

# Faculty Senate Minutes for December 2, 2011

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President Jack Zibluk called the meeting to order.

President Zibluk reported that the minutes for November 4, 2011 were incomplete at the time of the meeting.

## Presentations

### **Al Stoverink, Facilities Management, Overpass and Caraway Road**

Stoverink discussed the next phase of the overpass project that will connect the overpass to Aggie/Melrose intersection and the University Loop. ASU received funding for this phase of the project in Summer 2011 and the extension is currently in the preliminary design phase. The extension is expected to be opened sometime Summer 2013.

In addition to the extension, Caraway Road from Matthews to University Loop will be closed December 19<sup>th</sup> and the current bridge over the creek demolished. This closing is required via the contract signed with the railroad companies as well as part of the agreement in receiving federal funding for the project. According to the agreements, Caraway Road must be closed with the completion of the overpass. This will lessen the noise of the trains during classes while eliminating a dangerous railroad crossing for vehicles and pedestrians.

Once the section of Caraway is closed, there are plans to re-signal the Matthew/Caraway intersection, including construction of a double turning lane north to alleviate issues with backed up traffic trying to turn onto Matthews.

Faculty raised several issues with the closure of Caraway:

Was there any shared governance decisions on the closing? Stoverink said that the decision and planning to close Caraway began as early as 2000. As he was not involved in the process at that time, he was unsure what governance process it went through.

What will happen if we leave Caraway intact until the next phase is finished? The first problem is that we will not be able to spend the funding for the third phase until Caraway is closed – the closing was part of the stipulation with receiving the funds. In addition, we can expect a lawsuit from the railroad companies for breach of contract. And finally, if any injuries or fatalities were to occur on Caraway Road, Arkansas State University would be liable.

Would it be possible to put in a temporary road such as behind HPESS? Stoverink said that while it is possible, they road would have to be closed once construction on the extension starts. He asked if it would be worth the money to put in a temporary road that can only be used 6 months or so.

Does the closing of Caraway cause a safety issue for those in the southwest part of campus? According to the media and Stoverink's personal experience, the current route adds approximately five minutes in travel time. Stoverink stated the extra five minutes is less of a safety issue for emergency vehicles than the change they will be caught by a train going over the tracks. Furthermore, the Fire Department and several other emergency vehicles already approach campus from Johnson. In these cases, there will be no difference in time.

Zibluk called an end to the discussion for time constraints. Stoverink finished his presentation by adding that a small section of Caraway Road in front of the Wilson Advising Center will also close during Christmas Break. However, access to the parking garage and the Post Office will remain.

## **Old Business**

### **John Hall, Caraway Road Resolution FSI-2011**

The Faculty Senate addressed the Caraway Road resolution FSI-2011. It was moved to approve and seconded.

President Zibluk stated that he did not think the Faculty Senate would win to keep Caraway Road open, especially after Stoverink's presentation. The Senate agreed to keep the resolution as a protest of the closing.

Dr. Jim Bednarz offered the following amendment to resolution FSI-2011:

*Furthermore, be it resolved that the Faculty Senate ask for a temporary road extension from the parking lot of PE southwest under the overpass as a means to provide safe egress routes from the congested southwest portion of campus, or another alternative to access Aggie Road.*

The resolution was called to question and passed unanimously.

## **General Education Proposal**

Motion and second made to accept the proposal.

Senator John Hall asked if the Senate should put forth a formal statement indicating faculty concern over the "watering down" of general education and its detrimental effect to students. President Jack Zibluk asked if this statement would be aimed at the state since the new general education requirements were handed down from the state and there is nothing Arkansas State University can do about the new requirements. Senator Hall indicated in the affirmative.

Several faculty members showed concern over the minimum general education hours going from 48 hours down to 35 hours. Dr. Marcilene Thompson-Hayes, Interim Chair, Department of Communication Studies, discussed the importance of Oral Communication as an option for a general education elective as well as the important role Oral Communication has with producing productive and successful professionals. Dr. Thompson-Hayes said that she has been exploring what other universities are doing with regard to general education and Oral Communication is heavily offered. In some cases, the class is offered as a third Communication option. She then showed the “Most Highly Recommended Course in 2011” award given to Oral Communication, showing how valued Oral Communication still is.

