



## Faculty Senate

Virginia Tech

Blacksburg, Virginia 24061

<https://www.facultysenate.vt.edu/>

# Faculty Senate Meeting Minutes

## February 24, 2023, @ 2:30pm

### Torgersen 1050 or Via Zoom

#### Check-In:

**Present:** Robert Weiss (presiding), Montasir Abbas, Diane Agud, Susan Anderson, Richard Ashley, Paul Avey, Joseph Baker, Arthur Ball, Azziza Bankole, Andrew Binks, Hilary Bryon, Virginia Buechner-Maxwell, Scott Case, Guopeng Cheng, Joshua Clemons, Carolyn Commer, Nick Copeland, George Davis, William Ducker, Stuart Feigenbaum, Carla Finkelstein, Zhuo Fu, Becky Funk, Howard Gartner, Wesley Gwaltney, James Hawdon, Rebecca Hester, Daniel Hindman, Susan Hotle, Scott Huxtable, Brett Jones, Holly Kindsvater, Nathan King, Vivica Kraak, Leigh Anne Krometis, Andrea L'Afflitto, Evan Lavender-Smith, Justin Lemkul, Alexander Leonessa, GQ Lu, Jonathan Maher, Jason Malone, Eric Martin, Frances McCarty, Joseph S. Merola, Rachel Miles, Gonzalo Montero Yavar, Gregory Novack, Thomas O'Donnell, Bruce Pencek, Nicole Pitterson, Steven Rideout, Nicholas Robbins, Charles Schleupner, Peter Schmitthenner, Yang Shao (alternate for Thomas Pingel), Richard Shryock, Keith Stephenson, Laura Strawn, Jay Teets, James Tokuhisa, Diego Troya, Kwok Tsui, Bimal Viswanath (alternate for Adrian Sandu), Anna Ward Bartlett, Layne Watson, Robert Weiss, Rose Wesche, Ashley Wilkinson, Angelica Witcher, Erin Worthington, Randolph Wynne, Yan Xu, Diane Zahm (73)

**Guests:** April Myers, Demetria Somervell

**Absent with Notice:** Aaron Noble, Ran Jin, Eric Kaufman, Robin Panneton, Robin Queen, Susanna Rinehart

**Absent:** Masoud Agah, Onwubiko Agozino, Jonathan Auguste, Netta Baker, Tanyel Bulbul, Kristy Daniels, David Gregory, David Hicks, Joseph Hughes, Casey Jim, Young-Teck Kim, Bradley Klein, Caitlin Martinkus, Luca Massa, Thomas Mills, Patrick Pithua, Hans Robinson, Tom Sanchez, Stephanie Smith, Eric Stanley, Ryan Stewart, Shane Wang, Hehuang Xie

**Call to Order by the Senate President Robert Weiss at 2:35 pm**

## 1. Approval of Agenda and Minutes (Robert Weiss)

- Consent agenda was adopted:
  - Minutes for 2-10-2023 ([Link](#))
  - Agenda for 2-24-2023 ([Link](#))
- CAPFA 2022-23B: Resolution to Revise Chapter 7, Section 7 of the Faculty Handbook (FS Cabinet recommends waiving the right to comment)
- CUSA 2022-23A: Resolution to Approve Revisions and Updates to the Virginia Tech Student Code of Conduct (FS Cabinet recommends waiving the right to comment)
- CSPA 2022-23A: Resolution to Revise the Staff Senate Constitution (FS Cabinet recommends waiving the right to comment)

## Business Agenda

### Old Business

#### 2. Updates from Committees and Commissions ([Link](#))

- Commission and Committee representatives were encouraged provide updates to the Faculty Senate. Rachel Miles, Operations Officer, sends emails requesting updates on a regular basis.
- Employee Benefits Committee: Rick Ashley provided an update for this committee. Information obtained at the last Faculty Senate meeting regarding tuition benefits was provided to the Employee Benefits Committee. The committee feels that further information is required and will query peer institutions for additional information. The committee has not found an authoritative source for which universities are peer institutions of Virginia Tech. A link listing formal peer institutions was provided. This list will be taken to the committee and will assist their efforts.

