

FACULTY COUNCIL MINUTES
250 Student Union
February 11, 2003

President Schmidly called the meeting to order with the following members present: Achemire, Arquitt, Bays, Bear, Binegar, Comer, Damicone, Ebro, Gasem, Gelfand, Greiner, Henderson, Holcombe, Lamphere-Jordan, Lavery, Lawry, Masters, Moder, Mokhtari, Morgan, Mott, Murray, Peeper, Redwood, Van Delinder, Veenstra, Weiser and Wetzel. Also present: M. Chicoine, J. Dobson, G. Gates, S. Harp, M. Henderson, B. Ivy, L. Jones, J. Kirksey, C Meador, E. Mitchell, V. Mitchell, M. Payton, D. Shields, J. Vitek, N. Watkins, J. Weaver, J. Wheat, T. Williams, N. Willison. Absent: Bilbeisi and Lehenbauer

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Moder moved acceptance of the January 14, 2003, Minutes. Lawry seconded. The Minutes were approved. Brad Bays asked that the Rules and Procedures report under “Reports of

Standing Committees” be moved from “6i” to “6a.” Moder moved acceptance of the February 11, 2003 Agenda as amended. Gasem seconded. The Agenda was approved as amended.

SPECIAL REPORT: NOC Update from the Task Force – John Dobson

Dean of the College of Arts & Sciences, Dean John Dobson, provided an update on the NOC Committee. Dobson indicated that at last reporting, the task force had completed their Report on Remedial Education and it has been presented to President Schmidly. Schmidly has approved broad distribution of the report so Dobson assumes that anyone who wants to consider the details could obtain a copy of the report. The Report was followed by a meeting with President Schmidly, Dobson and VP Bosserman where a package for the Regents’ meeting was discussed. At the Regents’ meeting on the last day of January we indicated that the Task Force had completed our discussion of the issues, we had looked at the NOC proposal and we felt comfortable with basically what they were proposing. We had clipped a couple of factors of our thinking into the proposal, which would then be worked out in the implementation agreement. The factors were that first of all the tuition paid to NOC for remedial education would be the same as tuition at OSU. We wanted to make sure that the students who took a remedial course at NOC could have that included in their scholarship qualifications, in terms of counting in the number of hours in which the student is enrolled.

Dobson continued by stating that another factor was the concern of the student athlete issue. He said that after talking to other universities and learning how things are done at other institutions we have tentatively agreed to move ahead with a plan for remedial coursework. Arts & Science Extension will offer some sections of remedial courses, but the details of how that will all work will ideally lead to a situation that is as transparent to the students as possible with the extension courses offered by NOC. Student athletes will be encouraged to enroll through the Extension program so that they will have OSU credit for the remedial courses that they take through NOC.

Dobson stated that the other issue that he brought to the Regents is that this will have a financial impact, especially on the Math Department, which is a department that has made money off of remedial courses and paid graduate students with that money. The English Department also has a similar, but smaller financial stake. Dobson hopes that some other budgetary consideration can be found to deal with this issue.

In the conversation with the Regents President Schmidly stated that we would go ahead and start the actual business discussions to develop a memorandum agreement with NOC that would eventually be signed by both institutions. That agreement would set the stage for implementing our arrangement with NOC by next fall. Dobson indicated that Lawry would be providing faculty names for the committees involved in that implementation.

Dobson continued his statements by saying that the remedial part of the program is not the complicated part. There are some other issues that will be more difficult and will require careful discussion to deal with. The remedial program is in good shape though, but that’s where we are on the process. Dobson asked if the audience had any questions.

Lawry stated that he had one question. He proceeded by indicating that the NOC committee was charged with constructing an idea about the impact on the quality of the student body and various other related issues, but the committee may not have been charged in a very specific way with making a direct recommendation about whether this is a wise policy for the University to follow. On the other hand Lawry indicated that he had hoped that the Committee would make a statement about that. Lawry asked Dobson if the Committee would ever make such a statement. Dobson answered, "As Joe McCarthy said in 1950, 'I have here in my hand ...'." The audience began to laugh, but Dean Dobson continued by stating that he was holding the other part of the report on the next phase of the NOC process, which he had just sent over to the Vice President's office. This document has two sections, one that deals with the question of quality of the student body and how that might relate to the NOC program. Dobson stated that the Task Force did not perceive it as their responsibility to recommend yes or no to anything, but the Task Force has put together a lot of information for further consideration.

Schmidly asked if the Task Force had discussed how we might measure the quality and the impact of the remedial courses. He indicated that he would assume that for the students who take remedial courses at NOC their matriculation could be followed through their curriculum at OSU to see how they do. A tangible assessment is possible in this case. Dobson agreed and indicated that the Task Force had included in its reports the recommendation to have a coordinating committee to do that type of assessment to ensure that the quality is at the appropriate level. Dobson explained that once the coordinating committee was set up one of the major goals of the committee would be to assess the progress of students who have first attended NOC. Schmidly stated that he thinks we are missing an opportunity to assess the quality and use that information to evolve the program over time or determine whether it is meeting our objectives or not. Dobson reiterated that one function of the coordinating committee would be to do assessment of that type.

Dobson explained that the other part of the second report has to do with the issue of the transfer admission program. The transfer admission program would be one in which NOC would offer, as they do at other campus locations, a set of courses that would allow a student to take 24 hours there and then qualify for admission to OSU. At the December Regents' meeting President Halligan stated that he was going to ask NOC to provide both a remedial and this alternative admissions program. That alternative admission program did not come to the NOC committee until well into January. However, we had much discussion about it ahead of that time. We felt we had a good handle on what the issues would be. The proposal was unremarkable in the sense that NOC was proposing to offer a series of general education courses. The Task Force wanted to make sure that the NOC presence in Stillwater is accomplishing the goal that we want it to, that is, to provide an alternative admission route for some students in the case that we do change the OSU admission requirements. Therefore, the members of the Task Force are expecting and hoping that once a business arrangement is made with NOC that it will include language that guarantees that NOC would be offering general education courses either exclusively, or at least primarily, for students enrolled at that institution and not offering twenty-five sections of English Composition for OSU students to go across the street to that location. Dobson indicated that he has been encouraged that everyone who has dealt with NOC up to this point that they understand that is what the Task Force is suggesting and that is the direction that they hope the process will take. Dobson stated a main concern was that the NOC situation does not undermine the

students' experience at OSU and yet we provide an appropriate experience for those students who go to NOC. Dobson related that he is uncertain what the next step in the process will be. Dobson stated that President Schmidly has appropriately agreed with the idea that we need to get the remedial program up and structured first and then we can turn our attention to the complex program of alternative admissions which involves basically six or seven departments, rather than just two, plus it involves much more of a program for NOC. In Dobson's view there won't be a clientele created for this alternative admissions program, until the Regents change the admission requirements. If they were to act on that this spring then it would affect admission decisions made next year in academic year of 2004. This means that the first time classes would be needed for these people who are excluded from OSU would be needed in the fall of 2004, so we have about 18 months to work this much more complicated program out. The Task Force has identified appropriately what the objectives of OSU would be in this. Dobson does not think that OSU objectives will be incompatible with what NOC wants in this. Dobson said that from the Regents' meeting in December prior to Schmidly coming to OSU, he learned that the Regents agree with the idea that we don't mean to set up a full range, 2-3 thousand student community college with 80-100 courses of various kinds in the first round of the implementation. Something like that may develop over time, but right now we are solving the admission issue with this approach. Over time we may expect or want more offerings from NOC.

