

President Halligan called the meeting to order with the following members present: Achemire, Bays, Binegar, Comer, Damicone, Dickman, Ebro, Edgley, Fournier, Gasem, Henderson, Lamphere-Jordan, Lawry, Masters, Mayer, Moder, Mokhtari, Peeper, Redwood, Sanders, Weeks, and Weiser. Also present: J.L. Albert, L. Bird, R. Dahl, D. Fry, S. Harp, W. Higgs, S. Hill, R. Hubbard, W. Jaco, E. Johnson, A. Jones, L. Jones, E. Lawler, G. Marshall, B. Mathias, E. Mitchell, V. Mitchell, B. Richardson, D. Sanders, S. Stansberry, J. Vitek, N. Watkins, and J. Woods. Absent: Breazile, Fletcher, Holcombe, Schestokat, Smethers, Veenstra, and Wetzel

HIGHLIGHTS

Report of Status of Faculty Council Recommendations.....	1
Reports of Standing Committees	
Long Range Planning and Information Technology	
Recommendation – Information Technology Policy.....	2
Athletics	6
Campus Facilities, Safety, and Security	6
Faculty.....	7
Research	7
Rules and Procedures	8
Election results.....	8
Student Affairs and Learning Resources.....	8
Reports of Liaison Representatives	
Athletic Council	8
Staff Advisory Council.....	9
Women’s Faculty Council.....	9
Student Government Association.....	9
Old Business	
Retirement Lawsuit Update.....	9

Henderson moved acceptance of the March 12, 2002, Minutes. Peeper seconded the motion. The Minutes were approved as written. Peeper moved acceptance of the April 9, 2002 Agenda. Henderson seconded the motion. The Agenda was approved.

REPORT OF STATUS OF FACULTY COUNCIL RECOMMENDATIONS:

President Halligan and Vice Presidents

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| 01-04-01-BUDG | Market-Driven Salary Increase to Tenured and Tenure-Track Faculty: Funds not available at this time. Recommendation referred to University Budget Committee for consideration. (As reported at the Sept. 11, 2001, Faculty Council Meeting). |
| 01-05-01-CFSS | Parking Policy: Under review. Input is being sought from faculty, staff and students via telephone and web surveys. |
| 01-05-05-RES | Copyrightable Intellectual Property Policy: Under review. Legal Counsel reviewed the draft document and raised a number of issues. Joe Alexander met with members of the Copyright Committee, Legal Counsel, and others to discuss relevant issues. Approval by the OSU Board is required. |
| 01-09-01-BUDG | Formalization of the University Raise Program: Acknowledged. Dr. Keener reviewed the budget implications of this recommendation with Pres. Halligan. Harry Birdwell, and |

Joe Weaver. Raises for faculty and staff remain a high priority for the administration; however, other mandatory increases must also be considered. (As reported at the Nov. 13, 2001, Faculty Council Meeting.)

- 02-02-01-BUDG ***Athletic Department Deficit Reduction:*** Under review. President Halligan met with the Athletic Council regarding the Athletic Department's plan for deficit reduction and Athletic Council is studying this issue.
- 02-02-02-RES ***Endorsement of Tempe Principles:*** Accepted. Ed Johnson is interacting with other Big 12 institutions regarding their endorsement of the Tempe Principles. A task force is being created. President Halligan would also like to take it to the Big 12 presidents for endorsement.
- 02-03-01-ASP ***Amendment to Final Exam Overload Policy:*** Accepted. Academic Affairs' administrators agree with the proposed statement that the course with the highest CID number would indicate the course for which the final exam would be rescheduled. Policy will be modified to reflect this change.
- 02-03-02-ASP ***Tuition and Fees Refund Policy:*** Accepted, with change as noted. Review with SGA resulted in a compromise through Monday of the second week (12:00 midnight) for the 100% refund. Requires approval by the OSU Board of Regents and the State Regents.
- President Halligan said that the students had recommended Thursday of the second week of class. Faculty recommended Friday of the first week. Students then wanted Monday of second week. Monday was accepted as a compromise.
- 02-04-01-LRPIT ***Information Technology Policy:*** To President Halligan

REPORTS OF STANDING COMMITTEES:

LONG RANGE PLANNING AND INFORMATION TECHNOLOGY — Birne Binegar

Binegar began by stating that a remark he made at the previous meeting had been misconstrued by some individuals. His comments on the current Information Technology policy were meant to indicate that the regulations concerning approval of what can be used on the network are written very generally and they go out of date quickly. As a result, using very current equipment could potentially be construed as a felony. He apologized for the confusion about the remark. Binegar introduced the committee's recommendation for an alternative IT policy, which they hope would have a longer life and be more applicable to the current IT climate at OSU. The committee has been reviewing since September a series of four documents consisting of about thirty pages of specifics. In March, they decided the most appropriate policy for OSU would be a policy that sets forth general provisions with general applicability, leaving to CIS questions of implementation, which can change with the diversity of systems and the technology implemented at OSU-Stillwater and at the branch campuses. This policy would be an umbrella statement of policy. Then procedures could be changed and implemented more quickly in response to changes in technology. The policy has provisions for how procedures could be implemented quickly. A committee of three people would provide some oversight to CIS. The three people would include a representative from administration, from Faculty Council, and from Staff Advisory Council. They could quickly assess the impact of any change in procedures. This would allow IT policy to change quickly, but not without a feedback mechanism.

Binegar presented the following recommendation to Council, entitled "Information Technology Policy:" **The Faculty Council Recommends to President Halligan that:** he recommend to the Board of Regents that they adopt the attached proposed policy governing the implementation and use of information technologies at Oklahoma State University. **Rationale:** 1. Simplicity - An IT policy that is rich in specifics is also likely to be too technical to be understood by end users, or by administrators seeking only to conform with established policy. The proposed IT policy is meant to be as simple and unambiguous as possible. 2. Generality - Information technology has permeated to virtually every nook and cranny of every operation of a modern university. So diverse and amorphous is the technology that for every rule devised to address the pitfalls of one implementation, there is likely to be a

venue where this rule is unnecessarily prohibitive, if not counterproductive. Moreover, as information technology is a science that thrives on work-arounds, specific rules designed for specific implementations are quickly fraught with technical loopholes that confuse, or completely circumvent, specific prohibitions. The remedy for this circumstance is a policy of general applicability with provisions for contemporaneous procedural implementation.

3. Longevity - Information Technology is a succession of one disruptive technology after another. Because of this, IT policy must provide a set of fixed stars so that users and administrators can navigate through this sea of constant change. The LRPTIC has made a concerted effort to distill from the many and varied issues of current IT implementation, a sustainable long-range design.

4. Compliance with State and Federal Laws - IT legislation and jurisprudence are also in a rapid state of evolution. While users should be advised of their legal rights and obligations, such notifications would be covered most appropriately by a contemporaneous procedures document.

5. IT infrastructure - Network connectivity, because of its pervasiveness and its importance in supporting the day-to-day operations of the University, has been rightfully recognized as an essential utility. However, it must be also recognized that OSU's IT infrastructure does not stop on either side of the wall jacks. Rather, what has evolved and will continue to evolve is a complicated arrangement of diverse and interdependent subsystems. The proposed policy affirms CIS's responsibilities as the centralized provider of network services; but the proposed policy is also intended to acknowledge, support, and promote the responsible implementation of information technologies throughout the University. It should be pointed out, however, that the proposed policy absolutely preserves the responsibility of CIS to disconnect users or systems that disrupt services.

6. Supporting the University's Three Missions - In the last fifteen years CIS has evolved from a unit responsible solely for providing data services to the Administration, to a unit playing a direct and indispensable role in supporting the University missions of teaching, research, and extension. The proposed policy affirms the critical contribution CIS now makes to three missions of the University.

7. Communication and Resolution of Disputes - As the reach of IT continues to expand, so does the diversity, depth, and interdependency of its management. In order to keep pace with the technology, a mechanism should exist that not only permits the timely implementation of appropriate procedures, but also assures a just and knowledgeable assessment of the impact such a procedure might have on other University operations. For these reasons, the proposed policy establishes a small but representative committee to oversee University-wide changes to IT procedures and to resolve procedural disputes among units.

The proposed policy is available on the Long-Range Planning and Information Technology website:
<http://www.okstate.edu/fgc/itplan/policies.htm>

J.L. Albert said in 1997, after having gone to various groups on campus including Staff Advisory Council and the Executive Group, he brought two policies to the Faculty Council committee. Those policies were the electronic mail policy, which is in place today, and the appropriate use policy. This latter was an interim policy and was not really adopted. The Faculty Council did adopt the e-mail policy with the provision that they wanted to review it in one year. He said CIS was now working on that review cycle and that they were out-of-date by three or four years. A year ago he talked to Dr. Keener about his concerns about out-of-date policies, especially those which were originally based on the mainframe environment. Keener asked him to draft policies and take them to the various groups on campus to get them approved. His next-to-last stop was Faculty Council. CIS originally drafted the four policies: e-mail appropriate use, network security, web policy and guidelines. The first two were revisions of existing policies and the last two were new policies emerging from issues of use and policing. They intended for these to become Board level policies, so that they would be applicable to the branch campuses and the A&M schools, as well. Albert said he understood the basic philosophical purposes that the proposed policy was trying to achieve, but he said the real problem was how to codify things in such a way that they could deal with them down in the trenches. He said people would be caught in no-man's land about which way they should go in enforcement or security or rights of privacy. He said without actual documents in hand that spell those things out, they would have some dilemmas about how to proceed. He said he knew that the proposed policy recommended separating policy from procedures and that he did not necessarily disagree with that, but that it was quite a step away from current precedent in all of the other institutional policies. He said he also was not sure what the process for approval and implementation of the procedures would be. He said he thought that was missing from the document. He said he was making some off-the cuff comments about the policy because he had had only a couple of weeks to review them and they had really not been in any joint review at this point. He held up the example of privacy in the current e-mail policy. This policy defines what expectations about privacy are, what the enforcement is, what the

