

President Halligan called the meeting to order with the following members present: Ackerson, Allen, Allison, Anderson, Bertholf, Boswell, Buchanan, Cole, Dawson, Finn, Gethner, Kimbrell, Krenzer, Lau, Lawry, Moder, Paustenbaugh, Richards, Robinson, Schwarz, Scott, Smith, Warde, Wilkinson, and Williams. Also present: Beer, Collins, Harp, Harrison, Najd, Pinkstaff, Prater, Stano, and Watkins. Absent: Farr, Horn, Marks, and Moretti.

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Dr. Allison moved acceptance of the January 14, 1997, Minutes. Dr. Warde seconded the motion. The Minutes were approved. Dr. Bertholf reported that the Minutes needed to be amended by removing the word "new" from the second sentence of the liaison report from the Athletic Council representative. The Minutes were approved as amended. Dr. Buchanan amended the Agenda to include an item "3a" for the approval of two new members to the Faculty Council. The February 11, 1997, amended Agenda was approved. Dr. Buchanan moved the acceptance of Dr. Khaled Gasem to replace Dr. Edward Knobbe as Group III — Physical Science representative and Dr. Janet Kimbrell to replace Dr. Margaret White as the College of Business representative. (Both resigned to take administrative positions.) Dr. Lawry seconded the motion. The motion passed. Dr. Kimbrell introduced herself as an Associate Professor in the School of Accounting who earned her Ph.D. at OSU. Dr. Gasem was not present.

SPECIAL REPORT: PATENT POLICY — Ed Lawry

FACULTY COUNCIL MINUTES

February 11, 1997

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A copy of the Patent Policy 1-0202 was circulated with the Agenda. This policy was prepared by an ad hoc committee appointed by Jim Trapp and chaired by Dr. Lawry. This committee was appointed about a year and one half ago. The committee was appointed because of complaints about the policy received by Past Chair Gary Foutch and by a document written by Jim Harmon discussing some possible changes in the Patent Policy. Dr. Harmon had outlined some possible changes in the distribution of funds. In particular, he was interested in how the graduate office could get funding to help the faculty with the patent process. The committee was also charged with looking at the copyright and intellectual property procedure letters. However, there was no thrust from any segment of the university to make changes in this policy so the committee did not pursue this issue. There were two major changes in the Patent Policy recommended by the committee. They came because of interests of both the faculty and the administration to make it more interesting and worthwhile for the faculty to get patents and to make it possible for the faculty to get support from the institution in the development of their ideas. The first change was to reorganize the committee structure. The single Patent Committee was replaced by two committees to be appointed by the President and each to include at least one faculty member recommended by the Faculty Council Chair.

The first committee, the Patent Screening Committee, will receive disclosure statements from the faculty and within 30 days decide if the university has a claim on the invention. If it decides the university has a claim, it will be forwarded to the second committee, the Patent Development Board. If the committee decides that the university has no claim, the disclosure statement will be sent to the President who will send it back to the inventor or override the screening committee and send it on to the Patent Development Board. If the Patent Development Board decides the university has no interest in the invention then it will send it back to the President and recommend that the President release all rights to the invention to the inventor(s). If the Patent Development Board determines that the university has an interest in the invention, it will recommend to the President that the university file for a patent in the most appropriate manner in which to get the patent. The university shall have 12 months from the date of disclosure to file for a patent or to pursue some other course of action that is agreeable to the inventor(s) or the university releases its claim to the invention back to the inventor(s). The other major change has to do with the distribution of funds. Current policy has some complicated formulas describing the division of funds. The new policy says, "After recovery of any direct patent or copyright prosecution, maintenance, or infringement litigation costs actually incurred by the university, royalty revenues shall be distributed as follows: 50% to inventor, 30% to university, and 20% to college or division of investigator." At the end of each fiscal year, an audit report shall be distributed to all interested parties. Most of the rest of the changes were wording changes needed to accommodate for the two major changes. One other change needs to be mentioned. The sentence, "The provisions of this policy statement are and shall be conditions of employment of all persons employed by the university," was struck because it applies to all policies and it is inappropriate to include it in this or any other individual policy statement. Dr. Lawry moved that the Patent Policy 1-0202 be approved by the Faculty Council as a policy of the university.

