The Senate Record is the official publication of the University Faculty Senate of The Pennsylvania State University, as provided for in Article I, Section 9 of the Standing Rules of the Senate, and contained in the Constitution, Bylaws, and Standing Rules of the University Faculty Senate, The Pennsylvania State University.

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Except for items specified in the applicable Standing Rules, decisions on the responsibility for inclusion of matters in the publication are those of the Chair of the University Faculty Senate.

When existing communication channels seem insufficient, senators are encouraged to submit brief letters relevant to the Senate's function as a legislative, advisory and forensic body to the Chair for possible inclusion in The Senate Record.

Reports that have appeared in the Agenda for the meeting are not included in The Senate Record unless they have been changed substantially during the meeting, or are considered to be of major importance. Remarks and discussions are abbreviated in most instances. Every Senate meeting is webcast via MediaSite. All Senate meetings are digitally audio recorded and on file in the Senate office. Transcriptions of portions of the Senate meeting are available upon request.

Individuals with questions may contact Dr. Dawn Blasko, Executive Director, Office of the University Faculty Senate.

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The University Faculty Senate met on Tuesday, October 23, 2018, at 1:30 p.m. in room 112 Kern Graduate building with Michael Bérubé, Chair, presiding.

Chair Bérubé: I'd like to call this plenary session of the University Faculty Senate to order.

MINUTES OF THE PRECEDING MEETING

Chair Bérubé: We begin with the Minutes of the Preceding Meeting. The September 18, 2018, Senate Record providing a full transcription of proceedings of the meeting was sent to the University Archives and is posted on the Faculty Senate website. Are there any corrections or additions to these minutes? All in favor?

Senators: Aye.

Chair Bérubé: All opposed? Okay, Minutes of the Preceding Meeting have been approved.

COMMUNICATIONS TO THE SENATE

Chair Bérubé: Item B, Communications to the Senate. The Senate Curriculum Report of October 9, 2018, is also posted on the Faculty Senate website.

REPORT OF SENATE COUNCIL

Chair Bérubé: Moving to C, Report of Senate Council. Minutes from the October 9, 2018, Senate Council meeting can be found at the end of your agenda. Included in the minutes are topics that were discussed by the Faculty Advisory Committee to the President at their October 9th meeting.

I just want to ad lib here that anyone can bring concern to the Faculty Advisory Committee, to the President, myself, the other officers, the elected members, if you want to bring something to their attention via us, please feel free.

ANNOUNCEMENTS BY THE CHAIR

Chair Bérubé: Item D, Announcements by the Chair. That would be me. I will keep my remarks very brief. I just have a few informational items this time around to start us off.

The first, over the summer, Vice Provost Bieschke and I appointed the members of a joint committee to review the “Consensual Relationships” Provision of Policy AD85, which addresses sexual and/or gender-based harassment and misconduct. You would think among all these horrors that that would be an oasis of calm. It is not.

That committee is co-chaired by Faculty Senate Secretary, Ann Taylor, and Suzanne Adair, Associate Vice Provost for Affirmative Action. It also includes staff representation in the person of Jeannine Hanes, Chair of the Staff Advisory Council.
I don't think I need to explain how important this one is. I charged the committee in July. The charge reads as follows: "Review the adequacy of the consensual relationships clause in AD85 in the light of recent on and off-campus controversies regarding consensual relationships and power imbalances, including but not limited to potential Title IX issues. Consider adding to the cautionary language of the policy. [As you see right now, it says strongly discouraged.] Consider adding to the cautionary language of the policy a reminder that relationships that initially seem consensual to both parties may later be construed by one of the parties to the relationship as subtly coercive, exploitative, or predatory, particularly when they involve power imbalances.” That's the whole charge.

The committee will very likely conclude its work this semester and prepare a Legislative Report for our consideration early next semester, so please put that on your radar. The new policy will be detached from AD85 and will become its own standalone policy on consensual relationships. OK, that's a big one.

Second, informational things. I am pleased to announce that Rick Robinett has agreed to continue serving as the Faculty Senate representative to the Project LionPATH Governance Committee. For this I think he deserves our profound gratitude. And of course, if you have any continuing issues with LionPATH, now you know where to go.

Third, at the request of Athletic Director, Sandy Barber, I want to bring to your attention a new initiative called Happy Valley Hospitality, the aim of which is to promote positivity on game day and every day. This means, among other things, treating the fans of visiting teams with graciousness, respect, and good cheer.

For all of you hockey fans in the Senate, I am reassured that the student section in the Pegula Ice Arena will continue to be allowed to point out that every goal given up by the visiting team's goaltender is, indeed, all his fault. We will simply do so in the spirit of constructive criticism. Seriously, do spread the word to your students, and perhaps to any of your colleagues who might get a bit too caught up in the excitement of intercollegiate athletic competition.

Fourth, at the request of Kimberlee MacMullan, Director of the Penn State Small Business Development Center, I want to call your attention Global Entrepreneurship Week. This is SBDC's 10th anniversary hosting this event. It runs from November 7 through November 15. Global Entrepreneurship week includes panels, guest speakers, and master classes related to entrepreneurship. These speakers include faculty members, Penn State alumni, and entrepreneurs, and the schedule is available right there. Again, please let your students know about this event and encourage them to attend.

Fifth, I want to remind committee chairs that once again we have a very tight turnaround time on submitting reports for consideration at the next Senate Council meeting. That deadline is this Friday, October 26.

We will get a respite next time around. It will be the usual 10 days in December, and then in late January, it will be another tight three-day turnaround. Sorry for the compression.

And, last but not least, my predecessor, Matthew Woessner, and I would like to hold a Senate Leadership Workshop in December for anyone considering running for the position of Faculty Senate Chair. It seems to us suboptimal that people aren't aware of the duties of the Chair until they take office as Chair-elect. Then they're given a copy of this document that informs them of the 34 duties of the Faculty Senate Chair. The Chair-elect only has 16, and the Immediate Past Chair 12.
This would be a brief informational presentation in which people who are considering running for this office could ask questions and explore their options. The workshop would be held on the afternoon of Monday, December 3, the day before our next Senate Plenary, in order to allow people from Commonwealth Campuses to attend in person. And the workshop would conclude with an aerial tour of the University Park Campus in the Senate Chair's private helicopter [LAUGHTER], which is just one of the things you will learn about the Office of the Chair. Write to me if you're interested so we have some idea of how many people to expect. That's it.

COMMENTS BY THE PRESIDENT OF THE UNIVERSITY

Chair Bérubé: Item E, Comments by the President of the University. President Barron was called away on a late-breaking and unavoidable conflict.

COMMENTS BY THE EXECUTIVE VICE PRESIDENT AND PROVOST

Chair Bérubé: Item F. I will turn to comments by the Executive Vice President and Provost. It is my pleasure to recognize Provost Jones for some brief comments. And following his comments and a few questions, Provost Jones will also present the Strategic Planning Report. Nick?

Nicholas Jones, Executive Vice President and Provost: Thank you. I'll just touch on a couple of issues, then maybe pause for questions, and then do the presentation on Strategic Plan implementation. I want to begin with our regular phishing lesson, phishing with a P-H. Phishing attacks, as I think most of you know, are by far the most common first step in an information security breach. This is not only for institutions like Penn State, but for individuals who are victims of cybercrime.

Phishing attacks can steal your credentials, put malware on your system, or get you to do something the attacker wants. Penn State averages about 100 staff and faculty compromised accounts per month and the same for students. The Penn State Office of Information Security works hard to detect and stop most of these compromises before any damage is done. We are transitioning, I think as all of you are aware, to Office 365, and that has some protections that are very effective. However, you must be the last line of defense for your account.

One of those attributes is Safe Links. I just wanted to mention that because I know there's been some concern expressed about Safe Links and how well it works. Where you see Safe Links is if you get an email that contains a URL, and if you roll your mouse over the URL, or your pointer over the URL, you will see, instead of the URL, something that says Safe Links.

And embedded in it is the URL. This is a Microsoft tool that, when you click on that link, very quickly goes and checks the safety and security of the site before it provides you access. If it is determined to not be a safe site, it will flag it and give you the option of continuing. This, I know, has been a bit of a frustration and an annoyance. It's a relatively new tool; so, it is still evolving and Microsoft will be rolling out some updates fairly soon. But it works because those URLs are often the sources of many of these phishing attacks.

Here's some data. Last month we had an undetected failure of the Safe Links system. It wasn't working for a whole month. The links were modified, but Safe Links did not check for malicious content on those sites. During that week, we had 152 compromised accounts. And, if you do the math from what I said a few moments ago, we usually average about 50 a week. So, Safe Links, as frustrating as it may be, is
probably a relatively small price to pay for the protection that it offers and Microsoft will be continuing to improve it.

We did a self-phishing exercise last year, I think as most of you are aware. We are planning on doing a self-phishing campaign every semester just to keep people on their toes. There's a lot of turnover in the institution, many new students coming, new faculty and staff. So, it's important that we keep people vigilant.

