

FACULTY COUNCIL MINUTES  
250 Student Union  
March 9, 1999

President Halligan called the meeting to order with the following members present: Arquitt, Bertholf, Bost, Cole, Daugherty, Dawson, Eastman, Edgley, Gedra, Gregson, Hallgren, Hoffer, Hsu, Johannes, Kimbrell, Krenzer, Locy, Martin, Montgomery, Peck, Rhoten, Scott, Sisson, Tilley, Warde, and Wilkinson. Also present: Beer, Clark, Davenport, Holmes, Jardot, Johnson, Jones, Mitchell, L. Stone, T. Stone, Watkins, Webb, Wilmeth, Zirkle. Absent: Miller, Moder and Sanders

**HIGHLIGHTS**

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Dr. Warde moved acceptance of the February 9, 1999, Minutes. Dr. Hallgren seconded the motion. The Minutes were approved. Dr. Warde moved acceptance of the March 9, 1999 Agenda. Dr. Gedra seconded. The Agenda was approved.

**SPECIAL REPORT: Publish and Perish — Edward Johnson, Dean of Libraries**

Before getting into the main topic, Dean Johnson reported on two items. First, ADHAC will be sponsoring a workshop this month on intellectual property and faculty should plan to attend this discussion. Second, from 1986 to 1996, the CPI increased 44%, the cost of scholarly monographs increased 62%, the cost of health care increased 84% and the cost of scholarly journals increased 148%. The 15% annual price increases during the past decade have become unsustainable for most institutions. The model of the ideal research collection is no longer tenable. Access to the world's increasing output of research and scholarship has eroded. Not only have the costs gone up by almost 150% but the output has also increased by almost 100%. So the libraries are buying a third less than 10 years ago at a time when the amount of information has doubled. The response is to cut back on the titles purchased. This causes publishers to increase prices because they are losing revenue. Libraries have also tried to reduce costs by participating in cooperative programs and research sharing programs which have

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achieved some success. The Big 12 librarians have formed a consortium to serve as a collective buying group but it is too early to see how much is being saved. Increasingly, librarians have come to the conclusion that the scholarly publishing process is broken and not fixable by traditional methods. The problem can not be solved by continuing to throw money at it. The Elseviers of the world have taken over publishing and publishing has become a way to make money instead of a way to disseminate information. One of the reasons faculty publish is to gain recognition in their field and to get promotions and tenure. There is a growing body of thought that it is time for the academy to separate peer review and publishing. Is it really necessary for a person to publish 52 articles or 18 articles in order to get tenure? Could there be some non-quantitative measures that would be as effective in screening candidates? Another thing faculty need to consider is the ownership of intellectual property. Faculty do the research, write it up and give it away or in some cases pay someone to take it. Then their library has to pay in order to make the information available. Could faculty refuse to sign over the copyright or agree to share it with the publisher or give it to the publisher for some short length of time like 90 days or 6 months? An Elsevier employee said they are not getting many requests from authors to retain their copyright. But she added that they give serious consideration to all such requests. Faculty could refuse to sign over the copyright and the company might agree to publish the article under those circumstances. The chief academic officers of the Big 12 under the leadership of David Shulenburg have proposed universities develop policies that allow faculty to share the copyrights with the publishers but not give them the copyright. The Big 12 librarians and the Library Advisory Committee have endorsed Dr. Shulenburg's proposal and Dean Johnson would like the Faculty Council to consider it. Another alternative is to develop alternative publishing outlets. There are a growing number of electronic journals. Dr. Shulenburg has proposed the creation of a National Electronic Article Repository, NEAR. Instead of giving away the copyright a faculty member would give the publisher the copyright for 90 days, but in 90 days the copyright will go to NEAR and the article will be scanned and put in the repository. It will be in the public domain and can be accessed electronically. The Association of Research Librarians has gone into partnership with the Scholarly Publishing and Research Coalition and some national scholarly associations to publish journals that go head to head with some of Elsevier's titles. In order for this to work, faculty will need to submit articles to these alternative journals. Dr. Johannes asked if the hard sciences are the only problem. Dean Johnson said it is everywhere. A Cornell study showed that the prices in agriculture journals increased by 67% in the last 10 years. The problem is magnified in the hard sciences since the numbers are larger. Dr. Hallgren asked why the copyright is a problem. Dean Johnson replied that if you want your research disseminated, then you can go ahead and submit it to an Elsevier journal but retain your copyright and put it out on a server that is in the public domain and people will be able to access it without buying the journal. Dr. Edgley asked if this does not mean the elimination of journals. Presumably Elsevier is not doing this totally out of greed. Why would a publisher want an article if it is going to appear on the Web in 90 days? Dean Johnson said that faculty need to get away from choosing a journal by its reputation as being the best journal in the field and think instead about the dissemination of the information. Dr. Edgley said that there are a lot of small journals that would be put out of business. Dean Johnson replied that if prices continue to increase then in another decade or two most of the journals will be out of business anyway since no one can afford to buy them. There will have to be other ways to disseminate the information and at this time it appears to be through electronic repositories. Jennifer Webb asked about the publishing of theses and dissertations on the web as VPI has done. Dean Johnson replied that such efforts had met with stiff opposition from the faculty since they think the work will not be publishable if it first appears on the web. However, there are some web sites that are soliciting theses and they will sell them back to you for \$20. Dr. Mitchell said that with the increase of publication on the web there has been an increase in fraudulent publication. Has there been a discussion of the peer review process? Dean Johnson replied that it is possible to have a serious peer review process and still publish it electronically, but there will still be the possibility of fraud.

