

President Halligan called the meeting to order with the following members present: Achemire, Bays, Binegar, Breazile, Comer, Damicone, Dickman, Ebro, Edgley, Fletcher, Fournier, Gasem, Henderson, Lamphere-Jordan, Lavery, Lawry, Masters, Mayer, Moder, Mokhtari, Peeper, Redwood, Sanders, Veenstra, Weiser and Wetzel. Also present: S. Bilbeisi, H. Birdwell, S. Gelfand, A. Greiner, S. Harp, L. Jones, M. Keener, T. Lehenbauer, G. Marshall, C. Meador, V. Mitchell, B. Morgan, D. Mott, D. Murray, M. Payton, M. Traynor, J. Vitek, N. Watkins, J. Weaver, and J. Wheat. Absent: Holcombe, Smethers, and Weeks.

**HIGHLIGHTS**

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Breazile moved acceptance of the April 9, 2002, Minutes. Peeper seconded. Binegar requested that the following be substituted for the description of his remarks: "Binegar began stating that remarks he had made at the previous meeting, concerning the potential conflict between IT implementations and state and federal laws had been misconstrued by some individuals. The point he was trying to make was that state and federal laws explicitly prohibit the unauthorized use of computers and computer systems; and so the use of new state-of-the-art technologies, technologies not foreseen by a standing policy that delineates the allowed implementations, could be construed as a felony." The Minutes were approved as amended. Breazile moved acceptance of the May 14, 2002 Agenda. Wetzel 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 | <b>Market-Driven Salary Increase to Tenured and Tenure-Track Faculty:</b> 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 | <b>Parking Policy:</b> Under review. Awaiting survey results from Bureau of Social Research (HES).  |
| 01-05-05-RES  | <b>Copyrightable Intellectual Property Policy:</b> 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. A revised draft is being developed. Approval by the OSU Board is required. |
| 01-09-01-BUDG | <b>Formalization of the University Raise Program:</b> 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.
- 02-04-01-LRPIT **Information Technology Policy:** Under review. Dr. Keener will review the proposed policy and discuss pertinent issues with CIS representatives and others as needed.
- 02-05-01-ASP **Enrollment Appeal Document:** To President Halligan

**REPORTS OF STANDING COMMITTEES:**

**ACADEMIC STANDARDS AND POLICIES — Brenda Masters**

Masters presented a recommendation for the adoption of an enrollment appeal document. **The Faculty Council Recommends to President Halligan that:** the Enrollment Appeal Document be accepted for use in the Registrar's Office. **Rationale:** A form to standardize the Enrollment Appeal process is needed by the University in the Registrar's Office. The Registrar's Office developed the form specifically for their use. Example of the document is below.

**OKLAHOMA STATE UNIVERSITY-STILLWATER  
STUDENT PETITION  
ENROLLMENT APPEAL**

General Information: If a student believes his/her account balance is incorrect due to a drop/withdrawal processing error or extraordinary circumstance, he/she may file an appeal for adjustment with the Registrar. The deadline for filing an Appeal is one year from the date the grade was assigned or one year from the semester in which the billing occurred. Students are responsible for adhering to the policies and procedures written in the pertinent college catalog, class schedule, WEB, and/or Registrar's Office published notices regarding refund, billing, and drop/withdrawal deadlines.

Although the Registrar's Office will assist each student to the best of its ability in this process, the student assumes the burden of proof of his/her appeal. Any documentation and/or academic history supporting the student's position should be attached to the petition.

OSU-Stillwater will consider requests for a special refund or late withdrawal from classes only when a set of catastrophic circumstances, over which the student had no control or prior knowledge, prevented withdrawal during the designated period.

Steps:

- 1. Complete petition.
- 2. Attach supporting documentation.
- 3. Obtain instructor and advisor signature.
- 4. Submit petition to Registrar's Office. (322 SU)

Name \_\_\_\_\_ Student

ID# \_\_\_\_\_

Address, City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_

Semester involved \_\_\_\_\_

I hereby request the Registrar's Office to take the following action:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reason(s) for the request (attach supporting documents):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Instructor Use Only**

Instructor

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Last date of

attendance: \_\_\_\_\_ Grade: \_\_\_\_\_

Comments:

\_\_\_\_\_  
 \_\_\_\_\_

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**Advisor Use Only**

Advisor's Signature:

\_\_\_\_\_

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Registrar's

Signature \_\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_

For the Following Reasons: \_\_\_\_\_

\_\_\_\_\_

Action taken by Registrar's Office \_\_\_\_\_

Date: \_\_\_\_\_

Students would use the document to request that their enrollment be adjusted after the semester was completed because they had not attended class or because they were incorrectly enrolled. The document would provide a standardized format to maintain the information needed for these requests. The Registrar's office developed the form for their use and requested that the committee put the form forward for approval. The motion passed unanimously.