Councilor Murray asked if with the equal tuition between the NOC programs and OSU classes wouldn't NOC make more money teaching here than they would at their regular campus? Dobson indicated that Murray had correctly identified why the business negotiation must go very carefully, because a basic premise all along has been that the tuition for the NOC courses would be the same for OSU courses, although fees may be below the University's fees. If equal tuition exists then by the same token the business agreement will have to include a limitation on the number of course offerings that will be appropriate for the relationship. Dobson stated that the agreement could be adjusted but that is at least the direction that it will begin. Dobson hopes that if they are able to charge the same tuition that we do that they will be willing to pay salaries that will be attractive to people in Stillwater. NOC needs to consider paying the same rate of stipend paid by OSU since they will have more money to do that. Dobson indicated that NOC should be willing to pay market price for the teaching talent in Stillwater. Vitek added that part of the extra money being made by NOC would be needed to rent OSU space and care for that space. OSU will not be providing free physical space for NOC.

Lawry added that deep skepticism had been voiced on the part of the faculty last fall when this proposal was first discussed. He stated as far as he could tell that very little if any information had been provided to the faculty to decrease their skepticism. Considering the time, energy and effort that are going into this plan, Lawry encouraged that the committee or the administration try to communicate to the faculty what the benefits of this plan are for the University. Dobson stated that one clear benefit, if this all works, if we raise our admission standards and if we increase the number of students who find OSU attractive, then those students will be better prepared for our educational experience. Lawry added one final point that the committee or the administration informs the faculty about the commitment that the University is making in this situation and makes the benefits clearly known. Schmidly stated that he would be glad to sit down with the committee and walk them through his experiences at other institutions with this type of situation. Dobson indicated he considered that a good idea. Once Schmidly has the

opportunity to review the committee's report then a discussion could occur from which information could be disseminated to the faculty as a whole.

SPECIAL REPORT: Proposed Racial/Ethnic Harassment Policy – Earl Mitchell

Mitchell began by passing out a statement that defines racial harassment that he has available on his web page. Mitchell indicated that last fall after the incident with the Alpha Gamma Rho Fraternity and another incident involving harassment of a faculty member, the University recognized that it was in need of a full racial harassment policy. He stated that Carolyn Hernandez first put together the framework of a policy, which was then disseminated to the Diversity Committee. This committee has a subcommittee, Ethnic and Racial Subcommittee, which worked on the policy that is presented below in the Minutes. While this policy was being developed there was much communication with Faculty Council officers and the draft policy below has been disseminated widely across campus to generate as much feedback as possible prior to the policy being adopted. Mitchell is requesting that the Faculty Councilors review the policy and provide full critique of the document. Mitchell described that the intent is to generate a policy that allows us as an institution to really begin to educate and change behaviors, but also that establishes certain kinds of norms for behavior that we consider unacceptable and provides for some mechanism to adjudicate such behavior following all the due and reasonable processes. The language in the policy is very clear about first amendment rights. Mitchell requested that Councilors carefully consider the policy, provide feedback, and encourage other faculty to also do so. Schmidly clarified that Mitchell wanted the Council to review this policy and make a future recommendation to Faculty Council. Mitchell reminded those present that Legal Counsel would also have to take a detailed look at the policy statement before it was adopted, but since they are council to the Regents he felt that the University should state the policy as they desire, then Legal Counsel can deal with it for the Board of Regents. The draft policy is listed below and it is also available off the main page of the Faculty Council Website (<http://facultycouncil.okstate.edu>).

OKLAHOMA STATE UNIVERSITY

RACIAL AND ETHNIC HARASSMENT POLICY 1/24/03

FINAL DRAFT

INTRODUCTION

1.01 Oklahoma State University (OSU) is committed to creating and maintaining a community in which students, faculty, staff, guests, and visitors work, study and teach together in an atmosphere free of all forms of harassment, exploitation or intimidation, including but not limited to harassment based on sexual orientation, racial, ethnic, national origin, disability or status as a veteran. No individual or identifiable group of persons shall be excluded from participation in, or be denied the benefits of, or otherwise be subjected to discrimination in employment or a university course, program, or activity on the basis of age, race, ethnicity, color, gender, national origin, religion, veteran status, or disability status. In employment, racial/ethnic harassment is prohibited by law under Title VII of the Civil Rights Act of 1964. In the educational context, racial/ethnic harassment is race discrimination that interferes with students' opportunities to enjoy the educational programs offered by OSU and is prohibited by law under Title VI of the Civil Rights Act of 1964.

POLICY

2.01 OSU prohibits conduct which constitutes racial/ethnic harassment in employment, educational programs, or university sponsored activities. This policy is in addition to current University policies concerning discrimination, and applies to all students, faculty, staff, campus residents, guests or visitors. Persons in violation of this policy will be subject to remedial or corrective action as set forth in this policy. Enforcement of this policy shall be consistent with the freedom of speech guaranteed by the First Amendment to the United States Constitution. At the same time, it is hoped it will deter discriminatory conduct not protected by the legally defined boundaries of free speech, in fulfillment of the University's duty to protect its educational environment.

2.02 This policy shall not limit the scholarly, education, and/or artistic content of any written, oral, electronic, or other presentation or inquiry falling within justifiable academic standards covering course contents and pedagogy. OSU is committed to academic freedom for all members of the academic community. Accordingly, academic freedom shall be liberally construed and shall not be used as a pretext for violation of this policy. When appropriate, faculty are advised to inform students that content and teaching strategies properly employed in higher education may be controversial and/or discomfoting to some individuals.

DEFINITION

3.01 Racial/ethnic harassment may be defined as an unwelcome or hostile act, or series of acts, carried out on grounds related to race, color, ethnicity or national origin.

3.02 Racial/ethnic harassment could also create a hostile environment when the conduct has the purpose and effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working/academic environment. A hostile environment created on the basis of race, color, ethnicity, or national origin is prohibited at OSU.

3.03 In determining whether the alleged conduct constitutes racial/ethnic harassment, the record, as a whole will be considered, as well as the totality of the circumstances.

3.04 Any form of racial/ethnic harassment will be dealt with in a serious manner. Lack of intent does not excuse behavior. Unintentional harassment will be dealt with as a serious matter. A "victim" does not have to be present or targeted for an incident of racial/ethnic harassment to have occurred. All incidents of harassment will be challenged. Not to respond may be interpreted as condoning the behavior and may result in serious incidents of retaliation.

3.05 The definition as described in Sections 3.01-3.04 of this policy covers actions ranging from rudeness to murder; it is also aimed at individuals, groups or whole communities. Included in this definition are also acts aimed at property, such as deliberate noise, nuisance, graffiti (including the insignia or names of far extremist groups), damage to property, or circulating racially or ethnically offensive publications.

EXAMPLES OF PROHIBITED CONDUCT

4.01 Examples of prohibited acts that constitute racial/ethnic harassment may take a variety of forms. Examples of the kinds of conduct that may constitute racial/ethnic harassment include, but are not limited to:

4.01.1 Verbal and Nonverbal Harassment – gestures, written notes or comments, name calling, verbal abuse, epithets, derogatory comments, threats, slurs, unwelcome remarks, or innuendoes in attributing an individual's persona, conduct, habit or lifestyle to his/her racial or ethnic affiliation, or taunting about a person's race, color or national origin.

4.01.2 Physical Harassment – assault, impeding or blocking movement, and any physical interference with normal work or academic participation vandalism, intimidation, or being excluded because of one's race or ethnic background.

4.01.3 Print and Electronic Harassment – racist or derogatory or offensive posters, production or distribution of hate literature, pictures or other materials, cartoons, drawings, graffiti, such as degrading or insulting words, messages or slogans, written, drawn or displayed on University property or distributed through Institutional print or electronic communications.