Senator Brenda Anderson suggested that we remove a requirement from Arts and Humanities in order to add a requirement for Oral Communication or at the very minimum, make it an option for the last three hours of the nine required Arts and Humanities hours.

Senator Alex Sydorenko commented that changing required hours and courses is something for the General Education Committee to decide and approve.

A motion and second was made to table the motion to pass the general education proposal.

A discussion followed as to what point would be made by tabling the motion given the SGOC may choose to move on the issue anyway.

Senator Joanna Grymes pointed out that the more the Senate postpones a proposal, the harder it will be for colleges to develop new degree plans by the February 2012 deadline.

Call to Question. Four ayes, 1 abstention, rest were nays.

After the call to question, Senator Patty Murphy said that education students can't get their teaching licensure without Oral Communication. By not having Oral Communication as a general education requirement, it will take removing an Education class to get students their oral communication requirement.

Senator Alex Sydorenko suggested that the Senate make a friendly amendment to add Oral Communication under the Communication heading of the general education requirements and that the class can be taken as the last three required hours of Arts and Humanities.

Dr. Jerry Ball then stated that courses taken under the Arts and Humanities requirement should fit with humanities. Dr. Marcilene Thompson-Hayes gave several reasons why Oral Communication could fit as a humanity course. Dr. Ball suggested the Senate could decide at a later time on what course would make up the 35 hour general education requirements.

Senator John Hall reiterated how important Oral Communication is and reaffirmed that the class belongs as an option under the Communications heading.

After discussion about Oral Communication, Senator Joanna Grymes proposed a second friendly amendment to make US History and Introduction to United States Government as additional options under the Social Sciences heading. This is in addition to keeping the classes under the U.S. History/ Government heading. Senator Alex Sydorenko denied the friendly amendment.

Call to Question including friendly amendment and comment, 2 nays, 3 abscond

Comment:

*ASU Faculty Senate is concerned about whether our students will be able to require necessary general education knowledge in order to become productive citizens.*

### **SGOC 11FA 18 - Distinguished Professor Policy**

Senator Alex Sydorenko commented that thus far the title of Distinguished Professor has been an honorary title. Currently there is no way to distinguish a Distinguished Professor from a Professor as there are no current compensation / salary adjustments.

It was stated that the new policy will act more as a guideline for new faculty. It was asked if “distinguished” is a new title in a long list of titles available for faculty. It was stated that “distinguished” would be a rare appointment and that they expect very few applications and did not want to encumber the PRT process. Further, the current resolution was modeled after the University of Colorado – Boulder as well as other similar policies at other universities. These models did not go through the PRT process either and often use special committees to approve the title.

Senator Andy Mooneyhan noted that there’s no shared governance in the proposed policy. He further stated he did not see any place in the procedure for deans and departmental chairs to participate.

Senator Andy Novobilski agreed, saying that the policy cuts departments out of the discussion in assigning the title. Deans and chairs will not be able to vote and have a say as they do with other faculty titles.

It was then suggested that an adjustment be made to allow deans and chairs to nominate faculty.

Faculty Association Secretary Fhrad Moeeni stated faculty need to look at the proposed policy carefully and provide feedback.

Senator Brenda Anderson raised concerns over giving monetary compensation to Distinguished Faculty when money is not budgeted to do so. It was noted that everything from “Suggested Compensation” down had been removed in the most current proposal.

It was then discovered that there were multiple versions of the policy. Senator Alex Sydorenko then motioned to table the discussion until the Senate had the most current version. Sydorenko also stated that there was no rush to have the discussion. Discussion could even wait until the Senate had the official version. President Jack Zibluk seconded the motion. The motion passed unanimously.

### **Adjunct hiring standards resolution, Bill Rowe/John Hall**

A question was asked about reviewing adjunct faculty – will the reviewers have to sit in class and watch the adjunct teach? Senator Bill Rowe answered that no, each department will get to decide how to review their adjunct.

Senator Warren Johnson stated the reality is teaching assistants and adjuncts are usually hired last minute and there's not really time to perform the hiring process outlined in the resolution.

Senator Andy Novobilski added that his department sometimes has to hire mid-semester. And with not many people in our region with master degree's in his area, they will need to have at least regional searches, complete with search committees.

Rowe answered asked if Johnson and Novobilski were suggesting that ASU is not following state law. Rowe stated that to help with last minute hires the Department of Art keeps a file of qualified people who have inquired about teaching to pull from.