Our fake phishes are usually not as tricky as the ones that real attackers use because we can't use real company names or logos because of copyright laws. But we did do one of these phishing exercises last week, actually. I hope you know that we did—because we did.

Eleven percent of recipients clicked on the link on the fake phish. So that's actually not a great number, but it's also not a terrible number. It's not inconsistent with what we saw last year. We think it's going to take a few years to drive that number a little bit lower. But for the 89 percent of you who didn't, we appreciate your vigilance. And whether or not you did click, we hope you will take advantage of the training that we offer at phishing.psu.edu.

It is really important. And, I've said this before. I know not only for the risk associated with compromising your Penn State account, but if you have personal accounts, you also can be personally compromised as well. So please pay attention to those phishing scams, and some of them are very good.

At the last Senate meeting, the President was asked a question about a survey that was reported in a journal article that had come out earlier that day. And I think our response, because we weren't quite ready for that and it had come out earlier that day, was probably less fulsome than it should have been. And for that we apologize. I think we made it clear what our position was as an institution relative to sexual harassment. But we weren't able to really speak in a significant way to what is going on at the College of Medicine, and in particular, what has been going on at the College of Medicine since that survey was conducted and identified that there were some issues that needed to be addressed.

So, we did reach out to the college to get some feedback from them, and I just wanted to share with you. I won't take too much time, but just some of the things that are going on, so you are aware, that when we do these surveys and they bring us information that we don't necessarily like, we do act. And I give all credit to the leadership of the College of Medicine for taking initiatives in this area.

So first, there is a new dedicated Title IX Coordinator. That individual is integrated into all new student orientations, has revamped training for all students, and incorporated the Bystander Intervention Curriculum. And now there is increased training to reach faculty clinical directives and all new and existing employees at the College of Medicine.

Second, in December of 2016 the college established the Office for a Respectful Learning Environment, or ORLE. That office is charged with ensuring that the learning environment and the educational programs are conducive to the ongoing development of explicit and appropriate professional behaviors in its learners, faculty, and staff at all locations, and is one in which all individuals are treated with respect.

Third, establish means for students to report sexual harassment and mistreatment. Specific questions about any type of mistreatment have been inserted into all course evaluations, all clerkship evaluations, and the student curriculum management system. There's also a mistreatment reporting form on the ORLE
Fourth, there is now a clearly established ORLE process for mistreatment intervention. Sexual harassment concerns are directed to the Deputy Title IX Coordinator and all Title IX guidelines are followed.

Fifth, an office for student mental health and counseling was established in November, 2016. Won't go into the details. I think you probably have a pretty good sense of what that does.

Sixth, metrics to evaluate the overall medical student learning environment have been established using the Association of American Medical Colleges Graduate Questionnaire. And just to give you a snapshot of that, in the May, 2018 survey-- that's this year-- 37 percent of Penn State College of Medicine respondents indicated that they had experienced any type of mistreatment behaviors.

The national average is 42.1 percent, and the Penn State College of Medicine responses represented a 21 percent decrease from the prior year. So, hopefully, that is an indication that some of the efforts that are being made are having an impact. There are nine survey questions specific to sexual harassment, and the average response was 96 percent never experienced. So positive news.

And then finally, number seven, a series of faculty scripts, or scripts for faculty, has been developed based on the most common types of mistreatment and sexual harassment concerns. And these contain practical suggestions as to ways to avoid committing, or perceptions of committing mistreatment or any form of sexual harassment.

That's a lot of material, I know, that I just basically shared with you. But I did want to assure this body that that is a concern that we take very seriously; not only at the institutional level but at the individual unit level. And, I think the college has really stepped up to be responsive. And, so whoever-- I think it was you asked the question-- I hope that is helpful, and I apologize for not sharing it sooner.

So, with that, maybe I can just pause for questions, if there are any, before I proceed to do the Strategic Plan implementation.

Rosemarie Petrilla, Hazleton: Thank you. Petrilla from Hazleton. Provost Jones, I've heard that there is going to be a climate survey or plans to do a climate survey. Will that be institutional-wide or will that be at the unit? And, do you have a timeline for that?

Provost Jones: Sure. Happy to share what I know about that, and I think Marcus-- where are you, Marcus? Marcus Whitehurst is in the audience and can help me out if necessary. So, we have been doing climate surveys across the University. They have tended to be done at the unit level, which presents some challenges because often the units would contract with different entities to perform these surveys. So, the results were of, obviously, utility to the unit, but not necessarily of-- we weren't able to extract the full utility of the survey by being able to compare it with other units across the University or with other institutions more broadly.

So, we formed a University Climate Study Working Group, which met for the first time in September. And they were charged by Vice Provosts Whitehurst and Kennedy-Phillips. They will oversee the
development and deployment of a University-wide climate survey that hopefully will be designed to reflect the individual characteristics and uniqueness’s of units across the institution.

The working group will create prioritized goals for the project, choose an instrument-- hopefully one that is common among many of our peer institutions-- and then recommend approaches for communications and action plan creation.

The working group includes 15 faculty, staff, and students from across the institution. And the University will administer a community- and University-wide survey, likely during the spring of 2020. All community members will be invited to participate in the survey. And then we will get back to each unit with the results that pertain to that individual unit and work with them to help them develop an action plan around two or three of the priority areas that emerge from the survey and will provide support in implementing that.

I do think this is probably a better way for us to be approaching this issue rather than actually spending a lot of money doing all of these as a bunch of individual units. And of course, some units haven't done them, so this way we make sure that everybody participates.

Marcus, did I capture most of it there? Yeah, thanks. OK, thank you.

Chair Bérubé: Any other questions? OK. In that case, we can now move to the Strategic Planning Report sponsored by the Senate Committee on University Planning.

Provost Jones: Thank you very much. OK. So, my presentation today and our, I hope, subsequent conversation will focus on the ongoing implementation of our University-wide Strategic Plan. We last discussed this together, I think, in December of 2017, so I have a lot of new information to share. I'll begin by providing a refresher overview of the strategic planning process and key points. Then I'll cover several topics, including how the University's fundraising campaign is supporting the plan and vice versa, information about some new and exciting signature initiatives that support the plan implementation, the Strategic Plan RFP process and the funded projects that have emerged from it, and finally, a quick look at some of the next steps. Then happy to take any questions and comments that you may have.

As you know, Penn State operates nominally on a five-year strategic planning cycle with three primary components; integrated planning, unit level planning, and University level planning. Contributions from stakeholders across the University, including faculty, of course, were integral to developing our plan for 2016 through 2020 titled ‘Our Commitment to Impact.’

Penn State's plan was focused on the strategic plans developed in 48 academic and administrative units across the University, and you can find the full text of the University-wide plan and a wealth of related information online at strategicplan.psu.edu.

The current University's fundraising campaign identifies three imperatives inspired by the Strategic Plan; open doors, create transformative experiences, and impact the world. For the first time in Penn State's history, we connected, intimately, our fundraising campaign directly to the goals of the University-wide Strategic Plan. In addition, University Development has been working with the Strategic Plan committees to identify philanthropic opportunities to support their initiatives.
The campaign's success so far suggests that this approach is resonating with donors. As of September 30, 2018, the Greater Penn State Campaign has raised more than $819 million dollars, putting us more than halfway towards our cumulative goal of $1.6 billion dollars. And you can see the breakdown there under the various categories.

We are now well into the implementation phase of our five-year Strategic Plan with committees focused on specific thematic priorities and supporting elements in the plan. Steering committees include faculty, staff, students, and administrators, and they are the driving force behind plan implementation. Each steering committee recommends goals, initiatives, metrics as appropriate, to support them to their respective executive committees. Those executive committees comprise unit leaders from across the University. They direct and oversee the steering committee's work, prioritize their recommendations, and identify resources to support those initiatives.

The Executive Committees report to the Oversight Committee, which I chair. This group ultimately is responsible for decision making relative to plan implementation, including decisions to fund initiatives and for regular progress reporting to the Faculty Senate, President Barron, the Board of Trustees, and the University community. We have nearly 200 committee members from across the University who are lending their talent and expertise in critical areas to support plan implementation.

The committee's membership reflects the shared governance model under which Penn State operates. People engaged in this process are shown on the slide. I won't read them all. But I will say, personally, that I am thrilled that so many people from such diverse constituencies across Penn State have been involved in this process, including six faculty senators. And on behalf of the University, I thank you and everyone else here who has been involved in implementation directly or indirectly for your commitment and service.

Before I share information about several exciting and, I think, meaningful initiatives, I do want to reemphasize the plan's five thematic priorities, which are central to our implementation efforts. These are; advancing the arts and humanities, driving digital innovation, enhancing health, stewarding our planet's resources, and transforming education. You'll soon see how these priorities are coming to life through impactful initiatives and projects.

