

WAYNE STATE UNIVERSITY
ACADEMIC SENATE

PROCEEDINGS OF THE POLICY COMMITTEE
August 19, 2024

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

Guests: Bethany Gielczyk, Sr. VP for Finance and Business Operations; Anthony Holt, WSU Police Chief; Ezemenari Obasi, VP Research; Taunya Phillips, AVP Tech Commercialization; Mike Poterala; General Counsel

I. CAMPUS POLICE OVERSIGHT COMMITTEE

Poterala, Gielczyk and Chief Holt were invited to Policy to discuss a draft policy proposed by the Office of General Counsel for changing the oversight committee to comply with the Michigan statute and some of the procedures and processes that would apply for that oversight committee. The draft was adapted in large part on language used in the U-M and/or MSU documents.

The main areas of discussion were about internal reviews by the police department based on complaints received directly by them.

Poterala noted that the statute refers to grievances and does not directly address complaints that come to the police departments. Like most police departments, the WSUPD has complaint procedures and as counsel, Poterala suggested those should remain in place, giving deference to complainants' choices regarding whether to complain directly to the WSUPD or through the oversight committee. Linda Beale noted that in the past, although we had a purported oversight committee (although not elected as required in the statute), it only received very broad summary reports and there was no mechanism whatsoever for complaints or grievances to be made directly to the committee. That past practice will tend to lead people to think that direct complaints to the WSUPD is the only possible route: if they are worried that that will result in a biased result, they may not file any complaint at all. Beale is not advocating for a major say in simple internal matters, but for adequate transparency about what occurs within the police department. New procedures will determine whether people feel comfortable with their choices in the reporting process. Information that needs to remain confidential certainly can, but the oversight committee needs to be aware of any complaints or they cannot perform the oversight function of bringing issues to the attention of administrators outside of the WSUPD.

Poterala noted the importance of providing information to the community about the committee and process. Gielczyk suggested that there needs to be a clear website with both options clearly described and available. Beale agreed that such a website was necessary, but also emphasized importance of oversight committee access to the police department's log as incidents come in so that members are aware of the general nature of the reported incident. It may be in some cases the oversight committee chair in consultation with general counsel would conclude that an internal review by the WSUPD would not be appropriate because of a conflict of interest or similar matter.

Beale emphasized that there is more to consider than the limited language of the statute establishing an elected oversight committee for grievances. Ideally, this committee will build a sense of trust within the community that WSUPD incidents are handled fairly: for that to be true, the committee has to be seen as a unit that is fully informed of police department affairs—not selectively informed about what is happening with a summary of complaints. A mere oral report summarizing six months of activities, as suggested in the draft, does not satisfy that. The

WSUPD log should be available confidentially to members of the committee—there should not be an impenetrable wall. Ideally, there would also be a public log for grievances that come to the committee that includes a general category, without confidential specifics, and information upon the finalization of consideration to the extent that can be made public. If it is handled in a way that must remain private, the log would just show that the grievance has been completed. It is not revealing confidential information that should not be revealed, rather it is letting people know that this committee knows about what is happening within the police department as a basis for the recommendations that it makes.

Holt provided an example of the procedure when a complaint comes in to the WSUPD. If someone calls to make a complaint against the police department, they are told about the options for complaining: online complaint form; a mailed copy of the complaint form; an in-person visit to file a complaint; or a phone call that logs the complaint with a case number. The phone number of the caller is captured so that the department can follow up if there is no complaint filed within five days. Any complaint is logged and thoroughly investigated. After the investigation is complete, a final report is provided to Holt, and the complainant is informed of the results. They typically receive anywhere from four to nine complaints in a year, with most dealing with a parking or other traffic ticket. Complainants are informed that once a ticket is processed, it cannot be removed.

