

WAYNE STATE UNIVERSITY
ACADEMIC SENATE

PROCEEDINGS OF THE POLICY COMMITTEE
June 3, 2024

Present: L. Beale; S. Chrisomalis; L. Clabo; D. Donahue; r. hoogland; P. Khosla; J. Lewis; N. Rossi; B. Roth; S. Schrag

Absent with Notice: D. Aubert

Guests: Tom Cavalier, Assoc. General Counsel; Lashonda Cooley, Sr. Dir., SPA; Phil Cunningham, AVP, Research; Joan Dunbar, Prof. Temp., Research; Ahmad Ezzeddine, VP Academic Student & Global Engagement; Jamie Goodrich, Dir., Humanities Center and Hub; Gail Ryan, AVP, SPA (retired); Lorry Sabo, Mgr., Export Control & Regulatory Compliance; Eulonda Whitmore, Assoc VP and Chief Audit Executive

I. FOREIGN INFLUENCE POLICY AND DOCUMENTS

The Policy Committee began discussing the need for a clear “foreign influence” policy more than 18 months ago, and ultimately reviewed several versions of a draft policy. It was understood that adequate disclosure required more information than faculty who are not reporting as required for NIH, NSF or other federal grants may have disclosed in the past, under new and more extensive federal regulations. Disclosure protects faculty members, who could otherwise be liable for significant financial penalties and even imprisonment for failure to disclose when required by the federal government.

Members' concerns centered around the scope of the term "foreign relationship" and the lack of clarity about what types of interactions with foreign persons or entities require disclosure. Cavalier noted a couple of distinct concerns that had been discussed earlier. One was making clear that personal relationships and informal communications with colleagues or counterparts in other institutions that were not related to a formal collaboration or common project were not covered. Linda Beale added that Policy members were not satisfied that the policy as drafted communicated clearly the reasons for disclosure and the categories of disclosure (including both collaborations with foreign persons or entities generally and any foreign relationship with a listed country that the government considers provided an unusual risk). Listed countries change frequently, so it will be important, from Policy members' perspective, to have a website that is constantly updated through appropriate links so that faculty can be informed. It will also be important to have this information somehow referenced on the Division of Academic Affairs website as well as the Division of Research website. Most non-STEM faculty have not realized that they might have a disclosure obligation when they teach, even on a voluntary basis, in a foreign institution or collaborate professionally on social science or humanities research with a foreign colleague. The Foreign Influence Committee (FIC) and Policy Committee have thus convened to work towards a resolution of the ongoing concerns.

Policy provided for the discussion two examples of websites dealing with foreign influence disclosure at University of Texas Arlington (UTA) and University of North Carolina (UNC), where there was a much broader scope of information provided in an organized fashion that would be much easier for a faculty member to understand the disclosure requirement. Beale noted that WSU's disclosure information is only on the research website, whereas the faculty who most need to become aware of the policy are not in the STEM disciplines or among those already having federal grants and may not know to look at that research website. A member of Policy had taught in China in months outside the academic year without realizing that required

disclosure since neither the disclosure form nor the consulting form mention such requirement. This makes clear that the consulting form also must be expanded and connect with the foreign disclosure requirements.

Policy members had also suggested that it would be helpful to have a FAQ document that could be on the appropriate website(s) with the policy, and a draft was provided for that document. Beale noted that the Policy members had concerns about the draft FAQ and other issues concerning the policy because of lack of clarity and paucity of examples other than those disclosures required by federal research agencies like NIH, NSF, DOD—a disclosure obligation that is already much better understood by the STEM faculty who tend to be primary grantees of those agencies. The FAQs as currently proposed are short on detail and focus on one particular instance that needs to be reported. The UTA and UNC examples have some things that would be helpful to fold into something other than FAQs, even though that is what folks asked for in the first place. Steve Chrisomalis explained how the FAQ lack of clarity impacted its usefulness: the last question listed referred to a specific event in China in which faculty would participate, but the FAQ did not explain whether disclosure was required because it was China or because of the topic of the collaborative event.

