1. Call to Order.

The meeting was called to order by Senate President George Watson at 3:30 p.m. He noted that Darby Shaw was absent due to illness, for the first time in twenty years.

2. Approval of the Previous Minutes (Senate Summary of February 24, 2003). The minutes were approved as posted on the Academic Senate Web page. Send any further corrections to darby.shaw@asu.edu


3.A Executive Committee (George Watson).

3.A.1 Motion to Reconsider Senate Resolution #2 (2002-2003) regarding the establishment of a plus/minus grading system (ASASU petition was distributed and all other related documents are posted on the Academic Senate Web page at the bottom of the page) at:  
http://www.asu.edu/provost/mercea/issue.html
An executive summary of the Ad Hoc Plus-Minus Joint Committee of the Associated Students of ASU and the Graduate & Professional Student Association was distributed. Members of the committee included (From ASASU) Michael Leingang, Michael Cledwyn Jones, Brandon Goad, Abbie Deuwel and (From GPSA) Tim Lant, Dawn Lantero, Deirdre Hahn, Caitlin Schrein, Matthew Schuster. A Table (1) was distributed on Various Grading Systems of ASU Peers, PAC-10 Schools, and Others.

Senator Burstein made a motion to reconsider Senate Resolution #2, and Senator Mattson seconded the motion to reconsider.

Senate President Watson said that if the motion passes, the issue is reopened up for discussion. The various sides of the issue on plus minus grades were then discussed. Tim Lant was the spokesperson for the Ad Hoc Plus-Minus student groups and student Michael Covant Jones introduced and discussed 3924 student signatures on a Plus/Minus Grading Scale Petition that stated in total, “We, the following students of ASU, do hereby state our disapproval of the proposed change to a plus/minus grading scale at ASU.” Following lengthy debate Senate President Watson called for the main question of reconsideration. Following a count of hands, the vote was 32 Yes and 32 No with 1 abstention. However, a written proxy vote of “no” was submitted prior to the announcement of the vote, but not included in the count that was announced. So, another vote was taken and the result was 30 Yes, 34 No and 1 abstention. The motion to reconsider failed.

3.B. Curriculum and Academic Programs Committee (Michael Mayer).

3.B.1 Senate Motion #5 (2002-2003) (Second Reading): At its meeting of January 29, 2003, CAPC approved a request from the College of Liberal Arts and Sciences for the Implementation of a New Academic Degree Program – Audiology. Rationale: A new professional doctorate degree in Audiology is proposed to prepare audiologists for clinical certification under new national standards that reflect the expanded scope of practice in the field of Audiology. The proposed degree will use the designator Au.D, as do most other universities that have implemented similar programs. The four-year Au.D degree will replace the existing two year M.S. degree in Audiology, currently offered by the Department of Speech and Hearing Science, as the entry-level degree for practicing audiologists. The Au.D will be offered by the Department of Speech and Hearing Science and be awarded by the Graduate College.

Senate President Watson: Hearing no further discussion we will move to a vote. Senate Motion #5 (2002-2003) passed following a voice vote.

3.B.2 Senate Motion #6 (2002-2003) (Second Reading): At its meeting of January 29, 2003, CAPC approved a request from the College of Nursing for the Implementation of a New Academic Degree Program DNS - Doctor of Nursing Science. Rationale: The implementation of doctoral preparation in nursing is essential to ensure much needed leadership in the work place as well as in the educational setting and by doing so, help nurses to thrive in complex and technologically dependent health care systems. A doctoral program in nursing at ASU will provide increased access for nurses to become clinical researchers and clinical leaders who can help create supportive work environments to retain nurses graduated. If approved, the DNS program in Nursing at ASU would be the first DNS program in the Western region of the United States.
Senator Karady: What kind of research would a person with the Ph.D. in Nursing do? What concept is involved?

Judy Fleury from Nursing: The goal of research for a DNS is policy as well as practice. It looks at the arts and science of nursing as well as the tools of scholarship. Let me give you a couple of examples: First might be looking at men and women who have had a heart attack and asking how they might recover more effectively. Second could be looking at how women deal with -------, and the clinically relevant issues that raises.

Senator Ball: How may DNS are offered in universities in the U.S.?

Judy Fleury: Sixteen nationwide have DNS programs, none are in the West.

Senator Burstein and Senator Guleserian asked questions, but Ruth Yabes didn’t record the questions in her notes.

Senate President Watson: Hearing no further discussion we will move to a vote. Senate Motion #6 (2002-2003) passed following a voice vote.

3.C Personnel Committee (Doug Johnson).

3.C.1 Senate Resolution #3 (2002-2003) (Second Reading): regarding the recommendations of the Provost on the Report of the Task Force on Non-Permanent, Full-time Faculty (Senate Resolution #3 see blow). The Report and the Provost’s recommendations were distributed previously, but remain available on the Academic Senate Web site at http://www.asu.edu/provost/asanet/issues.html.

