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Any comments concerning the contents in The University of Akron Chronicle may be directed to the Secretary, Dr. Elizabeth Kennedy (x6932)
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MINUTES OF THE FACULTY SENATE MEETING OF MARCH 7, 2002

The regular meeting of the Faculty Senate was called to order on Thursday, March 7, 2002, at 3:05 p.m. in the Goodyear Polymer Auditorium.

Forty-eight of the sixty-eight Faculty Senators were in attendance. Senators Buckenmeyer, S.Clark, Marino, R.Pope, S.Pope, Reed, and Schmith were absent with notice. Senators Anderson, Brouthers, Chafin, Conrad, First, Louscher, Purdy, Redle, Stinner, Turning, Wallace, and Walter were absent without notice.

SENATE ACTIONS

- * APPROVED CFPC RESOLUTION ASKING COLLEGES TO PROVIDE INFORMATION ON OFF-LINE CLASS SPACE AND ITS USAGE BY DEPARTMENTS.**
- * APPROVED APCC MOTION TO CHANGE THE NAME OF THE DEPARTMENT OF ELECTRICAL ENGINEERING TO THE DEPARTMENT OF ELECTRICAL AND COMPUTER ENGINEERING.**
- * APPROVED APCC MOTION THAT THE COMMITTEE AND PROCESS FOR THE AWARDING OF HONORARY DEGREES BE PARALLEL TO THE PROCESS FOR THE AWARDING FOR DISTINGUISHED PROFESSOR.**
- * APPROVED APCC MOTION FOR CORRECTIONS TO RTP RULE 3359-20-03.7, TO ADD: THE DEPARTMENT CHAIR OR SCHOOL DIRECTOR IN THE APPEALS PROCESS; AND FACULTY IMPROVEMENT PROGRAM LEAVES COUNT TOWARD THE PROBATIONARY PERIOD FOR TENURE.**
- * APPROVED APCC MOTION THAT THERE SHOULD BE AN ACCEPTANCE OF THE CREDIT FOR TRAINING PROGRAMS EVALUATED BY THE AMERICAN COUNCIL ON EDUCATION.**
- * APPROVED FRC MOTION TO RECOMMEND ACCEPTANCE OF THE POLICY ENTITLED UNIVERSITY RESEARCH, COPYRIGHT AND PATENT POLICY.**
- * APPROVED FRC MOTION TO RECOMMEND ACCEPTANCE OF A POLICY ENTITLED CONDUCT AND ETHICS POLICY EMPLOYEE FINANCIAL INTERESTS IN COMPANIES LICENSED UNDER THE UNIVERSITY INTELLECTUAL PROPERTY.**

I. APPROVAL OF THE AGENDA - Chair Sheffer called for a motion to approve the agenda. Hearing no corrections or additions to the agenda, he called for a vote. The Senate approved the agenda.

II. APPROVAL OF THE MINUTES OF FEBRUARY 7, 2002 - Chair Sheffer called for a motion to approve the minutes. Senator Wyszynski made the motion, and was seconded by Senator Harp. No corrections or additions were reported. The Senate then voted its approval of the minutes.

III. REMARKS OF THE CHAIRPERSON - The Chair began by stating that he wanted to comment on two things this afternoon regarding the agenda items we were to deal with. Later in today's meeting we would have an opportunity and perhaps pass a resolution regarding the role of the Faculty Senate in shared leadership. As he had said before, we hoped to be moving from a position of being reactive to one of being proactive. In doing so, we would all hopefully be taking on additional tasks in the planning necessary for determining and achieving the goals of this institution. We would discuss this in more detail as we moved into that segment of business today.

The Chair continued by stating that he needed to clarify a misunderstanding about the email which Senators had received yesterday that contained an alternate version of what he was going to call the second resolution that all received in the mail last month. They were both to be included in our discussion and in our formulation of a resolution to be moved and voted upon by this body. Secondly, he incorrectly had told Senators yesterday by email that we would go into an executive session following old business to deal with the resolution. Our bylaws prevented us from going into executive session; our bylaws stated that all of our meetings must be open to the community. However, in an effort to enable a frank discussion of the resolutions which would deal primarily with the faculty issues, he was going to recess the Senate for approximately five minutes following old business to allow any non-Senators who wished, a chance to leave the meeting. He thanked the Senators.

IV. REPORTS

EXECUTIVE COMMITTEE - Secretary Kennedy began her report by stating that the Executive Committee had met twice on March 1, first with committee members only present, and secondly with the President, Provost, and Mrs. Herrnstein. Some of the issues discussed included: The Executive Committee's concern regarding the increases in enrollment, and who would be teaching the new students. Also, given past criticism of NCA, we presented our concerns with an over-reliance on too many part-time instructors. The response to this was stated by the Provost, that several fixed-term, full-time positions had been created out of part-time positions. For example, two part-timers would now equal one fixed-term. There would

also be money coming back to units as part of the ROI's ongoing dollars, which could be used to create new faculty positions. We then wondered, given the increase in the freshman class and the resulting increased need for freshman classes, whether there was a plan in place to deal with this likely contingency? We were told the Provost also had some stop-gap funds to allocate to colleges where additional section offerings were needed as a last-minute measure. Related to this, the Executive Committee was concerned about long-term planning on the freshman class demand issue. We were told that the enrollment manager would start March 4 and would address this issue. Concern was raised regarding academic reassessment of students. The policy currently stated that if a student was out of the University system for three years, then came back and started taking classes again, his previous record could then be expunged so as not to affect his G.P.A. However, there have been some problems with how this policy has been interpreted in the Registrar's office because we had been told that the APCC was reviewing this, as well as the VP of Student Affairs. Evidently, what was happening was if you had a student who went to school for a while, did poorly getting C's, D's and F's and then took three years off, came back and took 22 credits and then took a year off, after that year they would be starting over again in terms of reaching the 24-credit requirement. It had to do with the misinterpretation of the policy. We brought that up, and the President had asked Mrs. Herrnstein to follow up on that. The Secretary stated that she had asked Mrs. Herrnstein to make sure she contacted the advisors in the C&T office and apprised them of that situation as well. We had some issues regarding registration. Also again, C&T students who had 32 credit hrs. or more were not allowed to enroll early. We understood per the minutes that were distributed to the Executive Committee following our meeting with the President, Provost, and Mrs. Herrnstein that that was a problem in the registration protocols. However, that problem had been corrected and would appear as corrected in the fall semester class schedule. The Executive Committee had a concern about the reduced number of phone lines available for students who wanted to register over the phone. The Executive Committee brought this as a concern to the meeting, and again in the minutes that we received, we were told by the assistant registrar there was a need to reduce costs by still offering maximum flexibility to our students. The telephone system was therefore maintained as an option for students but with fewer lines. The last concern we brought forward as a committee had to do with difficulties with Barnes & Noble. In particular, students had reported having difficulty getting a book list on-line without reserving or buying them at Barnes & Noble. The Executive Committee had queried whether the University was pursuing a contract and where that stood. We were told that a contract for a vendor for the on-campus bookstore had been put up for bids and bids were being evaluated. Book lists would be a key to that negotiation.

REMARKS OF THE PRESIDENT - Chair Sheffer then invited President Proenza to address the body.

"Thank you, Mr. Chairman, and good afternoon, colleagues. I noted that our Parliamentarian is again wearing his kilt, and I couldn't help but comment to him that I saw another kilt a couple of days ago, but not in Scotland - so you have a colleague there. I want to thank all of you for the increased dialogue we are having. It is very reassuring to see so

much participation. I'll make some brief comments and then in keeping with the request of your Chair, I will absent myself.

Ladies and gentlemen, as academics we frequently create ironies out of the conflict between ideals and reality. That is because by definition, ideals represent conditions that we live for, not conditions that we live with. In some cases ideals become illusions that sometimes blind us from the needed hard work to accomplish those things that will advance our common good. That viewpoint interestingly has also been voiced by Richard E. Miller, and some of you may recall that he was a recent visitor to our campus in conjunction with the teaching academy endeavor, and he expressed that viewpoint through his 1998 book that many of you read at that time entitled, "As if Learning Matters." Such too it seems to me is the situation that we face today as you consider whether or not you want to continue the demanding and sometimes frustrating work of pursuing the ideals of the University.

Before you today will be two versions of a resolution of shared leadership, as Dr. Sheffer has indicated. One speaks of positive action and commitment to the hard work needed to continuously approach the ideal, the other understandingly speaks to anger and frustration which we all share but which will not help us to address the issues. I've clearly heard you, as I've said, and I am as upset at the failure of communication and consultation as you are, for I would assume that effective processes were in place when they were not. Still, the question is not has shared leadership been realized, but are we to learn from our experience?

Two weeks ago we gathered as a community to discuss budget issues and to talk with each other about our concerns. I think that we learned much from each other, and additional forums are scheduled during the next few weeks to address other concerns that you, the faculty, have voiced. Our goal is to enhance open, collegial dialogue and to listen to each other's thoughts and ideas, and we will continue to strive to create an environment in which discussion and decision-making are based on solid information and a clear picture of what is happening around us. Again, I trust that you understand that we, and I certainly mean by that, me included, have heard you and that we are taking steps to redress these matters.

Please understand that this is not a sudden or a temporary phenomena. Consider for example what happened last October after we heard your concerns about how the delay in legislative action created a difficult budget schedule at the end of the summer. We acknowledged your concerns and we took action. As outlined last October, we are now moving forward to work with you to develop the plans that will address salary and health benefits with the appropriate data and consultation with the committees of the Senate.

Shared leadership is an ideal, and one that has clearly not been fully realized at The University of Akron; on that we clearly agree. This should not surprise us as we are attempting to do our work and lead our University in many new ways, and one that requires not only hard work but also a sustained environment and a growing environment of trust, mutual respect, and shared responsibility. This kind of leadership is more difficult than

resorting to simple hierarchies, and it is clearly less common. I remain committed to shared leadership, but it will take hard work by every one of us, myself included. So I ask you as you consider the resolution versions that will be before you today, to commit to the hard work we must do and to what that joint endeavor can and should mean to our University community.

When I first enunciated the concept of shared leadership, I referred to it as a process, a process that learns from mistakes and welcomes change as the challenge of opportunity and as a process that must be disciplined by ambitious goals and aspirations. Therefore, ladies and gentlemen, colleagues, I ask that you refrain that the Faculty Senate can be the primary partner in shared leadership with the administration and to join me indeed in redressing the common concerns by engaging with each other in the hard work that will be very much ours to do. In short, I ask that you choose to pursue our common ideals rather than declare them false. Thank you very much, and I'd be happy to take a question or two on that theme, and otherwise I will indeed absent myself."

Senator Broadway then asked the President a question. In looking at the resolution and hearing his comments, what would necessitate changing the bylaws and rules of Faculty Senate? How would those need to be changed?

President Proenza replied that he thought it was a matter for us to determine together. He did not have any preconceived notions about them, but clearly there were processes that were not working that we needed to sit down together and enable them together.

