Board of Regents Report

February 19, 2021 Meeting

Since the last report in January, CUSF has focused on several action plan items. The work is detailed below.

1. **Ed Policy Committee**
   The committee has two subcommittees Academic Integrity and Interdisciplinary Professional Education (IPE).

   The **Academic Integrity subcommittee** will present a final "talking points" draft proposal to the general body for approval at the February 26th Meeting. Assuming the draft is approved by the general council. the *talking points* draft will be presented by the CUSF chair to all shared governance councils, Provosts, and Presidents for review and comment beginning in March.

   The **IPE subcommittee** is preparing a presentation to CUSF with Kirwan Center's Dr. Bishop on the current IPE pilot badging effort related to the nursing programs and its implications for all faculty curriculum. This would occur in the April Meeting.

2. **Faculty Concerns Committee**

   Subcommittees:
   The **technological subcommittee** met with USM CIO Michael Eismeier and with the university CIO's on the issues of privacy on February 12th. A summary of the meeting import is as follows:
   - While the experience varies from campus to campus, everyone who spoke indicated that faculty for the most part is being provided with an extensive array of resources to support teaching and working from home. That generally includes laptops for faculty members who request them, access to a VPN or remote desktop environment, and cloud storage. One campus used CARES Act funding to do a computer refresh and provided additional laptops to faculty who needed them. Another distributed on-campus equipment to faculty who needed laptops at home.
   - However, adjunct faculty were identified as one group that requires additional attention. Most of the CIOs indicated that on their campus, adjuncts are not provided with computer equipment or some of the other resources that are available to regular faculty. The did indicate that some VPN resources could be available to adjuncts, but it was very inconsistent as to what they are.
   - While every campus looks somewhat different in how it has responded to the Covid-

19 emergency, the CIOs generally agree that it is time to move to a long-term strategy that attempts to normalize the faculty experience throughout the system. One person suggested that, as we emerge from the pandemic, a set of policies and procedures should be developed for faculty regarding use of university equipment software. It was noted that Duo multifactor authentication has already been successfully implemented across the system. It appears that more effort is still needed with respect to web conferencing and online teaching technologies, however. One CIO mentioned that when we moved to telework and online teaching last March, they learned that several faculty members had purchased their own Zoom licenses, which caused real concern on the part of IT. Someone observed that faculty do not have authority to sign contracts on behalf of the university, which means that they cannot purchase their own "university" software license.

- The CUSF Committee members shared CUSF's faculty concerns about privacy issues. Frankly, the CIOs seemed to be surprised and confused by faculty. The reports that faculty are not given access to school resources from computers to VPN connections, possibly using personal phones to do sensitive research communications , camera usage for classrooms, recording tools etc. was a great surprise. The CIOs are concerned that there has been a significant breakdown in communication and that faculty are unaware of the resources and support that is available to them. This is causing a sense of frustration on both sides.

- The CIOs agreed that there seems to be pockets of misinformation across the institutions which are creating this sense of lack of support. As a result there were suggestions, and it seems they were in agreement, that it is time to start revising and/or setting a new set of ground rules to clearly communicate to faculty what each institution provides in terms of support, equipment, and software for instructional purposes; as well as to what they do not provide and/or will not be responsible for in terms of institutional support.

- Based on the conversations at this meeting, the committee has agreed their next step (running a set of refined questions by Provosts and CIOs) is critical in this process and will hopefully provide us with a more comprehensive understanding of the issues we are examining given that many of them relate to decisions taken by Academic Affairs in consultation with IT.

 The committee has a meeting scheduled with Michael Eismeierer and CIO Robert Bruchalski from the Maryland Judiciary on February 25th. Mr. Eismeirer is working to build his meetings with the state and Mr. Bruchalski to include CUSF issues. *By way of an editorial comment, the connection with the Judiciary CIO should also bring a strongly needed legal perspective to the conversation.*

The committee has decided to table the faculty concerns around online intellectual property issues until next year. The two groups of issues, privacy and intellectual property, are both quite complex and time would be best spent on the privacy area first. The committee will be presenting a white paper on the topics at the end of the academic year.

