

FACULTY COUNCIL MINUTES  
250 Student Union  
May 11, 2004

Carol Moder called the meeting to order with the following members present: Arquitt, Austin, Belmonte, Bilbeisi, Binegar, Chaney, Damicone, Fullerton, Gasem, Gelfand, Greiner, Henneberry, Henderson, Johannes, Lamphere-Jordan, Lehenbauer, Martin, Mokhtari, Mott, Murray, Redwood, Sirhandi, te Velde, and Terry. Also present: T. Agnew, R. Beer, P. Bell, L. Bird, D. Bosserman, G. Causin, A. Cruz-Rodz, B. Darcy, G. Gates, T. Jordan, R. Martinez, E. Mitchell, R. Moomaw, A. Rouch, M. Strathe, L. Talent, D. Toetz, J. Weaver, and J. West. Absent: Ebro, Finchum, Phillips, Raff, and Weiser

Binegar moved acceptance of the March 9, 2004 Minutes. Henderson seconded. The March Minutes were approved. Binegar made the following correction to the April 13, 2004 Minutes in Dr. Wiggins's special report. On page 4 Binegar asked if port 25 was ~~not~~ going to be turned off in general for e-mail correspondence and Wiggins replied, "No". "Not" should be omitted. Henderson moved acceptance of the April 13, Minutes as corrected. Lamphere-Jordan seconded. The Minutes were approved as corrected. Henderson moved acceptance of the May 11, 2004 Agenda. Lehenbauer seconded. The Agenda was approved.

**REPORT OF STATUS OF FACULTY COUNCIL RECOMMENDATIONS:  
President Schmidly, Provost, and Vice Presidents**

- 01-04-01-BUDG      ***Market-Driven Salary Increase to Tenured and Tenure-Track Faculty:*** Administration will continue to look at faculty salary issues. Special award program for Fall 2003 was finalized, and funding for salaries will be a legislative priority. Recommendation will be shared with the Equity consultant. Adjustments made to \$40K for identified tenure-track faculty.
- 02-12-04-RFB      ***Maternity/Family Leave Recommendation:*** Pending. The Flexible Compensation Benefits Committee has received endorsement of Staff Advisory Council. Faculty Council may take action in a pre-council meeting.
- 03-02-06-EXEC      ***Tulsa Bus Policy:*** Pending. J. Hess and K. Gasem have discussed an interim policy on faculty ridership. J. Weaver and Hess composed a revised policy looking at financial implications. Hess is expected to forward a proposal to Bosserman and Weaver in the near future.  
[Strathe said a report would be made in September.]
- 04-01-01-RFB      ***TIAA-CREF Vested Accounts Recommendation:*** Pending. Under study. Report expected Fall 2004.  
[Johannes asked what the hold up was on this recommendation and Bosserman replied they have asked IRS and Legal Counsel for clarification.]
- 04-04-01-CFSS      ***An Improved Process for Campus Planning:*** Pending. A meeting has been scheduled on May 10 to determine how to proceed. As of now, this recommendation is still under study.

04-04-02-FAC            *OSU Racial and Ethnic Harassment Policy:* Accepted. Administration recommends policy be accepted.  
04-05-01-RES            To President Schmidly  
04-05-02-RFB            To President Schmidly

## REPORTS OF STANDING COMMITTEES:

### RESEARCH — John Damicone – Recommendation and Year-End Report

Damicone presented the following recommendation to Council:

**Title:** Research Professor Track

**The Faculty Council recommends to President Schmidly that:** that section 1.7 of Appendix D (Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty) of the OSU Faculty Handbook be amended to include the non-tenure track faculty line of Research Professor as follows:

#### **RESEARCH PROFESSOR TRACK (Non-tenure track)**

##### DESCRIPTION

Research professorships are renewable term, non-tenure track appointments at the rank of Assistant Research Professor, Associate Research Professor, and Research Professor. These positions will be used to support and enhance research programs and initiatives, and creative activities at Oklahoma State University. The position of research professor will supplement the Research Professional position as described in Appendix D, Sec. 1.7.6.3. These individuals will be expected to develop independent research programs and serve as principal investigator on proposals to external agencies. In hiring into the research professor track, the University looks to attract high quality researchers who hold promise to become engaged in the academic and scholarly activities including but not limited to performing collaborative research with academic faculty; supervising undergraduate or graduate research; serving on departmental or college committees; and organizing, attending, and presenting at professional conferences and seminars. The primary assignment will be research and these individuals will not serve as primary instructors in regular course offerings of departments or degree programs. Instructional activities will be limited to offerings specific to their research expertise and supervision of graduate students as provided for by membership in the Graduate Faculty. The salaries and fringe benefits for research professors are to be paid from external grants and sponsored programs, but not from general (E&G or other appropriated base) funds. Notwithstanding the appointment period, the existence of any research professor position is contingent upon availability of funding as provided below. The procedures outlined below shall be followed when appointing research professors.

##### RECRUITMENT AND APPOINTMENT

- A. Research professor appointments are initiated by an academic unit, defined herein as a department, school, or center. Appointments that are sponsored by a center or other multi-disciplinary unit must be co-sponsored by a department or school.
- B. The sponsoring unit(s) assumes the responsibility of providing research professors with appropriate resources not normally funded by grants and contracts such as space and office support.
- C. A research program is eligible for a research professor position when it can document that sufficient funds have been awarded to the University and/or to a principal investigator who will become a research professor at Oklahoma State University to support the research program along

with the faculty member's salary and fringe benefits. Alternatively, F&A bridge funds as described below may be used to provide start-up salary and fringe while a research professor seeks external funds.

D. Academic units in which a research professor resides shall have policies and procedures in place for recruiting, evaluating, and promoting research professors at the ranks of Assistant Research Professor, Associate Research Professor, and Research Professor. Appointments to the research professor track shall require scholarly credentials comparable to those of regular tenure or tenure-track faculty at the same academic rank. Whenever recruitment is possible, the academic unit will follow normal procedures for hiring faculty following affirmative action guidelines. However, it is recognized that these positions may be offered to individuals who are already present in the university system. For example, the availability of the position depends on the receipt of a grant awarded to an individual selected by the sponsoring agency- it would not then be possible to search for another person to fill the position.