Senator Yoder then stated that she had a question about the implementation of the faculty salary raises. In the President's comments to the Faculty Senate on Oct. 4, he had indicated that the raise would be effective Jan. 1. That had come up in repeated discussions about the salary increase. When we talked about the salary increase, we talked about it in terms of a 1.65% effective raise, yet the implementation had been a Jan. 15 date, giving faculty essentially a 1.5% raise. Would he comment, please?

The President replied that Mr. Nettling was reviewing the exact formula which would be reviewed with the Planning & Budgeting Committee to show it was precisely balanced, so let PBC review that in detail with you. It was precisely balanced half and half.

Chair Sheffer asked whether there were any objections from the Senate for someone who was not a Senator asking a question? Susan Speers was then given permission to speak.

"President Proenza, I've been at The University of Akron for 14 years, and I feel right now like I'm at the University of Enron. I reported some very serious violations and have been condemned for my attempt. Now we are in a federal lawsuit that makes all of this uncomfortable. It takes my personal money and state money to deal with this. I'm extremely disappointed that I could not have had one hour of your time to deal with the problems I

could've easily explained to you, and I'm very saddened by this because I consider myself a very good employee and I've been treated as a very bad employee."

The President replied that because Susan Speers was in litigation with the University it would be inappropriate for him to comment on the specifics that she asked, but in regard to many issues that were shared of concern with us, there was no question that The University of Akron was at a stage in its development when there was much that we must do to put in place the appropriate faculty, staff, and supervisory development processes that would enable all of us to have strong confidence and understanding of those processes. In many cases those were working well, but in many they were at least perceived not to be working well. In others he was convinced they were not working well and we must address them. You cannot change things overnight; we were a very large organization, but we certainly would be remiss if we did not commit to redressing them effectively and efficiently as best we could as a community.

REMARKS OF THE PROVOST - Chair Sheffer invited Provost Hickey to address the body.

"My remarks will be very brief because I know you have a very full agenda today and some items you want to discuss. Let me also say that I too will leave right after my remarks to allow you the opportunity to discuss whatever you want to discuss. I would also suggest to various members of the administration and deans who may be here today that you honor the wishes of the Senate as well and that you too depart at the break that's going to occur later in order to give the Senate the opportunity to have the discussion they wish to have.

I want to give you a very brief update on two activities. One is the activity of the Planning & Budgeting Committee with regard to next year's budget. We met again today, and are meeting every Thursday, and we have had some extremely good meetings. Today's meeting was particularly productive and a number of alterations in the proposed budget have been put in place based on the recommendations of the PBC. I think we now have a budget that we're comfortable in moving forward to the next step with, and I'm sure there will be a report on this later today.

We still have one problem, however - the current budget we have has an end of the year deficit projected at \$5.3 million. So clearly, the next step now is for the PBC to work on making some recommendations regarding a prioritization of cuts, if cuts become necessary. The current budget does not include any provision or does not account for any increase in enrollment, so it is a conservative budget in that regard. It does include a probable increase in tuition, but again, that has to await action by the PBC, recommendations by the Senate, and ultimately actions by the Board. But it does not include any projected increases in enrollment, so we could deal with most, if not all, of the deficit out of increases in enrollment. So I think the PBC is taking a very conservative approach, and I can assure you that Vice President Nettling and all of his colleagues have been working very hard to provide all of the information to the PBC.

The second item I want to make you aware of are the results of the efforts of one of your colleagues, Chand Midha, that are starting to really bear fruit. Chand has been working on an analysis about how we might reasonably go about dealing with the compression with the \$1.2 million that the President has talked to you about before. Chand has come up with a quite elegant and quite fair analysis I think, or an analysis that leads to a quite elegant and fair approach, and I have asked him to describe that to the Planning & Budgeting Committee at its meeting next Thursday so they can start having a discussion around that as well. But it really is a very sophisticated analysis, and Chand is to be congratulated, because he really has been taking an enormous amount of his own time to gather data and compile all the information that the PBC needs.

Those are my only prepared remarks, as much as I ever prepare remarks. But I'd like to say something else to you and I'm saying this to you really from my heart. You will be debating two resolutions, maybe more, this afternoon. One of those resolutions, the one I've seen of the initial shared leadership resolution regarding the role of chairs when they are Senators, neither the President nor I have any problems with. The first version of the second resolution I have to tell you is a very hurtful resolution. Now I'm perfectly aware that some of you may have wanted it to be hurtful, but it is hurtful not only to the individuals involved but it has the potential to be very hurtful to this institution. Because any resolution that you pass, please do not assume it will be confined to the walls of this institution; it will not be. Somebody will make that resolution very publicly known. That resolution in my opinion will do significant damage to the institution as a whole and to what we're trying to accomplish here. So I would just ask you to keep that in mind as you have your discussions this afternoon and you arrive at whatever resolution you're going to put forward. I think the President and all of the members of the administration are working very hard to address your concerns, and I hope you will accept that and think about that when you're deliberating this afternoon."

Senator Sakezles then wanted to express a question. She had heard from many of her constituents who had wondered how much we were paying Rudy Giuliani to speak here, and she was guessing it was a big number. How could we afford that given the budget crisis? And third, why was he coming during spring break when there was no faculty or staff here?

Provost Hickey replied that he was not sure he knew the number. His sense was it was a big number. He could tell all that we were not using institutional resources; these were gifted resources to the institution for this specific lectureship. So there were not institutional dollars going into this. Why it was scheduled when it was scheduled – he did not really know. He would guess, and it would be purely a guess, that it was probably Mayor Giuliani's schedule, that it was that time or no time. But again, he did not know whether there was anyone here who could answer the question.

Chair Sheffer then asked the body whether there were any objections to a non-Senator speaking. None forthcoming, Mr. Bruce Vernyi, Senior Public Relations Representative for

the University, stated that Rudy Giuliani was being brought here by an outside foundation, the Hood/Meyerson Foundation, and it was their scheduling, their contract. The University was only providing the venue, which was EJ Thomas Hall. No University money was involved with his being brought to the campus.

Senator Erickson had a question about mid-term grades. As there was no announcement sent out to remind faculty to put in mid-term grades by March 5, as a result many departments and many faculty did not put in mid-term grades. She understood that an actual decision was made not to send out a reminder, and her constituents had passed on to her their concern that one should be sent in the future given the problem that we had for retention. We needed to have that, and also under this circumstance there were options available that they did meet.

The Provost replied that he did not know the answer to her question, but would be happy to discuss it with Dean Mugler, who was out of town today.

Senator Erickson then asked the reason for the decision that was made not to remind faculty even though that had been part of the system before. What her constituents were saying was we would like passed on to the Registrar's office and those people who were involved that the system be reinstated in which the faculty were reminded about putting in their mid-term grades. There was a great deal of publicity and effort put into getting people to understand how to do it on-line last semester, but at this stage we were told that it was listed in the list for the dates and that that was enough. She thought she was representing her constituents that a simple reminder would have made a great deal of difference in this case.

Provost Hickey replied that he was certainly a proponent of mid-term grades. It helped out faculty and our advisors in working with students, particularly identifying those students who were in academic difficulty. Again, he did not know the answer to the question but would be happy to get an answer and perhaps if not before, provide it at the next meeting of the Executive Committee.

Senator Fenwick then stated that for the last few weeks there had been what he guessed you could say was a rumor that we were moving all of our courses into the Web-CT environment, and in the last couple of days he had heard that that was not the case. This had caused a lot of confusion and consternation among many of his colleagues. He wondered whether the Provost would comment?

Provost Hickey stated that he was aware of no mandate to move courses to Web-CT or any other mediated format, but this was clearly a desire of many people in Columbus. There was discussion among the Ohio Learning Network, of which he was a Board member, about trying to make opportunities available for those faculty who wished to move their courses to Web-CT to have the opportunity to do it. He was at an OLN Board meeting and he asked the question specifically of the director, whether there were ongoing efforts through the OLN to

push to have courses put in Web-CT. He was told, absolutely not. But he did believe there were efforts underway to try to identify resources or attract resources from within the state in order to provide grants to individuals who would like to move their coursework to Web-CT. But there was no institutional mandate to move courses to Web-CT.

UNIVERSITY WELL-BEING COMMITTEE - Senator Erickson began her report (**Appendix A**) by stating that the University Well-Being Committee had met every week since the last Senate meeting. We planned to bring a draft report of our recommendations with respect to health care to a special meeting of the Senate on Thursday, March 21, at 3:00 p.m. In this case it would be in Olin 124. The final report on health insurance was not due to the President until May, but we wanted members of the Senate to have time to have input into the recommendations. In other words, we wanted to put the draft version out for you to discuss so we could let you know why we did things, and you could also give us feedback as to what you would like us to change. So the issues we were looking at were essentially those set out in the February report of this committee. We had been looking at retiree dependent benefits and we met with members of the retired faculty this week to discuss the idea of making available HMO's and PPO options to dependents under 65. We were looking at contribution levels for present employees. After having looked at the data on cost increases nationwide, we considered that at some point employee contributions would be necessary to maintain high-quality benefits. We were looking at what would be an appropriate cap on such contributions, and we were also reviewing two possible free options in addition - one with only catastrophic coverage and one with only in-network coverage. We found that the possible situation we talked about last month with one free individual giving us a cost reduction - when the numbers go down, this increased the amount for each person, and so we did not solve anything. So with wellness and disease management options there were some possibilities here and we were looking at them and hoped to see all at the meeting of the 21st. It would be to meet this deadline before we go on spring break. Senators would not be getting this until the day before, as we had a meeting on the Tuesday before to finalize it. Senators could expect to get their report on email on the Tues. or Wed. before this meeting.

CAMPUS FACILITIES AND PLANNING COMMITTEE - Senator Sterns stated that he had one resolution to bring today, and there was a written report that was available (**Appendix B**). In our most recent meeting one of the big concerns was that 21 classrooms would be lost when Leigh Hall was renovated along with 2 more in Whitby Hall, which brought us down 23 classrooms starting in the fall. So the committee had suggested the following resolution: **That the Faculty Senate supports Campus Facilities Planning Committee to make a request to the colleges to provide information on off-line class space and its usage by departments. Campus Facilities Planning Committee wishes to explore whether there are open times for these class spaces and whether time sharing might be possible.**

Chair Sheffer called for discussion of the resolution. Senator Steiner asked whether Senator Sterns could help and define what he meant by off-line class space?

Senator Sterns replied that every department had small seminar rooms, meeting rooms, areas that may have special equipment they wanted to keep the general public away from. People had been concerned in the evening about having people flocking through a department to get to a room because of security issues, but we knew there were spaces like that all over campus, and we were really in a very difficult situation. So we thought the way to deal with that would be to at least get approval of the Senate to find out what was out there, and realized once again that this might not be the popular of moves. He thought if he shared the blame, we could approach it in a constructive way. He did not know how to say this any other way.