Comments on Committee Research of Interest:

Initial nationwide research done by the committee members on privacy issues like recording classes and requiring cameras during online classes and exams, as well as whether camera usage has started in earnest. Starting research has revealed that there is little agreement nationwide. Some schools have taken the position that cameras cannot be required (e.g., Penn State), while others do not see it as a problem. There does seem to be agreement that recording classes is not a FERPA issue, so long as the recordings are only for use by the students in the class and are not circulated to others.

Preliminary, research on the question about migrating faculty email to Gmail and whether that presents any privacy issues, particularly where a faculty member may be doing sensitive research for the government or outside industry are suggestive. Google was sued a few years ago for allegedly scanning emails of faculty and students for advertising purposes. This related to its Google Apps for Education program, which is distinct from regular Google Apps (free email). The case settled, but the committee did find a blog post where Google apparently acknowledged that it had been scanning university emails for advertising purposes, but it promised that it would not do so again. More recently (January 2021, I believe), Google was apparently sued by the State of New Mexico for violating the Children's Online Privacy Protection Act (COPPA). The complaint alleges that Google has amassed a huge amount of information about students' online activities and their physical locations, even though it represented to students and educators that there were no privacy concerns with its education products. An answer has not been filed yet, so how Google will respond to these allegations is not known at this time.

Further research is ongoing and an attempt to present a white paper to the Regents at the end of the school year is being considered. However, the scope of the research on all these issues and those postponed for next year likely will put submission of the white paper into the 2021-2022 CUSF work year.

The **structural inequality subcommittee** held a panel discussion with the Vice Presidents' of Diversity and Inclusion from UMGC Dr. Blair Hayes, TU Dr. Leah Cox, and UMD's Dr. Georgina Dodge at our January 19th meeting. The recording of the panel discussion is currently being edited and a link to view the discussion will be provided in the next report should the Regents wish to view same. The topics included a definition of structural racism, how it is present on our campuses, what faculty can do with subtle forms or micro aggressions (e.g. building names, curriculum references), what is appropriate diversity on campus, and how can it be achieved.

The committee's next step is to extend the conversation with either a webinar panel discussion or a virtual town hall meeting open to all the schools, being led by experts, for everyone to ask questions in April or May of this year.

The committee is also working on a white paper with recommendations for ways of improving things on our campuses for the end of the year. However, depending on the scope of the discussion of the webinar or town hall meeting the white paper may be continued into next year's work.

Finally, after initial research and avid debate the committee voted to change the name from structural racism to structural inequalities. They felt the former name to be too narrow a charge in scope.

The **Covid-19 ad hoc subcommittee** prepared a survey that they sent out to faculty and other shared governance groups to determine what the academy feels to be the most important current issues to be addressed related to COVID 19. I attach the link here so that you might see the topics being discussed. COVID ISSUE SURVEY. The results of the survey are going to be presented to the presented at the February meeting and a follow up white paper will be submitted to the full committee in May.

3. **Rule and Membership Committee**
Discussion on whether to change our traditional meeting from always all face to face to online only or a hybrid. Motions and voting will take place at the February meeting. Election procedures will be reviewed at the upcoming meeting. They are planned for March Nominations and April voting.

4. **Legislative Affairs & Policy Committee**
The legislative affairs committee has met with CUSS to set our date for Annapolis Day. It is February 17, 2021. Discussions on how to conduct the meeting on the virtual format are still ongoing. CUSF is collecting examples to present to the representatives of outstanding faculty who went above and beyond to help our students handle the effects of COVID 19.

Respectfully submitted,
Elizabeth K. Brunn, Ms.Ed, J.D.
Council of University System Faculty Chair