

REGULAR MEETING OF THE FACULTY SENATE

The University of Oklahoma (Norman campus)

December 12, 2022, 3:30 p.m., via Zoom

<https://oklahoma.zoom.us/j/91080782879?pwd=RW0xUHJYbWl3WC9MdHdZb3JmcFlZz09>

Please mute your microphone until you have been recognized by the Chair. If you would like to speak, ask using the Chat window, which will help coordinate discussion. This meeting may or may not be recorded. Minutes of meetings shall be provided as the official record of the duties and responsibilities of the governing body. Any recordings done by staff are for personal use in creating the official record.

AGENDA

1. Land Acknowledgement.
2. Approval of the Senate Journal for the regular session of November 14, 2022.
3. Announcements:
 - a. The Faculty Senate is sad to report the death of faculty member Carl Sondergeld (Petroleum Engineering), retired faculty member Tom Love, Jr. (Mechanical Engineering & 1984-85 FS Chair), retired faculty member Clara C. Stanley (Dance), and retired faculty member Robert St. John (Physics).
 - b. In lieu of a January faculty senate meeting, the senate will be hosting a reception on Monday, January 23 from 3:30p – 5:00p in the Scholars Lounge of Bizzell Memorial Library (Lower Level 2).
 - c. Faculty Senate will return to in-person meetings in the Spring semester, beginning with our 13 February 2023 meeting. We will meet in the Forum central auditorium, which will allow social distancing and access by all senators and visitors.
4. Senate Chair's Report (attached).
5. Hosting Non-Citizen Visitors Policy (attached, FYI, no action required).
6. Remarks by Stewart Berkinshaw, Associate Vice President and Chief Budget Officer (Norman Campus).
7. Remarks by Amy Noah, Vice President and Chief Advancement Officer, OU Foundation.
8. Remarks by Gregg Garn, Vice President for Online Learning and Interim Dean, PACS.
9. New business (any matter not known about or that could not have been reasonably foreseen prior to the time the agenda was prepared).

Senate Chair's Report for 12 December, 2022
Dave Hambright

During the past short month (abbreviated by Thanksgiving Break, a freak accident, and a severe case of the flu), the Faculty Senate Chair-Elect and I met with Vice Provost Mark Morvant and Campus Space Manager Kacey Clark to finalize plans for the relocation of the Faculty Senate Office from 206 Jacobson Hall to 207/208 Chemistry. I received numerous communications from faculty regarding recent news of student strikes in the University of California system and the New School in NY.

Meetings attended: Faculty Senate Officers Robbins, Heyck, and Hambright met 15, 29 November, and 6, December to discuss various issues facing the Faculty Senate and to plan the agendas for upcoming meetings. I met with Vice President for Operations Brian Holderread to express faculty concerns regarding the new campus space policy that went into effect this semester. Discussion centered on the need for transparency and faculty involvement in such policies directly affecting faculty. We discussed the possibility of reinstating the Campus Planning Committee, as the current Campus Space Committee is void of faculty participation. I also met with CAS Associate Dean Georgia Kosmopoulou, Chair of the Faculty Honorifics and Awards Committee to discuss progress, process, and plans for the committee for the coming year. I met with OU Policy Director Jennifer Hembre to discuss her ongoing efforts to migrate the university's policy management program from the long-standing Faculty Handbook to an online policy management tool PolicyTech. To date, she has focused most of her attention on adding new policies, but will soon turn to migrating existing policies from the Faculty Handbook. I was unable to attend the November meeting of the OU Board of Regents due to an accident and illness.

FSEC met with Provost Wright on 28 November, during which we discussed various faculty issues, such as the new campus space policy and new encryption requirements from OUIT and their impacts on faculty research and morale. The Provost also shared updates on the OU Polytechnic Institute, including the search for its Director. Again, due to my illness, Chair-Elect Heyck and Secretary Sarah Robbins met with one of the candidates for the Polytechnic Institute Director. On 1 December, members of FSEC met with HR to discuss collection of faculty LGBTQ+ data, as is currently done only for students. FSEC also voted to appoint Xinyu Dai (Physics and Astronomy) to fill the at-large FSEC seat vacated by Amy McGovern (Computer Science). On 5 December, FSEC met with Stewart Berkinshaw, Associate Vice President and Chief Budget Officer (Norman Campus); Amy Noah, Vice President and Chief Advancement Officer, OU Foundation, and Gregg Garn, Vice President for Online Learning and Interim Dean, PACS. VP Berkinshaw addressed recent developments in Research Financial Services and the Shared Business Services Center. VP Noah gave a brief presentation on the OU Foundation and the new \$2 billion fund-raising campaign. VP Garn provided an overview of OU Online. On 6 (by phone) and 8 Dec (in person), I spoke with Vice President of Executive Affairs Sean Burrage regarding various recent discussions between members of FSEC, HR, and the President's Office.