Senator Qammar questioned whether the time share would involve wanting to schedule a class in there? Senator Sterns replied that yes, that was the implication because of the shortage of classrooms, since there were spaces available, and he could think of many all over campus. He thought we all had treasured these spaces because they gave us maximum flexibility. He did not think we would approach this if we did not have such a dire need.

Professor Midha was then given permission to address the body. He stated that Senator Sterns had mentioned 23 classrooms would be lost in Leigh Hall. We would be gaining 14 classrooms in the new Arts & Sciences building, so essentially we were out about 9 rooms here.

Senator Sterns replied that the committee had discussed that. In fact, if you looked at the minutes, one of the things we did was look at the usage of classroom space in terms of dealing with the issue of energy efficiency, and we found based on that analysis that it really did not make a lot of sense to close buildings in the evening. We had early morning times and we had late times that were certainly available. One of the suggestions was that we put more required classes in less popular times. He did not think that was the answer. He thought the answer was to try to schedule classes so they met the needs of the students to the best of our ability. It did sort of open up a door to do this analysis; he certainly admitted that.

No further discussion forthcoming, the body then voted its approval of the resolution.

ACADEMIC POLICIES AND CALENDAR COMMITTEE - Professor Stokes began her report by stating there were four items the Academic Policies & Calendar Committee was bringing before the Senate, and there were handouts also (Appendix C). **The first being a name change for the Department of Electrical Engineering, which has requested that its name be formally changed to the Department of Electrical and Computer Engineering to reflect the degrees that it offers. APCC supports the request and presents it as a motion to the Senate.**

The Senate then voted its approval of this motion.

Professor Stokes continued by stating that President Proenza had brought a request to APCC concerning the awarding of honorary degrees and had requested that the faculty-based review process be put into place to consider the requests for the awarding of honorary degrees. Therefore, APCC recommends that the committee and process for the awarding of honorary degrees be parallel to the process for the awarding for distinguished professor, which is attached at the back of your handout. If Faculty Senate agrees, APCC will create the necessary language document and rule amend it and present it for approval at the next meeting of the Faculty Senate. It comes as a motion to the Faculty Senate.

The Chair called for discussion of the motion. Senator Hebert then asked how the process occurred now. Professor Stokes replied that there was no process now. Senator Hebert followed by asking who approved it; somebody approved it. Professor Stokes replied that it depended on who asked to have the reward and where it was coming from. Senator Hebert then asked if she were looking for an out, and Professor Stokes replied, no. In the case of Mr. Arshinkoff, the honorary degree was retiring from the Board, so the Board recommended it and there was no discussion about it. In the case of an honorary degree that she was aware of for the Sylvia Smith Archive that was presented to the institution, it was requested through the College of Fine & Applied Arts and sent directly to the President. Those were the two she was aware of.

Senator Jordan then asked whether Professor Stokes had any vision of how long such a process would take if it were instituted. Professor Stokes replied that the distinguished professor process took about eight weeks.

Senator Jordan then stated that at the Law School we had an honorary degree that we gave to our speaker every year. We had a faculty meeting in which we all approved it. He could not say there was any substantive debate; it was the sort of thing one did, he guessed. He was concerned that if we developed an 8-week process it was going to become cumbersome and difficult to make the kind of award for these degrees that apparently everyone wanted to make.

Senator Qammar added that she could see where the distinguished professor system would take eight weeks being a significant award and it ought to take an 8-week process to do something like that. Her question was, how long did we have; for instance, from the time that somebody recommended to the time we needed to be able to make a recommendation and have that recommendation acted on by the Board. What time term were we talking about in terms of when people made these suggestions?

Professor Stokes replied that one current request that was coming through was a request for an honorary degree to be awarded two years from now. That was one she knew of, and another one came in the fall to be awarded next spring. We could exclude the School of Law if you would like to.

Senator Jordan replied that the Law School had no problem, but a few years ago we had a very prominent speaker, Morris Dees, who certainly deserved an honorary degree as much as anyone we had given one to, but things came along too late. Now that was a time when all there was was a final deadline. Now if there was a final deadline, did Professor Stokes know what it was? She replied that it was usually the April Board meeting.

Senator Jordan continued. So, you had to have it all done before the April Board meeting, and he knew that every year we were struggling to get the best graduation speaker for the Law School we could, into the second semester. It certainly posed potential problems for the Law School.

Senator Lee stated that it struck him that the resolution Professor Stokes represented was broad as to what specific language would be adopted. He wondered whether she would be amenable to trying to work out language that would accommodate the greatest flexibility. To which, Professor Stokes replied, certainly, the request was only that we went ahead and proceed with language and then bring it to Senate. We just did not want to write a rule.

Senator Riley then had two questions. The first was, could Professor Stokes clarify what was meant by honorary degree? And had anyone come forward with a suggestion that someone received an honorary degree, and then denied?

Senator Stokes replied that she did not know whether it had ever been denied. There were several honorary degrees but most of them were doctor of humane letters, depending on which discipline, and where the request came from. But there had been a proliferation of these requests, and part of this was so that we were not awarding 15 honorary degrees every graduation. Because there was no process by which the faculty could say, that they were doctoral degrees even though they were only on paper. People liked to go out and use them.

No further discussion forthcoming, the Senate then voted its approval of the motion.

Professor Stokes continued by presenting the next motion which was to correct the RTP rule 3359-20-03.7. There were two corrections suggested by faculty members to APCC, and the first one was in the appeals process, to add: **"The department chair or school director"** recommendation that was inadvertently omitted, so that had been added. Second of all, in the definition of what equaled active service, prior to the change in the rule, **"Faculty improvement program leaves count toward the probationary period for tenure."** That was not included in the new rule. So this was just a reinsertion of an existing piece of the rule that was left out inadvertently. APCC supports the request for both changes and presents it as a motion to the Senate.

The Chair then called for discussion of the motion. Senator Wyszynski asked whether Professor Stokes was saying faculty improvement programs might count toward the probation period. Was that "might count," or "do count"?

Professor Stokes replied that they did count. It was very unlikely that a person in the probationary period would be granted an improvement leave; however, it did happen in the case of an instructor. A faculty improvement leave was available for instructor, so if someone had been an instructor and then moved into a probationary period, that time would count. She thought that was the only case in which that actually existed.

No additional discussion forthcoming, the Senate then voted its approval of the motion.

Professor Stokes continued by stating that finally, the task force on prior learning assessment recommended to APCC that **there should be an acceptance of the credit for training programs evaluated by the American Council on Education. The second paragraph is the most important in this recommendation - individual colleges, departments and schools have the right to evaluate the American Council on Education credits to determine whether or not they're acceptable for either GenEd majors, minors, certificates, electives, or level credits 100-200-300-400. Academic faculty, including directors and chairs, will make the recommendation to the dean, the credit be awarded in a major, minor, or certificate, and the Dean of the University College in consultation with GEAC will make decisions regarding general education equivalencies. A form for setting up these transfer credits will be completed in consultation with the Vice President of Student Affairs and the Registrar. APCC supports this request and presents it as a motion to the Senate.**

The Chair then called for discussion. Senator Clark asked, when Professor Stokes said it was acceptable, did that mean that a unit could deny it? Professor Stokes replied that yes, a unit could deny it.

No additional discussion forthcoming, the Senate then voted its approval of the motion.

CURRICULUM REVIEW COMMITTEE - See **(Appendix D)** for curriculum proposals.

FACULTY RESEARCH COMMITTEE - Senator Kinion began her report **(Appendix E)** by stating that the Faculty Research Committee met on Feb. 15 to discuss the policies that were referred from the Senate back to the Research Committee. At this time I would like to make **a motion to recommend acceptance of the policy entitled University Research, Copyright and Patent Policy, and if I understand right, I don't need a second. (Appendix E1)**

The Chair called for discussion of the motion. None forthcoming, the body then voted its approval of the motion.

Senator Kinion continued her report by stating that she was also coming to **recommend acceptance of a policy entitled Conduct and Ethics Policy Employee**

**Financial Interests in Companies Licensed under the University Intellectual Property.
(Appendix E2)**

No discussion of the motion forthcoming, the Senate then voted its approval of the motion.

PLANNING AND BUDGETING COMMITTEE - (Appendix F) Senator Franks stated that the PBC had been working diligently and meeting weekly for the past four weeks. We were attempting to come up with a credible, reasonable budget proposal prior to the April meeting so that Senators would have time to review our recommendations. Some of the key points that were coming out of our discussions included the recommendation by PBC to preserve a 4% raise pool for the next fiscal year and this raise pool would, depending upon the outcome of recommendations from the APCC, be a mixture of across-the-board and merit. The other item we were attempting to preserve is a \$1.2 million line item for the equity and compression adjustments all had been told about. One problem we faced right now, and the biggest problem was that we were short about \$5.3 million if we preserved these things. But PBC felt very strongly that departing from past practice we ought to preserve these items in the budget and then look for other areas to cut. So that was what we were about to do beginning next week. One other item we would attempt to preserve was a \$750,000 increase in health care costs. Again, we were going to attempt to do that. It should be interesting to sit down and see where and how we would do that. There was a written report, and that was about all he had to say, but he would take questions.

Senator Harp then stated that he had two quick questions - the first was pursuant to the Faculty Research Committee report that we had a written version of. Had PBC figured in the \$200,000 for faculty research grants?

Senator Franks replied that that had come today as a new item. It was met very favorably and we were going to pursue that. The next step was going to be to talk to Dr. Newkome about it and then bring it back. He guessed that the Research Committee was going to meet next Friday and then Senator Kinion would bring the results of that discussion back to PBC.

Senator Harp had a follow-up question. Would \$1.2 million cover the compression problem? Senator Franks replied that he did not know.

Chair Sheffer then asked Dr. Midha whether \$1.2 million would cover the compression problem. Dr. Midha stated that, no, it would not cover it entirely but if we moved it for the next 3 or 4 years, it would eventually.

Senator Franks added that in his discussions with Dr. Hickey a few weeks ago, he had suggested that this possibly could take three years. We talked about 3-5, but he thought three was more reasonable.

Senator Qammar then made a point of clarification to follow up on that point - the budget numbers as we itemized this morning actually ended up at \$5.13 million, and the extra \$200,000 to get what we need to work out at 5.3 actually included that additional \$200,000 in some way. We had not actually worked out the formulating way to keep it an ongoing piece of the research initiative, but it was in there already.

Senator Hajjafar stated that it was mentioned that the compression would fade away in three years. Was PBC considering that in the budget or not? Was that part of the budget to consider some money for the salary compression each year?

Senator Franks replied that this year we were attempting to set aside \$1.2 million for salary compression with the intention of doing that for the next two years or however long it took to address the problem. Part of this included the President's desire to bring us to the 75th percentile in the state with salaries, and it was all related.

Senator Hajjafar asked whether that were part of the budget. Senator Franks replied that it would be a line item in the budget that we had already inserted in the models that we were looking at. We were going to make every attempt to preserve that, and the 4% raise pool at PBC's insistence and look for other places to cut. Also, he did not think the whole 5.3 million would come from cuts - some of that might just be adjustments made. He thought the Provost had said earlier that we had not put any increase in enrollment in this model yet. We had left enrollment flat, and it might be that we would adjust for a 2% increase in enrollment and that would account for some of the monies. It was a tricky job; it was not an easy task.

