THE UNIVERSITY OF KANSAS

UNIVERSITY SENATE INTERNATIONAL AFFAIRS COMMITTEE

2020-2021 REPORT

IAC COMMITTEE:

Billie Archer (Staff)
Hollie Hall (Voting Student)
Whitney Baker (Faculty, Secretary)
Charlie Bankart (Ex-officio)
Virginia Harper Ho (Chair, Faculty)
Humberto Salinas Gomez (Voting Student)
Kwangok Song (Faculty)
Aramis Watson (Staff)
Peter Ukpokodu (Faculty)

Table of Contents

INTRODUCTION

The University Senate assigned the International Affairs Committee with the following Standing and Specific Charges to focus on for the Academic Year 2020-2021.

FY2021 Standing charges

1. Develop contact with the leadership of International Student Association and organizations and international student senators.
2. Continue to review and as needed make recommendations on how the University may better accommodate access of International Students to supportive services.
3. As needed review and provide input on new policies that relate to international research and teaching.
4. As needed review and provide input on new policies that relate to international studies, research, and teaching, received from SenEx.

FY2021 Specific Charges

1. In consultation with the KUIA units, GOS and others, develop recommendations for the appropriate governance procedures that should apply to new University policies that relate to international studies, research, and teaching.

2. In consultation with KUIA units, develop recommendations on the appropriate governance structure to flexibly provide oversight and input to GOS on all matters affecting international studies, research, teaching, and exchange.

3. Review and provide recommendations to SenEx regarding policies proposed by the Office of Global Operations & Security (GOS) that will affect international studies, research, teaching, and exchange.

4. Consider the COVID-19 emergency response by KU, how it affected international students, and make recommendations for future emergencies.

5. Consult with new Vice Provost for D&I and Vice Chancellor for Public Affairs, David Cook, to better the relationship with the committee and integrate the consideration of International Affairs and the mission of the university.

REPORT ON SPECIFIC CHARGES

SPECIFIC CHARGE ONE: University Policy Governance & Oversight Procedures
In consultation with the KUIA units, GOS and others, develop recommendations for the appropriate governance procedures that should apply to new University policies that relate to international studies, research, and teaching.

I.   EXECUTIVE SUMMARY

- Over the past several years, the committee has become aware that KUIA has not always been proactively involved throughout the policy development process for policy decisions directly impacting the international affairs of the university (e.g., international recruiting, research, and exchange, and foreign persons at KU).

- KU does not have a system-wide Vice Chancellor for International Affairs that can give appropriate oversight and visibility to international dimensions of KU's mission. These functions are aligned under the Executive Vice Chancellors responsible for each campus.

- KU's Policy Office and University Senate do not have a clear process for involving KUIA and this committee at the early stages of the policy development process (Phase 1) or during the notice-and-comment period for policies that will affect international programs, activities or persons at KU.

- The reporting lines and oversight structures within KU administration, including the position of GOS, are not transparent to University Governance and to the university community as a whole.

The IAC recommends that the University Senate:

- Urge the Provost and the Chancellor to adopt structural and procedural changes to better engage KUIA and this committee on proposed policy changes and throughout the policy process;

- *This charge should be extended until FY 2022.*

II.   BACKGROUND & FINDINGS

Over the past several years, this committee has observed that the KU policy process does not proactively and consistently engage KUIA or this committee at "Stage 1" of the policymaking process,[1] that is, before decisions that could have a significant impact on international recruiting, international research, teaching, and exchange, or on international faculty, students, and staff at KU.

- For example, this committee is charged by the University Senate to review policy drafts that are related to international affairs of KU. However, neither GOS, KU's Policy Office, nor University Senate itself circulated the draft Visitors Policy to this committee for its review during notice-and-comment.[2] Our response to Charge 2 explains the limited role KUIA had in the Visitors Policy development.

---

[1] https://policy.ku.edu/policy-development-process

[2] This committee was able to carry out its charges because the policy draft that was circulated for notice and comment late in 2020 was available to some committee members who were independently included in the distribution through their units. The committee notes that the Policy Office is a resource, but is not always involved in the policy-making process.

- In addition, various KU communications in response to pending federal policies related to the university's international affairs were not discussed with KUIA.

- KU released communications regarding a publicly announced criminal federal investigation of KU faculty by the FBI under the U.S. Department of Justice (DOJ) China initiative without consultation with KUIA.

- In 2019-2020, KU's international student admission policy was updated in response to changes in the federal regulations regarding provisional admission. While we understand that other committees, such as the Faculty Executive Council of Graduate Studies, may have had opportunity to provide input, this committee did not receive the draft during the notice and comment period and had to contact the graduate studies office to obtain the draft. When we finally received the draft, it was after the notice and comment was completed and the draft was finalized.

The committee is concerned that:

- Policies that directly affect international affairs at KU are not routinely directed to this committee for review by University Senate or the KU Policy Office; University Senate's review of the policy during the notice-and-comment period did not involve outreach to this committee (in 2019).

- A lack of early input from and engagement with KUIA may result in a failure to consider the needs of affected faculty, students, and staff and lead to communications and policy responses with potential implications for KU's broader internationalization efforts and strategic mission.

- KU does not have a designated position within the Chancellor's administrative leadership structure that can give appropriate oversight and visibility to international dimensions of KU's mission.

To better understand the administrative structures that relate to international affairs at KU, the IAC consulted with Carl Taylor, Director of GOS, and Matthew Battiston, GOS Export Compliance Officer in January, 2021. With regard to the charge to consult with KUIA units, the committee notes that KUIA Associate Vice-Provost Charlie Bankart is an ex officio member of this committee, and staff member Billie Archer of KUIA is also a committee member. The committee also met with David Cook, Vice Chancellor for Public Affairs and Economic Development, regarding public communications matters related to international affairs at KU.

In order to better understand the policy process at KU, Chair Harper Ho also separately consulted with Jennifer Anderson, Director of Policy & Compliance, and Jeff Chasen, Associate Vice-Provost for Integrity and Compliance (both at the KU Office of Integrity and Compliance), as well as with University Senate President Sanjay Mishra. The KU policy process is described generally at https://policy.ku.edu/policy-development-process.

Based on the information provided in the above conversations, the committee has concluded that:

- KUIA lacks appropriate visibility and access to upper administration; KU does not have a designated position within the Chancellor's administrative leadership structure that can give appropriate oversight, visibility, and priority to international dimensions of KU's mission.

- Although KUIA is an essential stakeholder in all international-facing policies and communications, KUIA is not always consulted at the initial stages of a risk assessment that may result in new university policies, nor is it always engaged in crafting KU's response to issues like

the proposed WeChat ban in 2020 and similar events that have a potentially significant impact on international faculty, student, and staff, on international faculty and student recruiting and retention, and on KU's current and future international exchanges and research engagements.

- This committee is not as well-suited as KUIA to engage in the policy process related to international affairs because University governance is not informed about prospective policies until they are already developed and are submitted to governance as part of the notice-and-comment process.

- The current policy process does not require the Policy Office, University administration, or the sponsoring unit of a new policy to provide any response at all to comments received during the notice-and-comment process. Thus, it appears that the notice-and-comment process has no substantive effect or force.

- This committee does not yet have sufficient information to make complete recommendations regarding governance procedures that should apply to new University policies that relate to international studies, research, and teaching.   The committee notes that identifying the institutional structures that affect internationalization at KU, broadly defined, is an objective of the ACE Internationalization Lab process in which KU is participating during the 2020-2022 academic years.

RECOMMENDATIONS

- *Regular Consultation with KUIA.*
    - Communications to the university community regarding international affairs must be done in consultation with KUIA and/or this committee. In a context where state and federal policies and current events may cause anxiety, fear, and confusion among KU faculty, students, and staff, KU's public communications surrounding these events, as well as its actual policy responses, should convey a tone of inclusion, support, and understanding to all faculty, students, and staff, as well as a core commitment to international programs and future international engagement.
    - At minimum, KU's policy process should ensure adequate involvement by KUIA in the decision of whether to pursue new policies in the first place that relate to international affairs.
    - University Senate leadership should advise the Provost and the Office of the Chancellor to ensure that GOS includes a representative from KUIA on its "Global Operations Committee;" and that GOS consults with KUIA before advising the Chancellor on proposed policy changes and other matters that may impact international affairs at KU.

- *Facilitating Engagement of KUIA & this Committee.*
    - University Senate leadership should notify the KU Office of Integrity and Compliance of this committee's charges as soon as they are finalized for the coming fiscal year, and ask the Office of Integrity and Compliance to invite KUIA and this committee to participate in the early stages of the policy development process (i.e., Phase I) and to review pending policies that may affect international affairs and international populations at KU, broadly defined.

- University Senate leadership should regularly reach out to the Provost, the Policy Office, and GOS to confirm what new policies are pending that may affect international programs, recruiting, exchanges, and international faculty, students, and staff at KU and should ask upper administration to be proactive in engaging KUIA and University Senate on such issues.

- *Integrating International Affairs in the Office of the Chancellor & Elevating International Affairs within the Office of the Provost.* University Senate should further recommend that the Chancellor consider integrating an international affairs leadership position into the office, such as a Vice Chancellor or Associate Vice Chancellor for International Affairs, while the Associate Vice Provost for International Affairs position is elevated to the Vice Provost level. KUIA should report to both of these offices to better represent KUIA and to increase the transparency in the policy process as well as to enhance communication across different entities.

