

Faculty Senate Minutes
Wednesday, March 8, 2017
3:00 PM: General Classroom Building 118
Hyperlinks to supporting documents are included
**As approved at the Faculty Senate meeting of March 22, 2017*

I. Call to Order and Welcome – Faculty Senate Chair Steven Emge called the meeting to order at 3:02 p.m.

a. Attending:

Stan Alluisi	Randy Clark	Karl Frinkle
Daniel Althoff	Kay Daigle	Crystal Moore
Jeremy Blackwood	Diane Dixon	Brad Ludrick
Brandon Burnette	Steven Emge	Charles Matthews
Han-Sheng Chen	William Fridley	Chris Moretti

b. Not Attending

Gleny Beach	Mo Chehbouni
Martin Bressler	Stewart Mayers

c. Attending – Guests

Carolyn Fridley

II. Approval of the [minutes from February 22, 2017](#)

Sen. Ludrick moved to accept the minutes, Sen. Blackwood seconded. Correction made in “Old Business” under Section A to indicate the following statement: “The motion passed 12 in favor – 0 opposed – 1 abstention. The correction made under section C is as follows: “Chair Emge shared a draft announcement modeled after last year’s announcement for the election of the Archivist.” The motion to accept the minutes with corrections passed 12 in favor - 0 opposed - 0 abstentions.

III. Committee Reports

A. Planning Committee –

i. Sen. Ludrick provided the Senate with an update in regards to the Faculty Senate Awards following the faculty-at-large vote. The top 5 nominations have been selected for each award. There are a few instances where there will be more than five persons listed in the next round of voting due to ties. Each school will vote for faculty awards after Spring Break. The Adjunct of the Year, Librarian of the Year, and the Lifetime Achievement Awards have been decided based upon the first round of voting.

B. Committee on Committees – [Minutes filed](#)

i. Sen. Dixon provided minutes from the February 24 Committee on Committees meeting. Chair Emge informed the Senate that he called for the [formation of an ad hoc council titled “Learning Technologies Council”](#). This council has been created to assist in identifying technologies to be purchased by grant resources. Sen. Moore expressed reservation that this committee acts as an advisement committee where spending is concerned and that it will terminate after the spending of grant funds. Sen. Dixon expressed that this ad hoc committee is a temporary fix until a permanent council is defined. At

that time, the ad hoc council will be removed. Chair Emge stated that if the Senators felt that there was a specific topic or charge not listed on the ad hoc charges that they are to inform him so that he may revise the document. Senators discussed various aspects of the ad hoc committee and the potential functions of a permanent council. It was concluded, and clarified, that there will ultimately be three components to a newly created council; 1) the University Technologies Council (total membership with two branches/subcommittees) to include 2) the Distance Education Council and 3) the Learning Technologies Council.

C. Executive Committee –

i. Chair Emge gave an update regarding the recommended changes to the [APPM 4.6.8 \(Dismissal of Tenured Faculty for Program Discontinuance or Financial Retrenchment\)](#). Chair Emge has asked for updates from Vice-President Bryon Clark. VP Clark is working with RUSO legal counsel, Charles Babb. The only potential legal issue, at this time, may concern the title heading. The heading refers to Tenured Faculty, but the revision lists non-tenured faculty, as well. This is still under review, however, so once legal counsel has given approval, resolutions will be submitted.

D. Personnel Policies – [Motion filed](#)

i. Sen. Fridley provided the Faculty Senate with a proposal for changes to the function statement of the Distance Education Council (APPM 3.6.1) and made a motion to accept the changes. Sen. Frinkle seconded. In addition, Sen. Fridley noted that the motion was not from the Personnel Policies Committee. Chair Emge was responsible for placing this motion on the agenda under the Personnel Policies committee report. Sen. Moretti asked for clarification and examples of which items from the Distance Education Council would be sent to the Faculty Senate and which items would be sent to the Academic Council. Sen. Fridley expressed that there are often policy recommendations that should be heard by the Faculty Senate and that curricular matters should be heard through Academic Council. Sen. Fridley noted that he had initially sent the motion to Committee on Committees but it was determined through discussion that the committee did not have a chance to review the material, due to Chair Emge's failure to recognize that specific request and send the proposal to the Committee on Committees. Sen. Daigle asked if the motion was sent to Distance Education Council. With the miscommunication at hand, Sen. Fridley amended the motion asking to postpone the changes to the function statement until Committee on Committees has had a chance to review the material. Sen. Frinkle seconded. The motion passed 14 in favor - 0 opposed - 0 abstentions.

D. Budget Committee –

i. The Budget Committee has not met. Sen. Althoff did inform the Senate that the Budget Process subcommittee for Presidential Advisory Committee on Budget has made movement toward meeting. A Doodle Poll has been sent out for those involved to establish a meeting date.

E. University Affairs –

i. The University Affairs committee has not met

IV. Old Business –

A. Shared Governance Forum #2

i. The next Shared Governance Forum will be held on April 11. Chair Emge expressed that perhaps the topic might include the new budget process, the creating of a new budget process, mission statement revision, a forum on what has happened in the Faculty Senate as Chair Emge will be completing his term and Chair-Elect, Dan Althoff will be assuming the Chair position for the 2017-2018 academic year.