Senator Erickson then asked whether Senator Franks could comment just one more time on the health care, because he just threw that in there.

Senator Franks replied that as all knew, the President had made a statement a while ago about trying to keep employees from having to pay the health care cost increase this upcoming year.

Senator Erickson then asked how long the contract was in effect. Senator Franks replied that the contract was good until December of 2003, so it would be for the entire year. Vice President Nettling added that the contract was in force until December 31, 2003. Senator Franks asked Mr. Nettling whether the amount was then \$750,000? To which Mr. Nettling replied that we needed to put back into the budget after being previously credited out. Senator Franks added that that was one of the things PBC was trying to preserve. Senator Erickson then asked whether that were half of the 1.6, to which Mr. Nettling replied that it was.

V. UNFINISHED BUSINESS - None.

The Chair then called for a five-minute recess.

VI. NEW BUSINESS - Chair Sheffer called for order following the recess. He stated that, for the items of new business this afternoon pertaining to the Senate resolutions, there were essentially three of them - one of them referring to the role of the Senators, actually multiple roles. Then two that dealt with the Senate as part of the shared leadership and our concerns with shared leadership. He then asked Parliamentarian Gerlach to explain the process the Senate was going to use.

Parliamentarian Gerlach stated that use of committee of the whole was simple - it was to avoid a lot of voluminous note-taking, minute-keeping and so on, and it offered a free-wheeling kind of discussion. But once business was referred to committee of the whole there were only three things Senate could do - adopt what had been suggested, or amend it and then adopt it, and finally to rise and report. At that time the chair of the committee of the whole reported to the chairman of the Senate what the committee of the whole had done. It would have gone through its business and proposed something, or it had not finished its business and moved to sit again.

A question was then posed as to whether this meant that the vote would take place after committee of the whole is finished.

Chair Sheffer replied that, yes, the committee of the whole would rise and report to him. Then he would bring it back to the Senate for a vote. This was a mechanism for a more free-wheeling discussion.

Senator Wyszynski asked whether free-wheeling meant that it would not say in the minutes, "Senator Wyszynski, a non-tenured faculty member..." Chair Sheffer replied that that was exactly right.

Senator Lyons then asked for a clarification. It had been stated that the Senate would either have to accept it or amend it, but could we also reject it? Chair Sheffer pointed out that the body did not vote as a committee. Senator Lyons then asked whether the body could decide not to accept it. Chair Sheffer replied that that could be the report.

Senator Hajjafar then stated that consensus could be reached in the committee of the whole.

Chair Sheffer stated that he hoped we would have some consensus. These documents would be shown in our new business as what was going into committee of the whole. People were concerned whether or not these would be shown in the record, and we did want them to be shown in the record of the meeting.

Senator Norfolk made the motion to refer these matters to the committee of the whole. Senator Sterns seconded this motion. The body then voted its approval of the motion.

Senator Hajjafar asked whether the tape recorders would get turned off. Chair Sheffer asked whether it were the will of the body to turn them off. Mrs. Marilyn Quillin stated that she needed an official record for the office, but it would not appear in writing. Chair Sheffer replied that we only needed the final report.

Senator Qammar then took over as chair of the committee of the whole.

**** Official report of the Chair, as per the Parliamentarian: Following the Senate's session of committee of the whole, the chairman, Helen Qammar, rose to report. She reported that the committee recommended the adoption of resolution 1, and the melding of provisions of resolutions 2 and 3. This matter is now referred to the Executive Committee for the rewording, and to bring it back to Senators at the special meeting of March 21 for further action. (See Appendix G.)***

Senator Qammar announced that the Senate was back in session.

Chair Sheffer stated that the body could refer this to a subcommittee to work on the language to bring to a special meeting of the Senate to be held on March 21. We could go into committee of the whole again at that time to discuss the resolution, and to discuss the University Well-Being report at that time as well.

Senator John made the motion that the Senate take it to a committee to draft the language and present it at the special meeting of March 21. Secretary Kennedy added that it would be circulated to Senators before that date so that we could vote on it at the March 21 meeting. A motion was then made that the Executive Committee be charged with this task and the Senate voted its approval of this motion. The instructions given were to meld resolutions 2 and 3 into one resolution. Senator Steiner stated that he wanted to recommend that Senate not vote on this until the next regular meeting. Chair Sheffer replied that Senate could make that decision at the next meeting and go into committee of the whole to continue working on it.

VII. ADJOURNMENT – A motion was made and seconded to adjourn. The meeting adjourned at 4:50 p.m.

APPENDIX A**REPORT OF UNIVERSITY WELLBEING COMMITTEE: MARCH 7TH, 2002**

The University Wellbeing Committee has met every week since the last Senate meeting. We plan to bring a **draft report** to a special meeting of the Senate, **THURSDAY, MARCH 21ST, AT 3PM** in OLIN 124. The final report is not due to the President until May, but we want members of the Senate to have time to have input into the recommendations. We shall take your suggestions from the meeting back to re-work our report.

ISSUES DISCUSSED

The issues are essentially those set out in the February report.

(1) Retiree dependent benefits

We met with representatives of the Retired Faculty this week to discuss the idea of making available HMO and PPO options to dependents under 65.

(2) Contribution levels for present employees.

The Committee after having reviewed data on cost increases nation wide, considers that at some point employee contributions will be necessary to maintain high quality benefits. We are looking at what would be an appropriate cap on such contributions. We are also reviewing two possible free options in addition: one with only catastrophic coverage and one with only in network.

We have found that the "one free individual" option I mentioned last month will not save on costs. The vendors increase in the costs/person wipes out any savings from spouses leaving the program.

(3) Wellness and disease management options

The Committee is reviewing the options of how to get reduce costs by reducing the need for health care. There are now vendors who provide services to encourage wellness and help with chronic conditions.

For details and recommendations see our draft report: come to the March 21st meeting!

Respectfully submitted

Elizabeth Erickson
Chair, Wellbeing Committee

REPORT OF THE CAMPUS FACILITIES PLANNING COMMITTEE OF THE FACULTY SENATE
March 7, 2002

The Campus Facilities Planning Committee met February 21, 2002. The minutes of January 21, 2002 were approved.

In response to the request made from the PBC on possibly closing some buildings at night to reduce utility costs the Chair invited Deborah Gwin, Director of Adult Focus to report to the committee on her study. She reported that her study of classroom availability and usage showed that there was very little possibility of building shut down. One suggestion had been to move more classes into Polsky's, because there are 75 classrooms listed, with only 48 in use. However, only 34 of the classrooms are General Purpose. In fact Polsky's was heavily used at night. On Tuesday & Thursday between 6 and 7pm, 48 of 75 rooms were used, and 40 on Monday and Wednesday. Few classrooms were found to be used after 8pm, but students did not want classes at that time. For those buildings with low-usage like Buckingham and Ayer there were problems in shut down. Buckingham had classes from 5-7:45pm on Monday & Wednesday and from 5-6pm on Tuesday Thursday, with problems finding alternative sites, given the class sizes. Ayer Hall had many labs and graduate students using the space at night.

The discussion moved to the problem of sufficient General Purpose classrooms, especially with increased enrollment. Phyllis Parker of Scheduling noted that after Spring semester, 21 classrooms would be lost while Leigh Hall is renovated, and 2 more due to Whitby Hall renovation. Only 14 new classrooms would come on line with the new A&S building in the Fall. On the demand side everyone wanted classrooms between 9am and 2pm: spaces were available at 7:45 am and at 3:20pm, but departments did not choose those times in the belief that they would not get enrollment at those times. Committee discussion suggested that consideration be given to the scheduling of required classes during non-peak hours.

On the supply side, members of the Committee expressed their concern about the tendency for departments to get exclusive use of classroom space. Others pointed out that some space housed equipment which could be damaged by others' use of the classroom. Some spaces remained locked at night because of materials that could be stolen or destroyed. Several people suggested an inventory of off-line class space and its departmental usage, with the possibility of developing time-sharing with general purpose scheduling.

Resolution: The Faculty Senate supports that CFPC request the Colleges to provide information on off-line class space and its usage by departments. CFPC wishes to explore whether there are open times for these class spaces and whether time-sharing might be possible.

On March 4, 2002 the CFPC subcommittee on classroom evaluation met. Members of the subcommittee are M. Kendra, J. Kline, K. Reuther and H. Sterns. A evaluation form is currently being developed and the committee plans to distribute this to faculty. Areas the sub committee will examine include, maintenance, furnishing, equipment, and physical design.

Respectfully submitted,

Harvey L. Sterns, Chair

APPENDIX C

March 7, 2002

MEMORANDUM

TO: Faculty Senate

FROM: Nancy L. Stokes
Chair, APCC

RE: Correction to rule 3359-20-03.7

3359-20-03.7-N-3

In all cases, the candidate may appeal an adverse decision from the departmental committee, THE DEPARTMENT CHAIR OR SCHOOL DIRECTOR, the college-wide review committee, the dean, or the senior vice president and provost to the university faculty rights and responsibilities committee.

3359-20-03.7-C-2-g

A full-time appointment of two semesters shall equal one year of active service. A full-time appointment for two semesters shall equal one year of active service. Summer sessions or leaves without compensation granted for one-half or more of any semester may not be counted toward the probationary period for tenure. FACULTY IMPROVEMENT PROGRAM LEAVES COUNT TOWARD THE PROBATIONARY PERIOD FOR TENURE.

APCC supports this request and presents it as a motion to Faculty Senate.

March 7, 2002

MEMORANDUM

TO: Faculty Senate

FROM: Nancy L. Stokes
Chair, APCC

RE: Recommendation for the Acceptance of Credit for Training Programs Evaluated
by the American Council on Education

In order for adult students to obtain academic credit for formal courses taken outside college and university degree programs, the task Force on Prior Learning Assessment recommends that the University of Akron accept the American Council on Education's College Credit Recommendation Service (CREDIT). CREDIT evaluates and make credit recommendations for formal educational programs and courses offered by organizations including business and industry, labor unions, professional and voluntary associations, schools, training suppliers, and government agencies. The program is based on the idea that it is sound educational practice for colleges and universities to grant academic credit for high-quality educational programs conducted by a variety of organizations provided that the courses are appropriate to an individual's degree program. Moreover, experience has shown that awarding credit for workplace sources or for prior learning will in many cases, motivate students to enroll in formal post-secondary programs of study. In accepting the ACE CREDIT programs, we will be joining forty-one NCA accredited institutions in Ohio that already do so.

Individual colleges, department, or schools have the right to evaluate ACE credits to determine whether they will be acceptable as General Education, major, minor, certificate, elective, or level (100, 200, 300, 400) credits. Academic unit faculty including directors and chairs will make the recommendation to the dean that credit be awarded in the major (including level of the course), minor, or certificate. The Dean of University College, in consultation with GEAC, will make decisions regarding General Education equivalencies.