Senator Brenda Anderson stated that the proposed addition to adjunct hiring was not feasible in her college, the College of Nursing and Health Professions. They hire about 20 adjuncts each semester usually very quickly and having a committee for each hire will become very burdensome.

It was then asked if there could be an "emergency clause" added to the resolution for last minute hires.

Senator Alex Sydorenko responded that needs to be some sort of guidelines. In the past, deans and chairs have just hired adjuncts and the department is then stuck with the person.

Senator John Hall agreed, saying that ASU needs to make sure people we hire are qualified for the position.

Anderson suggested that the hiring standards use faculty input versus committees and asked if the number of letters of recommendation could be cut down to 1 instead of 4.

Rowe said that one problem with the current adjunct hiring process is that the hires do not have diversity training and that the process does not go through the diversity department.

Novobilski responded it should be up to each department to develop guidelines – why force every to department follow the same guideline. He also added many of the issues raised by not having standards are already addressed by some departments. Many departments are already evaluating their adjuncts.

Sydorenko stressed the importance of having the guidelines in the faculty handbook, stating that as budgets decrease, more and more adjuncts will be hired as a way to save money.

It was again stressed there needs to be a written policy for everyone, even if it ends up being a “watered down” policy.

Novobilski responded by saying a written policy will be “putting handcuffs” on everyone.

Dr. Jerry Ball stated many of the adjuncts his department hires are former students, so they already know the quality of what they’re getting.

Johnson said that HLC guidelines state professors must have a degree one level higher than the course they are teaching OR equivalent experience. In the Department of Languages, many of the teaching assistants are native language speakers and make better teachers than non-native speakers with master degrees. He also added that HLC guidelines do not require master degrees for teaching assistants.

Sydorenko responded that language skills are not the same as teaching skills. There’s more to teaching than a skill set.

Hall added the highlighted section of the resolution came from Dr. Lynita Cooksey and that Dr. Cooksey and Interim Vice Chancellor and Provost Glen Jones seem to approve the resolution. Hall also asked if it really is that hard for applicants to get a letter of recommendation and put together vitae for a job. Hall stated this resolution came out of a task force and this is an issue of ensuring integrity.

Sydorenko then called to question. 6 agreed, 12 nays and 3 abscond.

Sydorenko then stated that he had to leave soon and asked if he could make a statement. He stated that President Jack Zibluk did an interview with the Jonesboro Sun. While Sydorenko agrees with Zibluk on the issue, Sydorenko did question some of the statements made. However, Sydorenko said that it is the right of Zibluk and all faculty to speak to the media without a gag order. Sydorenko explained that after the story was published in the Jonesboro Sun, ASU System President Charles Welch sent Zibluk an email alerting him to check his facts and not misspeak.

Sydorenko moved a resolution to support Zibluk’s freedom of speech. It was motioned and seconded.

After the resolution was seconded, Zibluk clarified the situation. He began by saying everything in our email is public information so there’s no issue with him sharing what President Welch sent him. He said that after the Jonesboro Sun story came out, he received an email from Welch tearing about the story and telling Zibluk not to misspeak. Zibluk said that he is not ashamed about speaking with the media

and he has double checked his facts and he stands by them. Zibluk feels that this is an issue of standing up for faculty rights.

Senator John Hall agreed and said that the issue is about academic freedom.

## **Staff Handbook**

The Staff Handbook was approved by Board of Trustees at their meeting on December 2, 2011.

Senator Andy Novobilski stated that the Staff Handbook was going to the Dean's Council the following Monday.

Several faculty asked why the Faculty Senate would care about the Staff Handbook and wondered if the staff have input in the Faculty Handbook.

Senator Bill Rowe said that the handbook acts as a contract. Rowe then asked if we really had shared governance or if it was just a phrase we threw around.

President Jack Zibluk added there are people with dual faculty/staff appointments and faculty, especially deans and chairs, do work with both staff and faculty and they need to know the rules of both. Zibluk then added that he was concerned that the handbook did go forward without shared governance.

## **New Business**

### **Intellectual Property Guidelines and Misconduct in Research**

Due to time constraints and the similar nature of intellectual property guidelines topic and the misconduct in research topic, the two topics were discussed together.