I'm often asked what implementing the plan looks like in real life and in real time, what is happening at Penn State that reflects the content of our strategic plan and showcases our commitment to executing it. On any given day you can read Penn State Today to find examples of initiatives and projects related to the plan's foundations, thematic priorities, and supporting elements. Most of these projects are not coming out of the committees tasked with implementing the Strategic Plan, and that is actually great news. The Strategic Plan is built on existing areas of strength and activity. So, we can take Penn State to the next level in these identified areas. How are we doing that? Well, we have several- what I like to call-sigature initiatives; high profile endeavors that will have tremendous impacts and support our strategic goals and priorities. One I'd like to spotlight is the new Penn State Consortium to Combat Substance Abuse, which I mentioned at the last Senate meeting.

Pennsylvania is only one of many US states affected by the growing opioid epidemic. However, Pennsylvania has one of the highest overdose death rates in the country. This new Consortium will draw on the expertise of researchers, educators, and practitioners from across Penn State to combat the opioid crisis through data-driven, evidence-based innovation. Housed in Penn State’s Social Science Research
Institute, the group plans to develop and implement effective programs, policies, and practices aimed at preventing and treating addiction and its spillover effects on children, families, and communities.

We expect the Consortium's work to have significant impacts not only in Pennsylvania, but also beyond. So, to make sure that it does, we plan to hire 12 new tenure track faculty members over four years to support it across the University. One thing I will just add here, the nature of the thematic priorities are such, that when they were developed initially about five years ago, I don't think anybody, including me, envisioned that a consortium to combat substance abuse would emerge from that thematic priority. It was something that was out there and was developing across the Commonwealth, but we didn't see it, and I venture if we had tried to be more specific, would not have necessarily identified it as an area that we should target. But the structure of the theme focused on enhancing health gave us the opportunity to respond when this need really presented itself.

Another signature initiative is one I'm sure will resonate strongly among all our faculty. It's called One Penn State 2025. Some of you may have heard President Barron talk about this at the last Board of Trustees meeting. We continue to position Penn State in the transformation of higher education. In turn, One Penn State 2025 is a vision for an ambitious rethinking of some of our most fundamental approaches to how we structure learning and how we operate to support student success.

Its evolution depends on substantial partnership and our ability to find and direct resources towards an evolved, transformative approach to higher education. This visionary initiative for Penn State has several guiding principles.

As an institution, we will be more integrated, flexible, and responsive. We will offer seamless online access to curricula with process at all campuses. We will function optimally 24/7, 365. And we will serve the needs of people where they are. We will strengthen preexisting commitments and we will be a more diverse and inclusive University. You'll learn much more about One Penn State 2025 as the initiative moves forward, and I hope this group will be fully engaged in that implementation.

In addition to these two signature initiatives, we have several others that align with and support Strategic Plan priorities that are in progress or have occurred. Related to driving digital innovation, we've executed University-wide launches of Office 365 and Adobe Creative Cloud. Also, our Reimagining IT initiative will engender lasting impacts for Penn State and the use of information technology and related services.

As part of our focus on stewarding the planet's resources, Penn State continues to advance its energy University initiative. Through a comprehensive University-wide approach, additional investment, and deeper collaboration with industry, Penn State is positioning itself as the go-to institution regarding energy, energy policy, and law, to name a few.

To support advancing the arts and humanities, major projects include plans for a cultural arts district and enhancements at the Arboretum here in University Park.

Beyond these signature initiatives, we have a formal request for proposal process through which our strategic plan committees can receive ideas for initiatives that support the plan, assess their value, recommend them for further consideration, and ultimately identify funding mechanisms for them. The RFP process is open to current faculty, staff, and students, the rolling submission process is ongoing, and committee review and award announcements occur twice a year.
The first round of submissions in fall 2017, which we've called Cycle One, included 64 proposals across thematic and supporting areas. During Cycle Two in spring of 2018, we received 75 proposals. The number of intriguing proposals made it difficult for our committee members to decide which initiatives to pursue and fund.

As you might expect, I consider that to be a pretty good problem to have. Ultimately 22 proposals were selected for funding, 12 from Cycle One and 10 from Cycle Two. In the recently concluded Cycle Three, we received 58 proposals for review and consideration. The announcement on funding decisions for those is expected by December.

The Strategic Plan website includes summaries of the 22 projects funded thus far. Each initiative is categorized by the plan thematic priority or supporting element that it supports. For example, plans include, in supporting of advancing the arts and humanities, a public humanities initiative. In support of driving digital innovation, a project focused on experiential digital global engagement at the Commonwealth Campuses. And, in support of enhancing health, the creation of an integrated data system solution for health equity.

Meanwhile, in support of stewarding our planet's resources, we have an intriguing effort supported by the United Nations to create more energy efficient buildings. And, focusing once again on transforming education, we have an effort that will expand sustainable food systems learning across the Commonwealth Campuses.

Other initiatives selected for funding relate to the three core supporting elements of our Strategic Plan. For example, in support of organizational processes, one project will develop an inventory of existing services and talent for process improvement. In support of constituent outreach and engagement, we are exploring further opportunities to more effectively translate Penn State's accomplishments to the constituencies we have committed to serve. And with infrastructure and support, we are prioritizing investment in our people. All these new strategic initiatives across Penn State may be funded in a variety of ways, including combinations of University investment, unit investment, philanthropy, and grants.

As we move forward with our implementation efforts, people often ask how our unit and University plans are integrated. Unit plans preceded the development of the University plan by a full year, giving units the freedom to capitalize on their strengths and move nimbly and strategically over time. However, these units do not exist in a vacuum unaffected by University priorities. The unit plans published in 2014 reflect many University priorities, and unit executives regularly report on their progress, including how their approaches and overall progress supports the University's goals.

In May of 2017, each budget unit was asked to report on its progress toward the goals outlined in its current strategic plan that covers the academic years 2014-2015 through 2018-2019. Units reported on their progress related to University goals as well as to their unique, specific goals at the unit level.

The progress demonstrated across units, including our many colleges and campuses, is substantial with some common themes and areas of focus. These include introduction of new majors, critical faculty hires, new co-curricular opportunities and research centers, new and renovated facilities to meet changing needs, regional collaborations, programs to support entrepreneurship among faculty and students, and increased numbers of online educational offerings. Since then, unit progress reports have been submitted for a second year, and a Unit Planning Advisory Group was created.
While developing our Strategic Plan was a University-wide effort, implementing it has been as well. I have met with many Penn State leaders, including members of the Senate, to explain what is needed throughout the multi-year planning process. Moving forward, we are focused on realizing the desired impacts of our strategic planning efforts while still allowing time to assess unit level and University level progress.

We've built a lot of momentum, creating vital space for a guided, smart evolution of the strategic planning process at Penn State. Essential to all of this will be ongoing conversations and engagement with the Senate and the Board of Trustees.

To conclude, let's take a quick look at our plan implementation timeline. I noted earlier that we're wrapping up Cycle Three. The Oversight Committee will meet next month for proposal recommendations and funding decisions are expected in December, as I indicated. Early next year we enter our RFP Cycle Four and, through 2020, we will develop and implement additional signature initiatives across the thematic areas.

Development of an institutional strategic plan evaluation framework is planned, and budget executives will receive continuing feedback on their plan implementation efforts.

With that, I thank you for your time today and for your continued interest and engagement in our Strategic Plan implementation efforts, and I welcome any questions or comments you may have. Thank you.

[APPLAUSE]

Galen Grimes, Greater Allegheny: Grimes, Greater Allegheny. One quick question. If you could refer back to slide number seven, the new Consortium to combat opioid, the opioid crisis; that seems like a research and educational program. My question is recently on the radio, I heard that a lot of universities and colleges around the country have started programs where they're training support personnel in how to recognize drug overdoses and how to administer NARCAN, the overdose drug. And, they've been stocking supplies of it at the university so that it's within easy reach. Are there any plans to do that here at Penn State?

Provost Jones: Well, that's kind of specific.

Chair Bérubé: And where is it, for reference?

Provost Jones: I could say that I'll get back to you in a month like I did on the other issue. But I think that's a great comment, Galen. I'll certainly share that with the director of the consortium.

You know, if we think about a unique structure as one University with 24 locations, it does give us touch points at a lot of locations in the Commonwealth, and further, with Ag Extension having a presence in every one of our counties, even more touch points. How we could integrate that kind of response infrastructure to take advantage of that distribution, I think, is an interesting question. And it's certainly something that, while I don't think the Consortium will actually do it, they could think about it, think about how we could leverage the assets that we have as a University and come up with recommendations as to how that might be possibly implemented.
I think a lot of that is out there already among first responder units. But is there a complementary role that the University could play both through the campuses and through extension, I think, is a good question. I'm happy to pass that along. Thank you.

Ray Najjar, Earth and Mineral Sciences: Hi. I'm Ray Najjar from the Department of Meteorology and Atmospheric Science. And I'm wondering, with the thematic priority of stewardship of our planet's resources, if we can be doing a better job at the University in terms of reducing our single use plastic. It's like so many events I go to at the University, I'm bombarded with plastic that I will only use once.

And we just had this amazing exhibit and series called Plastic Entanglements. And maybe that's inspired something across the University that will take a while for us to see. But I haven't really seen much evidence of us responding to this what I think is really a crisis. We're talking about more plastic in the oceans than fish by 2050. And, something's wrong there. And, we have an opportunity to educate our students and our communities about how to do things sustainably, and it doesn't seem like we're rising to the task.