With the consultation of the VP for Student Affairs and the Registrar, a special form will be developed to assist in the transfer of information regarding ACE credits.

APCC supports this request and presents it as a motion to Faculty Senate.

March 7, 2002

MEMORANDUM

TO: Faculty Senate

FROM: Nancy L. Stokes
Chair, APCC

RE: Name change for Department of Electrical Engineering

The Department of Electrical Engineering has requested that its name formally changed to the .
Department of Electrical and Computer Engineering.

The request is made so that the name of the department will reflect all degrees offered by the
department. The Department of Electrical Engineering currently offers a bachelor Science
degrees in Electrical and Computer Engineering.

APCC supports this request and presents it as a motion to Faculty Senate.

March 7, 2002

MEMORANDUM

TO: Faculty Senate

FROM: Nancy L. Stokes
Chair, APCC

RE: University Committee for the Awarding of Honorary Degrees

The University of beginning to receive several requests annually for the awarding of honorary degrees. President Proenza has requested that we establish a faculty-based review process to consider all requests to award honorary degrees, with the end result being a formal recommendation to the President.

APCC recommends that a committee and process for the awarding of honorary degrees be parallel to the process for the awarding of Distinguished Professor. (attached) If Faculty Senate agrees, APCC will create the necessary language, document and rule amendment and present it for approval at the next meeting of the Faculty Senate.

APCC presents this recommendation as a motion to Faculty Senate.

APPENDIX D**New Program or Certificate Proposals Approved By Provost
To Faculty Senate: March 7, 2002****Buchtel College of Arts and Sciences**

Proposal No.	Department	Title
AS-02-19	Political Science	Minor in Conflict Management
AS-02-66	Philosophy	Minor in Philosophy of World Religions
AS-02-81	CSAA	Minor in Classical Studies

College of Business Administration

Proposal No.	Department	Title

Community and Technical College

Proposal No.	Department	Title

College of Education

Proposal No.	Department	Title
ED-02-14	Sports Science and Wellness Education	New Option in Aquatics Management for PreK-12 Physical Education baccalaureate degree:
ED-02-16	Sports Science and Wellness Education	Master's plus Initial Licensure in PreK-12 Physical Education

College of Engineering

Proposal No.	Department	Title

College of Fine and Applied Arts

Proposal No.	Department	Title

School of Law

Proposal No.	Department	Title

College of Nursing

Proposal No.	Department	Title
NU-02-12	Nursing	Certificate program in Advanced Role Specialization in Nursing Management and Business

College of Polymer Science and Polymer Engineering

Proposal No.	Department	Title

University College

Proposal No.	Department	Title

Wayne College

Proposal No.	Department	Title
WC-02-04	Wayne	New Associate degree in Computer Service and Network Technology - Microsoft Networking Option
WC-02-05	Wayne	New Associate degree in Computer Service and Network Technology - Novell Networking Option

**Curriculum Proposals : Final Approval Granted
To Faculty Senate March 7, 2002**

Butchel College of Arts and Sciences

Proposal No.	Department	Title
AS-02-01	Geology	add electives
AS-02-02	Geology	add 1 credit lab
AS-02-03	Sociology	new course: 3850: 455/555 Family Violence
AS-02-04	Sociology	change in requirements BA Sociology: Corrections
AS-02-05	Sociology	change in requirements MA Sociology
AS-20-06	Sociology	change in requirements BA Sociology
AS-02-07	Statistics	new course: 3470:360 Statistical Investigations
AS-02-08	Statistics	change in requirements BS Statistics: Actuarial Science
AS-02-09	Political Science	new course: 3700:345 World Politics in Film
AS-02-100	Modern Languages	change in requirements MA Spanish
AS-02-101	Chemistry	new course 3150:399 Internship in Chemistry
AS-02-13	Geology	Replaced comprehensive exams with proficiency exams
AS-02-14	Political Science	new course: 3700:346 American Politics in Film
AS-02-18	Biology	bulletin description change 3100:466/566 Vertebrate Embryology
AS-02-23	Political Science	add elective to minor in American Politics
AS-02-24	Sociology	change credits for 3850:301 and 3850:302 to 4 credits
AS-02-28	Political Science	change in requirements BS Political Science/Public Policy Management
AS-02-32	Psychology	change in bulletin description 3740:442 Clinical and Counseling Psychology II
AS-02-33	Psychology	change in bulleting description 3750:441 Clinical and Counseling Psychology I
AS-02-36	Math	change name 3450:140 to Mathematics for Elementary School Teachers I

AS-02-37	Math	change name 3450:260 to Mathematics for Elementary School Teachers II
AS-02-39	Sociology	increase required credits for BA Sociology: Law Enforcement by 2 credits
AS-02-41	Modern Languages	change 3500:490/590 from fixed to variable credit
AS-02-43	Modern Languages	new course: 3550:597 Individual Reading in Italian
AS-02-54	Philosophy	change bulletin description 3600:323 Advance Topics in Ethics; delete prereq
AS-02-55	Philosophy	delete prereq 3600:324 Social and Political Philosophy
AS-02-56	Philosophy	delete prereq 3600:331 Philosophy of Religion
AS-02-57	Philosophy	delete prereq 3600:340 eastern Philosophy
AS-02-58	Philosophy	delete prereq 3600:350 Philosophy of Art
AS-02-59	Philosophy	delete prereq 3600:355 Philosophy of Feminism
AS-02-60	Philosophy	delete prereq 3600:361 Biomedical Ethics
AS-02-61	Philosophy	delete prereq 3600:362 Business Ethics
AS-02-62	Philosophy	delete prereq 3600:363 Police Ethics
AS-02-63	Philosophy	delete prereq 3600:364 Computer Ethics
AS-02-67	English	re-add course 3300:530 Victorian Poetry and Prose
AS-02-68	English	re-add course 3300:535 20 th Century British Poetry
AS-02-69	English	re-add course 3300:536 British Fiction 1900-1925
AS-02-70	English	re-add course 3300:537 British Fiction since 1925
AS-02-71	English	re-add course 3300:548 American Romantic Fiction
AS-02-72	English	re-add course 3300:549 American Fiction: Realism and Naturalism
AS-02-73	CSAA	delete prereq 3240:250 Intro to Archeology
AS-02-75	Biology	add prereq to Natural Science - Division major
AS-02-76	Biology	change bulletin description 3100:190/191

AS-02-77	Biology	change bulletin description 3100:290/291
AS-02-80	CSAA	withdraw existing minors in Classical Languages and Classical Civilizations
AS-02-82	English	re-add course 3300:550 Modern American Fiction
AS-02-83	Math	change credits 3460:699 Master's Thesis from fixed to variable
AS-02-84	Math	change bulletin description and prereqs 3400:307 Applied Systems Programming
AS-02-88	Public Affairs/Urban Studies	change requirements MA Urban Studies
AS-02-89	Public Affairs/Urban Studies	change requirements MPA
AS-02-90	Geology	change credits 3370:4843/584 Geoscience Information Acquisition and Management from 1-2 credits
AS-02-91	CSAA	delete BA Classical Languages
AS-02-92	Geography	new course 3350:305 Maps and Map Reading Lab
AS-02-93	Geography	new course 3350:548 Advanced Cartography Lab
AS-02-94	Geography	new course 3350:549 Advance Remote Sensing Lab
AS-02-95	Geography	change to credit/non credit 3350:685 Planning Internship
AS-02-98	Geography	new course 3350:448 Advance Cartography Lab
AS-02-99	Math	change name of degree to BS: Computer Science
AS-0242	Modern Languages	change course number 3520:313 to 3520:413/413 French Civilization as Seen in the Movies

College of Business Administration

Proposal No.	Department	Title

Community and Technical College

Proposal No.	Department	Title

College of Education

Proposal No.	Department	Title
ED-02-04	Educ. Found. and Leadership	2 new courses 5100:638, Integrating and Implementing Technology; 5100:639, Strategies for Online Teaching
ED-02-06	Educ. Found and Leadership	change credit hours 5910:600 Adv. Admin. Colloquium from 1 to 3
ED-02-07	Counseling and Special Ed	new course 5600:640 Counseling Adolescents
ED-02-08	Counseling and Special Ed	new course 5600:650 Filial Therapy
ED-02-09	Counseling and Special Ed	new course 5600:660 Counseling Children
ED-02-10	Sports Science & Wellness Ed	new course 5550:600 Biomechanics Applied to Sport and Physical Activity
ED-02-11	Sports Science & Wellness Ed	bring Athletic Training for Sports Medicine program into compliance with CAAHEP
ED-02-12	Sports Science & Wellness Ed	update undergrad phys ed program to meet NCATE standards
ED-02-13	Sports Science & Wellness Ed	change credit hours for 5550:395 Field Experience; 5550:460 Practicum; 5550:497 Independent Study from fixed to variable
ED-02-15	Sports Science & Wellness Ed	update School Health Program to meet NCATE standards
ED-02-18	Curric and IS	5 new courses 2200:110 Found in Early Childhood; 5200:319 Integrated Expressive Arts; 5200:325 Advance Early Childhood Curriculum; 5200:420 Integrated Primary Curriculum; 5200:425 Advanced Integrated Primary Curriculum; deletes 10 courses; change in degree req

ED-02-19	Curric and IS	change in math req for Math Ed
ED-02-20	Curric and IS	change in degree req for mathematics, Science and Social Science areas of concentration
ED-02-21	Curric and IS	change in degree req for Earth Science Secondary Ed
ED-02-22	Curric and IS	changes in admission req for student teaching in Early Childhood, Middle Childhood, and Secondary Ed
ED-02-23	Curric and IS	changes in admission criteria for master's program
ED-02-24	Curric and IS	change prereqs for student teaching for Master's with Licensure program
ED-02-26	Sports Science & Wellness Ed	additional option for Master's in Sports Science: Coaching

College of Engineering

Proposal No.	Department	Title
EN-02-37	EE	4 new courses 4400:548 Optical Communications Network; 4400:5561 Optical Electronic and Photonic Devices; 4400:642 Imaging System Engineering; 4400:648 Optical Network Architecture
EN-02-43	CE	2 new courses 4300:663 Advanced Transportation Engineering I; 4300 664 Advance Transportation Engineering II

College of Fine and Applied Arts

Proposal No.	Department	Title
FAA-02-23	Music	change in electives for Master's Music Education
FAA-02-24	Music	new course 7510:629 Blue an Gold Brass II
FAA-02-25	Music	change in degree req for MM Music Technology
FAA-02-26	Communication	new course 7600:459/559 Leadership and Communication
FAA-02-27	SLPA	change title 7700:101
FAA-02-28	SLPA	change title 7700:102