E. Appointment recommendations from academic units must be approved by the appropriate unit administrator(s), dean(s), the Vice President for Research and Technology Transfer, the Provost, the President, and the Board of Regents.

F. Research professor appointments are renewable appointments not subject to the seven-year probationary period applicable to tenure-track faculty. Tenure cannot be awarded to individuals appointed to these titles; however, appointees may apply for a tenure-track position should one become available. The length of appointment for research professors will be determined by the academic unit administrator (i.e. department head, center director, and/or school head) based on the availability of funds. Appointments are renewable, although the University does not accrue any obligation to renew any research professor appointments. Appointments automatically expire at the time specified in the appointment letter, and no further notification is required.

G. There will be limits on the number of research professor appointments that can be made within a college, equal to 25% of the total regular, tenured and tenure-track faculty (expressed as FTE). In addition, there will be a campus limit on the number of research professor appointments, not to exceed 15% of the total regular, tenured and tenure-track faculty (expressed as FTE).

#### SALARY AND PERFORMANCE EVALUATIONS

A. Initial salary offers to research faculty will not exceed those of their disciplinary peers at Oklahoma State University holding tenure-track faculty appointments at a given rank, but within the budget of the extramural funding that sponsors the position. The salary and rank awarded to this faculty will be commensurate with experience and university standards.

B. Research professors will participate in the annual A&D process and be evaluated by unit administrators and deans using guidelines developed by the sponsoring academic unit(s). It is envisioned that the criteria for performance appraisal will be similar to those for regular, tenure-track faculty except that research productivity and grantsmanship will be the primary performance indicators.

C. Salary increases based on merit and promotion to a higher rank will parallel those for regular university employee's contingent upon availability of funds within the budget of the extramural funding used to support the position.

#### REAPPOINTMENT AND PROMOTION

A. Continued employment of a research professor during the term of appointment will depend on the availability of external funding. If reappointment is desired, an application for reappointment is required prior to the end of the contract period. Reappointment is contingent

upon satisfactory performance as determined through performance appraisal and the availability of external grant funds and/or bridge funds.

B. Assistant Research Professors and Associate Research Professors will be eligible to seek promotion to Associate Research Professor and Research Professor, respectively, after five years of service in rank according to guidelines for promotion developed by the sponsoring academic unit(s).

#### BRIDGE FUNDING

The University will develop budgetary policies and procedures for establishing a “bridge fund” from F&A monies accrued by the University from external grants and contracts. The bridge fund will be used to provide start-up as needed for new appointments and to support existing research professors in the event of a break in the continuity of external funding.

#### RIGHTS AND PRIVILEGES

A. Research professors will participate in benefits programs sponsored by the University including annual leave (11-month appointments), employee insurance programs, sick leave, retirement, etc.

B. Membership in the Graduate Faculty may be extended to research professors. Privileges regarding faculty governance at the academic unit level shall be determined by the unit(s) in which the research professor resides. Individuals may be afforded the opportunity to serve on departmental, college, and University committees except for Faculty Council, Graduate Faculty Council, and those committees that confer voting privileges on matters of reappointment, promotion, and tenure of tenure track faculty members.

C. Termination of employment before the expiration of the period of appointment, except by resignation, retirement, or a lack of funding will only be for good cause shown as described in Appendix D, Sec. 1.13.2.

#### PROGRAM REVIEW

The Vice-President for Research and Technology Transfer, or his/her designee, will periodically (at least every five years) review the status of the research professor program at OSU before Faculty Council. Suggestions for modifying this policy to improve the research professor program may be considered at such times.

**Rationale:** Growth in research at Oklahoma State University has not kept pace with enrollment and other measures of academic success at Oklahoma State University. The addition of the research professor track provides an additional mechanism to enhance the University’s research mission and productivity. This faculty line will afford opportunities for outstanding researchers to become faculty members with many of the same rights, privileges, and opportunities for professional advancement as regular, tenure track faculty. Tenure track-faculty should benefit by having additional faculty available for collaboration. The faculty line may also be a useful tool in recruiting outstanding tenure-track faculty to Oklahoma State University by providing employment opportunities for spouses. Limits on allowable funding, teaching, and the number of research professors, will ensure that the addition of research professors will not be at the expense of regular, tenure-track faculty positions.

Moder asked for discussion. Lehenbauer said he had shared this document with the College of Veterinary Medicine and one faculty member raised a point of clarification on the section of Rights and Privileges under “B.” regarding membership in the Graduate Faculty being extended to research professors and it was thought that research professors was a generic term not specifically meaning a full professor title or appointment and his question was does this mean a

full professor or would it apply to either Assistant, Associate or Full. Damicone said research professor was used generically throughout all the ranks and added this would be subject to the Graduate Faculty Council developed guidelines for meeting those kinds of non-tenured track faculty. After further discussion it was decided to capitalize Assistant Professor, Associate Professor and Research Professor when used in titles and otherwise let them be generic.

Recommendation passed unanimously.

**Year-End Report** – The Research Committee consisted of John Damicone (Chair, DASNR), Helen Clements (Library), Denver Marlow (Vet. Med), Kouider Mokhtari (Education), John te Velde (Arts and Sciences), Richard Whitney (Emeriti), and Glen Zhang (DASNR). The committee met regularly and worked primarily on two issues:

- 1) Research infrastructure fund. The committee met with Vice President McKeever to discuss the development of a recommendation to establish a research infrastructure fund. This fund would be from the University's F&A funds and be used to support purchases and repair of equipment in research service facilities at OSU that serve faculty from multiple colleges. Most research service facilities on campus have limited budgets which allow for staffing and operation of the centers, but not for major equipment purchases or repair. The committee requested and received 3-year cost estimates from each center. A recommendation was not finalized due to the time and effort placed on item 2.

