

University Governance Notes

Nov. 17, 2016

The following are our perceptions and interpretations only, not those of the Senates at large or their Executive Committees. We welcome addenda and corrections, which we will include in the next edition. We also welcome suggestions for improvement of content, length, or presentation.

For more information, including copies of the documents mentioned below, visit the [University Governance website](#), or write govern@ku.edu.

*Respectfully,
Joe Harrington, University Senate President
Pam Keller, Faculty Senate President*

Campus Carry Resolution

On Nov. 15, SenEx moved the following resolution to the floor of the University Senate:

The University Senate of the University of Kansas is composed of the elected representatives of staff, students, and faculty at the University and is charged with acting in behalf of the staff, students, and faculty.

Eight-two percent of the KU staff, students, and faculty who participated in the January 2016 Docking Institute survey expressed opposition to allowing concealed weapons on campus.

Moreover, current research indicates that the net effect of campus carry on the safety of college students, faculty, and staff is likely to be more deaths, more nonfatal gunshot wounds, and more threats with a firearm that are traumatizing to victims.

Therefore, the University Senate wishes to express its opposition, in the strongest possible terms, to allowing concealed weapons on the University of Kansas campus.

On behalf of our constituencies, we urge the Kansas State Legislature (1.) to respect local control by continuing the exemption to the Personal and Family Protection Act and (2.) to allow our campus communities to choose whether or not weapons are allowed on our KU campuses.

The resolution will be on the agenda of the Dec. 1 University Senate meeting.

Chancellor Search

The University Senate unanimously passed the following resolution at its November meeting:

We, the KU University Senate, feel it is essential for the new Chief Executive Officer of this institution to have the opportunity to interact with the people they will be serving and supervising. Accordingly, there must be open, public presentations and question-and-answer sessions for each finalist.

*Moreover, we urge KBOR to include in the search committee **elected** representatives of the Staff, Student, and Faculty **Senates** of the University of Kansas. Only in this way can we insure that all stakeholders on campus have a voice in the process. And it is crucial that the students, faculty and staff, as well as community leaders, play a vital role in selecting the next Chancellor – especially in light of the challenges of weapons on campus, and achieving greater diversity, equity and inclusion.*

In response to a similar resolution passed by SenEx the day before the October Regents meeting, KBOR Chair Zoe Newton wrote, “I am certain the Board will again choose to include a broad spectrum of representation on a committee to assist in the review and evaluation of candidates”

Senate leaders have made it clear to the Board that they want **elected** Student, Staff, and Faculty Senate representatives on the search committee. In 2009, no Faculty Senators were on the search committee, though two of the Senate’s nominees were.

Meanwhile, at KBOR’s meeting on Nov. 16, it was announced that the search would be closed, and that the search committee would be chaired by David Dillon, a KU alumnus and retired CEO of the Kroger (and Dillon’s) supermarket chain. No indication was given at that time as to the composition of the committee.

Multicultural Student Government

Board members of the Multicultural Student Government (MSG) attended the November University Senate meeting, where Student Representative Sophie Wang moved to create an ad hoc committee “to explore the feasibility of a Multicultural Student Government, and if deemed appropriate, propose amendments to the University Senate Code to include the Multicultural Student Government within the University Senate Code at the University of Kansas.” This motion was accompanied by a four-page plan for the structure and mission of the

MSG. MSG members see the current election procedures and membership of Student Senate as effectively marginalizing students of color, LGBTQ students and other minoritized populations. Lively debate ensued – on the motion as well as on the more general relations between multiculturalism, marginalized student communities, and the existing governance structure. The University Senate voted to table the motion until the December 1 meeting.

However, on Nov. 15, the MSG Board visited SenEx and outlined a plan to include MSG members as University Senators. The plan would increase the total number of student senators from 13 to 26, equally divided between the Student Senate and the MSG. Concerns were raised that such an increase in overall student numbers would shift the balance of power in the University Senate in ways that might be unacceptable to a majority of faculty. University Senate Vice President Brittney Oleniacz suggested raising the number of student senators to only 14, but dividing them equally between Student Senate and MSG. Both groups expressed a willingness to consider this idea; negotiations are ongoing, and the issue will be on the agenda for the Dec. 1 University Senate meeting.

Faculty Senate DEI Group

A group of faculty senators met last month to brainstorm ways that the Faculty Senate might be a catalyst for promoting diversity, equity and inclusion on campus. Its initial program was put on hold until the Dec. 1 meeting, due to the length of the debate regarding the MSG proposal in the University Senate meeting (which always occurs just before the Faculty Senate).

Nonetheless, that debate definitely prompted senators, faculty and otherwise, to think and talk about the issues involved.

Student Senate Concerns

Upon beginning their academic year, Student Senate Executive Staff set two main goals: increasing access to higher education and improving student representation in University Governance.

Student Senate leaders secured funding for the establishment of an “Equitable Elections Fund” in Summer 2016. The purpose of this fund, which is composed of donor gifts via the KU Endowment Association, is to eliminate inherent monetary disadvantages and inequities in the Student Senate Elections process. This fund is intended to allow for the broader participation of all students in student government, especially the voices of those most underrepresented. The fund will be available beginning Spring 2017 for the Student Senate General Election and will be administered by the Office of Student Affairs.