**REPORT OF STATUS OF FACULTY COUNCIL RECOMMENDATIONS:**  
President Halligan, Executive Vice President and Vice Presidents

- 96-12-04-FAC            **Changes in Appendix D:** Under review. Dr. Keener has reviewed with Legal Counsel to consider Appendix D changes. Legal Counsel is currently drafting a P&P letter to include ombudsperson in the process. A meeting was held 2/24/99, which included Faculty Council Chair, to discuss policy options in more detail.
- 97-02-02-ADHOC  
98-12-03-RES            **Patent Policy 1-0202:**  
**Changes to OSU Policy 1-0202:** Under review. Draft approved on 2/11/99 by the Research Council, reviewed on 2/12 by the Deans Council, and sent to Legal Counsel. Deans Council and Faculty Council Chair have requested review of Legal Counsel's final draft before policy is submitted to the OSU Board of Regents.
- 97-04-03-ASP            **Guidelines for Scheduling Common Evening and Final Exams:** Administration agrees in principle, but defers decision awaiting new (SCT) computer system. Dr. Vitek has coordinated this review with the Registrar and the Faculty Council committee. Draft revisions are being considered. Because of the extensive computer reprogramming involved, CIS must postpone until new computer system (SCT) is operating.
- 97-09-01-FAC            **Policy and Procedure Letter on Reappointment, Promotion and Tenure:** Under review by Faculty Council. Revised draft recommended by the Ad Hoc committee was reviewed and approved by Deans Council on 2/12/99. President Halligan has sent the proposed draft back to FC for their review, per 97-09-02-FAC. Legal Counsel is also reviewing.
- 97-09-02-FAC            **Return of Policy and Procedure Letter on Reappointment, Promotion and Tenure to Faculty Council Before Action by the President:** Accepted. Draft recommended by Ad Hoc Committee (see 97-09-01-FAC) was approved by Deans Council and sent by President Halligan to Faculty Council for final review.
- 98-04-03-RES            **Research Scientist Positions be Added to the Faculty Handbook:** Under review. Academic Affairs and Research offices have revised the description of "Research Professional" title, included in the Faculty Handbook, to include Research Scientist. Meeting set with Personnel Services to discuss handling new title within HRS; will be discussed at the March Deans Council meeting.
- 98-05-02-BUDG            **Increase in Promotion Raises:** Under review. History of current promotional increases has been researched by Academic Affairs and discussed with academic deans in Nov. '98. At February's Univ. Budget Comm. meeting, the Office of PBIR was asked to survey Big 12 schools and ascertain practices for promotional increases given outside typical merit programs.