Master then brought forward a recommendation for a trial basis online course evaluation. Two months ago the Task Force on Course Evaluation recommended in its final report an online evaluation form for the university. Masters said there were many questions about such a system, including what the rates of student participation would be if they had to go online and do the evaluation. Would this result in bi-modal samples where only the most satisfied and most dissatisfied students would respond? She said that the committee thought this idea should be advanced slowly, so they were proposing to begin with a trial process, which would involve only those faculty or teaching assistants who volunteered to participate. Masters said that faculty with data on the current evaluation process could then compare these with the results of the online evaluations. She said the university was in severe need of a modern, concise evaluation system and a process that allows all students, regardless of term or type of course to participate. The results of the online evaluation would only go back to the faculty member, so that faculty members could compare them with previous evaluations. The ASP committee has decided that the issue of whether evaluations should be used in tenure and promotion decisions was a faculty issue. They have suggested that the Faculty Committee take that issue up next year. Masters reported on some data from trial online evaluations being tried in the College of Business. This trial involved 8 courses. The participation rate varied from 8.33% to 100%. The 100% participation rate occurred in a class that met in a computer lab. The 8.33% participation rate was in a 2000-level Accounting course with 48 students, of whom only 4 responded. The other participation rates were 56%, 65%, 68%, 44%, 50% and 72%. Mayer said that after the initial discussion of this issue in the Faculty Council, he discussed it with the English Department faculty at a general meeting. They were unanimously and vehemently opposed to the idea of online evaluation of instruction for a host of reasons.

One of these has to do with the question of who will actually do the evaluations and what the participation rate will be. Another reason is that they have worked at some length on the instrument they use, which encourages students to do more than simply give the teacher an A, B, C, or D. Instead it asks the students to write relatively extended, and hopefully somewhat thoughtful, responses to questions. He said it seemed to him that online evaluation would undercut that. He knew that this was proposed as a test, but that in institutions once you start this kind of process, it takes on a life of its own. He concluded that he would vote against this proposal and when he did the entire English Department was voting against it with him. He wanted to go on record saying that this was a bad idea. He said further that if the proposal were implemented, his department would not participate and that he thought many other departments would opt out as well. Edgley agreed with Mayer, saying that the Sociology Department also had its own instrument, which was oriented to improving teaching. He added that if the recommendation passed, it would be a complete capitulation to the idea that evaluation was simply a consumer satisfaction survey. He said if we did this we should simply use a thumbs up or thumbs down system, because that was all it would stand for. Sanders shared the summary of the Faculty Committee responses to the recommendation. Several agreed to try the evaluation as an experiment to see what it might offer. These individuals felt that the current system did not work and needed to be fixed. Those who were against it said some of the things that have been said, but they also said that if we do have a problem with evaluation, we shouldn't start with the instrument, we should start with the process. This would require the cooperation of the administration and a commitment to provide adequate resources for departments to design workable evaluations. These resources would include access to people with expertise and funds for individualizing evaluations to meet the needs of specific departments. The other concern is that there is a danger that the online system would be adopted simply because it is cheap and easy. Bays said that after the earlier discussion he examined the teacherreviews.com website and found that one of his colleagues had been harshly evaluated, so he registered and gave him some better comments. Bays then linked the site to his class pages and encouraged his students to rate him. He reported that he now has nine reviews, mostly A+s and one F. He said he thought the qualitative information available from that system was completely useless to him, because everything is either laudatory or vindictive. Masters said the report from the task force did not just suggest these online questions, but also encouraged the development of a form in each department, like the English Department's form, a very fine-tuned tool to measure what you need to know about teaching in your unit. She said that only 17 units on campus use their own forms. She said there was generally a lack of resources and a lack of skills for writing survey instruments in some units. Breazile said the task force report gave examples of core questions, like those proposed for the on-line evaluation, but also examples of questions departments might want to use in developing their own forms. He said that he thought this experimental attempt to gather information would be useful and that it would not have to be limited to the questions listed in the proposal. The department could collect data and then make a decision on what format to use. He said that written comments of students were very important, and that these were not included in the examples. He thought the departments should have the opportunity to try the online format if they wished to. Masters clarified that the proposal does not mention departments; it leaves the decision to participate to individual faculty members or teaching assistants. She also said that the proposed system would not make the results available online and that it would be secure, using the same methods used for the grading and enrollment systems. Any student could only evaluate each class in which he or she was enrolled once during a set period of time. Ideally the system would eventually also allow departments or faculty to add additional questions. Binegar asked in what form the results would be reported. Masters said the results would be reported as count data, the number of As, Bs, Cs, etc. She said that the averages reported on the current university instrument were extremely inappropriate, because they did not scale standard errors to standard deviations and did not give confidence intervals. She said the departments that were ahead of the pack were those, like English, which develop their own form, ask the questions they need to know, utilize that information, and as faculty have possession of that data once it is collected. Binegar said the issue was whether you were measuring what you wanted to measure. Whether the report was in the form of A, B, C, D or 1, 2, 3, 4, it was still just a discrete measurement and it was not giving good information. Ebro said that if you were doing distance evaluation, this might work. Her department requires evaluation all year round. Sometimes she is at COM and sometimes she is at OSU- Tulsa. Since the students often do the evaluations after the offices are closed, she has had to give postage to students to enable them to return their evaluations. Masters said that the forms we currently use do not have high levels of security. She said the forms sit in unlocked closets or cabinets all-year long. Lawry asked whether other universities had robust online evaluation systems. Masters said George Mason and Northwestern had university-backed sites and that OU had recently added one. Lawry asked who would evaluate the results of this experiment and what criteria would be used to determine whether it is a success. Masters said she has only envisaged what she could do with her own data. She hoped that other volunteers would do their own evaluations. Gasem said there were two issues. One is how you gather the information. For that he said the online method was cheaper, easier, and lent itself more readily to digital entry and manipulation than paper collection. The second issue is substance - what kind of information you gather, who analyzes it and what kind of benefit you derive from it. He said that is a separate issue, which has been with us for a long time. The Accreditation Boards, at least in engineering, prefer continuous quality methods. He said in response they are forced to change how they handle classes, design instruments and gather information. He was quite sure that in time we would be using online instruments. Edgley said that the medium is the message here and that there is no strict line between how you gather the information and what kind of information you get as a result. You get very different information if you use different media. Gasem said students could give the same responses online or at their desks if the same question is asked and they can type their responses. Edgley said that if the students respond to the