- *Transparency of the Policy, Risk Management, & Compliance Functions.* Advise the Provost and the Office of the Chancellor to annually provide to University Governance and this committee organizational charts indicating the reporting lines and oversight structures that include all units engaged in the policy, risk management, and compliance functions at KU.

- *Responses to Notice & Comment.* Urge the Provost, the Chancellor, and the Office of Integrity and Compliance that all new policies be accompanied or preceded by public release of (i) a brief summary of key questions and concerns raised in the notice-and-comment process and (ii) a statement indicating whether those concerns were addressed in the final policy, and if not, why they were not. This summary and response statement should be prepared by the "project lead" (i.e. the unit or working group) that has primary responsibility for developing the policy.

- *This Charge Should be Extended Until FY 2022.*
  - University Senate should extend this charge until FY2022 so that the committee can work with KU's Office of Integrity and Compliance and University Senate leadership to identify ways to *promote greater visibility for KUIA with the Office of the Chancellor and greater engagement of KUIA by GOS* with respect to all matters pertaining to international affairs and foreign nationals at KU. Ensuring KUIA's direct and continued leadership in developing public communications and policies that relate to international affairs is essential.
  - In carrying out this charge, this committee should consult during FY2022 with KUIA and the Office of the Provost regarding the ongoing assessment of KU's internationalization efforts and its administrative structures related to international affairs in connection with the ACE Internationalization Lab.
  - Information on the institutional structures that affect internationalization at KU, broadly defined, from the ACE Internationalization Lab process should be provided to the committee to inform its work in the coming year. University Senate has a representative on the ACE Internationalization Lab Steering Committee and this should be maintained.

SPECIFIC CHARGE TWO: GOS Governance & Oversight
In consultation with KUIA units, develop recommendations on the appropriate governance structure to flexibly provide oversight and input to GOS on all matters affecting international studies, research, teaching, and exchange.

I.   **EXECUTIVE SUMMARY**

- GOS has promoted policies and practices at KU that do not convey a tone of inclusion, support, and understanding to international faculty, students, and staff and in a way that undermines KU's stated commitment to international programs, including international recruiting, research, and other forms of engagement.

- Both GOS and KUIA have broad, overlapping responsibilities in their respective portfolios that affect all international dimensions of teaching, research, and engagement at KU; however, their ability to inform decision-making by University administration differs since KUIA reports only to the Provost, while GOS reports directly to the Office of the Chancellor.

- As indicated under Charge 1, KUIA has no clear role in the policy process before decisions to amend or create policies affecting international programs or persons at KU are made, or when GOS is determining whom to consult or include as relevant stakeholders (i.e. during Phase 1 of the policy process where subject matter expertise is integral).[3]

This committee therefore recommends that:

- *GOS should operate in regular consultation with KUIA.*

- *The Chancellor needs direct input from the International Affairs Office at the same level as GOS.*

- *University Senate should extend this charge until FY2022.*

II.   **BACKGROUND & FINDINGS**

Both GOS and KUIA have broad, overlapping responsibilities in their respective portfolios that affect all international dimensions of teaching, research, and engagement at KU. However, their ability to inform decision-making by University administration differs and may even conflict since KUIA reports only to the Provost, while GOS reports directly to the Office of the Chancellor.

GOS is positioned to exercise power and influence at KU due to the broad scope of its work and its direct access to the Chancellor. It is therefore imperative that GOS exercise that power with restraint and with transparent and accessible processes of engagement with key stakeholders. By tasking the committee with this Charge, University Senate has recognized that GOS does not currently operate in this way. In particular:

- Current university policy processes and outcomes appear to be driven by a narrow focus on risk management that discourages the innovation, international engagement, and sense of community that are essential to advancing KU's educational mission consistent with its compliance obligations.

---

[3] https://policy.ku.edu/policy-development-process

- As explained with respect to Charge 1, GOS has initiated policy processes, specifically, the Visitors Policy, without proactively and consistently engaging KUIA or this committee at "Stage 1" of the policymaking process.,[4] that is, before decisions are made that could have a significant impact on international recruiting, international research, teaching, and exchange, or on international faculty, students, and staff.

- GOS has promoted policies and practices at KU that do not convey an understanding of the need for equity, inclusion, and support of international faculty, students, and staff.

- Similarly, GOS' focus on compliance and risk management, while appropriate, has colored its communications about the policy process or about university responses to federal initiatives or other current events in a way that alienates international populations at KU and discourages international recruiting, research, and engagement.

Committee Outreach

To better understand the mission, role, and reporting structures of GOS, the IAC consulted with Carl Taylor, Director of GOS, and Matthew Battiston, GOS Export Compliance Officer, on January 11, 2021. In our invitation, we asked GOS to help us respond to our charges by introducing us to the work of GOS and by explaining how GOS identifies areas of priority in terms of new policies and protocols, and how GOS engages with university administrators, other units on campus and across the KU system. The committee chair invited GOS to include the committee on any draft proposals that may be initiated in 2021 that will affect international research, teaching, or exchange.

The committee also met with representatives of KUIA and Chris Brown, Vice Provost for Faculty Development in connection with this charge. Committee Chair Harper Ho separately consulted with Jennifer Anderson, Director of Policy & Compliance at the KU Office of Integrity and Compliance.

Committee Findings

1. *GOS' Mission Overlaps Substantially with the Work of KUIA*

GOS' website and its presentation to the committee show that it has adopted or been given a broad mission that overlaps substantially with the entire academic and research mission of KU, as well as with the core areas of responsibility of KUIA.

Indeed, nearly all of the work of GOS can be expected to affect matters under KUIA's scope of responsibility in some way. GOS' presentation to the committee about its mission indicated that "GOS is concerned with research, collaboration, contracts, international agreements, international visitors, academic freedom and security, and professional development." GOS' stated roles are: [5]

---

[4] https://policy.ku.edu/policy-development-process

[5] This description was included in GOS' presentation to our committee. Similar descriptions appear on the GOS website, https://gos.ku.edu/: "GO&S is a University-wide resource focused on coordinating with and supporting all campuses, departments and personnel on issues related to international operations, and security, including export compliance, finance/tax, international collaboration and other high risk activities and programs: (i) Assists KU personnel in establishing a safe academic and research environment that enforces/adheres to applicable export and security policies and principles while maintaining global contact and relevance; (ii) Provide awareness of KU, State, and Federal policies and regulations to mitigate risks; (iii) Assist in the identification of vulnerabilities and threats to KU personnel, facilities, information and technology; (iv) Understand reporting requirements."

- Focusing on safety, security, and compliance with regulations and laws, GOS aims to identify risks for the university and to create coordination and consistency in all areas relating to university international and security operations.

- To protect people, facilities, classified information, and controlled unclassified information at KU, GOS identifies issues, provides strategic planning guidance, and advises stakeholders concerning high-risk activities in research, collaboration, contracts, international agreements, international visitors, academic freedom and security, and professional development.

- GOS' Executive Security Committee, whose members have federal security clearance, handles certain risks or issues emanating from the federal government.

- GOS oversees the Global Operations Committee in order to coordinate and promote consistency in regulation. Its members represent Human Resources, Comptroller, KUMC International Programs, Office of Research, IT Security, KU Public Safety, Medical Clinic, CIO, plus people in Chancellor's Office. KUIA is not included in this group.

GOS described its coordination with other administrative units on campus to the committee in connection with priority areas of its work as follows:

- *Handling Research-related Risks:* Identified research-related risks are referred by GOS to KU's Center for Research (KUCR), to Charlie Bankart at KUIA, and to Chris Brown**,** Vice Provost for Faculty Development, as well as those with other operational interests.

- *Handling Serious Risks:* If GOS identifies a serious risk, it will first be reported to the Provost's Office, or to the Chancellor's Office if it's a more systemic risk issue across the university. GOS' website identifies "international collaboration" as a "high risk" activity.[6]

- *Policy development:* For risks that call for a potential new policy, GOS will first contact the Provost's Policy Office that allows the policy framework to happen. The Policy Office can decide to bring in other people.

- *Coordination with Faculty Development:* Chris Brown also advised the committee that as part of his oversight of faculty development, he partners with GOS to make faculty aware of the rules and regulations that apply to public institutions, including those imposed by funding agencies, and help faculty navigate them.

2. ***GOS' Scope of Authority, Current Oversight Structure, & Relationship to KUIA and to the Policy, Risk-Management, and Compliance Functions at KU is Not Transparent***

Despite its outreach to GOS, University Governance, and others in upper administration at KU, this committee has had difficulty identifying GOS' scope of oversight and responsibility. See *Appendix A (University Senate GOS Correspondence)* (seeking to clarify some of these issues). This has limited the committee's ability to fully respond to Charges 1, 2, and 3 this year. The committee's difficulty confirming basic information about GOS, including its reporting lines and access in the Office of the Chancellor, does not foster a perception of GOS as operating in a transparent and engaged manner.

---

[6] *See* note 5.

Specifically, it has been difficult to determine:

- Where GOS sits institutionally with respect to the reporting lines that apply to the KU Policy Office, various units charged with risk management and compliance, and upper administration. University Governance does not have an organizational chart showing where GOS sits.