Clabo suggested a broader educational package that notes things to consider. This is an opportunity for FIC to look at examples from other universities and mount something more broadly at our university. As we move to fall, what educational program can reach across the campus? Perhaps a series of brown bag events can be held. We must communicate this in many ways and listen to minor examples that may seem irrelevant, but they are meaningful to a faculty member who is new to this. Beale will incorporate a discussion of the disclosure requirement in the Senate's session for the New Faculty Orientation. Clabo also suggested a traveling roadshow going to school and college faculty meetings, as well as more detail on the website.

Chrisomalis raised another concern. If a philosopher co-authors an article with a University of Windsor colleague, it appears that must now be disclosed to the committee for their review. This is a level of review that has not existed here in the past: is the committee adequately staffed to evaluate disclosure submissions systematically with the potential thousands of inquiries resulting whenever a faculty publishes with a foreign co-author or in a foreign journal in any discipline, regardless of whether it is federally funded?

Cunningham explained that the university's initial effort towards disclosure began during former President Wilson's tenure on a federal committee overseeing foreign influence inquiries: people were being arrested and charged for federal crimes, so Wilson had then VPR Lanier create a policy to post on the OVPR website as a protection for faculty. That policy dealt primarily with funding from federal agencies like NIH and DOD, which requires a bio sketch that lists any type of foreign involvement as well as information on "other support" that can include graduate students from abroad working in the grantee's lab. Even though the policy existed, it was not enforced. Beale noted that former Provost Kornbluh early on realized that there needed to be a clear policy and brought the issue to the Policy Committee's attention, which led to our discussions on this matter. Cunningham added that FIC concluded it would work best if anyone planning a disclosure shared it with FIC so that they can vet it for completeness and to determine if it must be disclosed to the federal government, as a way to help protect faculty. Clabo added that over-reporting is much preferable to under-reporting, but that still leaves Chrisomalis' question whether there is capacity to do the oversight required.

Beale noted the policy also lacks a clear statement at the beginning about the rationale for disclosure and the impact on an individual if the appropriate exposure is not made. People need to know why this is needed, that it is important and it protects them to do it. That should be up front in whatever policy statement is issued.

Noreen Rossi pointed out internal support also needs to be declared, although many faculty with research grants were not aware that it must be declared as "other support." Ryan added that while "other support" should be inclusive of internal support, the problems arise when there is a grant at a foreign institution rather than when a grant has \$500 in internal funding. This policy is specifically for the foreign influence piece.

Chrisomalis went back to his question about disclosure requirements and capacity. He is Canadian but has no Canadian government or Canadian university affiliation. Yet apparently, under the language of this policy, he must disclose to the FIC every time he publishes any paper or presents at any conference, whether or not there is any funding, because he is Canadian. Any graduate student we have who is Chinese or Canadian (and we have hundreds of Canadian graduate students) that does any sort of research, whether it is federally funded or not, by the language of this policy would need to be reported through FIC for any publication or conference or collaboration with a faculty member. That would inundate the FIC.

FIC members responded generally that those situations in which a faculty member publishes articles in international journals or sits on editorial boards of journals that are located in various countries throughout the world do not necessarily have to be disclosed because FIC understands that is standard scholarly work.

Chrisomalis reiterated the FAQ's heavy reliance on NIH funded research examples and requirements, noting that expanding the disclosure categories will radically change the nature of humanities and social sciences work at WSU. There will be thousands of new disclosures per year, with clarity needed regarding whether one may undertake the activity if the FIC review has not been completed. None of this is covered in the draft FAQ, and faculty collaborating with other-country scholars, whether Canadian or EU, are not now disclosing those collaborations. They are likely providing disclosure only if they are collaborating in some way with people or institutions in the former Soviet Union or in China or a few other countries. renee hoogland noted this will be especially confusing to people in the humanities. She asked whether disclosure would be required if she were invited to give a keynote lecture in the Netherlands for a small speaker fee and travel costs when she has no federal grants. People need to be told what is new that needs to be disclosed under this, because the language in the policy is radically different from current understanding. Chrisomalis suggested it was unlikely the feds are penalizing researchers for failure to disclose a trip to an international conference in philosophy. On the implementation side, if it is not done in a timely way that causes people to miss out on opportunities, they are just going to go anyway. Rossi suggested categorizing the website into federally funded grants (that will take you to OVPR with more detail), non-lectureships and teaching experiences so that people can quickly categorize what they are doing. Rossi added that the location of many journals that require payments for publication is often not known until the bill arrives for the publication. The submission website does not disclose the country in which the journal is located/published. Chrisomalis noted that giving a talk at a Chinese university that is funded by the Chinese university with no federal money or even done as a volunteer is now understood to require disclosure, but that is a different activity than the ordinary publishing of an article with eight collaborators and having to declare their citizenship (which faculty may not even know). That will be a heavy workload on the FIC, which is comprised mainly of upper- and mid-level administrators. Beale noted that the Law and Society Association sponsors programs in the U.S. one year and another country (usually Europe or South America) every other year, to encourage a broadly diverse perspective on issues. Would a trip to that conference in Europe have to be disclosed? Cavalier confirmed that any travel out of the country to present a paper on any topic must be disclosed.