OFFICE OF POLICY MANAGEMENT

The UNIVERSITY of OKLAHOMA

MEMORANDUM

To: Faculty Senate Executive Committee Norman
Faculty Senate Executive Committee HSC
Staff Senate Executive Committee Norman
Staff Senate Executive Committee HSC
Staff Senate Executive Committee Tulsa

From: Jennifer A. Hembree, Ed.D.
Director of Policy

Date: November 15, 2022

Subject: Hosting Non-Citizen Visitors Policy

In January 2021, the University of Oklahoma (OU) formed its first Enterprise Risk and Compliance Oversight Steering Committee (ERCO). Advisory to the President and the OU Board of Regents, ERCO's purpose is to assist the University in identifying, evaluating, and mitigating major compliance and regulatory risk areas. In an effort to gather relevant information and recommendations, the ERCO Steering Committee appointed a subcommittee in identified key risk areas, including foreign influence.

The ERCO Foreign Influence Subcommittee has worked diligently to identify areas of high-level risk to OU and OU faculty and staff researchers related to foreign influence, including risks associated with hosting visitors from other countries. To mitigate these risks and ensure that OU and its employees are in compliance with all state and federal laws and regulations, the subcommittee developed a policy regarding hosting non-citizen visitors.

OU has long supported and depended upon international partnerships and collaborations. OU welcomes visitors to its campuses, including from partner institutions and foreign governments. These individuals provide unique skills and perspectives and can help OU expand and strengthen the global engagement of its research, teaching, and service missions. The Policy on Hosting Non-Citizen Visitors on Campus is designed to enable OU to continue hosting non-citizens while reducing risk and protecting the interests of OU; its employees, students, and visitors; and the community. The Hosting Non-Citizen Visitors policy sets protocols for screening processes through the Office of Export Controls and provides a means to manage Non-Citizen Visitors for compliance and risk management purposes.

The development of this policy was guided by a cross-functional subcommittee of university and campus-level administrators, faculty, and staff from each campus, along with input from multiple key departments. As this policy moves through the final stages of review and approval, the Faculty and Staff Senate Executive teams are being provided with a copy of the policy for their information. No action is requested at this time.

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c: Jill Raines, Vice Provost
Chris Walker, Associate Provost



Hosting Non-Citizen Visitors on Campus Policy

I. Purpose

The University of Oklahoma (OU) has long supported and depended upon international partnerships and collaborations. OU welcomes visitors to its campuses, including from partner institutions and foreign governments. These individuals provide unique skills and perspectives and can help OU expand and strengthen the global engagement of its research, teaching, and service mission. The Policy on Hosting Non-Citizen Visitors on Campus is designed to enable OU to host while reducing risk and protecting the interests of OU; its employees, students, visitors; and the community. This Policy also provides a means to track Non-Citizen Visitors for compliance and risk management purposes.

Non-Citizen Visitors may or may not be sponsored by OU. In cases where OU sponsors the visa, the sponsored Non-Citizen Visitor's presence on and access to campus is addressed by the Office of Immigration Services during the onboarding of the sponsored individual. Non-sponsored Non-Citizen Visitors who visit campus are subject to this policy.

II. Definitions

A. Affiliates:

For purposes of this policy, Affiliates include but are not limited to independent contractors and persons not employed by OU but who are working on OU-sponsored projects, contracts, or collaborations who host International Guests.

B. Non-Citizen Visitor:

For purposes of this policy and consistent with federal guidance, a Non-Citizen Visitor is any visa holder who is not an OU employee and whose U.S. visa is not sponsored by OU but who will be on campus or in an OU facility to visit, lecture, conduct/collaborate on research, teach, study, observe, or work. For visa holders whom OU sponsors, please refer to <https://hr.ou.edu/Immigration> rather than to this Policy for information regarding access to campus.

C. Host:

OU employees, students, trainees, scholars, and Affiliates who are hosting a Non-Citizen for a Visit or who are responsible for coordinating the visit.

D. Visit:

For the purpose of this policy, a "Visit" by a Non-Citizen Visitor includes visits to campus or an OU facility or site to observe, tour, lecture, conduct/collaborate on research, teach, study, observe, or work outside the employment capacity.

III. Scope

A. This policy applies to all OU employees, students, trainees, scholars, and Affiliates who are hosting Non-Citizens for Visits - on campus or at off-site campus locations ("Hosts"). Policy exclusions are listed below.

B. Exclusions do not apply to any Non-Citizen Visitors who will have access to restricted or proprietary information or access to restricted labs, facilities, or areas of competitive research and emerging technologies that may lead to sensitive results (e.g., nanotechnology, quantum, genomics, radar, advanced manufacturing).

