

**University Council Minutes**  
**December 6, 2004**  
**3:00 – 5:00 PM**  
**1045 Pamplin Hall**

**Present:** Charles Steger (Presiding), Ed Henneke for Hassan Aref, Erv Blythe, Cynthia Bonner for Landrum Cross, Karen DePauw, Ben Dixon, Brad Fenwick, Angela Hayes for Elizabeth Flanagan, Eileen Hitchingham, James Hyatt, Michael Kelly, Paul Knox, Kurt Krause, Mark McNamee, Mary Ann Lewis for Jerry Niles, Kim O'Rourke, Cathy Sutphin for Sharron Quisenberry, Grant Turnwald for Gerhardt Schurig, Dwight Shelton, Hap Bonham for Richard Sorensen, Tom Tillar, David Travis, Dawn Barnes, Jean Brickey, Virginia Fowler, Grant Otto, Ray Plaza, Susanna Rinehart, Judith Shrum, Jim Weaver, Susan Anderson, Richard Ashley, Jack Cranford, Richard Goff, Rakesh Kapania for Imad Al-Qadi, Mark Anderson, James Berkson, Peter Eyre for Marion Ehrich, Bernice Hausman, Peter Kennelly, Hans Rott, Suzanne Murrmann for Muzzo, Uysal, Sue Ellen Crocker, Donna Hamm, Edward Lener, Maxine Lyons, Scott McGee, Kimberly Philpott, Melinda Cep, Maya Newhagen, Matt Vepraskas

**Absent:** Lay Nam Chang, John Dooley (with notice), David Ford (with notice), Kelly Michael, Elgert Klaus, JoAnn Emmel, Don Orth, John Jay Carter, Terry Kershaw, Pankaj Gupta, Yvette Quintela, Antoinette Stroter, Sumeet Bagai, Brandon Bull, Devin Weller

**Guests:** Pat Hyer, April Myers, Sam Easterling, Jeb Stewart, Janine Hiller, Kay Heidbreder

Dr. Steger called the meeting to order at 3:00 p.m. A quorum was present.

**1. Adoption of Agenda**

A motion was made and seconded to adopt the agenda as presented. The motion carried.

**2. Announcement of approval and posting of minutes of November 1, 2004.**

Dr. Steger noted that these minutes have been voted on electronically and can be publicly accessed on the Governance Information System on the WEB (<http://www.governance.vt.edu/>). (Note: The University Council meeting scheduled for November 15, 2004 was cancelled.)

**3. New Business**

**Commission on Faculty Affairs**

Resolution CFA 2004-05A

Resolution on Computer Privacy

Ms. Suzanna Rinehart introduced the resolution to University Council for first reading. Ms. Janine Hiller, a member of the task force created to develop a policy on computer privacy, was introduced. Ms. Hiller stated that this policy is a response to the needs of a complex university with many different administrative and academic functions, with the goal of both meeting these needs and preserving freedom of inquiry and. Recognizing that the state has a policy which states that employees who are using state equipment have no expectation of privacy, this proposal is to be Virginia Tech's high level policy regarding how and under what conditions the university will access material on an employee's computer. The university

does not routinely monitor information or communication. However, there are times when computer information must be accessed. These times can be understood under three circumstances.

1. Legally required or under emergency situations
  - a. No further authorization is needed
2. Routine monitoring
  - a. must be required by a business necessity, the department must have a written operating policy, it must be approved by the Dean or Senior Administrator, and it must be disseminated to affected employees on a regular basis.
3. Single time monitoring/access
  - a. If there is an investigation of a violation of law or policy, a written request that states the reasons for the need to access the information, and must be approved by the Dean or Senior Administrator.)
  - b. If there is a routine business need for access when someone is unavailable. No written approval is required for this situation. Reasonable attempts should be made to contact the person, and if that person is inaccessible, only the necessary material is to be accessed. Prompt notification must be made to the computer user indicating what material has been accessed and reviewed.

In response to a question, the information in brackets under section 2.1 “[Technical staff may inadvertently see or hear potentially illegal content in communications or files...] is explanatory only. It was explained that this policy is not the entire university approach to computer information. The Information Technology department has its own procedures, and is also bound by a law that if illegal material is found, the information is to be reported appropriately. This policy is not designed to supplant any other existing policies that exist, such as the Acceptable Use Policy. The explanatory material is to let employees know that if, in fact, there is information found when reviewing computer files that constitutes a violation of law, it may be the technical person’s responsibility to report those findings. Technical personnel have procedures pertaining to them and their individual workplace requirements of their job, if they see something that is potentially illegal.

Mr. Erv Blythe, Vice President for Information Technology, stated that technicians do not seek to interpret accessed material. They are also responsible for protecting the privacy of computer users. Only in extreme cases has anything been reported.

The policy does not address password access; it deals only with the authorization to access material. While it is not stated in the policy, for this policy to be successful, it must be disseminated and understood by the entire university community.

This policy applies only to university owned equipment, not personally purchased equipment.

### **Commission on Graduate Studies and Policies**

Resolution CGSP 2004-005A

Resolution for Establishment of a Master of Building/Construction Science and Management Degree Proposal in the Virginia Tech College of Architecture and Urban Studies (CAUS)

On behalf of Scott Case, Dr. Rakesh Kapania introduced the resolution for first reading.

#### **4. Old Business**

None

#### **5. Announcement of approval and posting of Commission minutes**

These minutes have been voted on electronically and will be posted on the University web. Note that the purpose of voting on Commission minutes is to accept them for filing. University Council By-laws require that policy items be brought forward in resolution form for University Council action.

- Commission on Classified Staff Affairs  
September 30, 2004
- Commission on Equal Opportunity and Diversity  
October 25, 2004  
November 15, 2004
- Commission on Faculty Affairs  
September 10, 2004  
October 22, 2004
- Commission on Graduate Studies and Policies  
October 6, 2004  
November 3, 2004
- Commission on Outreach and International Affairs  
October 14, 2004
- Commission on Research  
September 8, 2004  
October 13, 2004
- Commission on Student Affairs  
October 7, 2004
- Commission on Undergraduate Studies and Policies  
September 27, 2004

#### **6. For Information Only**

Minutes of University Advisory Council on Strategic Budgeting and Planning  
September 23, 2004

#### **7. Presentation**

Dr. Sam Easterling presented an update from the Task Force reviewing University Council membership. The presentation reviewed previous membership committee studies. The charge to the current task force is to:

1. review ex officio membership to ensure appropriate representation of the GSA, SGA, and university administration (including deans, vice presidents, and vice provosts);
2. review groups from which elected representatives are selected
3. determine appropriate balance of representation among administrators, faculty, staff, and students;
4. identify a mechanism for automatic alignment of ex officio administrator membership with changing university structure – eliminating the need for approval of a Constitutional amendment by University Council and the BOV in each instance.

Current membership was reviewed, and significant changes under consideration were identified. The task force will report to President Steger their recommendations by January 31. The Faculty and Staff Senates and other relevant commissions and university groups will then be asked to review recommendations and make suggestions.

The first reading by University Council will be no later than April 18 and second reading and vote no later than May 2. The proposed resolution will then be presented to the Board of Visitors on June 13.

#### **8. Adjournment**

There being no further business, Dr. Steger adjourned the meeting at 4:08 p.m.

Respectfully submitted,

Kim T. O'Rourke  
Chief of Staff, President's Office

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