

**Faculty Senate Minutes**  
**Wednesday, October 4, 2017, Meeting #3, of Fall 2017**  
**3:30 p.m. Classroom Building 118**  
*As approved at the October 18, 2017 meeting*

**Attending:**

Daniel Althoff (Holding  
Proxy for Kay Daigle)  
Kathy Boothe  
Brandon Burnette  
Han-Sheng Chen  
Diane Dixon

Blythe Duell  
Steven Emge  
William Fridley  
Charles Matthews  
Crystal Moore

Chris Moretti (Holding  
Proxy for Karl Frinkle)  
Josh Nannestad  
Rhonda Richards  
Michael Scheuerman

**Not Attending**

Kay Daigle, Karl Frinkle, Stan Alluisi, and Brad Ludrick.

**Guests:**

Carolyn Fridley and VPAA Bryon Clark

**I. Call to Order and Welcome @ 3:30pm by Chair Althoff.**

**II. Approval of the [Minutes from September 20, 2017](#)**

Sen. Dixon moved to accept the minutes. Sen. Duell seconded. Motion to accept the minutes passed unanimously.

**III. Faculty Senate Chair Report**

- A. Re: [VPAA Bryon Clark's response](#) to the Faculty Senate's request for a written clarification of RUSO Counsel's concerns about a proposal to amend APPM 7.10.3 Intellectual Property. This was sent to FS Chair Dan Althoff on 10-3-2017, and Althoff read excerpts at the 10-4-2017 meeting.

Discussion followed, and VPAA Clark entertained questions.

In response to the FS request about RUSO Counsel's recent concerns with the latest FS approved (Spring 2017) version of the Intellectual Property (IP) Policy linked [here](#), Dr. Clark sent FS Chair Althoff an email dated Tuesday, 10/3/17 at 12:24pm. In this email, Dr. Clark stated that while RUSO Counsel reviewed the first intellectual property policy version dated 11/30/17 (didn't require IP owner notification and allowed for IP viewing for training purposes), they had concerns with the second version proposed by Distance Education Council during the 2/28/17 meeting linked [here](#). This 2/28/17 version was then strengthened by FS adding a requirement to give content owner's prior notification before accessing his/her material and requiring prior permission for "training purposes." This final version was approved by Faculty Senate at the March 8, 2017 meeting.

After a verbal conversation with RUSO Legal Counsel (RLC) – then Charlie Babb (now retired) and his replacement Nancy Gerrity -- about the last version, VPAA Clark shared that RLC is concerned about the prior notification requirement in cases of official legal complaints. RLC and SE Administration stated that they need exceptions to the prior notification rule. Dr. Clark proposed some language and has provided that language in his 10/3/17 email to the FS Chair.

Dr. Clark also offered the example of correspondence vs. online course differences. He stated that online classes have regular interaction between the Professor/Instructor and students. Dr. Clark shared his previous experiences regarding class observations where he often had no prior notification and supervisors listening in the hall – unbeknownst to him. He distinguished between viewing and using course content. He also expressed the need for department chairs (DCs) to verify the course is successfully up and running at the beginning of the semester. He questioned if it would suffice to send a message to all Faculty at the beginning of the semester to notify them that DCs will be in their course(s). He stated the need for a course to be memorialized in case of a grade appeal process. He is concerned that users will go in and change information in regard student complaints, etc. if they have prior notification. VP Clark stated that he is not sure of an exhaustive list of reasons for non-content owners to view a course. He offered that perhaps we consider an “after the fact notification.”

A senator noted the important distinction between *viewing* and *using*, and asked if VPAA Clark knew of any instances where faculty-created materials had been used without their consent. Clark responded that he was not aware of any specific instances.

A Senator offered that some notification within a reasonable amount of time might suffice. Dr. Clark’s concern is that we are in compliance with accreditation and oversight bodies. He questioned about Department Chairs’ acceptable points of access? Currently, DCs can enroll themselves. VPAA Clark offered that Super Admins (currently only Christala Smith and Jason Stowell) have access that leaves no “footprint” in the course. Therefore, none of their actions in the Bb program are tracked and/or reportable while they are logged-in as a Super Admin. All other enrolled users in the course leave a footprint that a content owner can view via a Bb report. A Senator stated that pre and/or post notification is needed so that Instructors do not to constantly check if someone has been added to his/her course.

Chair Althoff said that the Executive Committee will continue to revise the IP policy with the intent to arrive at a mutual agreeable document. VPAA Clark also questioned how to handle Ethics Point and similar more legal-type complaints. He also stated that when IETV first started there were similar concerns. He summarized that he felt that it is very important for us to resolve this intellectual property policy issue as soon as possible because of the critical importance to the individual employee and university as a whole. He also stated that he is adamantly opposed to anyone using someone else’s intellectual property without his/her consent and would definitely discipline anyone caught violating this core academic tenet.

Returning to the conversation, another Senator expressed concern about formalizing the course sharing process. Chair Althoff emphasized that protecting Faculty’s intellectual property is a paramount issue throughout academia. He concluded his remarks on this topic by stating that

using intellectual property without the owner's permission is definitely theft and will not be tolerated by the Senate.

**B. Joint meeting with AP-MBA Faculty and Executive Committee**

Chair Althoff confirmed that the leadership and faculty of John Massey School of Business Academic Partnerships MBA program have agreed to participate in an informal meeting with the Faculty Senate Executive Committee on October 11 at 2:30pm. The agenda will include their key learnings of their past two-year history working with A.P. and transition to the related 100% online program.