Dr. Warde seconded the motion. Dr. Moder asked why there was not a specified number of members on these committees. Dr. Lawry replied that the committee felt that the President should be free to decide the best size for such a committee. If a number is set then questions of representation arise or the committee becomes so large that it is not able to meet. This way if the committee is too small to do its work the President can enlarge the committee. Dr. Moder said that she would feel more comfortable if she knew how many

people were on this committee and asked how many were on the current Patent Committee. Dr. Collins replied that he thought there were eight members on the current committee. Dr. Halligan suggested that there not be an exact number specified but that a minimum number be given. Dr. Ackerson asked who was on the committee. Dr. Lawry replied Billie Curry and Jennifer Paustenbaugh from the Library, Steve Wikel, Allen Tree, Jack Allison, and Mike Stano. Dr. Ackerson asked about the statement before the break out of percentages (see above). How will these expenses be determined? Some patent applications involve huge sums of money and the money could just keep going into these areas. Dr. Stano replied that there is a requirement that an annual audit be conducted. Dr. Lawry replied that no one has an interest in abusing it in that way. Dr. Allison added that one reason for applying for a patent is not necessarily to make money but to enrich the literature with information that may be useful later. Most of the patents that you get do not make money anyway. Dr. Ackerson said that the patent could be given to a research corporation and they could deduct their costs before the money is turned over to the university. Dr. Moder moved that the second sentence of 2.01 be amended to read "The Committee shall include at least three members and shall include at least one faculty member recommended by the Faculty Council Chair." She also moved that the third sentence of 2.02 be amended to read, "The Board shall include at least three members and shall include at least one faculty member recommended by the Faculty Council Chair." Dr. Warde seconded the motion. The amendment passed with one "no" vote. Dr. Collins asked if anyone had checked to see if federal regulations require us to have some statement in the policy that says that the faculty have agreed to this. Dr. Lawry replied that the committee had not checked on federal regulations but that federal government could not require that our policy contained certain statements. The university may have to commit itself to follow the regulations of a federal agency. The policy contains a section dealing with Patent Right Granted U.S. Government Agencies. Motion passed. Dr. Collins commended the committee for all their hard work.

REPORT OF STATUS OF FACULTY COUNCIL RECOMMENDATIONS:

President Halligan, Executive Vice President and Vice Presidents

1. 92-03-01-FAC ***Fixed Terms for Administrators:*** Under study. Marvin Keener to share a draft memorandum on this topic with the Deans for their specific input. Dr. Allison asked if the recommendation applied only to administrators below the rank of Dean. Dr. Halligan read the following excerpt from the original recommendation, "OSU academic administrators below the rank of Dean be appointed to fixed terms of no more than five years."

2. 94-12-01-SALR ***Composition of Future Information Technology Committee:*** Under study. Meetings have been held to discuss this topic. Marvin Keener is coordinating the review. Dr. Collins added there were two committees working at the same time and Dr. Birdwell has combined the reports from the committees into one document and has presented it to Dr. Keener. Dr. Keener has also composed a vision statement.

3. 96-05-01-LRP **Strategic Management:** The need for a strategic planning effort has received considerable discussion among administration. A memorandum has been shared with Moretti and Buchanan to facilitate an exchange of ideas. Following the desired campus inputs, the outcome will be a document to formulate the process for implementing an ongoing strategic planning effort.
4. 96-09-01-FAC **Adoption of OSU's Draft Smoking Policy:** The finalized policy on Smoking and Use of Tobacco in University Buildings, which has the approval of OSU Legal Council, is now being included in the University's Policy and Procedures Manual as P&P 1-0530, effective February, 1997.
5. 96-10-01(1)-FAC **On Summer Compensation (1):** Under study. Jack Vitek has initiated discussions on this issue.
6. 96-10-01(2)-FAC **On Summer Compensation (2):** Under study. Jack Vitek has initiated discussions on this issue.
7. 96-12-01-ASP **Late Course Drop Requests:** The recommended revisions to the "Guidelines for Petitions to Drop a Course After the Deadline" is approved as recommended by Faculty Council. Dean Becky Johnson has coordinated a review of the revisions with the appropriate campus constituents and has gained concurrence. The administration further agrees to formalize these guidelines as a university policy to enhance implementation.
8. 96-12-02-ASP **Guidelines for Priority Academic Appeals and Establishment of an Emergency Academic Appeals Board Recommendation:** The administration approves this recommendation. Under the coordination of Dean Becky Johnson, the appropriate campus constituents have reviewed and concurred with this recommendation.
9. 96-12-03-ASP **Academic Accommodations for Students with Disabilities:** The draft policy, which was prepared in June, 1996, and has served as our interim policy since that time, has now been reviewed by the appropriate campus constituents, including Faculty Council in December, 1996. This policy is now formally accepted as a university policy.
10. 96-12-04-FAC **Changes in Appendix D:** Under study. The recommended changes are currently being reviewed by Legal Counsel. Marvin Keener is coordinating the review.
11. 97-02-01-ASP **Adding a Course:** To President Halligan.

