

2013

Faculty Senate Minutes, April 3, 2013 (Draft)

Faculty Senate
Eastern Michigan University

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Draft Minutes for Faculty Senate Meeting

April 3, 2013

3:00-5:00, 300 SC

Attending: M Rahman (ACC&FIN), M Peters (AAS), M Reedy (ART), J Eisenbach (BIOL), R Quiel (CMTA), D Chou (CIS), Z Bahorski (COSC), S Hayworth (ECON), C Mayda (G&G), T Moreno (HHP), J Carbone (HS), J Koolage (H&P), P Francis (L&C), R Baier (LIB), K Banerji (MGMT), D Barton (MKT&LAW), G Dumitrascu, (MATH), R Peavler (M&D), S Nelson (NURS), P Koehn (P&A), K Rusiniak (PSYCH), M Bombyk (SW), R Orrange (SAC), L Stevens (SPED), R Fulkert (STS), A Coykendall (WGST), M Zinggeler (WL), M Yaya (AAUP), K Schatzel (Provost Office)

Not in attendance: CHEM, ENG, TED

* Items to share in departments

1. (3:00) Approval of agenda (approved)
2. (3:05) Approval of the minutes for the 3/13/2013 meeting. (approved)
3. (3:10) Nominations and election of Faculty Senate officers: President, Vice-President, Secretary, and Membership Secretary (see below) [postponed until 4/17 meeting]
4. (3:20) Committee Appointments (see attached)
5. (3:40) Cyber-security Awareness [Peggy Liggitt (FDC), Samir Tout (Information Assurance), and Carl Powell (IT)]
 - a. There have been many phishing e-mails
 - b. Here to solicit feedback
 - i. Comment: We applaud the efforts to protect us, but we should not be culpable if our account is hacked.
 - ii. Comment: #2 says that you want to increase awareness, and #3 says you want to increase awareness of the Information Assurance Program.
 1. There will be a survey to establish a baseline and other data collection techniques.
 2. We do a lot of similar work in the IA program, so they will have the program be a part of this.
 - iii. There may be an event with activities to educate people about cybersecurity.
 - iv. Comment: There are outside companies that handle cybersecurity. When someone falls victim to a phish, is there a more directed way to help individuals?
 1. Contact information attached.
 - v. Comment: Is having students do this a danger?
 1. Zero tolerance policy
 2. Sanctions range to expulsion, maybe legal proceedings.

3. Must change student culture with regard to Facebook, etc.
6. (3:50) University Acceptable Use Policy * (see below)
 - a. Looking for faculty to help modify the acceptable use policy
 - b. The AAUP commented policy is part of the notes.
 - c. Clarification: We are discussing a new committee, right?
 - i. Right.
 - d. Attorney comments indicate that some issues were misunderstood, we should go back to discuss this.
 - e. Comment: Can the University sell machines to faculty to avoid the whole EMU property issue? It might solve the privacy issues.
 - i. This wouldn't necessarily solve the problem.
 - ii. Disciplines may have their own requirements.
 - f. Comment: Many departments conduct departmental business of a personal nature – this somehow needs to be dealt with.
 - g. Comment: “FOIA-able” needs to be spelled out.
 - h. Comment: HEPA and FERPA need to be balanced in here.
 - i. Committee Members: D Barton, R Fulket, Z Bahorski
 - i. There is a seat open for an AAUP rep.
 - ii. Committee approved.
7. (4:00) Huron Logo Issue (Abby Coykendall) (see below)
 - a. FSEB would like two discussions – Do we want a resolution, and which one, if any do we want?
 - b. Comment: A faculty member (as a member of the Potawatomi tribe) wants to know if any members of this movement are tribal members. If not this is paternalistic and should not be done. (composition of Native American Student Association is unknown)
 - c. Comment: Why don't we move that all tribal members get free tuition?
 - d. Comment: Department does not want any vote – the wording of both proposals is not beneficial to the University.
 - e. Comment: As faculty, we have a responsibility to stay alert for these things.
 - f. Comment: In department, both resolutions were voted down.
 - g. Comment: We should just vote on this; this is racist.
 - h. Comment: Doesn't like either statement. The logo was never there as a racist anything.
 - i. Comment: Department is in support of Proposal #1 (Coykendall's)
 - j. Comment: Very sensitive issue for many people, and many are losing sight of the ultimate goal – we must do something about this. Not supporting this (resolution) is not the same as racist.
 - k. Comment: Department didn't like either resolution. Other universities have had similar issues, but haven't gone on as long.
 - l. Comment: Would not be opposed to a re-write that left out “rascism.”
 - m. Things *are* happening. Do we need to do something else?

