raised a concern regarding appointment of faculty to the search committee. In the conversations that she and Beale had with Gaffney about the search, they stressed that the process will not work well if the search committee is comprised almost entirely of Board of Governors members and other administrators or alumni/donors/community members. Faculty need to have input. Kornbluh responded that he understands that the BOG will at least have a Policy member on the search committee.

Beale suggested more Policy members attend the upcoming listening sessions to address the importance of shared governance and having a president who will be consultative on policies and plans for the university. Rossi noted that the troubles at MSU and Michigan highlight the problems that arise from lack of connection to faculty: she thinks candidates would welcome knowing before they take the job what is on the minds of faculty, as a way to help them decide whether they are interested in being here. Beale thinks that a valuable result of Policy's interviews with candidates for positions like dean or provost or general counsel: it establishes a responsible and communicative relationship that says we want to hear from you, and we want to support you, and we want you to be aware of and support issues that concern faculty and academic staff.

Naida Simon added thanks to the provost for having Policy meet all of the finalists in each of the dean searches.

IV. COMMUNICATIONS AND REQUIRED ACTIONS

A. Academic Senate 11/2 Plenary Agenda

The provost had requested that a discussion of the proposed Remote Operations Policy be put on the agenda. Beale included Dave Massaron (CFO / Sr. VP Finance & Business Operations) as part of the discussion. Because this is not yet a policy, Aubert asked the provost if this would be an open discussion. Kornbluh noted that the policy is not yet final, but the hope is to finalize it soon. Beale asked that Kornbluh and Massaron provide any updated version of the policy to include language about faculty handling of classes for distribution with the plenary agenda, since the original did not address that question.

hoogland asked the provost to elaborate more on the nature of the remote operations decisions. Kornbluh noted that Policy's earlier discussion had generally approved the idea of an option for remote operations rather than full closure. Aubert had sent a letter on behalf of the AAUP-AFT Union requesting impact negotiation. The university does need to establish a policy to deal with the new circumstances of potential remote operation before it snows.

Beale explained the issue about synchronous and asynchronous classes was only discussed in Policy. As it was drafted, the policy did not say anything about what faculty were supposed to do about classes. Last year there had been many questions about holding remote classes if the university was closed, and whether that should mean holding synchronous or asynchronous classes. If there is a remote operations choice, the policy governing moves to remote operations should cover how classes are handled. The suggestion in our prior discussion was that if it is determined to close and operate remotely, then faculty teaching in-person classes should be either allowed or required to hold their classes remotely.

Aubert pointed out that a move to remote operations would affect the entire campus, so faculty would have to have whatever equipment they needed to work from home on the day of remote operations. Students would be required to attend a remote class, and if they experienced a power outage at home, they would be docked for missing class. With remote operations, essential workers might not be paid comp time for a closed campus. Barnes added that there are equity concerns for students who may not be able to afford internet at home. Pramod Khosla said he has been here 27 years: given the small number of weather closures, he does not understand why not just close the university and have it be fully closed.

Rossi agreed with Aubert that weather closures with moves to remote operations can leave some students unable to attend a synchronous class because of their personal circumstances. Roth noted that such personal circumstances can intervene any time (i.e., localized power outages, accidents on the highway, illnesses) whether the university is open or closed or closed with move to remote. Rossi questioned if this is a policy applicable only to snowstorms or a more general closure policy. Aubert suggested that the policy will require academic staff to bring their laptops home and to have an appropriate set-up at home (docking station) when snowstorms are expected. Kornbluh pointed out that 96% of academic staff have flexible work hours now so they have the appropriate set-up to work from home as this has become the new normal, unlike in pre-pandemic times. Aubert suggested that there is still more work to be done to support a discussion at the next plenary.

Beale stated the value of an open discussion at the plenary is to hear from the representatives on the Senate, which includes faculty and academic staff from across all schools. She noted that

there may be a clear consensus for or against the policy or there may be differences of views. It seems useful to have a discussion from a larger group *before* the policy is finalized. A draft of the proposed policy will be sent out with the plenary agenda, so members will have an opportunity to talk about it with their colleagues before the meeting.

