

JOURNAL OF THE FACULTY SENATE
 The University of Oklahoma (Norman campus)
 Regular session - November 13, 1989 - 3:30 p.m.
 Conoco Auditorium, Neustadt Wing, Bizzell Memorial Library

The Faculty Senate was called to order by Professor Andy R. Magid, Chair.

PRESENT: Bergey, Christian, Farmer, Fife, Flowers, Foote, Gabert, Gilje, Goodey, Hamm, Harper, Herstand, Hill, Hinson, Hopkins, Jaffe, James, Kenderdine, Kiacz, Knapp, Kutner, Levy, Magid, McManus, Moore, Mouser, Nelson, Nicewander, Paolino, Petry, Rideout, Ryan, Salisbury, Sankowski, Schnell, Smith, Stoltenberg, Striz, Vestal, Ward, Weaver-Meyers, Wedel, Zaman, Zelby, Zonana

PSA representatives: Bloomgarden, Boehme, Scott,
 Spigner-Littles

UOSA representative: McDaniel

ABSENT: Ahern, Baker, Blick, Gudmundson, Minnis, Swoyer, White

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APPROVAL OF JOURNAL

The Senate Journal for the regular session of October 16, 1989, was approved.

SENATE CHAIR'S REPORT

(See Appendix I.)

FOCUS ON EXCELLENCE: Lois Pfiester

Prof. Rideout focused on Dr. Lois Pfiester, who came to the Botany and Microbiology Department in 1974 after completing a Ph.D. in Botany at Ohio State. Presently, she is specializing in Phycology, particularly investigating a group of algae known as dinoflagellates, which are important organisms causing 'red tides,' and fossil dinoflagellates, which are frequently indicators of oil bearing strata. Because of her expertise she is frequently called upon as a consultant to the oil industry. She has just been appointed President of the American Phycological Society. Her over fifty publications include a book and four monographic chapters. She has served as outside reviewer of several biology departments and provides expertise on several panels of national agencies. As impressive as Dr. Pfiester's research record is, she is first and foremost an excellent classroom teacher, having been recognized by the Associates Distinguished Lectureship and the Regents Award for Superior Teaching. She routinely serves as a role model in teaching assistant workshops within the department. We are proud to join the Botany and Microbiology Department in recognizing such a dedicated faculty member.

REPORT BY PROF. WILLIAM SHELTON (ZOOLOGY), CHAIR OF THE RESEARCH COUNCIL, ON INTERNAL RESEARCH SUPPORT

Prof. Shelton reported on the types of programs funded by the Research Council and the issues the Council is addressing. Two of the smaller programs are reprint reimbursements and requests for research support less than \$750. The majority of the requests are the monthly proposals that fall within the \$750 to \$7500 range, which has been modified to include criteria such as release time and professional enhancement. Proposals are evaluated in terms of merit, past research and creative activities, and whether the application might lead to outside funding. Subcommittees of the Research Council also give advice on funding requests from other programs, such as the OU associates creative activities fund, quality unfunded program, biomedical research grants, and faculty summer support. In addition, the Council considers the George Lynn Cross Research Professorship nominations.

The budgetary sources for the council are a budget line item and the indirect cost component. The difference between actual indirect costs generated by sponsored research projects and a certain estimated base is the overrealized funds which are available to the Research Council to allocate. The Council is looking into what the base should be and whether it should be fixed or variable. The lower the base, the more funds there are available to the Council. The line item and the overrealization fund has been fairly stable in the past ten years--between \$100,000 and \$120,000. Last year it was supplemented by about \$150,000 by one-time funds from the Provost and President, which allowed for considerable expansion of various programs. This year the budget is levelized at the previous levels--about \$107,000--but without the supplemental.

Prof. Foote asked whether there would be more or about the same amount of overrealized funds available. Prof. Shelton said that Interim President Swank recommended that the indirect cost base be set at \$2.2 million, which would provide about the same amount of overrealized funds as previous years, assuming the outside grants success is maintained. One question is whether or not it is appropriate to establish a fixed based. Another question is the relationship the internal research fund has on generating external funds. Prof. Zaman suggested that any additional funds resulting from an increase in the overhead rate should go to the individual or department that generated them.

Prof. Foote commented that the amount of research has increased, yet units like Research Administration, Research Council, and departments do not seem to be benefiting from the additional overhead. Prof. Shelton noted that OU has a higher level of internal funding than the University of Houston but a lower level than the University of Wisconsin. Prof. Zaman said he believes it is important to have internal support in order to enhance the faculty's productivity. Prof. Magid asked about the percentage of proposals that the Research Council is able to fund. Prof. Shelton explained that the Research Council evaluates the proposals but the decisions on funding are made by the Vice Provost for Research Administration. He estimated that about 50% receive support. Prof. Magid asked whether that meant there is a 50% need that is going unfunded. Prof. Shelton answered that the evaluation process is based on the criteria established and the quality of the proposals; it is not driven by the funding available.

DISCUSSION OF FACULTY PARTICIPATION IN PROGRAMS AT THE UNIVERSITY CENTER AT TULSA (UCT)

Prof. Bruce Hinson, Chair of the Council on Continuing Education and Public Service, distributed a handout of general information on OU's participation in UCT to aid in the discussion (see Appendix II). Prof. Herstand questioned the relationship of UCT to the mission of OU, the ability to staff UCT since the Norman Campus is still understaffed, and the difference in the income versus expense formula between UCT and the Norman Campus. He said that teaching at UCT, particularly from the perspective of associate and full professors, is essentially a philanthropic venture. Prof. Ryan asked who was teaching the lower division courses at UCT. Prof. Hinson said there are no lower division courses offered there because they are available at Tulsa Junior College. Prof. Vestal asked whether the courses at UCT are taught on an in-load or over-load basis. Prof. Flowers asked about the delivery format. Comments from various senators indicated that the courses are being taught on both in-load and over-load bases and that the format varies by program, with some taught one evening a week for three hours and others taught for a shorter term on weekends. Prof. Zelby asked whether the television network could be used in lieu of faculty traveling to Tulsa. Prof. Hinson responded that talkback t.v. had not worked very well, but that the new interactive system is of a higher quality and more flexible and is being used by Library and Information Studies. Prof. Herstand noted that teaching one night a week in Tulsa takes up at least eight hours from a faculty member's day; he questioned whether that was a valuable use of time. Prof. Hopkins agreed that it takes a bite out of faculty research time.