C. Exclusions:

The Non-Citizen Visitor designation excludes and, therefore, this policy does not apply to all of the following:



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1. Individuals who are merely in common areas of OU
2. OU-invited speakers/ guest lecturers who provide a speech/ guest lecture that is open to the OU community or public or to a formal OU class
3. OU-invited dignitaries or government/ diplomatic visitors to OU who will not be in secure research facilities
4. Enrolled OU students (whether registered as a degree or non-degree student at OU)
5. OU employees
6. Recognized academic affiliates (i.e., adjunct faculty)
7. Independent contractors retained by OU via contract
8. OU retirees with formal emeritus status
9. OU predoctoral scholars enrolled at OU
10. OU postdoctoral fellows
11. Undergraduate and graduate students from other academic institutions designated through OU procedures as interns or externs and those for whom a formal student exchange program (MOA/MOU) exists
12. Employment or enrollment of candidates on campus as part of the selection process
13. Prospective students and accompanying family members on scheduled campus visits
14. Members of OU-recognized advisory or review boards whose visit to the OU facilities relates to their service on that board (e.g., Board of Regents, board of visitors, accrediting agencies).
15. J-1 student interns and scholars sponsored by OU

IV. Responsible Office

The Office of Export Controls (OEC) is responsible for administering this Policy and ensuring compliance.

V. Policy

It is the policy of OU that all Non-Citizen Visitors to OU must undergo a restricted party screening (see Section VI.A) through the OEC prior to their arrival, and Hosts of Non-Citizen Visitors must utilize the procedures as detailed in Section VI.A-E.

Policy Level: 4

Approval Authority: President

Date of Approval:

Subject Matter: Office of Export Controls

Date of Last Review:

Date of Next Review:

Signature:



VI. Procedures

A. Restricted Party Screenings:

At least five business days prior to a visit, Hosts of Non-Citizen Visitors must submit the following information to the OEC:

1. Names and nationalities of all Non-Citizens who will be present for the visit(s);
2. Affiliations of all Non-Citizen Visitors (including but not limited to company, university, and government agencies);
3. Dates of the planned visit(s);
4. Areas of campus that the Non-Citizen Visitors will tour or will have access (buildings, labs, etc.)

Information may be sent to export@ou.edu or via the online restricted party screening form (hyperlink when the form is ready). Please note that any Visits that include restricted or proprietary information or access to restricted labs, facilities, or areas of competitive research and emerging technologies that may lead to sensitive results (e.g., nanotechnology, quantum, genomics, radar, advanced manufacturing) will require four weeks' notice to enable OEC to develop a security plan for the Visit.

B. Review Process:

The OEC will run a restricted party screening on all Non-Citizen individuals named in the Host's submission and their affiliations in order to identify any high-risk entities and individuals, in accordance with the "University of Oklahoma Office of Export Control and Secure Research Operations High Risk/Restricted Party Interim Policy."

<https://www.ou.edu/content/dam/research-norman/docs/High-Risk-Policy-12-October-2020.pdf>

The OEC will also review the Visit details provided to determine whether any sensitive research is subject to a Technology Control Plan in the tour/access areas.

The OEC will communicate the review results to the Host with recommendations on the tour/access and will notify those impacted, where appropriate. In some cases where additional export licenses and permits are required for a Visit, including those that are subject to EAR99, permission for the Visit may be denied.

The OEC can assist Hosts with particular topics or concerns prior to, during, or after a Non-Citizen Visitor's time on campus.

C. Badging/Identification:

Hosts must ensure that any Non-Citizen Visitor complies with current processes and procedures for entering OU facilities.

D. Network and Data Access:

While many Non-Citizen Visitors may not need or request network access, in the event that a Non-Citizen Visitor does require access, existing network access policies and procedures apply. If a Non-Citizen Visitor will have access to restricted data, the Host must receive appropriate authorization(s) from OEC and the appropriate Vice President for the Research Office, specific to the type of data, prior to granting access. Data access may be governed by network access standards and/or export control laws.

E. Other Minimum Requirements to Ensure Best Practices:

1. Ensure that no controlled, confidential, or proprietary information is visible or discussed during the Visit and that appropriate measures for safeguarding sensitive information are in place.



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2. Escort Non-Citizen Visitors throughout lab and facility tours, ensuring they are not left unattended during their Visit.
3. For researchers and facilities focused on areas of competitive research and emerging technologies that may lead to sensitive results (e.g., nanotechnology, quantum, genomics, radar, advanced manufacturing), additional measures should be considered. Such measures may include the maintenance of a permanent log of visitors in the facility. This will provide a tiered risk-based approach, where the highest-risk facilities have their own rigorous processes for hosting visitors that supersede these guidelines. Additional details on this tiered risk-based approach and a guide/protocol for short-term visitors will be provided in the future as federal guidelines evolve.

VII. Accountability

The Host of the Non-Citizen Visitor is responsible for and is always to know the whereabouts of their Visitor while on campus.

Any failure, whether accidental or intentional, to adhere to the procedures outlined in Section VI.B-F of this policy may result in consequences that include, but are not limited to, restricting an individual's or department's ability to host Non-Citizen Visitors, to receive or request export licenses or license exceptions and/or exemptions, or to sponsor visiting scholars. Failure to comply may also result in other disciplinary actions in accordance with the applicable OU policy, up to and including severe sanctions and termination.

VIII. Review Cycle

This Policy is to be reviewed annually (or more frequently, as needed) in consultation with OEC and a representative from the Office of the Senior Vice President and Provost on each campus.