Noreen Rossi questioned how anyone learns of the options for filing a complaint with WSUPD or the oversight committee. Gielczyk explained that a phone call to WSUPD may be the start of the complaint, but information is also on the WSUPD website. She agrees that there should be a website for the committee, with the same options for filing complaints or grievances in both places. Holt added that the Internal Audit office may also notify WSUPD if a complaint comes to them against a member of the police department or the police department itself. Gielczyk assumed people may go to Internal Audit because of the whistleblower complaint line, and noted that Audit does a good job “triaging” those complaints. Beale noted that there may be cases when Internal Audit should refer those to the oversight committee rather than to the WSUPD, so that is something that needs to be considered in establishing procedures. (That is, the complainant in these cases has not chosen to go to the WSUPD, perhaps out of concern of how the complaint would be handled.)

Steve Chrisomalis noted the importance of the Academic Senate and Student Senate working through a nomination and election processes so that the members have a meaningful voice. He noted that the election of staff members is slated to be handled by Human Resources.

Beale asked whether there might be times when something that came to WSUPD as a complaint that was in essence a grievance that should go to the committee. If complaints that go to the WSUPD and filed grievances that go to the committee are treated as two completely separate pools, the university and external community would have to understand the difference between the terms 'complaint' and 'grievance'. It is doubtful that they do. If something came in as a complaint that was essentially a grievance for the oversight committee, how would that be handled?

Holt responded that the WSUPD would investigate first and consult with general counsel if it appeared to be something that should go to a prosecutor, asserting that the WSUPD is in a much better position to investigate police than the committee. The police can conduct investigations themselves. For example, for Detroit Police misconduct they do their own criminal investigation, and then turn it over to the Michigan State Police.

Beale suggested that the statute appeared intended to establish an internal oversight group that would be quasi-independent of police to provide an outside perspective to investigate certain

kinds of grievances, but Holt seems to be saying that the police will handle all investigations. Holt agreed that he could send the committee the complaint and investigation, and if the committee saw a need for further investigation (other than in matters already referred to criminal authorities), that would be fine. The WSUPD will be transparent. It might even be necessary to call an outside agency to assist, especially if it is something that came in when the officer was not on duty or out of the area. Beale asked how frequent those off-duty/out of area complaints come in. Holt recalls that there were two in the last two years: one officer tried to slip into a concert venue while he was working, and another officer was engaged in a domestic violence event with a neighbor.

Gielczyk pointed out that there seem to be a variety of categories of complaints that currently come directly to WSUPD: complaints about officer behavior when they are off duty; complaints that clearly require a criminal investigation; and complaints of a general nature against the department or individual police. Is the line clear about what complaints the department should handle and what complaints should go to the committee? Poterala responded that these are citizen complaints rather than criminal complaints. But Beale pointed out that a citizen complaint could lead to a criminal complaint. Holt suggested if there is criminal jurisdiction, that should run its course without committee involvement.

Poterala summed up the discussion by noting the view is that it is important for building trust in the police department if the committee is fully informed about incidents and complaints: that helps to reinforce the idea that the WSUPD is not hiding anything. Beyond that, he opined that the process should defer to where the complainant chooses to file a complaint. We also should not assume that the police are not capable of conducting a fair and impartial investigation of alleged police misconduct.

Beale noted that the breakup of the encampment in the spring is a good example to consider. If the committee were functional at the time, there could have been a complaint made directly to the WSUPD or there could have been a citizen grievance filed with the committee. Having a public log for the items coming to the committee and, to the extent not confidential, posting the result of the investigation about what happened in response could be positive for the university. If this process works well, that would mean that those kinds of things could be better handled and make people feel more sure assured about the facts. So the question is whether that kind of complaint should ideally go just to the WSUPD or to the committee. Holt suggested that he thought such complaints should come to the WSUPD, who could share it with the committee if the committee wanted to publicize the response of the WSUPD. Gielczyk noted it should be the choice of the complainant in terms of where they feel comfortable: it is on us to make sure that those options are clearly presented side by side without attempting to influence complainants on the choice.