roles and responsibilities of the people involved in that are. All those things have to be identified and defined. These are important procedures and they are not addressed in the policy under consideration. He said he thought there were some good points in what the committee has brought forth, but that it is a deviation from where they have been in the past in terms of implementing change. He said he was willing to work with the Faculty Council, but that they really haven't had time to gain input on this from CIS or the other constituencies involved – Staff Advisory Council, the student organizations, the branch campuses, the A&M schools, and legal counsel. He said the wild card in all of this probably is legal counsel in that they are going to have very specific requirements because of things that are occurring in the digital legal environment today. There are a lot of things being enacted and legal counsel is going to have a big part in that because they are the ones that take care of the institutions. He said he thought that now we needed to consider the appropriate policy for further review.

Sanders asked what difference it made realistically whether the thicker version was a policy or a procedure. Albert said it depends on how enforceable each of the two were. He asked if violating a procedure had the same implications as violating a university policy. In today's environment, he said, that is where they function. They have to deal with security incidents every day. He said according to Webster's Dictionary, a policy is a principle, a plan, or a course of action and that we needed to set those apart as these are our tenets versus these are our procedures. Sanders said that they dealt with background checks for about a year and VP Birdwell convinced them that that was a procedure and not a policy. He said he was trying to distinguish how much it matters and asked whether the problem was that there was not anyone present who could answer that question or whether Albert was trying to make the case that it should be policy, rather than procedure. Albert said he would not say either way because he thought it was based on what the points under consideration were at the specific time. He said it was very complex, even if you just looked at the legal aspects of it. He said there are a myriad of recent acts that have a bearing on IT and that he thought we needed to codify what the expectations are for the institution and to put people on notice about what can happen. In the legal arena, he said notification is a big deal. In a recent case on campus the court upheld an appeal in the Angevine case because they had put up notices and disclaimers on the systems and they had policy in force. According to Scott Fern, since the appropriate use policy was reviewed by the courts and upheld, it can now be considered court-approved policy. Albert said that sort of thing was very important to the institution. Edgley said, with all due respect to Legal Counsel, that was just absurd. Let's say that we had not had those policies in effect. Are you saying that Professor Angevine would have walked free? There is a federal law against doing what he did. Albert said he was just saying what Scott Fern said. Edgley said that we get this all the time. We're told we have to have a thirty-page document because of laws that are governing all these sorts of things. He said the whole attitude of CIS is not how can we enable, how can we enhance the work of the faculty, how can we help you. It is how can we restrict you, how can we police you, how can we prevent. He said if you have a policy that is twenty or thirty pages long, everybody is going to be violating it anyway, because that won't even know what it is they can or can not do. About Professor Angevine he was not sure what the court said, but he thought it was ridiculous to say that Angevine would not have been indicted or not gone to jail had we not had the policy we had. Albert said he did not say that; he said he lost his appeal. Edgley said that implies that the procedure we have in place somehow was instrumental in his losing that appeal. Albert said it was, that that was exactly what Scott Fern said. Albert said he thought the appeal was over his sentence. He said that he did not want to speak for Scott Fern, that he only held that up as an example, because it was used in the meeting with the Faculty Council committee the other day. Moder said that the Faculty Council officers had discussed the proposed policy with representatives from the Faculty Senate at OU. They have a policy similar to the policy that the committee is proposing. Their policy was reviewed by a number of lawyers who are on the Faculty Senate there and the opinion appears to be that the university is perfectly free to notify people with disclaimers concerning federal law, but it doesn't have to have these separately stated in a policy that is a university policy. She said that if the university policy, as Binegar suggested, states that you are subject to all state and federal laws with regard to the internet and other uses of electronic material, the university, if it wishes to take a step further, could put out an information packet saying here are the state and federal laws that apply to e-mail and to internet usage, and you need to comply with them, otherwise you will be in violation. She said there was no legal reason these laws have to be re-stated in our policy. They certainly are not re-stated in OU's policy. Albert said those particular pieces are not. He said OU does have a list of standards in their network policy, which are non-negotiable. He said this was much more inflexible than what currently holds on our campus. Binegar said the researchers he spoke with at OU did not know of any restrictions. Albert said it depends on which network; OU has multiple networks, and some research networks are independent of the campus network. Lawry reiterated a point Binegar had made which related to