Prof. Petry asked whether a demographic study was being done. He urged that some kind of market research study be done to determine the usefulness of participating in UCT. Prof. Magid noted that this issue was discussed with the Executive Committee of the OSU Faculty Council, and they complained about the lack of computer facilities and laboratory facilities there. Prof. Foote said that if the University is committed to offering programs there, then more money needs to be put into the endeavor. New faculty must be hired because of the understaffed situation already existing on the Norman Campus, and programs should be coordinated with Oklahoma State University. Prof. Wedel commented that there are some potential benefits but also many dangers. He said he believed the time was right for the Senate to convey to the administration the concerns of the faculty. Prof. Zelby said he was concerned about the effectiveness of having three-hour lecture classes. Prof. Ryan said he hates to see the curriculum process that is painstakingly developed by OU subverted by spreading a program over

four universities. Prof. Hinson commented on the difficulties with undergraduate admissions standards. Prof. Magid said the comments would be helpful to the Executive Committee in preparing possible future action, in finding out administrative intentions, and in formulating faculty aspirations, if any, for the University Center at Tulsa.

REVISIONS IN THE COUNCIL ON CAMPUS LIFE

Prof. Magid explained that the Faculty Senate had approved a proposal for a Council on Campus Life in April 1989; in July 1989 Interim President Swank approved a different policy. Subsequently, the leadership of the Faculty Senate, UOSA, and EEC met to formulate a compromise proposal (see Appendix III). Mr. Randy McDaniel, UOSA President, spoke in favor of the revised proposal. Answering a question from the floor, Prof. Magid noted that the added wording in the "Purpose" section was designed to make it clear to all constituencies that the Council would not be a legislative body. The motion of the Executive Committee to approve the revised Council on Campus Life was approved on a voice vote.

REVISED COPYRIGHT POLICY

Prof. Peter Kutner, Chair of the Senate ad hoc committee to review the proposed revisions in the Copyright Policy, presented an interim report. He explained that there are two basic aspects of copyright law: how the law affects the ability to use and copy things that other people hold copyright in, which is not addressed by the revised policy, and what rights faculty have if they own copyright or what rights they do not have if they do not own copyright. A work falls under copyright law when it is created, as long as it is the type of work that the copyright law governs and it is original. There are some advantages to registering copyright and putting notice of copyright on the work, but essentially these are not necessary for the work to be copyrighted. Ownership of a work may be different from the creation of the work.

Prof. Kutner noted that the current policy (see pages 61-62 of the Faculty Handbook), which was adopted in 1980, was drafted by an ad hoc committee of the Faculty Senate because of concern about a policy proposed by the administration that gave ownership of the copyright to the University. The present policy has as its premise that the creator is the owner of the copyright, with some limited exceptions, and the University shares the royalties only when a University service unit is involved with the production. In Prof. Kutner's view, the proposed policy (see Appendix IV) would make substantial changes in copyright ownership, would establish as an objective the University's gaining revenue from commercially successful works, and would give the Office of Research Administration the function of administering the policy. There are two parts to the proposal: the copyright policy itself and the set of directives under the Office of the Vice Provost for Research Administration, which the Vice Provost could alter or amend. The ad hoc committee met with the copyright committee and others who were responsible for drafting the proposal. The reasons given for the new policy are (1) the Regents' concern that faculty are creating software that is commercially valuable, yet none of the revenue is going to the University, even when University resources are used to create the software and (2) a change in the interpretation of the copyright law concerning "works for hire."

Prof. Kutner said the ad hoc committee has some concerns and had received comments from others. According to Prof. Kutner, the proposal departs substantially from the present policy, it affects works other than commercially valuable software, and it gives the University ownership of the copyright in certain works instead of a right to receive revenue from it. One of the main problems with the revised policy is that the definition of "University works" could overwhelm the definition of "personal works." According to the drafters, the intention was that the definition of personal works would control. There are also problems with the distinctions that are created by the definitions; for instance, works in sponsored programs and works using nontraditional technologies. Other issues are whether faculty who create new types of works should be treated differently from faculty who create more traditional types of works, whether the commercial potential criterion might eventually be applied to other more traditional creations, and the consequences if faculty create something at one university and prepare a revised version while at another university. A person who had created something that came under the definition of "University works" and had commercial potential would have to make a full disclosure of the work and the circumstances of its creation to the Vice Provost for Research Administration and then await the Vice Provost's decision on whether the work would be claimed by the University before the creator could make any definite arrangements for publication, production, or performance of the work. If the University owned the copyright, it would be the University, not the faculty member who created the work, that would decide who would publish or produce the work, the form in which it would be published and reproduced, how it would be used, and whether it would be revised. As the owner of copyright, the University would have complete control over content, and the potential effects of this for the reputation of faculty members may be more cause for concern than the effects on income from sale, lease or licensing. More generally, there is concern about the effect the proposal would have on the productive activities of the faculty and on the ability to recruit productive faculty, and whether the proposal would really bring substantial revenue to the University.

Mr. William Varley, Director of Research Administration, reiterated that the intent of the proposal was to satisfy the Regents' concern about commercially valuable software that is created with substantial University resources and to provide a mechanism for returning everything else to the creator because of a recent interpretation of the copyright law that has the effect of vesting copyright with the University. The reason for the format is to make it parallel to the patent policy. The intent is that personal works would continue to belong to the faculty.

Many of the questions from the floor focused on whether certain creations would be personal works or University works and the legal aspects of the recent interpretation of the copyright law. Ms. Mary Lee, a legal adviser on copyright law, said that the language used by a federal judge in a University of Wisconsin case indicated that a traditional work created by a professor might be considered a "work for hire"--that is, a work that is created within the scope of employment and thus owned by the employer (University). Prof. Kutner said that just because a work is a "work for hire" does not require the University to own it; that is subject to an agreement between the employer and the employee. Prof. Zelby noted that some journals require that the copyright be assigned to them. He said if the proposed procedure caused an additional delay, then the article could be worthless by then. Mr. Varley said it was the administration's intention that the proposed policy would not affect that.

Prof. Zelby suggested that it would be much simpler to say that everything is owned by the creator except software. Prof. Kenderdine said he preferred to view the proposal as an attempt by the administration to rectify the situation created by the copyright law interpretation. Prof. Schnell said there was concern that all computer programs would be claimed by the University. Mr. Varley said the key to University ownership is two things: commercial viability and significant use of University resources. Those two conditions must be met before the University can claim ownership. Prof. Striz noted that the distribution of income had dropped from 50% to 35%. He raised the question of legal liability since publishers do not assume liability. The final report of the ad hoc committee will be presented at next month's meeting; it will be a recommendation for action by the Senate. Prof. Kutner said any comments should be transmitted to him as soon as possible.