evaluation in class, that is a very different environment and the response will be different than if they self-select whether they respond online. He said if you go on teacherreview.com, the responses all tended to be As and Fs. He said that information was not appropriate for use by Department Heads in tenure and promotion decisions. Masters said that students who are not in class, who have withdrawn from class, have no opportunity to give an evaluation in the current system. She said she would like to have information from those students. Mayer said that the idea that online evaluation is inevitable because it is susceptible to digital entry was very troubling, because then we had to settle for either A or F, love you or hate you. Masters said that teacherreview.com was set up for City College of San Francisco and that the evaluations of those instructors appeared to be more complete. She said the results were dichotomous only for those universities where the participation rates were low. She said that promoting the use of online evaluation was critical. Mayer said that he didn't know what the value of a trial was, given this instrument. If we were going to try something we should try an instrument that makes some sense. The five questions proposed were not going to teach us anything. Weiser said that Mayer sounded like he was volunteering to develop an instrument. Mayer said he was not. Weiser said that if people identify the problem and are not willing to fix it, he didn't know how we could move out of this. Moder said that the English Department does not have a problem. They have designed their own instrument, addressed their own problems, and collected their own data. The system works very well. They are not interested in a system where volunteer students are sometimes going to go online and sometimes not. She said they get participation rates of 90% or more of the class, they never have only 40 or 50% participating. She said they did not want to go to a system where they were going to think that 40% was good. Masters said it was alarming to her to learn that a large number of faculty using the university survey never distributed the forms to the students. Their participation rate was 0. Breazile said one of the issues raised in the task force was not to give a grade till students had evaluated the course. He said he had been for that, but the committee did not support it. Bays said Arts & Sciences Faculty Council had discussed this a year ago and that the general consensus was similar to the English Department's. He said they found that the Math Department has a completely qualitative evaluation system. Masters said that was also true for Statistics. Bays said an additional problem was that differences in faculty teaching assignments, for example teaching large sections of rigorous required courses versus popular elective courses, made the results less comparable across classes. These factors convinced him that online evaluation was not appropriate. Gasem said he knew that his colleagues were uncomfortable with the instrument. He suggested that instead of waiting we try taking a form now in use in a department and run it on the computer and in the classroom for a couple of years to compare the results. Wetzel called the question. Weiser seconded. The motion to call the question passed with two votes no. The recommendation was then defeated with 6 positive and 19 negative votes.

[Secretary's Note: The full text of the following faculty committee reports for the past year will be available on the Faculty Council website at a later date.]

#### **ATHLETICS — Ed Lawry**

Lawry summed up the committee's activities for the year. They discussed many issues but made no recommendations to the Council. The one recommendation they passed in committee concerned the reduction of the Athletic Department debt, but they deferred to the Budget Committee's stronger recommendation on that issue. The discussions were mainly about the role of the committee. The committee focused on the general role of intercollegiate athletics on campus. They cooperated in organizing the General Faculty Meeting on this issue in the Spring semester. Some of the committee's members hosted successful brown bag lunches on the day of the General Faculty meeting. Finally, the committee discussed a number of issues for next year's committee. Among these was whether there was an appropriate balance in the amount of time, energy, and resources that go into intercollegiate athletics compared to academics at OSU. Wetzel offered what he called a minority report about the committee. He suggested that faculty read his report at the same time they read the committee report online. He added that three of the brown bag lunches had 5, 8-10, and 13 attendees respectively. He did not consider that very successful.