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- 98-10-01-RFB            *Equalization of Premiums for OSU Employees, Retirees and Spouses:* Under review. Following consultant review, the OSU Board approved in January membership in the State Health Plan. The cost for equalization of premiums in the State Plan has been calculated to be \$702,000 per year. This will be considered by the Univ. Budget Committee.
- 99-02-01-FAC            *Addition to Faculty Handbook, Appendix D, Sec. 3.2 on Sabbatical Leaves:* Under review. This policy clarification will be brought up for discussion at the next meeting of the Deans Council.
- 99-02-02-LRP/FAC        *Establish a Task Force to Examine Scholarship at OSU:* Accepted. Task Force has been formed and a meeting set for 3/22; two faculty members from Oregon have been invited to campus in late March to participate in discussions with task force members and others across campus.
- 99-02-03-SALR            *Administrative Review of the Distribution of Revenues from Royalty Monies Generated by Sales of Products Using Licensed Name and Marks:* Under review. A review will be made on current practices and recommendations made as appropriate.
- 99-03-01-ASP            *University-Wide Course Prerequisites:* To President Halligan.

**REPORTS OF STANDING COMMITTEES:**

**ACADEMIC STANDARDS AND POLICIES** — Bill Warde brought the following recommendation: **The Faculty Council Recommends to President Halligan that: OSU policy 5.6 “Prerequisites to Upper-division and Graduate-division Courses” be changed as follows effective for fall 1999: When no prerequisites are listed for courses numbered 3000 or 4000, it is understood that the prerequisite is ~~60 credit hours of work completed, or 45 hours of work completed with an overall grade point average of 3.25~~ approval of the student’s adviser. The prerequisite for courses at the 5000 and 6000 level is graduate standing in addition to any other prerequisites listed. Instructors may waive prerequisites when the student’s background justifies this action. Prior approval of the instructor may be required in problems courses, independent study, internships, thesis and dissertation courses, and courses taught in a professional school.** The rationale for this change is that under current practices, students who do not meet the general university-wide prerequisite routinely are advised or even required by the structure of their academic programs to enroll in 3000 and 4000 level courses prior to achieving junior standing. **Recommendation passed.**

**BUDGET** — Janet Kimbrell reported that the administration has allocated \$400,000 for the purchase of computers for faculty and staff whose current machines were purchased before July 1995. Beginning in the next fiscal year all colleges will receive a permanent increase in the maintenance budget to assist in the purchase of computers. The amount allocated will be approximately \$400 per faculty member, but will be based upon both the number of faculty in the college and the college’s maintenance budget. This money will not be specifically earmarked for computers but Deans are expected to adequately cover faculty computer needs. The University Budget Committee discussed the Faculty Council recommendation to increase the promotion raises. The committee asked the Office of Planning, Budget, and Institutional Research to survey the Big 12 institutions about their promotion raises and to estimate the budget impact for OSU. The University Budget Committee will reconsider the recommendation once the survey is completed. The deans of the academic colleges will give their budget

presentations on April 2 from 8:15 to 10:30 in AGH 102. Any interested faculty may attend. A summary of the survey on faculty priorities for next year is by rank as follows: 1. Faculty Raises, 2. Healthcare, 3. Retirement, 4. New faculty positions, 5. Computers. About 25% of the faculty added comments. Many of them do not think that computers should be on the list since they think computers should be purchased from the maintenance budgets. The most commonly mentioned item under "other" was an increase in maintenance budgets. A written report will be given at the next meeting. Pres. Halligan added that Thomas Daxon reported proceeds to the state for February are 10% below projections.