[APPLAUSE]

Provost Jones: Thank you. I think that's a great comment. I go to a lot of events, too. I actually worry about the cheese, actually. But your point is very well taken. There is a lot of waste that we generate, plastic being among it. I think we have actually been moving in this area with some deliberateness but the pace probably could be kicked up a little bit.

I will say that in the context of the Strategic Plan, we did hire a year and a half ago, a new Chief Sustainability Officer for the University. We're not the only university to have a Chief Sustainability Officer, but we're one of a handful of universities that does. And, Paul Shrivastava is charged with not only overseeing the efforts of the Sustainability Institute-- which was deliberately set up to sort of span both the academic enterprise and the operational enterprise of the University, so he oversees that-- but also to challenge us and push us and drive us in everything we do relative to contemporary sustainability thinking.

I believe that this is actually one of the things that is on Paul's to-do list. I will tell him that it came up in the meeting with gusto from the Senate. And it is certainly something that I would be willing to support. And I think I can speak for David Gray, too, as Senior Vice President for Finance and Business who oversees the Auxiliary Operations, that I'm sure this is something that he would strongly embrace as well. So, I think it's a great suggestion. And, honestly, we appreciate being pushed on issues like that.

Chair Bérubé: I have a PS before we recognize the next speaker. One thing is that the Plastic Entanglements exhibit actually began in the Institute for the Arts and Humanities. It was a post-doctoral fellow, Heather Davis, who worked together with the Palmer Art Museum, the lesson of which is, when these RFPs come out, think creatively. Think broadly. It's not only a question of stewardship. It cuts across every domain of our existence.

The other more immediate news for the Senate, Paul Shrivastava will be coming in January, sponsored by the Committee on Research, Scholarship and Creative Activity. And we have appointed a member of the University Planning Committee, Kent Vrana, as a liaison between us and their Committee on Carbon Reduction. So, we are on it. And I just wish I didn't have this. Yeah.
Keith Nelson, Liberal Arts: Nelson, Liberal Arts. One thing, I think the exhibit is brilliant. I've taken my classes there to think about creativity.

Chair Bérubé: Professor Nelson, could you hold the mic--

Keith Nelson: Oh, yeah. It's really a wonderful exhibit. I absolutely agree with the comment. And you may be doing this in some ways, Nick, but how about biodiversity on campus? I haven't heard anybody really talking about that--biodiversity on ag lands.

I would like to see some inquiry into what's really going on there. We have students and faculty who could look at that. And I'd like to know whether glyphosate ground up, other substances, could be controlled more than they are now. So, I haven't seen any mention of that. I think it would be a good direction.

Provost Jones: OK. I can certainly pass that on to the Stewarding Resources Team as well as the dean of the College of Agricultural Sciences. But if you wouldn't mind, if you could just jot down some of your thoughts in an email to me, that would be helpful just to sort of focus them on what you're thinking about. That would be very helpful if you wouldn't mind doing it.

Keith Nelson: I think there's some good people in biology and forensics and so forth as well.

Provost Jones: Great. Thank you.

Chair Bérubé: Any other questions?

Provost Jones: Just to close.

Chair Bérubé: One other question. Rose.

Provost Jones: Rose.

Chair Bérubé: With one second left on the clock.

Rosemary Jolly, Liberal Arts: Rosemary Jolly, Liberal Arts. I just wanted to ask a question about the--is it specifically for opioids, or is it general substance abuse?

Provost Jones: It's general substance abuse. But a focus is going to be on the opioid epidemic because that's the big one that we're confronting.

Rosemary Jolly: Yeah. And, so, my question is that we already know a lot about these issues. But it's the ability to actually implement them in the current state network of laws and environments and policies. So, I'm just wondering to what extent A, that this institute is going to add new knowledge in terms of research. So, you know, lying at the back of this question is ‘what is the criteria for granting the originality of the research that comes out of it.’ And, second of all, is it going to assist-- and this is related to the earlier questioning and implementing things we already know, like you just have to give people test strips for the purity of Fentanyl to save huge amounts of lives. So those are the two pieces that I have; one already been mentioned, one I have not. Thank you.
Provost Jones: So, we're a Land Grant University. We have a mission that focuses us on research, teaching, and service. I anticipate there will be a service component, which will be us getting the best minds together that we can to think about how we can creatively implement evidence, data-driven research, and discovery. So, there will be an implementation piece for sure.

But we are a research University. And our key play is the opportunity to think about challenges and problems in different ways and in ways that others haven't thought about before, and in particular, to leverage the diversity and strength that exists across the institution in many disciplines to tackle some of the really hard questions of why is it difficult to implement approach ‘X’ or methodology ‘Y’?

There are often deep research questions associated with that. It's not just a matter of doing the work and saying, well, all you need to do is this or that, and then throw it up over the transom and expect it to work. There are often all kinds of impediments, plus innovation and creativity needed, in order to get those interventions to work.

I really believe that that is a unique strength of this institution- our ability to get people from many different perspectives and backgrounds in the same room around a table, talking about those challenges and framing them as research questions that we can then attack, and come up with recommendations that will make implementations more effective. So, I think it's one of the great strengths of this University, and this is a perfect case for us to leverage it, I think.

Chair Bérubé: Thank you, Nick.

Provost Jones: RFP round four coming up. We need people to be thinking, putting on your caps, and coming up with great ideas because at the end of the day, we will continue to develop some of these large-scale signature initiatives. But a lot of the really exciting work that is going on is because people in offices and laboratories around the University are stepping up and engaging with the implementation of the plan. That is where we're going to make the difference. So, I invite and, in fact, challenge you to come forward with the best proposals you can think of. So, thank you.

[APPLAUSE]

Chair Bérubé: I was going to put in a pitch for that, too, if I may editorialize for just a moment. One of the things I learned in the Academic Leadership Program last year is that most of our Big 10 peers do not do strategic planning this way. It's pretty much responsibility-centered management all the time; which means, basically, that the numbers drive the decision.

When I asked Provost Jones why we're doing things differently, he basically said this allows for intellectually substantive and even creative decision making, where we go to the faculty and ask for ideas. So seriously, whether it's biodiversity, whether it's plastic, whether it's anything you have in mind, next round is January 31. Look for what committee will give you early feedback on a short proposal because that's also a voluntary thing. That only, I think, appeared in round three.

So, this really is a grassroots initiative. This is asking the faculty, “give me your best shot.” So please, the next one is January 31.
FORENSIC BUSINESS

Chair Bérubé: We have no Forensic Business.

UNFINISHED BUSINESS

Chair Bérubé: We have no Unfinished Business, which allowed me to make two minutes of remarks.

LEGISLATIVE REPORTS

Chair Bérubé: Item I. Legislative Reports. We have five today. We start with a Legislative Report from the Senate Committee on Admissions, Records, Scheduling, and Student Aid and can be found in Appendix C. It is titled, for short, Language on Unconditionally Enrolled Students. Committee Chair Mary Beth Williams will present the report and stand for questions.

Mary Beth Williams, University Park: Thank you. This is a follow-up report to a report that we submitted last year in December to update language in a number of policies to reflect that our provisionally enrolled students we now refer to as degree seeking students in DUS with conditions.

Although we updated a number of policies last year, I missed a couple. The Faculty Senate office kindly found those this summer. And this report corrects my error from last year and makes those final revisions to our policy.

Chair Bérubé: Any questions? This report is brought to the floor by committee and needs no second. Are we ready to vote? OK. Should we start the clock? To accept the motion, press A, and to reject it, press B. Senators joining the meeting via Mediasite, you know the drill. You can cast your vote on polleverywhere.com.

Anna Butler, Senate Office Staff: Poll Everywhere, I have six accept.

Paula Brown, Faculty Senate Administrative Coordinator: In house we have 138 accepts, one reject, three not counted.

Chair Bérubé: It wasn't unanimous. OK, motion carries.

Our second Legislative Report comes from the Senate Committee on Committees and Rules. It is titled “Revisions to Standing Rules, Article IV, Amendments,” and is found in Appendix D. This is the thing we mentioned last September that allows CC&R to make non-substantive changes to reports involving name changes, like from eLion to LionPATH and things like that. Committee Chair Keith Shapiro will present the report and stand for questions.

Keith Shapiro, Arts and Architecture: This report provides two important safeguards. One is that any of these changes would require a two-thirds vote from the Senate Council, and there's a five-day objection rule, so that after the Senate meeting—so, if we were to find anything that happened here objectionable-- we could bring it back to Senate Council and to the Senate floor.
Chair Bérubé: Are there any questions, substantive or non-substantive? Great. Are we ready to vote? Senators by Mediasite, cast your vote on polleverywhere.com. To accept this motion, press A, and to reject it, press B.

Anna Butler: Poll Everywhere I have nine accept.

Paula Brown: In house, 135 accept, six reject, two not counted.

Chair Bérubé: And the motion carries.

Legislative Report number three is also from CC&R, it is titled “Revisions to Standing Rules, Article III, Other Functions of the Senate” and it is found in Appendix E. It would create the Office of the Senate Historian. Any questions?