Text of Senate Resolution #3:

Whereas: ASU endorses the need to provide opportunities for professional development and growth for lecturers and other non-permanent full time faculty; and

Whereas: ASU is committed, over time, to improving the salaries of non-permanent, full time faculty, particularly faculty providing instruction central to the University’s mission and strategic priorities; and

Whereas: ASU is committed to improving the status and job stability of its lecturers as a means of recruiting, maintaining, and rewarding quality people in these positions; and

Whereas: ASU recognizes the need to provide greater input to the University Administration regarding issues of importance concerning such matters as benefits and career progression;

Be it hereby resolved: That colleges ensure that opportunities for professional development and growth are available for full time, non-permanent faculty, particularly faculty who serve on multi-year appointments. Professional development options ought to be directly related to the expectations of a faculty members’ current employment, and may be available on a competitive basis. Examples of activities consistent with this recommendation include, but are not limited to, departmental or college-wide programs for lecturer development, grant funds for curriculum development, travel support to meetings for professional
development, including discipline-specific academic meetings as well as meetings dealing with pedagogy, and grants for focused study and professional growth.

That progress towards the goal of improving the salaries of all Lecturers and other full time, non tenure-accruing faculty be measured by relevant salary comparisons within and between groups, and in relation to appropriate bench marks. It is understood that salaries would continue to vary by discipline and across the University due to market forces, as is the case for the salaries of tenured and tenure track faculty and graduate teaching assistants.

That the University entertain the possibility of providing an option for rolling three-year appointments, constituted as yearly commitments to a three-year employment period for eligible non tenure-accruing, full time faculty.

That an Advisory Committee to the Provost on Full Time, Non-Permanent Faculty be established. This advisory committee should be composed of a representative group of full time, non-permanent faculty (including representation from each group within the category of full time, non-tenure accruing faculty, e.g., Instructors, clinical faculty, etc.) The purpose of this advisory group is to provide information, recommendations, and feedback to the Provost, and to act as a sounding board on issues regarding personnel policies and procedures for non-permanent, full time faculty.

**Genie Dugan, English Dept. lecturer:** She raised two issues. The first is the concern about the make-up of the Task Force on Non-Permanent, Full-Time Faculty, which is to include at least two lecturers on the committee and the idea that at least one of the lecturers should be from the math or English departments. The original committee had one lecturer as a member. The second point is the profile of non-tenure track faculty and the gender issue. Most of the non-permanent, full-time faculty in the English department are primarily women, although this is not the case in the math department.

**Sarah Duredin, English Dept. lecturer:** In the old version, non-permanent faculty were subject to a five year renewal process that provided more stability. This stability has disappeared in the new version. . . .A five-year renewal precess is a type of support, a reward, and it shows we are valued. I urge you to put the five year rolling contract process back into the new version.

**Senator Lattouf:** I move to change the word “That colleges ensure” in the first line after “Be it resolved” to the phrase “That the university ensures”. This language is more inclusive since I am part of the Bachelors of Interdisciplinary Studies program that is not a college yet.

Senator Dan Landers seconded the amendment. A voice vote was taken and the ayes were unanimous in favor of the amendment.

Following lengthy discussion, and questions and comments by Senators Cook, Will, Burstein, and Mattson, Senator Burnstein moved and Senator Don Landers seconded the motion to table Senate Resolution #3. A voice vote was taken, with the ayes unanimous so that S.R. #3 was tabled until the April 28 Senate meeting. The resolution was sent back to Personnel Committee for some further refinement, to be brought back to the April 28 Senate meeting for a second reading.

4. **Announcements and Communications.**

4.A **Senate President’s Report** (George Watson).
4.D ASASU President’s Report (Mike Leingang). Thank you for allowing students to speak today, especially thanks to George Watson. There is a drawback of the three Arizona universities having different grading systems, but I understand these differences are being worked out. Second, I want to mention that the ASASU budget includes a request for research funds next year for graduate students.
4.F ASU West Senate Report (Jose Nanez).
4.H Information Technology (Bill Lewis).

5. Open Forum. No items were brought up for discussion.


6.A Executive Committee (George Watson).

THIS IS THE PART OF THE MEETING THAT WAS TAPED FROM HEREON:

Committee chair, Betty Craft, and ASU counsel, Nancy Tribbensee, make the report and are available to answer questions. (The report and the Senate Motion #8 were distributed).


Nancy Tribbensee: That which does not involve a substantial use of University resources will remain owned by the faculty member. This policy will not change that; this policy is designed to address the substantial use of University resources for example, Betty Craft’s office, graduate students, other paid university employees or substantial use of University equipment. We have an FAQ designed to address the question of what the substantial use of resources, a thumbnail sketch of what that is. It is some kind of extraordinary use of resources not available to everyone at all times.