#### **BUDGET — Jon Comer**

The Budget Committee investigated whether administrators were proliferating disproportionately on campus. There were some difficulties in clearly classifying individuals, for example President Halligan and Executive Vice President Keener are classified as both faculty members and administrators, while Vice President Birdwell and Associate Vice President Dahl were only administrators. However, the numbers indicate growth in the low teens for all categories, faculty, staff, and administrators. A separate count of Department Heads, Associate Deans and Directors with university-wide scope showed a growth rate of less than half that of the other categories. The committee concluded that the growth was not disproportionate. The main activities for the year were two recommendations, the Formalization of the Raise Program and the Athletics Department Deficit Reduction. Both are still acknowledged or under review.

#### **CAMPUS FACILITIES, SAFETY, AND SECURITY — Marcia Dickman**

The committee spent a lot of time this year on parking issues. They amended the parking survey that went out to faculty, staff, and students. The committee will continue to review the results of the survey and any decisions that come out of it. They also dealt with recycling, both on campus and in the Stillwater community. Dickman said they were about halfway into that project. They have gathered information but have not yet made any recommendations. She said that Stillwater and OSU did much less recycling than comparable locations, so there was plenty of room for growth. The other continuing issue is the

university master plan – what it is and how improvements to the campus are decided and relate to the master plan. She said there was some confusion about the relationship between the master plan and the landscape plan. Mayer said he was struck by the indirection of the questions asked on the parking survey. A year ago there was a proposal for a pilot project to have one lot on campus with expensive reserved parking slots. The Faculty Council opposed that last year and asked for a study. The survey did not ask any direct questions about anything like that. No questions asked whether respondents were in favor of X or Y system. There were many conditional questions, which did not allow for the expression of direct preferences. He said that the Faculty Council committee should ask a few direct questions of the faculty and the staff, so we have some very hard information about the proposal that was made last year, which will likely come back in some form at some time in the future. Binegar asked for an update on the possibility of getting federal funds to improve the parking situation. If the federal funds come through would we still be in a parking crisis? Does the system really need to be changed dramatically? Halligan commented that the last time they went to Washington, D.C. the request for an intermodal transportation facility was signed by all members of the Oklahoma delegation. That, along with the proposal, will be helpful in trying to access the funds needed. They are assembling the necessary ingredients to try to get a favorable review. He anticipated that by this time next year, we would know whether we are going to get the money. Dickman said that the Walker Report was what a lot of the concern about parking was based on. She said people had some concerns about how that data was collected. She said we still don't know whether there is a parking problem. What we know is that people want to be able to park very close to their buildings, but whether we are out of parking spaces is a different question. Masters said she did not believe there was a parking crisis; she believed there was a patience crisis. She said you may not be able to find a spot in your preferred lot, but if you go to the other side of campus there are spaces. At other world class, major universities, faculty cannot get a parking space at all. She said the consultant who was here stated there were 183 extra faculty parking spaces. Gasem said the survey was trying to assess needs and potential for changes of habit and the availability of resources. He said the instrument was not perfect but it tried to be more systematic than what we had before. Mayer said he had no problem with people trying to assess needs, but he said this kind of survey needs to be combined with direct questions about possible policy changes. Gasem said he would wait to see what the actual results of the survey after analysis are. Peeper said he was also concerned that the poll did not allow for any individual input and that it did not allow us to gain information and ideas from faculty and staff. He said that he didn't think the interpretation of those questions would help us to draw the conclusions we are interested in. Dickman said we had more information from this survey than we had before, but maybe it was not enough. Mayer said his point was that maybe the Faculty and/or Staff Councils need to do their own questionnaire about options. Weiser said he was concerned that the survey was done a while ago and that we still did not have the results. He said this delay suggested they had not determined how to analyze the data until after they collected it. This suggested it could be analyzed to indicate whatever they wanted it to. Gasem said he had more confidence in our colleagues who are working on it and that we should wait to see the final report. He said that we owed them that much. Dickman said the results from the initial phone survey are in, but they are now trying to integrate them into a final report with the information from the transit survey that they gave to students.

#### **FACULTY — Larry Sanders**

Sanders delivered the following remarks. Perhaps the two greatest threats and concerns to faculty well-being and effective shared governance of the institution are 1) the good intentions of administration and 2) the occasional and general apathy of faculty who trust these good intentions. I believe the administration is composed of good people with good intentions, who have at heart the best interests of the institution, its faculty, staff, students, and citizens of Oklahoma. Let me state publicly our appreciation of what the administration has done on our behalf. We recognize there is much we do not hear about, which would show additional efforts by them on our behalf. I personally appreciate that. However, experience teaches me that good people can do bad things and good intentions can have bad consequences. Compound this with the law of unintended consequences and the tyranny of small decisions and there are disasters waiting to happen, especially when the rest of the system, faculty and staff for example, are trusting in these good people with good intentions. And there have been some terrible and great examples of such disasters to befall OSU this past year. Most notable among these might be the retirement system crisis or the apparent abuses of Appendix D. Going back a few years, there are other such examples, including creatively promoting administrative assistants outside of Appendix D procedures or generally ignoring the findings of the costly audit that concluded that administrative senior executive staff was too large and needed to be reduced. Indicators that suggest that academic resources and support services are undervalued by administration, the Board of Regents, and the legislature include: faculty and staff salaries, library and research resources, and sabbatical participation. Also there is a perception that the administration leadership has failed to engage in a meaningful dialogue to address the concerns of faculty about entertainment sports and the ensuing conflict with the educational mission of OSU. Let me turn my critical eye now on faculty. If the taxpayers and legislature knew what I know about faculty at OSU, they would know at least these three things. Most faculty are dedicated to excellence in themselves and in their students and they are committed to the institution and the people of the State, irrespective of material remuneration. Secondly, most faculty do not punch the clock but work 50-70 hours a week, not because some administrator tells them that is what is expected, but because they decide that's what they need to do to do well. Third, most faculty trust and expect the administration to do a good job for OSU and in so doing provide an effective support system for faculty. These faculty are topnotch researchers, teachers, and extension professionals, often with national and international reputations, who attract quality students and grant resources from all over the world. Whether they