Keith Shapiro: Roger Egolf has spearheaded this. If there any questions, we can address them to him. No other questions?

Chair Bérubé: Other questions? Yeah, this is housekeeping business. So sure. The report is brought to the floor by committee, needs no second. Are we ready to vote? We obviously are. And Mediasite folks, Poll Everywhere. To accept the motion, press A. To reject it, press B.

Anna Butler: Poll Everywhere, I have 12 accept.

Paula Brown: In house, 131 accept, seven reject, one not counted.

Chair Bérubé: Motion carries.

Report number four from CC&R is Revisions to Standing Rules, Article II, Senate Committee Structure, Section 6(h). The report can be found in Appendix F and it has to do with strengthening faculty representation on Intercollegiate Athletics.

Keith Shapiro: This would ensure that there's adequate experience on the committee, and also ensure that they can call meetings in the summertime since there's a lot of things that happen over the summer.

Chair Bérubé: Are there any questions? Yes. Nick.

John Nichols, Past Chair: Nichols, Past chair. Until recently I was the Senate's representative to the Coalition on Intercollegiate Athletics, which is a national consortium of senates concerned to protect the academic integrity in college sports and student athlete well-being. I also was one of the longest serving non-administrative members of the Athletics Committee.

In other words, there's a lot of things in the world I know absolutely nothing about, but the governance of Intercollegiate Athletics is not one of them. When I completed my term as chair of this body, I warned the Senate and I warned the Board of Trustees that Penn State's success at the intersection of academics and athletics paradoxically made it vulnerable. In quoting my own comments to the Board in 2002, I said, "Under the mantle of live by the sword, die by the sword, a major athletics scandal would be far more devastating for Penn State than for some of its peers which have become inured with repeated scandals."
The responses to that warning range from disinterest to displeasure, and unfortunately, no action. Many years later and one horrible scandal later, I'm back in the Senate to renew that warning, to raise a red flag. The governance of Intercollegiate Athletics at Penn State is in disrepair. The Senate currently is not fulfilling its responsibilities of shared governance of Athletics, and reform of existing policies and structures is badly needed.

The Legislative Proposal before you, although it hints about the depth of the problem, as you can see, it offers virtually no remedy. I fear that the Senate's passage of this report will lull it into the incorrect belief that it fixes the problem. It doesn't come anywhere close. This is not a criticism on any individual or individuals. These are problems of governance structures, policies, and practices; problems that, if they go unresolved, will place the University and its excellent Athletic programs at unnecessary risk.

I have no horse in this race. And the retirement side of me said, why even bother coming to the Senate today? But on the other hand, I have great allegiance for the Senate and for the principle of shared governance and its excellent Athletics program. And, therefore, I feel obligated to come before you to renew my warning. And, if the problem is not attended to, in the near future, we face unnecessary risk.

Perhaps a first step to tackle this problem would be the appointment of an extra senatorial group or study group of experts to examine the issues and report back with recommendations to the Senate. There is no downside in doing that. The status quo, however, would be troubling.

I've written a long white paper detailing the reasons for my conclusions. Be happy to share it with anybody in the Senate. And, also, with the permission of the Senate, I will post it or a link on the Senate blog. Thank you, Chair.

**Keith Shapiro:** I completely understand John's point. I don't have the kind of background you have on that. Do you believe that this report would somehow jeopardize those things that you are suggesting that we do?

**John Nichols:** There's nothing specifically wrong with the report.

[INAUDIBLE]

**Keith Shapiro:** I understand.

**Chair Bérubé:** I have a threefold response. The first is that, of course, you're right. And I can just assure that passage of this report, if it passes, will not lull us into complacency. We will not think that we're done, now we're done with our oversight of Intercollegiate Athletics.

The second thing is that I have full faith and confidence in Chair, Mark Stevens, and Vice-Chair, Terry Blakney. And the third is that we actually did ask this committee to look into the three smaller scandals that have happened in more recent years involving abusive coaches in women's hockey, in gymnastics, and in swimming, and to make sure that Sandy Barber would come here and give us an Informational Report and take questions to make sure that our student athletes have the proper reporting procedures when that happens.
These were, like I say, smaller scandals. They involved player complaints. They didn't involve horrible things like Maryland. But we are continuing our oversight. We take this very seriously. Thank you.

Questions.

**Jake Springer, Education:** Jake Springer, College of Education and Senator. So, the report, the changes to report, don't affect student senators at all, I understand. But I'm curious why they don't affect student senators at all. So, if you're going to raise the qualifications for faculty senators, why are the qualifications for student senators not also raised?

**Chair Bérubé:** It's longer time of service. Right?

**Keith Shapiro:** Yeah. That's all it is. It's longer time of service. Senate appointments on the committee many will be a minimum of two years, unless impractical due to needs of balanced committee membership or the Senators being unable to fulfill the duties of their elected term. So, it's really just ensuring that there is people long enough time on the committee to really learn how to do it.

**Chair Bérubé:** It's a steep learning curve. And, that's one of the difficulties that Nick pointed out. That also, Intercollegiate Athletics has a really extensive compliance apparatus. They have to keep track of every development in the NCAA involving representation of athletes, involving pay for play question, involving something we just heard about an hour or so ago about casinos in Philadelphia allowing betting on collegiate sports events. It's a lot to keep track of, that's all. It's not a question of raising the qualifications. It's a question of raising the experience pool on the committee.

**Keith Shapiro:** And once you gain that experience, you're going to want to take advantage of it for at least a year.

**Chair Bérubé:** Also, that's the reason for the summer meetings. Jim.

**Jim Strauss, College of Science:** Jim Strauss, College of Science, Past Chair of the Faculty Senate. Let me just give everybody a little bit of perspective on the current legislation, how it came to be, and sort of where we're at with everything.

When I was chair, there was actually a revision going on for the Intercollegiate Athletics Committee. And this came basically for review by CC&R after they were finished. At that point in time, CC&R was actually quite concerned in that the revisions that were being proposed actually reduced Senate oversight in key areas that we have oversight for, which is basically progress to degree, grade review, and student welfare and well-being.

CC&R, at the time, basically turned down that proposal, made some suggestions that the committee could then reconsider in terms of restructuring itself. Those were actually continued under Matt Woessner's chairship last year. It took a little while and you're seeing those renderings now. For what it's also worth, I currently sit on the committee, but I'm not a Chair, not a Vice Chair.

What I can report, from the couple meetings that I've attended, is there's actually excellent dialogue between the faculty committee membership and athletics- people from all different levels of positions in athletics. It is a really great committee to be on for that reason.
I do think we have to realize that the scope of our committee is really limited in terms of what we look at, which is really progress towards degree, student grades, and student welfare kinds of issues. And as has been indicated, there are really big outside issues with the NCAA and things like sports gambling being legalized, and even scarier things in terms of court cases that are currently being heard that would allow for the paying of student athletes. And those are going to be beyond the control of this committee if they happen or not. But I stand in support of the current restructure and the legislation that's before the Senate. Thank you.

**Chair Bérubé:** Any other questions or comments? OK. The report is brought to the floor by committee, needs no second. Are we ready to vote? Mediasite? Poll Everywhere. To accept the motion, press A. To reject it, press B.

**Anna Butler:** Poll Everywhere, I have 11 accept and three reject.

**Paula Brown:** In house, we have 112 accept, 23 reject, two not counted.

**Chair Bérubé:** Motion carries.

Our final Legislative Report is also from CC&R. It is entitled “Revisions to Bylaws, Article VII, Delegation of Authority, Section 1” and can be found in Appendix G. This is the provision that elected faculty governance organizations elect their own Chairs. Keith.

**Keith Shapiro:** Yeah, this is, I think, a very interesting piece of legislation related to the delegation of authority. Its main job is to strengthen the faculty role in shared governance. And I would encourage you to read it thoroughly.

**Chair Bérubé:** Are there any questions? Seeing none. Yes, I want to just reiterate that. Please look this over. In one sense it's just another piece of housekeeping, where we move something that was in a Senate document called ‘Guidelines’ which will now be called ‘Recommendations and Requirements’, in other words, like serving suggestions. And we move it instead into Bylaws, where we stipulate that the elected faculty bodies elect their own chairs.

**ADVISORY/CONSULTATIVE REPORTS**

**Chair Bérubé:** So, for Item J, Advisory/Consultative Reports, we have a change to our agenda today.

The Senate Committee on Research, Scholarship, and Creative Activity has asked to withdraw the report from Appendix H, “Proposed Revisions to Penn State Policy HR 68, Post-doctoral Appointments.” They will be working on revisions before bringing the report back to the floor.

This is actually not an emergency. There are no state secrets. It has to do mainly with the five-year limitation on postdocs, how that would run afoul of some other units, and the question of whether they could enjoy any stoppages of that time for family life issues the way we have stoppages of the tenure clock. So that's going back to the shop. RCSA will be working together with Neil Sharkey's office, and we'll bring it back when it's ready.