REPORTS OF STANDING COMMITTEES:**A. ACADEMIC STANDARDS AND POLICY Joe Williams — Update**

The committee brought one recommendation to Council concerning adding a course. Under current OSU policy a student is allowed to drop a course anytime prior to the end of the second week of classes without being penalized. However, a class can only be added through Monday of the second week. This recommendation would extend the add period to be consistent with the drop period. There are several reasons for this. A student may want to add a course but it is full. However, during the drop period between the sixth and tenth days of the semester some currently enrolled students drop the course. Another reason is that there are students who want to transfer to the university during the second week of class. This would help facilitate those transfers. There are courses for which a student's grade would be put in jeopardy by adding during the second week. Consequently, the recommendation calls for all adds during the second week to require the instructor's signature. Dr. Williams moved, "The Faculty Council Recommends to President Halligan that: During the fall and spring semesters the last day a student may add a course be changed to the end of the first week of classes. With the instructor's approval and signature a course may be added during the second week of classes. The first week of the add period is a normal (nonrestrictive) period in which a course may be added. The second week of the add period is a special (restrictive) period. The two week add period is consistent with the current two week drop period. Dates for both add periods must be shown in the OSU class schedule." Dr. Boswell asked how this was different since students have been allowed to add late with a note from the instructor. Dr. Williams replied that the current policy does not allow for adds during the second week. Such adds in the past required special permission and the students and many of the faculty were not aware of the process. Dr. Ackerson asked why the add period was extended to two weeks instead of shortening the drop period to one week. Dr. Williams said that they were trying to increase the number of hours students were taking. Dr. Ackerson commented that it does complicate getting work done. Dr. Williams replied that it does but that there are students who can be successful under such arrangements and this is not unique to OSU. Many junior colleges have a two week drop/add period. Some students have dropped out of OSU and enrolled in a junior college because they were unable to get a full load at OSU. Dr. Schwarz commented that this was in the students interest. Dr. Lawry said that this could make our policy incoherent because our current policy says that if a course is full a student has to get the department heads signature in order to add the course. This new policy allows them to add by getting the instructor's signature. Dr. Williams replied that we are talking about two different issues. The department head still has control of the maximum number of students that can enroll in a course. This recommendation just allows a student to add if there is space available in the course. Dr. Allison moved that the phrase "given space available" be added to the recommendation. Dr. Kimbrell seconded the motion. Motion passed. Dr. Moder said that there are already communication problems because students are currently being told that all you have to do is get the instructor's signature and you can add the class. We need to be sure that this policy is implemented in such a way that students do not think it is automatic that instructors will allow adds during the second week. Dr. Buchanan asked if this would be implemented by a statement in the calendar that said the last day to add a class is the Friday of the second week of class parenthesis with instructor's signature. Dr. Williams said he believed so. Dr. Moder said that students, who are given the impression that adding is a

forgone conclusion, will feel that there is something wrong with the instructor if they are not allowed to add. She suggested that the policy say "under certain circumstances with the instructors permission classes can be added during the second week." Dr. Krenzer asked if both dates, the last day to add and the last day to add with instructor's signature, would be published. Dr. Williams replied that it would. Dr. Lawry suggested adding a sentence to the recommendation stating that this policy shall be implemented so as to make clear to students that it is only under special circumstance that they can add during the second week. Dr. Williams said that such a statement would be acceptable but that it did not add to what was already in the recommendation. Dr. Boswell said that this is an implementation issue and not a policy issue. The motion passed with one "no" vote.

B. BUDGET: Nancy Wilkinson — Update

Dr. Wilkinson presented an update and reported a fuller recommendation would be presented next month to establish university-wide minimum salary standards for the ranks of associate and full professor. The need for these standards has arisen because OSU, as have many other universities, has responded most strongly and for many years to market forces in setting faculty salaries. This is a natural evolutionary process in a market-driven economy such as ours in the U.S. Over the years, however, it has created severe disparities in salaries at OSU among faculty peers. These disparities have been exacerbated by common practice of giving raises based on percentages of present salary, rather than actual dollars dispersed equally among colleges and within ranks. Five percent of \$60,000 is twice as much as five percent of \$30,000. The national marketplace has created a further irony. Disciplines strongly competing with other sectors of the economy, such as industry, often have a smaller pool of applicants and may not get their first choice. Disciplines such as humanities and social sciences have large pools of applicants, often hundreds, and are able to hire the top national candidates for their faculties. The committee is looking at solutions to this problem instituted at other universities, everything from established salary levels within ranks from the University of California system to unionization at state systems such as Massachusetts. The committee plans to recommend a small step that works within our existing system to set minimum standards for associate and full professors. In March, when the committee presents its recommendation, it will outline the pros and cons of this many-sided argument to guide the discussion. Please consider this concept and forward your comments to the committee. Dr. Allison asked if the committee had compared the number of applicants for positions in Engineering with those in the Humanities. There are hundreds of applicants for many positions in Engineering. Dr. Wilkinson replied that they had not but would try to look into it.