President Jack Zibluk asked the Senate if they supported an expedited review or if the Senate would prefer a full review of the policies.

Senator Bill Rowe responded by saying that he's sure many will want to look at it. Rowe said that ABI would really want to take a close look. Rowe then added that past intellectual property guidelines were reasons why Art faculty moved all their studios home. The effect is faculty are on campus less, have less interactions with students and students don't have mentors anymore.

It was then asked if a committee should have the right to decide intellectual property. Many felt that there needed to be an arbitrary group since campus committees can be influenced to sway one way or another.

Senator Joanna Grymes asked if there was any reason why the guidelines were being expedited.

Senator Andy Novobilski stated the biggest change he saw was how royalties involving patents were to be divided up.

Senator John Hall indicated he would like his faculty to have time to review the guidelines and many agreed.

Adjourn

# Attendance

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Jack Zibluk – President of Faculty Association

Farhad Moeeni – Secretary/Treasurer of Faculty Association

## **Business**

Faye K. Cocchiara

Richard Segall

Jollean K. Sinclair

## **Communications**

Pradeep Mishra

Larz Roberts

## **Education**

Joanna Grymes

John D. Hall

Andy Mooneyhan

Patty Murphy

Joe Nichols

Ann Ross

## **Fine Arts**

Marika Kyriakos

Bill Rowe

## **Humanities and Social Sciences**

Jerry Ball

Warren Johnson

Alex Sydorenko

## **Library**

April Sheppard, proxy for Tracy Farmer

## **Nursing and Health Professions**

Brenda Anderson

Deanna Barymon

Bill Payne

Annette Bednar, proxy for Todd Whitehead

## **Science and Mathematics**

Hai Jiang

Suzanne Melescue

## **University College**

Margaret McClain

**Deans' Council Representative**

Andrew J. Novobilski

**Visitors**

Jim Bednarz, Science and Mathematics

Marcilene Hayes, Communication

# Appendix A: Handouts

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# ASU System Policy

**Effective Date: 02/25/05**

**Subject: Intellectual Property**

## I. Introduction

The creativity of human beings is manifested in fields as diverse as science and technology, literature and the humanities, and the fine and applied arts. Creators of intellectual property utilize legal vehicles that make possible the ownership and control of some of the fruits of this creativity, providing an incentive to be creative and to make such fruits public. As a result of the increased cooperation in research and development between universities and businesses, the volume of intellectual property being created in universities has increased significantly. This increase has made apparent the complexity of the issues related to the ownership, control and use of such property. This policy is designed to achieve the following objectives:

- a. Encourage and protect the creative endeavors of all members (faculty, staff and students) of the Arkansas State University System community;
- b. Determine and safeguard the rights and interests of all relevant parties (Originator, the University, and outside sponsors of research) in the creative products of those associated with the University;
- c. Facilitate the dissemination and use of the findings of academic research so as to benefit the public at the earliest possible practicable time;
- d. Provide guidelines by which the significance of the findings of the academic research may be determined and, when appropriate, their public use facilitated;
- e. Recognize the equity of any outside sponsor of research within the University; assist in the negotiation and preparation of contracts with outside sponsors, collaborators and licensees; and support the fulfillment of the terms of those contracts;
- f. Provide for the equitable distribution of benefits resulting from the intellectual property among the various parties (~~Originator, the University and outside sponsors of research~~) with interests in it.

## II. Persons Affected

The Intellectual Property Policy applies to all persons employed by the Arkansas State University System or any campus in that System and the ~~component institutions of the System~~, to anyone using System facilities unless otherwise negotiated, to all students of any campus in the Arkansas State University System including but not limited to undergraduate students and candidates for masters and doctoral degrees, and to postdoctoral fellows. It shall also apply to all persons not employed by ASU but whose scholarly production is financed, in whole or in part, from funds under the control of the University.