FAA-02-30	SLPA	change title 7700:202
FAA-02-31	Family and Consumer Science	change degree requirements for BA Vocational Family and Consumer Sciences Teacher Education
FAA-02-33	Communications	change title and prereqs for 7600:468/568
FAA-02-34	Family and Consumer Science	change degree requirements for Food and Consumer Science Option
FAA-02-35	Art	move BA Arts Education from College of Ed to College of F&AA; new course 7100:412/512 Student Teaching Colloquium
FAA-02-36	Art	new course 7100:104 Visual Arts Application in the Elementary Classroom
FAA-02-37	Art	new course 7100:410 Methods of Teaching Elementary Art I
FAA-02-38	Art	new course 7100:510 Methods of Teaching Elementary Art I
FAA-02-39	Art	new course 7100:411 methods of Teaching Elementary Art II
FAA-02-40	Art	new course 7100:511 Methods of Teaching Elementary Art II
FAA-02-41	Art	new course 7100:307 History of Graphic Design
FAA-02-42	Art	change in degree requirements Graphic Design
FAA-02-43	Art	change prereq 7100:285 Digital Imaging
FAA-02-46	Music	change title, prereqs and credits for 7500:255
FAA-02-47	Music	change title, prereqs and credits for 7500:254
FAA-02-48	Music	change course number and prereqs for Marching Band Organization and Technique
FAA-02-49	Music	change course number, title and prereqs for Music in Early Childhood
FAA-02-50	Music	change course title and prereqs for 7500:340 Teaching General Music
FAA-02-71	Communications	delete 7600:564 Corporate Video Management

School of Law

Proposal No.	Department	Title
-	-	-

College of Nursing

Proposal No.	Department	Title
NU-02-13	Nursing	3 course deletions 8200:624, 625, 626 Adult Gerontological Practicum I, II, III; 3 new courses 820:627, 628, 629 Adult Gerontological Health Nursing NP Practicum I, I, III
NU-02-14	Nursing	3new course 8200:652,653,654 Child and Adolescent Health Nursing Practicum I, II, III
NU-02-15	Nursing	3 new courses 8200:674, 676, 678 Adult and Gerontological health Nursing CNS Practicum I, II, III
NU-02-16	Nursing	changes in requirements for Post Master's Adult Gerontological NP Certificate Program
NU-02-17	Nursing	changes in requirements for Post Master's Child and Adolescent Health NP Certificate Program
NU-02-18	Nursing	3 new courses 8200:660, 664, 668 Behavioral Health Nursing Practicum I, II, III
NU-02-19	Nursing	3 new courses 8200:633, 624 Leadership in Nursing Organizations I, II; 8200:638 Practicum Nursing Admin. I
NU-02-20	Nursing	change 8200:899 from fixed to variable credits
NU-02-21	Nursing	change in degree requirements for Innovative Curriculum Pathway to the Joint PhD in Nursing Program for BSN graduates
NU-02-22	Nursing	change in degree requirements for Innovative Curriculum Pathway to the Joint PhD in Nursing Program for MSN-option

College of Polymer Science and Polymer Engineering

Proposal No.	Department	Title
PS-02-01	Polymer Engineering	Change in name of degree of Polymer Engineering Ph.D from Ph.D in Engineering (Polymer Engineering) to Ph.D. in Polymer Engineering. Change in degree granting college from College of Engineering to College of Polymer Science and Polymer Engineering
PS-02-03	Polymer Engineering	new course Polymer Engineering Design Project
PS-02-05	Polymer Science	deletion of 31 courses

University College

Proposal No.	Department	Title
-	-	-

Wayne College

Proposal No.	Department	Title
WC-02-01	Wayne	change in mode of delivery 3460:209 Introduction to Computer Science
WC-02-03	Wayne	new course 2800:221 Environmental law and Regulations II; change degree requirements for Environmental Health and Safety Technology
WC-02-06	Wayne	change in degree requirements for Business Mgt Tech-Data Mgt option, Networking emphasis
WC-02-07	Wayne	change in degree requirements for Business Mgt Tech-Data Mgt option, Software emphasis
WC-02-08	Wayne	change in degree requirements for Information Processing Specialist Certificate
WC-02-09	Wayne	change in degree requirements for Network Mgt Specialist Certificate

WC-02-10	Wayne	change in degree requirements for Associate degree in Health care Office Management
WC-02-11	Wayne	change in degree requirements for Associate degree in Office Administration-Health Care Administrative Assistant
WC-02-12	Wayne	change in degree requirements for Medical Billing Certificate program

APPENDIX E

Faculty Research Grant Committee
Report to Faculty Senate, March 7, 2001
Elizabeth S. Kinion, Chair

A special meeting was held on February 15, 2001 from 9:00 a.m. to 11:45. A quorum was present. Mr. Wayne Watkins, Associate Vice President of Research and Intellectual Property Center Fellow and Mr. Kenneth Preston, Associate Vice President of Research and Director of Technology Transfer, attended the meeting to answer questions regarding the proposed policies.

The purpose of the meeting was to review, discuss, and seek clarification on the policies, and then to make recommendations to take to the Faculty Senate. Each committee member and guest received a copy of the policies and the e-mail dated January 14, 2002 that listed the adhoc committee members (These were distributed during the meeting so that participants would all be working with the same information). The following policies were discussed: Proposed Policy, University Research, Copyright, and Patent Policy, dated 1/14/02, and Proposed Policy, Conduct and Ethics Policy: Employee Financial Interests in Companies Licensed under University Intellectual Property, dated 1/14/02 and the Revenue Allocation Agreement dated 12/26/01.

For the discussion purposes the policies were referred to as: Document 1 Proposed Policy, University Research, Copyright, and Patent Policy, dated 1/14/02; Document 2 Proposed Policy, Conduct and Ethics Policy: Employee Financial Interests in Companies Licensed under University Intellectual Property, dated 1/14/02; and Document 3 the Revenue Allocation Agreement dated 12/26/01.

After considerable discussion of each of the proposed policies it was moved and seconded that the proposed policy (document 1) be accepted as revised. Motion carried unanimously. It was also moved and seconded that the proposed policy (document 2) be accepted as revised. Motion carried unanimously.

The Revenue Allocation was also discussed. The committee suggested adding the words *Primary appointment* to the template so that it would be consistent with the policies. It was determined that Document 3 was not a policy and would not need to go to the Faculty Senate.

The final item of business was discussion concerning the Faculty Research Grant budget for next year. The budget available for this year was \$68,000 considerably less than in previous years. Previously, approximately \$220,000 was allocated to this committee. Discussion followed. It was noted that in the past the committee was allotted \$68,000 as a line item and then went begging for more money. The university wide budget cuts did not allow for additional money this year. This year the committee could only recommend funding for 7 summer fellowships and two fall grants and the spring competition was cancelled.

Dr. Sheffer moved that we ask the Planning and Budget Committee (PBC) for \$208,000, rationale will be provided to the PBC. Dr. Calvo seconded the motion. The motion passed unanimously.

The committee will meet on Friday, March 15, 2002 at 9 a.m. in the McCollester Room to discuss the guidelines, applications, and procedures for the 2002 - 2003 academic year.

APPENDIX E-1

Final Draft; Approved 2-15-02 by the Faculty Research Grant Committee

PROPOSED POLICY

3359-2-05 University research, copyright, and patent policy.

- (A) University research policy. It is the policy of the University of Akron, ("University"), with reference to all creative endeavors of its faculty, staff members and students conducted on University time or with its facilities, to recognize the interests of the University, the faculty member, the staff member, student, sponsor and other cooperating or participating agencies. However, the University reserves the right to administer such interests consistent with the public interest as determined by its Board of Trustees ("Board") from time to time.
- (1) Copyrights. In accordance with the custom established in institutions of higher learning, copyright ownership of textbooks and manuscripts and royalties resulting therefrom belong to the author of such textbooks, etc., except when the textbook or manuscript is prepared as an assigned project; in which case it is the property of the University and shall be assigned to the University by its author(s). Assigned projects supervised and supported by the University or outside sponsors working through the University under agreement or contract which results in copyrights, shall be matters of written agreement between the University, the faculty, staff members and sponsors involved. In such cases the Board reserves the right to recognize and administer the equities of the participating parties.
- (2) Publications. The University encourages the publication of scholarly works including the results obtained through research and scientific investigation approved, sponsored or conducted as a University project, as well as graduate and undergraduate theses. The University may request that such publications be withheld for limited periods to permit the preparation of patent applications or such other activities as may be necessary to protect intellectual property contained in such results, and to otherwise meet applicable government and sponsor contractual obligations.
- (3) Policy regarding unofficial employment.
- (a) Since the continued value of a member of the faculty is to a large extent dependent upon the member's growth as a creative educator in the academic field, it is desirable that the faculty member be encouraged to carry on constructive professional work, to support professional organizations both national and local, and to contribute to public service. Such efforts, if rightly undertaken, will not only increase the value of the individual as an educator but

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also afford the University legitimate and desirable recognition. However, in publicizing unofficial work, faculty should make a conscious effort to avoid the exploitation of trivial results or the dissemination of misleading or exaggerated statements.

- (b) Since the primary obligation of a full-time faculty member, as stated in paragraph (A)(5) of rule 3359-8-02 of the Administrative Code, is to the University, the faculty member should hold paramount in arranging outside appointments the duty of maintaining the quality of work, avoiding the danger of overtaxing energies with an undue burden of outside activity, and adhering to instructional schedules and other definite college engagements.
- (4) General conditions and restrictions. The following general conditions and restrictions will be observed for the best interests of all parties concerned:
 - (a) Research will be the type of work that will enhance the reputation of the University as a seat of higher learning.
 - (b) Research will be restricted to the type of work for which the University can provide adequate staff and facilities.
 - (c) No extra compensation will be paid any faculty member for participating in sponsored and contract research during the academic year; however, participation in research during the summer months will be paid for at the same salary rate received by a faculty member during the academic year.
 - (d) The University will not pay salary or wages for work done by a candidate for academic credit leading to a degree; however, students pursuing degree programs may receive University awards, scholarships or fellowships.
- (5) Contract research.
 - (a) The Director of Research Services and Sponsored Programs shall coordinate all contract research in accordance with the provisions of rule 3359-8-02 of the Administrative Code.
 - (b) Faculty members who wish to pursue specific projects shall consult the Director and the approach to industry or government shall be made by the Director or by the Director's designee.
 - (c) All contracts shall be approved by the President of the University or the Vice President for Research before any work thereunder is begun or any commitments are made.