4.01.4 Misconduct – involves violations of the law, such as Title VII or Title VI of the Civil Rights Act, 1-0101 Equal Opportunity/Affirmative Action University Policy, 3-0745 Nondiscrimination, Equal Opportunity & Affirmative Action University Policy, or accepted societal norms. Such actions will include, activities or situations, planned or negligent, which are directly related to the victim's race or ethnic background. The result of such actions will also produce unnecessary and undue: mental and/or physical discomfort, embarrassment, harassment or ridicule.

4.01.5 Intimidation or Retaliation - Threats or other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy. Such actions are prohibited and may also be subject to direct administrative action.

SANCTIONS

Complaints alleging violation of the racial/ethnic harassment policy will be reviewed and investigated by the appropriate University office. Complaints will be resolved informally or proceed through the applicable formal complaint proceedings.

5.02 Violations of this policy will result in disciplinary action taken by the appropriate authority. Sanctions may include reprimands, suspensions, educational remediation, community service, expulsion or termination. Sanctions will be based upon the facts and circumstances of each case, and will be in accordance with terms and guidelines of the applicable campus complaint procedures.

GENERAL COMPLAINT/GRIEVANCE PROCEDURES

6.01 The responsibility for implementing this policy falls especially upon University administrators and supervisors.

These procedures are provided to ensure that any concerns staff, faculty and students may have are addressed promptly. Furthermore, it is important that resolutions are achieved in a fair and just manner, and that concerns can be brought to the attention of the University administration without fear or reprisal.

6.02 Definitions:

6.02.1 Complaint: A “complaint” is a timely informal expression of dissatisfaction with possible discriminatory aspects of University-related experiences outside the control of the staff, faculty or student. These concerns are to be directed to the appropriate administrator having jurisdiction within 60 calendar days from the date of the alleged discriminatory act. For informal resolution regarding staff and faculty see Section 6.03.1 For students see Section 6.03.2 For formal resolution regarding staff see Sections 6.04.1(a) and 6.04.2(a) For faculty see Sections 6.04.1(b) and 6.04.2(b). For students see Sections 6.04.1(c) and 6.04.2(c).

6.02.2 Grievance: A “grievance” is a timely formal written complaint relating to an adverse action which has been informally examined by the appropriate University administrators, presented in writing with good faith, and which identifies a problem of alleged discrimination which has not been resolved through normal administrative channels. A formal grievance must be filed within 30 calendar days of receiving final notification of the results of the informal administrative review. For staff and faculty grievance procedures see Sections 6.04.2(a) and 6.04.2(b). For students see Section 6.04.2(c).

6.03 Informal Resolution

Anyone may seek advice, information or counseling on matters related to racial/ethnic harassment without having to lodge a formal complaint. Persons who feel they are being harassed, or are uncertain as to whether what they are experiencing is racial/ethnic harassment, are encouraged to talk with whomever they feel comfortable. Such informal discussions can be handled through normal administrative channels, departmentally by deans, department chairs, or heads of administrative departments.

6.03.1 Employees (Faculty and Staff)

Should an employee in an administrative or supervisory position have knowledge of conduct involving racial/ethnic harassment or receive a complaint of harassment that involves a University employee, including student employees, or agents under his or her administrative jurisdiction, immediate steps must be taken to deal with the matter

appropriately. Timely actions, such as mediation, education or appropriate corrective action if necessary, are encouraged.

An employee (faculty or staff) who believes s/he has been a victim of racial/ethnic harassment must initially attempt to resolve the matter with the administrative official most directly concerned, excluding the person accused of racial harassment. Other individuals empowered to receive complaints shall include department heads, academic deans, directors or administrative supervisors of an operational unit. Employees (faculty and staff) may also contact:

Director of Affirmative Action
408 Whitehurst
744-5371

Associate Vice President for Multicultural Affairs
408 Whitehurst
744-9154

6.03.2 Students

6.03.2(a) A student who believes s/he has been a victim of racial/ethnic harassment by an employee, including a faculty member, staff member, or student employee, in the course of his or her University involvement, is encouraged to attempt to resolve the matter with the administrative official most directly concerned, excluding the person accused of the harassment. Other individuals empowered to receive complaints shall include department heads, academic deans, directors or administrative supervisors of an operational unit. Students may also contact:

Student Conduct Office
306 Student Union
744-5470

Vice President for Student Affairs
201 Whitehurst
744-5328

Director of Affirmative Action
408 Whitehurst
744-5371

Associate Vice President for Multicultural Affairs
408 Whitehurst
744-9154

6.03.2(b) A student who believes s/he has been the victim of racial/ethnic harassment by another student should contact:

Student Conduct Office
306 Student Union
744-5470

Vice President for Student Affairs
201 Whitehurst
744-5328

6.03.2(c) The student may also contact the:

Director of Affirmative Action
408 Whitehurst
744-5371

Associate Vice President for Multicultural Affairs
408 Whitehurst
744-9154

6.04 Formal Resolution

6.04.1 Written Complaint

The filing of a written complaint is required for the matter to be formally investigated and a determination made as to whether a violation of OSU policy prohibiting racial/ethnic harassment has occurred.

The individual who assumes original jurisdiction will provide the respondent with a written statement of the allegations, to which that individual will be required to respond in a timely manner. During the course of the investigation the Director of Affirmative Action, a representative of the college, or the Student Conduct Officer, will hear the complainant, the respondent, and the witnesses identified by each party.

At the conclusion of the investigation of a complaint against a faculty or staff member, the individual conducting the investigation will present to the appropriate administrative official(s) a written report which will include the allegations, the investigatory process, the evidence in the case, the persuasiveness of the evidence, the consistency of the testimony, and the credibility of the witnesses. The university administrator(s) will make a determination as to whether there was a violation, will take necessary action, and will inform the complainant and the respondent of the final disposition of the complaint. See Section 5.02 of this policy for possible sanctions.

If either the complainant or respondent is not satisfied with disposition taken by the university administrator, either party may proceed to the grievance procedure to which s/he has access.

6.04.1(a) Staff

If an employee wishes to file a formal complaint of racial/ethnic harassment against another staff, faculty member, consultant, outside contractor or other University representative, the written complaint must be submitted to the Director of Affirmative Action. If an employee wishes to bring a formal complaint of racial/ethnic harassment against a student the employee should inform the Student Conduct Office.

6.04.1(b) Faculty

If a faculty member wishes to file a formal complaint of racial/ethnic harassment against another faculty, staff member, consultant, outside contractor or other University representative, the written complaint must be submitted to the appropriate Department Head, Dean, appropriate Vice President, or the Office of Affirmative Action.

6.04.1(c) Student

Complaints regarding racial/ethnic harassment against students or student organizations shall be filed with the Student Conduct Office for review and investigations.

If a student wishes to file a formal complaint of racial/ethnic harassment against a faculty member, staff, consultant, outside contractor or other University representative, the written complaint must be submitted to the appropriate Department Head, Dean, appropriate Vice President, or the Office of Affirmative Action.

6.04.2 Grievance Procedure

Should any staff, faculty or student believe s/he has been the victim of racial/ethnic harassment, and should the informal or written complaint procedure (if appropriate) have failed to produce a resolution satisfactory to that person, then he or she may proceed to the appropriate grievance procedure. If a complaint is resolved to the satisfaction of the grievant but not the accused, the accused may proceed to the grievance procedure to which s/he has access.