#### 3. Statement on the use of AI-enabled Security Software

- Robert Weiss provided the following announcement: The Faculty Senate received a request to write a statement on the use of AI-enabled security software. Per the Faculty Senate Constitution and Bylaws, the Faculty Senate discussion on this subject began at the February 10 meeting and the Faculty Senate Cabinet is charged with deciding whether to issue a statement. If the decision is made to write a statement, the policy group that recently provided updates to the bylaws will write the statement; the group may add members as appropriate. The Faculty Senate will have the opportunity to discuss the issue at least twice before a final decision is made.

### New Business

#### 4. First Reading: CUSP 2022-23B: Resolution to Allow Administrative Resolution of First Time Honor Code Cases

- Evan Lavender-Smith presented the resolution for first reading. The honor system has seen a sharp increase in cases, resulting in delays and a backlog. There is frustration with the backlog and the time required for resolution, and this is creating stress and anxiety. The Office of Undergraduate Academic Integrity proposed administrative review as an option to panel review. This resolution provides administrative review as an option for first-time referrals and those who have accepted responsibility for their actions. The resolution includes amendments to Policy 6000 and the Honor Code Manual. This option is in addition to what is already in place.
  - Questions: Are the sanctions already set or does it allow administrators to create their own sanctions? How much leeway will administrators have in assigning sanctions?
    - There was lengthy discussion around this topic. There is a general understanding that the process does allow for negotiation between students, faculty and administrators. Faculty who have served on panels commented that in their experience, if a student is found responsible for the violation, the panel had no say in what sanction was assigned but had to follow sanctioning guidelines. Multiple comments were made indicating the need for clarity in specific sanctions, what flexibility administrators will have in following those sanctions, and how administrators would be held accountable for decisions. The need to ensure the rigors of the honor code system was emphasized.
    - Recommended sanctions are based on what faculty members wish to assign. The administrator would choose a standard sanction but could recommend something less. Every case and recommended sanction will be reviewed. It was noted that Honor Code Manual, Section 4.d.2 requires that engagement of faculty be maintained. Faculty will have the opportunity to attend the meeting with the student and administrator and will be engaged with the process.
    - Additional information on sanctions and the role of administrators in assigning sanctions will be gathered and presented to the Faculty Senate.
  - Comments supportive of the revision were provided. It was noted that this addresses first-time honor code violations and requires that students have accepted responsibility. This provides separation between evidence and punishment, and there is comfort in having an administrator choose the sanction.