Poterala offered another example, as Maryland general counsel, he was aware of a graduation party broken up by police with pepper spray. There was body cam footage that got a lot of publicity. People were taken to jail from that party. It turned out that there were people who could not get into the party and called in a false report to the police saying somebody at the party was being beaten with a baseball bat. Maryland did not have a statute similar to this, but there was an incentive for the university and the police department to investigate and publicize the truth to restore faith, especially among our students. The police presence was based on a false complaint leading the police to think that somebody was getting killed and pushing in and using pepper spray. They had escalated rather than deescalated, based on a false alarm, so it all became public. This shows there is an incentive for the police department to do this right.

Beale noted that this committee could in some of those trying instances add some credibility: something that comes out from the police can be seen as self-serving, while a report from the committee that can be made public, noting the committee's review of body cam footage and other

information, can lead to greater public confidence. Poterala agreed that the police can voluntarily come to this committee, even if they are not required to. Beale added one way to achieve that would be through having the log available to the committee and having regular communication between whoever is elected chair of that committee and Holt so that there can be a discussion of this and have a mechanism that creates a collaborative environment with as much transparency as possible.

In general, most agreed that it was ideal to be as transparent as possible, and to use the Oversight Committee, to the extent possible, as a way to build trust in the internal and external community about police activities. But there was some remaining disagreement about exactly how that should work. They agreed that some further discussion would be important. It remains to be determined what part of that needs to go before the Board of Governors and what would merely become a part of the APPM (administrative policy and procedure manual).

II. RESEARCH AND TECH COMMERCIALIZATION OVERVIEW

A. The Research Division

VPR Obasi and AVP Tech Commercialization Phillips were invited to Policy to provide an update on research and tech commercialization. Obasi began with a few important items regarding the research division. The position for AVP for Sponsored Program Administration (SPA) remains open. The first round of candidates was limited, so additional candidates are coming the week of August 25. Policy will interview those additional candidates and Obasi welcomes that feedback. Obasi will resume the school/college town halls in the fall semester when faculty return. It allows him to hear about issues, talk about what is going on from the research standpoint and collect information to better serve faculty. The division name has been changed to the Division of Research & Innovation (DORI), in part to capture tech commercialization moving back to the division and in part to emphasize the division's move forward from its past history when some faculty avoided engagement with the division. Now, those who provide division services will include on their signature line a link for positive and/or negative feedback. Obasi has found that having that signature line link also increases the positive feedback that allows them to share a more balanced story of the faculty experiences, not just the highlights of the folks that scream the loudest. The link will be available division-wide within the next week. All of this is driven by the key performance indicators (KPIs) by which the president will evaluate the division. Each of Obasi's direct reports will have six to eight KPIs and provide quarterly updates on their progress: if things are not moving forward, they can course correct based on data collected. That should result in right-sizing the division, determining what services are missing that need to be added and providing better customer service. Because of the negative customer service in the past, there will also be training intervention to try to change the culture. For the first time, the whole division meets once a month to have these kinds of conversations.

In the coming months they will begin the process to identify four to five research thrust areas in which to invest. Obasi wants to ensure that is done carefully with as much input as possible. The expectations are to address a local and/or regional society challenge. We have to determine what are those challenges are and how we can put our research infrastructure in a position to make a direct impact. These initiatives also must be reflected across all of our schools/colleges, so that each one can see what role they can play in one of those four to five areas. They will not all be health related. In some cases, it may be more difficult to envision how a team science approach can work and how each of the schools/colleges can be involved. Obasi will engage the Academic Senate Research Committee, the associate deans for research, deans, department chairs and community stakeholders to make sure that everyone has a voice. Once there is a sense of priority areas, he will engage Lewis & Burke so that we can take representatives from those various areas to DC to engage with policymakers and federal funders and develop strategies for moving these

ideas forward. Obviously, we care a lot about health equity on this campus: there is significant social need in that area. Artificial intelligence is important nationally and internationally, and the federal government is pumping money into almost every agency in the AI space. But Obasi also wants to make sure that we do not limit ourselves based the researchers currently here: we will need to think about where added strength is needed to build in some of these areas. He is hopeful that there will be some clarity on those key areas of potential strength and growth by December/January.