MOTION BY THE EXECUTIVE COMMITTEE ON PROGRAM RE-APPROVAL PROCEDURES

Prof. Magid presented the following motion for consideration at the next meeting. He noted that "off the Norman Campus" would include courses offered at UCT.

All programs or courses being considered for delivery off the Norman Campus must be reviewed by the Graduate Council or Academic Programs Council to assure the integrity of the program or course is not compromised by any change in support services.


MISCELLANEOUS BUSINESS

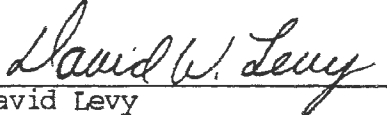
Prof. Vestal referred to Prof. Magid's earlier comment about the Graduate Student Senate's request for faculty/staff parking permits for Graduate Teaching and Research Assistants. He moved to support the request of the GSS that GAs be allowed to purchase faculty/staff parking permits. The motion will be voted on at the next meeting.

Prof. Nicewander announced that the administration is planning to remodel the seminar room on the ninth floor of Dale Hall Tower to use as an office for Admiral Crowe, who was recently appointed as a full professor. He said he did not believe it was a good precedent to turn classrooms into offices, considering the scarcity of classrooms on campus. He asked the Executive Committee to bring this issue up with the administration.

ADJOURNMENT

The meeting adjourned at 5:02 p.m. The next regular session of the Senate will be held at 3:30 p.m. on Monday, December 11, 1989, in the Conoco Auditorium.


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**Chair's Report
November 13, 1989**

ANDY R. MAGID

Recruiting Consultant. On Tuesday October 17, about 14.5 hours after our October Senate meeting, your Chair, Chair-Elect, and Secretary had breakfast with the latest of the Provost's Office's consultants from the University of Houston, Dr. Wayne Sigler, who runs their student recruiting office. Dr. Sigler had a number of interesting things to say, including recommendations for demographic studies to identify who are our potential students, so that recruiting efforts can be properly focused, and recommendations about clarifying the message the institution wants to project. This latter point was brought home to me in a conversation I had at the Energy Center Advisory Committee lunch on November 3, which I attended as your representative. I was seated next to a (retired) major oil company executive vice president now based in Texas, who told me he'd heard that our administration was trying to lower admission standards and proceeded to tell me why that was a terrible idea. I don't think standards are being lowered, but I think this incident brings out the need for a clear message.

Large Executive Committee. The Large Executive Committee met on October 23. Professors Darryl McCullough and Robert Bursik of the Research Council reported on the internal research funds generated by the difference between actual indirect costs generated by sponsored research projects and the base established by President Horton. Lowering the base increases these funds, which are spent on things like Junior and Senior Faculty Summer Fellowships and the Faculty Research Fund. President Horton had set the base at \$ 2.1 M and the Research Council had recommended decreasing the base to \$1.1 M over five years. This would add \$1 M to the internal research funds (remember lowering the base increases the funds generated). In fact, McCullough and Bursik reported, on July 13 Interim President Swank increased the base to \$ 2.25 M, which cut the internal research funds by \$ 1.5 K. [See Research Council report below.]

OSU. On October 25 the Executive Committee of the OSU Faculty Council came to Norman for the biannual joint meeting with our Executive Committee. Our first order of business was to formulate a plan for the two executive committees to open a communication channel to the Chancellor for Higher Education and the State Regents for Higher Education so they could receive input from the faculties of the two comprehensive research universities. We also discussed the University Center at Tulsa, and compared data on fringe benefits. We learned that the OSU medical plan costs about 30 % less than ours (both University and employee contributions are less by the same factor). We didn't try to compare plan benefits, but learned that OSU faculty are satisfied with the plan. They are pooled with staff, as we are, but have a single plan to choose from, which could explain why their Personnel Services are able to negotiate lower costs.

Resource Allocation Board. On October 31, I received a memo from President Van Horn announcing his wish to establish a University-wide Resource Allocation Board, to advise [him] on allocation policies and the specific allocation of resources. The Board will be made up of 6 administrators plus the Chairs of the Norman Campus and Health Sciences Center Faculty Senates. In addition, he wants subgroups (sic) of the Board to study and make campus-specific recommendations. For the Norman Campus the subset is the Faculty Senate Chair and 4 administrators. The Board has yet to allocate anything, or even to meet. Presumably, its purpose will be to supervise the transfer of wealth to academics, in line with President Van Horn's top institutional priority. If Board members get to suggest agenda items, I'd like to talk about plans to buy a new accounting program, which is both very expensive and further ties the University mainframe computer to an operating system inappropriate for much research software.

Member Requests. At our October meeting, Professor Zelby asked about an administration initiative to contact all new students. The Provost's Office supplied us with a copy of a memo from the Provost to the Dean's Council dated 22 September 1989 on the subject "Improvement in Retention" requiring Deans to have the new advisees in their college contacted by their initial adviser and which requested that a record of telephone contacts be kept. The Executive Committee did not discover if any faculty were involved in this contact effort, and if so what their reactions were. Also at our October meeting, Professor Schnell asked whether Norman Campus Faculty had been consulted about borrowing from the Catlett building fund to build the Family Practice Center at the Health Sciences Center. Keith Bystrom, Chair of the Campus Planning Council, reports that the Council was not asked to comment on this. However, the President's Assistant, Richard Gibson, reports that it was discussed by the President with his Advisory Committee.

Senate Office Resources. I want to remind you that the Senate Office on the 4th floor of the Union contains a number of resources available to all faculty: we keep Regents' meetings minutes and agenda, University budget books, faculty, staff, and administration handbooks, files of committee reports, and all sorts of other university documents. In addition, the office gets a subscription to The Chronicle of Higher Education. And it has a terminal into the 3081 which can access CICS. Moreover, our Administrative Coordinator, Sonya Paigatter, is usually available to help.

Actions of Student Government. On November 7, we received a copy of legislation passed by the Graduate Student Senate and forwarded to President Van Horn calling for Graduate Teaching and Research Assistants to have the right to purchase Faculty/Staff Parking Permits. On November 8, we received a copy of legislation passed by Student Congress and forwarded to President Van Horn calling for the Monday after the OU-Texas weekend to permanently be declared a University holiday.