be researchers, classroom teachers, extension professionals, center directors, or all of these roles at once, they give copiously of themselves to their careers, because they believe in what they do and they love doing it. Most faculty also recognize that much of their success is in part due to a support system of underpaid secretaries, librarians, and other staff. The desire of faculty to be fully committed to their life's work and a standard of excellence, however, has led to a possibly misplaced trust in the good intentioned administration to look out for their best interests. This in turn often leads to apathy and a lack of engagement in faculty self-governance. You here are the exceptions. Appendices A, B, and C form the fundamental resource of faculty and shared governance. Read them and know them well. Appendix D is the most crucial, critical document in ensuring continuous achievement and the standard of excellence with which OSU has become associated. Read it and understand it well. I think the model of the successful flagship land grant university requires the investment and trust of the public through their legislature and Congress, a desire of classroom and extension students to learn, a committed support system of people and material, a capable dedicated faculty willing to teach, research, and extend research-based knowledge to the people of the State, to love doing it and to be responsible in exercising self and shared governance. So the need for faculty to be engaged in university governance and not be apathetic becomes not only self-serving, but responsible citizenship as well. Because faculty did not do a sufficient job in looking out for their own best interests, and because administration apparently did not do so, we are faced with the problems previously noted: a weak retirement plan, a weak health care plan, salaries below the norm of peer institutions, and Appendix D violations that threaten the institution of faculty self and shared governance. To conclude, I humbly encourage faculty such as you, who are engaged in self governance of the academic community, to continue your dedication and to encourage faculty who are not so engaged to overcome apathy and assumptions of trust and become so engaged, and to encourage good intentioned administration to continue to seek and welcome faculty input as appropriate.

#### **LONG RANGE PLANNING AND INFORMATION TECHNOLOGY — Birne Binegar**

The committee's main accomplishment occurred last month with the proposal of the new IT policy for the university. For next year the issues include the Smart Card rollout scheduled for the fall, and online courses. The other important issue, which we will hear about in a special report next month, is the Social Security number changeover.

#### **RESEARCH — Kouider Mokhtari**

The committee worked on five issues. They put forth a recommendation to endorse the Tempe Principles. Part of that recommendation was to establish a committee to further the goals of the Tempe Principles. That committee has to be established and begin its work. A second issue was the impact of the U.S.A. Patriot Act on faculty and staff at OSU. The committee ended up concurring with the opinion of the university attorneys that at this time we need only inform people working in labs of this law. The third item was providing input for a proposal establishing a Regents Distinguished Research Award. A couple of items are in progress. The first one is the proposal to establish a Research Professor track, which has been suspended until further information is forthcoming. The second pending issue is the Copyright Policy. It was approved last September. Legal Counsel raised some issues, which the committee discussed with him in April. He promised to revise and resolve the issues. The committee would like to speed up the process, so that the policy can be done some time next year.

#### **RETIREMENT AND FRINGE BENEFITS — Sally Henderson**

Henderson said most of the issues concerning retirement had been dealt with outside of the committee this year. As the new committee chair, she looks forward to making the committee more active in the coming year.

#### **RULES AND PROCEDURES — David Fournier**

The committee supervised the nominations and elections of Faculty Council. They also modified some committees. They converted the Long-Range Planning Committee into the Long-Range Planning and Information Technology Committee, they eliminated the ACAC committee, and they created the new Athletics Committee.

#### **STUDENT AFFAIRS AND LEARNING RESOURCES — Pat Lamphere-Jordan**

The committee looked at concerns about monitoring health benefits for graduate assistants. They made a recommendation that information be provided to graduate students about their coverage. The second issue was to investigate and oversee student fees. Tom Peeper has been the representative to the technology fee committee. The committee also worked with the GPSG to help secure the graduate student fees for that organization. The committee worked with Vice President Bird to address the problems with the student elections and to make sure that student appointments to university committees are done in a more timely way. The committee also investigated the sale of credit cards in the Student Union and is investigating travel funds for graduate students.