Sanders' question. He said one of the differences between a policy and a procedure is that policies have to go through the whole system all the way through the Board of Regents and if policies are going to be changed, they have to go up again. This can be a long and complicated matter. Procedures can be changed much more quickly in response to whatever circumstances arise. If we can make policies very simple and broad and general and procedures more flexible, we are better off – all other things being equal. So, a policy as broad as the one before us now seemed to him to be a good one and if we can set up the procedures and make them flexible, that would be fine. He said if Albert was asking what happens if someone violates a procedure - how we would deal with it-, all procedures are not equal. If you violate some procedures, you are going to get in big trouble; if you violate other procedures, nothing happens. He said that this policy at least did protect the security of the system by insisting that CIS has the power and the authority to disconnect or shut off anybody who might be disrupting the system. Other than that, saying that we are subject to all governmental laws is sufficient. Albert said he did not have a problem with that, but under what conditions does he act and what are the repercussions for either party if he does? He said he thought those kinds of things needed to be in policy and that the policy should outline steps that establish those procedures. Weiser said that one of the powers of the policy was it put the power to create procedures with Albert. Albert said he was not sure he wanted that. Weiser said that he would hate to have Albert in a position where when he wanted to establish a procedure about e-mail he had to farm it out over 18 months to various committees. The IT Committee was hoping to put the power with the people that are closest to the situation, which is CIS. On the other hand, there is the issue of meeting the university's goals of teaching research, service and extension, so they also thought of a small committee. CIS can enact procedures, but if the committee feels that the procedures do not further the mission of the university, then they can in fact undo them. He said that the committee did not want CIS to have to come around begging all these committees about a procedure. They want CIS to have procedures and to be able to create them. They want to put the power in the hands of CIS. Albert said there does need to be a system of checks and balances, and as long as that was covered in the policy, he didn't have a problem with that. Weiser said it was covered. Albert said he wasn't sure all the loopholes had been closed and that he was very aware of being subject to scrutiny and criticism. Weiser said they were hoping rather than having CIS scrutinized by large groups, it would be a small group of those involved. He said he thought one of the benefits of the policy was that it would make it easier for Albert and CIS. Halligan asked if it was like the legislature's rule review. An agency can pass a rule and if the legislature is not in session Representative Gray and his associates can review it. If the legislature is in session they can take action. He said this seemed to be proposing the same thing. Albert can pass a rule, using that same metaphor. This committee can have rule review instantly, in 24 or 48 hours and then if there is additional discussion concerning it, the Faculty Council and others, including the administration, can go through the whole process of rule review. Stansberry said that was correct but the committee was calling rules procedures. Procedures are rules and policies are something you would go through the entire 18-month process to get changed. Halligan said he was just trying to understand this issue and have the meeting minutes reflect our understanding of it. Weiser said the analogy was exactly what the committee had talked about. Lawry agreed and clarified that there was just a difference in terminology. What Halligan was talking about as rules, the committee was talking about as procedures, but that it was the same process. Halligan said he understood, but he was just trying to clarify the operational procedure. Any time that Albert said this is what the procedure is going to be, he could instantly go to this group of three knowledgeable savants. They say, "no, we don't like that," or "yes, we like it." If they approve, Albert can proceed with confidence until the full university community rises up in protest. Weiser said even more than that, if CIS institutes a procedure, that procedure is in place. It doesn't need approval, but there needs to be some way for new procedures to pass through this committee. The only reason the committee would have to reject it would be if it doesn't meet the proposed policy, not just because they don't like it. However, he pointed out that the policy is broad in that it says that all procedures must meet the goals of teaching, research, service and extension, so there are a lot of ways that a committee could justify saying no. Lawry said that if Albert was nervous about having all that power, he could go and ask anyone he wants before he creates the procedures, so that they come out all right. Albert said he was back to the point where he was amenable to working on anything, but he was also seeking protection both of the faculty and of his staff. He said his staff gets put in the position of enforcement a lot of times. He said they don't really see that as their role, but unfortunately that's where they get put. They have to deal with daily operational issues of that, as well as the legal issues. He said that makes them uncomfortable. Lawry said he suspected that if we made policies that reiterated all of the laws and gave all the procedures, then the rest of the OSU community would be in an uncomfortable situation, because they would be chafing under all of those things. He said if someone had to be uncomfortable, he would rather have that be Albert