Not every act that might be offensive to an individual or a group necessarily will be considered a violation of this policy. Whether a specific act violates the policy will be determined on a case-by-case basis with proper regard for all of the circumstances. Due consideration must be given to the protection of individual rights, freedom of speech, academic freedom and advocacy. The Office of the Executive Vice President will rule on any claim that conduct, which is the subject of a formal hearing, is constitutionally protected by the First Amendment.

6.04.2(a) Staff

Grievance procedures for staff will be governed by the Policy 3-0746, Grievance and Appeals for Administrative/Professional and Classified Staff.

6.04.2(b) Faculty

Grievance procedures for faculty will be governed by Appendix D of the Faculty Handbook.

6.04.2(c) Students

Grievance procedures for students will be governed by Section VI (I)(2) and Section (D) of the Students Rights & Responsibility Governing Student Behavior.

NOTIFICATION

7.01. Notification

All parties will be notified in writing regarding the informal or formal resolution based on the findings of the investigation. A copy of the report will be filed with the Office of the Associate Vice President for Multicultural Affairs.

APPEAL OF DISCIPLINARY ACTIONS

8.01 Where administrative actions in response to allegations of racial/ethnic harassment are directed, the employee, faculty or student affected by such disciplinary procedure, may seek further institutional review as set forth below:

8.01.1 If the respondent is a staff member, the grievance will be governed by Section 30746.1 of the Personnel & Policies Manual, Grievance & Appeals for Administrative/Professional and Classified Staff.

8.01.2 If the respondent is a faculty member the grievance will be governed by Appendix D of the Faculty Handbook.

8.01.3 If the respondent is a student the grievance will be governed by Section VI (I)(2) and Section (D) of the Student Rights & Responsibility Governing Student Behavior.

DIRECT INSTITUTIONAL ACTION

9.01 Any administrator responsible for implementing this policy is required to undergo sensitivity training on racial and ethnic issues. This training will include, but not be limited to: a minimum of four, two-hour sessions with qualified professionals to discuss psychological, social, historical, and contemporary racial and ethnic issues, as well as examine actual and hypothetical

situations, and view videotapes. Administrators will be required to undergo such training every three years.

9.02 Even in the absence of a complaint, if University administrators, including the President, the Executive Vice President, Vice Presidents, Deans, Department Heads or Directors, become aware of allegations of discrimination or racial/ethnic harassment, it is their responsibility to inquire into, or seek assistance in inquiring into, allegations or behaviors that may be discriminatory or harassing in order to determine what action(s) are warranted. Appropriate procedures may include initiating an investigation. Administrators needing assistance should consult with the Affirmative Action Office.

CH

Revised 1/24/03

REPORT OF STATUS OF FACULTY COUNCIL RECOMMENDATIONS:

President Schmidly and Vice Presidents

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).

President Schmidly asked Jack Vitek to comment on this recommendation. Dr. Vitek stated that until we have a budget again or a raise program there is no way of meeting this requirement. President Schmidly stated he felt this was a very serious issue and at some point and time a salary consultant, that is an expert on salary adjustment issues, might need to be invited to come work with us on this matter. He does not know that \$2,000 is the right amount of money, for example, and has not seen the data to know whether discrepancies are greater at the full, associate, or assistant professor levels. He went on to say that often you will find variability in that people that were hired more recently are brought in at a more competitive salary and so you have the issue of whether you are dealing with salary compression or salary inversion. He has been told that more of the problems are likely to be found at the professorial level and if that is the case it could be that there needs to be a differential in terms of what would be allocated to any potential program. He feels a person who is an expert in this field would be helpful in getting salaries to a benchmark target. Understanding the salary structure and the benchmark targets at various faculty ranks is essential information as the University moves into the strategic planning process. He added it would be very unlikely that you would ever have the amount of money in hand at one time to give everyone a salary increase across the board. You might have to do the professors at one time, the associates another time, and then assistants.

01-05-01-CFSS ***Parking Policy:*** Pending response from Faculty Council Committee on survey results. Geary Robinson presented the survey results from the HES Bureau of Social Research to the Campus Facilities, Safety, and Security Committee on October 30. The committee will submit a written commentary regarding the survey to the OSU Parking and Traffic Rules Committee.

Dr. Gasem reported that his committee had finalized their input and had looked at the information received by Geary Robinson and his office and are in the process of sending him a set of guidelines. This is basically recommending a multi-faceted approach, which involves

additional parking, optimized operations of what is available now, improved routes by bike riders and pedestrians as well as a reliable transit system which would allow for remote parking. It is anticipated that Robinson will be receiving this document in about two weeks. President Schmidly asked if the committee report included any estimate of cost to implement or was the administration expected to do this. Gasem replied that the administration would be provided a set of guidelines on how to arrive at an assessment. Gasem added that according to a campus survey conducted last year the majority believes in a good reliable transit system, safe pedestrian and bike routes, and surface parking as well as multi-modal parking. After looking at all those issues they arrived at a set of guidelines they thought would help. President Schmidly asked if the items in the report were prioritized in the event there were limited resources and Gasem replied that they had attempted to do that.

Guidelines

- An example was that the committee thought a time-line was a must. The information they received did not have this.
- Measure the current parking capabilities. There was a description in the report but they did not think it was complete.
- Provide an estimate for the deficit in current parking spaces. There were some estimates but, again, they need to know how much is needed.
- Provide estimates for the resources required to fulfill the current need.
- Provide an estimate for the current income from parking that we have currently. If it is known what is needed and what resources are currently received, then an estimated can be made as to what the deficit is and what increase in fees is needed to provide a certain level of service.

Then, they would go on and provide a description of the model – that it should be optimized for the current facilities, it should have service parking as an element to it, consider remote parking served by an efficient transit system, multi-level parking in certain areas (and actually this is a moot point because of a recently obtained Federal Grant), and provide safe bicycle and walking routes and also consider class schedules and how they influence congestion in certain areas. President Schmidly said his experience with planning for parking is that all the planning can be done, and it will be, because he thinks it is a must for any kind of long-term strategy and vision for the campus; but to implement things will mean one thing, the cost of parking is going to get more expensive. Gasem replied that if it is approached in a calibrated fashion perhaps the cost will not be insurmountable and the clientele here say they are willing to pay \$75 to \$100 but they are not willing to pay \$400 per year. This committee wants to make sure they are given the maximum benefit for whatever money they are paying and think with some thought and foresight, the burden might be reduced.

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.)

President Schmidly said the first part of the recommendation, “faculty and staff raises should, at a minimum, be equal to the % increase of ‘new money’ received each year,” is not accepted but administration is willing to consider other alternatives. One of his goals here is to increase faculty salaries. He feels it is a major problem that needs to be addressed, but there are other

ways to achieve this. He mentioned some places are giving one-time bonuses when they are not able to give raises. It is the flexibility that is needed here. The second part of the recommendation is accepted. When a raise program is available the raise should be effective on July 1. However, if bonuses became available they might fall under a different time frame. He feels there are better ways to create incentives around performance than delaying the date of raises.

02-02-01-BUDG ***Athletic Department Deficit Reduction:*** To Dr. Birdwell. President met with the Athletic Council regarding the Athletic Department's plan for deficit reduction and Athletic Council is studying this issue. Included as part of Dr. Birdwell's annual goals.

President Schmidly had discussed this recommendation with Harry Birdwell and Dr. Birdwell is on target this year to reduce the deficit by one-half million dollars and that is his target every year and the President told him he wanted him to keep the target there. Obviously, depending upon the outcome of a particular year he may or may not be able allocate that much money. Birdwell feels to promise it "iron clad" is not a good policy on the part of the Athletic Department. President Schmidly accepted this recommendation.