## 5. Discussion: CGPSA 2022-23A: Resolution to Expand and Secure Access to Reproductive Care at Virginia Tech

- Arthur Ball presented the resolution for discussion. This topic has been of concern for some time. With current pay structure, graduate students struggle to keep up with the general cost of living. The focuses on finding ways for Virginia Tech and Schiffert Health Center to provide reproductive care largely covered through their own funding mechanisms or regional services that are already helping meet needs. Feedback has been obtained from the Virginia Dept of Health and the Dean of VT Carilion who is an OB/GYN. The commission presents this document for review. Any recommendations, ideas or suggestions from the Faculty Senate will be taken back to CGPSA.
  - This resolution was discussed last week at the Commission on Faculty Affairs. The main suggestion was to either rewrite, remove or reorder the “whereas” statements and focus more on the solution. Additionally, they discussed whether specific medications should be recommended and the need to ensure that this information aligns with federal and state law. Following comments from the CFA, all medications except for two were removed.
  - Clarification was provided that benefits discussed in this resolution apply to both graduate and undergraduate students.
  - Question: How does the resolution affect the question of abortion on campus? The idea is to stay away from that topic and guarantee access that has been historically available on and off campus.
  - Multiple concerns were shared concerning the identification of specific medications. Comments included the following: A specific listing does not age well as time goes on. Medications that are available and recommended may change rapidly. Identifying specific medications would require that policy be revisited every time medications change. The concern of creating potential liability for Virginia Tech if specific medications are named was mentioned. There is a case pending in Texas about one of the two drugs mentioned. The outcome of that case may be impactful to whether it can continue to be prescribed. Further concern was shared with naming specific medications when that should be a discussion between a patient and their provider.
  - Discussion was held about which groups and organizations provided input to this resolution. The Task Force on Cost of Living for Graduate Students is part of the panel. Carilion personnel were involved in the discussion. Schiffert Health was indirectly involved through a committee member who has a connection to Schiffert. However, it is unknown how the committee member is connected to Schiffert or the extent of the connection. Indirect reports were received indicating that Schiffert employees cannot comment on this resolution.
  - Question: Does current health insurance not cover services of this type? As understood, current health insurance does not cover full cost. In the case of birth, it has been reported that students pay over \$6,000 out-of-

pocket before expenses are paid for by the plan. The commission does not anticipate that students can pay that amount. The possibility of obtaining better health insurance for students was reviewed by the committee. However, it is considered out of scope currently.

- The comment was made that the resolution seeks to subsidize the cost between insurance and out-of-pocket cost. Other health issues that may present a gap between coverage and out-of-pocket costs were mentioned such as severe accidents, long-term illness, and dental care. Could this eventually lead to subsidizing other coverage gaps? Comments were made around negotiating plans that provide for gaps in coverage.
- There was discussion around the budgetary implications of this resolution. This resolution may fall into the category requiring an estimate of cost. It was suggested that a cost effectiveness analysis would need to be completed, and that this would need to consider services that are currently approved by the FDA and the Commonwealth of Virginia, in accordance with federal law and provided by Medicaid. University Council Bylaws state that any resolution with budgetary impacts must work with appropriate administrators to provide an estimate of cost. The suggestion was made to include the recommendation that a cost estimate be included as part of the Faculty Senate's formal comment.
  - The commission reports contacting HR, Legal and Finance offices for review. A response has not been received. It is unknown whether this resolution contains legal implications. Concerns were shared about organizations reaching out for information and not receiving that and about members of the university community being instructed not to speak on a particular topic.
- Suggestions were made to look at this situation in terms of a focus on comprehensive healthcare. The comment was made that, if Virginia Tech is going to provide health care to students, it is difficult to provide healthcare in an equal and open way to students of both genders without providing reproductive care.
- Robert Weiss reminded the group that the Faculty Senate does not vote on this issue, but instead determines whether to provide a comment.
- Arthur Ball will obtain information in response to the questions asked.

## 6. Statement on Responsible Use of Research Metrics at Virginia Tech

- Rachel Miles, Research Impact Coordinator, University Libraries, and Faculty Senate Operations Officer, presented information on the Statement on Responsible Use of Research Metrics. Rachel provided historical context: This statement follows work from the 2019 Faculty Senate Research Assessment Subcommittee, the 2020

Faculty Senate Subcommittee on Assessing Faculty, and the 2021 Faculty Senate Responsible Research Assessment Statement Task Force. Efforts from these three groups contributed to this statement.