We have an Advisory/Consultative Report from the Senate Committee on Research, Scholarship, and Creative Activity titled, “Revision of RAO 3, Eligibility to Serve as Principal Investigator.” This report
can be found as Appendix I. Committee Chair, Janet Hughes, will present the report and respond to questions.

Janet Hughes, Liberal Arts: This is strictly housekeeping. When AC21 was revised, the titles in this particular report were obsolete. This doesn't change anybody's eligibility. It does not change any permissions. It simply changes the titles out for the new title and adds in a very small corollary that Hershey did not adopt all of AC21. That's all it is. Any questions?


Anna Butler: Poll Everywhere, I have 10 accept and one reject.

Paula Brown: In house, 135 accept, three reject, one not counted.

Chair Bérubé: Motion carries. OK.

**INFORMATIONAL REPORTS**

Chair Bérubé: Informational Reports. We have three today. The first can be found in Appendix I. I mentioned this in September and here it is. It is sponsored by the External Matters Subcommittee of Senate Council, and it is titled, “Examples of Permissible and Prohibited Political Campaign Activity.” Can we put up the examples?

So, as you'll recall, this followed from our discussions, our negotiations with the Office of General Counsel about AD92, the policy on political campaign activities that was first announced in the fall of 2016. All the people running for office have to leave now. [LAUGHTER]

In all seriousness, one of the questions we had, and that we had to work out over quite some time, is what constituted indirect participation in a political campaign- what constituted permissible things in the classroom as opposed to use of University facilities. And, as I announced September, although we came to substantial agreement on how to revise that policy so that it more accurately reflected the sometimes-nebulous nature of faculty work. Zahraa?

So, Assistant General Counsel, Zarhaa Zalzala, will take your questions and go over the examples of permissible and prohibited political campaign activity. We figured this would be a timely thing to do. There seems to be an election of some kind coming up. And the floor is open. Zahraa, do you want to make any remarks?

Zahraa Zalzala, Office of General Council: No, I mean, I don't know if you guys have had a chance to read AD92, but just to give you some background, the University is obviously a tax-exempt institution. And, so, we have obligations under federal law to make sure that the University and its resources are not being used in any way to intervene in a political campaign in a candidate for public office.

Our policy is really just meant to make sure that we are consistent with our obligations and maintain our tax-exempt status. And, as Michael said, these illustrations are just intended to help provide additional guidance and they are pulled from IRS rulings and IRS guidance and facts matter. So really every bit of
information up there is important to the analysis of determining whether or not it amounts to activity that's permissible or prohibited under the policy and under the law. So, I don't know if you guys had any questions.

Chair Bérubé: Roger, and then person in the yellow shirt.

Roger Egolf, Lehigh Valley: Egolf, Lehigh Valley. This semester one of our faculty members at our campus who's a member of the American Geophysical Union got a grant to invite politicians-- or actually, that's what she decided to do-- to our campus to talk about science policy and how the idea was to get politicians' views on how science policy is developed both nationally, the federal government, and state-related science policy.

I was actually a member of the committee that she put together. She invited several politicians to come to the campus to speak, including Senator Casey, who had accepted, and some state representatives to speak. However, she had to cancel because the University said that since there was an election coming up and Senator Casey was running for re-election, that wasn't allowed.

It wasn't to talk about anything other than how science policy is done. And it looks to me like that is similar to the one permissible activity that's shown in the report under-- oh, where was it? Facilities. Like inviting a civil rights lawyer to speak. How is it different?

Zahraa Zalzala: I don't know the facts of the particular situation that you're discussing. If people are being invited in their professional capacity, or in their capacity as a legislator, it should not fall within this policy. There might be other reasons as to why it was canceled. But like I said, Facts Matters. And I was not involved in that decision.

Roger Egolf: OK. Because it was strictly-- I think there may have been some concerns by some people that the politicians may have used the forum to speak on other things other what they were invited to, although this person could also, in this permissible act--

Zahraa Zalzala: Right, but if you read the complete example, it does say that the event has to be maintained as a non-political campaigning event. And so there may have been efforts there to either advise the candidates that maybe they weren't willing to do. I don't know. But without all the facts, it's hard to be able to provide you with a complete answer.

Chair Bérubé: That's actually one of the reasons I wanted to convene this. I think sometimes we're too timid about what is permissible, although that is nebulous. It is permissible as long as a lawyer makes no reference to the election that's, like, two weeks away. It's hovering over Casey no matter what. But it should not have been prohibited on that basis, seriously.

Roger Egolf: OK. Thank you.

Chair Bérubé: Yeah, back here.

Tim Robichaux, Liberal Arts: Tim Robichaux, Liberal Arts. I'm looking at this. I teach a course on wrongful convictions, and I think a lot of people in here probably teach courses that are related to public policy in various ways, environmental science, et cetera. One of the only ways to prevent-- there are
several—but one of the main ways to prevent wrongful convictions is through legislation. And my students ask all the time, “What do we do?”

I regularly call out politicians by name in the class because it would be academically negligent to not do so. And I do so in a bipartisan manner. And I say to the students who ask, vote. When I read this, I get a little nervous about it. And, so, I have two questions.

One, because nothing is up here, what's the consequence of something being determined as impermissible? And two, I really hope the University has our backs on the issue. So, the Foundation for Individual Rights and Education gives Penn State a red light, and that's scary to me.

I really hope the University has our backs on things that are ambiguous because again, if I go into class and say there is a politician who has done something, who has overseen an innocent person being executed, but I can't tell you that politician's name because they're— that's really problematic. And, it's in the gray area. But it sounds like— I mean, again, this case that was brought up, and I know nothing about it other than what was just said— I think we should always err on the side of freedom of academic openness. And some of this stuff— I think the prohibited activities here are really blatant. But the gray area is not captured well in this. Or, at least, I'm maybe missing it.

**Zahraa Zalzala**: So just to kind of give you a point of clarification, the policy talks about advocating, intervening, participating, and/or opposing a candidate for political office. A politician is not always a candidate for public office. So, if you want to talk about people and their current status as a senator and legislator, if you want talk about their voting record whatever that may be, that's different than advocating or opposing a candidate for office.

Public policy efforts are also not covered by this policy. So, to the extent that it's related to the subject matter of course, we're not trying to impose on your ability as an instructor to talk about those matters. Just like AC64 says don't use classroom time to talk about controversial topics, if it's completely unrelated to the course, we wouldn't expect you to be able to bring that in any way.

But it really is a judgment call. I mean, you're the professionals, and I think you guys would understand best or know best when something relevant to the topic matter, when it's not. And it's gray intentionally, right? It's the IRS Code. And it really just depends on every fact in the circumstances.

So, I don't know if I can give you kind of a blanket rule one way or the other. But I think if it's related to the subject matter of the course--

**Tim Robicheaux**: And then hypothetically, I would never do this, but if I go into my class and say don't vote for that person unless you really like wrongful conviction— which again, I would not do— but what's the consequence for someone who violates these rules?

**Zahraa Zalzala**: Probably the same consequence as for violating any other University policy. I mean, the problem is if we have a pattern that someone can point to, then we risk our tax-exempt status. But on a one-off basis, that would be kind of an employee HR issue to address.

**Chair Bérubé**: So twofold. I can't give you a blanket answer to either, but I'll give you a threadbare blanket that covers part of the bed. Going in and saying this politician by name has voted for these policies and has upheld these things that have led to wrongful convictions, wrongful imprisonment, and
wrongful executions- totally legit. Following that with, and therefore vote for his opponent this Tuesday is not. The first thing is entirely within your area.

But the other thing, it's not only directly relevant to your course. So again, if this comes up again and again in your course, that's fine. If I'm teaching a course in the English department on speculative fiction, which only rhymes with wrongful conviction, has no other relation to it, and I keep bringing this up, then I'm in violation of the persistent intrusion of irrelevant material under AC64.

**Gary Thomas, Medicine:** My name is Gary Thomas. I'm a neurologist at Hershey Medical Center. And we do health policy courses. And I think separate from the University's legal requirements, students want to be respected. And there are students who are Republicans and Democrats, liberal and conservative, religious and not. And if they go into a class, and they feel like whatever their view is or their perspective is isn't being respected, or whatever you're teaching is very heavy handed in any direction, they don't feel comfortable.

So really, the biggest punishment is if you're going to be a Poly Sci Major or Poly Sci Professor, your reputation and your greatness as a teacher is really about allowing people to see different sides of issues and understand both sides so they can make decisions themselves based on whatever their core values or beliefs or whatever is. And it's not really about leaning in a direction. And, it's almost great when the student doesn't know, at the end of the semester, really what the professor would do.

**Chair Bérubé:** And under the examples of what would be permissible for a professor to say how he or she would be voting. But you do that at your peril for precisely the reason. Your question actually speaks more to AC 64 and academic freedom in the classroom. This is specifically about participation in campaigns. And one of the reasons I wanted to have this forum again is that I think sometimes when we bring this up, it leaks into all these other areas.

Now granted, in a Political Science class, in a Sociology class, in a Criminology class, that's where the gray areas are, and that's why we've had this discussion with General Counsel for the past year and a half. Sorry, Rose.