02-04-01-LRPIT ***Information Technology Policy:*** Pending discussion with Faculty Council Committee. Dr. Vitek reviewed the proposed policy, including input from CIS representatives and others. Discussion with FC Long-Range Planning and Information Technology Committee occurred twice and a follow-up session was scheduled for early December.

President Schmidly said he has seen the policy that has come out of Council's committee and would like to include staff and students in a review of it and also would like to wait until the new VP for Information Technology and System-wide Chief Information Officer is identified. Therefore, he probably will want to defer final approval on this recommendation until this individual is identified and can look at the policy. Lawry suggested the policy be accepted now as the interim policy until the new person comes on board. Vitek said it had to go to Legal Counsel before that. The President said if those were the rules we would get it to Legal Counsel. **NOTE:** Birne Binengar, Chair of the Long-Range Planning and Information Technology, gave his report at this time instead of under the Reports of Standing Committees.

There are currently two IT policies and procedures documents on record:

- 2-0501: Administrative Information Systems (1986)
- 1-0131: Use of Email (1997)

The first P&P establishes a now obsolete framework for control and access of purely administrative data systems. This was written at the time when the connectivity meant a direct wiring connection between a terminal and a mainframe. However, in today's world of ubiquitous internet access to administrative data systems, 2-0501 is completely obsolete. The second P&P document attempts to delineate appropriate and inappropriate use of email, and to notify users of limitations on the privacy of their email communications. While on the books as approved by Faculty Council in 1996; in fact, the Faculty Council resolution passed in 1996 recommended only a one year interim policy. In short, the current IT Policy and Procedures are terribly lacking in both legitimacy and relevance.

In the summer of 2001 CIS proposed four new IT policy documents:

- Appropriate Computer Use Policy
- Use of Electronic Mail
- World Wide Web Publishing

- Network Policy

These policies came to Faculty Council in the Fall of 2001; at which point the LRPITC was charged with assessing their impact on the faculty and the University as a whole. After six months of extensive deliberations, including consultations with faculty and professional staff with both IT needs and expertise, it became clear that what was needed first and foremost was a policy that establishes an efficient and viable mechanism for the review and adoption of procedural responses to the rapidly changing IT landscape.

In the Spring of 2002 Faculty Council passed, by a unanimous vote, a resolution recommending that policy and procedural issues be separated, and providing a means for the quick review and implementation of procedural responses to changes in IT technology and usage. In June of 2002 the Staff Advisory Council unanimously approved the principles of the Faculty Council IT policy resolution.

During the Fall of 2002, the LRPITC collaborated with the IEVP to hammer out the details of an IT policy that could be recommended by the President to the Regents as an official P&P document. A draft of this document has been circulated via LISTSERV and as an attachment to the January Faculty Council Minutes. We have received a number of suggestions that have been incorporated into the latest draft. This latest draft can be found at <http://facultycouncil.okstate.edu/documents/committees/IT/030127.ITdraft.pdf>. In this brief, I will simply review a few key points:

- Because of the amorphous and transitory nature of IT technology and usage, a long term IT policy must refrain from mandating specific procedural remedies to current dilemmas. Current problems should be addressed instead by contemporaneous procedures documents.
- There is a provision to allow CIS to immediately disconnect devices causing network disruptions or instabilities.
- There is a mechanism by which benign procedures may be implemented without delay.
- There is a mechanism by which controversial changes to the IT infrastructure receive a fair hearing before adoption.

While the LRPITC feels that it is time to move forward with a resolution recommending the adoption of the current policy draft, we have been advised that the new President wishes to hold off on this until the new Vice President/CIO is hired and consulted.

President Schmidly stated there were a few “red flags” that he saw that he would like to understand better. He thought it would be best to go ahead and give this to Legal Counsel for them to look out and in the meantime he would type up his comments and give them to the LRP&IT committee and would asked that they look at and react to them and see if they would cause the committee to look at anything differently.

02-12-01-ASP ***Policy on Final Exam Schedule for Distance Delivered Courses:***
Pending. Council of Student Academic Services Directors recommends approval. Recommendation will be considered by members of the Instruction Council and Deans Council in February.

02-12-03-RES ***Regents Distinguished Research Award:*** Accepted. Joe Alexander will distribute information about the award to faculty. Approved by the Deans Council on Feb. 14, 2002, and by the Research Council. Received approval by the OSU Board of Regents on Jan. 31, 2003.

02-12-04-RFB ***Maternity/Family Leave Recommendation:*** Pending review by administration.

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| 03-02-01-ASP | <i>Revision of P&P Letter 2-0206 Dropping and Adding Courses and Withdrawing from the University:</i> To President Schmidly |
| 03-02-02-ATH | <i>Tracking Athletes:</i> To President Schmidly |
| 03-02-04-RFB | <i>Change to the Employee Sick Leave Cap:</i> To President Schmidly |
| 03-02-05-RFB | <i>Implementation of a (457b) Deferred Compensation Plan:</i> To President Schmidly |

REPORTS OF STANDING COMMITTEES:

RULES & PROCEDURES — Brad Bays

Bays announced this was the meeting where Council nominates faculty for the Vice Chair position on Faculty Council for 2003-2004. Verbal nominations from the floor included Birne Binegar, Sally Henderson, Tom Peeper and Mark Weiser. Successive secret ballots were taken until two candidates received a combined vote of at least 75 percent of the total votes cast. Those two were Birne Binegar and Sally Henderson and their names will be announced, in writing, to the General Faculty within ten days. Bays also announced that additional nominations for Vice Chair may be placed on the primary election ballot provided that a petition signed by fifty members of the General Faculty is submitted for each such nomination by March 10. These blank petitions will be included in the first mailing.

ACADEMIC STANDARDS AND POLICIES — Andrea Arquitt

Arquitt presented the following recommendation:

Title: Revision of P&P Letter 2-0206 Dropping and Adding Courses and Withdrawing from the University

The Faculty Council Recommends to President Schmidly that: the P&P Letter 2-0206 be revised to reflect the following:

1. The deadline for dropping courses with no transcript record is the 6th day that classes meet in a regular session (not counting Saturday as a class day) or the 3rd day of an eight-week session or the 2nd day of any session less than eight weeks.
2. After the time to drop with no transcript record and prior to the end of the 12th week of a regular session or 6th week of an eight-week session or proportionate time in short and block courses, the student may drop with a "W" recorded.
3. The deadline for withdrawing from all classes is the Friday prior to the beginning of pre-finals week.
4. Courses may be added up to the end of the 6th day that classes meet in a regular session or the 3rd day in an eight-week session or proportionate times in short or block courses. With instructor's approval classes may be added through Friday of the second week of a regular semester or a proportionate time in eight-week, short and block courses.
5. Late withdrawals are by petition. The process is specified in section 4.03. This includes grade assignment by the faculty member and notification of all parties when the process is complete. The maximum date for late drop petition was changed to be consistent with the deadlines for grade appeals (no later than four months after the date the grade for the course is officially due in the Registrar's Office or six weeks after the student begins a new semester, whichever comes first).
6. A committee on Late Drops is officially established whose composition and responsibilities are delineated in section 4.04. A faculty representative is specified on the

committee as a member of the Academic Standards and Policy Committee of the Faculty Council.

7. The decision of the committee is final. Members of the committee have full authority to act on the petitions as representatives of the faculty and administration. No appeal exists for the decision of the committee.