Obasi noted he is also meeting with new faculty at the New Faculty Orientation (NFO). Beale reported that the Senate committee chairs just held their new faculty session for the Academic Senate that morning. She and Rossi spoke with several new faculty who had questions about accessing existing databases used by other researchers and maintaining databases behind firewalls. There were general questions about storing of such data and the relationship between grant funding and research equipment already available on campus. Beale directed them to speak with DORI, and suggested that it might be useful to designate someone to serve as a coordinator to whom new faculty could bring their questions. People who are coming in on grants may be trying to understand what they do on their own grant versus what the university provides in terms of computing support, equipment support and data bank support. Obasi confirmed that is something that is going to be a partnership across a range of individuals, including libraries.

Other new faculty in a department or school that is not classically STEM or research-heavy and they do not have resources asked about managing their grants and negotiating the whole process. Obasi emphasized that DORI is for the whole university, not just for STEM research. We need to ensure they know what shareable resources there are through how we talk about it and how we engage faculty.

Jennifer Lewis raised an urgent issue with HR that has occurred in managing her own grants. The grant money is there but she cannot spend it in time because she has been unable to hire personnel due to HR delays. More importantly, it does not look good to our funders. She has a small GM grant and has had to dance around explaining to them why things got a late start when the truth is HR is the problem. WSU takes a huge chunk of her NSF money: she is about to receive a big grant and has looked into not having WSU be the institution to hold the grant because of these problems. Obasi responded that he has seen those problems at his previous institution: the biggest part of our budget is personnel, so if we are having a problem increasing expenditures but cannot spend money because we cannot make timely hires, it affects everyone. They had an HR person be part of the leadership team in the division of research. The HR piece has to be ready to hit the ground running. We need to make sure that people have a positive experience at the submission stage and a positive experience in execution, so they will want to continue to pursue funding.

Provost Clabo added that one of Accenture's first process improvement efforts will focus on the hiring process from end to end. She recommended Lewis and Obasi reach out to them to help them understand better the importance of hiring on research grants, because they may not be fully aware of the special complications related to research. Obasi pointed to the deeper issue in attracting good talent and to what extent our salary bands are appropriate. Clabo agreed this impacts our outward face to potential candidates.

B. Tech Commercialization

Phillips recently joined WSU and is excited to be here. Her view of tech commercialization is to create a high-functioning office that efficiently manages the university's intellectual property and discoveries—to work past just STEM innovations and include other areas of campus as well. She is doing a deep dive on organization to see what it looks like now, find the gaps and determine

what it would take for us to be higher functioning. She has found that many people are doing things that are not in their job description. How can we streamline our processes to decrease our turnaround time on things like NTAs and other agreements that we work with faculty on? Also looking at collaboration, she will meet regularly with the SPA team, legal counsel and the units tech commercialization interacts with to ensure open communication and smooth processes. Lastly, she will help build a culture of innovation and entrepreneurship on campus through education in what we do around tech commercialization promotion on campus. She believes in celebrating all the great innovations and discoveries that come out of the university, and has a few ideas on how we elevate innovation and entrepreneurship. She will present Obasi with a plan on that in the next month or so after talking to many people on campus. She encouraged Policy members to reach out if they want to share any ideas.

Policy is aware that we lose opportunities because of delays in working with people or getting information to interested people and problems when people do not know who to contact. Beale asked whether Phillips will be working closely with VP Ned Staebler, especially since the corporate relationship has been moved there from the Development division. Phillips does plan to work closely with Staebler. Obasi added that our relationship with TechTown and other folks are building systems that will push these engagements. Additionally, tech commercialization has a location across the street from TechTown, so the physical proximity will increase engagement as well. They will also work with General Counsel to develop templates to cut processing time.