**Rosemary Jolly:** Rosemary Jolly, Liberal Arts. This does relate to potential leaking. But I just want to underwrite or underscore what Tim's asking, whether this is the appropriate place to ask it or not. I teach a course in literature and human rights in a country which has seceded from many of the human rights conventions.

So, I present my facts. But we're also in a political environment where it's possible for somebody to say that I'm not teaching on my topic because they have a different political view, somebody in my class. That's the environment that we're working.

And I think this is where Tim's question is coming from. If we are speaking appropriately and factually about what we're teaching, does the University have our back? That's the question. Thank you.

**Chair Bérubé:** Provost Jones?

**Provost Jones:** Yes.

[LAUGHTER AND APPLAUSE]
Chair Bérubé: I was going to say it, but it means more coming from him. Anything else? Oh, got two more. Carey and Jen.

Carey Eckhardt, Liberal Arts: Eckhardt, Liberal Arts. This is really just a very small request for clarification. Your examples here, there are some mentions of staff and so forth. They deal with faculty and people called a professor. A great deal of teaching is done by graduate students in various capacities. Just for clarification, do these same principles apply to them, or are they in a different situation?

Zahraa Zalzala: It would apply to them as well.

Carey Eckhardt: Thank you.

Jen Sliko, Harrisburg: Thanks. Hi. This is Jen Sliko from Penn State Harrisburg. This is also probably a minor clarification. But you had mentioned earlier that we can't speak out specifically against candidates currently running for office, but that's different from just a politician who might not be currently running for office.

And I'm speaking about this-- I guess the point of view is I am a climate change scientist, and so the president of our country has spoken out against that rather vocally. And while he's not currently running for office, I think a lot of my students might feel like he is. Can you define that a little more narrowly? And I don't know if you can or not, but he probably will be running for office in another year or two. How does that work?

Zahraa Zalzala: I believe he's announced his candidacy for 2020, but I think the term political candidate, even if someone has not politically announced but is being promoted as one, that could fall within this category. So at least with respect to our current president, I believe it's assumed that he's going to be running again as well.

Chair Bérubé: Right. I believe we had a question here at University Park about a local candidate wanted to have an event just before declaring. So, he wasn't the candidate that day, but he was going to be a candidate the next day. So, there, too, is one of the gray areas. Who counts as actually running for office? I think that person you mentioned, who shall remain nameless, has been running since his inauguration. So, it sort of goes without saying. Again, this is why the gray areas are gray.

All right, then. Thank you, Zahraa. Thank you for your time and for your expertise.

Zahraa Zalzala: And, to the extent that you guys have read through this and the policy and then the attached Ace memo, if you have any other questions, feel free to reach out to our office. We're always here to help.

Chair Bérubé: This started with-- the easy stuff is, you know, don't use letterhead don't use University resources, don't use your computer. Don't use anything that is University property or University insignia'd to contribute to a campaign. That's basic 501(c)(3) nonprofit stuff, although Zahraa informed me we're not technically a 501(c)(3) or something else. We're 501(c)(3)-esque. But it amounts to the same thing. And again, repeated violations will threaten our tax-exempt status and our existence as an institution.
The second Informational Report, found in Appendix K, is the Annual Report of the Senate Committee on Faculty Rights and Responsibilities. Last year's FR&R Chair, Richard Robinett, will give the report, and we have allowed five minutes for presentation and discussion.

**Richard Robinett, Science:** Well, first of all, I want to thank the Senate, who helps prepare this report. I stand up and answer questions if there are any, but they collect all the data. This is an annual report. This is usually about a page long, and it outlines some of the metrics that we see in the previous year in terms of how many petitions were submitted, what kinds, some of the resolutions.

And, so, you can read it yourself. And probably this could be posted on the website. But I think FR&R Past Chairs have liked to come up just to remind this body that this is one part of AC76 which, as I quote, "involves faculties rights and responsibilities that have not been successfully resolved through the normal channels of administrative responsibility procedures." It's a very long document that includes Ombuds people. And I wanted to give a shout-out to all the Ombuds people, both at every unit. Pam Hufnagel did a great job during her time, and Mohamad is here, I assume. I know he's the current Ombuds person.

So, this committee is an important one. But it's almost the last step in a long process of really, really, helpful people who can work with faculty if they have an issue in which they feel like they have, to quote again, "Substantial injustice resulting from a violation of three things" is all we're allowed to look at, academic freedom, procedural fairness, or professional ethics.

I'd like to thank the committee last year, which was an awesome committee. It's always six selected faculty and three elected administrators, chancellors, or deans. And I think they did a really good job last year. Any questions about the details of this year's report? We good? OK.

**Chair Bérubé:** Thank you.

[APPLAUSE]

**Chair Bérubé:** No. And, thank you again officially for chairing that committee last year. It is a vitally important committee for, again, obviously reasons.

The last Informational Report to be presented is from the Senate Committee on Libraries, Information Systems, and Technology, “Pattee Library Renovations and Courtyard Infill Project.” It is Appendix L. Ten minutes has been allocated for presentation and discussion. Roger, Chair of the LIST committee, will introduce our speaker, Rick Riccardo, Associate Director of Facilities.

**Roger Egolf:** Thank you. Yes, this report will be talking about the renovations that are currently underway at the Pattee Library. And it'll be given by Richard Riccardo, who is the Associate Director of Facilities for the Libraries. So, thank you, Richard.

**Chair Bérubé:** Rick, thanks for joining us.

**Richard Riccardo, Associate Director of Facilities for the Libraries:** Again, thank you for inviting me today to speak about what we're doing at the library. I'd like to suggest you sit back. You don't have to vote on anything. Just enjoy the presentation. Today I'm going to talk about what we're doing over at the library, which we affectionately refer to as Libraries 2020.
I'll give you a little bit of background on what that represents as far as the title is concerned. It's really not necessarily that we're going to be finished with the renovation work in the building in the year 2020, but it's really kind of representing the libraries of what we believe is going to be the future, and more knowledge centers. And we're gearing up for our library of the future of the year 2020. Our project should be completed in the fall of 2019, so we've got a jump on it a little bit. OK.

Let me get to my papers here. As was mentioned earlier, as Pattee Library Renovation and Courtyard Infill Project at the University Park. In 2009 the University completed a multi-phase plan to transform portions of the Pattee Library facility into a collaborative Knowledge Commons. I'm sure many of you have been in the library and have witnessed the transformation of the building and the Knowledge Commons at First Floor West, in which it was, I believe, a kind of non-library space that actually turned into an academic hub for students.

That was the first phase. It was a very successful phase and was constructed in 2009. And again, the area that I'm referencing is West Pattee. And this is a representation of the Knowledge Commons that was completed at that time.

The project that we're undertaking as what we're calling Libraries 2020 is approximately now 29,000 square feet of work on the ground floor. Existing floor plan will be reconfigured to include Knowledge Commons theme renovation to approximately 17,000 square feet at the lower level. This will include flexible meeting spaces, seminar rooms, student group study rooms, and numerous informal gathering and reading areas.

The atrium lobby, if you all recall, there was an area within the library that was kind of an outdoor space. It was open all the way to the outside air. We're actually infilling that project all the way down to ground floor. And the purpose behind the opportunity to infill that is twofold. One is to capture interior space of the library that's under-utilized, but also really to clarify circulation through the building.

I'm sure many of you have been in the library where you come in on the Curtin Road entry, and you turn left or right, and you find yourself in several different areas that have third floors, but they're not the same third floor, or the fourth floor. Or, you're doing a lot of up and down on stairs and in elevators.

But what this project is intended to do is to begin to clarify a lot of the circulation problems in the building itself. So, what we decided to do was infill the atrium space with a two-story space which I'll show you images of, and then also infilling two floors above that space so that we can clarify circulation for at least three levels of the building, and almost four levels of the building from Central and East. We're still not there yet on West, but we're working on that.

And again, the atrium level, we actually dug it down to ground level already. And what that will do is connect West with Central. We're extending the entry at the mall side of the building so that it's less covered as it is now, which really represented a fairly dark area. What we're moving it out towards the mall area itself.

And again, this is an artist's rendition of the space that we're creating outside of the area. If you recall, the patio space that was next to what was McKinnon's Café, generally, would fill up with water every winter and would be covered with trees, the leaves from the trees. And, it was a space that was, in some regards, under-utilized for both students and staff and faculty to enjoy an afternoon outside of the café.
What we've done to date on this area is we've actually bladed the ground back. We've done a lot of the rough grading in that area. And what we're using it now, at the moment, is for a construction entry into the space. But this is really what we're representing at the end of that time. We're creating a green space out there that's accessible no longer through steps, but a slightly graded walk that will lead you down into the entry. We've also sized that patio area outside for a tent area that could be used for marathon reads or could be a programmable space for the library.