than him. Albert said he understood that and accepted that role, but the position right now was that we are operating under interim policies that are as stringent or more stringent than anything they considered for the new policies. Lawry said if this policy is adopted, Albert will have to take those policies to the committee to find out whether they are okay. Halligan pointed out that Weiser indicated that the committee does not have a veto, unless the procedures violate this policy. Weiser said that was so, but that the policy is written such that anything that they feel does not further the goals of teaching, research, service and extension violates the policy, so that leaves it wide open. In other words, it comes down to the judgment of the committee. Binegar said that the purpose was to make things more efficient and to have a moderate feedback mechanism so that the large stakeholders and the three principal groups – the faculty, the staff, and the administration – don't have policies imposed without some sort of response. The policy was there for a quick and timely review of procedures. If there was a conflict with policy, then the discussion could be held through every level. For day-to-day quick reactions to rapid changes in laws and technology, this seemed like a way to handle it. It was also to obviate concerns about things not being fair. Everything would be out in the open, and the principals would have input into the sort of IT support that can work for them. Edgley said when the Council created an IT committee the idea was to have the faculty more closely represented in the kinds of problems that CIS has. He said that Albert could tell his staff to take any concerns about faculty response to the IT committee. Albert said he would ask that the review committee have appropriate representation since he was not sure all the constituencies were represented there. Edgley asked who was left out. Albert said that all the branch campuses and A&M Colleges come into play, as well as students. Binegar said that, in a sense the branch campuses were represented on Faculty Council and Staff Advisory Council. He said in some sense the three-member committee would represent all these groups. Albert said he was sensitive to the fact that he represents a large constituency and that if the Faculty Council was going to empower him with making procedures that people have to abide by, then he wants to make sure that everybody has their fair share of representation. He said that we had not even spoken to the legal issues and that that was something he did not do, but that the legal counsel for the Regents did. The recommendation passed unanimously. Halligan said he would send the policy to everyone, including the A&M Colleges for input.

ATHLETICS — Ed Lawry

Lawry said about 200 people turned out for the Spring General Faculty Meeting on the compatibility of Big-time Athletics and the Mission of the University. Both speakers were very good, the questions were excellent, and people stayed till after five. He said there seemed to be a lot of interest, so the Athletics Committee will want to continue to consider and pursue the issues that were brought up. A videotape of the meeting is available for the cost of the duplication. If you would like a copy, contact Diane Lafollette in the Faculty Council office. There were some exchanges about the meeting in the print media. The NewsPress wrote an editorial on April 3, which Lawry said was very alarming in its active hostility to the academic mission of the university. Lawry wrote a response, which appeared in yesterday's paper. He said we might need to consider how we can better represent ourselves to our local media and the national media on those sorts of matters. He asked whether anyone had any further comments about the meeting. Halligan said he wanted to compliment the committee. He thought it was a good meeting and he enjoyed both speakers. He said the atmosphere was good. People were intrigued by the issues, asked good questions, and everyone was very civil.

CAMPUS FACILITIES, SAFETY, AND SECURITY — Marcia Dickman

Dickman said she had been asked to inquire about the status of the multi-modal facility grant. She spoke to Everett Eaton before the meeting. He said the grant has been written. We have a facilitator, who has been hired to help move it through the system to get legislative approval. They are gathering information and data for the grant. The proposal is moving along, but it is not anywhere near final. Halligan said his understanding was that all of the Oklahoma delegation in Washington, D.C. signed a letter in support of the project, as did the Head of Transportation, who is a graduate of OSU. He said his understanding was that there is a fund for this in Washington, D.C. The money is there but you have to get the right combination of political influence to get the money out of the fund. He said they might or might not get it this year or next year, but they were working on it. Dickman said the preferred location for the facility is north of Lewis Field, between CITD and Bennett. Halligan said that was so, it was immediately east of Wes Watkins, west of Bennett and approximately across from the stadium. Halligan said he was in favor of that location because the garage needs queuing space at the entrances and exits. We need to let the traffic use Hester, which could accommodate a long line. Dickman also announced some

highlights of the Parking Survey. Question: How often does the lack of available parking places impede your ability to perform your required duties? Response: Ten or more times per year – 25%. Question: How satisfied are you with the availability of parking places at OSU? Response: 38% very or somewhat satisfied, 47% somewhat or very dissatisfied. Question: How difficult is it finding a parking space in your usual lot during mid-morning or mid-afternoon times during the week? Response: 81% very or somewhat difficult. Question: What is the most you would be willing to pay per year for a parking permit to ensure that the number of permits issued is no more than the number of spaces? Response: 86% \$100 or less. Question: What is the most you would be willing to pay for a parking permit if you could be guaranteed a parking space in your preferred lot? Response: 69% less than \$100. Question: What is the most you would be willing to pay for a parking permit if you were given a reserved parking space? Response: 71% less than \$200. Question: Would you be willing to ride a university-operated shuttle to commute to and from campus instead of driving your own vehicle? Response: 62% yes. Those are the highlights. The committee has copies of the full survey, as does Geary Robinson.