GENERAL INFORMATION ON O.U. PARTICIPATION IN UNIVERSITY CENTER AT TULSA

The University Center at Tulsa (UCT) is a consortium of four institutions (Langston, Northeastern Oklahoma State, Oklahoma State and OU) providing upper-division undergraduate and graduate courses on site in Tulsa at a new single-building campus near downtown. UCT was established in 1982 to provide programs unavailable through any public institution in the area. Responsibility for supplying programs was initially assigned to participating universities based on program uniqueness, geographic proximity, a prior history of service to the area (such as through Advanced Programs, etc.) or some combination of the three factors. OU has always been and remains a minor player in the consortium by any quantitative measure. (See enrollment and credit hour information attached.)

Six degree programs are currently supplied to UCT by Norman campus schools and departments:

- Master of Architecture (Urban Design and Management)
- Master of Arts in Journalism and Mass Communication
- Master of Liberal Studies
- Master of Library and Information Studies
- Master of Public Administration
- Master of Social Work

Two other degree programs, Master of Science in Nursing and Master of Public Health, are administered by the Health Sciences Center campus.

Seven additional degree programs are at some stage of proposal or approval:

- Master of Arts in Art (Art History)
- Master of Fine Arts in Art
- Master of Arts in Economics (Managerial Economics)
- Master of Education (Adult and Community Education and High Education)
- Master of Human Relations
- Bachelor of Liberal Studies
- Bachelor of Science in Professional Studies

According to the office of Program Development Services, a unit of Continuing Education and Public Service, individual courses, a mixture of graduate and undergraduate, are proposed or authorized in Classics, Dance, Drama and Geography.

OU's programs at UCT are the administrative responsibility of CE&PS which provides admissions and records functions separate from equivalent functions on the Norman campus. Currently, instructors teaching on an over-load basis in Tulsa are paid \$2,500 per course plus mileage and, in some cases, overnight accommodations. Courses taught on an in-load basis result in a payment to the providing department. Independent study, research, thesis and project courses carry a \$50 per credit hour stipend.

Beginning fall semester 1989, courses can now be delivered via "compressed video" through the facilities of Television and Satellite Services, a unit of CE&PS. A course may be originated from either the Norman campus or UCT and be delivered to the other location. This is a higher quality, more flexible service than the familiar "talk-back television" in use for several years. To date, only Library and Information Studies has utilized this capability.

Departmental management of UCT courses differs greatly among the programs currently providing such courses. (See an informal survey of participating departments in spring 1989, attached.) Simply put, the survey

revealed a fairly high level of satisfaction with results of the program and an equal level of frustration with inadequate resources and a perceived lack of coherent, consistent direction and information on OU's future participation at UCT.

The survey raised several questions which it did not, could not, answer. Evidently these questions are shared by a considerable number of faculty who are not yet, but could be, involved in participation at UCT.

1. Where is an explicit, generally understood statement of OU's "mission" at UCT? Public pronouncements by high level administrators of the necessity of "a strong OU presence" and "high visibility" in the Tulsa area do not address the educational substance of the program, and they contain no specifics on increased support for a "stronger" or "more visible" program. The perception of a "turf battle" between competing institutions is inescapable.

2. Who's in charge? Program priorities and assignments appear to result from an uneasy compromise among the competing goals of the UCT Board of Trustees, regents for the participating institutions and the Oklahoma State Regents for Higher Education. Within individual institutions, such as OU, normal approval processes such as endorsement by the Graduate Council or Academic Programs Council appear to be bypassed.

3. Why is the program administered as an "extension" service? There may be sound bureaucratic reasons for separate (in effect, dual) record-keeping, but it complicates the work of participating departments in admissions, advising, monitoring student progress and, in the opinion of some participating instructors, has a negative effect on evaluation of teaching, research and service considering the level of effort and commitment required.

4. What is the effect of OU's participation in UCT on the allocation of future resources? Provost Wadlow's memo of 27 October 1989 on "Recruiting and Responsibilities in Tulsa" (attached) imposes some obvious responsibilities on participating programs but indicates no priority in a faculty-short institution for authorization of new faculty positions. The desirability, indeed the necessity, of resident faculty in Tulsa was cited by every currently participating program.

There are other questions. Make your own list.

THE UNIVERSITY OF OKLAHOMA
UNIVERSITY CENTER AT TULSA
FALL, 1989
ENROLLMENT INFORMATION

<u>NORMAN CAMPUS PROGRAMS*</u>	FALL 1988 HEADCOUNT	FALL 1989 HEADCOUNT	+/-	FALL 1988 CREDIT HRS.	FALL 1989 CREDIT HRS.	+/-
Architecture	24 (11%)	25 (12%)	+1	126 (13.0%)	135 (16%)	+9
Journalism/Mass Comm.	39 (17%)	32 (15%)	-7	120 (12.5%)	81 (10%)	-39
Library & Info. Studies	69 (31%)	70 (32%)	+1	264 (27.5%)	261 (31%)	-3
Public Administration	42 (42%)	46 (21%)	+4	185 (19.0%)	182 (22%)	-3
Social Work	48 (21%)	31 (14%)	-17	270 (28.0%)	180 (21%)	-90
Other	3 (1%)	14 (6%)	+11	-----	-----	
Sub-Total	225 (100%)	218 (100%)	-7 (3%)	965 (100%)	839 (100%)	-126 (13%)
<u>HEALTH SCIENCES CENTER PROGRAMS</u>						
Nursing	54 (47%)	64 (43%)	+10	226 (45%)	265 (42%)	+39
Public Health	61 (53%)	86 (57%)	+25	273 (55%)	367 (58%)	+94
Sub-Total	115 (100%)	150 (100%)	+35 (30%)	499 (100%)	632 (100%)	+133 (27%)
<u>UNIVERSITY OF OKLAHOMA TOTAL</u>						
	340 (10.2%)	368 (10.2%)	+28 (8.2%)	1464 (8%)	1471 (7.5%)	+7 (.5%)
<u>OTHER UCT INSTITUTIONS</u>						
Langston University	899 (27.0%)	988 (27.3%)	+89	7444 (41%)	7944 (40.6%)	+500
Northeastern State University	1310 (39.4%)	1405 (38.9%)	+95	6390 (35%)	6933 (35.5%)	+543
Oklahoma State University	779 (23.4%)	855 (23.6%)	+76	2910 (16%)	3204 (16.4%)	+294
UCT Total	3328 (100%)	3616 (100%)	+288 (8.6%)	18208 (100%)	19552 (100%)	+1344 (7.4%)

* Does not include Liberal Studies figures.

