UCLA Academic Senate

Committee on Data, Information Technology, and Privacy

May 5, 2022

To: Jessica Cattelino, Chair
        Academic Senate

From: Alex Bui, Chair
        Committee on Data, Information Technology and Privacy

Re: Recommendations from CDITP around IT Shared Governance

Dear Chair Cattelino and Executive Board Members:

We are writing to provide an update on the Committee for Data, Information Technology, and Privacy (CDITP), given our evolving interactions of the past year and ongoing issues relative to the campus. Several high-profile issues have arisen over the past year given the rollout of different information technology (IT) initiatives from our Administration. While it is undoubtedly important to recognize the true adage, "*IT is never seen as an issue until it's a problem,*" (or the equivalent thereof), CDITP notes that these issues should be considered in an appropriate context and in this communication aims to provide guidance to move forward positively and constructively. We provide both an executive summary, and more detailed response in this correspondence, for your consideration.

Executive Summary

- Current issues. The rollout of different IT efforts from campus has been problematic, for any number of reasons. Key issues have included communication, lack of transparency, and lack of shared governance in which faculty have been a part of the decision-making process (rather than simply consulted subsequently). The implementation of the FireEye Endpoint Security (FES) software is an example of this situation, and ensuing complications. The result has been growing distrust of the Information Technology Service (ITS) efforts. Other broad projects around centralization and campus-wide IT modernization are also seen as being dismissive of faculty concerns, especially as they do not employ local faculty expertise and insight.
- Faculty concerns. Multiple faculty groups, including CDITP, have noted that the new IT governance structure maintains all decision-making at the administrative level, with no faculty input. Similarly, faculty have noted that engagement has been prescriptive rather than consultative, with no transparency about how decisions are ultimately made.
- Governance concerns. In relation to faculty expressed issues around their engagement, it remains unclear what the approval process is for decisions around information technology on campus. This problem will only grow if there is not clear distinction of which stakeholder – including the Academic Senate – should be involved. UCLA has no specific guidance around these issues, particularly around

emergent technologies and how IT is quickly changing to become a "commodity" and shared infrastructure resource.

There are immediate CDITP recommendations to address these concerns:

1. Appointment of Academic Senate faculty to key IT committees. The Chair of the Academic Senate (or appointee) should be involved in the top-level IT Executive Committee where decisions are made. In a similar way, all "Academic Senate" faculty who have been appointed to IT-related committees should be formally appointed through the Committee on Committees (ConC) as formal appointees with responsibilities accordingly back to the Academic Senate and their colleagues. As an example, we cite the Cyber-security Committee, where the faculty appointment did not go through ConC. *Perfunctory appointments of "faculty" to Administrative committees should not be considered engagement of the Academic Senate*. We also recommend an immediate recounting of all IT-related committees wherein such faculty have been "appointed" so appropriate review may occur.

2. Clear specification of procedures around IT-related decision-making. The processes by which administration, faculty, and other stakeholders are engaged to provide input into final *shared* decision making about IT-related processes must be made apparent to the Academic Senate and its faculty. Importantly, all of this *must be made transparent to our faculty*.

3. Discussing IT rights – and education of policies and best practices – with UCLA faculty. This question is open-ended in nature but brings into light what the Academic Senate faculty feel should be within their purview to opine and decide upon – versus what elements of IT they feel confident are sufficiently understood and commodity that there is no debate upon. There is also an underlying need to recognize that our faculty are not sufficiently educated about "digital assets" and how to protect themselves from intrusion, and what our own campus polices are in this regard. Both the Academic Senate as well as the Administration have a role in providing this information.

4. Reaffirming UCLA's policies around data access, security, and privacy. Given the sensitivity of this issue in recent IT discussions and controversies, it is important that our institution and its leadership restate their commitment to these policies and assure faculty that their rights will be protected.