We're also creating, down on the lower level, a more collaborative type of student environment. But what we're doing here is a lot different than what we've done before. We're creating an environment where we've been referring to it as BYOD. We've beefed up the Wi-Fi in the lower levels. And we've really taken a lot of surveys in which students have asked, why do you need to provide a computer when we bring our own, or most of our own devices? So, in this one where- we decided to coin it as BYOD-“Bring Your Own Device”, and we'll provide the tables and the connections for your devices to tie in.

On the other floors, as I represented, if you see in the center, the atrium space, what we're creating is a two-story space from the ground to first. And it's shown in this area, where this is a courtyard open space with seating and a grand stair. And on the upper level floors, on the second floor we're creating an infill area for library learning, and we'll eventually expand that out to the remainder of the floor. And as I said, on this slide, you'll see-- I'll go back-- we're creating that link from central through the courtyard area into second floor.

On the third floor, this will be our digital scholarship. And again, we're trying to take advantage of that infill area to create a much clearer path on to the third floor. And again, this will be digital scholarship, which will again expand out on to the floor. As you see on the slide to the left, this is the existing courtyard as it was. And the artist's rendering on the right is what our projected plan is for it at completion. As you can see, it's a two-story space in which it will connect from West to Central and then also, hopefully, to the upper levels.

What I also wanted to show you on the slides here is some of the work we have done in the library if you haven't been in there. On the first floor, what we did to really create the ability to do what we're doing is we took staff space on the first-floor level, which would be on our east side, and basically redeveloped our area behind the doors.

This was a staff area for our cataloging acquisition. And what we did is we moved the café from the lower level up to the first-floor level, and we have a Starbucks built in there. And with the Starbucks, we've also created the news area that we had on ground floor, and we put that in the staff area. The staff area we moved downstairs to the lower level, which was, at one point, our IT groups that were moved out the TSB. And we refurbished the space to make it more of a staff area for acquisitions and catalog.

I also have some images just to show you in real time where we are today. The work we did in 128 we actually did in the springtime in order to be able to hit the ground running once the board approved the project. And in the Atrium, itself, we've already begun to erect steel once we got the approval.

And our latest construction updates, we're actually getting very close to topping out the structural framing in the atrium space itself. We hope to have that done by the end of October, beginning of November. And we are on track to pretty much beat the heck out of completing in 2019. The whole ground floor west right now has been completely gutted and we're starting to do rough-ins.
So again, thank you very much for giving me the opportunity to present today. If there's any questions, I'm more than open to them.

**Chair Bérubé**: Are there questions? Thank you for your time and thank you for your work. I'm sorry, what? [INAUDIBLE] Where, where, where? I'm still not seeing. We're not leaving till that person says what their question is.

**Richard Riccardo**: I will tell you our goal for this is to provide clarity in the library so that people, when they come in, know where to go, know where the services are. Along with the work that we're doing now, we're working very diligently to create a level of digital signage that will get people to where they need to be.

**Chair Bérubé**: And I'm just going to add, from a disability access perspective, I'm liking that ramp. Ready for the mic? The mic, the mic. Although you do project well.

**Scott Young, ROTC, University Park**: I'm Captain Young. I'm the military representative for the ROTC department. I was just saying that as it currently stands, it reminds me of the Pentagon. So, I appreciate the level of effort to de-confuse so you can move around.

**Richard Riccardo**: I will say I've been lost in that building before.

**Chair Bérubé**: Thanks so much. OK, thank you.

**Richard Riccardo**: Outstanding. Thank you.

**NEW LEGISLATIVE BUSINESS**

**Chair Bérubé**: New Legislative Business. Is there any new business? None.

**COMMENTS AND RECOMMENDATIONS FOR THE GOOD OF THE UNIVERSITY**

**Chair Bérubé**: Comments and Recommendations for the Good of the University. Are there any such comments? None

**ADJOURNMENT**

**Chair Bérubé**: May I have a motion to adjourn? All in favor please say aye.

**Senators**: Aye.

**Chair Bérubé**: Motion carries. The Senate is adjourned until Tuesday, December 4, 2018.
The following Senators were noted as having attended the 10/23/2018 Senate Meeting.

- Abel, Jonathan
- Acharya, Vinita
- Adewumi, Michael
- Andreae, Michael
- Aurand, Harold
- Bartolacci, Michael
- Belanger, Jonna
- Berg, Arthur
- Bérubé, Michael
- Bieschke, Kathleen
- Bishop-Pierce, Renee
- Blakney, Terry
- Blanford, Justine
- Blockett, Kimberly
- Borromeo, Renee
- Boyer, Elizabeth
- Breakey, Laurie
- Brunsden, Victor
- Bryan, Julia
- Burke, Alexis
- Butler, William
- Bynum, Amber
- Casper, Gretchen
- Chen, Wei-Fan
- Clark, Mary Beth
- Clements, Ann
- Coduti, Wendy
- Connolly-Ahern, Colleen
- Conti, Delia
- Costanzo, Denise
- Davis, Dwight
- Decker, Alicia
- Duffey, Michele
- Eberle, Peter
- Eckhardt, Caroline
- Egolf, Roger
- Elias, Ryan
- Engel, Renata
- Evans, Edward
- Fairbank, James
- Farmer, Susan Beth
- Fausnight, Tracy
- Folkers, Deirdre
- Forster, Peter
• Freiberg, Andrew
• French, Kirk
• Furfaro, Joyce
• Fusco, David
• Gallagher, Julie
• Giebink, Noel Christopher
• Glantz, Edward
• Grimes, Galen
• Guay, Terrence
• Gutierrez, Borja
• Hairston, Synthea
• Handley, Meredith
• Hanes, Madlyn
• Hodgdon, Kathleen
• Hosseinpour, Helia
• Hughes, Janet
• Jaap, James
• Jablokow, Kathryn
• Jolly, Rosemary
• Jones, Maureen
• Jones, Nicholas
• Jordan, Matthew
• Kaag, Matthew
• Kagan, Mikhail
• Kahl, David
• Kakuturu, Sai
• Kalisperis, Loukas
• Katz, Spencer
• Keiler, Kenneth
• Kennedy-Phillips, Lance
• Kenyon, William
• King, Brian
• King, Elizabeth
• Kirby, Joshua
• Kitko, Lisa
• Koudela, Kevin
• Krajsa, Michael
• Kubat, Robert
• LaJeunesse, Todd
• Laman, Jeffrey
• Lang, Teresa
• Larson, Allen
• Lawlor, Timothy
• Le, Binh
• Levine, Martha
• Linehan, Peter
• Lobaugh, Michael
• Love, Yvonne
• Marko, Frantisek
• Masters, Katherine
• Mathews, Jonathan
• Maurer, Clifford
• McKay, Zachary
• McKinney, Karyn
• Melton, Robert
• Messner, John
• Mishler, Adeline
• Mocioiu, Irina
• Monk, David
• Moore, Jacob
• Mulder, Kathleen
• Najjar, Raymond
• Nasir, Rafay
• Nelson, Keith
• Nelson, Kimberlyn
• Nesbitt, Jennifer
• Noce, Kathleen
• Nousek, John
• Ofosu, Willie
• Ozment, Judith
• Pallikere, Avinash
• Pangborn, Robert
• Pauley, Laura
• Pawloski, Barry
• Petrilla, Rosemarie
• Phillips, Kathleen
• Pierce, Mari Beth
• Plummer, Julia
• Posey, Lisa
• Prabhu, Vansh
• Prescod, Diandra
• Pyeatt, Nicholas
• Reichard, Karl
• Reid-Walsh, Jacqueline
• Rhen, Linda
• Rinehart, Peter
• Robertson, Gavin
• Robicheaux, Timothy
• Robinett, Richard
• Robinson, Brandi
• Robinson, Zachary
• Robles-Flores, Ninive
• Ropson, Ira
• Rowland, Nicholas
• Ruggiero, Francesca
• Saltz, Ira
• Sarabok, Thomas
• Saunders, Brian
• Scott, Geoffrey
• Seymour, Elizabeth
• Shannon, Robert
• Shapiro, Keith
• Sharkey, Neil
• Sharma, Amit
• Shea, Maura
• Shearer, Gregory
• Sigurdsson, Steinn
• Silverberg, Lee
• Sinha, Alok
• Skladany, Martin
• Sliko, Jennifer
• Smith, David
• Smith, Harold
• Snyder, Melissa
• Snyder, Stephen
• Specht, Charles
• Springer, Jake
• Stine, Michele
• Strauss, James
• Szczygiel, Bonj
• Tavangarian, Fariborz
• Thomas, Gary
• Thomchick, Evelyn
• Thompson, Paul
• Townsend, Sarah
• Troester, Rodney
• Truica, Cristina
• Tyworth, Michael
• Van Hook, Stephen
• Vanderhoof, Carmen
• Vasilatos-Younken, Regina
• Volk Chewning, Lisa
• Vollero, Mary
• Vrana, Kent
• Wagner, Johanna
• Warren, James
• Whitehurst, Marcus
• Williams, Mary Beth
• Woessner, Matthew
• Wood, Chelsey
• Young, Cynthia
• Young, Richard
• Zambanini, Robert
• Zorn, Christopher

Elected  157
Students  18
Ex Officio  5
Appointed  8
Total  188