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

##### **Athletic Council — Larry Sanders**

Sanders said he has been very favorably impressed with Terry Don Phillips and his personnel, including Rick Allen, and Marilyn Middlebrook, and their commitment to excellence. There continues to be concern with a number of faculty not happy

with the way the Council handles issues of academics. It is not the job of Athletics Council members to promote athletics, but rather to review policies with respect to what happens with intercollegiate athletics, and provide relevant input to faculty and the President of the University. It is important to seek input of coaches and athletic administrators. There could be improved transparency of the fiscal accounting of the system. Specific proposals for Athletics Council: 1. Keep foremost the purpose of the Athletics Council is "reviewing and recommending policy for intercollegiate athletics". 2. Monitor grade reports in an attempt to ensure academic integrity. 3. Monitor time (e.g. scheduling, practice, and conditioning; pre-finals and finals week conflicts) and other demands (e.g. public relations appearances) placed on NCAA athletes to attempt to reduce the potential for exploitation. Enable those NCAA athletes who wish to be students, the time to do so. Do not facilitate exploitation. If the schedules are abusive, do not approve them; censure or recommend administrative action against coaches who violate schedule restrictions during pre-finals and finals weeks. 4. Monitor the amount of E&G funds used to support NCAA athletics (including the E&G funds used for academic services for NCAA athletes; NCAA compliance program; NCAA certification; transfers from E&G for facility rental; unpaid interest on the debt owed to other auxiliaries). 5. Avoid conflicts of interests (tickets, gifts, trips, meals) and when appropriate, question transfers (tickets, gifts, trips, meals) provided to administrators, politicians, and others. 6. Respect the coaches and athletic administrators and seek their views, but do not allow their needs or desires to interfere with protecting the athletes from exploitation. 7. Respect the students participating in intercollegiate athletics and seek their views. It is occasionally unclear if their views are sought and accurately reflected in Council business. 8. Improve the process for reviewing policy and procedure changes for NCAA and Big 12, taking advantage of opportunities to be pro-active in the process. The Council needs to provide the President with well-researched and thoughtfully- considered responses and recommendations to proposed changes, as well as potential changes that have not been proposed. 9. Consider restructuring the Council to assure a majority of faculty members on each subcommittee and task force. Clarify who can vote on Council actions. 10. Develop a more effective process for educating new members on the duties and responsibilities of Athletics Council.

#### **Emeriti Association — Larry Jones**

The Emeriti Association's last Officers Meeting and General Membership Meeting for the 2001- 2002 school year were held earlier in May. The First Friday dinners will continue through the summer. Election of officers and councilors took place at the May General Membership Meeting. Councilors elected for three year terms were: Ted Agnew who retired from History, Dan Goodwin who retired from the Oklahoma Animal Disease Diagnostic Lab, and Jean Yates, spouse of the late Kyle Yates who retired from Religious Studies. Officers elected for one year terms were: Treasurer: Bob Hendrickson who retired from Animal Science, President Elect: Ron Beer who was OSU's Vice President for Student Affairs, Past President, Esther Winterfeldt who retired from Human and Environmental Sciences, and President: Larry Jones who retired from CEAT. They continue to work with the Stillwater Medical Center and Greystone of Dallas on the Creative Retirement Center. The attendance at the May First Friday Dinner was 90 and the attendance at the May General Membership Meeting was 60. Both of these numbers are the highest in at least the past two years so they are very pleased with the direction they seem to be going.

#### **Staff Advisory Council — Myra Traynor**

SAC has endorsed the Faculty Council recommendation on the IT policy. They will submit a recommendation on the use of sick leave for maternity and adoption leave. A copy of that policy has been submitted to Edgley. Traynor announced the new councilors: Trish Gedon, Ag Communications, La Dawn Conner, Library, Joan Sanmann, Admissions, Chris Williams, Library, Marilyn Thomason, Student Health Center. Two councilors were re-elected, Deborah Shields, General University from the Alumni Association and Leslie Miller, Environmental Health and Safety. New officers will be elected next month. Two new appointed representatives are Dell Livsey, Telecom Services, and Bea Peters, Business and External Relations. Traynor said she will be leaving SAC next month, after having served two years. She thanked Edgley for keeping SAC involved and informed. Edgley thanked Traynor and said he was forwarding the SAC recommendation on leave to Henderson's committee.

#### **Graduate and Professional Student Government Association — Chris Meador**

The GPSA recently changed their name from Graduate and Professional Student Association to Graduate and Professional Student Government Association in order to make it a better fit with their status as a separate governing body from that of the undergraduate Student Government Association. This measure was passed without dissent on April 9. GPSGA representatives withdrew from SGA for a host of reasons. This bill passed without dissent as well. Some reasons were as follows: Most graduate student classes are at night, conflicting with the SGA meetings; only a few of graduate concerns are their concerns; more graduate students than undergraduate students have responsibilities outside of classes, such as spouses, children, jobs, etc.; it is felt undergraduate students do not understand or care about graduate student needs (i.e., health insurance, travel awards, etc.); and, since GPSA had SGA representatives, the administration as well as the SGA, seemed to feel that the SGA governing body represented graduate student needs when in fact they do not. In another matter, since the administration does not emphasize the need for travel awards, the GPSGA has, for several years, given out travel awards from their own budget. Since this budget is finite and rather paltry (although it is one-half of the budget), they had to restrict travel awards to those