FACULTY — Larry Sanders

Sanders reported issues including: 1. A statement of concerns regarding abuse of Appendix D by Administration had been prepared by the Committee, forwarded through Edgley, and delivered to President Halligan as a focus of discussions at a date to be announced. 2. The General Faculty meeting held March 25 prompted an intense discussion of issues related to intercollegiate sports at OSU. Several concerns were clarified and sent to the Athletics Committee and Athletic Council. These include: a) hypocrisy, real or perceived, especially with respect to the big-time sports of football, men's basketball, and baseball; b) confusion over the financing of athletics programs, especially how much funding comes from E&G funds, and how a program \$3 million in debt can be seriously contemplating incurring \$100 million in new debt; c) questions about the consistency of entertainment sports with the education mission of OSU; and, d) the low level of faculty input in coach selection, how important academic performance is to the candidates, and how the importance of academic performance is shared with the candidates and eventual new coach. 3. The Faculty Committee asks the appropriate standing committee to inquire of Administration regarding the level of faculty expertise/consultation sought on new monuments, memorials and structures.

RESEARCH — Kouider Mokhtari

Mokhtari reported OSU Legal Counsel raised several concerns about the current version of the Copyright Policy, which was approved by Faculty Council and the Deans earlier in the year. Major issues of concern include, but are not limited to, the following: 1. *Applicability of the current version of the Copyright Policy to branch campuses.* Legal counsel argues that the expectations for scholarly publications on the OSU-Main Campus are different from those in branch campuses, namely OSU-OKC and OSU-Okmulgee, which have different missions. 2. *Division of royalties to copyright works.* Legal Counsel maintains that awarding the first \$10,000 to the inventor is a violation of the Oklahoma constitution's prohibitions against making gifts to private individuals. 3. *Applicability of the current version of the policy to non-faculty employees.* Legal Counsel argues that non-faculty employees are not covered by the policy as stated. Members of the Faculty Council and Vice President for Research met with Mr. Scott Fern, OSU Assistant Legal Council, (March 20, 2002) to discuss the above issues and determine an appropriate course of action. Mr. Fern offered his assistance in reviewing the text of the policy and recommending possible changes, which would then be discussed with Faculty Council representatives again within 2-3 weeks. The committee is still waiting for a response from Scott Fern. Mokhtari asked for input from faculty on this issue, especially from faculty at the branch campuses. He encouraged faculty to e-mail him. The URL for copyright policy is: <http://com.net.okstate.edu/copyright/index.html>. Mayer said he had worked closely with Edgley and Bost on the policy toward the end of the process the last time. He said they used the OU document in re-shaping the new policy. He asked if Mokhtari was familiar with that document. Mokhtari said he was not involved with the development of the draft. Mayer said that he raised the question because it seemed that the OU policy might throw light on point 2, concerning the legality of awarding the first \$10,000 to the inventor. Mokhtari said that they had looked at the OU policy and two others, Texas A&M and the University of Illinois/Champaign, as examples concerning these issues. He said they would like to talk to the attorney about that, whenever he is ready to meet with them. Mayer said he brought up the OU document particularly because if it were against the Oklahoma constitution to do this, then OU's policy would be relevant. Mokhtari agreed.

RULES AND PROCEDURES — David Fournier

Fournier reported election results as follows: **Vice Chair**, Carol Moder; **Secretary**, Brenda Masters; **College of Arts & Sciences**, two-year term, Scott Gelfand; two three-year terms, Alyson Greiner and Jean Van Delinder; **College of Engineering, Architecture and Technology**, three-year term, Suzanne Bilbeisi; **College of Human Environmental Sciences**, three-year term, Andrea Arquitt; **College of Agricultural Sciences & Natural Resources**, two three-year terms, Brad Morgan and Don Murray; **College of Business**, three-year term, Dennis Mott; **College of Veterinary Medicine**, three-year term, Terry Lehenbauer; **OSU/Tulsa**, three-year term, Greg Marshall. In addition, Karin Schestokat (Arts & Sciences rep.) resigned from Council. Jason Lavery, has been appointed to fulfill the remaining one-year left of her term.