- What offices, if any, report to GOS and are under its oversight

- Whether GOS' Global Operations Committee is a standing body and how KUIA might participate on it if it were invited to do so

- Whether GOS' Global Operations Committee has any current charges from GOS and/or the Office of the Chancellor, and what types of matters it has had input into in the past

The committee recommends that it continue to focus on obtaining this information during the 2021-22 year with the help of KUIA, the University Senate, and KU's Policy Office. The committee notes further that mapping the administrative structures with responsibility over international affairs (broadly defined) at KU is one of the goals of the ACE Internationalization Lab (the "Lab"). The findings of the Lab would be useful input to this committee if Charge 2 is extended for the upcoming year.

3. *GOS Does Not Operate In Regular Consultation With KUIA*

GOS does not consult early and often with KUIA when changes in the policy environment related to international affairs emerge. Because KUIA can provide valuable perspective to GOS about the context and scope of KU's international programs and engagements, this committee believes that GOS cannot fulfill its compliance and risk management mission without consultation with KUIA.

- KUIA is an essential stakeholder in KU's international affairs.

- At present, there is no clear process for KUIA or this committee to know what measures GOS is proposing that may affect international programs, activities, or persons at KU until a final proposal has already been drafted and circulated for public comment.

- KUIA does not have a role in the policy process at the stage when GOS decides to amend or propose a policy affecting international programs, activities, or persons at KU, or when GOS or the Policy Office is determining whether such programs or persons should be consulted as relevant stakeholders.

- Involving KUIA only at the notice and comment phase (i.e. Phase 3 of the policy process) is unacceptable and inadequate. Once a compliance issue involving international aspects of KU's mission is identified, KUIA must be immediately engaged to help consider the appropriate response and determine if new policies are necessary or not.

The process by which the GOS Visitors Policy was developed is an example of the kinds of concerns Charge 2 is designed to address. Specifically, it raises concerns about GOS' autonomy and lack of transparency, as well as the broad discretion GOS has to exclude KUIA, an essential stakeholder, and university governance from KU's policy process until it is too late for their input to have any effect on whether the policy moves forward or not. As our response to Charge 3 observes, the Visitors Policy is inherently

- Although GOS included KUIA in an initial meeting of potential stakeholders to inform its work on the Visitors Policy, as well as in an early notice-and-comment review, KUIA was not included in the working group that ultimately designed the policy.

- As a result, GOS did not keep KUIA informed during the process, respond to KUIA's written concerns about the policy, or notify KUIA of its intention to implement this policy once the working group was constituted.

- GOS did not inform this committee or KUIA that the Visitors Policy was moving forward, despite this committee's outreach to GOS in January on this issue.[7]

- GOS' response to this committee's questions about the Visitors Policy call our concerns and those of University Senate "unfounded claims." This suggests that GOS does not understand how the draft policy (which may be different from GOS' current proposal) is overreaching and potentially harmful to internationalization at KU. See *Appendix A (University Senate GOS Correspondence.*

- As noted regarding Charge 1, this committee is charged by the University Senate to review policy drafts that are related to international affairs at KU. However, neither GOS, KU's Policy Office, nor University Senate itself circulated the draft Visitors Policy to this committee for its review during notice-and-comment. Presumably, University Senate may not have realized that this policy was one to be referred to this committee in 2020 and so did not do so.

4. *The Chancellor Needs Direct Input from International Affairs at the Same Level as GOS.*

GOS reports directly to the Chancellor and so operates beyond the oversight of the Provost or University Governance. It appears that GOS operates with a high degree of discretion regarding whether to engage KUIA or University Governance. The committee believes that GOS has failed to demonstrate due sensitivity to and appreciation of the importance of international research and engagement, and of the contribution international faculty, students, staff, and visitors make to the university's academic, research, and service missions.

- The committee believes that the Office of the Provost and the Office of the Chancellor would benefit from creating an international leadership position within the Office of the Chancellor, such as a Vice Chancellor or Associate Vice Chancellor for International Affairs and a Vice Provost for International Affairs to whom KUIA would have a dual reporting responsibility. The committee suggests that this structure could give the Chancellor necessary perspective and KUIA necessary visibility on matters affecting international affairs at the same level as GOS to ensure greater input and balance of perspectives. KUIA and GOS should remain separate entities.

- As our response on Charge 1 observes, KUIA, University Governance and this committee specifically can aid the Provost and the Chancellor in reviewing proposed policies affecting international affairs, but they cannot do so nimbly in the same way that GOS does.[8]

---

[7] The committee chair met with GOS and reached out to the KU Policy Office regarding the Visitors Policy status in January and was advised that this policy was on hold due to COVID. However, in March, upon further inquiry by the committee chair to the Policy Office, the Policy Office advised that the policy was moving toward implementation.

[8] Even if GOS were under the oversight of the Provost, the unpredictable timing of the GOS policy processes, which may continue while this committee is in recess, and the lack of a clear mechanism for University Governance to learn of GOS plans to develop new policies prevents University Governance from providing necessary oversight.

III. RECOMMENDATIONS

NOTE: The reporting lines and position of GOS within the Office of the Chancellor mean that the Chancellor alone has oversight over its work. Therefore, University Senate should ask the Provost and Executive Vice Chancellor to present these recommendations to the Chancellor on behalf of University Senate.

- *GOS Should Operate in Regular Consultation with KUIA*

  o The Office of the Chancellor should require GOS to consult with KUIA whenever it is considering *any* policy response affecting KU international programs, research, students, faculty, or staff so that KUIA can advise directly on potential policy impacts and help inform GOS policy priorities.

    ▪ Such consultation must occur while these policies are being developed (i.e. at Stage 1 of the policy process) and before their release for general notice-and-comment.

    ▪ This will ensure that the proposal's effect on international aspects of KU's mission, potential DEIB impacts, and other issues can be identified quickly.

  o As recommended under Charge 1, a representative from KUIA should be required to sit on the GOS Global Operations Committee to provide timely feedback and to become aware of the upcoming policy changes that may impact the future international affairs.

  o If lack of a security clearance for Associate Vice-Provost Bankart or other KUIA representatives is an impediment to any of these recommendations or to KUIA's direct participation in risk assessments related to international activities or persons at KU, then KU should reconsider the benefits and drawbacks of obtaining the necessary clearance for KU's Senior International Officer. This committee strongly recommends that Associate Vice-Provost Bankart obtain such clearance in the absence of compelling reasons not to do so.

  o GOS should contact department heads to engage area/country specialists when considering issues related to particular regions (i.e. China, Middle East).

- *The Chancellor Needs Direct Input From the International Affairs Office at the Same Level as GOS.*

  o University Senate should recommend that the Chancellor consider appointing a Vice Chancellor or Associate Vice Chancellor for International Affairs and a Vice Provost for International Affairs to whom KUIA would report in order to provide necessary perspective and visibility for international affairs at the same level as GOS.

  o In the interest of ensuring the Chancellor's access to essential information regarding international affairs, neither KUIA nor the International Affairs leadership recommended here should report to GOS or to an administrator with lower rank than the one to whom GOS reports.

- *This Charge Should be Extended Until FY 2022.*
    - University Senate should extend this charge until FY2022 so that the committee can work with KU's Office of Integrity and Compliance and University Senate leadership to identify ways to *promote greater visibility for KUIA with the Office of the Chancellor and greater engagement of KUIA by GOS* with respect to all matters pertaining to international affairs and foreign nationals at KU and ensure KUIA's direct and continued leadership in developing public communications and policies that relate to international affairs. In carrying out this charge, this committee should consult during FY2022 with KUIA and the Office of the Provost regarding the ongoing assessment of KU's internationalization efforts and its administrative structures related to international affairs in connection with the ACE Internationalization Lab.

SPECIFIC CHARGE THREE: GOS Proposed Visitors Policy
Review and provide recommendations to SenEx regarding policies proposed by the Office of Global Operations & Security (GOS) that will affect international studies, research, teaching, and exchange.

   I.   **EXECUTIVE SUMMARY**

- The only policy that has come from GOS in the 2020-2021 academic year that will affect international studies, research, teaching, and exchange is the Visitors Policy. See *Appendix B Draft Visitors Policy*.[9]

- The committee has not been given access to the Visitors Policy and was not invited to review the draft policy during the notice-and-comment period. See *Appendix A (University Senate GOS Correspondence).*

- The committee is deeply concerned that the Visitors Policy, based on the notice-and-comment draft, unduly and unnecessarily restricts KU's internationalization efforts because of its excessively broad scope, because it communicates a message that KU is not a university that welcomes foreign visitors or supports international research and exchange, and because its proposed restrictions are prohibitive for normal campus engagement of domestic and international visitors.

The IAC recommends that the University Senate urge the Office of the Chancellor to <u>create a process</u> for review and revision of the Visitors Policy that gives KUIA, University Governance, and this committee opportunity to comment, and to <u>delay adoption</u> of the Visitors Policy until the report and recommendations from the Provost's Internationalization Lab have been reviewed by the Provost and the Chancellor.

   II.   **BACKGROUND & FINDINGS**

GOS convened a working group in 2019 to develop a draft "Visitors Policy," which was circulated for notice and comment in Fall 2020. The version attached in Appendix B is the one reviewed by the committee; it is only available to the committee because several committee members were included in the notice-and-comment process because of their separate roles at KU. The committee is deeply concerned that the Visitors Policy, as proposed, will impair KU's internationalization efforts because of its excessively broad scope and because it communicates a message that KU is not a university that welcomes foreign visitors or supports international research and exchange.