Chrisomalis asked about application of the policy to graduate students. For instance, 35 graduate students from his department were funded with \$250 each to attend the American Anthropological Association Conference in Toronto last November. Should each of those students disclose the departmental funding and the trip? If so, there is an important issue here for educating graduate students, whereas the policy seems only to refer to them in the context of being on a PI's NIH grant. Cunningham noted that for federal research, it is the PI and key personnel listed on the grant who must disclose.

Brad Roth asked whether the policy is retrospective and if so, how far back. Cavalier responded that the ideal is to disclose prospectively, but there have been many disclosures for past relationships. Cunningham added that when a disclosure form indicates a relationship not previously disclosed, the committee reviews the original grant proposal to see if it should have been disclosed earlier: even if the relationship is now concluded, failure to disclose is a violation, so Ryan's office would report the mistake to the federal agency. Roth inquired what the obligation for past relationships is when one has never applied for federal funding. Both Cunningham and Cavalier are unaware of prosecutions of individuals not doing federal research for felony violations, but Cunningham will inquire in DC regarding how far back retrospective reporting should go. Rossi mentioned tech transfer and industry funding of intellectual property development, and Cunningham stated that is one of the categories covered. Beale noted that is why these categories have to be clearly spelled out in the policy with more specific examples.

Beale noted that if any examples like the ones mentioned in the discussion at Policy are not covered, then the policy language needs to be clarified. Beale added that the requirements for grants from NIH, NSF and DoD need to be clear, and that is what is generally covered (perhaps less well organized than on the other websites we reviewed) on the research integrity and foreign influence website now. (As an aside, Beale noted that the current website has out-of-date information, so someone on FIC should be tasked with ensuring it is updated appropriately.) Nonetheless, the current website is insufficient for the new requirements of much broader disclosure across the humanities, social sciences and arts for which more information is needed. In the non-STEM fields, it is important if someone is going to give a talk in a foreign country to disclose the country. If the talk is at a particular institution or organization, it is important to disclose that. Chrisomalis agreed, noting that we are a community that has largely been unaware of this disclosure requirement outside of the funded grants processes. The bench science people already know this, but everybody else does not. Beale continued that there must be a better description of the kind of foreign collaboration that requires disclosure, including a clear statement about disclosure relating to any kind of relationship with a country that is one of the listed countries, along with information on identifying which countries are currently listed, which may require having a link on the website that updates whenever the U.S. government updates the list. In essence, Beale noted, a much better narrative about the rationale for the policy, the definition of foreign relationship with examples of categories, and the information about any relationship involving listed countries is needed in the policy document. UNC, for example, does a nice intro overview that would help faculty consider what to disclose. How disclosures are reviewed by the FIC (which is the main thrust of the current 'policy') is a second part of the policy and procedures document. Finally, Beale pointed out the need to cross reference the material both in the Faculty Affairs division of the provost's office and the OVPR website.