- (d) The President may appoint advisory committees in any research areas as the President deems appropriate.
 - (e) A faculty member shall have the right to accept or decline participation in any contract research made available.
 - (h) A plan for graduate assistantships should be put into effect to facilitate contract research whenever such research becomes available.
- (7) Patent rights and licensing procedure.
- (a) The Board seeks to stimulate innovative research and to encourage the development and utilization of the discoveries and inventions of research at the University in a manner consistent with the public interest. The Board believes it should make the results of its research available to industry and the public on a reasonable and effective basis.
 - (b) In compliance with section 3345.14 of the Ohio Revised Code, the Board retains sole authority for setting policy in the matter of rights to intellectual property including discoveries, inventions, patents and copyrights which result from research or investigation conducted in any laboratory or research facility of the University.
 - (c) It is the policy of this Board that intellectual property rights belong to the University unless otherwise stipulated in a written agreement to which the Vice President for Research or designee is a signatory. In the instance of research developed with the support of funding from governmental agencies, the regulations of such funding agencies may take precedence to this policy.
 - (d) The University will prosecute applications only for those patents that appear to be of potential economic benefit to the University. Should the University decline to seek appropriate protection, the University will surrender its claim to ownership and, in the absence of contractual commitments to the contrary, will allow the inventor(s) to undertake prosecution for patent protection at their own expense. In the absence of any positive action toward obtaining a patent, this Board recognizes a value in such discoveries becoming public domain.

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- (e) The University is concerned with safeguarding the public interest as well as rewarding the initiative of researchers. In the spirit of public service, the University shall seek aggressively to bring those designs, processes, and products for which it holds patents or rights of ownership into highest public use. Such negotiations, on a "best efforts" basis, may involve granting of exclusive licenses.
- (f) In the course of licensing agreements or sale of rights to manufacturers, fees and royalties may accrue. From the gross funds received with regard to any intellectual property held solely by the University, the University will be reimbursed its out-of-pocket costs incurred as of the date of receipt of such funds in obtaining, maintaining, enforcing and licensing the intellectual property. Thereafter, forty per cent of the net remaining funds will be distributed to the inventor(s) in recognition of and reward for initiative. An additional ten percent of net funds will be placed in an account to support the inventor's ongoing research, five percent of net funds will be placed in an account to be used for College purposes by the Dean(s) of the College(s) in which the inventors have primary appointment, five percent of net funds will be placed in an account to be used for Departmental purposes by the Chair(s) of the Department(s) in which the inventors have primary appointment and the balance of net funds will accrue to the University.
- (g) Stipulations of P.L. 96-517 may take precedence over any other terms of agreement negotiated by the University in matters of patenting and technology transfer.
- (h) Intellectual property resulting from federally sponsored research is disposed of in accordance with the terms of the applicable agency.
- (i) Intellectual property resulting from research sponsored by industry or other non-governmental sources of support, other than the University itself, is disposed of in accordance with contract terms negotiated between the University and the sponsor, and approved by both parties. In such negotiations the University may agree to a non-exclusive royalty bearing license; a license of limited exclusivity which is royalty bearing; an exclusive, royalty bearing license for the life of the patent, a one-time payment for the entire technology; or any other mutually acceptable consideration. Acceptable contract terms will depend upon such factors as the initial amount of research support, financial expenditures for further development, costs of patent acquisition, duration of exclusivity, period likely needed for market development, or other pertinent factors.

- (j) The amount of royalty shall be based upon arms-length negotiation within percentage ranges common to the particular technology and the applicable industry. The potential market, potential profit, and the amount of investment needed for development, as well as other factors should be considered in establishing a royalty. The royalty should be based upon an easily audited item, such as "net sales."
- (k) The University has an equity interest in any invention or discovery of its employees, faculty, staff, or students resulting from research that involves a significant use of funds, space, or facilities administered by the University. The University seeks to stimulate innovative research and to encourage the development and utilization of the discoveries and inventions of its research in a manner consistent with the public interest. The University believes it should make inventions resulting from its research available to industry or the public on a reasonable and effective basis. In this regard, the University actively seeks licensing of its patented technology on the best available terms, subject to the following conditions:
 - (i) The University should not be expected to expend additional funds to improve the viability of the patent.
 - (ii) The stipulations of P.L. 96-517 relative to terms of exclusivity, etc., become effective if any federal funds have supported research leading to the invention.
 - (iii) The potential licensee should provide sufficient credentials of financial and marketing capability for University review.
 - (iv) Any agreement should include, as applicable, a royalty fee schedule, term and termination, considerations of "due diligence" provisions which establish levels of expectation and performance of the licensee, and provision for possible license renewal.
- (l) The University should retain for itself and, whenever possible, for other public or private institutions, the free right to use non-confidential technology for research and education.
- (m) All matters relating to patents or technology transfer in which the University is in any way concerned are administered by the Office of the Vice President for Research. The President or the Vice President for Research or the Vice President's designee shall have final authority for approval of any agreements, grants, or contracts involving patent rights or technology transfer to the public or

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industry to the extent that such agreements conform to these regulations.

- (n) Any variance to this policy must receive prior approval of the Board before any commitments, grants, or contracts are made.
- (8) Use of the name of the University.
- (a) In soliciting consulting work outside the University, the faculty member may only mention that the faculty member is a member of the University faculty. The University's name shall not be used in advertising.
 - (b) The name of the University may be used in research reports, books and papers for publication and otherwise as may be set forth in the applicable research contract or as approved by the Board, the President or the Vice President for Research.
- (9) Waiver of rights in intellectual property. Upon written recommendation of the applicable Chair/Institute Director and Dean, and written approval of the Vice President for Research and the President, University center managers are authorized to execute experimental/technical service agreements, and the Associate Vice President for Research and Director and Associate Director of the Office of Research Services and Sponsored Projects are authorized to execute materials and information testing agreements, that waive University rights in intellectual property and related patents and copyrights under the following guidelines:
- (a) It is reasonably demonstrated that:
 - (i) well established and accepted technical procedures, e.g., ASTM methodology, are expected to be used in conducting client's project, or all work is expected to be directed by client company personnel with the only intellectual input expected of center personnel or University students to be at a level that would not support a patent; and
 - (ii) there has not been, nor is there expected to be any development of new materials, processing methods or reduction to practice of ideas and methodology resulting from significant intellectual input by University personnel in connection with the project.
 - (b) The principal faculty member has the respective Dean verify and certify in writing that there has not been and is to be no input from anyone (e.g., University faculty) other than center personnel or

University students, as the case may be, and the client. If there is, in fact, such input, then any such waiver shall be ineffective as to intellectual property rights attributable to said input; and all intellectual property rights will be retained by the University.

- (c) Execution of such agreements shall be on forms drafted or approved by the Office of General Counsel for that purpose, which forms cannot be modified whatsoever without the prior written approval of the Vice President for Research and the Office of General Counsel.
- (10) Guidelines for use of University research and service centers for economic development.
 - (a) University research and service centers may expend funds and utilize lands, facilities, equipment, and the services of employees and students to benefit the people of the state of Ohio by creating or preserving jobs and employment opportunities or improving the economic development and welfare of the people of the state when the following factors are present:
 - (i) There is reasonable assurance that the proposed use and/or activity would not interfere with or compromise the University's academic and research mission.
 - (ii) There is reasonable assurance that the proposed use and/or activity would not unfairly interfere with, displace or compete with any existing private or public entity's performance of the same or similar activity.
 - (iii) There is reasonable assurance that the proposed activity would result in revenues to the University which shall at least be sufficient to recoup any direct expenses to the University. Depending upon the extent of use and/or activity, as determined by the Controller of the University, the revenues established for any use and/or activity may include a factor to recover all or a portion of the University's actual or potential indirect costs, including but not limited to any unrelated business income tax liability.
 - (iv) There is reasonable assurance that the activity to be undertaken will allow public or private entities or enterprises the opportunity to compete more effectively in

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the marketplace and/or fulfill needs that are being inadequately met by the private market.

- (v) There is a reasonable assurance that the proposed use and/or activity is incidental to a viable academic program. All such use and/or activity shall contain substantial and appropriate academic content consistent with the University's academic and research mission.
 - (vi) All contracts regarding the proposed activity must receive prior written approval as to legal form and sufficiency by the Office of General Counsel. All such contracts shall contain provisions for liability insurance naming the University as an insured, indemnity by the agency or person seeking the research or service, or some other measure reasonably appropriate to minimize any University liability. Center managers shall forward these agreements, after respective decanal approval and legal review, to the associate Vice President for Research and Director of Technology Transfer for signature.
- (b) Academic Deans for the colleges in which the respective centers are located, shall assure that the requirements are met before approving any such use and/or activity.

Effective: April 28, 1997

Certification: _____
Secretary
Board of Trustees

Prom. Under: 111.15

Rule Amp.: Ch. 3359

Prior Effective Dates: 11/4/77, 11/27/79, 12/31/86, 12/22/89,
7/20/90, 12/6/93, 9/21/95, and 5/30/96

Final Draft; Approved 2-15-02 by the Faculty Research Grant Committee

PROPOSED POLICY

_____ Conduct and Ethics Policy: Employee Financial Interests in Companies
Licensed under University Intellectual Property

(A) Policy Statement

The Board of Trustees has determined that the best interests of The University of Akron will be served if employees who create new technology are afforded the opportunity to hold personal financial interests in companies that are engaged in commercializing their inventions. Employee participation with outside companies in technology development activities will facilitate the University's goal of making its research available for use in the private marketplace by giving researchers an incentive to develop inventions with commercial applications. The opportunity to participate in commercialization activities is also essential to the University's efforts to attract and retain highly qualified researchers. The procedures and guidelines set forth in this policy are intended to enable the University to realize the benefits of such entrepreneurial activities while protecting the integrity of its research and educational mission and to comply with university policies and with applicable federal and state laws.

(B) Applicability

(1) Scope and Definitions.

- (a) This policy applies to any faculty, staff or student employee who is the creator of a discovery, invention, work or trade secret information that is owned by The University of Akron through the operation of Rule 3359-02-05 (University research, copyright and patent policy) of the Administrative Code ("Inventor") and who desires to acquire an equity or other financial interest ("Financial Interest") in a firm, corporation, or other association ("Company") to which the University of Akron or the University of Akron Research Foundation (collectively, "University") has assigned, licensed, transferred or sold its interests in the discovery, invention, work or trade secret information made or created by that employee or in a patent or copyright issued to that employee ("Intellectual Property").
- (b) This policy deals only with the acquisition by an Inventor of a Financial Interest in an entity that is developing and/or using technology based on Intellectual Property that was created by that inventor; accordingly, the term "Company" refers only to such an entity. For purposes of this policy, "Inventor" includes the Inventor's spouse and members of his or her immediate family and

any firm, corporation or other association controlled by the Inventor; and "Financial Interest" includes any stock, bond, warrant, option, loan or other equity or debt interest in a Company, or promise of the same, as well as paid consulting or employment with a Company.

(2) Relation to the Ohio Ethics Laws.

- (a) This policy creates an exception to Chapter 102 and Sections 2921.42 and 2921.43 of the Revised Code (collectively, the "Ohio Ethics Laws"). Among other things, these laws prohibit public officials from having an interest in the profits or benefits of a public contract entered into by or for the use of the governmental unit with which he/she is connected, or from soliciting or accepting anything of value that is of such character as to manifest a substantial and improper influence upon him/her with respect to the performance of his/her duties. Compliance with this policy will provide an Inventor who acquires a Financial Interest in a Company with an exemption from these and other possibly applicable provisions of the Ohio Ethics Laws. A failure to comply with this policy could result in a violation of the Ohio Ethics Laws.
- (b) This policy applies only to Inventors, as defined. Consequently, employees other than Inventors who acquire a Financial Interest in a company that is developing University-owned Intellectual Property should consult their own legal advisers to determine whether the transaction violates the Ohio Ethics Laws.