This committee has based its observations about the Visitor Policy solely on the draft version of the policy that was initially circulated for notice and comment by the Policy Office in September, 2020. In addition, the committee met with Carl Taylor, Director of GOS, and Matthew Battiston, GOS Export Compliance Officer, in January, 2021. The committee also requested a copy of the current working draft

---

[9] The Committee confirmed this through outreach to GOS and to Jennifer Anderson, Director of the KU Policy & Compliance Office in Spring 2021. By email to the committee chair on December 1, 2020, Carl Taylor confirmed that GOS did not have any such plans and that the only other project GOS was engaged in "with multiple units and KUMC is concerning Logistics and Shipping." As of the date of this report, the Visitors Policy has not yet been adopted.

policy from the University Senate President on March 18, 2021; in response to a follow-up inquiry from GOS, the University Senate President also posed several questions about the policy to GOS. GOS' responses to those questions are contained in *Appendix A (University Senate GOS Correspondence)*. However, GOS did not respond to our request for a current draft and for updates on its status. Under current protocols, this Committee only has the opportunity to provide comment once the final policy is already crafted and no earlier than other stakeholders at KU. By this point, the policy is already moving forward. See *Appendix C (Visitors Policy Timeline).*

The Visitors Policy, as proposed, could unduly and unnecessarily restrict the internationalization efforts of KU in the following ways:

- The stated goal of the policy is to ensure compliance with export controls and to secure information and technology;[10] however, these important goals are already addressed by other protocols and improved compliance protocols toward these goals can be adopted without expanding an export controls compliance regime to all activities on all KU campuses regardless of their nature;

- The scope of this policy is very broad, both in terms of individuals covered and in compliance requirements. A policy of this breadth and degree of restraint should have clear justifications *separate from export controls already implemented through current KU policies*; this one does not.

- The broad sweep of this policy directly and indirectly discourages international academic exchanges, will limit KU's ability to maintain and grow its international programs, and will reduce KU's competitiveness in recruiting international students. [11]

- This policy signals to KU's current international students and faculty that they are seen as a source of risk and threat, rather than as valued members of the KU community. This is in tension with KU's DEIB goals.

- The committee endorses the comments of KUIA and University Senate previously provided to GOS during the notice-and-comment period, both of which raised serious concerns about the scope and potential chilling effect of such restrictive measures on normal academic and research activities at KU, particularly those that seek to engage KU internationally. For these reasons, the Visitors Policy, as initially circulated for notice and comment, directly conflict with the internationalization goals of the KU Provost and the academic mission of KU as an AAU R1 university.

All of these concerns are heightened by the lack of involvement of KUIA and university governance in the initiation and development of this policy, as discussed in this report under Charges 1 and 2. We are also concerned about the timing of the implementation of this Visitors Policy. First, international mobility has been brought to a near stand-still during the COVID-19 pandemic. Re-engaging with partner

---

[10] *See* Appendix B (Draft Visitors Policy). The draft policy covers badging/identification, compliance, export control, insurance coverage and licensing, and network and data access. Per Carl Taylor (GOS), "the goal for the visitor policy is to enhance our overall export compliance program."

[11] Specifically: The draft policy appears to include all international students – it "applies to . . . international visitors," including "exchange students."

institutions around the world and with research collaborators will take a great deal of time and careful effort. Real and perceived barriers to international engagement may inhibit international collaborative activity by discouraging KU faculty members and staff from reaching out and placing barriers to affiliation that international constituencies are unwilling to overcome. I should be added that the ACE Internationalization Lab is underway and a major thrust of this initiative is the articulation of processes and procedures to enhance KU's strategic partnerships and engagements abroad, led by the Associate Vice Chancellor for Research at KU, the Assistant Vice Provost for Strategic Engagement in International Affairs and a team of faculty researchers and staff. This two-year university wide internationalization effort is nearly half complete and action planning will begin in the fall 2021 semester. This would be a good time to proactively consider a Visitors Policy and how it can be utilized to effectively enhance strategic engagement in international affairs with international constituencies.

III.   RECOMMENDATIONS

The committee recommends that University Senate:

- Urge the Office of the Chancellor to create a process for review and revision of the Visitors Policy, if implemented, that gives KUIA, University Governance, and this committee early and continued opportunity to inform the Provost and the Office of the Chancellor directly about its impact on international populations and international affairs at KU.

- Urge the Office of the Chancellor to delay adoption of the Visitors Policy until the report and recommendations from the Provost's Internationalization Lab have been reviewed by the Provost and the Chancellor.

- Encourage the Office of the Chancellor to ensure that any KU policies, including GOS-initiated policies, that could affect international studies, research, teaching, and exchange should be "narrowly tailored" to achieving clear regulatory goals and be justified accordingly in order to avoid conveying a lack of support for foreign persons in the KU community and for international research and exchange.

SPECIFIC CHARGE FOUR: COVID Response Assessment
Consider the COVID-19 emergency response by KU, how it affected international students, and make recommendations for future emergencies.

I.   EXECUTIVE SUMMARY

- Financial difficulties were a significant concern for the majority of students. Nearly two-thirds agreed or strongly agreed. The student employment situation (graduate and undergraduate) was especially challenging for international students. Not being able to work off campus heightens their financial challenges, especially when few KU offices are hiring. *Continued financial support should be an institutional priority.*

- Many students didn't feel included, but the majority of respondents did. Nevertheless, the pandemic-related isolation and high reliance upon Hybrid Online and Online classes led to more feelings of isolation. Is this an international challenge or something that would resonate with the entire student community during COVID times? *It is recommended that KU ensure international students have access to mental health services regardless of student financial means*. Additionally, recreational services and student organizations contribute to improving mental health.

- Eighty-seven (87) new international students from 26 countries began their KU degree programs entirely from abroad since summer 2020. With visa delays, consular closures and travel bans still in place, students will have trouble getting to the KU Lawrence campus on time, and some will not be able to get here at all. Hybrid Online and Online classes have kept opportunities available for enrollment. *Maintaining instructional mode options going into summer and fall 2021 may be useful, however, this is not a permanent solution.* As students' progress in their degree programs, Hybrid Online and Online classes (relevant to degree progress) dwindle.

- Racism toward international students was reported by 28% of the respondents along with a lack of understanding by many domestic students/staff/faculty regarding international culture. Given that a large portion of the student respondents are from Asia, this is very concerning. Seventy percent of international students in the US are of Asian descent and the increased prevalence of anti-Asian rhetoric and hate-based acts of violence in the nation are having a profoundly negative impact – very much felt in our KU community. *Intercultural Competency and Inclusion Training should be required annual like Sexual Harassment Training and KU Information Technology's Security Awareness Training.*

- These data confirm that KU worked hard to adapt and students felt those efforts personally. While there are areas to improve, there is a sense on the part of students that we are all in this together.

- The Committee recommends that *the survey data be revisited during fall 2021* for a deeper dive into the responses that have been generously provided by our international students. It is the Committee's understanding that the Center for Teaching Excellence conducted a freshmen-only survey of COVID responses during spring 2021. While not directly comparable, leadership may benefit from considering these COVID-19 survey data in relation to one another to better anticipate and respond to future emergency responses.

II.   BACKGROUND & FINDINGS

- The International Student Satisfaction with KU COVID-19 Response Survey can be found at https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:1a0e2295-6110-4750-8772-bccb665e1c32#pageNum=1. This survey was emailed to over 1,600 international students who were enrolled during spring 2020 (the KU Lawrence campus pivoted to online learning in late March 2020 due to the pandemic), summer 2020, fall 2020 and/or spring 2021 via International Support Services.

- Qualtrics Data Summary for International Student Satisfaction with KU COVID-19 Response Survey found at https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:d55f460f-8fa6-483c-aec4-75d3da1d70a4. The survey was completed by 351 international students.

- Survey questions were organized around demographics (including immigration and finances); academics; communication; mental/physical health; housing, transportation, food, extra-curricular; experiential responses and overall student satisfaction.

Demographics:

- One hundred ninety-five (195) students reported they were from one of 54 countries. Seventy-one (71) of the students were from China or India with 124 students from the remaining 52 reported countries.

- Undergraduate students represented 47% of respondents; graduate students represented 53% of respondents.

- The course instructional mode data are difficult to differentiate without term of enrollment specificity. Simultaneously, 302 students indicated that they enrolled in at least one Hybrid Online or Online classes, clearly meeting student needs.

- Sixty-seven percent of student respondents (209 of 314) live off campus in the Lawrence community.

- Receiving immigration and federal regulation assistance resulting from the closure of campus was at 43% (58 of 135) "Slightly agree" for undergraduates, and 48% (74 of 153) "Strongly agree" for graduate students. Twenty students indicated that this was not applicable for them.

- Experiencing financial difficulties directly related to COVID-19 impacts: 72% (88 of 123) "Strongly agree" and "Slightly agree" for undergraduates, and 82% (116 of 141) "Strongly agree" and "Slightly agree" for graduate students. Thirty-five students indicated that this was not applicable to them.

- Students receiving financial or other assistance from KU (i.e. waivers, adjustments, technology): 49% (58 of119) "Strongly agree" and "Slightly agree" for undergraduates, and 44% (58 of 133) "Strongly agree" and "Slightly agree" for graduate students. Forty-six students indicated that this was not applicable to them.

- Students' perception of inclusion on the KU Lawrence campus during the pandemic impacted. 37% (45 of 122) "Slightly agree" for undergraduates, and 37% (55 of 147) "Slightly agree" for graduate students. Twenty-four students indicated that this was not applicable to them.