Research professor track. The administration asked the committee to revisit the idea of establishing a research professor track at OSU. These are non-tenure track positions whose primary role is research and whose salary are funded in whole or part by external grants and contracts. Currently, about 50% of the Big 12 Universities have this faculty line. These positions offer the possibility of increasing research productivity at OSU, which has lagged behind other areas of the University's academic achievements. The committee generally favored the idea of establishing these positions at OSU, but with appropriate safeguards. The committee felt that salary source, teaching participation, and recruitment and hiring procedures were important considerations; and that establishing this faculty track should not be at the expense of tenure-track positions. This was followed by a proposal from administration to amend appendix D of the faculty handbook with a research professor position which did not address any of the aforementioned concerns. The committee followed with a draft recommendation based on existing policy from UT, OU and CU. This draft specified unit (department, school) control on hiring, appointments, and evaluation; limited teaching participation; and funding sources that exclude E&G funds. We worked with Provost Strathe and Vice President McKeever to finalize a mutually-agreeable recommendation to go before Faculty Council.

Moder presented Damicone with an out-going Councilor certificate as his term with Faculty Council ends May 31, 2004.

### **RETIREMENT AND FRINGE BENEFITS — Sally Henderson – Recommendation and Year-End Report**

Henderson presented the following recommendation to Council:

**Title:** Proposed Changes to Faculty and Staff Sick Leave and Family Medical Leave Act Policies Concerning Maternity/Paternity/Adoption

**The Faculty Council Recommends to President Schmidly that:** the administration support the changes to the Faculty and Staff Sick Leave and Family Medical Leave Act Policies, as proposed in Recommendation No. 02-12-04-RFB and revised to exclude the twelve month employment requirement of the Family Medical Leave Act.

**Rationale:**

The policy revisions appear to comply with the original recommendations of Staff Advisory Council. The SAC recommendations were supported by Faculty Council without amendment and are stated below.

*“The Staff Advisory Council recommends that OSU Human Resources revise the university policies regarding Maternity Leave (1-0701), Sick Leave for Faculty (2-0113), and Sick Leave for Staff (3-0716) to include the use of sick leave for maternity, paternity, and adoption purposes. The revised policies (or policy) should be clearly written and defined so that they are administered uniformly throughout the university as well as equally between faculty and staff. Furthermore, the policies (or policy) should include reference to the Family Medical Leave Act (OSU policy 3-0708) where appropriate.”*

The proposed wording concerning this issue in the three policies appears as follows:

*"A parent meeting the eligibility criteria under the Family Medical Leave Act may upon application, use up to five days accrued sick leave for the qualifying event of birth or adoption of his or her child. The twelve month employment requirement of the Family Medical Leave Act will not apply. Additional accrued leave can be used, as applicable under the conditions in OSU Policy and Procedures."*

Fullerton asked for clarification on the five days sick leave. Henderson said the Family Medical leave Act specifically includes maternity for a justification for taking unpaid leave and the way it is written says “his/her” for the birth of a child and therefore up to five actual days of sick leave can be used. Henderson added the committee had some concerns about the restriction of five days and were told by Human Resources that issue could be addressed later if it turned out five days was not appropriate. Martin (OSU-Okmulgee) asked for clarification that this recommendation was system-wide and Moder replied, “yes”.

Recommendation passed unanimously.

**Year-End Report:**

RECOMMENDATION TITLE	STATUS		COMMENTS
	Faculty Council	Admin.	
<b>FY 2003-2004 Recommendations</b>			
Flexible Compensation Benefits Committee: Cafeteria Plan Recommendation	Accepted*	Accepted*	*This recommendation was accepted by FC after cost positive items were removed from consideration.
Recommendation of the University Retirement and Flex Benefits (URFB) Committee "Interim Report"	Accepted	Accepted	This recommendation was to formalize Faculty Council's approval of the URFB Interim Report

Long Term Disability Policy 3-07500 Recommendation	Accepted	Accepted	This recommendation was to formalize Faculty Council's approval of Policy 3-07500 as amended.
Recommendation concerning House Bill 2226 Provisions	Accepted	Accepted	This recommendation concerned the following issues: Removal of mandatory OTRS participation for OSU employees; Redress of retirement benefits formula; Clarification of required years of creditable service, as well as request for regular updates as to the bill's status.
TIAA-CREF Vested Accounts Recommendation	Accepted	Pending	This recommendation would eliminate requiring separation of an employee as a condition for release of their TIAA-CREF funds.
<b>FY 2002-2003 Recommendations (carried over to current FY)</b>			
Maternity/Family Leave Recommendation	Accepted	Accepted	Both this recommendation and the accompanying policy changes have been approved by Faculty Council.
Change to the Employee Sick Leave Cap	Accepted	Rejected*	*HR amended faculty and staff sick leave policies to include "Extended Sick Leave Account" information which <u>does not</u> satisfy the intent of this recommendation.

Other R&FB Activity: Two members of the committee served on the Long Term Care Provider Selection committee; Two members of this committee served on the University Retirement and Flex Benefits committee (also called the Flexible Compensation Benefits Committee (FCBC); The committee investigated options in adding/changing employee investment opportunities and agreed to implement a survey (still pending) to determine how the inability to carry-over annual leave affects faculty.

Moder presented Henderson with an out-going Councilor certificate as her term with Faculty Council ends May 31, 2004.

#### **ACADEMIC STANDARDS AND POLICIES — Andrea Arquitt – Year-End Report**

**Committee members:** Andrea Arquitt (Chair, Nutritional Sciences), Alyson Greiner (Geography), Dennis Mott (Management), Steven O'Hara (Architecture, at-large faculty representative), Tony Brown (Political Science, at-large faculty representative), Neil Leubke (Philosophy, Emeriti), Karlee Mink (Graduate Student), Mandy Bertling (Undergraduate Student)

#### **Recommendations to the President**

Policy on Awarding Posthumous degrees – Accepted

Policy on Retention of Grade Books and Records – Accepted

Policy on Faculty Responsibility for Curricula – Rejected twice  
Change in Admission Standards – Accepted

**Work initiated by AS&P that is in progress**

Academic Integrity initiative. This task force is under the auspices of the Provost. It is working with the VP for Student Affairs and will develop an Academic Integrity policy. This is a campus-wide initiative including SGA and GPSGA as well as faculty. Two representatives from the AS&P committee are on the task force.