IT Shared Governance Report

First, it is important to note that our campus is recognizing a transition in the role of information technology – although this has occurred over several years, it was accelerated certainly during our recent pandemic and response to COVID-19. The faculty, staff, and administration have all recognized the importance that IT plays in enabling teaching, education, and other functions for the campus. As we return to campus, the challenges of enabling hybrid training and work overall are apparent, and we are grateful to the many individuals who continue to enable this dynamic process. We remain grateful for all the effort our administration and staff have made – and continue to put in – to ensure UCLA's success across disparate elements. All of this speaks to the excellence we all put in to make our institution a leading campus, nationally if not internationally. Shared governance of IT is now admittedly challenging, given its rapidly changing nature – and we therefore recognize the need to address it immediately and to provide a long-term foundation upon which both the UCLA Academic Senate and Administration can move forward in a confident, agreed-upon fashion.

Our intent here is to consider the question of what issues have arisen in IT and how do we do better, as a group and institution? We recognize this is not an "easy" question to answer, but one of an emergent and ongoing partnership between the faculty and the administration – and one that requires a clearer picture of shared governance, particularly as IT changes across out campus. As such, **we seek to work with the administration and its leadership to ensure an appropriate partnership in terms of IT governance in a shared governance framework that evolves how we may we work together and solves current issues**. The University of California (UC) concept of shared governance between its faculty and administration is longstanding and has been upheld over the decades. It is the reason upon which CDITP was formulated, given the broad UC-wide recommendations around IT governance (see [UCACC IT Governance report](#)), and we therefore look to take on this responsibility in partnership with our administration.

Context. We have seen a number of issues arise this past year that are of broad concern in how the Academic Senate is (or is not) involved. While several of these concerns were addressed by the Administration after being cited by faculty, they are representative of more fundamental issue around shared IT governance:

- FireEye Endpoint Security (FES). The decision to rollout FES on the main campus was made without apparent decision-making input from the Academic Senate and thus guidance in its implementation. Rather, the decision to implement – after the fact – was made to faculty groups, including CDITP and the Executive Board of the Institute for Digital Research and Education (IDRE). This decision should have been made jointly with the faculty. Consequently, the issues around FES are notable, as there was a lack of communication around its deployment, resulting in pushback from various campus entities around its usage. There are complicated issues surrounding its implementation that could have been possibly avoided (per other UC campus rollouts), but to date we have a problematic and likely non-compliant group that will not facilitate it without potential consequences more broadly for the campus.

- Design of new IT governance. Many have noted that the new IT governance structure, which has replaced prior structures (e.g., IT-GO) has a top-down structure wherein the top committee has *no faculty representation*. Rather, the top-level decision-making entity is completely comprised of administrative entities and has no input directly from the Academic Senate. While the lower-level and immediate reporting groups have faculty input, the fact that no faculty have decision-making power on IT-related activities is seen as problematic. Ultimately, IT-related decisions are made without faculty consultation in a meaningful, direct, or timely manner and the result is a need to "fix" things after the fact.

- Other IT centralization efforts. Several centralized IT efforts, ranging from the financial systems to the core IT network, are underway. These decisions have had some, but not necessarily *guiding* input, from the Academic Senate. Assuredly, some of these endeavors are within the certainly scope of the Administration's purview – yet others seem to extend beyond it. The issue here is what the Academic Senate would like to be informed of and guide vs. those that it will relinquish to others to deal with. *This issue is not clear and needs discussion*. *Ultimately, this speaks to the question of what faculty do or do not feel is within their purview in a changing IT environment.* As an example of the consequences of this centralization, is that our campus has non-standard ways of collecting information and presenting it in a meaningful manner that is useful for longstanding analysis because it does not use faculty expertise. CDITP noted the problems related to COVID-19 reporting, which while meeting the needed legal requirements, was woefully non-normalized and self-defeating in providing harmonized information that could be subsequently analyzed. This problem is more endemic to the data and information published by UCLA sources. Markedly, this same deficiency of incorporating faculty expertise to solve these problems at the IT security level, and beyond, are now recognized at the UC-wide level; *UCLA should recognize this as well*.