- Students' perception of discrimination during the pandemic impacted. 49% (55 of 120) "Strongly disagree" for undergraduates, and 48% (69 of 145) "Strongly disagree" for graduate students. Twenty-eight students indicated that this was not applicable to them.

Academics:

- Almost 69% of students "Strongly agree" that they understood the format of their classes, in-person, hybrid or online.

- Nearly 73% of students "Strongly or Slightly agreed" that libraries and other study areas were available and safe to use.

- Thirty-three percent of students felt safe and welcome attending in-person classes, while 35% of students indicated this did not apply.

- For online classes, 88% of students indicated that online classes were easier to academically succeed and easy to navigate. Eighty-eight percenter of these students used personal Wi-Fi and computer.

- "Slightly agree" that what classes to take because academic advisors guided me through the enrollment process was reported by 53% of students.

- The KU resources used most frequently by the students were:

    - CVKey, Information Technology,

    - International Support Services

    - KU Bus Services

    - Libraries

    - Protect KU

    - Watkins health Services

Communication:

- Awareness of health protocols was very strong (completing CVKey app daily; utilizing CVKey app QR code when entering campus buildings, wearing mask covering nose and mouth, inside and outside on campus, and maintaining 6 foot distance between people, inside or outside on campus).

- Student communication channels were 97% used email, 32% used social media, 41% used text messaging, and 21% used word of mouth from classmates.

- Students reported they were aware of expectations and different limitation that could arise through the semester while taking class virtually at a 39% rate for "Strongly agree" and at a 47% rate for "Slightly agree."

Mental/physical health:

- "Strongly or Slightly agree" was reported by 70% of students when asked if they experienced mental health challenges resulting from the pandemic, while 1% of students reported it didn't apply to them.
- *The strategies most often utilized to improve student mental health through KU resources were:*
    - Counseling and Psychological Services
    - Watkins Health Services
    - Recreation Services
    - Student Organizations
- Students (76%) reported that they "Strongly or Slightly agree" that they found emotional support outside of KU resources. The most common resources include family, friends and pets. Two additional comments demonstrate the diversity of outside resources and their impact:
    - "Be close to my family relieved my pressure quite a bit, although I have to admit that my research was slowed down because of the distance."
    - I have a couple of friends, who have been supportive and with whom I have been supportive. I have no network or family ties in the US."
- Students (34%) reported that they "Slightly agree" that they utilized support services to maintain good physical health during the pandemic.

Housing, transportation, food, extra-curricular:

- Clearly more social/club/organizational outreach/support would have been welcomed by many.

- Students report that they (57%) "Strongly agree" that they feel comfortable in their living space. They also feel safe in their living space (68%). One student stated "With the financial support KU offered I felt comfortable and able to sustain myself." The students "Strongly agree" (61%) that they had adequate access to the internet in their living space.

- The KU Bus Service for safely commuting to classes and other resource needs on campus, and throughout Lawrence was "helpful" to 32% of students, while only "Strongly helpful" to 23% of the students.

- Students reported equally across "Strongly agree to disagree" on access to on campus food services while 53% (2/3rds graduate students) indicated that this does not apply to them.

- When accessing food services off campus, students "Strongly disagree" (28%) while 26% (equally undergraduate and graduate students) indicated that this does not apply to them.

- Students' "Strongly agree" (22%) that they felt safe while participating in student led organizations and activities while 49% indicated this did not apply to them (about 33% more graduate students than undergraduates). Students were asked if the student organizations that they participated with were able to fulfill the organization goals and foster community even though events were virtual. While 46% of students indicated this didn't apply to them (about 25% more graduate students than undergraduates), 40% of students "Strongly or Slightly agree" that the student organizations were able to fulfill their goals and foster community.

**What COVID-19 response(s) that KU implemented were most helpful
in enabling you to continue your academic experience?**

- Positive: the appreciation of all the adaptations students received from KU offices and people.

- Mixed: some students reported receiving enough financial aid to continue academic progress while others indicated the financial hardship caused by the inability to work on campus and no other options.

- Positive: KU's approach to creating a safe and healthy environment utilizing the CVKey app, masks, and COVID testing before and during each semester.

- Mixed: professors flexible in their support, adapting classes to online asynchronous courses, with recordings of classes or materials to help review knowledge was appreciated, while some online experiences were "filled with YouTube links to other universities and people's work, and synchronous classes and exams were harder, especially if had a time zone difference.

What could KU do during future emergencies that better supports the international student academic experience?

- "…a more comprehensive support plan/strategy which considering both academic and personal life would be necessary. The emergency situation like the covid19 may affect international students much more than domestics students. Besides the pressure and stress from academic success, other issues such as financial hardship, immigration status pressure, travel restrictions, etc. Combined gave them hard time here. Domestics students are able to work from home with they families to overcome the difficult time together. International students are alone with themselves while performing social distancing. It is not easy for them especially when there was more hate crime and racism happened towards Asian student…"

- "I feel like calling students in their language and asking them if everything is going okay, and what resources they need. Just one call at the beginning of a major crisis would suffice. Some international students may otherwise feel lost."

- "Listen to what international students have to say. Work with KU staff, administration, faculty, undergraduate, and graduate students to inform about diversity and how to recognize and avoid microaggressions… Use more empathetic language in communication and be more empathetic when making decisions that (disproportionately) affect international students… Actually get familiar… with the specifics and diversity of international students status in the US… Have peer groups to support international students - our experiences are different from those of US students… have clear guidelines and information shared with us… Make sure the information we need to know actually reaches us"

- "International students at KU, can be classified into two categories. International students with families and international students with no families. The reason is international students with families struggle more. They were trying to take care of themselves and their families. KU could ask to find donors to support International students and families who don't have any health insurance. At least one of the fundamental human necessities is to provide health necessities for international students during emergency time… Some of the students experience severe health conditions. KU needs to be so close to its students and know their situations to mitigate any difficulties…"

- "They should put more structures in place to improve international students (in fact all students) mental health."
- "KU needs to ensure international students have access to Watkins services regardless of charges."

How can messaging be improved?

- Personalize:
    - "better knowledge of our experiences and needs"
    - "Calling with an individual on the other side initially, then using email to send out important messages."
    - "Checking on International students is important… being alone and cannot travel home"
    - "…reach out to international student organizations to make sure they ae able to reach all members of the community."
    - "Hotline and chat"
    - "Also, more town halls."
- Concise:
    - "Include phone text messaging options."
    - "emails are a bit tedious to read especially when they are frequent. Maybe supplementing them with SMS would help."
    - "To use the app Slack"

How can programming be improved?

- "Have a school-level international student coordinator. The idea is this person can have more direct knowledge of the initiatives related to international students at the school level."
- "Actions and Intentions are different. Always communicate the ideas behind a program too."
- "Not sure what programming is meant by this question."
- "International students need more detailed programs that fully meet their needs for their journey and survivor."

What can be done for you to feel more included on campus?

- "ask for suggestions from international students , feedback and lessons learned from their experience that they can pass along to other new students. I had the idea which i shared previously, which is to ask existing international students from each school and even each department to help do orientation for new international students with same major or school."
- "I see people set up 24 hour zoom libraries to study together. I thought it would nice if KU had one."

- "I would like to see more conversations about the International student experience especially connecting domestic students because I basically feel invisible and my main identity feels EXTREMELY undervalued, underrepresented and unacknowledged."

- "It would be so great if I have various opportunities to get connected with other domestic undergraduates, such as with those who are in the same field of study or with common interests."

- "KU has to listen to international students voices. It doesn't mean that there would be a satisfaction with programs and supports provided by KU if there is no complaint from international students. They surely have complaint and hardship experienced from the previous and current environment, but the reason they are silent is they are of apprehension in saying something in English. They feel their English skill is not good enough to explain all about their feeling. We need a someone who can truely share our feelings and experiences."

- "Make sure that international students can have access to medical services on campus without creating major concerns for our financial and, consequentially, mental health."

- "Train staff to be more aware of international students and our issues"

- "to be reached out to"

Findings about overall student satisfaction:

- When asked the students' overall satisfaction with KU during the pandemic, 31% indicated "Strongly satisfied," and 42% indicated "Slightly satisfied." That included 19 and 55 respectively of 111 undergraduates, and 57 and 49 respectively of 138 graduate students.

- When asked how likely the student was to attend KU for the fall 2021 semester, 69% indicated "Strongly likely." That included 65 of 85 undergraduates and 103 of 136 graduate students.

- When asked how likely the student was to recommend KU to friends or colleagues on a scale of 1-10, 55% indicated 8 or higher. That included 57 of 111 undergraduates and 79 of 138.

III.   RECOMMENDATIONS

The committee recommends that:

- Continued financial support should be an institutional priority.

- It is recommended that KU ensure international students have access to mental health services regardless of student financial means.

- Maintaining instructional mode options going into summer and fall 2021 may be useful; however, this is not a permanent solution.

- Intercultural Competency and Inclusion Training should be required annual like Sexual Harassment Training and KU Information Technology's Security Awareness Training.

- The Committee recommends that the survey data be revisited during fall 2021 for a deeper dive into the responses that have been generously provided by our international students.

SPECIFIC CHARGE FIVE: Integration of International Affairs
Consult with new Vice Provost for D&I and Vice Chancellor for Public Affairs, David Cook, to better the relationship with the committee and integrate the consideration of International Affairs and the mission of the university.