departments which adhere to their attendance policy. In this way, they can give a meaningful amount of money to those respective departments and groups. The hope is that such a restriction will increase attendance at their meetings. The GPSGA also distributed a survey on health care satisfaction to graduate students. The preliminary results from 333 respondents indicate that 84% strongly agreed that health insurance was important. 48% disagreed and 22% strongly disagreed that they had been adequately informed about their health insurance. 2.2% strongly agreed, 21% agreed, 48% disagreed, 27% strongly disagreed that they were satisfied with their health insurance. 12.7% strongly agreed, 49.5% agreed, 36% disagreed or strongly disagreed that they would pay a higher premium for increased benefits. 72% said they would pay an additional \$15-25, 18% would pay an additional \$25-30, and 9% would pay \$30-50.

Binegar commented that the policy of not giving travel money to students in departments that are not represented could be biased and counter-productive. He said it was more likely to encourage apathy rather than create interest.

#### **OLD BUSINESS:**

##### **Ad Hoc Task Force Committee to Review Grade Change –**

Edgley updated the council on the investigation into the situation last fall, in which an administrator changed a grade over the objections of and without the consent of an instructor. In December the grade was changed back and the faculty member awarded the appropriate grade. A task force was appointed to investigate the general concern about how many times this had happened and the circumstances under which this can occur. The task force is near making a report, which will be given to Dr. Halligan and to Faculty Council. That report will be shared with Council.

##### **Retirement Lawsuit Update –**

Edgley said that he had given this update several months in a row and he has always said that we have been working very cooperatively with the administration and that we were moving along. He said he was very disappointed to report for the first time that that was not the report he could give today. There was a luncheon meeting today to discuss an offer that was on the table last time concerning the “stop the bleeding” effort to return to a retirement system as much as possible like the pre-1993 one. Based on previous meetings Edgley said they thought they would get some resolution, but today they were told that the university was broke, that it was a bad budget year, and that the university would not be able to do that. This was accompanied by some letters and statements. OSU’s chief legal counsel has recused himself from the case, because he is a participant in the class affected by the lawsuit. An Assistant Attorney General for the State of Oklahoma has taken over this case. This morning we received a lengthy brief that has been filed as a motion for summary judgment in the case. There is an affidavit in the brief by one of the people the faculty have been dealing with in the negotiations, which essentially says there is no merit to the lawsuit. The letter says that in 1993 the faculty did this to themselves, in effect arguing that their benefit package was far too generous and that saving OSU 1.2 million dollars a year out of faculty compensation was exactly what they wanted to do. Edgley said that was just outrageous, especially given that we have been in a climate in which there hasn’t been much argument about what happened to us. The question had been more about how can we fix it. That was not the tenor of the discussion today. He said he hoped the administration would continue to work with us. The attorneys will be filing briefs relating to the motion for summary judgment. Halligan said that he had had lunch with Senator Morgan yesterday. He said he thought they had made progress on the piece of the retirement issue related to those with lower salaries not getting equal benefits for equal contributions to OTRS. A law change has been proposed, which may not be passed this year. Edgley said there has been progress in every area in which the faculty interest and the university’s interest coincided and OTRS was one of them. He said he didn’t think they had made much progress with regard to those issues in which the university will have to spend any money on this. Halligan said a second issue was the extrication of OSU from OTRS. There continues to be discussion of that. The essence of the position that he has been advancing is that OSU puts in roughly 14% to OTRS and gets out 10%. If OSU has to contribute 4% of salaries to the unfounded liability to give employees the option of getting out, that would be worthwhile. He said most old employees would not do that, but new employees might. There have been significant discussions of this proposal. There are also discussions of the fact that there are two classes in OTRS, those that are not getting equal benefits for equal contributions and then there is the whole capping issue. Halligan said the issue where the administration and the faculty disagree is what the university should do with respect to the interim between 1993 and now. He said the administration pledge has been that they would see if they could do something similar to the pre-1993 system. He said that was where the issue lies. He said they also have what he called the “gray-haired judge” – an independent retired judge, who would come to campus this summer and listen to all the parties and make a report to the Board of Regents suggesting what the equitable solution would be and what fairness would require. Halligan said that a former Regent, Gary Clark, had recommended a retired judge to do this and that Halligan had forwarded the name to Edgley. He said having an external person review the situation would remove any taint of self-interest. Peeper asked whether we were entering a new phase in which the cooperation between the faculty and administration is appearing to break down. Edgley said he hadn’t had time to digest the lengthy brief he had just received, but that if members of the university administration are giving affidavits in court claiming that there is no merit to our suit, then we are entering a new phase. Edgley said he hoped that would not be the case, but that the meeting today was disappointing. Halligan said that whenever a lawsuit is filed it’s difficult to be an administrator because the lawyers always want to do the talking. He said that from his perspective they have from the very beginning been trying to find a solution to this problem and that he remained committed to trying to find a total solution to this problem. That