**Work undertaken to be completed in 2004-05**

Policy on grades. This policy will address one of the critical issues in the Special Task Force Report from 2002, the use of Administrative Withdrawal (AW). Work is underway, but is hampered by the need for a policy on the appropriate circumstances for refunding tuition. This is an issue because of current activities in the Registrar's Office that includes refunding tuition and purging enrollment from the academic record for students who enroll and do not either withdraw or return to campus. If the AW is awarded, then tuition must be charged.

Policy on Academic Reprieve-Academic Renewal. We have begun defining terms and clarifying State Regent's policy. This needs to be completed early in the 2004-05 academic year.

Policy on Academic Appeals Not Involving Charges of Misconduct. This is a recognized problem area. The Provost is interested in working on this policy. The AS&P committee is in the process of examining the current policy for clarification of issues. It appears that there must be coordination between this policy and the Academic Integrity Policy to be developed.

**ATHLETICS — Don Murray – Year-End Report**

The committee developed its 2003 - 2004 agenda at its first meeting; however, some topics were never addressed. This report will only deal with the topics discussed or reported.

The committee provided the Faculty Council with a report on student athlete's majors. Data was easily obtained through Dr. Gail Gates and the Office of the Registrar. The list provided was for the spring 2003 semester and was organized by sport. The initial report was then reorganized to show major by sport, grade level, and gender. No statistical analysis was performed on these data; however, there did not appear to be any trend in the student athletes nor their selection of a major. There was certainly no trend for the student athletes to select an "easy" major what ever that might be.

Marilyn Middlebrook, Associate Athletic Director and Director of Academic Services, provided a 10 minute PowerPoint presentation for the entire Faculty Council regarding student athlete graduation rates and grades by sport and gender. The FC Executive Committee was interested in student athlete graduation rates and grades by sport and gender. They also wanted 10-year data on the academic services to the student athletes. This committee suggested that Marilyn Middlebrook, Associate Athletic Director and Director of Academic Services, provide a 10 minute PowerPoint presentation for the entire Faculty Council which she did.

This committee discussed the lack of a clear or firm policy regarding instructors being required to provide a syllabus to each student at the beginning of each semester. This was brought up last year as a problem, the student athletes brought up the issue again this year. Apparently, several years ago a mandatory policy to provide a syllabus to students was rejected by the Faculty Council. No action taken, but the problem will likely not go away.

With data from Athletic Director, Harry Birdwell, the committee prepared a financial report that was presented to the Faculty Council. According to the financial manager for the Athletic Department, Mr. Lewis, the total budget for the department is around \$40M. Currently, the



Athletic Department owes the university \$2.5M and is making the first of five installment payments of \$500,000. The report also contained information about athletic activities which were paid for with general university funds. Specifically, the three are as follows: 1) the Academic Services office, 2) tuition fee waivers for out-of-state student athletes who are on scholarship, and 3) the rental fees paid by the university for the use of athletic facilities. There was also a breakdown of scholarships by sport/gender. There are 227.2 full scholarship equivalents, 141.2 for men and 86 for women.

The committee met with six student athletes and discussed their experiences at OSU at student athletes. Generally, they were very pleased with their experiences here and would do it again if they had it to do all over again; however, they did discuss some concerns (lack of a clear university attendance policy and a lack of a syllabus in some classes). The committee arranged, through the office of Marilyn Middlebrook, to meet with six student athletes. The committee provided the students with a list of questions before the meeting so they would be familiar with what we might ask. The six students consisted of three male and three female; five white and one African-American; two football, two equestrian, one women's soccer, and one men's tennis; and one international, three out-of-state, two in-state students. Their year in school ranged from freshman to senior. When asked "if they had it to do all over again, would they come to college as student athletes, they all enthusiastically answered "yes!" They were all equally pleased with the Academic Center and the help, advice, and constructive criticism they received from the personnel in the center. This group of students seemed to be genuinely interested in their degree programs. All were asked if they expected to compete in their respective sport as a professional athlete. One said that it was his goal to compete professionally, two said that it would be an added option; two said they could only be involved professionally in their sport as a coach, and one said that they were not planning a professional career in sports at all. One student was going to use her last year of eligibility here to obtain an advanced degree, one wanted to attend medical school, and one was considering a career in law.

During the visit, very few serious concerns or issues were brought up by the students. Most of the comments were favorable regarding their experiences at OSU. The one concern that was the most disturbing to the student athletes was the lack of a university attendance policy. In some cases (very few) the student athletes felt that the instructor was prejudiced towards the student athlete, but in most cases the attendance policy was applied uniformly to both the general student and the student athlete. The big difference was that the student athlete, in many cases, was "required" to miss class because of a school sponsored athletic event - tournament, game, etc. Their scholarship required that they compete, yet they were penalized when they missed class. Several of the student athletes commented that they literally had to drop classes because they could not adhere to the strict and often inflexible attendance policy by some instructors. Other instructors were often times very flexible and would work very closely with the students for early or late exam taking and assignment deadlines.

Some commented that the lack of a syllabus for each class was a problem because they sometimes did not know the instructor's attendance policy or exam schedules until later in the semester - sometimes too late to drop the class and add another. Student athletes must remain enrolled in 12 hours of credit to remain academically eligible to participate in their sport.

Throughout the visit it seemed apparent that the student athletes and the general students each have very contrasting views of the other student group. The consensus of the student athletes is that the general students have more time for study, don't have to worry about class absences (an absence is an option for them not a requirement), and all non-athlete students should easily

maintain a 3.0 GPA or greater with ease. According to the student athletes, the general students have stated that the student athletes have it made because they get their schooling paid for, get to enroll early, and get other special benefits. It seems that the non-athlete students do not realize the time required to train, practice, and compete in sports and at the same time it seems that the student athletes may not realize that the general student may have to hold down one or more jobs to help pay for their schooling and therefore do not have all of this “free time” for study. There are always two sides to every story. None the less, these particular student athletes were very serious about their college education and completing their degree programs.

This committee recommended that the Faculty Council be represented on the Coalition of Intercollegiate Athletics (COIA) by a faculty member. The motion passed. This committee was also asked to consider a set of COIA guidelines for faculty governance of intercollegiate athletics. The committee was not asked to review and suggest improvements, but rather recommend to the Faculty Council that the entire set of guidelines be approved. The committee discussed this guideline at length and did make unsolicited editorial and procedural changes to the document. Furthermore, the committee unanimously agreed to not provide a recommendation to the Faculty Council to approve these guidelines.