I.   EXECUTIVE SUMMARY

During the 2020-2021 academic year, the University of Kansas (KU) undertook a reorganization of diversity, equity and inclusion functions and personnel. This reorganization presents an opportunity to better connect and integrate international affairs into the University's Diversity, Equity, Inclusion, and Belonging (DEIB) efforts, to better support international students within the mission of the University, and to strengthen the reputation of KU as a university committed to internationalization across all programs. Assessing and making recommendations about how KU should better engage international students, faculty, and staff in its DEIB mission, programming, and outreach are also goals of the work of the American Council on Education (ACE) Internationalization Lab in which KU is currently participating.

The Committee has identified the following as areas that demand attention:

- Enhancement of training and development for faculty, staff and students to advance cross-cultural understanding, policy development, and a sense of belonging in the KU community.
- Establishment of baseline policies and procedures that address external and internal barriers for faculty, staff and students.
- Renewal of commitment to the recruitment and retention of international faculty and staff.
- Commitment to a cohesive student DEIB experience that includes international understanding and development for domestic students on the one hand and, on the other, the development and knowledge-bundling of the US cultural context and customs for international students.

II.   BACKGROUND & FINDINGS

On February 9, 2021, the KU International Affairs (KUIA) Committee met with the following officials:

- Vice Provost David Cook – Vice Chancellor for Public Affairs & Economic Development
- Jennifer Ng – former Interim Vice Provost, Diversity and Equity; and current Associate Vice Provost for Faculty Development
- Chris Brown, Vice Provost for Faculty Development
- D.A. Graham – Ombuds, Interim Vice Provost of Diversity, Equity, Inclusion & Belonging
- Ali Soltanshahi – Director of International Support Services.

The meeting was to learn more about the recent changes to DEIB at KU, to discuss charge five, and to learn more about how our Committee and University Senate can better engage with them to help integrate international affairs into the work of each office and the University.

All attendees expressed openness to having KUIA communicate directly with their offices and suggested that the committee might advise on what they can or should be doing regarding international affairs. It was stated that KU is an international research university and international collaboration is key to faculty success; it also shows students how to conduct international research in the world today. It was learned that KU is working to finalize metrics for DEIB in KU's strategic plan in order to align among all divisions: student affairs, retention, faculty, and staff.

It was proposed that the DEIB office facilitate substantive discussions throughout the year to explore situations and terms like anti-racism; provide resources to support the lived experiences of international students at KU who may be experiencing discrimination; and identify and address institutional barriers at KU for students, faculty, and staff.

There was also discussion of creating a DEIB dashboard for every unit to see and understand the metrics and be able to institute a baseline for individuals to move forward through space into mandatory training for students, faculty, and staff at KU, with opportunities for training. The possibility of conducting another campus climate study was also discussed.

In alignment with DEIB's emerging "inclusive excellence framework", International Affairs has collaborated with the DEIB office to re-write its Assistant Vice Provost position description to include internationalization in the DEIB context. This leadership position will represent International Affairs on DEIB's diversity council. It will also convene representatives from each of the International Affairs units to develop a stronger and more coordinated set of diversity-oriented programs, trainings, and initiatives for the staff and faculty of the division, as well as for the in-bound/out-bound student, faculty and staff constituencies the KUIA offices serve.

Based on this meeting as well as our Committee's charge, we recommend that KUIA and KUIA University/Faculty Committee both be involved in developing these policies in cooperation with others in the DEIB office.

KU Internationalization Lab

Our Committee's findings and recommendations on this charge are being provided simultaneously to KUIA for the benefit of the ACE Internationalization Lab committees. The Internationalization Lab has five internationalization subcommittees, four of which are particularly relevant to this charge:

- Curriculum, Co-Curriculum and Learning Outcomes
- Student Mobility
- Faculty and Staff Policies and Practices
- Administrative Leadership, Structure and Staffing

III.   RECOMMENDATIONS

The committee recommends that University Senate help:

Training and Development:

● Enhance cross-cultural understanding & global awareness among domestic students, faculty, and staff, and across KU.

● Provide training and development on normative domestic practices (freedom of speech, assembly, and religious expression) into DEIB programming for domestic and international students.

● Develop policies that support, integrate, and draw on the unique perspectives of international faculty and students.

Policies and Procedures:

● Ensure that internationalization is incorporated in any statements or definitions that are created for inclusion and belonging that will emanate from the new DEIB office in order to underscore the intersectional nature of internationalization and diversity, equity and inclusion efforts.

● Create a University-wide baseline of policies and resources to support lived experiences and identify and address institutional barriers at KU for international students, faculty, and staff. This should include integrating the existing framework and enhancing it to create a unified University-wide support.

Recruitment and Retention:

● Expand international teaching, research, service, and exchange opportunities for faculty, staff, and students.

● Strengthen recruiting and retention of international faculty, staff, and students.

Student Support Services:

● Create opportunities for international students during pre-arrival orientation and over the course of their first semester at KU to understand racial and social dynamics of the USA.

● With the reorganization of the DEIB office, move all of the student-facing multicultural programs to Student Affairs. There is an opportunity to strengthen DEIB student-facing efforts by expanding this reorganization to international programs or creating dual reporting lines for better communication or collaboration.

REPORT ON STANDING CHARGES

STANDING CHARGE ONE: Develop contact with international student organizations
Develop contact with the leadership of International Student Association and organizations and international student senators.

Executive Summary & Recommendation

- Student representatives on the committee serve on the International Student Advisory Committee; student member Hollie Hall is its current president.

- The committee recommends that ISAC and KUIA coordinate to inform international student organizations about opportunities to serve on and engage with the IAC and the ISAC.

Background

In Spring 2020, the Committee determined that an email would be sent out to international student organizations to:

- Let them know that the IAC exists and that they are not alone.

- Request their feedback regarding needs that they feel are not being met and how the university can improve in addressing those needs.

- Offer them an opportunity to serve on the Committee via student senate involvement and nomination.

- If possible, provide an example of how student voices in the Committee have had an impact in campus wide initiatives.

Unfortunately, COVID-19 occurred before the email could be sent.

Recommendations

- The Committee suggests that this action be taken early next year via the students participating in the Committee.

STANDING CHARGE TWO: Access of international students to supportive services
Continue to review and as needed make recommendations on how the University may better accommodate access of international students to supportive services.

Executive Summary

- It is expected that international students have access to the same supportive services as domestic students. However, the Committee believes there is an ongoing need to identify the support services that are not equitably being made available to international students and to recommend solutions.

- The committee advocated in late 2020 for relief measures for international students facing financial holds on their accounts due to COVID-19; these measures were ultimately implemented before the end of the fall semester, 2020.

- The committee's review and recommendations with regard to COVID emergency responses and international student access to supportive services since the onset of the COVID pandemic are reported in response to Specific Charge 4. [Discuss how this relates to overall access to student services across campus, including but not limited to the resources offered through ISS and KUIA]

Background

In November 2020, student members of the committee raised concerns that many international students were experiencing student account holds due to unpaid balances as a result of financial difficulties related to the COVID-19 pandemic, including economic circumstances in students' home countries that were preventing timely payment. These accounts were also at risk of accruing late fees. The committee was concerned that these emergency circumstances might prevent students from registering for the spring semester, which could have adverse consequences for their immigration status and ability to continue in their academic programs.

In response, the committee presented to the University Senate Executive Committee a resolution proposing urgent action to waive international student account holds and related late fees. In response to these efforts and related advocacy by the International Student Advisory Committee, University Senate leadership directly engaged the Office of the Provost and the Office of the Chancellor to resolve this issue. University leadership issued a communication in early December notifying international students experiencing account holds due to funds that were expected but not yet received to reach out to Student Account Services and that account holds could be lifted in appropriate circumstances. The International Student Advisory Committee also worked to notify international students of efforts to resolve this issue.

The committee is grateful to University Senate President Mishra for his prompt, personal attention to this issue and appreciates the manner in which University leadership coordinated quickly to provide a solution for affected international students.

STANDING CHARGE THREE: Input on new policies
As needed, review and provide input on new policies that relate to international students.

Executive Summary:
- No new policies were submitted to University Governance in FY2021 other than the Visitors Policy. As discussed with respect to Specific Charge 3, the Visitors Policy may impair recruiting and retention of international students and faculty, and may discourage international exchanges.

- The Committee recommends that all such policies be submitted to University governance through the University Senate for review by the Committee in FY2021, consistent with this charge.

STANDING CHARGE FOUR: Input on new policies received from SenEx
As needed review and provide input on new policies that relate to international studies, research, and teaching, received from SenEx.

<u>Executive Summary</u>
- No policies have been received from SenEx during this academic year.

<u>Conclusion</u>

- As indicated with respect to Specific Charge 1, the committee urges the University Senate president to ensure that any proposed policies for notice-and-comment that may affect either teaching, research, or exchange, are forwarded immediately to this committee for review in accordance with this standing charge, as it is likely that such policies will also affect international studies, research, and teaching.

- Below are proposals from the committee requesting minor modifications to our standing charges (shown against the FY 2021 charges) and suggesting proposed specific charges for FY2022.

Proposed FY 2022 IAC Charges

These charges are in addition to others University Senate and SenEx may assign to the committee:

FY2022 Proposed Standing Charges, as amended FY2021:[12]

1. Develop contact with the leadership of International Student Association and organizations and international student senators.