A second item for the plenary that Beale suggested in the draft agenda is an invitation to one of the new deans to provide an update on their school/college. Kornbluh said he believes Virginia Kleist (Business) or Hasan Elahi (College of Fine, Performing, and Communication Arts) would likely be ready to make a plenary presentation. Beale will follow through with an invitation. Barnes suggested possibly inviting both deans.

Beale asked Policy members if there was anything else we should be discussing at the next plenary. Kornbluh mentioned the petition from the chairs about indirect cost recovery (ICR) and suggested he and Tim Stemmler (Interim OVPR) talk about this and answer questions. An ICR discussion would be substantive.

Beale will invite one of the deans first and will hold the ICR discussion as a possibility for this or the next plenary, depending on timing.

B. BA in Law Draft Proposal

The Policy Committee discussed the (incomplete) draft of the BA in Law program proposed as a new degree that would be housed both in CLAS (in various departments) and in Law. Beale noted that the draft had apparently not been approved by the working group before being distributed to the provost. It has not yet been approved by either the Law or CLAS faculty committees/councils.

Roth provided background on the proposal. The original version came from the Law School's assistant dean, Nikki Taylor-Vargo, who runs non-JD programs. Dean Steffi Hartwell (CLAS) assigned Jenn Wareham (CLAS, Criminal Justice) to revamp the possible selection of courses, and there are some concerns about those suggested. The basic framework is scheduled to go to the CLAS Faculty Council's Committee on Curriculum next week.

Beale expressed her concerns with the number of 1000-level courses included as potential 'requirement' choices and as electives; the number of peripheral subject matter courses that have little correlation with legal studies and are not taught by legal studies experts; the lack of a coherent vision of curriculum (both in terms of required courses and electives; the lack of any courses that provide real legal writing, internship or research experience; and the lack of an established reasonable timing of required courses, since the 5000-level law courses will likely be left until last); the vague description of a program advisory committee rather than a clear statement of membership consisting of faculty who have scholarly expertise in legal studies subjects; and the overall administration of the program by CLAS rather than Law with an adviser in each area that could give conflicting advice; in a format that suggests revisions of curricular programming could take place with minimal input from those who have legal studies and law expertise.

There is also worry that this degree program, as it is currently constructed, will take away foundational political science students, with a negative impact on that important liberal arts department which has already lost three faculty positions in recent years.

Simon reviewed the proposal from an advisor's point of view and found it far more complex than it needs to be, apparently in order to be able to require some English and Philosophy courses that may not be directly relevant to law. Khosla presumed some of the 3000-level or higher courses would have prerequisites that are not noted in the proposal. Aubert said she could see this being a popular major, with students thinking they will get into law school more easily. She questioned if there are many applicants to the law school with an undergraduate BA in Law degree. Beale said it was not common at all in the United States: Arizona is one of the few schools that currently offer a BA in Law program, and its program was purportedly a model for its consideration here because of the success in bringing in new undergraduates to the university. The courses suggested here, however, are quite different.

Kornbluh added that this is a popular major in commonwealth countries and most of Europe as a humanistic social science that does more than train lawyers. The idea is that this degree will allow Wayne State to offer courses that mostly already exist in a different mix that will be attractive to students. This needs to continue to be tweaked, but it is one way to try to protect and help the humanities and social sciences and increase university enrollments. It will be a unique offering in this area. Majors are a liberal arts education—they are not intended to be a professional education.