This committee provided a report to the Faculty Council on intramural athletics and more specifically, wheelchair basketball. There will be wheelchair basketball this year and there are 54 other sports or clubs that students can participate in. It was reported to this committee that there may be a problem (temporary or permanent) with one of the intramural sports involving disabled students. Apparently the wheelchair basketball program has been cancelled. The reason for this cancellation is not entirely clear. This committee was asked to look into this issue. Kent Bunker, Director, Campus Recreation, was contacted about the wheelchair basketball program and about intramural sports in general. He stated that the wheelchair basketball program which was organized about 4 years ago and coached by Ken Lee is scheduled to play its Collegiate Conference games this year with two volunteer coaches. The team was funded through a couple of sources and at the time of Coach Lee’s death, the program was about \$100,000 in the red (this was not due to any mismanagement of money, just under-funding). A search process was started to hire a new coach; however, budget constraints resulted in the search process being stopped. There are no plans to begin the search process. Currently, the team is being funded through campus recreational funding and this is not a sufficient funding level. Other sources of funding are being sought including working with the OSU Foundation and through some fund raising events.

The Faculty Council was provided with a detailed list of all of the OSU intramural sports. Approximately 70 to 80% of the male students and 40 to 45% of the female students are involved with intramural sports. Included in the intramural sports are several club sports teams. Counting intramural and club sports there are 55 events that students can participate in.

Respectfully submitted: Don Murray, Chair; Rick Allen; Dan Chaney; Robert Hunger; Sue Jacobs; Pat Lamphere-Jordan; Marilyn Middlebrook; and David Yellin

### **BUDGET — Scott Gelfand – Year-End Report**

The Budget Committee spent considerable time following (and where possible providing input) on budget related administrative decisions. In an effort to stay informed concerning these matters, the Chair of the Committee regularly attended University Budget Committee meetings. In addition, Joe Weaver was invited to committee meetings at the beginning of each

semester and enough can not be said about how important his attendance was. The Chair also stayed in contact with Joe throughout the year.

Among other issues, the committee followed proposals concerning changes to the tuition/fee structure, the health of the OSU budget, the continually changing state of the Oklahoma economy as measured by state tax collections, and the funding of new administrative positions.

**State of the OK economy:** The April report from the Office of State Finance states that collections for this fiscal year are up \$350 million from last year. According to the May release, year to date collections are 185 million over estimates. Accordingly, it is likely that the state will have funds to put in the rainy day fund.

**Tuition/Fees:** One idea, which is being taken seriously by the administration, is to implement a fee on all classes. The fee, which would eliminate most course specific fees, would be determined by dividing the total number of dollars we now receive in fees by the number of credit hours students register for. Departments would then receive needed dollars from that pool. I saw this as a compromise between the positions held by the administration and the faculty, because it allows costs to be more easily communicated to parents and maintains a separate fee pool for departmental needs. The tuition and fee committee has also proposed that upper and lower division tuition be one rate, which will be the upper division rate.

Throughout the year, the Committee focused on the possibility of money flowing back into the university so that the faculty might have influence in how it would be spent. Accordingly, the Committee constructed a survey that was sent out to all faculty members on the list serve. The results of the survey, which asked for faculty input concerning budget priorities, were presented at last month's General Faculty meeting. Increase in Faculty salaries ranked first on the survey.

The Committee also followed the university salary consultant's project. This project consists of two parts: (1) a comparison study of OSU salaries versus others schools; and, (2) a study of salaries to reveal differences among gender and ethnicity. The results of the survey will be posted on the web.

The Committee often discussed the Athletic Department debt resulting from overspending a University account, but at this time the issue of repayment has not been resolved. This is troubling given that the issue was supposed to be resolved a number of months ago.

Finally, the Committee discussed the possibility of having the administration provide a fund to be used by the Faculty Council in its operation. The Committee concluded that it should not draft a recommendation until it receives data concerning the operating costs of the Council. The Committee is awaiting this data.

**Other Issues** include: Investigate and take some action on the loss of "rookie" money. Continue to study the impacts of block tuition. Study tuition waivers including legacy waivers.

Moder presented Gelfand with an out-going Councilor certificate as his term with Faculty Council ends May 31, 2004.

#### **CAMPUS FACILITIES, SAFETY AND SECURITY — Khaled Gasem – Year-End Report**

**Committee Members** included: Khaled Gasem, Committee Chair, Faculty Council; Suzanne Bilbeisi, Faculty Council; Charles Leider, General Faculty Member; Daniel Lingelbach; Emeritus Faculty Member; Jeff Williams, General Faculty Member; Thomas Woodford, General Faculty Member; Austin Hanes, Student Member; Kathy Kenney, Student Member; and Kara M. Mitchell, Student Member.

**Summary of Activities:** The activities of the CFSS Committee have focused mainly on developing an improved process for Campus Planning. The findings of the Committee are captured in (1) a recommendation for *An Improved Process for Campus Planning*, and (2) the CFSS Committee input to the Strategic Planning Steering Committee. **First**, as was discussed in our annual report last year, a careful review of the current process for campus planning indicated that OSU lacks some of the key ingredients for an effective process. Therefore, the CFSS Committee, after extensive consultation, finalized on behalf of the Faculty Council the following recommendation:

**TITLE: An Improved Process for Campus Planning**

**RATIONALE**

- Growth and the changing demands on campus facilities are inevitable. In managing both, we should insist on quality in function, preserving traditions, and seeking innovation. For it is certain that mediocrity in the physical environment and in facility planning impedes the ability of the University to envision great intellectual ideals.
- To develop OSU into a world-class institution of higher learning, we should not merely accept adequate accommodation for our needs, we should insist on an environment of function, quality, beauty, and tradition.
- Clear campus development plans, thorough project development processes, and efficient implementations are essential ingredients for effective campus development.
- Campus development processes should have the required checks and balances of planning, implementation, and accountability. Moreover, a methodical protective mechanism should be in place to prevent external pressures from creating undesirable and costly outcomes.
- Faculty and other constituencies share the responsibility with the administration and the Regents for planning the future of OSU. Thus, struggles among administrators, deans, and donors must not be the mechanism for campus development.
- Campus development planning is a primary function that should be given its appropriate role and its adequate funding; especially, since we are striving to grow our university to prominence on limited resources.
- On February 3, 1990, the Faculty Council passed a recommendation to improve the facility planning process as outlined in the CFSS report "*University Long-Range Planning for Facilities*." We agree with the findings of the report and urge the administration to implement the following recommendation, which is a refinement of the original effort.