2. Continue to review and as needed make recommendations on how the University may better accommodate access of international students to supportive services.

3. As needed, consider and propose to SenEx new policies that relate to international studies, research, teaching, and exchange.

4. As needed, review and provide input on new policies received from SenEx that relate to international studies, research, teaching, and exchange.

5. Continue to assess and as needed make recommendations on how the University may better acknowledge and support international students and incorporate cross-cultural competencies within the university's diversity equity, inclusion and belonging (DEIB) mission and initiatives.

FY2022 Proposed Specific Charges:

1. Support and provide input to the Steering Committee of the Office of the Provost's ACE Internationalization Lab as it prepares reports and recommendations to university leadership regarding the appropriate governance procedures that should apply to new University policies and other matters affecting international studies, research, teaching, and exchange.

2. In consultation with the KU Office of Integrity and Compliance, review and provide recommendations to SenEx regarding the development or implementation of policies proposed by the Office of Global Operations & Security (GOS) that will affect international studies, research, teaching, and exchange.

3. In consultation with the KU Office of Integrity and Compliance and University Senate leadership, identify ways to ensure KUIA's direct and continued leadership in public communications and the development of policies that relate to international affairs.

   promote greater visibility for KUIA with the Office of the Chancellor and greater engagement of KUIA by GOS with respect to all matters pertaining to international affairs and foreign nationals at KU.

4. Review final report and action plans from the Office of the Provost's ACE Internationalization Lab and provide recommendations to SenEx regarding how to promote KU's internationalization efforts and future strategy.

5. Review the COVID-19 survey results obtained by the committee in FY2021 and integrate these findings into its report and recommendations with respect to other Standing and Specific Charges.

---

[12] A new charge, standing charge 5, is proposed. Minor edits were made to several of the existing standing charges for consistency.

Appendix A: University Senate GOS Correspondence

The following is a copy of responses received from Carl Taylor, Director of GOS, to University Senate President Mishra on Wed. April 7, 2021, with copy to Dr. Chris Brown, Vice Provost for Faculty Development. Dr. Mishra had previously forwarded to GOS with these questions a set of questions FacEx had shared with Chris Brown in October 2020, to which FacEx had not received a response. These can be obtained directly from Dr. Mishra or from Faculty Senate President Lua Yuille.

1. Has KU committed to adopt this policy and if so, in what form (please provide the current draft)?
   - Chris Brown and I have spoken to both the Chancellor and the Provost over the last two weeks concerning this policy. The Chancellor and Provost are committed to implementation of the policy. They share the view that the policy will enhance the safety and security of KUL as well as increasing compliance with regulatory requirements and US laws.
   - This policy, in development since 2019, went through a stakeholder comment phase in Aug 2020 via the KUL Policy Office. Comments were incorporated into the final draft, FAQs, and website (currently under development). Some of the comments submitted were related to process issues not policy. These comments will be addressed in the FAQs and website.
   - Typically process related comments are not included in university policy documents. Each campus is responsible for developing and executing processes in accordance with the general policy.
   - Understanding there appears to be a lack of general knowledge regarding visitors, at least at the Lawrence campus, it was decided that a related webpage would be developed to help address the process related questions and be a useful tool for stakeholders.

2. What is the anticipated implementation plan and timeframe, given the significant negative impact our committee believes this will have on KU's mission, the Lawrence campus, and the Provost's internationalization efforts?
   - The policy will not impact the Provost's internationalization efforts.
   - The plan after the policy is signed is to give KUL and KUMC a 12-month period to fully implement it. What this means is each campus will form a small working group to develop the process and procedures for their respective campus. The GOS staff and the Policy Working Group will be available to each campus working group to advise and assist. Prior to signing the Policy Working Group wants to complete some initial FAQs and a website to give the campus groups a running start. Over the 12-month period it is recommended to implement a communication plan explaining the policy and to conduct some testing of the process and procedures developed by the campus working groups in a couple of the schools.
   - The campus working group that will develop process and procedures will be comprised of key stakeholders as determined by the EVC of each campus. We would like to have a governance representative involved in this part of the work.
   - Policy associated materials, to include campus specific websites, are in development at KUL and KUMC. Once these websites and other supporting materials (e.g., a visitor's web form) are complete the policy will be submitted for final signature by

the Chancellor. Despite the unfounded claim of "significant negative impact," this policy will not impact on the ability of people to visit KU as long as they pass their   "due diligence" screening.

- "Due diligence" screening is an important element of the U.S. Government's expectation for U.S. entities, US persons, and US citizens to know who we are doing business with. KU is responsible for following all U.S. laws. "Due diligence" screenings help lower risk for our employees and the university as a whole from violating export control laws, entity lists, debarment lists, and sanction programs. As mentioned in previous meetings with your committee, violations of the related issues apply to U.S. citizens, U.S. persons, and foreign nationals.

3. Why is this policy necessary for those without access to controlled or regulated information, who presumably are already subject to export controls rules and existing KU compliance measures? (having reviewed the initial draft circulated to associate deans, on which I commented, the materials/proposal did not address this issue)

- This policy helps fulfill KU's compliance requirements as mandated by federal laws and regulations. To comply with export control rules, sanctions, and entity list requirements each campus, at a minimum, must conduct "due diligence" screenings for visitors (as defined in the policy), as well as for any other individual given access to information that would not be considered fundamental research. This is not a new requirement, but one that has not been consistently followed by university units, putting the individual and university at risk from legal action and the loss of grant funding. The U.S. Government will and have taken legal action against individuals often in lieu of a business or university.

- The purpose of the policy is to enhance the protection of intellectual property and ensure our campus complies with applicable laws. The associated policy website will help direct those who are hosting visitors to the correct intake processes and address compliance and safety concerns as they relate to visitors to KU.

- KU employees and students can also violate U.S. law even if they are not working on controlled information. Collaborating with individuals on "entity lists" can pose risks to employees and KU by losing grant funding. Violations of U.S. sanctions programs can result in violations of law.

- This policy also prioritizes the safety of visitors and the entire campus community.

- The policy is designed to help KU employees and students make informed decisions on who they collaborate with to ensure compliance.

4. Whose office directed GOS to pursue development of this policy and to what end (i.e. what were GOS' "marching orders")?

- GOS was originally tasked by university leadership to draft a university-wide visitors' policy back in 2019. The effort was renewed in Jul 2020. I made the decision to put together a working group from both campuses to draft the policy.

5. What analysis has the working group done on the costs and benefits to KU's educational mission of adopting this policy?

- There are no additional costs associated with implanting this policy. This policy is not intended to replace existing security/compliance procedures already in place at

the various campuses. Software used for "due diligence" screenings is already budgeted for and used on campus right now.

- The key benefits of the policy are to reduce the risk of KU employees and students from violating U.S. law, will enhance individual(s) knowledge of U.S. law and regulatory requirements, and protect individual and KU reputation by not violating laws.

6. How has GOS engaged KUIA in the development of this policy - both in concluding that it is needed and in the working group's process, and if KUIA has not been engaged, how and when will KUIA be engaged (see below)?

- KUIA (Charlie Bankart) was involved in the coordination process. As this policy goes beyond just international visitors, multiple KUL stakeholders were asked for comments including Michael Rosenberg, Kimberly Grunewald, Mike Rounds, Chris Keary, Julie Fugett, Jennifer Ng, and Simon Atkinson.
- The actual working group was comprised of Project Manager, two GOS staff, Compliance Officers from KUL and KUMC, KUL Vice Provost for Faculty Development, KUMC Vice Chancellor for Academic and Student Affairs, and the KUMC Senior International Officer. The group was very small to improve efficiency. In 2019, a working group was formed to draft the policy, but it was too large and was unable to get a draft completed.

7. What, if any, less burdensome alternatives to the Visitor Policy have GOS identified that can achieve the identified compliance goals?

- For the most part, implementing this this policy involves the completion of a webform and conducting a "due diligence" screening, both of which will take minimal time to complete. While some might see this an administrative burden, the fact of the matter, is the "due diligence" screenings are mandated by federal laws and regulations. Without a standardized process for screening visitors on campus the university has no way of achieving its compliance requirements as there is no repository for this type of information. Without achieving this initial goal, it is difficult to determine risks and identify potential compliance and regulatory issues.
- This policy was simplified compared to other similar university policies.

8. What information will the working group, GOS, or the Policy Office be providing to the campus regarding (i) the nature and scope of comments received on the Visitor Policy; (ii) how the current policy responds to those concerns?

- The visitor's policy working group is developing a web site that will be launched in conjunction with the finalized policy. This website will serve as a launching point for registering visitors. The webpage will contain a list of frequently asked questions related to the policy which will be expanded over time. This website will also address procedural issues.