**FACULTY — Chuck Edgley** reported the committee had met with the Budget Committee to discuss issues concerning Tulsa. The concern is how faculty are differentially impacted by teaching in Tulsa and policies, or lack of policies, concerning teaching in Tulsa. Specifically, the concern is different compensation schemes in different colleges. The question is, should there be a university-wide policy concerning compensation for teaching in Tulsa? There are also workload issues. There will be more and more residential faculty teaching in Tulsa. How will they be evaluated? If a faculty member is commuting from Stillwater, how will that be taken into account for tenure and promotion? No one seems to be addressing these issues. There will always be inequities since some people will teach in Tulsa each year and some people will never teach in Tulsa. The sense is that new faculty may be under more pressure to teach in Tulsa than older established faculty. Teaching in Tulsa is different than teaching in Stillwater due to the differences in student body and differences in the level of staff support. The committee is still attempting to set up a meeting of the faculty who teach in Tulsa to discuss the problems. Faculty can help by providing the committee with a list of faculty in their department who are teaching in Tulsa. Pres. Halligan suggested that the Faculty Council hold a future meeting on the Tulsa campus and take a tour of the facilities. Dr. Keener has just returned the Policy and Procedure Letter on Reappointment, Promotion and Tenure with the Dean's revisions. The committee will be reviewing the document.

**RETIREMENT AND FRINGE BENEFITS — Ed Arquitt** reported that the committee has met with Anne Matoy and discussed the health care options. Each employee will have to choose from 3 Health Choice options and 2 HMO options. The university will be paying approximately \$175 for each employee's insurance coverage. If an employee chooses a plan that costs less than \$175 then the difference will be deposited in the employee's flex benefit plan. If someone were to choose a plan that costs more than \$175 then the employee will pay the difference. If an employee chooses a plan then all of their covered dependents must be on the same plan. The State Plan works on a calendar year and OSU will be entering it in mid year. The deductible for the first 6 months will be half of the annual deductible amount, but in January 2000 a new year will start with a new deductible. There will be several information meetings over the next couple of months and everyone needs to choose a plan by May 30. Each month there will be a representative from the "State Plan" on campus to meet with anyone who is having a problem with the system. Teresa Berg, in the Personnel Office, will be available to meet with groups on campus to discuss the plan. The next issue the committee will discuss is a "cafeteria benefits plan". It is possible in the next few years each employee will have a certain amount of money available to use to fund the benefits package of their choice. The committee will also be considering retirement issues. Dr. Hallgren asked how often an employee can change her/his health plan? Dr. Arquitt replied that the plan can be changed annually.

**RULES AND PROCEDURES — Gene Krenzer** reported that there are at least two nominees for each vacant Faculty Council position and there were no additional nominees for vice chair or secretary. Al Carlozzi is moving into an administrative position and has resigned from Faculty Council. There are four nominees for the Group V — Teacher Education position that is currently open. Dr. Krenzer, with wording help from President Halligan, **moved that the bylaws be temporarily amended to allow an exception whereby the person who comes in**

**second in the Teacher Education balloting will be appointed to the two year term.** Dr. Johannes seconded the motion. There was some discussion of the rule which prescribes that a run-off be held if the candidate with the most votes does not have 50% of the ballots cast. Dr. Warde **amended the motion to add that each person in teacher education will be allowed to vote for 2 candidates.** This was accepted as a friendly amendment. **Motion passed as amended.**

#### **REPORTS OF LIAISON REPRESENTATIVES:**

**Athletic Council — Dennis Bertholf** reported that the Athletic Council met on Feb. 18. Ron Elliott reported that 12 out of the 13 sports had a higher team GPA during Fall '98 than during Fall '97. However, 2 of the sports had an increase in the number of athletes with GPA's less than 2.0. One of those was the football team. The financial statement through Dec. 31, shows cash on hand to be approximately (\$884,000) which is a 48% improvement from the previous year. The department gets a large amount of income late in the year and should easily end up in the black.