**RECOMMENDATION**

*The Faculty Council Recommends to President Schmidly that:* the University adopts a Campus Planning Process comprised of:

1. A well developed Campus Master Plan, which is responsive and strongly linked to the University Strategic Plan

2. A Facility Planning Office (FPO), which includes specialists in architecture, landscape architecture, art, horticulture, safety, and facility management

This office, which reports directly to the President, will:

- Uphold implementation of the Campus Master Plan
- Provide expertise in developing the Campus Master Plan
- Oversee Project Concept Development
- Provide leadership for the Project Design Group
- Provide first-level approval to new projects with strict adherence to the Campus Master Plan

3. A Facility Planning Committee (FPC), which includes members of the Administration, College representatives, Faculty Council representatives, and Student Government representatives

This committee will:

- Develop, coordinate, and implement the Campus Master Plan
- Form the Project Design Group
- Approve Capital Projects
- Interface with the Regents

4. A robust mechanism for consultation with all University constituencies

**Second**, the CFSS was concerned that the published draft of the Strategic Plan does not address the key element of facility and infrastructure planning. The Committee urged the Strategic Planning Steering Committee and the administration to eliminate this gap in our current strategic plans. The Committee recommended adding an additional goal to the strategic plan which articulates our commitment to developing a campus environment and the infrastructure fitting a world-class institution. Below is the CFSS input in this regard:

### **A Campus Facilities and Infrastructure Strategic Plan: Input from CFSS**

#### **Goal**

Improve the aesthetics and functional utility of the buildings, grounds, and amenities of the University; and equip and maintain all facilities to support a world-class academic enterprise in an attractive campus environment.

#### **Objectives**

1. Assess current resources and project future needs.
2. Develop and implement a Campus Master Plan that is responsive and strongly linked to the University Strategic Plan.
3. Develop an effective administrative structure for facility planning and management to uphold the highest standards for aesthetics, utility, and safety.
4. Maintain an up-to-date Capital Management Plan detailing the capital development priorities.
5. Develop and maintain the IT facilities and the library at levels that support 'best practice' developments in teaching and research.
6. Develop efficient academic and facilities scheduling protocols that optimize the use of campus resources.
7. Promote awareness and institute policies that support environmental sustainability at OSU.

#### **Plans for Year 2004-2005**

In the next academic year, the Committee plans to:

1. Research approaches for updating the OSU Master Plan
2. Review policies relating to safety
3. Review classroom capabilities and utilization

Moder presented Gasem with an out-going Councilor certificate as his term with Faculty Council ends May 31, 2004.

#### **FACULTY — Linda Austin – Year-End Report**

Continuing work from the previous year, the Committee worked on two more drafts of the Racial and Ethnic Harassment Policy before bringing it successfully to Faculty Council in April,

2004. The Committee also produced and recommended the adoption of a new Sabbatical Policy which, among a number of provisions, eliminated the requirement that applicants spend their leave away from campus. A new Faculty Appraisal and Development form, including categories for clinical and administrative activities, was reviewed and edited by the Committee. Finally, the Committee supported the motion of the Staff Advisory Council to include the words "sexual orientation" in the University's Equal Opportunity/Affirmative Action Policy. Although the administration accepted this motion and had identified the policies that need changing, paperwork regarding this policy disappeared for a time in the President's Office. The Office has found the paperwork, and we look forward to seeing the phrase in the appropriate University documents. Still on the Committee's table: a review of the revisions to "Appendix D" currently in an ad hoc committee, and the re-editing of the instructional videotape, as well as a review of the part of the Sabbatical Leave Policy rejected by the administration, on the establishment of an endowment to supplement the funding of sabbaticals. There priority now is to write a recommendation regarding the clinical professor track along the lines of the recommendation passed earlier in this meeting for the research professor track.

#### **LONG-RANGE PLANNING AND INFORMATION TECHNOLOGY COMMITTEE – Terry Lehenbauer – Year-End Report**

Lehenbauer reported for Mark Weiser, 2003-2004 Committee Chair due to the fact Weiser was out of town. Lehenbauer said he would encourage his faculty colleagues to not lose sight of what he believes their overall goal in this committee is which is to find, explore and develop ways to more effectively and efficiently use technology to accomplish the mission of OSU. Lehenbauer added he hoped the investigation mentioned later in this report be handled as if a faculty was being investigated by administration and they would have that level of concern as they conduct their investigation in these areas.

The LRP&IT Committee did little for the first six months of this academic year. We met and discussed some issues; however, much of the advisory and oversight activities of this committee have been supplanted by new hand-picked committees set up by the new Information Technology Division. We did receive suggested changes to the proposed overarching IT Policy. These were to be reviewed within the context of the security committee proposals, the drafts of which we expected to receive in December 2003. Since their receipt in April 2004, we are actively reviewing both the security committee proposals and the IT Policy. Because of some preliminary findings which were presented at the April 2004 Faculty Council meeting, Faculty Council formally charged the Long-Range Planning and Information Technology Committee with the task of conducting a thorough investigation of the hiring policies, personnel management, technical management of IT matters, and the budget and fiscal affairs of the IT Division. This investigation is to include extensive interviews with IT management and staff, examination of relevant budget matters, hiring policies, personnel management, and technical decisions within the IT Division. Since the Faculty Council meeting in April, allegations and significant evidence of possible criminal activity have surfaced. This information was presented to the President for action; however, these items are now being investigated by Scott Fern, Office of Legal Counsel, OSU/A&M Board of Regents. Birne Binegar now chairs the group investigating the issues as charged by the Faculty Council in April. We will continue to look into issues of mismanagement, fiscal improprieties, mistreatment of employees, and technical incompetence, among other items. The Regents will concurrently handle the internal investigation of alleged criminal acts.