COMPARATIVE BREAKDOWN OF PROGRAMS OFFERED BY CONSORTIUM INSTITUTIONS AT UCT

Individual course sections (excluding independent study, research, thesis and project offerings) during fall semester 1989:

LANGSTON (All undergraduate upper-division courses)

Business (41), Criminal Justice/Corrections (10), History (4), Political Science (1), Nursing (11), Psychology (9), Sociology (6), Urban Studies (2), Computer Science (12), Economics (3), Education (26), Gerontology (3).
TOTAL: 128

NORTHEASTERN OKLAHOMA STATE UNIVERSITY (Mixture of graduate and upper-division undergraduate courses)

Arts and Letters (9), Business (16), Education (64), Health/Physical Education (1), Natural Science/Math (4), Criminal Justice (5), Technology (11).
TOTAL: 110

OKLAHOMA STATE UNIVERSITY (All graduate except some upper-division undergraduate engineering courses)

Computer Science (3), Geology (1), HPER (4), Business (12), Education (34), Engineering (33), Home Economics (2).
TOTAL: 89

UNIVERSITY OF OKLAHOMA (Norman Campus) (Graduate courses only)

Architecture (5), Journalism and Mass Communication (2), Library and Information Studies (5), Public Administration (3), Social Work (4).
TOTAL: 19

In fall 1989, OU Norman Campus offerings account for 6.0% of student headcount and 4.3% of credit hour production.



The
University of Oklahoma

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TO: Continuing Education and Public Service Council
FROM: UCT Task Force of CE&PS Council
SUBJECT: Norman Campus participation in University Center at Tulsa
DATE: 27 April 1989

Information from the five units participating in the UCT program reveals considerable diversity in approaches to staffing and support, in program structure and in expectations, both for student progress at UCT and for changes in the program itself. On the other hand, a consensus exists in attitudes, positive and negative, about the UCT experience. (The College of Liberal Studies, which joined the UCT program only this spring, was not included in the survey conducted.)

Uniformly, the participating units expressed a high level of satisfaction with the caliber and motivation of Tulsa students and reported faculty satisfaction, even enthusiasm, in being part of the program. The units also felt strongly that they were serving a real need in providing the programs at UCT; a feeling of genuine commitment is evident in survey responses.

Equally consistent were the expressions of dissatisfaction with some support services, particularly library and computer resources and administrative functions related to advising, enrollment and academic records.

The greatest single problem however relates not to the UCT program itself, but to the inadequate resources, particularly faculty, available to service both main campus programs and UCT offerings. With the exception of Library and Information Studies, which gained positions targeted in part to support the UCT mission, the units are forced to compromise both Norman and Tulsa offerings to "make do."

Statistics on growth or decline of OU course head counts and credit hour production are potentially misleading. For example, a Journalism and Mass Communication increase of 54% in credit hour production is attributable not to a wildly attractive program but to an increase from two courses in spring 1988 to three courses in spring 1989. Similarly, comparison between OU Norman campus contributions to the UCT program and that of the other three participating universities is hardly helpful. OU's credit hour generation is 7.3% of the UCT total for the past semester. Norman campus programs offer 21 class (as opposed to thesis, research and independent study) sections; OSU has 71, Northeastern State has 110 and Langston offers 112. The other three institutions provide a great number of upper division undergraduate courses compared to OU's graduate-only program.

UCT...2

An admittedly sketchy attempt to summarize responses to the survey questions follows.

1. How and by whom are courses selected to be taught at UCT? Course offerings are limited to requirements; electives are extremely rare. Schedules are generally designed to include basic requirements with a two year period, but are subject to, in many cases, availability of appropriate faculty.

2. Can a student complete all degree requirements in residence? With the exception of Social Work, which teaches only the first year (30 credit hour) requirements at UCT, programs said it is possible.

3. Given the average frequency of course offerings in your program, what is the minimum time required to complete a degree? The minimum time cited by most programs was two years (three for Social Work), but the actual time ranged from two to six.

4. Do you experience problems in "personal contact" programs such as thesis, graduate project or independent study due to physical distance and infrequent contact? Perhaps obviously, all programs said "yes," but not to a significantly greater degree than with on-campus students.

5. Are faculty assigned to UCT courses in-load, overload or as resident adjuncts? Only LIS uses in-load assignments; all others use a mixture of Norman campus faculty paid on an overload basis and some resident adjuncts.

6. How are faculty chosen, i.e., volunteers, "draftees," or resident adjuncts? No program reports "drafting" faculty; most noted that the overload payment was a major factor in attracting volunteers.

The reporting programs differed again in their hopes/projections in the two to five year range. Most were cautious in predicting significant expansion within two years, but tended to believe that within five years the offerings could be substantially increased. In each case, increasing personnel resources and financial support is the key to success. Generally unstated, but evident, was concern over OU's role in the consortium over that period, but "political" issues were not directly addressed in the survey, nor are they considered appropriate to this report.

This information constitutes a "where we are now" report, not a "where we are going or ought to be going" report. There is insufficient information on which to base policy recommendations even if they were requested. The obvious conclusion is sufficient: the contributing programs are pleased with the results so far, given the limitations, and are happy to continue...with some help.



The
University of Oklahoma

OFFICE OF THE PROVOST
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To: Deans/Directors/Chairs
From: Joan Wadlow, Provost
Date: October 27, 1989
Subject: Recruiting and Responsibilities in Tulsa

As we expand our academic programs in Tulsa, it is essential to coordinate all relevant activities. One of these is faculty recruitment. At this stage we will implement the following:

The faculty appointment letters for units where degree programs are offered in Tulsa will now include a statement indicating that teaching responsibilities may include assignments in Tulsa, i.e., the University Center at Tulsa. Therefore, during your interviews you should discuss the type of instructional responsibilities in Tulsa that might be expected.

For units where tentative plans are being developed to offer programs in Tulsa, you should also discuss Tulsa programs during interviews. The precise reference to Tulsa in appointment letters in these cases is still under review.

As the Tulsa program develops more fully, it is possible that all future appointment letters will include reference to the possibility of instructional responsibilities in Tulsa.