- A survey was used to obtain relevant feedback in 2019. Based on the results, the 2019 subcommittee recommended to the Faculty Senate a university-level statement of principles. This statement would be brief, department-level driven, inclusive, and responsible, in support of diverse research and scholarly outputs.
- Multiple resources were used during this work including the San Francisco Declaration on Research Assessment (DORA) from 2012, The Leiden Manifesto for Research Metrics (UK based – 2015), ongoing institutional statements on responsible use of metrics, DORA signers and case studies, and a recent INORMS Research Evaluation Group. Additionally, Matthew's Effect and Goodhart's law were considered (the social effect of metrics and quantitative incentives).
- The statement presented, based on the Leiden Manifesto, is more inclusive of the social sciences and humanities, and can be applied across inter- and transdisciplinary research. The language is adapted to include the importance of slow growth of inter-and transdisciplinary research and references promotion and tenure guidelines, encouraging P&T committees and departments to update or improve their own guidelines for clarity and fairness in the use of metrics. The statement contains 9 Principles.
- If the Faculty Senate chooses to endorse this statement, it would be only a Faculty Senate level endorsed statement. This is the first review. If the Faculty Senate wants this statement to be endorsed on a university level, it would need to be brought by an appropriate commission, such as the Commission on Research. Discussion was held around what a Faculty Senate level endorsement does.
- The goal is to first bring this statement through the Faculty Senate then to a commission for advancement through shared governance. This statement can be shared with departments for comment.
- One comment was shared that there were not a lot of faculty from the humanities on the committee. The subcommittee tried to get representation from a variety of fields and different areas. If anyone feels that review is needed from another area, please send this document to them for comment.

### **Open Floor Discussion**

7. The topic of Virginia Tech's deployment of AI-enabled Security Software without faculty input was raised. It was reported that many faculty would have appreciated the opportunity to weigh in on this technology and potential implications. A petition that seeks to raise concerns about both the technology and the way it was implemented has been created and currently has over 200 signatures. Many people feel that this technology impacts academic freedom. Some feel that the implementation was not done in keeping with the principles of shared governance.

- Robert Weiss reported that the deployment of AI-enabled Security Software was raised at the President's Council meeting on Thursday morning. Scott Midkiff, Vice President for Information Technology CIO, is the point-person for the university on this issue. Scott spoke during the most recent Faculty and AP Faculty Senate meetings and addressed what he feels are misconceptions. Communication was shared at the President's Council meeting that the current crisis would have been easy to mitigate if information were provided ahead of time. Questions that are being raised are sincere and the university has taken a business-focused approach for protecting assets.
- Communication from Scott Midkiff indicates that there was pressure to implement the technology, and it consequently rolled out faster than communication did. While communication has focused on technical issues, faculty work in many areas that are considered political in nature, and there is feeling that the discussion should include a range of scholars, not just technical experts. Once installed, there is concern that this technology could allow abuse.
- Robert Weiss provided further responses. The questions being asked are very legitimate and important to ask. The administration has been asked to answer these questions and that they be addressed to specific constituency groups and not just from a technical perspective but from other perspectives as well. Universities are high priority targets for malicious actors.
- The Board of Visitors is very concerned about risk. Many of them work in the cybersecurity area. They wanted the university to go much farther than it did. The BOV has authority to act on behalf of Virginia Tech. It is interesting to see how the well the President and Provost navigate these waters.
- Robert served as an ex officio member of an IT Transformation Committee. This committee was convened as the result of an IT assessment conducted by a consulting firm and also in response to Gmail and Google problems. Robert honored the committee's request that certain information discussed by the committee not be shared.
- Shared governance is ambitious, and change has been slow. However, it may need to be slow for the university community to get used to the new model and learn how it works. The Faculty Senate is currently a contributor to the university in the eyes of the BOV and needs to continue to be part of the discussion. It would be difficult to maintain this status if an adversarial response is adopted. The Faculty Senate worked diligently to be included in conversations, and it has been of benefit. The Senate wants to continue to be included. The BOV is not required to have the Faculty Senate in the room, but we are in the room now and we want to remain there.
- The President and Provost will be attending a Faculty Senate meeting to answer questions. They have been invited to speak on academic freedom and shared governance. Faculty Senate members are encouraged to consider stepping up to an officer position. As an officer, you receive a different perspective on the interaction between how all constituencies of shared governance work together.

Motion to adjourn and seconded at 4:24 p.m.