Student Senate is also working towards the creation of a “First-Generation Peer Mentorship Program.” The goal of this program is to facilitate the success of first-generation students at the University by increasing access to academic resources, professional development, and community-building opportunities while helping students connect to existing University Success Programs.

Additionally, Student Senate has progressed on a number of other initiatives: the creation of a Multicultural Board of Advisors, a Women’s Leadership Workshop, and policies to address student mental health.

[Thanks to Connor Birzer for drafting this section]

Staff Senate Concerns

The Staff Senate is monitoring policies, currently under review by Human Resource Management, dealing with evaluations, grievances, and leave. In addition, Senate leadership expects that the Administration will make some cuts in tuition assistance to employees.

In happier news, the Provost announced that the reduction of the Staff Professional Development Fund from \$2,000 to \$1,000 has been cancelled, and the Fund will remain at \$2,000. Staff Senate is currently accepting applications. Staff Senate and Provost are also on the same page in supporting a “Day of Civic Engagement” for staff – though it may end up being a half day of civic engagement. Employees could devote this day to charitable volunteerism or political activity, as they choose.

Still unresolved: Training on the campus carry policy; how Fair Labor and Standards Act implementation will affect both exempt and hourly employees; and what, if any, accommodations will be provided for smokers, once KU goes “tobacco-free” in fall of 2018.

[Thanks to Liz Phillips and Brian Moss for providing information for this section]

Ad Hockery

There are several ad hoc University Senate committees empaneled and underway:

- **Gender Equity:** This committee is gathering data on students, staff, and faculty, based on gender; following up on Sexual Assault Task Force recommendations; and examining policies

related to gender, as well as gender differences in application of policies.

- **Cost Savings and Efficiency Enhancement:** This committee's mission is to identify ways the University may "save resources while enhancing or minimally impacting the Teaching, Research and Service functions and long-term viability of KU." At its first meeting, Diane Goddard, Vice Provost for Administration & Finance, briefed the committee on the current state-of-play of various aspects of the budget and suggested that they may wish to identify specific areas that are worthy of further scrutiny.

- **Policy Library Review:** This committee is "to review university-wide policies and identify those that should come to the attention of the University Senate." Its formation was prompted by the existence of the "University Policy Program" (a.k.a. "Policy on Policies"), a blueprint for policy formation and implementation University-wide. The Policy on Policies was put into place in 2014, but was neither submitted to nor approved by the University Senate or any of its constituent senates.

- **Free Speech:** This committee is charged with developing a statement articulating the University's commitment to "a safe, free and inclusive environment for freedom of speech, thought and expression by all members of the University community."

A Contract You Have Probably Signed (Possibly Without Noticing It):

By clicking "Sign in", I agree to conduct business electronically with the University of Kansas. I understand that I am responsible for charges incurred (as well as any and all costs, charges, expenses, attorneys' fees, and/or reasonable collection agency fees associated with the collection of outstanding charges by the University, a collection agency, and/or State Setoff) in the course of transacting business with the University of Kansas.

This notice has appeared on the Enroll and Pay login page since March of 2016. While it seems to be aimed at those who are enrolling in courses or otherwise making monetary transactions, every faculty and staff member who uses the application as part of their job must, in effect, sign this agreement in order to do so. Many are disconcerted by the possible implications of what they perceive as the rather sweeping and open-ended language of this disclaimer (e.g., "I agree to do business with the University"), particularly since they have no choice but to sign it, if they are to fulfill their job responsibilities.

Several administrators visited the SenEx meeting on Nov. 15 to discuss the statement. They explained that Student Account Services, on the advice of General Counsel, added the

parenthetical language in the statement in order to comply with the Electronic Transaction Act, which requires governmental agencies to collect money to pay collection agencies to collect money owed the governmental agencies.

One solution to staff and faculty concerns mentioned in SenEx' last meeting was to require the user to agree to the disclaimer only when requesting a monetary transaction, such as enrolling in a course – just as one is asked to agree to similar statements when purchasing an item from Amazon or downloading software. Another possible solution would be to have separate logins for conducting transactions and executing job functions. Cindy Sanders, Assistant Vice Provost for Enrollment Management, responded that both of these solutions are far too technologically complex to be practicable and that, therefore, the only way to solve the problem will be to change the language of the statement itself. Rachel Rolf of the General Counsel's office will consult with Enrollment Management on the best way to alter the existing wording to allay staff and faculty concerns. Stay tuned.

Speaking of Contracts

The "Pre-Invention Assignment Agreement" has been causing considerable consternation, particularly among Engineering faculty, because, according to Aerospace Engineering Professor and KU AAUP Chapter President Ron Barrett-Gonzales, it "reach[es] well beyond what is prescribed by State Law and KBOR policy." At issue is professors' and students' ability to consult or intern at non-KU entities (business or government), particularly during the summer months: the administration holds that there is nothing preventing this, while Engineering faculty claim that potential clients will be put off by the Agreement. A proposed ad hoc committee to address the agreement and Intellectual Property Policy generally failed in SenEx, but representatives of SenEx and the Engineering faculty are to meet with the Administration and with General Counsel to attempt to address the issue.