Roth said this will suck students out of existing humanities and social science majors and into this program. Whether it will attract people from beyond the university to Wayne State is speculative. It is not speculative what it will do to the political science department and its current majors. Aubert countered that it could attract more people into humanities. When they come in as undergraduates, they think about how to capitalize their degree: they can imagine making money in a degree with “law” in the name.

hoogland suggested it be called a BA in Legal Studies so as not to confuse students. Roth explained that there are already many legal studies degree programs nationally as opposed to a BA in Law. Those programs tend to be based outside of law schools as interdisciplinary legal studies in a variety of disciplines in the social sciences and humanities, though some may include some law school participation. Roth had taught as a graduate student in such a program at Berkeley. The focus of legal studies programs is *not* to encourage students to think they can more easily go on to a JD-advantaged job by virtue of having the legal studies degree: but presumably that *is* the rationale behind the BA in Law degree. Roth sees the degree as problematic because students will select it thinking it will improve their prospects of getting into law school. One version of the proposal included language about a “pipeline” to the Wayne State Law School program: he flagged it as something that the law faculty would reject. Khosla asked what advantage this gives to people who want to go to law school. Roth responded that it may actually be a disadvantage because law faculty will be concerned that these students have had a “law school-lite” curriculum when they could have explored other enriching options as an undergraduate. Further, faculty may worry that students will have to unlearn bad habits.

Simon asked Roth about the LL.B. becoming a J.D. Roth explained that the basic law degree is called either J.D. (juris doctor) or LL.B. (bachelor of laws), the masters is called LL.M. (master of laws), and the doctor's is called J.S.D. (Doctor of Juridical Science). A J.D. degree is the same as an LL.B. degree, but the name sounds more distinguished. Canada grants LL.B. degrees, and the University of Detroit, Mercy and University of Windsor have a J.D./LL.B. program which allows people to practice in both countries. In most other countries there is an undergraduate degree that leads to professional credentialing in a way that it does not in the United States, where there is a special three-year J.D. program that is required beyond the undergraduate degree to be admitted to practice.

Simon asked where the academic advisor will be housed. Roth said where advising is housed is not an issue, but how the degree program is organized and who directs it and what academics are involved in making decisions about the administration of the program are important issues that are currently rather undefined. Kornbluh said there will be dedicated advisors for this major. Roth expressed a concern that the proposal is driven by considerations other than maximizing its pedagogical value. Beale agreed that the proposal course listings seem to use as many different departments in CLAS as possible to bring in students to courses that are already there for a new major. She thinks as currently proposed it falls short of representing a quality program with sufficient legal courses to allow students to gain perspective on the law.

Roth added that his department figures to lose a substantial number of majors because this program will entice students to major in it for a better chance of admission to law school (unlikely) and as currently planned, it is a program that lacks coherence. Barnes noted that while the popularity of this program may be undeniable, looking at the impact on other programs should be part of the study as to whether we implement this because we don't want to kill one program for benefit of another. Kornbluh pointed out that most of our students do not go on to graduate school: students with this major are likely to go into business: this should give them some law background as part of their liberal arts degree.

It was the Policy Committee's view that a new undergraduate degree housed in multiple schools/colleges must go through the full Senate plenary for approval before being moved to the Board of Governors, just as any new graduate degree or graduate certificate program goes through the Graduate Council. Policy agreed that both CIC and FAC should give an in-depth look at these issues raised by the Policy Committee.

C. Data Breach (from 2/21/22) and IT Security (from 6/20/22) Updates

Beale sent Policy's suggestions on the reporting on Data Breach Policy to Dave Massaron but had not heard back on the status. It was not listed in the administrative policies and procedures manual (APPM). She also distributed Rob Thompson's (AVP/CIO) 5-year Roadmap PowerPoint slide from the October plenary with Policy members. She also mentioned she had received an uninformative draft security policy form from Thompson (not shared with Policy) and questioned if these security issues will be put into an APPM. These issues will be postponed to our next meeting.

V. REPORTS FROM LIAISONS

The FSST Committee, SAC and Research Committee will be holding meetings this week.

Kornbluh announced that some of the colleges are working on their promotion and teaching factors and asked if anyone has heard of any difficulties with that. Aubert said she heard some concern that the department bylaws could make it difficult for factors to be figured out in time because changes go through multiple meetings. She has pushed people move quickly. Kornbluh did not think Engineering has college-level rules, just department-level rules.

Khosla asked if the university factors for faculty of teaching can be shared. Kornbluh confirmed they are up on the website and can be shared.

Approved as revised via email by the Policy Committee on October 27, 2022.