- n. Comment: Commenter was a member of the committee that picked “Eagles.” Leading the way when this was done. “Rascism” was not the issue, stereotyped images were. It is the inflammatory language that is turning people off.
- o. Call to vote – Resolution should/should not be passed
 - i. Voting canceled.
- p. Move to table both resolutions
 - i. Vote: 17 table, 10 not table.
- 8. (4:15) Remarks from the Provost
 - a. Approved 38 searches. (Last year)
 - i. 22 offers accepted
 - ii. 1 opportunity hire
 - iii. 7 still open
 - iv. 3 have been canceled
 - v. 1 had failed
 - vi. Few more not mentioned.
 - b. Internal research awards
 - i. 131 awards, only 71 last time!
 - ii. FRF language in the contract was vague, MOU with the union allowed above number of awards.
- 9. (4:25) Computer Refresh Update * (see below)
- 10. (4:35) Committee Reports
- 11. (4:40) President’s remarks: FAC Meeting on accreditation Tues., April 16, 2013, 9:30, 205 Welch *
- 12. (4:45) Election results for Faculty Senate Officers and Committee representatives (postponed to next meeting)
- 13. (4:49) Adjournment

The next Faculty Senate meeting is April 17, 2013, SC 300. The next Executive Board meeting is April 10, 2013, SC 320 .

Committee Appointments:

NOTE: brackets indicate appointment .

EEFC: Vielhaber, Sipos, Zinngeler (alt) [all appointed]

EPEO:

CAS: [Cooper], Kernsmith, [Mihaly]

FS: [Barton]

CHHS: Restanio, [Weiss]

Library: [Marino]

COB: none

FDCAC: [Scazzero (COB)]

FSBRC: Postponed for next month

Gen Ed Eval: (vote next time)

CAS:

COB:

CHHS: Mary Sue Marz

Gen Ed Vetting:

COB: [D. Barton]

SocSci: [A. Ferreria]

Global Awareness: [J Popko]

Gen Ed Review:

CAS: [Bahorski], [Koolage], Dieterle, Higbee, Kaston-Tange

COT: [Kustron]

COB: none

CHHS: none

GEVC: [Winning], [Barton (alt)]

GEEC: none

COE: none

LAC:

CAS: [Dove]

COE: none

Huron Logo Draft Proposals

[Proposal One] Faculty Senate Resolution on the Late Reappearance of the Huron Logo [Abby Coykendall]:

Whereas Eastern Michigan University has chosen to include the “Huron” logo on its marching-band uniforms, and

Whereas, national and local news articles have reported that the logo has been revived as an official mascot of the university, and

Whereas, that ethnocentric image is incongruent with the mission of Eastern Michigan University, the Faculty Senate hereby requests that the President of the University:

- 1 Affirm Eastern Michigan University’s early and courageous decision to remove racist iconography such as the Huron mascot from athletic uniforms in 1988, reminding the university community of the current policy prohibiting the display of that image as an official mascot of the institution;
- 2 Prohibit further use of the logo on official university materials, including event and scholarship announcements, websites, publications, or promotional merchandise, as well as any other items bearing the official insignia of the university or endorsed by the institution in any formal or legal capacity;
- 3 Apologize to the Native American Student Association and to the university community as a whole for the offense and misunderstanding caused by the incorporation of the logo on the marching-band uniforms;
- 4 In the future, display the logo solely within educational contexts developed with the guidance of university faculty, including the university archivist, who have expertise in the field and can provide historical and sociological information about the use and misuse of racial iconography;
- 5 Issue a public statement that explains to those unfamiliar with the history of the Huron logo why that image is not only misleading when it comes to history, but potentially offensive to the diverse members of the university community;
- 6 Commit to one of the core missions of the university—namely, fostering leaders for a diverse and democratic society—by instituting a committee in which students, faculty, and staff can provide input about the climate for diversity on campus and to whom the administration can report about any future diversity initiatives.