Beale asked whether Phillips has begun to meet faculty. Phillips responded that she had met with the head of the Mott Center a few weeks ago and has meetings set up with departments in the College of Engineering. She is slowly meeting people on campus and reintroducing tech commercialization across the schools and colleges. She plans a faculty education program. Beale suggested meeting with directors of the CIAC I (OVPR) and CIAC II (Provost) research centers because it may spur them to think more about innovation, especially where they may have been delayed in the past in pursuing large grants. Obasi pointed out a big part of their focus is getting people to re-engage. Having good software with automated tracking that tells us where we are in the process will also be beneficial.

Beale raised a further issue that Obasi had mention before—the question of the continuation of the current allocation formula for facilities & administration (F&A)/indirect cost recovery (ICR). Obasi responded that this is a conversation that needs to happen. When faculty raise questions about ICR funds that go to the research office, he connects the challenges to ICR: if "our facilities are falling apart" or "it is taking too long to process IRB", that is because those are funded by F&A monies. If the university is not prioritizing covering the real F&A costs but instead dispersing the money in other directions, things break down and researchers do not have the needed support. As a researcher, Obasi prefers to have less indirect costs come directly to him if all the services he receives make his life easier. Leadership is having conversations about this issue now, and he is having some touchpoint conversations with faculty and associate deans for research. He expects to determine a process for campus-wide engagement in the next month or so.

Beale noted that what she tends to hear is that more funds should be provided to the PI and to the school/department and less to central because the research division is not doing what is needed. Obasi considers this a complicated issue that needs to be understood. Money to the PI is not being used to support research administration or maintain research infrastructure. When there is a retention issue, money provided to a PI will not be used to retain another faculty member by handling the startup funding gap. We need transparency and a clear consideration about how funds are used university-wide—both in the research division and in the school/college and department levels. Sometimes the money just sits and is not spent, resulting in lower research expenditure statistics. Chrisomalis added that the faculty arguing for more funding for PIs are not

necessarily critical of OVPR, but are partly concerned about whether F&A centralized funds are being used fairly across divisions and colleges. Clabo noted that these perceptions are often unencumbered by fact, because we have not been as transparent as we should be. This is why we need to have a broader discussion of F&A central spending so that researchers can know what to expect.

Rossi noted there was an initiative by former interim VPR Tim Stemmler to begin that process. She agrees that OVPR letting the people who have grants and contracts know where their indirect costs are and how it helps them is important. We always hear about diminishing administrative burden on the investigator, but what people feel is that the investigators are more burdened because the staffing has gone down. Obasi is working on that and pointed out the way in which F&A is distributed is based on formula and not on personality. There were many deals/thematic initiatives that were developed by the previous VPR that were not transparently done. Obasi is trying to track the commitments he inherited: that in and of itself is a huge challenge. He wants everyone to know about commitments he makes. Part of the need is to build trust and part is to ensure equity in treatment.

Policy thanked Obasi and Phillips for the frank discussion about issues and expectations for the future. Beale mentioned that we will likely want to have Obasi talk with members of the plenary sometime this fall as well.

III. POLICY PROCEEDINGS

The proceedings of the August 5, 2024 Policy Committee were approved as submitted.

IV. REPORT FROM THE CHAIR

Enrollment: Clabo reported that FTIACs are up 3.6%. VP Enrollment Management Charles Cotton has done a targeted FAFSA outreach, helping those who had not made a commitment have their financial aid package sweetened. There are some community outreach events yet to happen that may still yield marginal numbers at low expense. They did receive the FAFSA Frenzy grant, so they will be looking at using mobile FAFSA registration in subsequent semesters.

Undergraduate enrollment is up overall. Transfer enrollment is still down, but it is less down. There are two cohorts in the College of Education that are yet to register, and that should get us to flat on transfers. International is holding. Masters are still up 10%. Overall enrollment is up 2% and we are on track to be at 24,000 students again.