Cavalier agreed. The origins of the current policy and procedures are limited in a way. There needs to be an intro or explanation of what and why they have to disclose. The first part needs to be expanded. He summarized his understanding that the criteria currently describing disclosure is tailored towards the STEM fields, especially those projects that are funded by the federal government. The key problem Policy has pointed out is for non-STEM areas of humanities and social sciences where the policy may capture too many types of interactions to be manageable. If that is the case, then we may need to adjust the criteria for those areas. Limiting disclosure

requires care that it not be defined in a way that lets important information fall through the cracks. A broad definition is generally better than a narrow one with multiple carveouts. Beale noted, however, that the definition cannot be so broad as to be unclear and essentially meaningless to people not accustomed to this disclosure, because the result is what has happened with the current policy—no disclosure and no enforcement. Jennifer Lewis suggested creating a decision tree similar to the one at IRB and a fillable PDF for the disclosure form with clear categories as set forth in the revised policy. Cunningham noted the current form for disclosure of foreign interactions is crafted as a fillable PDF with yes or no questions. Clabo suggested using the word “guidance”: there will need to be a carefully crafted policy, but there must also be appropriate guidance.

In terms of next steps, FIC agreed to draft guidance that covers these topics. If anyone has additional comments or issues, send them to Beale and she will make sure Cunningham and Cavalier get them.

II. HUMANITIES CENTER AND HUB

Goodrich was invited to Policy to discuss the Humanities Center and Detroit Humanities Hub. The charter was last renewed for six years in 2007, so rechartering is underway and the documents should be available to Policy soon. The purpose of the center is to support faculty research with graduate students. Although the former director innovated various programs, the existing charter does not clearly cover what kinds of programs can be a part of the center. That has allowed the director breadth to create programs and to make changes as needed. That flexibility is important.

The center and its advisory board are interdisciplinary. Board members have staggered two-year terms, so every year Goodrich contacts the deans of the appropriate units for replacements and sends selected names to the provost for approval under the process set out in the charter. Current board members represent social work, law, CLAS, CFPCA and education.

There are no jointly appointed faculty: the only staff are the center director, an administrative assistant and student assistants. Goodrich will be taking on a dual administrative role as the English department chair in the fall, so Provost Clabo has provided funding for an associate director (a tenured faculty member) who will focus on the grant process and fellowships and an assistant director (a non-academic appointment) who will direct the Hub. OVPR has also provided bridge funding.

The idea for the Detroit Humanities Hub came from Goodrich’s strategic planning research while preparing for rechartering. Nationally, there are a few other humanities centers with large Mellon Foundation grants or funding from other entities in the centers’ local areas. This is what WSU should do as a public research university in an urban area to create synergy between the university and Detroit as part of our urban mission. WSU can lead the way in showing what the humanities can look like in a city. The existing urban humanities discipline is primarily design—urban planning and architecture—but nothing that focuses on the intellectual lives of city populations. What movies do people see? What concerts do they attend? What artwork do they encounter locally? What books are book groups reading? This is a way to see if we can make the humanities connect better with the community and put the humanities to work for the community. A listening tour throughout the university showed that many wanted to do something in the community but did not know how to do it.

The Hub is based on the idea of Detroit as the Motor City with our street-wheel layout, which is a unique attribute to appeal to funders. The center will be a hub for humanities for the university and for the community, with five spokes: arts and cultural heritage, community activism,

education, entrepreneurship and industry, and medical humanities (i.e., art therapy or anything that brings medicine with the humanities in those ways). Pramod Khosla asked what community activism covers, and Goodrich gave as an example Rahul Mitra (CFPCA) who organizes for water justice/ access to water. It asks where social injustice exists in Detroit and how can the university through the humanities center apply our expertise to that problem.

There will be a series of related programs, starting with internships that were established under the humanities clinic in 2017. Liz Faue is stepping down as director to focus on Labor@Wayne, so the Humanities Center will provide the clinic with a home and permanent funding. The assistant director will handle the transition and run the clinic. The clinic already has relationships with more than 100 community partners. The internships are currently restricted to graduate students, but Goodrich hopes that advanced undergraduates can participate through funding under the College-to-Career initiative. She has discussed this with Ezzeddine, who has a budget to support such activities. To make the internships happen, though, it is important to increase the center's endowment funding because these projects should not depend on constant renewal of one-time funds.