[Proposal Two] Faculty Senate Executive Board Resolution on the Huron Logo [Faculty Senate Executive Board]:

Whereas Eastern Michigan University has chosen to include the “Huron” logo on its marching-band uniforms, and

Whereas, national and local news articles have reported that the logo has been revived as an official mascot of the university, and

Whereas, that ethnocentric image is incongruent with the mission of Eastern Michigan University, the Faculty Senate hereby requests that the President of the University

1. affirm Eastern Michigan University’s early and courageous decision to remove racist iconography such as the Huron mascot from athletic uniforms in 1988, reminding the university community of the current policy prohibiting the display of that image as an official mascot of the institution;
2. commit to better manage use of the Huron logo. Recognizing that legal use of the logo is now governed by the Eastern Michigan University Alumni Association and not by the university itself, Eastern Michigan University should refrain from all further use of the logo on official university materials, including event and scholarship announcements, websites, publications, or promotional merchandise, as well as any other items bearing the official insignia of the university or endorsed by the institution in any formal or legal capacity;
3. an exception will be the displaying of the logo in historical presentations, created under the guidance of university archivist with expertise in this field, and including educational information about the inappropriate use of racist iconography;
4. commit to teaching the ways in which logos such as this have been used in historically inappropriate ways,;
5. send a public update concerning the ways in which Eastern Michigan University is addressing this issue and using it to prepare leaders for a diverse and democratic society;

6. identify communities, groups, and individuals on Eastern Michigan University's campus who are working on diversity initiatives and who can provide input to the administration to promote communication about the climate for diversity on campus.

EMU Acceptable Use of IT Resources with AAUP attorney comments (in bold)

3/22/13

Susan: following are my comments/suggestions and proposed changes.

15.3. Acceptable Use of Information Technology Resources

Effective Date: 8-01-1996

Revision Date: 4-16-2013

UNIVERSITY POLICY STATEMENT

The University provides information technology (IT) resources to students, faculty, and staff. All users have the responsibility to use these resources in an effective, efficient, ethical, and legal manner. Appropriate and responsible use stipulates that EMU IT resources be used in a manner consistent with the University's instructional, public service, research, and administrative objectives and all local, state, and federal laws. **Except as otherwise provided in this policy**, all uses inconsistent with these objectives are considered to be inappropriate use and may jeopardize further access to services and lead to disciplinary action, up to and including discharge.

- **I added that language because paragraph 7 allows "incidental, personal" use. If this paragraph is not changed the document is internally inconsistent.**

UNIVERSITY PRACTICE

The University provides an IT environment which includes a collection of physical computing and network devices, electronic business and instructional software, computing and connectivity services, databases, files and storage arrays, and other computing resources collectively described as EMU IT resources. These resources are provided for University-related purposes, including support for the University's teaching, research, and public service missions, its administrative functions, and student and campus life activities.

- 1 Users of EMU information technology resources agree to comply with applicable federal and state laws and appropriate University policies and procedures.
- 2 Every authorized user is responsible for using *effective* passwords and safeguarding those passwords. *Users are responsible for all activity* on their assigned accounts, including destructive or illegal activity by someone using their account identity.
 - **What are "effective" passwords? Will the IT Dept assist faculty in creating "effective" passwords? Obviously your name or "0000" would not be "effective" passwords but the University should provide guidance. If not, every faculty member should contact the IT Dept and ask for help in choosing an "effective" password. We don't want the definition of**

“effective” to be made after someone is hacked—as in that must not have been an “effective” password or it wouldn’t have been hacked.

- **It is unrealistic to make the blanket statement that users “are responsible for all activity” on their accounts. What if someone gains access to their account (identity theft) through no fault of their own and sends threatening or offensive material. This advance finding of liability for improper or illegal use by an unknown person does not allow for due process. This is a strict liability standard which is subject to unfair application. This sentence should be modified by a provision linking responsibility to culpability.**

3 *All software must be used only in accordance with the license agreement and copyrights.* Transferring or copying software without permission is prohibited. Creating, acquiring, or using unauthorized copies of computer software or other copyright-protected electronic media is prohibited and may be subject to personal civil or criminal liability under state and federal laws.