If there are questions, give me a call.

JW/cvs

cc: Associate Provost A. Ravindran
Professor Andy Magid, Chair, Faculty Senate

November 1989

Norman Campus Council on Campus Life

Revisions in boldface

Purpose. To identify and consider the problems, needs and concerns on matters pertaining to the quality of campus life at the University. **The Council is not a legislative body. Its purpose is to provide a forum for all Campus constituencies to discuss these matters of common concern.** The Council shall recommend and advise the **President or appropriate Vice-President or Provost** of the University of any desirable changes in campus policy which are not already **better addressed** by an existing University Council or committee. **Recommendations by the Council to the President, Vice- Presidents, or Provost are not to substitute for legislative action by the UOSA, Faculty Senate, or Employee Executive Council. The President is advised to consult the relevant constituent groups before accepting any Council recommendation.** The Council shall report back to its constituent groups any recommendations for their review and input. The **Office** of the Vice President for Student Affairs shall **provide administrative support services** for the Council.

Membership. The Council on Campus Life shall consist of 17 members, 13 voting and 4 non-voting ex officio members, apportioned in the following manner:

Student Representation (7 members)

UOSA President

Chair, Undergraduate Student Congress

Chair, Graduate Student Senate

OU Norman Campus member, State Regents' Student Advisory Board

Three at-large student representatives to be nominated by the UOSA President with the advise and consent of the Legislative Branch and appointed by the President.

Faculty Representation (3 members)

Chair, Faculty Senate, Norman Campus (or his/her designee)

Two at-large representatives of the Senate, nominated by the Senate and appointed by the President.

Staff Representation (3 members)

Chair, Employee Executive Council (or his/her designee)

Two at-large representatives of the Employee Executive Council, nominated by the Council and appointed by the President.

Non-voting Ex Officio Members (4)

Provost, Norman Campus

Vice President for Student Affairs

Vice President for Administrative Affairs

Vice President for University Affairs

If the UOSA President, Chair of Student Congress, Chair, Graduate Student Senate, Chair, Faculty Senate, Chair EEC, cannot attend a meeting of the Council, they may send a designee to represent them.

Student members' terms shall be for one year, but members may be reappointed for additional terms. At-large Faculty and Staff members shall serve staggered 3 year terms and not be reappointed without at least 2 years off the Council. All members shall be appointed for the subsequent year before the end of spring semester classes. The new membership shall meet before the end of the spring semester classes to elect by a majority vote the Council's chair from among the voting members.

Note: Even though it is not specifically included in the proposal, some existing committees could be considered for discontinuance or merged with the new council in the future. However, recommendations for such action should come through the Council and UOSA, EEC, and the Faculty Senate as well as the appropriate executive officer for review and input.

Recommendation for Proposed University Council on Campus Life (Norman Campus)

REVISED FACULTY SENATE PROPOSAL FOR A
UNIVERSITY COUNCIL ON CAMPUS LIFE (Norman Campus)

Purpose: To advise the appropriate Vice President(s) or Provost, or the President of the University*, on all matters pertaining to the quality of campus life at the University which are not already in the purview of an existing University Council or Committee.

Membership: The University Council on Campus Life shall consist of 19 members, 15 voting and 4 non-voting ex officio members, apportioned in the following manner:

Student Representation (8 members)

UOSA President

Chair, Undergraduate Student Congress

Chair, Graduate Student Senate

OU Norman Campus member, State Regents' Student Advisory Board

Four at-large student representatives to be appointed by the UOSA President with the advice and consent of the Legislative Branch.

Faculty Representation (4 members)

Chair, Faculty Senate, Norman Campus (or his/her designee)

Three at-large representatives of the Faculty Senate, nominated by the Senate on a one-for-one basis

Staff Representation (3 members)

Chair, Employees' Executive Council (or his/her designee)

Two at-large representatives of the Employees' Executive Council, nominated by the Council on a one-for-one basis

Non-voting Ex officio Members (4)

Provost, Norman Campus (or designee)

Vice President for Student Affairs (or designee)

Vice President for Administrative Affairs (or designee)

Vice President for University Affairs (or designee)

All members' terms shall be for one year, but members may be reappointed. All members shall be appointed for the subsequent year before the end of spring semester classes. The new membership shall meet before the end of the spring semester classes to elect by a majority vote the Council's chair from among the voting members.

* Student Government leaders may propose omission of the President.

Purpose: To identify and consider the problems, needs, and concerns on matters pertaining to the quality of campus life at the University. The council shall recommend and advise the appropriate Vice-President or Provost of the University of any desirable changes in campus policy which are not already in the purview of an existing University Council or committee. The council shall report back to its constituent groups any recommendations for their review and input. The Vice President for Student Affairs shall act as facilitator for the Council.

Membership: The University Council on Campus Life shall consist of 17 members, 13 voting and 4 non-voting ex officio members, apportioned in the following manner.

Student Representation (7 members)

UOSA President

Chair, Undergraduate Student Congress

Chair, Graduate Student Senate

OU Norman Campus member, State Regents' Student Advisory Board

Three at-large student representatives to be nominated by the UOSA President with the advice and consent of the Legislative Branch and appointed by the President.

Faculty Representation (4 members)

Chair, Faculty Senate, Norman Campus

Three at-large representatives of the Faculty Senate, nominated by the Senate on a two-for-one basis and appointed by the President.

Staff Representation (2 members)

Chair, Employee Executive Council

One at-large representative of the Employee Executive Council, nominated by the Council on a two-for-one basis and appointed by the President.

Non-Voting Ex Officio Members (4)

Provost, Norman Campus

Vice President for Student Affairs

Vice President for Administrative Affairs

Vice President for University Affairs

If the UOSA President, Chair of Student Congress, Chair, Graduate Student Senate, Chair, Faculty Senate, Chair EEC, Provost or any Vice President cannot attend a meeting of the Council they may send a designee to represent them.

All members' terms shall be for one year, but members may be reappointed for one additional term. All members shall be appointed for the subsequent year before the end of spring semester classes. The new membership shall meet before the end of the spring semester classes to elect by a majority vote the Council's chair from among the voting members.

Note: Even though it is not specifically included in the proposal, some existing committees could be considered for discontinuance or merged with the new council in the future. However, recommendations for such action should come through the Council and UOSA, EEC, and the Faculty Senate as well as the appropriate executive officer for review and input.