(3) Relation to Other University Rules.

Inventors seeking to comply with this policy should also consult other rules of the Administrative Code on related subjects. It is the intent of this policy that it be administered consistently with all other University rules and policies that may apply to the same circumstances.

(4) Other Matters Not Covered.

This policy does not deal with the terms and conditions under which the University will assign, license, transfer or sell Intellectual Property to an entity that will become a Company upon acquisition of rights in the Intellectual Property, or with the terms and conditions upon which the University will require or accept an equity interest in a licensee company. These and all other terms and conditions of licensing agreement will be determined pursuant to other University policies. Generally, such transfers and/or equity participations will not be made or entered into unless it is determined both that the proposed Company has the resources (or a reasonable plan to obtain the resources) necessary for development

of the technology, and that it has a satisfactory business plan for such development.

(5) Effective Date.

This policy shall apply only to acquisitions of Financial Interests or licenses, assignments, transfers or sales of Intellectual Property that occur on or after the date of this initial adoption.

(C) Policy Requirements.

- (1) An Inventor may solicit or accept a Financial Interest in a Company if, but only if, he or she has first complied with the requirements of this policy.
- (2) It should be noted that an entity organized for the purpose of commercializing Intellectual Property will not become a Company until the University has assigned, licensed, transferred or sold its interest in the Intellectual Property to the Company. Consequently, an inventor who is participating in the organization of a company that expects to license Intellectual property from the University should comply with this policy before the Intellectual Property has been licensed to the company, or before soliciting or accepting a Financial Interest in the Company if it already has acquired the license.
- (3) The University will not knowingly license Intellectual Property to an entity in which an Inventor has Financial Interests until there has been compliance with this policy. It may, however, grant an option to acquire the license conditioned on compliance with the policy. This will protect the entity's interest in obtaining the necessary license while the Inventor seeks approval for the proposed Financial Interest.
- (4) Employees who wish to participate in a start-up company may discuss initial company formation with the Office of Research. However, negotiations between the University and a company seeking to license its Intellectual Property should, to the extent possible, be conducted by company representatives other than the Inventor.

(D) Approval Process.

(1) Compliance With Collateral Employment Requirements.

An Inventor seeking approval to hold a Financial Interest in an existing or proposed Company shall first comply with Rule 3359-11-17 of the Administrative Code, as applicable, relating to consulting and collateral employment. This requirement applies regardless of the nature of the Financial Interest involved, and thus must be met even in cases where no consulting will occur and the only Financial Interest is a passive equity interest in the company. In addition to the conflict of interest and

commitment reports that are required by the applicable rule, the Inventor shall submit a supplemental report containing:

- (a) A complete disclosure of the Inventor's proposed Financial Interest in the Company; and
- (b) A conflicts management plan that addresses the following issues:
 - (i) **Management of University Obligations.** The conflicts management plan shall describe the Inventor's University duties (e.g., teaching loads, committee assignments, etc.) and explain how potential conflicts of commitment will be managed so that these University duties can continue to be fully performed. Inventors who are unable to perform the full range of their University duties must request a reduction of appointment or other approved leave. Professional improvement leave authorized under Section 3345.26 of the Revised Code may not be used for private business purposes.
 - (ii) **Proposed Participation in Management of the Company.** Inventors may hold temporary management positions in a Company that is in the start-up phase. However, it is expected that the Company will obtain professional management as soon as this is practical, and that the Inventor's participation in the Company's management will decrease as the Company develops. The conflicts management plan must describe the contemplated participation in management and provide enforceable milestones for the reduction of the participation. As a general rule, Inventors should not hold management positions in established Companies.
 - (iii) **Limitation of Equity Ownership.** Although an Inventor may hold a significant equity interest or debt position in a Company in its initial stages of development, it is expected that the Inventor's percentage of ownership will decrease as the company develops and attracts additional investment. The conflicts management plan must describe the Inventor's contemplated initial equity and/or debt participation in the Company and provide enforceable milestones for reduction of that interest to not more than 25% of the Company's total equity or debt, as the case may be, or such other level of financial interest as the Inventor and University may mutually agree.
 - (iv) **Use of University Facilities.** The conflicts management plan shall describe any proposed use of University

facilities, equipment or other resources to further the business interest of the Company. No such use will be permitted except pursuant to a sponsored research agreement or a facilities use agreement with the Company that is approved by the Office of Research and processed in accordance with the University's contracting procedures.

Student Employment. The conflicts management plan shall describe any proposed use of University students to further the business interest of the Company. The Inventor may not use University students for this purpose as part of a student's assigned academic work, but the Company may employ students pursuant to an employment plan that has been approved by the chair of the student's department and, if applicable, the chair of the graduate studies committee. Students may perform research that benefits the Company when the work is being performed pursuant to a sponsored research agreement or a formal internship agreement between the Company and the University.

(2) **Approval By Research Office.**

Upon compliance with the applicable collateral employment procedures, the approved collateral employment form and conflicts management plan that has been approved by the appropriate chair(s) and dean(s) shall be forwarded to the Office of Research for final approval by the Vice President for Research. In granting such approval, the Vice President may consult with the Provost and the Office of General Counsel and may make such additional conflict management requirements as are deemed necessary to approval of the Inventor's proposed Financial Interest in the Company.

(3) **Compliance.**

Compliance with an approved conflicts management plan shall be the responsibility of the Inventor's academic unit head/chair and dean or staff supervisors, as the case may be, in consultation with the Office of Research. Violations of the conflicts management plan may subject the Inventor to University discipline, or deprive the Inventor of the exception to the Ohio Ethics Laws that would otherwise be applicable. In addition, the University's license agreement, facilities use agreement, sponsored research agreement or other agreement with the Company may provide for termination or other remedy if the Inventor fails to comply with the conflicts management plan.

(4) **Annual Review.**

To assure continued compliance with the plan, the Office of Research shall annually conduct an assessment of the Inventor's performance under the conflicts management plan. Such assessment shall include a report from the Inventor's academic unit head and dean or staff supervisors respecting the adequacy of the Inventor's performance of his or her assigned University duties and a review by the Office of Research of the extent to which the milestones that are contained in the conflicts management plan have been met. Any deficiencies that are noted shall be discussed with the Inventor with a view to achieving compliance or modifying the plan or the related agreement with the Company. A failure to reach agreement on compliance can result in one or more of the consequences described in Paragraph (D) (3) of this policy.

(5) Freedom from Conflicts in the Administration of this Policy.

University Officers and employees shall not participate in the approval process or in the administration or enforcement of this policy with respect to a Company in which they have a Financial Interest.

413407.1

APPENDIX F**Planning & Budget Committee****Report to Faculty Senate
March 7, 2002**

Meetings of February 14, 21, and 28: The Committee devoted the vast majority of its time developing next fiscal year's budget, including the examination of various sources of data provided by Resource Analysis & Budgeting. Unknowns at this time are: spring 2002 tuition revenues; summer 2002 tuition revenues; the amount of fall 2002 tuition increase; fall 2002 tuition revenues; and, whether or not the State of Ohio will enact any further budget cuts. Each week the Committee looked at preliminary budget models and returned them with recommendations for revisions. Much of the discussions during recent weeks have centered on numerous budget priorities relative to a large budget shortfall.

Meeting of March 7: The Committee continued to work diligently in developing a budget proposal for next fiscal year and hopes to have a model ready for Senators to review prior to the April Senate meeting. New item: the Committee is considering a request from the Research Committee to create a line item in the budget for research grants, based on some percentage of the total indirect cost component of research grants. Also, responses to PBC's request for quality measures from the colleges were distributed.

Respectfully submitted,

Jeffrey A. Franks, Vice Chair
jfranks@uakron.edu
x6052

APPENDIX G

Senate Resolutions

#1

Whereas Senators manage multiple roles,

Whereas Senators act in the Senate, on, or on behalf of, any committee designated by Senate,

Be it resolved that Senators, regardless of what other roles they manage, have not only the right but also the responsibility to represent the faculty constituency from which they were elected.

#2

Whereas the Faculty Senate as the elected voice of the faculty is a necessary primary partner in real shared leadership between the faculty and the Administration,

Whereas the Faculty Senate believes the University Administration has failed to engage the Faculty Senate in real shared leadership,

Whereas the Faculty Senate identifies said failures in shared leadership by these nonexhaustive examples:

- 1) Limited inclusion of the PBC in decisions regarding allocation and distribution of resources;
- 2) Circumvention of due process regarding budgetary decisions by not including, in a timely fashion, PBC or the EC as part of the final '01-'02 Budget process as well as follow-up to that process;
- 3) Health Care Cost Sharing Plan, forwarded to the Board of Trustees in Aug. 01, developed with no faculty voice;
- 4) IT initiatives launched with no substantive input from end-users on campus;
- 5) Rapid implementation of PeopleSoft, launched with no substantive input into the planning process from those end-users who are dependent upon and directly affected by the outcome (e.g., access to student records for advising, class lists with prerequisite checking financial reporting, student contact information, etc.);
- 6) "New" Budgetary elements (e.g., Technology Fees, athletics, VPCIO) developed and sent to the Board of Trustees July '01 with no input from faculty on campus,

Be it Resolved that the Faculty Senate does not support the Administration's public contention that real shared leadership with the faculty has been realized on this campus.

Whereas the Faculty Senate as delegated by the Board of Trustees of the University, is the legislative body of the university and is empowered to:

- (1) Formulate suitable rules, requirements, and procedures for the admission, government, management, and control of the students, courses of study, granting of degrees and certificates, and other internal affairs of the institution necessary to meet the objectives of the university in accordance with the established policies of the board
- (2) Review, debate, and act upon the recommendations of the planning and budgeting committee with regard to the planning and budgeting calendar, university planning assumptions, the university plan, and the university budget, and forward recommendations to the president,

Whereas the Faculty Senate, as the elected voice of the faculty and campus community, is designated the necessary and recognized partner in shared leadership between the faculty/campus community and the administration,

Whereas the Faculty Senate has identified recent instances where the administration has failed to consult with the Faculty Senate in matters directly related to its charge as described above,

Whereas the Faculty Senate has informed the administration of said instances and has recommended areas of communication that must be strengthened to enable and enhance the achievement of shared leadership,

Whereas the Faculty Senate is desirous of improving communication and advancing its relationship with the administration on behalf of the faculty and campus community with the goal of achieving shared leadership,

Whereas the Faculty Senate has been informed that the administration is similarly desirous of strengthening its relationship with the Faculty Senate with the goal of achieving shared leadership,

Be it Resolved that the Faculty Senate affirms that it is the primary partner in shared leadership with the administration and is prepared to work with the administration in closer collaboration to redress the identified weaknesses, to strengthen the shared leadership process and to achieve our common goals.