- **Does everyone know the requirements of the license agreements and the copyrights? This is a potential problem because some software is limited to a certain number of users although it can be copied and distributed to more than the approved number of users. So if EMU violates a license agreement or a copyright and improperly distributes material to faculty, this clause would make the faculty responsible. Again if EMU really wants the faculty to adhere to this provision it must provide the license agreements and copyright information to the faculty.**

4 Confidential or restricted information must not be distributed or made available to persons who are not authorized to access the information. You are responsible for the physical security of the devices you use and the data they contain. Confidential or restricted information stored in a place accessible by unauthorized personnel or on any media or device out of your office (or off-campus) *must be protected by encryption using University standards.*

- **Does everyone know how to protect by encryption using University standards? If not this should be explained or everyone should contact the IT Dept. seeking advice on how to comply with an undefined standard.**

5 Use EMU electronic communication systems legally and responsibly. Do not use university-provided computing resources for illegal, threatening, or deliberately destructive or harmful activities. The University reserves the right to block e-mail that exhibits characteristics that could threaten the University’s network infrastructure or services. Examples of inappropriate use of communication resources include:

- a Creating or sending unsolicited e-mail messages (spam), chain letters, non-University advertising material.
- b Creating or intentionally sending viruses or other harmful programs or files.
- c Misrepresenting or concealing the true identity of the sender or author.
- d Intentionally seeking, copying, or modifying information, files, or email of another user without permission.

6 Accessing IT resources without appropriate permission and valid access credentials is prohibited. Do not install or attempt to install *malicious computer code* on the device of another or on any University owned electronic resources. Do not use software tools that

attack Information Technology resources. Do not cause or allow access, modification or destruction of any computing machinery, files, programs, settings, or *data transmitted or stored by any device without permission*.

- **What is a malicious computer code? Also, code should be “codes”.**
- **Does the prohibition against destruction of transmitted data mean that you cannot delete your own emails? Technically that would not be destruction since it would presumably still be on the hard drive, but this is unclear.**

- 7 EMU faculty and staff may use the university information technology resources for incidental, personal purposes provided such use does not interfere with University operations and services. IT resources may not be used to advertise, solicit, operate a business, or for other commercial purposes not affiliated with the university. Electronic records arising from such personal use may, however, be subject to the same discovery proceedings and public release as other University electronic records.
- 8 The University reserves the right to inspect, monitor and/or disclose electronic communications in transit or storage without consent of the holder when required by and consistent with the law, when there is a reason to believe a violation of the law or University policy has taken place, or when necessary to maintain the security or performance of the University’s network infrastructure. Electronic communication files are subject to discovery proceedings in legal actions and may be released to the public through Freedom of Information Act requests.
- 9 IT resources have a finite capacity. Users should limit their use of EMU IT resources accordingly and must abide by any limits EMU places on the use of its IT resources or on the use of any specific IT resource. In particular, no user may use any IT resource in a manner which interferes unreasonably with the activities of the University or of other users. EMU reserves the right to limit, suspend, or terminate user access to EMU IT resources when necessary to protect EMU IT resources, the University, or other users from harm.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Information Officer shall be responsible for ensuring proper implementation of this policy.

SCOPE OF POLICY COVERAGE

Anyone using or accessing EMU computers, networks, systems or data is subject to the provisions of this policy. EMU faculty, staff, emeritus faculty and staff, registered students, alumni, and approved guests are permitted to use EMU’s computing and networking services, but are subject to the terms of this policy during that use. Individuals who use personally-owned equipment while connected to the university network are subject to the provisions of this policy while connected to the network. Use of EMU’s computing and networking facilities and equipment by unauthorized persons is prohibited.

- 1 **It is odd there is no provision regarding ownership of the University laptops, EMU may believe that is so obvious it does not need to be stated.**
- 2 **It is common for non-university employers to have provisions in their Handbooks which indicate that Employees have no expectation of or right of privacy with respect to any information transmitted or stored in any company owned computer. If you are using an EMU owned computer which is provided to you for primarily business purposes, you really**

should have no expectation of privacy. If you want privacy you should use your own computer.