Admittedly, many of these issues occurred during a period when the campus had no Campus Information Officer (CIO) and during the COVID-19 pandemic, which can be appreciated. Yet while we appreciate the many issues our campus CIO is juggling out of necessity, there is a lost opportunity to further work with the Academic Senate and the re-envisioning of IT governance. *Largely, to date engagement has been in a descriptive and informative framework, rather than consultative or broadly, shared decision-making.* With the growing importance of IT and computational infrastructure to our campus, more regular, collaborative meetings between the CIO and faculty on campus could help positively shape interactions and future procedures. Internally, we would suggest CDITP begin to consider more frequent meetings beyond its current expected charter, as it remains under-utilized.

Moving forward. UCLA is not alone in its faculty "backlash" to IT centralization. Efforts such as our recent Canvas deployment (replacing our learning management system, LMS, to be contemporary with respect to our peers), through to more administrative functions (e.g., Ascend) are assuredly notable in the scope and concern they are raising. While some may argue that elements of this are driven by UCOP, the opportunity we have at UCLA to make things better is significant, if we pay attention to the details now and learn from others. There is assuredly a level of faculty fatigue associated with IT and its shortcomings, especially during COVID-19; and the initially presented "spoke and hub" model for IT was not received well by many. A few suggestions from CDITP:

1. Convening IT leadership and faculty. First, it is perhaps unclear who ultimately is in "control" of different aspects of IT. We have observed, as members of different committees and as faculty members in different departments, that is often unclear who should be setting policy and enacting procedures. This problem is particularly acute with UCLA Health and DGSOM faculty but is paralleled in different ways across our institution. To the extent possible, uniform guidance and policies around IT and its security would benefit all of us and would likely simplify our management of efforts.
   a. We have also noted that there are differences in opinion as to who – even within the Administration – is the ultimate authority on topics around IT, including topics around security, privacy, and compliance. These internal issues must be resolved in a systematic and clear manner.
2. Defining UCLA faculty IT responsibilities and rights. Although there is broad "UC-wide" policy about the regulation of data and its access (IS-3), there is nothing indicated about what Academic Senate Faculty may have in terms of rights about the usage of a given (UC-owned) device and our expectations. This issue is at the core, for example, of the FES debate. We now have an opportunity

to define the expected privileges of Academic Senate faculty with respect to the usage of any given UC-owned device (or access thereof, including personal devices).

    a.   No UC presently has a defined definition of the "rights" of a given faculty with respect to IT and the usage of a device. We have a unique opportunity to set the tone for the rest of the UC, given our breath and depth of understanding.

    b.   We also need, at the same time, to educate our faculty on the existing policies around IT, as it is apparent that they are unaware of these issues. There are both roles for the Academic Senate and the Administration in these capacities and should recognize these prospectively and act on these responsibilities, accordingly. For example, how many faculty know about Policy 410, or IT's procedures of first requesting access to a specific file?

    c.   We also have to issue more specific data protection and hygienic guidance to our faculty so as they can ensure the protection and privacy of their data. For instance, encryption of sensitive data files, etc. should be understood by all our faculty – yet is likely not practiced. An educational effort on this part is warranted by the Academic Senate and Administration.

    d.   Critically, we note that we need a formal way in which we the Academic Senate can be engaged in key decisions regarding IT, as it may deem necessary.

        i.   Importantly, this point notes that there are key issues that the Academic Senate feels it must be engaged in – and as such, it is imperative, moving forward, that this distinction be made so that the all operational arms can move forward. The Academic Senate is not just a stakeholder: it is a partner in shared governance. Importantly, the Academic Senate perspective on the academic mission must be upheld.

        ii.   Recognizing the outcomes of (d.i), that the campus incorporates this into its IT governance structure.

        iii.   Ultimately, procedures around how IT-related decisions are made must be made transparent, if not include appropriate Senate input as deemed necessary.