STUDENT AFFAIRS AND LEARNING RESOURCES — Bill Weeks

The committee addressed the issue of credit card solicitation in the Student Union. The committee considered banning such solicitation, but decided not to do so for the following reasons: 1) Students have access to credit card applications. Banning credit card solicitation in the Student Union would not restrict students' access to credit card applications; the U.S. Postal Service delivers applications on a regular basis; 2) Credit card applications are available in the two banks that are tenants in the Student Union. Would a ban on credit card solicitations apply to those two banks? 3) The Student Union this fall is putting in a policy banning giveaways for vendors. The committee thinks that policy will have a negative impact on credit card vendors. If they can't offer someone an incentive for signing up, they will probably set up the table somewhere else. They pay between \$75 and \$200 a day to set up a table, and if they can't get substantial sign-ups, they probably won't use the Student Union hallway. The committee also reported that OSU does not have a contract or agreement with any credit card company. The OSU Alumni Association does have an agreement with a bank for a credit card company from which it receives a percentage of purchases made by the cardholder. It was pointed out that many at OSU believe that the university is getting rich off of credit card solicitations, but that is clearly not the case.

Edgley announced that Faculty Council has appointed Sally Henderson, from OSU-OKC, to the Retirement and Fringe Benefits Committee to replace Steve Smethers, who resigned. Henderson will serve as Chair of the committee.

REPORTS OF LIAISON REPRESENTATIVES:**Athletic Council — Larry Sanders**

The Athletic Council met March 21. Actions/discussion included the following: 1. President Halligan attended the meeting and briefly noted the following: a) NCAA has several proposals to strengthen high school requirements and assure that intercollegiate athletes are making satisfactory progress toward degrees; b) He is seeking Athletics Council input on the Faculty Council recommendation for Athletic Department deficit reduction. Phillips noted that the school is still not in full compliance with Title IX, but the plan is working. Halligan indicated that, if it is a choice of funding Title IX or paying the deficit, his preference is for Title IX; c) The university continues its "quiet phase" of the stadium project. 2. After Halligan departed, a motion was made and seconded to refer the Faculty Council recommendation to the Fiscal Integrity Committee for review and recommendation. 3. Equity, Welfare & Sportsmanship Committee: a) Welsh indicated the committee is considering a sportsmanship award to be presented by the university, & the committee agreed this should be pursued. There does need to be some work on defining/setting criteria for what is meant by "sportsmanship". Sanders agreed to seek input from the Athletics Committee, while the Equity Committee is also working on this; b) Allen updated the Council on the decision to modify the self-study statement on Mission to include "sportsmanship and ethical conduct". The Council approved this action. 4. NCAA & Big 12 rep Gerald Lage provided a summary of proposals for the NCAA and Big 12. Proposals are too numerous to discuss here, but a copy is available upon request. You may also check www.ncaa.org for recent press releases. The question of adequate lead time for Council input was discussed. While input is welcome, Lage indicated it is not the purpose of the Administration to seek formal recommendations from the Council.

Staff Advisory Council — Wes Higgs

Higgs reported that the results from the Day Care Survey are in and will be tabulated by Bill Warde later this month. From the data they have received, there is overwhelming support for having a Day Care Center. SAC will probably recommend that the administration form a committee of experts to look into how to make that happen. The annual sale of carnations for Administrative Professionals Day later this month is in progress. They would appreciate the faculty's support in buying carnations. The sales help to fund the staff scholarship fund. They are also having elections in May. They would appreciate nominations of staff members who would be interested in serving. Higgs said they were also looking into Maternity Leave policy. According to HRS, there is a faculty policy, but it doesn't apply to staff members, so they hope to get a policy implemented. Also, they want to pursue a paternity leave and adoption leave policy.

Women's Faculty Council — Chuck Edgley for Jean Van Delinder

Edgley announced that Women's Faculty Council has produced a task force report on the status of women faculty members at OSU. It deals with numbers of faculty, compensation, and campus policies of interest to women. The latter section includes the sexual harassment policy, the Family Medical Leave Act, and the campus day care center. This report will be available on the Faculty Council website. Edgley also announced that the OSU Women's Faculty Council is seeking nominations for this year's awards and grants for scholarship on women's issues. Graduate and undergraduate students at OSU are eligible. Deadline for receipt of materials is 5 p.m., Wednesday, April 24, 2002. Questions about the awards should be directed to: Lisa Lewis at (405) 744-6235 or lalewis@cowboy.net.