In the future, Goodrich hopes to establish fellowships for faculty community engagement projects that would provide a course release or needed funds. For example, a reading group could be established with funding of \$1000 to provide books for community participants. Similarly, Goodrich would like to see two- or three-month residencies that bring local community members who are innovators in the arts and humanities to campus for a semester to do two or three public exhibitions or talks or classes. They would be part of the residential faculty, with an office in the center and a stipend. Finally, a podcast would be created to focus in part on the humanities developments on campus and in part on our community partners. This would raise the public profile of the humanities in Detroit.

The budget to make this possible will require doubling the center's endowment (currently at \$5 million). That would allow the center to cover the assistant director's salary and fringe as well as the costs of the new programs. The plan is to start with proof-of-concept grants. Goodrich is talking with interested faculty members to see if they can work together for an external grant. Such grants would demonstrate to Mellon that the center can be a generator of community engagement with endowment funding. Ideally, the fellowships would serve as seed grants so that one would come to the Humanities Center with a fellowship for two years and then apply for a big NEH grant later on. It will be important for the assistant director to help with humanities grants on campus and collaborate with OVPR. That is why OVPR contributed the bridge funding to the center.

The internships are generally summer internships, although sometimes there are students who do an internship during the semester. Students work 100 hours and receive \$2,000 in pay and fringe. The internship can be with an entity at WSU or off site. The clinic has funded a couple of these off site with Pewabic Pottery and Henry Ford. The clinic currently has a postdoc as managing director who has developed connections with various nonprofits and other entities in the area, but the assistant director search, which will take on the clinic directorship, is underway.

There is a need to support faculty in humanities grant writing. Chrisomalis pointed out OVPR has not in the past known how to support humanities well. The center needs to be able to show a pipeline that a \$5,000 or \$10,000 grant leads to further success. He is hopeful that VPR Ezenari Obasi is willing to support that, at least initially, because there need to be those results before the center can seek funding from Mellon. Beale noted that she had discussed this concern about humanities grant-writing support with Obasi earlier, and hopefully Goodrich can work to ensure there is that connection on humanities grants. Chrisomalis added that the new DC consulting firm Lewis Burke and Associates has a humanities person who should be able to help.

Clabo agreed, noting that the center can complement OVPR by maintaining a clearinghouse of humanities grants. That articulation is critical. While you do not want the Humanities Center to be in competition, people will see it as that unless there is careful messaging around that articulation.

Clabo asked what would result if the center cannot grow the endowment. Goodrich considers there is a “short runway” with about three years to show enough results to be able to ask for additional money to move forward or else get grants that allow the assistant director to be paid partly on soft money temporarily. This will require creative thinking and working with foundation relations. The center is maximizing use of expenditures from the endowment now with the programs on which people depend: those will not be eliminated. CLAS will continue to pay her full base salary, which will allow increasing the stipend to a livable amount for a doctoral dissertation fellowship. (The charter does not allow the center to pay the director’s salary; nonetheless, it has been paying a portion of it since 1997.) Most of the endowment’s spendable funds pay personnel costs that are important: the center could not function work without the administrative assistant.

There was a National Endowment for the Humanities (NEH) challenge grant in the 1980s. When the fund reached \$2.5 million, former president Adamany established the humanities center with that endowment. Goodrich hopes to show NEH how well this has worked and ask for additional funding, perhaps as a match to what Mellon, which is clearly interested in public humanities and social justice, might provide. Ford or other corporations in the Detroit area are also possibilities.

Rossi asked what Goodrich expects to be the result of the humanities projects that will engage significant donors. Goodrich explained that is the purpose of talking to faculty about proof-of-concept: it will be the faculty’s ideas. What the clinic does is meet the needs of its partners.

The Policy Committee thanked Goodrich for sharing this information, allowing them to better understand the humanities center’s plans and the functioning of the clinic.

III. APPROVAL OF POLICY PROCEEDINGS

Clabo has not had time to note any suggested edits for the May 13, 2024 Policy Committee meeting so Policy will vote via email after receiving her and any other suggested edits.