- 3 EMU is subject to FOIA requests, which generally require the production of public records of a public body, with certain exceptions. A person requesting information need only describe the information being sought, he does not have to identify a “public record” which contains the requested information. So emails which contain public information are subject to FOIA. ` Issues to consider include:**
 - a FOIA is intended primarily as a full disclosure statute so the exemptions are narrowly construed.**
 - b EMU bears the burden of proving that the refusal to produce certain records is justified.**
 - i Better to err on the side of caution and not keep personal information in your computer.**

Computer Refresh Committee Update

2/27/13

Dear Professor Norton,

As the elected faculty representative to the Computer Refresh Program Committee (CRP) by the senate, I would like to report back to you the developments in the program. I have volunteered for the Mac Subcommittee which discussed the options for Apple MacPros (Laptops) and IMacs (desktops).

I am pleased to inform you that the committee recommended to continue replacing Apple MacPros (laptops) with the ones that are currently in use. Although, the committee did not consider upgrading any hardware, in its current form the MacPros are more than sufficient for the faculty in my opinion.

I have serious concerns about the IMac replacement recommended by the committee though. Currently, CRP uses IMac (<http://www.apple.com/imac/>), single body, with I5 processor with 4 GB ram. Despite my objection, the committee recommends the Mac minis (<http://www.apple.com/mac-mini/>), which are small boxes of computers that comes with no screens. The committee also recommends the screens for these Mac Minis should be provided by the refresh program but these screens are Dell brands that are not comparable to Mac screens. I have expressed my concerns suggesting the faculty is spending numerous hours in front of these screens and deserve a high quality ones such as the IMacs which are currently being offered by the CRP. The committees recommendation is not only keeping the same hardware as last year with no real upgrades (although the cost of the machines are now \$100 lower) but also taking away the superior screens.

Unfortunately, I have no further information at this time regarding the Dell desktops or laptops since I am not in that sub committee.

I will be attending the next Senate meeting as the AAUP representative and will be happy to answer any questions if needed regarding CRP as well.

Sincerely,

Mehmet E. Yaya
Assistant Professor of Economics

Duties of Faculty Senate Officers (from the By-laws)

11/11/2009

The Officers shall be responsible for performing or delegating the responsibility of the following duties of their respective office:

1 President

- a Chair all Faculty Senate and Executive Committee Meetings
- b Provide a President's Report to the Faculty Senate on relevant issues under discussion in Executive Committee and progress on attaining Faculty Senate objectives.
- c Send agendas to the Faculty Senate members one week prior to the Faculty Senate.
- d Send corrected and approved minutes of Faculty Senate meetings to all EMU faculty, the Provost, the President, and the President of the board of Regents and any other parties who have particular interest in the meeting's agenda items.
- e Represent the Faculty Senate to the Board of Regents, the University President, the Provost and Vice-President of Academic Affairs and to other entities both inside and outside the university in matters where Faculty Senate opinion and/or action is relevant.
- f Serve as a liaison to other university or external entities that seek to collaborate with Faculty Senate and/or seek faculty input.

2. Vice-President

- a. Serve as the President Pro-Tem in the absence of the President.
- b. Assist the President when needed.
- c. Serve as the President if the elected President is no longer able to finish his or her term of office.
- d. Monitor the work and progress of University Committees where Faculty Senate has appointed representatives.
- e. Monitor the terms of office of the members of Faculty Senate and ensure that those who are up for re-election or are vacating their positions are following election protocols in a timely way in their home programs, departments, or schools.
- f. Monitor the attendance of Faculty Senate members to ensure that programs, departments, and schools are participating meaningfully in Faculty Senate.

3. Secretary

- a. Record the minutes of the meetings of the Faculty Senate and distribute them in draft form to the members of the Executive Board for review. Corrections are made in a timely fashion so that a draft can be distributed to Faculty Senate members prior to its next meeting.

b. Record notes on meetings of Executive Boards and distribute them in draft form to the members of the Executive Board for review. Make corrections if needed.

c. Provide the President with corrected and approved minutes for distribution.

4. Membership Coordinator

a. Monitor the Faculty Senate web page to ensure it is current and useful to faculty and the public.

b. Maintain corrected lists of members and their alternates for the President to distribute communications to them. Oversee the clerical preparation of desktop nametags and attendance sheets.

c. Maintain updated lists and email and telephone contact information of Faculty Senate members. Provide these lists to Senate members and oversee their posting on the website.

d. Maintain updated lists of all faculty members serving on University Committees who were appointed by the Faculty Senate.