

FACULTY SENATE

THE UNIVERSITY OF ALABAMA

FACULTY SENATE STEERING COMMITTEE MEETING

MAY 10, 2005 – 3:00 pm – 307 FERGUSON

APPROVED MINUTES

ATTENDING: Mathew Winston, John Vincent, Karen Steckol, Margaret Garner, Kim Andrus, Marcia Barrett, Jim Hall, John Mason, Clark Midkiff, Steve Shepard, Jeanette Vandermeer, Bob Sigler

GUESTS: Joanna Hutt, Dialog; Adam Jones, Tuscaloosa News; Ronnie Robertson, Director of Transportation Services; Scott Collins, Transportation Services

The Faculty Senate Steering Committee minutes of April 12, 2005 were approved.

Ronnie Robertson, Director of Transportation Services, addressed the members of the Steering Committee concerning the increase in campus parking fees. The parking permit fees for faculty and staff have been increased from \$60 to \$80; reserved parking fees for faculty and staff increased from \$130 to \$230. Approximately one hundred parking spaces will be created behind Rose Administration Building in the Barnwell Hall area. The old ten Hour parking deck has been designated for reserved parking. The old south ten Hour parking deck fee will be \$230 per year for reserved parking in the deck. Transportation Services is attempting to respond to the supply/demand for reserved parking on campus for faculty, staff and students. The Campus Drive parking deck was the first new parking deck constructed and was opened in January. The second new parking deck is being constructed in the ten Hour area. The surface parking area behind ten Hour will be renovated adding 150 parking spaces. Five hundred additional spaces have been added to the Ferguson Parking deck. Speech and Hearing will be moving to the old Capstone Medical Building increasing available parking spaces in that area. The Plumbing Department has moved to the facilities area creating additional parking behind Comer. There was further discussion concerning overselling parking permits and permits for two people with one vehicle, available parking spaces in particular decks, access for emergency vehicles, anticipated income from parking permit fees, the lack of utilization of certain decks, the goal of discontinuing traffic citations, improving traffic flow, location of remote parking areas, the construction of new decks and methods of paying off the debts of Transportation Services. The increase of parking fees in ten Hour deck for faculty and staff is \$170 per year. John Mason stated that he had heard rumors about the 150 parking space lot behind ten Hour that if there is not sufficient use by faculty and staff the lot would be turned into student parking space. Mr. Robertson's response was "no, I did not say that". He said if the faculty and staff filled that lot which is a very good possibility, one level of the deck would be changed for faculty and staff and students. He also stated that parking spaces would be provided for faculty and staff. That provision may not be next to the door where they work or as convenient as they would like, but parking would be provided for faculty and staff because they are the backbone of the University. Additional areas would be opened to provide parking for faculty and staff, if needed. There is a great deal of faculty/staff dissatisfaction with the increase in parking fees. The opinion was expressed that the parking decks are being constructed to accommodate the projected influx of students and not for the benefit of faculty/staff and that the cost of the decks is being paid for our of faculty/staff salaries. Mr. Robertson

explained the fee increase was a financial decision. Parking fees for The University of Alabama rank in the lower percentile when compared to other institutions. Parking services does not receive state funds and operates strictly from parking fees and citations. It was suggested that a tier payment structure be considered specifically for those with lower salaries. A campus transit system is also being considered. The Financial Affairs Committee was assigned the tasks of reviewing methods of raising the \$26,000 salary cut off point put into place in 1997 as the median income figure for medical care and applying the same standards to parking fees.

There was discussion regarding the Faculty Senate Steering Committee list serve.

President's Report – (*Mathew Winston*) Mathew attended a meeting where the topic of a creative campus was discussed including the construction of a Fine Arts Building. The expense of such a building would be through donations only. Dean Pitschmann, Dean of University Libraries, will be invited to the next Steering Committee meeting.