The use of your PC, your overhead lights, legal pads, pens and pencils, that is not extraordinary or substantial use of resources. The reason that we have to have a provision that provides for Board of Regents ownership when there is a substantial use of resources is that the Arizona Constitution prohibits gifting of state property, so, once you reach a certain threshold the state owns the property, including intellectual property. Are there any questions? One thing you need to be looking for is your close review of the draft that you have been provided and if there are any questions that you think that may arise from the policy we would either like to revise the policy to address them or add them to the FAQs.

Senator Hejduk: We are going to be voting on a draft online course guidelines for the School of Architecture on Friday, and I was just made aware of this by a colleague of mine the other day and we
might put this into a draft resolution. My question is, in terms of an online course, would you say if someone is teaching a course completely online and they have used their graduate assistant(s) to help them create that course, then anybody else would get for a normal course? Does that mean that course then falls under these guidelines and then becomes the intellectual property of the school?

Nancy Tribbensee: I believe that would. I believe that is a substantial use of university resources but that makes me remember to raise a point that you can have a copyrighted—the individual elements of a course, as well as a copyright for the compilation that forms the entire course. The Board of Regents may own the entire course under a scenario like this one. But a faculty member who contributes individual copyrightable material, and it may be photographs, it could be textual materials, it could be things that in and of themselves a faculty member would have owned previously. The faculty member retains their ownership in that.

Senator Hejduk: What if the course substantially uses material that is online, only uses online text, journals, photographs?

Nancy Tribbensee: Back to my original point, the fact that the Board calls it an electronic publication is misleading. The fact that it is online is not really relevant. If it was put online through substantial use of University resources then the Board owns it.

Senator Hejduk: If the course was created through substantial use of graduate students and relief from teaching so that they could create this course, and they have their own Web master for this course...?

Nancy Tribbensee: Then the Board is going to own that.

Senator Dantico: To follow that up, if faculty are simply doing this on their own then the Board does not own it?

Nancy Tribbensee: If there has not been a substantial use of University resources, then the Board does not own it.

Senator Dantico: I am curious about what sort of a line is drawn?

Nancy Tribbensee: It is the case of substantial use of University resources that determines ownership.

Senator Dantico: I am understanding what you are saying, but I don’t know what that means.

Senator Hejduk: In our department we put $17,000 worth of graduate assistants into one course for the year, which normally...

Senator Dantico: I understand that and I understand that I am told to put courses online themselves, and there is a whole lot of that going on. I would like to know where the line is drawn so that people will understand when they cross it.

Nancy Tribbensee: That is a very good point. We have developed a FAQ section to go along with the policy that will illustrate common examples, like release time, use of graduate students, use of staff time--things that are commonly associated with courses. There may be examples where people with have to consult with our office or the Technology Transfer Office on an individual basis. We would
like to provide as much guidance as we can because I think you raised a very good point. Across the
country many policies that address this issue either use the word substantial or significant to decide
how many resources you have to use before there is corporate ownership or Regent’s ownership or
University ownership. We tried to carve out a safe harbor and say if you are not using these resources
then we also have a list of things that you can use that are not substantial. It is easier to say, these
things that are commonly used, your desktop PC, electrical power, overhead lights, your office space,
the fact that you did it in your university office. We will say expressly, that is not enough to be
considered substantial use of University resources. So, we have a list of things that you can safely use
that are commonly associated with creating a course. We have a list of things that are very likely to be
or guaranteed to be considered substantial, and there may be some things toward the middle. We will
try as often as we come up with them to tell you what list of things are involved—although the
technology is changing faster than we get to change Board policy.

**Senator Leshowitz:** I understand that the university-wide community has produced a document—does
the Academic Senate have a subcommittee of some kind to review this document?—this is very arcane
material, and I would like to have an opportunity myself and perhaps others would join me, in looking
over these materials in depth.

**Senate President Watson:** This is only a first reading.

**Senator Craft:** I was appointed as chair of the ad hoc committee and there were representatives from
the Senate and representatives from Main, East, and West on this committee. It was a Senate
committee.

**Senator Leshowitz:** I am just asking a question—I would like to have an opportunity to hear more
about the details of this and that the Senate has a full debate on it.

**Senate President Watson:** There is no debate at this hour at all because this is only this is only a first
reading and is merely being presented. Hopefully during the next month, a lot of this material will be
posted up on the Senate Web page. So, you will have the opportunity to look things over, gather
questions, ask questions, in preparation for the April 28 Senate meeting.

**Senator Keim:** I see no mechanism in here, is it going to be assumed that it is automatically the
property of the individual and that the University will have to make a claim at some point or is it the
other way around, or is there some mechanism to differentiate that and is it going to be part of this
policy?