Rationale:

1. The changes clarify the process and the time frame for dropping and adding classes prior to the 12th week.
2. The changes clarify the process that students must follow to drop classes after the 12th week.
3. The revision establishes a review committee and defines its membership and the organization and responsibilities of the committee. It clearly defines the role of the faculty member in the process.
4. The changes coordinate deadlines for requesting by petition for late drops to coincide with the deadlines for grade appeals. This removes an unreasonably long deadline for requesting a late drop.
5. The revisions address concerns identified in the Report of the Ad Hoc Committee on Grade Assignment, August 2002.

President Schmidly said he felt this would become a serious issue if block tuition were approved. This is something he will want to discuss with Council and get their reaction to. What he thinks might happen is if a student fundamentally pays a block fee to register from 13 to whatever hours, say 19 hours, the student will jump in to reserve a space and that will keep other people from getting the space that are serious about staying in class and then at the last minute there will be wholesale drops that take people down from 18 or 19 hours to 12, 13, 14, etc. He is going to study this within the context of the current way tuition and charges are done but he would also like to consider it within the context of what it might mean if block tuition is approved. Arquitt said she believed the period to add extends beyond the period to drop as a full tuition refund and so there is protection that way and there is also a place where a student can actually request an exception from a faculty and have a late add so that empty spot can be filled. President Schmidly said they were discussing how to manage this so it is fair to the students and equally fair to those that did not get in the class because someone took it and then dropped it at the last possible minute. He will read and study this recommendation in that context and might come back to the Faculty Committee with some ideas to get their reaction. Arquitt added that, from a faculty standpoint as someone that teaches a very large class, she thought that students that add late do not get a fair shake. They do not get the basic content and they are at an extreme disadvantage. President Schmidly asked if this had been shared with Student Government and Arquitt replied they had not worked with them. Ivy added that the real changes to this policy revision had to do with the process when a student wants to drop after the twelfth week. Vitek stressed that it was imperative that faculty provide a syllabus the first week of class. And to say you did not get it done when your class meets once a week really presents a problem for students. The block tuition will solve the tuition problem but this recommendation says you have to get a "W" for something that you still have a right to drop and he disagrees with that. Ebro asked if all faculty were not required to present a syllabus the first day. She said her department requires one be submitted to the Web. Vitek replied that statement was passed long ago but is not being enforced. Faculty Council's recommendation says a syllabus is

recommended. They tried to change that a year ago and Faculty Council would not change it. He added there are still faculty out there that walk into class the first week and do not pass out a syllabus. Masters said if a drop fee is considered that that fee increases up to the twelfth week because it is a burden on faculty and in the class to have students remaining who are not fully engaged in the material or who are not fully capable of studying the material. A lot of resources are utilized in students when it is apparent to faculty in the beginning that they will eventually drop but there is no incentive for them to do that prior to late in the semester. The question was called and President Schmidly asked for a vote. This recommendation passed unanimously.

Arquitt also gave the following Committee update. 1) Procedure so that the registrar will be notified when a student is placed under investigation for Academic Misconduct or Dishonesty. At the present time the P&P letter for dropping a course states that no student may drop or withdraw from a course if a formal charge of academic dishonesty is pending. However, there is no procedure at the present time for notification of the Registrar to prevent that drop or withdraw from occurring nor is there a mechanism to rectify such an action by the student. They are investigating how such controls could be put into place. 2) Grades for courses taken at institutions outside the United States. They are looking into what other universities do regarding assigning actual grades or indicating a pass for the courses. The request for awarding grades from international institutions originated with the director of admissions. There are many implications to this regarding fairness both if grades are awarded and if they are not. 3) Academic Dishonesty and Misconduct Policy (P&P 2-0822). Some of the requested changes to the policy are cosmetic while others have implications on how charges will be handled. 4) Probation and suspension GPA issues. The issue is whether grades earned from institutions other than OSU should be used in determining the status of a student regarding probation or suspension.

ATHLETICS — Carol Moder

Moder presented the following recommendation:

Title: Tracking Athletes

The Faculty Council Recommends to President Schmidly that: The Athletics Department, in cooperation with appropriate university offices, develop and implement a procedure for tracking the academic progress and job employment of OSU athletes who have played for an OSU team for one academic year or longer. This procedure should be designed to gather information on the academic, professional, and employment history of athletes for a minimum of five years after they leave OSU. The Athletics Department should provide an annual report of this information to the Faculty Council Athletics Committee, Athletics Council, and other interested university groups.

Rationale:

Currently the Athletics Department reports on the 6-year graduation rate, as calculated according to NCAA rules. It is clear that this statistic does not provide a complete view of the academic progress of athletes, nor does it provide information on their eventual job or professional placements. The information from the 5-10 tracking procedure will provide better information concerning how intercollegiate athletics contributes to the student experience and to society after athletes leave the university. The information may also help to better evaluate the services that

athletes receive at the university and may improve our understanding of the factors affecting the retention of athletes.

Moder mentioned there were members from the Athletics Department who attend their committee meetings and they felt this would be feasible and that it might be helpful for them to learn as well. Lawry said this recommendation only mentioned athletes that played for one academic year or longer and so this would not count for athletes who played for one season and Moder replied that was correct. Lawry asked why they shouldn't be tracked also. Moder said they were led to believe it would be very difficult to try and track everyone that walked on and off a team. There are quite a few of them and they don't generally keep very good records about who they are and how long they're there. Masters asked if it was not reasonable to track scholarship athletes that were here for only one semester. Moder replied, "it is, but the question is what kind of an impact is OSU having on them if they are only here for one semester." Gelfand said his concern was the tracking system itself. He was concerned about whether there would be a mechanism in place to know if it is accurate. Presumably this would be self-reporting and he wondered about people "floating" around and moving from place to place and maybe not receiving the information. Moder replied this would essentially be an imperfect tracking system no matter what is done. This happens in all university tracking. She felt partial information would be better than what is received now. Bear asked if the athletes were already tracked in their academic units. Moder said only if they graduate. This committee is asking for athletes to be tracked after one year whether they graduate or not. Lawry said he has read extensively about athletes and academics and the chief criticisms that people have about the education of athletes and whether we are doing a good job about that has less to do with what happens to them afterwards and more to do with how they are treated while they are here. He was wondering if the committee could consider the possibility of doing a better tracking job of what their academic program is like here including the actual courses that they take and the GPA's in those courses to see whether or not athletes are being put into classes where everyone gets an "A" or tracking various majors to see if there are a cluster of majors that suggest that perhaps that major is the one that everyone knows they are supposed to take. Wetzel asked what good would a study like that bring forth. Lawry replied that studies at other institutions have in some cases suggested that athletes have not been advised well as to what their academic program should be and have been put into various programs just to stay eligible rather than to get an education. Moder gave two responses to Lawry's concern. One was that she understood the Athletic Integrity. Wetzel asked what you would do if this were true. Lawry replied, "Change the system." Somehow, the Committee of Athletic Council is taking up the question of what kind of reporting the university would like to have based on athletes performance including things like GPA, major and comparison to other students in that major, etc. Therefore, the FC Athletics Committee has been trying not to duplicate what the Athletic Integrity Committee is doing. Secondly, her committee is, in fact, about to undertake interviews with athletes and one of the questions they will be asking is what are their majors, how do they select those majors, do they select them on eligibility, etc., and she hopes some of the issues Lawry raised will come out in those interviews.

President Schmidly asked for a vote and the recommendation passed unanimously.