Jeanette Vandermeer handed out copies of "**White Paper: Toward a Healthy campus Community**". This is a proposal for a Wellness Center and Program at The University of Alabama. The committee members will pursue the opinions and wishes of faculty and staff for this project. This proposal came from the Faculty Staff Benefits Committee. A budget has been proposed.

Vice President's Report – (*John Vincent*) No report.

Secretary's Report – (*Karen Steckol*) No report.

John Vincent gave a report concerning **Appendix H of the Faculty Handbook**. The changes presented to the steering Committee have been made since the last review and approval of the Faculty senate. Appendix H addresses the copyright ownership issue. The Deans requested that the term "students" be deleted and replaced with the phrase "faculty, instructors and teaching assistants". It was suggested that "instructors and teaching assistants" be added to the second line of B3 to insure consistency throughout the document. Another change (C. Administration) replaces "Office for Research" with "Office of Academic affairs" as those responsible for the administration of the policies set forth in Appendix H. According to Appendix H at this point, the faculty member creating teaching materials own the copyright to it and can take the material to another teaching position at another institution. The University also owns it and can utilize the material after a faculty member leaves. The key change in the document is in B3 with the new addition being the clarification of University use of copyrightable materials. The Appendix H document with the addition of "instructors or teaching assistants" in the second line of B3 was unanimously approved by the Steering Committee. Mathew Winston will write a cover letter stating approval on behalf of the full Faculty Senate and refer to the expectancy of a full faculty vote on Appendix H. The letter and a modified copy of Appendix H will be sent to the Provost. The status of the Intellectual Property Rights Committee referred to in C2 was questioned. It states that this is a standing committee, however, it is not listed on the list of University Committees on Committees. The Office of Research is creating a Patent Committee. The Institutional review board is being split into two boards. One will continue to handle medical proposals. The new committee will need a Faculty Senate representative. Ken Wright is the senate representative for the Institutional Review Board and will be asked his preference of the committee on which he will serve. A Senate representative will be appointed for the remaining committee.

The Faculty and senate Governance committee will verify that the copy of the **Faculty**

Handbook on the web page is current and correct. This committee will also review the Faculty Senate by-laws. The issue of the full faculty voting on the election of Ombudsperson will also be reviewed. The Faculty Senate pays \$250 for the balloting and there are relatively few votes. One possible resolution would be for the faculty to make the nominations with the Faculty Senate voting.

Beginning next fall, there will be an on-line business baccalaureate degree available. The faculty approved the program two years ago without the on-line inclusion. The Faculty Executive Board approved the program with the reasoning that the Board approves content, not the method of delivery.

The Faculty Senate has been assured that Arts and Sciences will be earlier with the elections of senators and relaying that information to the Faculty Senate.

Legislative Agenda – *(Margaret Garner)* The legislative Breakfast was held May 6, 2005 with Bill Newton, State Budget Officer, as speaker. Appreciation was expressed to those that attended and to those issuing invitations to their colleagues. It was a very informative meeting with the process of the state budget explained. The 2005-06 educational budget is not final, however, if approved, appropriations will exceed the amount requested. It was stressed that advocating for higher education is not a one-time action. A personal relationship with the senators and representatives should be pursued all year. The House and Senate approved \$17 ½ million dollars or about 14% funding increase for The University of Alabama with \$1.8 million dollars conditional funding. If the conditional funding is available at the end of the year, it will be distributed. Faculty member salary increases were discussed. Higher education has always been respectful of K-12 educational needs. Fair and equitable treatment has remained the basis for higher education funding requests. The cost of PEEHIP and retiree contributions to RSA has been taken off the top of K-12 funds with these costs being taken from operating funds of higher education funding. It is a possibility that these higher education expenses will be taken from the conditional funds released in October. Jim Pruitt of the Talladega area was instrumental in the advocacy for higher education during the Legislative session. It was suggested that the Faculty Senate write to those Legislators that stood firm for higher education funding expressing appreciation for their participation in securing funding for higher education. A copy of the letter could be sent to all Faculty Senate Presidents in the State of Alabama.