**Student Publications — Steve Locy** reported that web advertising for the O'Colly is in the black. The number of paper copies has stayed the same despite the web site. The conflict of interest statement has been rewritten to say that if a student is paid by the paper then the student can not serve on the board. Advertisements are going out for the summer editor. Four students have offers for summer internships. Three are from the Tulsa World.

**Emeriti Association — Don Holmes** reported that the Association now has a web page at [www.research.okstate.edu/emeriti](http://www.research.okstate.edu/emeriti). The Creative Retirement Living Committee has a contract with Senior Star Living for a feasibility study. A retirement center is envisioned to be associated with the university that will provide the opportunity for education, entertainment, and service. If the preliminary study shows promise, then a more extensive study will begin and if an arrangement with the university can be worked out then fundraising will commence. At Penn State, Joe Paterno is a big investor in their facility so OSU's emeriti will be contacting Coach Simmons. Last month the Retirement Center and the Emeriti Center were mentioned in the same breath but they are different facilities. The Emeriti Center would be on campus, possibly associated with the Alumni Center and the Retirement Center would be off campus but hopefully near by.

**Staff Advisory Council — Camille Jardot** reported that forms for the Staff Advisory Council scholarships will be ready soon and will be due back by the end of May. The Council will be running a flower sale for Secretaries Day as a fund raiser for the scholarship fund. The newsletters were mailed to faculty and staff in February and several donations have been received as a result.

**Graduate Student Association — Jennifer Webb** reported that the selection of the Phoenix Award winners is now in progress. The award ceremony will be April 2 in either the Sequoyah Room or the Centennial Lounge. Also, Governor Keating has been contacted about declaring the first week of April as Graduate Student Appreciation Week. Last year he did make this declaration. Officer elections will be the first week of April. The constitution is being revised and there is a discussion of how representatives should be elected to the association.

**Student Government Association — Kristen Jones** reported that the executives have just returned from the Conference on Student Government Association. They are interested in starting a "Traditions Council" which along with Camp Cowboy will help to educate students about campus traditions and history and to help create unity and increase student involvement on campus. This would be done through visiting student groups and distributing informational

pamphlets. Also, a "Cowboy Cousins" program will be started that will pair every international student at OSU with an American student who will help them learn more about the campus, city, and American culture. The Big Event is March 27 at 9:00 in the morning. Participants will get a free breakfast and lunch and many other gift items will be distributed. President Halligan will be helping the students with the first job. They are thinking of assigning him a job with the AARP! SGA elections are March 30 and 31. Oliver Stone is coming to OSU April 16 and his presentation will be held on the lawn at Old Central in a tent which will seat about 2000.