B. Chair-Elect Elections Announcement

i. No one has accepted a nomination as of the March 8 Faculty Senate meeting.

V. New Business

A. Intellectual Property Statement.

i. An Intellectual Property Statement has been approved by both the Distance Education Council and the Academic Council. The initial draft was made available on October 4 by the Distance Education Council and was reviewed by RUSO legal counsel, Charles Babb. The Distance Education Council made the requested changes based upon his review. The Academic Council approved the statement on November 30. Faculty who had experienced problems regarding use of their intellectual property brought their concerns to the Distance Education Council (DEC) and these concerns were discussed on February 28. The Intellectual Property Statement approved on November 30 by the Academic Council allowed Southeastern to use the intellectual property of professor for training purposes. On February 28 the Distance Education Council approved a change to the Intellectual Property Statement that the use or dissemination of material may only be used with permission of the author. Sen. Fridley mentioned that he emailed Vice-President Clark and DEC Chair Christala Smith, who replied that she would put the statement changes in the minutes and forward the revised Statement to the Faculty Senate for its review. The Faculty Senate did not receive these documents. The statement, approved by the DEC on 2/28/2017 reads:

Intellectual Property (as approved by the DEC on 2-28-2017)

Southeastern Oklahoma State University respects the intellectual property rights of the professors and students and thus must gain permission for use of such works, including content stored within the LMS for online, blended, and face-to-face courses. An author may allow the copy and/or distribution (as well as viewing for training purposes) of their materials by giving written permission to the requestor. In such cases, any materials used will retain the name of the author.

Southeastern retains the right to view content, including that which is stored within the LMS, for the sake of evaluation and/or accreditation.

Users may not alter or delete content from the LMS for any course that has been taught within the previous eighteen months, as this is the time allotted for student appeals and content should be maintained in the same condition in which it existed at the end of the course.

Persons using materials in the LMS obtained from any other source must cite the source from which it was obtained, including authors, websites, images, etc.

Work-for-Hire principles will not be applied to individual works in developing materials. However, such rights will be reserved by the institution in cases of appointed collaboration, such as the work specifically commissioned by the university or produced by university committees and councils.

Works produced under a specific contract or grant agreement between the university and a governmental or other agency or organization are subject to the terms of the grant or contract for purposes of copyright. The terms of any grant or contract shall take precedence over this policy should there be a conflict between them.

Senator Diane Dixon made the motion to accept the DEC version of the Intellectual Property Statement and was seconded by Senator Stan Alluisi. Sen. Moore expressed a concern about 3rd party entities like Academic Partners and the need for the DEC and Faculty Senate to explore this issue in the near future. Sen. Fridley recommended that the Statement should be placed in APPM 7.10.3. Sen. Althoff recommended that Learning Management System (LMS) should be spelled out on the first occurrence. Sen. Moretti expressed that in order to avoid potential abuse, if someone is going to be reviewing materials the owner of the intellectual material must be notified. Sen. Moore stated that the Distance Education Council did discuss this issue. Sen. Moretti also stated that there is nothing in the statement about material being routinely removed or about orphaned content. Chair Emge indicated that there is nothing in regards to online courses where a professor may leave at the beginning of a semester when a course must launch immediately. Sen. Moore stated that the policy is not complete and needs to be revised. Sen. Moretti expressed that that the notification issue can be addressed immediately.

Sen. Moretti suggested the following additional revision: "When Southeastern allows someone other than the author to review or show content for the sake of evaluation and/or accreditation the instructor shall be notified prior to accessing the LMS." The statement, therefore, was amended to read as follows:

7.10.3 Intellectual Property

Southeastern Oklahoma State University respects the intellectual property rights of the professors and students and thus must gain permission for use of such works, including content stored within the Learning Management System (LMS) for online, blended, and face-to-face courses. An author may allow the copy and/or distribution (as well as viewing for training purposes) of their materials by giving written permission to the requestor. In such cases, any materials used will retain the name of the author.

Southeastern retains the right to view content, including that which is stored within the LMS, for the sake of evaluation and/or accreditation. When Southeastern allows someone other than the author to view or show content, for the sake of evaluation and/or accreditation, the instructor shall be notified prior to accessing the LMS.

Users may not alter or delete content from the LMS for any course that has been taught within the previous eighteen months, as this is the time allotted for student appeals and content should be maintained in the same condition in which it existed at the end of the course.

Persons using materials in the LMS obtained from any other source must cite the source from which it was obtained, including authors, websites, images, etc.

Work-for-Hire principles will not be applied to individual works in developing materials. However, such rights will be reserved by the institution in cases of appointed collaboration, such as the work specifically commissioned by the university or produced by university committees and councils.

Works produced under a specific contract or grant agreement between the university and a governmental or other agency or organization are subject to the terms of the grant or contract for purposes of copyright. The terms of any grant or contract shall take precedence over this policy should there be a conflict between them.

The motion passed 12 in favor - 0 opposed - 2 abstentions.

VI. Adjournment.

Sen. Dixon made a motion to adjourn. Sen. Blackwood seconded. The meeting adjourned at 4:28 PM.

Respectfully submitted by Jeremy Blackwood, Faculty Senate Recorder