3.   <u>Defining the role of IT for UCLA's future</u>. There are questions about what, moving forward, will be deemed centralized infrastructure that is shared (and hence, should have common procedures) vs. what we as faculty deem as individualized. The fact that computing is becoming a centralized service in industry and in other practices makes this an important question for the Academic Senate to tackle – what do we as faculty want to relegate to administration as a common good (and thus relegate responsibility) vs. want to ensure faculty autonomy and voice? The selection of FES and its rollout is an example and will not be the "last" point of contention. Our rights about computing are not well articulated, and we have an opportunity now to think about it moving forward. I would suggest we formulate our thinking about it now and provide formal guidance so it can be used by administration.

4.   <u>Leveraging UCLA faculty expertise</u>. Per the above example of structuring data, but also more broadly regarding IT security, there is world-class expertise in these areas that the Administration does not make use of. The result, unfortunately, is that the faculty recognize the deficiencies and therefore feel it is ignored and ensuring results are suboptimal. Working together with the Administration, we can ensure that these issues are minimized if not completely solved – but only if the Academic Senate is both partner to the questions and issues and can provide timely response. It is both important that we as faculty interested in key issues be responsive so that the Administration can act, but also for the Administration to inform the Academic Senate in a timely manner to identify appropriate individuals to facilitate engagement.

    a.   As appropriate, leveraging non-UCLA faculty insight and expertise to guide IT decisions is important. For example, as we have seen with other UC implementations of key infrastructure (e.g., Oracle Financials), full deliberation and discussion of the issues with the Academic Senate should be requisite.

    b. CDITP recommends guidance around the creation of metadata from our campus resources, given its experience with the COVID-19 shared reports. This issue is clearly problematic, not just given this instance, but more generally and we therefore feel it is a clear way to improve how data is presented across our campus.

5. <u>Uniform approaches for research</u>. CDITP also recommends harmonizing approaches methods around research involving digital modalities and approaches, enabling academic freedom and exploratory techniques. A number of studies are now engaging novel methods for identifying subjects of interest, yet there is no singular way of approaching (and recruiting) individuals. A singular approach for the campus, rather than fragmented approaches would be useful.

6. <u>Uniform approaches for identity management</u>. Many groups on campus remain "outcast" related to different approaches on the campus for identity management and licensing. Yet we must recognize that many faculty exist between different entities and therefore should be recognized accordingly – and not disadvantage them as a result.

7. Unifying Health System IDs with the campus. The remains a significant disparity between the different IT systems appreciation of faculty who must work between protected health information (UCLA Health) and educational/research (e.g., DSGOM) environments. This problem is resulting in both additional costs as well as difficulties in working with external partners who leverage non-UCLA Health solutions. Such problems may exist more widely with different UCLA partners in the future, given different services.

8. <u>Determination of how IT decisions are made</u>. While certain key decisions have been made recently regarding key systems, including the learning management system (LMS), financial system (e.g., Ascend), and others given the urgency to address real deficits in UCLA systems, the Academic Senate seeks:

    a. Engagement with the Administration such that we know how these decisions are made, if not active participation in these actions and decision processes. The Senate wishes to act in its advisory role, under shared governance.

    b. Identification of how decisions are made, relative to Academic Senate member's privileges, especially around privacy and understood protections. Moreover, in the absence of the Academic Senate's guidance, how are these being protected?

    c. What procedures will be designated, moving forward, to address (b) and the protection of Academic Senate faculty, atop any UCOP guidance, and in relation to existent policies and procedures?

9. <u>Ensuring appropriate Academic Senate representation in key committees</u>. There are a number of governance committees, including the IT Executive Committee, where decisions affecting faculty are made, but there is *no* Academic Senate representation. Similarly, other important committees, like the Cyber Risk Executive Board, have faculty who are not formally appointed by the Senate, and thus not responsible for reporting back and engaging input from the broader faculty community. The structure and appointment process must be addressed accordingly.

These points and comments are intended to be constructive and to recognize the challenging issues around IT governance. CDITP feels that is important to identify these issues and how we can make shared governance better in this regard. We welcome discussion and feedback accordingly, both from our peers and the Administration, in this joint endeavor.

Thank you for the opportunity to provide the above recommendations. If you have any questions, please do not hesitate to contact buia@mii.ucla.edu. or the Committee Analyst, at rrouzankay@senate.ucla.edu.

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