means how do we get a retirement system that allows us to attract and retain the kind of people we want and how do we get justice for the people who are in OTRS. He said that we are probably going to have differences about the definition of justice. One of the reasons why he wanted someone external to the campus to come is that either side is going to have someone who is prejudiced. That's why they are trying to get someone who is a distinguished neutral, so that persons outside the university won't say that he who calculated had a vested interest in the outcome. Breazile said that one of the difficulties we have in recruiting new faculty is that we have to tell them we have probably one of the poorest retirement systems that you are going to encounter, but it's being worked on. The longer it goes, the less you can be convinced that it is being worked on. The time frame is the problem. There is no way that you can put a time period on it. Halligan said that he had said from the beginning that Senator Morgan and Senator Hobson would be in unusually strong positions next year, not this year. Breazile said they hadn't put a time frame on it, but they have told prospective faculty it is being worked on and that we hope to improve it, but we don't know if we can fix it. He said it is a very difficult thing when you are trying to recruit people who are looking at a long term career and they are asking twenty years from now what this is going to be and we really can't tell them. Twenty years ago we could tell them, it's going to be great. Halligan said it was almost impossible for them to promise an action by the legislature. Edgley said when he came to OSU thirty years ago he was told that he would give up a lot in salary to come to OSU and spend his career here, but he would make it up in benefits. Then they were right and so he made a commitment to come to OSU but now that it is time for his retirement, he finds that there is much less there than he was told. Breazile said getting a solution as expeditiously as possible is critical. Peeper said it was also critical that we be able to present to faculty candidates that our administration is working with the faculty to try to rectify the situation. Edgley said he did not mean to give an overly pessimistic account of the future of the lawsuit. He said he still thinks there is a lot of good will in the administration and a lot of good will in people who are politically connected, who love OSU and who don't want to see anything bad happen to its faculty with regard to issues like this. He said he was coming out of a meeting in which the faculty did not make the kind of progress that they had anticipated and hoped and in which he was given the official State response to the suit, which is full of legal arguments that are infuriating. Redwood asked what filing a brief for summary judgment means. Edgley said it asks to have the case dismissed because there is no merit in it. When members of the administration whom we are dealing with in good faith have affidavits in here saying that is right, there is no merit, and on the other hand they are saying of course it has merit, we want to fix this as soon as we possibly can, you can understand why we are disappointed. Halligan said that summary judgment is something that lawyers normally file in many, many cases that he is associated with. It's just one of the things they do. Halligan said in a case relating to the NCAA they had the most high-powered lawyers you could imagine saying they were going to win on summary judgment. Three years later they paid 86 million dollars. Edgley said the faculty's attorneys were busy responding to the motion, so that no one should believe for a moment that the summary judgment motion will carry the day. Edgley also mentioned that the Rhoten committee, which was asked to look into the historical circumstances surrounding the retirement change, has completed their report. Ron Rhoten will give a special report on this at the June Faculty Council meeting. Halligan said that he had just been informed this afternoon that the State is 80 million dollars short this year. Exactly what that portends for next year is sobering for all of us. Lawry asked whether Joe Weaver could tell us what the budget implications were for this fiscal year. Weaver said they had been planning on a 2.1% cut. This morning they were informed it would be a 3.9% cut. They have to cut about 2.5 million additional dollars in the next two months. He said the larger concern is if the State officials are missing the estimates by this much, what can we expect for next fiscal year? Right now they are looking at a 2% cut for next year. It looks like that might be the best case scenario.

#### **NEW BUSINESS:**

Out-going Faculty Council members were given certificates and a round of applause for their years of service to Council. Edgley said that the last year had been very busy and productive and he thanked all the Council committee chairs and members who worked so hard. He especially thanked the Executive Officers, Lawry, Moder, and Warde. He said Council was in good hands with the new officers, Lawry, Moder and Masters. Edgley will be serving as Past Chair and will continue to work on the issues. He also thanked Dr. Halligan. He said it was a pleasure to work with him. Even when they disagreed, they always had the utmost respect for each other. Halligan said that this was the 20<sup>th</sup> year that he had been involved in sitting behind a desk similar to the one in Whitehurst. He said he had never dealt with an issue as complex and intractable as this retirement issue, but that he never had felt during the discussions that Chuck led and the others participated in that we weren't of common purpose. He said we may not be of common outcome or a common assessment of where we are, but he never questioned that Edgley was trying to do what he thought was best or that he didn't accord Halligan the same courtesy. He said that when you have a nearly impossible problem, it is good to know you are working with someone like that. He said he really saluted Edgley for that. He said Edgley was an outstanding individual, who is full of fire and commitment. He said he thought the faculty had been blessed to have Edgley's leadership.

Sanders expressed the heartfelt appreciation of the Council to Diane LaFollette for all the work she has done on our behalf.

The meeting adjourned at 5:01 p.m. The next regular meeting of the Faculty Council is June 11, 2002.

Carol L. Moder, Secretary