A reminder was stated concerning the Steering Committee's meeting with the Provost on May 19 at 3:00 PM.

Meeting adjourned 5:00 PM

APPENDIX H

DETERMINATION OF RIGHTS IN COPYRIGHTABLE MATERIALS AT THE UNIVERSITY OF ALABAMA

It is the policy of The University of Alabama to encourage the creation of copyrightable works by its faculty, instructors, and teaching assistants. Such works are an important contribution to the University's pedagogical, scholarly, and public service missions.

A. Ownership of Copyright

(1) Except as provided below, faculty, instructors, and teaching assistants of the University who are the authors of copyrightable works shall own the copyrights in those works.

(2) "Copyrightable works" includes, without limitation, textbooks, textbook related software, digital course materials, multimedia, films and videotapes, in so far as they fall within the subject matter of copyright.

To the extent that such works embody patentable inventions, rights to those inventions shall be determined by The University of Alabama Patent Policy (Faculty Handbook, April 1999, Appendix G), or as the same is amended.

B. Exceptions

(1) If the University contributes extraordinary resources to the creation of a copyrightable work, the respective rights of the author and University to that work shall be negotiated at the time such resources are provided. "Extraordinary resources" means facilities, equipment, funding, release or re-assigned time or other assistance exceeding the resources normally provided to faculty or employees in a particular department. It shall be the responsibility of the dean at the time such "extraordinary resources" are provided, to notify the faculty member and negotiate the terms. Those terms may include assignment of copyright, license of rights, or division of royalties.

(2) If a copyrightable work is funded, in whole or part, by a contract or grant from an agency outside the University, copyright shall be assigned in accordance with the terms of the contract or grant, or other sponsored agreement.

(3) If a copyrightable work is commissioned by the University, meaning that a faculty member, instructors or teaching assistants receives supplemental compensation from the University to prepare a specific copyrightable work or if the University assigned one or more faculty members, instructors or teachings assistants to prepare a specific copyrightable work, the University shall have royalty-free right to use, update, reproduce, distribute, display, and transmit the copyrightable work, and to prepare derivative works based on the copyrightable work. Other rights of the faculty member, instructor or teaching assistant and the University, such as licensing rights, assignment of copyright, and division of royalties, shall be negotiated on a case-by-case basis, consistent with the University of Alabama General Terms and Conditions regarding development and Use of Distance Learning Instructional Materials or other applicable University policy.

(4) Copyright in "institutional works" shall be owned by the University. An "institutional work" means either (a) a work prepared at the direction of the University for the use of the University in conducting its own affairs (for example, University handbooks, press releases, and software tools); or (b) a work that cannot reasonably be attributed to a single author or group of authors because it is the result of contributions or revisions by numerous faculty members, employees, or students of the University. Terms of compensation and use of materials should be clarified at the initiation of the work.

(5) Prerecorded or digital courses shall not be sold, leased, rented or otherwise used by a current University employee in a manner that competes in a substantial way with the offerings of the University, unless that transaction has received the prior approval of the Office for Academic Affairs.

(6) Any copyrightable work of potential commercial value shall be disclosed at the earliest practicable time by the author to the author's department chair or immediate administrative supervisor. For those works that are owned by the University or in which the University has an interest, the author shall cooperate with officials of the University and of any organization to whom the University assigns rights to such works in the registering of copyrights as well as in licensing the works.

C. Administration

1. Except as otherwise set forth, the administration of these policies shall be the responsibility of the Office for Academic Affairs.

2. The Intellectual Property Rights Committee shall be a standing committee composed of 6 members, equally apportioned between faculty (chosen by the Faculty Senate) and administration (appointed by the president or his/her designee).

The Committee shall:

- a. serve as a forum for discussion of University copyright policy, and recommend changes as appropriate, and
- b. mediate any disputes over intellectual property rights that may arise.