**Graduate Faculty — Bill Warde** announced that Al Carlozzi was appointed as Associate Dean of the Graduate College.

### **NEW BUSINESS:**

Nancy Wilkinson brought the following recommendation from the Executive Committee. The Faculty Council endorses the OSU Student Government Association's Bill F99RC20, which recommends that the words "sexual orientation" be included in Part II, section C, of the Student Rights and Responsibilities document. Further, the Executive Committee recommends that the university review all documents that have to do with discrimination and ensure that, if categories are listed, "sexual orientation" is included. A lengthy discussion followed. Parts of the discussion are given below. Jennifer Webb announced that the GSA passed a similar resolution at their last meeting. Lana Stone, an OSU alumna and leader of Stillwater Parents, Families and Friends of Lesbians and Gays, read a statement in favor of the recommendation which in part said, "These people live in constant fear of being known for who they are. ... Homosexuality is not a behavior, it is just one of a number of characteristics that define who we are as individuals. The informed thinking of today's mental health professionals and others is that homosexuality is a normal variant of human sexuality." Dr. Hallgren asked who has the responsibility to change this? President Halligan replied that it would be taken to Legal Counsel but it is probably the Regent's responsibility. Dr. Krenzer questioned how long the list might become and whether sexual orientation was not already covered by "belief, preference, or personality trait" which are already in the list. Alan Davenport, SGA Senate Chairman, quoted two OSU professors who teach courses which deal with human sexuality who stated that the majority of the research shows that sexual orientation is not a belief, not a preference and not a personality trait. Larry Zirkle, emeritus faculty member, and alumni, urged Faculty Council not to support this recommendation, since it is part of an agenda to raise sexual preference to the level afforded to that of racial or ethnic background. He said that the research does not definitely indicate whether this is a behavior or not. He does not support discrimination against anyone but does not see any reason to add this clause and to advance an issue that is not supported by research. Dr. Rhoten said he hopes that this refers to actions between consenting adults and in no way involves minors. As an example, suppose a Professor of Journalism was teaching a class in photography and had a student brag about the fact that he was taking the class solely to take pornographic pictures of children and claims this is his sexual orientation. Dr. Edgley said that the professor should advise him that they have cells in McAlester where pedophiles are not treated kindly and his assertion of this as a right will not receive support from anybody. Besides that, there are more heterosexual pedophiles than homosexual pedophiles. Motion passed. Dr. Wilkinson said the next recommendation was brought to the attention of the Executive Committee by Dean Johnson. This bill has the objective of strengthening the state's child pornography laws. It gives the state a greater ability to seize objects and the objects will be destroyed after they are used as evidence. However, the main concern of the recommendation is the removal of a clause which gave protection to faculty engaged in bona fide academic research or artistic endeavors. The Faculty Council at OSU is concerned about certain changes in the Oklahoma statutes relating to child pornography proposed in House Bill 1420. While the faculty strongly condemns any form of child abuse, including using children for pornographic reasons, House Bill 1420 removes language in the current statute that exempts legitimate research or artistic expression. The section in question comes from HB 1420, Section 1021.1 and reads that

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the law would not apply "...in the course of bona fide scientific education or comprehensive research or study, or [to] bona fide objects of art or artistic pursuits, or like circumstances or justification, where the possession, distribution or conduct is not related to the subject matter's appeal to prurient interest." If this exemption is removed, as proposed in HB 1420, we believe that the university library, art gallery, and individual faculty members could be at risk for prosecution. The OSU Faculty Council urges the State Legislature to reinstate this exemption as stated. Dr. Krenzer asked if there was any indication of why it was removed. Dr. Gregson asked if some legal representation is needed and if the motion could be interpreted to mean that the Faculty Council supports the rest of the bill. Dr. Wilkinson said that not much was being changed in the current law by this bill. Dr. Warde asked when the Senate will be considering the bill. Dr. Wilkinson said that Robert White, who works with the legislature, has said that it needs to go to a Senate committee and there is no way of knowing when the Senate will consider it. Dr. Gedra said that the motion does not endorse the bill; it only asks that the exemption be replaced. Dr. Edgley said that if it passes with these protections left out then it will impact the work of many faculty members. The fact that a faculty member has to consider such issues when he/she is involved in creative activity presents what Justice Douglas once called the chilling effect on the whole climate in which we live. Dr. Gedra suggested that the Council deal with the primary issue of the exemption today, study some of the other legal problems with the bill and, if necessary, bring another recommendation at a later time. Dr. Eastman, with the help of many others, recommended that the last line of the recommendation be changed to read, "The OSU Faculty Council urges the State Legislature not to remove this exemption." Motion passed as amended. Dr. Wilkinson announced that the general faculty meeting to discuss scholarship and the Spring General Faculty meeting have been combined and will be held on Monday, March 29, 1999, 3:00 p.m., CITD auditorium.

The meeting adjourned at 4:50 p.m. The next regular meeting of the Faculty Council is April 13, 1999.

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Dennis Bertholf, Secretary