BUDGET — Scott Gelfand

Gelfand presented the following recommendation:

Title: Tuition Waiver Recommendation

The Faculty Council Recommends to President Schmidly that: undergraduate tuition waivers be managed according to university budget priorities and enrollment goals. National Merit/National Achievement Scholarships and OSHRE Awards should be maintained as necessary to comply with state and federal regulations. Athletics Department Grants-in-aid should continue to follow established rules. For all other undergraduate tuition waivers, both in-state and out-of-state:

- (1) Each scholarship should be capped at an appropriate maximum dollar amount
- (2) The number of awards for each program should be limited for any given year, and
- (3) Retention of an award should require an OSU retention GPA of at least 2.5. (For some programs the retention GPA should continue to be higher).

These recommendations do not supersede any additional requirements pertaining to tuition waivers.

The specific dollar amounts and award limits should be determined annually for recruitment the following year by a Tuition Waiver Committee consisting of the Chair of the Faculty Council Budget Committee and two representatives appointed by the Provost, one from enrollment management and one from the budget office. The recommendations of the Tuition Waiver Committee should be brought to the University Budget Committee for discussion prior to their implementation.

Rationale:

The amount of university revenue not collected because of undergraduate tuition waivers has increased significantly over the last several years. In 2001-2, approximately 13million dollars in undergraduate tuition waivers were granted in a total of more than 7,000 awards. The average resident tuition waiver was \$1,218; the average non-resident tuition waiver was \$4,324. Until the current recruiting year, non-resident tuition waivers were uncapped and typically waived the full difference between in-state and out-of-state tuition. In-state waivers were capped at maximum dollar amounts per scholarship varying from \$800 to \$2000, depending on program. For the current recruiting year, the out-of-state waivers have been capped at \$3,750. Caps for some of the in-state awards have been lowered \$200 to \$375 per year. There are no limits on number of awards. Most waivers are awarded on a first-come first-served basis.

Implementing this recommendation would have the following advantages:

- (1) Caps and limits on scholarship will aid in budget planning
- (2) Matching scholarships to enrollment goals will enhance recruiting efforts and will permit more targeted recruiting.
- (3) Use of a minimum retention GPA will ensure that waivers reward good academic performance.
- (4) The proposed committee structure will allow faculty to have greater input into the setting of recruiting and budget priorities.

After much discussion President Schmidly asked for a vote and this recommendation failed – 12 against, 11 for and 2 abstentions.

CAMPUS FACILITIES, SAFETY & SECURITY — Khaled Gasem

Gasem presented the first half of his report earlier in the meeting under “Report of Status of Faculty Council Recommendations.”

The second half of his report dealt with long-term facility planning. The committee has studied the OSU facility planning process and they reached the conclusion they could offer a recommendation for an improved process. Status-wise they are currently studying four different models – ones at Michigan State University, University of Purdue, Johns Hopkins and Cal-Berkley. They hope to have a recommendation completed, with an improved process for facility planning, in the next few weeks as they are working on this in parallel with the parking plans and hope to have them completed in the next eight weeks at best.

LONG-RANGE PLANNING & INFORMATION TECHNOLOGY — Birne Binengar

Binengar presented his update earlier in the meeting under “Report of Status of Faculty Council Recommendations.”

RESEARCH — John Damicone

The Research Committee anticipates that two recommendations will be brought before Faculty Council next month. The first involves requesting University support for Research Service Facilities on campus that serve multiple colleges. Based on survey responses from 12 such facilities, support from within the college and from fees collected for services is insufficient for facility maintenance, particularly when equipment becomes dated or is in need of repair. Secondly, faculty input on the proposed guidelines for distribution of University “start-up funds” for new faculty positions has been collected. The committee has examined the input and will make some modifications to the proposed guidelines as a recommendation. The committee has been looking into the issue of infringement on patents held by the University on intellectual property. There is a perception that the University is not vigorously protecting its intellectual property from infringement by private business. The committee is currently trying to determine the extent of the problem, and what other universities are doing in the area of patent protection. Binengar remarked that in current IT literature what is becoming a very prominent cottage industry is frivolous patent suits in which claims are made on patents that can’t be substantiated but are difficult to defend. Example: Claims by people that they invented the web page and you can be sued or pay “anti-up” and escape out of it. This is becoming a big problem and the University has to prepare its defense for these things. President Schmidly suggested Damicone might want to contact someone at the University of Colorado. He added, they became very active in trying to protect some of their intellectual property, logos, etc., and they found the costs to try and do this were prohibitive. There might be some answers there.

RETIREMENT & FRINGE BENEFITS — Sally Henderson

Henderson presented two recommendations as follows:

Title: Change to the Employee Sick Leave Cap

The Faculty Council Recommends to President Schmidly that: the following change be made to the OSU employee compensation package: Elimination of the capping of sick leave accrual.

Rationale:

- Sick leave is a part of the current employment compensation package. Therefore, the amount of sick leave available to the employee should be equal to the amount accumulated as calculated according to the compensation package less that used.
- Sick leave may be used to assist in the care of certain family members and under certain circumstances in addition to use by the employee for personal infirmity. Therefore, there is no way the University can predict when and how much sick leave will be required by a given employee.
- To eliminate accrual past 1600 hours favors the employee who routinely uses sick leave and is punitive to the employee who has not used sick leave.
- Capping of sick leave may encourage indiscriminate use of sick leave by employees; especially those at or near the cap. This could actually cost the institution by requiring replacement personnel for critical positions.

As demonstrated in the interim report prepared by the Retirement Subcommittee of the (University-wide) Flexible Benefits Compensation Committee, the change recommended above would enhance the OSU employee compensation package. This change could be integrated into the existing system and be carried over into any future compensation package. Further, the implementation of this change would not significantly impact the institution's budget.

The recommendation passed unanimously.

Title: Implementation of a (457b) Deferred Compensation Plan

The Faculty Council Recommends to President Schmidly that: the following change be made to the OSU employee compensation package: Implementation of a deferred compensation plan (457b)

Rationale:

As demonstrated in the interim report prepared by the Retirement Subcommittee of the (University-wide) Flexible Benefits Compensation Committee, the change recommended above would enhance the OSU employee compensation package. Of the peer institutions surveyed by the above committee, 61% are currently offering their employees the 457b plan option. This change could be integrated into the existing system and be carried over into any future compensation package. Further, according to the calculations provided by the Retirement Subcommittee, the implementation of this plan would not significantly impact the institution's budget.

The explanation of what a 457b plan is was distributed to all in attendance. John Dalton in the Human Resources Office provided this summary to the Flexible Compensation Benefits Committee.

- a. Tax sheltered like existing TDA plan. Earnings are tax deferred.
- b. New laws make it possible to maximize contributions to TDA plan AND allow a pre-tax contribution to 457(b) with no offsets.
- c. Limits this year are \$11,000 (\$12,000 if age 50+). Previous limits were \$8,500.
- d. Catch-up limits available of up to twice regular limit when employee is within 3 years of retirement and has not maximized in past years. No 15-year catch-up provision as in the TDA 403(b) plan.
- e. No 10% tax penalty if withdrawing prior to age 55 or age 59½ rules.
- f. No loan provisions are available.
- g. No hardship withdrawals available.

- h. Unlike the TDA 403(b) plan, 457(b) plan requires a plan document filed with IRS.
- i. Recent legislation allows greater flexibility and portability. Rollovers are now possible between 403(b), 401(k), and 457(b) plans. However, rollover of 457(b) funds into another plan type would **lose** 457(b) and, thus, make the funds subject to the 10% tax penalty rules.

Masters stated that in last month's report it was indicated this was a completely free program to the university and she wanted to make sure this was correct. Henderson said "yes." The only amount of money the university might be responsible for is if there was such a huge volume of paperwork they had to hire someone to take care of it. There are already people doing that for the other retirement plans.

The recommendation passed unanimously.