Chrisomalis asked for clarity in terms of the relationship between enrollment numbers and faculty hiring. Clabo confirmed the tenure/tenure track requests went back to deans last week, so they now know what they have available to hire.

Rossi reported an issue about some of the international graduate students in the medical school. Because many of them live on campus, the graduate students primarily from Africa who arrived on campus early had no place to stay because they were told they could not move in while the staff were still cleaning the dorms. This was only resolved when other graduate students in the medical school took them in temporarily. Clabo had been told that this was addressed last semester and requested specifics to send to Vice Provost Darryl Gardner who is responsible for housing.

Aramark contract: The Aramark contract is being put out to bid. Of all the services we survey students about on campus, dining receives the worst evaluations.

New Faculty Orientation reception: Clabo welcomed faculty at New Faculty Orientation (NFO). This was a large, engaged group. There is a reception at 5 p.m. in Hillberry ABC that Policy members are encouraged to attend.

Lewis noted they brought back the City Institute's tours of Detroit but was told that people are not signing up, so we should heavily promote that. Clabo agreed: one of the best things about being here is the porosity of borders between the university and the city. She encouraged Policy members to tell everyone they see at the reception about how important that is.

Fall Opening: There is a lot going on this week. The social mixer and dance are tomorrow night. Faculty brunch is on Sunday followed by New Student Convocation, which moved back to McGregor. It is going to be 89 degrees so dress appropriately.

Clabo noted there is a plan if a substantial disruption happens: we have a series of statements that will be read and if we have to, we would ask public safety to help us allow the ceremony to continue in support of our newest students. After the procession off the stage, we are going back to the old honor guard line on both sides of the walkway. The president and provost will lead, and then everybody behind them will form two lines. It is a nice welcome for families, and Clabo is always amazed how parents enjoy that moment. From there they will head to FestiFall.

Campus expression on university website: At tomorrow's University Leadership Council (ULC) meeting they will discuss the addition of a new tab on the 'about' part of the university website about campus expression. There are some statements of belief and value around campus expression, as well as a link to existing university policies and procedures around use of space, amplified sound, the spirit rock, room reservations and related issues. The Academic Affairs team under AVP Brandon Gross's leadership is developing information on holding a successful event staying within requirements yet having an enjoyable event. Clabo thinks it is important to have positive language, not just what is forbidden. It has required considerable work to pull this together so that all relevant policies are in one place and cross referenced in other places. Many of our procedures were unclear or were stated in inconsistent ways in different places. The leading section is about the difference between expression and conduct and what it means when conduct crosses the line. We are as prepared as we can be, and we owe it to people to put everything in one place.

Chrisomalis noted the Student Affairs Committee (SAC) would like to put this on their agenda. Clabo welcomed SAC's feedback.

Interdisciplinary Taskforce: Clabo is currently working on the final version of Beale's revisions. Hopefully this will come back to Policy soon.

V. REPORT FROM THE SENATE PRESIDENT

New Faculty Orientation: Beale noted the faculty at the NFO this morning seemed to be more attentive and engaged with the idea of shared governance.

September plenary agenda: The 9/4 Academic Senate agenda is finalized. The Student Clearinghouse database is included, and we will have Carly Cirilli (Sr. Dir., Institutional Research & Data Analytics) at Policy so that our members can see the way the database is intended to work and talk about access by at least some key faculty.

Parking tag during sabbaticals: Beale reported the parking tag during sabbaticals issue has been brought to Gielczyk's attention. People need to be notified clearly before every semester how it works if you are not going to be using parking for a period of time.

Union president: Jenni Moss was elected as the president of the union. She will be included as a liaison on the Policy Committee listserv going forward.

VI. DRAFT CHARGES TO STANDING COMMITTEES

Policy discussed the charges for the Senate standing committees and selected three key charges for each committee that they will be expected to address in this academic year. Other items may of course also be addressed by the committees, but the Policy charges should be given priority.

Approved as revised at the Policy Committee meeting of August 26, 2024.