**C. Joint meeting of FS Executive and Budget Committees.**

Chair Althoff confirmed that the FS Executive Team will be meeting with President Burrage and VP Dennis Westman on Tuesday, October 31<sup>st</sup> at 2:00 p.m. President Burrage has reportedly re-confirmed in recent meeting that his main concern is Faculty compensation and second is SE deferred maintenance. Those items will be at the top of the agenda for this 10/31/17 meeting.

**IV. Faculty Senate Treasurer's Report**

Chair Althoff serving as Daigle's proxy gave the FS Treasurer's report. The Administration has granted the FS's request that the full budget allotment to be made at the beginning of the year (now).

**V. Faculty Senate Committee Reports**

**A. Budget Committee**

The FS Executive Committee will present information and data on salary erosion at SE during our upcoming Joint meeting with President Burrage and VP Westman on October 31.

**B. Committee on Committees (CoC)—[Report Filed](#)**

Senator Ludrick was elected Chair. Senator Dixon served as his proxy. There were vacancies on the CoC and those were filled. Senator Fridley motioned to approve the assignments contained in the minutes. Senator Matthews seconded. Motion passed unanimously.

**C. Executive Committee**

Executive Committee Minutes from September 13 linked [here](#). The conversation focused on A.P. collaboration, especially the addition of undergraduate programs, hence the JMSB Faculty meeting and SG Forum topic. A senator noted that the A.P. topic is massive and has significant impact on the whole of SE. Another senator suggested that the A.P. related JMSB Faculty present at the SGF. The topic suggestion was summarized into the following current key issues: Course development timelines and compensation, academic freedom, intellectual property. Another Senator noted that M.Ed. faculty could also speak to their experiences.

**D. [Personnel Policies Committee Report](#)** includes minutes from the 9-28-2017 meeting, three motions for editorial changes to APPM 4.6.4, 4.6.3, and 4.5.3, and a list of requested changes to the APPM that was emailed to VPAA Bryon Clark on 10-2-2017 by the FS Archivist. The key, very timely concern is the numerous references to *Deans*, and the backlog of policy

recommendations including, but not limited to: Tenure & Promotion, Faculty Evaluations, and Hiring Processes, all of which are contained in APPM Chapter Four.

Senator Fridley noted that the outdated segments of the APPM had become a concern for those working on the HLC *assurance report*. Another senator stated that the administration was aware of the concerns, and based on a discussion at a recent meeting of the group working on the *assurance report*, we should expect a response to and resolution of the APPM updates, soon.

Senator Fridley made the follow motions that were advanced from the recent PPC minutes:

1. Sen. Fridley motioned. Second – Senator Moore. 1 = yes, 16 = no. = Motion failed.
2. Sen. Fridley motioned. Senator Moretti second. 16= yes, 0 = no. Motion carries.
3. Sen. Fridley motioned, Sen. Moretti second. 16 = yes, 0=no, Motion carries.

For PPC:

One Senator suggested reviewing APPM 4.6.3 to determine if we can change the timeline for the Tenure & Promotion process. With Step 5 (the Dean's recommendation) no longer operative, there is a significant time gap. And the deadline of October 15 for Step 3 presents the Committee with a compressed timeframe to complete their charges. It was recommended that the timeframe for Step 3 be extended.

#### E. Planning Committee

Sen. Dixon was concerned about a lack of experience on the committee. She then volunteered to serve on the committee. She was elected Chair. Chair Althoff sent Senator Ludrick and Senator Dixon a request to consider submitting SE's Teaching Award winners to the OK Foundation of Excellence's Teaching Award process which carries a \$5K teaching award. The deadline for nominations is November 28, 2017.

#### F. University Affairs

An initial meeting was called with no location given. Thus, a meeting did not occur this time. That committee will try again soon for a meeting.

AAUP President Carolyn Fridley asked, "What is the policy for guests attending committee meetings." Specifically, the AAUP has been discussing SE's deteriorating physical conditions. She was wondering if it would be appropriate to take this concern to the University Affairs committee. She can request to be notified of the next UA meeting.

The FS applauded the SE Foundation's effort to obtain new building signage throughout the campus. A Senator noted that SE Foundation's Dr. Stafford and Mark Webb have worked diligently to make these signs a reality for the university.

## VI. New Business

- A. Formal selection of topic for Shared Governance Forum (SGF), October 30

Chair Althoff proposed confirming the topic of the Shared Governance Forum as Southeastern's working relationship with Academic Partnerships, especially since it is growing in prominence at SE. One Senator requested that we engage in substantive, specific dialogue about how to best meet the needs of Faculty in regards to our new 100% online programs. Another noted that during Spring, 2012 a Shared Governance policy (APPM 3.8) was enacted with the intent that specific actions would result from the forums.

Another Senator commented that it's not the "if" we are going to be working with A.P. – because that part was already decided almost two years ago. The key now is the "how" part, in terms of Faculty working conditions, such as compensation, academic freedom, intellectual property, and course/SCH load. This is the conversation we need to have at the SGF; our goal is to make the best working conditions for Faculty and students as possible. It's not going away.

#### B. Other

Lastly, another Senator requested that all formal FS communication be sent from the FS email account and that motions be sent out as document files.

### **VII. Old Business**

- A. [Motion–Policy Recommendation](#) for APPM 4.6.8 on Dismissal of Tenured Faculty for Financial Retrenchment or Program Discontinuance. This recommendation was revised by the Executive Committee in September of 2017.

Fridley motioned. Charles Matthews seconded. 15 = yes. 0 = no.

#### B. Other

### **VIII. Adjournment @ 4:55pm**

**Minutes respectfully submitted by Crystal Moore.**