Arquitt asked if it was known what the criminal acts were. Moder replied there was some suggestion of violations of laws concerning computer fraud abuse, intellectual property theft, industrial espionage and unauthorized acts which had to do with software that was taken from another institution and posted on the OSU website as though it belonged to OSU. Arquitt asked how much documentation was needed before it can be said this cannot be tolerated and criminal proceedings move forward. Moder said she did not have the answer to that question. Moder added, when the committee was aware of the allegations they asked for a meeting with the Provost and the President attended that meeting. Afterwards they spoke with Legal Counsel and Moder spoke with the Secretary to the Board of Regents and as a result of that the investigation by the Office of Legal Counsel was undertaken and they have engaged a computer securities firm that is kept on retainer, to help with the audit of this issue. Arquitt asked if that kind of investigation hinders what the Faculty Council has charged the IT committee with and Moder replied she did not believe it did and while the issues are related there still remain issues for the FC committee to investigate having to do with management, fiscal issues, etc. Moder added it was out of the Faculty Council investigation that these allegations came to light by people bringing information to the committee regarding allegations. Johannes asked Moder to confirm or deny that the President “kicked them out of his office” when they were bringing these matters to his attention. Moder replied, “when these matters were brought to the attention of the President he asked whether we were bringing these matters under the ‘Whistleblower Act’ and we said we did not know what the nature of the ‘Whistleblower Act’ was and Mark Weiser indicated that if he needed that protection then perhaps he was but he was not sure and the President then said that our conversation was over, he left the room and asked the Provost and the Chief of Staff to leave as well.” Johannes said, “I was very angry with the Board of Regents telling the President not to talk to Faculty Council about the retirement issues, etc., but I am getting tired of other people telling their subordinates not to talk to us when the whole principle of faculty governance is based on communication rather than advocacy and maybe we needed to be more advocates and less talk.”

#### **RULES AND PROCEDURES — A. J. Johannes – Year-End Report**

Johannes asked all newly elected Council members to stand up and introduce themselves which they did. Johannes said the Rules and Procedures committee for 2003-2004 consisted of A. J. Johannes, Chair, Terry Lehenbauer, Kouider Mokhtari, and Lionel Raff. In addition to the normal duties of running the FC elections and running the nominating committees, the R&P Committee investigated possible changes to the Faculty Council Charter and Bylaws. Suggested changes including changing to a Faculty Senate were studied and faculty input was obtained in several forums including a general faculty meeting. The suggested changes were tabled for future study. The R&P Committee will continue to study the suggested changes (available on the FC Website) and attempt to produce a document that a large majority of faculty will support.

#### **STUDENT AFFAIRS AND LEARNING RESOURCES — Pat Lamphere-Jordan – Year-End Report**

The Student Affairs and Learning Resources Committee focused most its work this year on issues related to graduate students. Graduate teaching assistants faced many economic hardships directly related to the cutbacks in funding. They had their teaching responsibilities reduced, tuition waivers remained constant even though their tuition rates increased, and their health

insurance costs rose dramatically. Fortunately, negotiations concerning the increased costs in health insurance were resolved in the students' favor and the costs were reduced. Dr. Bosserman was pivotal in securing passage of the GPSGA resolution to replace the former health insurance plan with a more comprehensive plan. Individual graduate programs will have to resolve issues of determining teaching loads and research assignments while the Graduate College will have to address a change in the number of dollars designated for tuition waivers for graduate assistants. The Committee's continued focus will be on developing a policy regarding the rights and responsibilities of graduate teaching assistants in situations involving students in their classes. At this time there is no direct policy which addresses grade appeals, academic issues, or student misconduct when the instructor involved in the case is a graduate student.

## **REPORTS OF LIAISON REPRESENTATIVES:**

### **Staff Advisory Council — Jana West**

West reported she was on the Staff Advisory Council representing the Academic Affairs and Research area through the Arts & Science Research Fiscal Affairs Office. SAC recently held their yearly Staff Appreciation Picnic and it was a great success. On behalf of the Council, West thanked all faculty that were on hand to help and added their support was greatly appreciated. SAC will hold elections at their June 9<sup>th</sup> meeting where they will be electing a new chair and new officers for the coming year. West said Sheryl Beeler and her officers have done an excellent job this year and they look forward to electing a new E-Team just as good. The new performance evaluations are out on the Human Resources website and available for use. SAC's Policies, Benefits and Budget committee, chaired by Leslie Miller, worked really hard and have come up with a more up to date and relative version in order to provide an additional choice for OSU departments, not necessarily to replace existing forms already in use. SAC will be redistricting its representatives to realign with all of the changes that the university is experiencing. If some reps do not seem to fit into the new areas, they will fall into place as their terms end and their vacant positions will be filled within the new areas. Moder added her thanks to all the faculty that volunteered to serve the staff on Staff Appreciation Day.

### **Women's Faculty Council — Laura Belmonte**

Belmonte presented the results of the WFC annual research awards. Najwa Raouda, College of Education, School of Educational Studies. Advisor - Michael G. Gunzenhauser. Title of Project: "Moslem Women Learning about Liberation in the United States". Andrea D. Turner, College of Arts and Sciences, Department of Psychology. Advisor - Melanie C. Page. Title of Project: "Self-esteem and Body Image in Preadolescent Girls". Kristina Huff, College of Arts and Sciences, Department of English. Advisor - Linda Leavell. Title of Project: "Etiquette Books as an Example of Women's Writing, 1865-1915."