VICE PROVOST FOR RESEARCH ADMINISTRATION

DIRECTIVES

These directives are issued pursuant to the Copyright Policy adopted by the Board of Regents of the University of Oklahoma on _____. They are to be included in and made part of the University Faculty/Staff Handbooks and are to be considered part of each and every employment agreement entered into between the University and each employee, faculty member, staff member, and student employee of the University.

1. General

It is now widely recognized that the University resources employed in the production of copyrightable material may not be limited to the use of some time, an office, a library, and a secretary. Computer facilities and other special equipment owned or leased by the University are often required in the production of copyrightable material, and such work frequently requires release time, special funding and the assistance of University-employed specialists. These directives apply to University Works, and, where appropriate, to Personal Works, as defined in the Copyright Policy.

A large volume of copyrightable material, both Personal Works and University Works, is being generated at the University, and a larger volume is expected in the future. Much of this copyrightable material is of interest only to the originator, or, if of wider interest, for reasons of scholarship only. In these cases, no formal action is required by these directives or by the Copyright Policy except that in the case of University Works, the copyright notice should be applied before the work is distributed to others to protect the rights of the University. Also, in the case of University Works which fall in this category, the Vice Provost for Research Administration will, upon request, release in writing to the originator the rights to the work.

However, where copyrightable material has been determined to have potential commercial value, or where the originator believes or has cause to believe that the copyrightable material might have commercial value, originators are required to comply with the disclosure and review procedures outlined in these directives.

2. Disclosure

Copyrightable material which is University Work and which the originator determines or believes or has cause to believe has potential commercial value must be protected by the originator by the application of appropriate copyright notices and must be disclosed in writing to the University by the originator identifying the circumstances under which it was produced. The disclosure should be made through the department chair, dean, supervisor or other normal administrative chain to the Vice Provost for Research Administration. Deans, directors, chairs or supervisors may make any recommendations concerning disposition of the disclosed copyrightable material which they feel are appropriate.

As a minimum the disclosure will contain the following information:

- a. The name(s) of the originator(s);
- b. Identification of the University Program or Sponsored Program under which the copyrightable material was produced, if any;
- c. The nature of and extent to which University resources or support were used in producing the copyrightable material;
- d. The nature of the copyrightable material, e.g., a computer program, and a general description of what the copyrightable material is intended to do or show;
- e. Possible avenues, means or methods of commercialization; and
- f. Any other facts or circumstances concerning the production of the copyrightable material which might be useful to the Vice Provost for Research Administration in making a decision about the disposition of the copyrightable material and the sharing of income, if any, therefrom.

3. Determination of Disposition

Upon receiving a disclosure the Vice Provost for Research Administration shall determine first that the copyrightable material is indeed a University Work.

If a University Work, the Vice Provost for Research Administration will evaluate the work for copyrightability or patentability. If found to be patentable the provisions of the patent policy shall apply.

If copyrightable, the Vice Provost for Research Administration shall determine whether the copyrightable material is of interest to the University.

a. If found to be not of interest to the University the Vice Provost for Research Administration will release the copyrightable material to the originator. If released to the originator the University will retain a non-exclusive, perpetual, royalty-free license to use the copyrightable material for research or scholarly purposes.

b. If found to be of interest, the copyright will be registered in the name of the University. The originator shall assign all right, title and interest in the copyrightable material to the University. The Vice Provost for Research Administration will thereafter attempt to bring the copyrightable material into use in or outside the University, or both, so as to derive maximum benefits from the material. The Vice Provost for Research Administration

2. To facilitate the development and utilization of the results of University Works by faculty, staff and students, and to assist them and others associated with the University in that development and utilization.

3. To obtain appropriate benefits for faculty, staff and students and the University from commercial application of University Works.

IV. DEFINITIONS

1. Personal Works. Personal Works shall mean works of artistry or traditional scholarship, such as books, textbooks, and articles, including descriptions and discussions of University Programs and the results thereof, regardless of the tangible medium in which they are embodied. In keeping with tradition, the University does not claim ownership of these and similar works, the intended purpose of which is to disseminate the results of academic research or other scholarly activity. Similarly, the University claims no ownership of popular nonfiction, novels, poems, musical compositions or other works of artistic imagination which are not University works. If title to copyright in works defined within this section vests in the University by law, the University will, upon request and to the extent consistent with its legal obligations, convey copyright to the creator(s) of such works.

2. University Works. University Works shall mean:

a. Works created by a University employee (a faculty or staff member or a student employee) within the scope of his or her employment.

b. Works created by a University employee which are specially ordered or commissioned by a signed written agreement between the University and the employee.

c. Works created by an author who is not a University employee under a written contract which provides that the University shall own the copyright in the work.

d. Works produced in furtherance of Sponsored Programs or University Programs.

3. Sponsored Program. Sponsored Program shall mean any activity in which the University or one of its units agrees to perform research, development, training or another activity in which the University receives payment for conducting the activity.

4. University Program. University Program means any research, development, training or other activity which:

a. Is undertaken in connection with a Sponsored Program; or,

b. Except for classroom teaching, is directly or immediately related to duties or responsibilities for which an employee is compensated by the University or one of its units; or,

c. Is conducted with more than insignificant use of funds, facilities or other resources provided by or through the University.

V. OWNERSHIP OF COPYRIGHTS

In order to accomplish the purposes of the Board of Regents to promote creative and scholarly activities and to expand the frontiers of human attainment in the areas to which the pursuits of the University are dedicated it shall be the policy of the Regents that copyrightable works created by authors who are University faculty or staff members or student employees shall be considered to be Personal Works and ownership of the works and their associated copyrights shall remain with the author or authors except in those cases where a work is a University Work as defined in this policy. The University shall own all rights in University Works.

VI. ADMINISTRATION

A. The Vice Provost for Research Administration shall be responsible for administration of this policy.

B. The University shall have a standing Copyright Committee that shall consider and investigate disputes concerning the administration of this policy and recommend appropriate solutions to the President, and that shall consider this policy from time to time and recommend changes to the President if appropriate. Additionally, the Vice Provost for Research Administration may request the advice and assistance of the Committee in administration of the policy. The Committee's responsibilities shall include consideration of disputes concerning:

1. Copyright ownership
2. Terms of commissions
3. Distribution of royalties

C. The Vice Provost for Research Administration shall, from time to time, publish, and the President shall approve, such directives as he or she deems necessary for the orderly administration of this policy.