Henderson also commented that the RF&B committee is considering the entire interim report, which is a report that was made at the January Faculty Council meeting. They would like as much input as possible before they vote. The entire report as well as the report to Faculty Council in January is available at <http://facultycouncil.okstate.edu>. Please direct comments to Dr. Henderson at flinda@osuokc.edu.

STUDENT AFFAIRS AND LEARNING RESOURCES — Pat Lamphere-Jordan

The committee met on February 5 and their next meeting is March 5. They went on record as supporting the efforts of Beth Caniglia and Jean Van Delinder for a grant they submitted to the American Sociological Association seeking funding for the development of a general education course on diversity and the establishment of a multicultural education resource center which would be available on campus for both support of this course and education for faculty units. They also went on record that they would not be in favor of any student technology fees collected from OSU students to support purchase of equipment nor provide support for the OSU-NOC agreement as it becomes in place. There were two events that took place during the pre-finals week in the fall semester and they are seeking additional information from a variety of sources and the reason they are looking at this is to look at the impact or non-impact of faculty involvement in such situations. They were concerned these two events took place outside of the pre-finals week policy that nothing go on during that week. Two recommendations are being forwarded to the Faculty Committee. One has to do with an incident that again happened last fall of student harassment of a faculty member. Also, for the Faculty Committee to look at a recommendation allowing OSU faculty to accept teaching positions at the upcoming OSU-NOC facility for additional salary.

REPORTS OF LIAISON REPRESENTATIVES:

Graduate and Professional Student Government Association – Chris Meador

Chris was pleased to report that the Graduate Student Health Insurance Policy has been reformed to include a "buy-up" option where they have the option to pay approximately \$20 a month for significantly increased coverage. This will be discussed at their meeting next Tuesday Feb. 18 when Steve Rogers will give an update as to specifics of the policy. It is very important that graduate students are informed of this option, as its continuation beyond one year is very

dependant on enrollment in the plan during the first year. The policy premium is set for this year at \$220 per student per year above the amount that is paid by the university. This premium, like most group insurance policies, is based on the enrollment in the program; therefore, with increased enrollment the premium may go down. They plan to seek additional funding from the University to partially (or wholly) subsidize the increase in premium in hopes of getting higher enrollment and subsequently lower premiums. Please help them to inform graduate students of the new program and watch for information regarding the new buy-up option as well as the enrollment period. Dr. Redwood, OSU/COM, asked if the COM students were involved in this plan. Chris said when Steve Rogers gave his update he would check on her question. They are also in the process of modifying their constitution to contain information regarding AFAP moneys and their methods of disbursing Travel Awards. This is occurring as a result of the development of the AFAP Governing Board and its request to better outline the use of student activity fees by SGA and GPSGA. The research symposium is scheduled for March 5, 6 & 7. They are currently in the process of gathering judges for that symposium and are trying to reorganize the process of soliciting judges by developing an information packet that will be given to the judges containing information about the specific time and place and process that needs to be followed. In the past there have been complaints about lack of organization and information telling judges of what their responsibilities are and where they are to be at what time. They hope to increase the effectiveness of the symposium by being more informative than in years past. Please be aware that they will be approaching you during the coming days to request your help.

Staff Advisory Council – Deborah Shields

Staff Appreciation Day will be April 4 and SAC once again thanked faculty for helping serve meals at this event last year. They are changing the format this year and they might be having this event somewhere else besides the Student Union and it may be catered. They have worked on the Day Care Survey and have partnered with two students that are doing a senior project and these students have helped SAC in doing much research and putting the project together and they will be presenting it to administration soon. In addition, carnation sales will be in April to raise money for staff scholarships. This is in conjunction with Administrative/Professional Day.

Women's Faculty Council – Jean Van Delinder

Women's Faculty Council is updating its task force report on retention of female faculty to present to President Schmidly. The ongoing Women's Film Festival next showing was, Tuesday, February 11th, at 7:30pm, in Classroom Building 313. In celebration of Black History Month, they will be showing "Color Adjustment" (USA, 1991, 88 minutes). Admission is free and the documentary will be followed by a panel discussion. Everyone is invited to attend.

NEW BUSINESS:

A recommendation was moved by Faculty Council in regard to the Tulsa Bus Policy. It recommended that the University adopt the policy that faculty and staff who ride the busses from Stillwater to Tulsa or from Tulsa to Stillwater in order to conduct University business, including research, advising, teaching, university related meetings and university sponsored events not be charged a fee for such transportation.

Rationale:

1. Faculty or staff who now live in Tulsa, but who are not assigned to the Tulsa campus and commute to work in Stillwater have been charged to take the bus on the grounds that it is voluntary that they live where they do and should not have their travel to work subsidized by the University since it doesn't do this for faculty or staff who live in Oklahoma City or Edmond or any other Oklahoma town outside of the city where their primary work assignment is located. However, the idea of "one university, two campuses" suggests that when a person shows up either on the campus in Stillwater or in Tulsa, they are "at work" and are entitled to the support of the university regarding working conditions.
2. There are already situations, and more will arise, where a person works either in Stillwater or Tulsa and their spouse works on the other campus. One of the spouses would have to sacrifice their transportation time already.
3. Tulsa faculty already face the necessity of making trips to Stillwater for departmental meetings and to interact with colleagues for professional reasons, and in some cases for the sake of securing support through personal interactions with colleagues who will vote on their tenure.
4. Some faculty need to travel to the other campus for research reasons, particularly to use the library resources of Stillwater.
5. Occasionally there may be speakers of note who faculty want to hear on the other campus, but because of the charge have a disincentive to attend such academic events.
6. Free travel on the busses will underscore the idea of solidarity of the two campuses and facilitate the professional work of the faculty.

After much discussion this recommendation was "tabled."

In other New Business Dr. Schmidly introduced Mary Chicoine, who will be helping OSU over the next several months with the strategic planning process. She had met with the Faculty Council officers at noon and indicated notes will be posted on the ListServ so all will be informed. She is a process consultant and not here to tell you what goals you should choose. Her role is to make sure there is a strategic planning process in place. The planning is going to take place over approximately the next 18 months. Final plans will be completed by May 2004. There are four phases (or levels) in the planning process so it goes across the entire OSU system. They will be beginning at the system level. There has never been an OSU system plan. First, there will be a retreat that includes a Steering Committee (15 to 18 people representing all of the different campuses) for strategic planning. They are beginning to identify this committee, and faculty will be involved in identifying as well as the Board of Regents and the E-Team. You have to start with the vision of the President and the Regents because they drive the university in the sense of the final end. You will be invited to give input as to what their goals and objectives are for the plan. Ms. Chicoine said it was important that you know that this process is very integrated. It is "top down and bottom up." The four levels are: system, vision (i.e., the different campuses, the center for health sciences), areas (i.e., college or support areas like Student Services), then units (i.e., departments). The entire process has not been defined yet because one of the first things she believes in is meeting with people on campus to understand the culture here so the best process can be defined for that culture. In the next two weeks she will meet with approximately 60 area leaders (i.e., Deans, Staff Council, Faculty Council, etc.) to begin to talk about the process. As the process goes along and is more defined it will be shared with all. There will be a letter forthcoming from Dr. Schmidly to launch the process and to tell everyone in the OSU community about the process. Ms. Chicoine stressed the one thing she

believed in was integration, complete involvement and communication. You will be asked for input and it will be your choice whether you give it or not. There will be web site input, e-mails going out, whatever, to keep the communication process effective.

The meeting adjourned at 5:55 p.m. The next regular meeting of the Faculty Council is March 11, 2003.

Brenda Masters, Secretary