C. CAMPUS FACILITIES, SAFETY, AND SECURITY: Jeff Anderson

At the beginning of the year, each committee chair discussed projected activities for the upcoming year. After issues were outlined for the Campus Facilities, Safety & Security Committee, the President expressed compassion for the students carrying groceries and necessities home from stores. He asked if we these students, without transportation, could be helped possibly through extending use of the OSU Transit shuttle facilities. This group has been active in exploring this situation. Although it was not an option initially, it was determined that the most attractive plan is to utilize buses from the OSU Transit during evenings and on weekends starting in fall 1997. It appears OSU will be eligible for a 50% cost subsidy from ODOT similar to the one under which the OSU Transit operates if we can

act quickly. Costs after the subsidy are estimated at \$13,500 per year (25 hours per week for 32 weeks during fall and spring semesters; 6-10 p.m. on Tues., Thurs., and Fri. nights; 1-10 p.m. Sat; 1-5 p.m. Sun). They met with local merchants and administrators to explore funding. Most merchants contacted were receptive to contributing at some level. Dr. Anderson thanked those who have been supporting this venture. Dr. Halligan asked when the ODOT proposal needed to be submitted. Dr. Anderson replied that it was due the middle of February. This is a great opportunity to get a cost-effective shuttle. Some other universities have paid \$150,000 to establish shuttle systems.

D. FACULTY — Ed Lawry

One reason for updates is so that faculty will know what the committees are doing so they can provide input to the committees on their areas of interest. The committee has been asked to study moving the A&D activity to a different time frame. This request came because the starting date for raises was moved to the fall. The committee is continuing to work on a glossary for Appendix D. A graduate student in the English Department is helping the committee with this. The committee received a copy of the Reappointment, Promotion and Tenure Policy and Procedure Letter that was generated by an ad hoc committee last year. This letter deals primarily with time frames for procedures concerning promotion and tenure but it also contains other policies that some people may find important. The committee is also studying the possibility of allowing people who are currently on eleven-month appointments to change to a twelve-month appointment.

E. LONG-RANGE PLANNING— Dave Buchanan

The committee is looking at the help transfer students are getting. Appearance suggests there are great number of transfer students but most of our orientation time is spent with freshman students. President Halligan gave the committee a document with a suggested procedure for Strategic Planning. The committee has briefly reviewed the document and will give the President feedback soon. Dr. Halligan said he would be happy to talk with the committee about the process.

F. RETIREMENT AND FRINGE BENEFITS: No Report

Dr. Halligan commented that the university had received the bids on the fringe benefit's package and he was told they were voluminous. The initial sense is that there are some good opportunities here.

G. RULES AND PROCEDURES — Rich Paustenbaugh

The nomination procedure for Vice Chair of Council is for each member to make, at most, one nomination by secret ballot. Balloting continues until the top two candidates get seventy-five percent of the votes. Dale Fuqua, Nancy Wilkinson, and Joe Williams were nominated. Nancy Wilkinson and Joe Williams won seventy-five percent on the second ballot. Other individuals can be nominated by presenting the Vice Chair or Secretary of the General Faculty with a petition signed by fifty members of the General Faculty before March 10, 1997.

REPORTS OF LIAISON REPRESENTATIVES

Athletic Council: Dennis Bertholf

The Academic Integrity Committee will be meeting next week to review the fall grades of all the athletes.

Emeriti Association — A. B. Harrison

The good news is that the association now has a new home in B09 of North Bennett. The new room has accommodated the committee meetings very well. The association used the Spirit Room that adjoins the cafeteria for their first Friday night dinner. The last three dinners had 40, 60, and 70 people in attendance. Work was started on the kitchen that is next to the meeting room.

Staff Advisory Council — Cindy Prater

SAC is concerned about the "shadow policies" which departments are applying to sick leave. The Red Cross Blood Drive is scheduled for March 25, 1997. Bill Weeks, Agricultural Education Professor, will present a Parliamentary Procedures Workshop on February 12. Dr. Halligan encouraged the faculty to participate in the blood drive.

Graduate Student Council: Nizam Najd

Nomination materials for the Graduate Teaching Award will go to departments next week. The GSA is working with Dr. Rogers in the health center to enhance the health insurance program for graduate students. The graduate student organization at Texas A&M invited the GSA to participate in a forum to discuss health insurance. The graduate assistants at Texas A&M are classified as staff and have some staff benefits.

Dr. Allison moved for adjournment. Dr. Warde seconded. The meeting adjourned at 4:15 p.m. The next meeting of the Faculty Council is March 11, 1997.

Dennis Bertholf, Secretary