The University of Oklahoma

GRADUATE COLLEGE AND RESEARCH ADMINISTRATION
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Norman, Oklahoma 73019-0430
(405) 325-3811 or 4757

TO: Andy Magid, Chair
Faculty Senate

FROM: *K* Kenneth L. Hoving
Vice Provost for Research Administration
and Dean, Graduate College

DATE: October 4, 1989

SUBJECT: University Copyright Policy

In the spring, Interim President Swank directed that the University Copyright Committee (which is composed of faculty and professional staff representatives from both campuses) and I draft a revised Copyright Policy. There were several reasons why this should be done, but the most compelling was a court case which changed the interpretation of the "work made for hire" and "in the normal course of employment" language in the 1978 statute. This court decision had the effect of defining virtually all copyrightable works which had been "traditional areas of scholarship" as "works made for hire" and therefore the property of the employer.

Enclosed is a copy of a revised Copyright Policy which has been unanimously approved by the members of the University Copyright Committee. Among other things, this policy establishes that the University does not assert any ownership rights to copyrightable works which traditionally belonged to faculty. The policy also recognizes that such rights may vest in the University as a matter of law, and establishes a framework for returning these rights formally to the creator when that is necessary. Additionally, the policy does assert University rights to some copyrightable material produced under certain circumstances and establishes a framework for marketing these materials and sharing any income with the creator in a manner analogous to the existing Patent Policy.

I request that your Faculty Senate consider and recommend approval of this draft policy so that it may be submitted to the President and Regents for final approval.

A member of my staff or I, and the University's intellectual property legal counsel, will be available to discuss the policy should you wish that we do so.

KLH/dkj
Enclosure

cc: Joan Wadlow, Provost

D R A F T

APPROVED BY COPYRIGHT COMMITTEE
IN MEETING OF

SEPTEMBER 19, 1989

COPYRIGHT POLICY

I. POLICY

The University expects its faculty, staff and students to participate in creative and scholarly activities, and to publish creative and scholarly works, as an inherent part of its educational, research and service missions. It shall be the policy of the University to promote creative and scholarly activities and to expand the frontiers of human attainment in the areas to which the pursuits of the University are dedicated.

The interests of the State, the University, and its faculty, staff and students are served by the protection of commercially valuable or potentially commercially valuable products of University programs, by the development of these products for the public good, and by the most equitable distribution of the benefits derived from these products consistent with State and Federal law.

II. APPLICABILITY

This policy shall be applicable to all faculty, staff and student employees of the University of Oklahoma or any of its units.

III. OBJECTIVES

A copyrightable work is an original work of authorship which is fixed in any tangible medium of expression, now known or later developed, from which the work can be perceived, reproduced, or otherwise communicated directly or with the aid of a machine or device. Works of authorship include the following categories: 1) literary works [including computer programs]; 2) musical works, including any accompanying words; 3) dramatic works, including any accompanying music; 4) pantomimes and choreographic works; 5) pictorial, graphic and sculptural works; 6) motion pictures and other audiovisual works; and 7) sound recordings. 17 U.S.C. Section 201(a). The variety and number of copyrightable materials that may be created in the University community have increased in recent years, as have the author-university-external sponsor relationships under which materials may be produced. In this context the objectives of this policy shall be:

1. To address and clarify issues relating to ownership of the copyright in works created by University faculty, staff and students.

shall be responsible for this effort, but he or she may delegate or share the responsibility with others, including the originator, when appropriate. As a minimum, the Vice Provost for Research Administration shall consult with the originator concerning the optimum avenue for commercialization and the appropriateness of any expenditures by the University in pursuit of commercialization.

In making his or her determination of interest in the copyrightable material, the Vice Provost for Research Administration may request advice and recommendations from the Copyright Committee.

4. Distribution of Income

Income which is received by the University through the sale, lease, license or in any other manner of copyrightable material which the University owns under the terms of this policy shall be shared with the originator and with the originator's department or unit.

a. In the case of University Works which do not arise out of a grant or contract, and excepting those works specified in Paragraph IV. 2. b and c of the Copyright Policy, the income received by the University shall be divided with not less than 35 percent going to the originator and the remainder divided between the university as a whole and the originator's department or unit after the expenses of copyrighting and commercialization are reimbursed to the University. Normally 15 percent will go the originator's department or unit. The University's share will be used in the furtherance of the University's research or other scholarly or creative activity.

b. In the case of University Works which arise from a grant or contract, the terms of the grant or contract will govern both the extent and method of commercialization and the division of income, except that any income derived by the University shall be divided as indicated above.

c. The Vice Provost for Research Administration shall accept and consider recommendations for other divisions of income if the facts and circumstances surrounding the production of a particular work indicate that this should be done.

d. Where more than one originator is involved, the Vice Provost for Research Administration shall request the originators to recommend an equitable distribution of the originators' share as provided in these directives. Where the originators cannot agree on a suitable division, the Vice Provost for Research Administration shall make a determination of an equitable division based on a consideration of the facts and circumstances surrounding the production of the work and using the dispute resolution mechanism established elsewhere in this policy.

Where the copyrightable material is produced under a specific contract as indicated in section IV. 2. b and c of the Copyright Policy, then the University shall own the entire right, title and interest in the work unless the specific contract provides otherwise, and there shall be no division of income as required by these directives.

5. Resolution of Disputes

If an originator and the Vice Provost for Research Administration or any other interested third party cannot agree on a division of income or any other matter with respect to rights or obligations under this policy the matter shall be referred to the Copyright Committee which shall, after consideration of the facts and circumstances, make a recommendation for resolution to the President who shall make a decision with respect to the dispute.

6. Copyright Committee

The Copyright Committee established by the Copyright Policy shall have as its members one member from each of the Norman and Health Sciences Center campuses appointed by and serving at the pleasure of the President; one member from each of the Norman and Health Sciences Center Campuses appointed by the President from at least two nominations made by the respective employee organizations of each campus; and two members appointed by the President from at least four nominations from each of the Norman and Health Sciences Center Faculty Senates.

Except for the members serving at the pleasure of the President, the members shall serve two year terms and the terms of the faculty members shall be staggered so that half the members from each campus are replaced annually.

Each member of the Committee shall have one vote. The Committee shall keep its own records, determine its own procedures, and elect its own Chair who shall report to the President.

The Vice Provost for Research Administration or his or her designated representative may attend any Committee meeting and participate in any discussion but shall not vote.