### **Old Business:**

Terry Lehenbauer, Chair of the OSU Flexible Compensation Benefits Committee gave an update regarding House Bill 2226. Lehenbauer said they were excited about the status of this Bill and expected it to come out of committee at any time. This Bill has been worked on by OU, OSU and others and there is a strong consensus support among many groups of the universities for this Bill. Lehenbauer distributed a handout which contained the following information:



- HB 2226 allows OU/OSU new hires to participate in OTRS or an alternate retirement plan thus enhancing opportunities to recruit nationwide and retain top faculty and staff.
- HB 2226 grants existing OU/OSU members a one-time election to withdraw from OTRS. No one is required to leave OTRS.
- HB 2226 requires OSU and OU to pay their fair share of the current unfunded liability and any future costs for faculty and staff who participate in OTRS.
- HB 2226 would not result in an immediate or significant decrease in OTRS members. Most OU/OSU employees would select OTRS.
- HB 2226 corrects the retirement formulas to more closely align benefits with contributions.
- HB 2226 requires recalculation of retirement pay for OU/OSU members who retired after July 1, 1995. If the calculation results in an increase, the increased amount would be payable beginning January 1, 2005. There would be no retroactive payment.
- HB 2226 strengthens OU/OSU commitment for a financially strong and equitable OTRS, now and in the future.

OTRS is a good system. However, it lacks the flexibility and portability desired by some OU/OSU employees. HB 2226 assures that OTRS is a fair system for all members. And the change to allow employees to elect either OTRS or an optional program will improve recruiting and retention of faculty and staff and increase OU's and OSU's contributions to economic development in Oklahoma.

Lehenbauer encouraged all to contact legislators and let them know that HB 2226 is important and needs their support and to encourage others to do the same.

Local Senators and Representatives are:

Mike Morgan	Terry Ingmire	Dale W. Wells
519 State Capitol Bldg.	300C State Capitol Bldg.	408 State Capitol Bldg.
2300 N. Lincoln Blvd.	2300 N. Lincoln Blvd.	2300 N. Lincoln Blvd.
Oklahoma City, OK 73105	Oklahoma City, OK 73105	Oklahoma City, OK 73105
bard@lsb.state.ok.us	ingmirete@lsb.state.ok.us	wellsda@lsb.state.ok.us
405-521-5572	405-557-7411	405-557-7304

Contact information for other legislators can be found on the web.

Lehenbauer said he understood there was some opposition mounted by the Oklahoma Retired Educators Association and he believes their points are not well supported and believes this legislation has been done well and it fixes the problems and is fair to everyone in the OTRS system as well as meeting the needs of OSU and OU.

Damicone asked about the unfunded liability. He understood from the OTRS website this would happen in the future when there is not sufficient money in the accounts to meet their obligations and at that point the legislature would have to appropriate money. His concern is that if we drop out of OTRS will that accelerate this process. Lehenbauer replied that the current level of 7.05 percent is paid by the employer on behalf of for each member of OTRS. There have been actuarial studies both by OTRS and an independent actuary hired by OU and OSU to investigate the fair contribution that these universities should make to compensate for our members that

might choose to leave or not join. They have both come to an agreement on that figure. Moder added there is an on-going issue as far as these actuarial studies are concerned because of the change in the retirement formula and OU and OSU together have overpaid \$61 million. In the sense of paying more than they were taking out in benefits, we have been subsidizing OTRS to a large extent. The administrative fee that we will continue to pay is meant to pay our portion of the unfunded liability but not everybody else's. Lehenbauer said that even if the legislation passes there will continue to be, for some period of time, employees from OSU that are members of OTRS and in no way do we as a university want to do anything to damage their retirement benefits and we have a vested interest to protect the integrity of OTRS as well as meeting the needs listed in the handout. Lehenbauer added that they had been told from the beginning that Tommy Beavers who is the executive officer from OTRS would not support any legislation he feels would harm the fiscal integrity of OTRS and he has generally accepted and agreed with this legislation. Bosserman thanked Moder and Raff for their willingness to participate in working on this issue and to provide information every time they were called on. He also thanked Ron Beer in representing the Emeriti Association. Bosserman said this Bill is as good as we could get it and he did not feel anything could be added as it addresses, if not fully, as best as possible in each category and now it just needs to get passed and now is the time to do it and he wanted everyone to know Moder and Raff were instrumental in making this happen. Lehenbauer said President Schmidly's support in his effort to improve our retirement program should also be acknowledged and added he has worked very hard with President Boren at OU in this regard.

In another matter Moder asked Provost Strathe to comment on the Appendix D revisions. Strathe said the Board of Regents asked for a review of the Appendix D document itself as well as some of the appendices and a group of individuals including herself, Lee Bird, Gary Trennepohl, Carol Moder, Linda Austin, Sue Redwood, and Denise Weaver have been working on this since January. The intent is to provide a set of committee recommendations to the Board at their June meeting with the caveat that the campus still needs to discuss these both within the faculty and administratively. At their last meeting they discussed trying to provide to the campus in late August a copy of the recommendations and also have available a copy showing the changes, strikeouts, additions, etc., and then schedule open college meetings where faculty could attend and provide input or they could also forward any comments by e-mail, probably to the Faculty Committee, which they in turn would compile and make any changes at that point with the hope they might be able to take a final document to the Board in November for their action. Arquitt said she had been involved the last time Appendix D had been revised and all the changes took place "inside" Faculty Council since it is their document and why was it being done differently this time. Moder replied it "isn't entirely our document". The policy of governing tenure, promotion, appointments, etc., is the university's governing document but it is dealing with faculty. Moder added she felt it was being conducted this way because Council asked administration to review Appendix D while President Halligan was still in office because of the repeated Appendix D violations and to review the document to find out if there were places where it was unclear and where it could be revised in order to make certain all understood what the document was saying so that there would be no further violations.

#### **New Business:**

Out-going Councilors that were present and also receiving certificates were Laura Belmonte, Kouider Mokhtari and Susan Redwood. Other out-going members not present and mailed certificates were Allen Finchum, Mark Weiser and Lea Ebro.

Moder presented LaFollette with flowers in regard to her work with Faculty Council and Binegar presented Moder with an out-going certificate and gift for her outstanding work as Chair and Vice Chair of Council the past two years.

Dr. Bird reported Special Olympics would be held on campus May 12-14 and said there would be over 3,800 campers and their families here. She encouraged anyone interested to participate in this very worthwhile event and added Oklahoma has the largest Special Olympics in the world.

The meeting adjourned at 4:25 p.m. The next regular meeting of the Faculty Council is June 8, 2004.

Respectfully submitted,  
Birne Binegar, Secretary