Student Government Association — Erin Lawler

The SGA executive group will meet and go through the committee vacancies identified by Faculty Council. Those seats should be filled promptly. SGA is amending titles and by-laws, so that this committee can communicate directly with the President to enable the committee to appointments more promptly. SGA elections are also underway. Halligan asked for clarification about the elections. He asked if the Supreme Court had ruled that the elections were invalid and had to be re-done. Bird said that was correct and that the election would hopefully be held on Tuesday. She said that the issue was not about candidate impropriety. The issue was that the by-laws require 8 polling places, but it is hard to fill all the polling places all day for several days. They will need to come up with a new strategy. Because the race was very close – a difference of three votes- and there were problems with the polls being closed when people wanted to vote, it was decided to re-do the election. The larger problem is how to conduct the elections once, instead of three times. Bird said the technology exists to conduct on-line voting and that other Big XII schools do so. She said it was time to move in that direction as quickly as we can.

Halligan welcomed William Jaco, who will now be the liaison for Graduate Faculty Council.

OLD BUSINESS:**Retirement Lawsuit Update –**

Edgley said the Executive Officers were continuing to have productive meetings with the attorneys, administrators, executive officers, and plaintiffs. On April third this group met with Birdwell, Matoy, Weaver, and staff members. This first phase is to “stop the bleeding” by returning the retirement system to as a close a version as we can to the one which existed before 1993. The Faculty Council Executive Officers, our attorneys, and other plaintiffs presented dollar amounts, and insisted that we include options that require no out-of-pocket expenses for faculty or staff. Birdwell, Matoy, and Weaver are going to cost the numbers out and respond to us at the next meeting. Edgley said they also discussed the possibility of a phased return to soften the impact on the budget in a very tight year. They discussed the possibility of beginning a return as early as January 2003 with a full return within perhaps 18 months. They also discussed the logistical problem of notifying faculty and staff about their options on this portion of the problem. This return in no way jeopardizes the other portions of the suit. He said when they reach agreement, the officers pledged the full support of the Faculty Council in sponsoring a series of workshops with Human Resources so that faculty will be fully informed about what they are doing when they sign this document or that. In response to President Halligan's request for help in locating a person of high integrity and standing to oversee an independent actuarial study to verify the numbers related to the damages and to the OTR part of the problem, Council forwarded the names of Robert Simms, a retired Oklahoma City Supreme Court judge, and

Leamen Freeman, who is a retired District Judge of Oklahoma County. Edgley said that there are certainly others who would serve as well, and that these were only suggestions. The Board of Regents has agreed to fund half the cost of this study. Another meeting with Birdwell and others will be scheduled for April 18 or 24. Edgley will report again at the May meeting on the progress of these efforts. He said he continues to collect via e-mail the names of people who should be in the class for the lawsuit, but did not get letters. If you did not get a letter, contact Edgley and he will send the name forward to the attorneys. Then you will be in the database and you will be able to participate in the lobbying effort, for which faculty have been asked to send \$100 to the legal firm and staff \$50. If you have not contributed yet, please do so. The lobbying efforts are going on even now.

Halligan added that Tommy Beavers from OTRS is coming to campus and the administration has set up a luncheon meeting on April 16 with him and with the Faculty Council Executive officers and Professors Rockley and Raff. Halligan said that the bill to allow new employees to opt out of OTRS if the university continued to make some contribution to the fund has passed the Senate. They took the title off in the House, so it is in the huge process that occurs toward the end of the session. Sometimes the bills get out of that and sometimes they don't. He said they are still working on the actuarial study. When the Board selects an individual to study what the remedy should be, that study should be available to him. He said all this is to say that they are still hammering away at this very complex problem.

Edgley said that the election of Moder and Masters and others to the Council will ensure considerable continuity on the retirement issue and other initiatives taken this year. He also thanked those who ran for Council, whether they won or lost. For the winners, there will be an orientation meeting late this month to bring new members up to speed as quickly as possible. Edgley said his service as Chair would end after the May meeting, though he would continue to play a role in the Executive Officers group. The new councilors are invited to come to the May meeting. He asked councilors to encourage new members to attend. Moder mentioned that at the May meeting all the committee chairs will provide reports on what they have accomplished over the last year and what the remaining issues are. That provides continuity, so it is important for the new members to come, if they can.

Mitchell gave an update on the Diversity Board. Last year he divided the group into 4 sub-committees. One sub-committee has been charged to look at developing a racial harassment policy for the university. He said he hoped to have a recommendation from them for Faculty Council to consider in the fall. A second sub-committee is working on gender issues affecting faculty, students and employees. A third sub-committee is looking at alternative lifestyles, including issues related to non-traditional students. He said they are putting together a report from the Ombudsperson and Affirmative Action Director, Carolyn Hernandez for the Regents. Mitchell said he thought the Faculty Council should have a report from Hernandez about her activities as Ombudsperson.

The meeting adjourned at 4:25 p.m. The next regular meeting of the Faculty Council is May 14, 2002.

Carol L. Moder, Secretary