**Nancy Tribbensee:** That is another good point. This is a policy that explains one element of a much
larger policy, the Arizona Board of Regents Intellectual Property Policy. The mechanism that you are
talking about for determination is in that bigger policy. That large policy is unclear with respect to this
issue and so this is at the University level clarifying that issue. Generally, and you do have colleagues
here that work in areas that produce patentable technology, we have had the mechanism in place for a
long time with regard to patentable technology. Essentially now, the same mechanism will apply to
copyrightable technology that makes a substantial use of University resources.

**Senator Keim:** So, if as part of writing a book somebody puts an additional courseware project
together—typically, the contract that you sign on the book is that the publisher owns that copyright
until they no longer—will this then have to be negotiated at the time of doing that as well?
Nancy Tribbensee: Yes. It will not necessarily need to be negotiated at that time, but if you as an individual faculty member enter a contract with a publisher you can only assign away rights that you have. So, if under Board policy the Board owns it, you don’t have the right to assign that away and there is an office that is referenced throughout this policy, the Office of Technology Transfer, that can help you make sure that you have those rights and many publishers will ask for a letter saying that you do have those rights. Not so much for traditional academic publications but as you get into things more complicated, they recognize that many universities claim ownership of those and will ask for that but it is really the individual faculty members responsibility before they sign a contract that purports to assign intellectual property rights, to know that they own them. Our office is happy to consult on any questions that arise on that.

Senate President Watson: I will have these documents and other ones up that they have, including the FAQs, and you will also be able to ask questions in the meantime during the month interim between these this meeting and the one in April. You might also note that this is an addendum to RSP 116, which are the Research and Sponsored Projects policies and procedures and so that link on the ASU policy manuals is the one you want to access.

6.B Committee on Committees (Ernest Hirata). No report.

6.C Curriculum and Academic Programs Committee (Michael Mayer).

Senator Mayer read Senate Motion #7 (2002-03) (second reading): “The Curriculum and Academic Programs Committee recommends Academic Senate approval of a proposal submitted by the Graduate College for the Establishment of a Graduate Certificate in Asian Studies.” Rationale: The Graduate Certificate in Asian Studies will provide graduate students with a transcript credential that documents their interdisciplinary specialization in Asian language and area studies. Certification of graduate level specialization in Asian Studies can be useful in job searches and optimizing career opportunities.

The Phoenix metropolitan area is home to several major global corporations that depend upon suppliers and corporate partners located in East or Southeast Asia.

There is a representative present to answer questions (Claudia Brown and Marie Osterman). She spoke to the motion (inaudible on the tape).

Senator Mayer: Are there any questions?

Senator Ismuert: I thought at our last Senate meeting we said that we going to table all the certificates.

Senator Mayer: That was undergraduate certificates. The Graduate College has had criteria for its certificates in place for some time and in fact with respect to the undergraduate ones, CAPC will have a focused meeting on that on Wednesday and we hope to dispose of that issue soon. Other questions?

6.D Personnel Committee (Doug Johnson). The text to S.R. #4 was not handed out today.

6.D.1 Senate Resolution #4 (2002-2003) (First Reading): Personnel Committee brings to you resolution #4, recommending the changes in the ABOR policy manual 6-201, regarding the creation of
the faculty position Professor of Practice and multi-year appointment authority for Professor of Practice, Research Professor and Clinical Professor. This is a first reading of this resolution so, please look over the proposal that is on the Senate Web page and we will discuss this more in April.

The text of the Resolution follows:

**Whereas** the Provost seeks changes in ABOR policy 6-201 to provide for faculty appointments of Professor of Practice, Research Professor and Clinical Professor, with the potential for multiple year appointments, and

**Whereas** the academic mission of Arizona universities may benefit from contributions of distinguished practitioners and researchers who may not have traditional academic experiences or credentials,

**Whereas** flexibility to offer multiple year contracts may improve the conditions of service of non-tenure track faculty,

Be it hereby resolved that the Academic Senate endorses the proposed revisions of policy governing faculty appointments (ABOR 6-201). That Arizona State University policies be amended to implement these changes and to include more specific criteria for such appointments and practical limits on the number of such appointments.

**Senate President Watson:** There is a text which accompanies this motion but it was just being finished up this afternoon, so, that will posted on the Web page very soon, the new language proposed for ABOR 6-201.

6.E **Student Faculty Policy Committee** (Craig Allen). We are moving ahead with our classroom facilities report and if you would please remind people to complete the survey that we sent out with the newsletter, and send them back in to Donna Landers.

6.F **University Affairs Committee** (Karen Dwyer). We are meeting this week to begin work on the bylaws.

7. **Adjournment.** There no further business the meeting adjourned at 5:20 p.m.

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