Appendix B: KU Draft Visitors Policy (Notice & Comment Version)

University-Wide Visitors Policy

DRAFT – 09/25/2020

Title & Document Type		
Title*	University-Wide Visitors Policy	
Document Type*	☒ Policy	☐ Guideline
	☐ Procedure	☐ Form
Purpose, Applies to & Campus		
Purpose*	The purpose of the policy is to 1) enhance the safety of Visitors and the entire campus community; 2) protect and promote the University's mission, vision, and values; 3) enhance the development of intellectual property and compliance with applicable U.S. regulations and laws that prohibit transactions with restricted entities; and 4) support IT security and services and other mission-critical infrastructure.	
Applies to*	The University of Kansas and all of its controlled affiliated units.	
Campus*	☒ All University	
	☐ Lawrence campus & all reporting units	☐ KU Medical Center campus & all reporting units
	☐ Edwards	☐ KU Medical Center
	☐ Lawrence	☐ Salina
	☐ Juniper Gardens	☐ Wichita
	☐ Parsons	
	☐ Topeka	
	☐ Yoder	
Table of Contents, Policy Statement, Exclusions or Special Circumstances & Consequences		
Policy Statement*	The University of Kansas (KU) is committed to maintaining an open and free academic environment that supports both domestic and international collaborations. In the event such collaborations result in a Visitor to campus, there may be applicable state or federal laws and regulations that apply. To support the University's interests in collaboration, while complying with laws and regulations, the University sets forth this policy.	

Definition of Visitor (also found in the definitions section)
Individual(s) (international or domestic) who are not otherwise employed by or have a current formal affiliate status, that are coming to campus, either in person or by way of telecommunication, to conduct business. Business includes but may not be limited to: vendors or contractors visiting campus, those conducting collaborative research; providing instruction that is supervised by appropriate KU personnel, or observing KU instruction, administration, or research. *KUL and KUMC inter-campus collaborations/activities may subject existing employees, formal affiliates, or students to Visitor status when visiting other campuses.*

Scope of Policy
This policy applies to all KU personnel, including personnel of controlled affiliated units, who coordinate, invite, or host individuals from other universities, institutions, and businesses who wish to visit any KU campus. This policy applies to both domestic and international Visitors and other individuals collaborating with KU employees (faculty and staff) who could have access to KU intellectual property, research data, research facilities, network access, or access to secure physical spaces.

General Considerations
KU requires that each campus institute processes for Visitors to undergo appropriate due diligence checks to comply with export compliance laws and other regulatory requirements, and execute certain agreements related to protecting intellectual property (e.g., technology control plans (TCPs), nondisclosure agreements (NDA's), related training).

Additionally, KU will require each campus to institute procedures and processes for training requirements, badging or other identification, vetting for provision of network access, licensing (where applicable), and liability coverage as necessary for the type of Visitor.

Each campus will ensure the following issues are addressed:

I. Badging/Identification

- Any Visitor provided access to restricted spaces, such as labs or offices protected by lock or key card access, must have appropriate permissions (e.g., temporary badges, name tags, chaperones), and the hosting unit must maintain a Visitor(s) roster and record for the intent and duration of the visit.

II. Compliance

- Visitors to campus may be required to complete compliance certifications in the form of trainings or attestations, based on the nature of their visit. The hosting unit of the Visitor is responsible for identifying the necessary trainings and ensuring the Visitor is compliant. Examples may include Environmental Health and Safety, HIPAA training if accessing protected health information, lab, or other safety trainings.

III. Export Control

- This policy is intended to improve compliance with U.S. law, regulatory requirements, and university-wide risk management. U.S. regulations and laws require KU to evaluate collaborative efforts for potential export control issues, the necessity for an export license, and to certify those findings. This policy helps fulfill KU's compliance requirements as mandated by federal laws and regulations including the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR), Office of Foreign Assets and Control (OFAC), and all other applicable export and import regulations, in the U.S. and abroad (related Export Compliance materials can be found at https://gos.ku.edu/resources).
- In order to comply with export control rules, each campus, at a minimum, must conduct for each Visitor (as defined by this policy), as well as for any other individual given access to information that would not be considered fundamental research, a "due diligence" screening.
    - Units conducting their own due diligence screenings are to contact the Office of Global Operations and Security (GOS) (gos@ku.edu) any time there is an alert; in some cases these alerts can be deconflicted and cleared through further review to authorize the visit.

IV. Insurance Coverage, Licensing, etc.

- The hosting unit may require appropriate qualifications for Visitors, pertinent to the purpose of their visit (e.g., insurance coverages, licenses, certifications). The hosting unit is to manage all required documentation.

V. Network and Data Access

	• While many visitors may not need or request network access, in the event a Visitor does require access, existing network access procedures are to be followed. • If a Visitor is to have access to restricted data, the hosting unit must receive appropriate authorization(s) specific to the type of data. Data access may be governed by network access standards and/or export control laws.
Exclusions or Special Circumstances	Prospective students visiting campuses. Individuals attending events open to the public (e.g., sporting, musical, and theatrical events), who will be in public spaces, or who will not be accessing otherwise restricted spaces or information. This policy is not intended to replace existing security/compliance procedures already in place at the various campuses.
Consequences	Failure to comply with this policy may result in the loss of privileges for hosting or otherwise collaborating with Visitors. Additionally, violations of U.S. laws and regulations could lead to disciplinary actions by the University as well as penalties imposed by federal and state authorities.
Policy Owner, Contact, Approval, Dates & Review Cycle	
Policy Owner*	Global Operations & Security
Contact*	**KUL:** Office of Global Operations & Security gos@ku.edu **KUMC:** KUMC Educational Experience (KEE) keeprogram@kumc.edu Office of International Programs (OIP) InternationalProgs@kumc.edu
Approved by*	Chancellor
Approval Date* (MM-DD-YYYY)	TBD

Effective Date* (MM-DD-YYYY)	TBD		
Review Cycle*	⊠ Annual	☐ Semi-annual	☐ Biennial

Background & Related Documents			

Related Statutes, Regulations, and/or Policies	**University-Wide** Transactions with Restricted Parties **KUMC** Identification and Access Badge Policy Observers and Active Learners in University of Kansas Medical Center Laboratories, Research Areas or Animal Facilities Electronic Medical Records (O2) Access for Internal and External Personnel for Research Purposes J-1 Exchange Visitor Visa General Sponsorship Requirements Policy

Related Forms	KU General Visitor Request Form *(will be linked)*
	
	KUMC General Visitor Request Form *(will be linked)*
	
	KEE Program Request Form *(will be linked)*
	
	KUMC OIP Forms for International Visitors *(will be linked)*
	
	• International Visitor Registration for Hosting Department
	   o International Visitor Registration
	• Clinical Observership-Department Questionnaire (for Internationals)
	   o Clinical Observership-Prospective Observer Questionnaire (for Internationals)
	• International Individualized Researcher Program-Department Request
	   o International Individualized Researcher Program-Researcher Questionnaire
	• J-1 Exchange Visitor Program at KUMC-Department Request Form
	• J-1 Exchange Visitor Program at KUMC-Exchange Visitor Questionnaire

Related Other	Office of Global Operations and Security Due Diligence KUMC Educational Experience KUMC Office of International Programs

	Definitions, Keywords & Change History	
Definitions	**Export.** _Any_ oral, written, electronic or visual disclosure, shipment, transfer or transmission outside of the U.S. to anyone, including a U.S. citizen, of any commodity, technology (information, technical data, or assistance) or software/codes. **Fundamental research**. Basic and applied research in science and engineering, the results of which ordinarily are published and shared broadly within the scientific community, as distinguished from proprietary research and from Industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary or national security reason. Fundamental research does not have specific national security controls such as prepublication review with approval, restrictions on pre-publication dissemination, or restrictions on participation by non-U.S. citizens or others. **Visitor.** Individual(s) (international or domestic) who are not otherwise employed by or have a current formal affiliate status, that are coming to campus, either in person or by way of telecommunication, to conduct business. Business includes but may not be limited to: vendors or contractors visiting campus, those conducting collaborative research; providing instruction that is supervised by appropriate KU personnel, or observing KU instruction, administration, or research. _KUL and KUMC inter-campus collaborations/activities may subject existing employees, formal affiliates, or students to Visitor status when visiting other campuses._	
Keywords*	Export, Know Your Customer, Visitor, Visa, Restricted Parties	
Change History*	XX/XX/2020: New policy approved and published in the Policy Library	
	Category	
Categories & Sub-categories	Information Access & Technology Categories: _Privacy & Security_ Operational Categories: _Health & Safety_	

Appendix C: Visitors Policy Timeline

- June 24, 2019 – GOS convenes initial working group about the visitors policy concept; KUIA and DEIB representatives are included.
- GOS convenes a smaller working group from KUL and KUMC but does not involve KUIA.
- Nov. 15, 2019 – GOS communicates to the initial working group that GOS has proceeded to develop a draft policy on its own; GOS does not schedule any follow-up meetings with KUIA or other stakeholders to discuss the goals and issues the policy should address prior to creating its draft.
- Sept. 2020 – Visitors Policy circulated for notice & comment; KUIA receives draft for review in advance of notice-and-comment process.
- Mar. 7, 2021 – In response to an inquiry from Committee Chair Harper Ho, the KU Policy Office advised that the GOS working group was working on an implementation plan for the Visitors Policy. KUIA and University Senate were unaware that the Visitors Plan was moving forward.
- Mar. 18, 2021 – In response to outreach from Committee Chair Harper Ho to Senate President Mishra, GOS requests specific questions that might be the basis of a call to discuss.
- Mar. 19, 2021 - University Senate President Mishra sends to GOS a copy of the University Senate's prior comments on the draft Visitor Policy and questions posed by the committee.
- Mar. 31, 2021 – Committee Chair Harper Ho sends a follow-up status request to University President Mishra.
- April 7, 2021 – GOS responds to University Senate President Mishra's inquiry on behalf of the committee (see *Appendix A (University Senate GOS Correspondence*)) but does not provide a copy of the working draft of the policy that had been requested.