IV. REPORT FROM THE CHAIR

Academic Affairs reorganization: Clabo described the reorganization of the Division of Academic Affairs, with an organization chart showing her direct reports and the various units now under each direct report. The vice provost/assistant vice president level is as follows:

Strategic Enrollment—Charles Cotton (Vice Provost): Enrollment Management; Undergraduate Admissions; Student Financial Aid; Outreach and Transfer Initiatives

Student Success Support and Engagement —Darryl Gardner (Vice Provost): Housing and Residential Life, DOSO, Student Auxiliary Services, University Advising, Student Disability Services, First-Year Experience Programming, including Learning Communities

Partnerships, Workforce, and International Initiatives—Ahmad Ezzeddine (Senior Vice Provost): Executive and Professional Development; English Language Institute; International Programs; Study Abroad; College to Career; UROP; Community and Service Learning

Faculty Affairs and Academic Personnel—Boris Baltes (Senior Vice Provost): Faculty Affairs; Faculty Development and Success; Centers and Institutes; Office of Teaching and Learning; Promotion and Tenure; Academic Awards

Academic Programs, Assessment and Accreditation—Darin Ellis (Vice Provost): HLC Accreditation; Academic Programs Review; Registrar; General Education Testing and Assessment; Academic Appeals

Inclusive Excellence—Donyale Padgett (Interim Vice Provost): OMSE

Academic Administration—Lisa Shrader, Assistant Vice President Academic Administration

Strategic Operations and Academic Communications—Brandon Gross, Assistant Vice President for Strategic Operations and Academic Communications: Academic (and School/College) Communications, WDET, Wayne State Press; Health and Wellness

V. REPORT FROM THE SENATE PRESIDENT

Current events: Beale noted the continuing campus and community discussion regarding the pro-Palestinian encampment and its removal. The provost must leave for another meeting but briefly shared her sense of the current status. Peacefully protesting and pitching a tent on university grounds are fundamentally different. The university continues to support the right to peacefully protest, but the university will not support the development of a trespassing encampment. At U-M, activists are daily attempting to reestablish their encampment. Clabo noted there was also a group here that wanted to use the spirit rock on Friday, but the spirit rock policy requires a seven-day advance reservation. The group without a reservation was turned away, but it then held a permissible, peaceful protest around campus.

Beale noted there have been a few belligerent faculty on the issue, suggesting that President Espy and the whole administration needs to go. One of the questionable claims was that the removal of the camp was a "brutal assault"—that was not obvious in the videos, but the union has also made the claim. Do we have any evidence on that? Clabo responded that she did not agree with that characterization, but she acknowledged there are multiple perspectives and cameras show different angles that make what actions took place look differently. This is likely going to play out publicly for some time.

Beale commented that she appreciated Espy's shift in response, in the emergency meeting held with Policy, towards a more measured consideration (as Beale had suggested would have been appropriate for the BOG meeting) compared to the abrupt denial of any consideration of investment strategies in the December letter to the Student Senate. The university and Foundation should always be willing to consider whether investments match the university's values and if not, what changes might be possible. That is why Beale asked the Foundation's investment committee to consider ESG investment strategies a year and a half or so ago. Consideration does not require administrative negotiation on student terms: clearly, the president (or even the BOG or Foundation Board) cannot negotiate the university's investments with a relatively small, self-selected group of students, faculty and community members; but they can consider the issues raised about choices of investment in a serious way and base the response on that serious consideration. That process suggested by Espy at our meeting with her was a big step forward compared to the response that went out in December.

Clabo noted the understanding that universities are places where we question everything, but also where we gather data, we assess the data and we make choices. Decisions take time, however, so deliberative change is different from pushing for, and getting, a specific immediate change. Rossi noted that expectation of immediate feedback seems to be prevalent now, even though that is not the way the world or a university works or should work. The university really has to approach decisions through thoughtful deliberation.

VI. UNIVERSITY HONORARIUM POLICY (APPM 1.3.3)

The Policy Committee very briefly discussed the draft honorarium policy after the provost's departure. While clearly written, it does not seem to comprehend the way university honoraria for academic guests ordinarily work. Beale will invite Ken Doherty (AVP, Procurement and Strategic Sourcing) to an upcoming Policy meeting to discuss.

Approved as revised via email on June 25, 2024.