## III. Definitions

The following definitions are employed in interpreting and implementing this policy:

- a. "Incidental Use" means occasional utilization of University property outside the course and scope of employment for limited amounts of time.
- b. "Intellectual Property" refers to any material capable of legal protection (copyright, license and patent) arising out of Scholarly Production and includes but is not limited to any discovery, invention, process, know-how, design, model, work of authorship, works of art, computer software, mask work, molecular, cellular or organismal biological discoveries or applications, strain, variety or culture of an organism, or portion, modification, translation, or extension of these items. It includes marks used in connection with these. The term "mark" refers to trademarks, service marks, collective marks, and certification marks.
- bc. "University" means the Arkansas State University System, any campus within the Arkansas State University System, and any entity or activity under the authority of the Board of Trustees of the Arkansas State University System.
- ed. "Scholarly Production" means any research, creative activity, or development activity, which is directly related to the duties and responsibilities for which a person has been compensated by or through the University, or for which facilities owned, operated, or controlled by the University are used.
- de. "Sponsored Research" means Scholarly Production for which the University has received external support, ~~from some third party.~~
- ef. "Originator" means a person who in the course of Scholarly or Creative Production creates or discovers material that is or/becomes Intellectual Property.

- fg. "Copyright" shall be understood to mean that bundle of rights that protect original works of authorship fixed in any tangible medium of expression, now known, or later developed; from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.
- gh. "Works of authorship" (including computer programs) include, but are not limited to, the following: literary works; musical works, including any accompanying words; dramatic works, including any accompanying music, pantomimes and choreographic works; pictorial, graphic, and sculptural works (photographs, prints, diagrams, models, and technical drawings); motion pictures and other audiovisual works, sound recordings, and architectural works.
- hi. "Tangible media" include, but are not limited to, books, periodicals, manuscripts, phonographic records, films, slides, tapes, and disks.
- ij. "Patent" shall be understood to mean that bundle of rights that protect inventions or discoveries which constitute any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof; computer software; new and ornamental designs for any useful article; new human-made products; and new animal, plant or other life forms. This includes new plant varieties created by sexual reproduction and covered by Plant Variety Protection Certificates for New Cultivars.
- jk. "Royalty-free license" shall be understood to mean an exclusive or non-exclusive, nontransferable license for unrestricted use of the ~~invention~~ Intellectual Property, the license being without royalty payments on any subsequent proceeds.

#### IV. Statement of Policy

~~It shall be t~~The policy of the University is that the University shall be and is hereby granted, by virtue of accepting employment with or financial assistance from the University, full legal title to acquire and retain legal title to all Intellectual Property created by any person or persons to whom this policy is applicable. This policy is established in furtherance of the commitment of the University to the widest possible distribution of the benefits of Scholarly or Creative Production, the protection of Intellectual Property resulting from such creation or discovery, and the development of Intellectual Property for the public good. The University's ownership rights in the Intellectual Property shall vest immediately upon the creation or discovery of the Intellectual Property.

#### V. Determination of Ownership

These are the guidelines and circumstances to be considered by the University in determining ownership:

- a. The University owns all the rights and holds sole legal title to the Intellectual Property at the moment of its creation:
  1. If intellectual property is created by an employee within the course and scope of employment; or
  2. If intellectual property is created during performance of professional duties, with System University facilities or University or state financial support; or
  3. If intellectual property is commissioned by the System University or a component thereof, or
  4. If the Intellectual Property fits within one of the categories of works considered works for hire under copyright law; or
  45. If intellectual property results from research supported by Federal funds or third party sponsorship, such funds awarded to the University or system, subject to the conditions of the contract or agreement.
  56. If intellectual property is computer software, including computer programs, computer databases and associated documentation (herein "computer software"), whether copyrightable or patentable, produced by any person to whom this policy is applicable, that intellectual property shall belong to the University. Revenues generated by the commercialization of computer software shall be shared with the originators/inventors according to the **Distribution of Earnings from Intellectual Property** of this policy document. Computer software produced on an Originator's own time or through permissible consulting activities and without the use of facilities owned, operated, or controlled by the University shall belong to the Originator and all rights thereto may be retained or assigned by the Originator.
  
- b. The Originator owns the Intellectual Property:
  1. ~~If the Intellectual Property is created outside the course and scope of employment, on Originator's own time, and using If it is unrelated to the Originator's job responsibilities and the Originator made no more than incidental use of System University resources; or~~
  2. If it has been released by the University to the Originator under this Intellectual Property Policy; or
  3. ~~If the intellectual property is a Work of Authorship in the author's field of expertise, even though such a work may have been created within the scope of employment, so long as (a) no extraordinary system resources were used or (b) it was not created by someone who was specifically hired or required to create it, as stated in a contract with clear ownership definitions; or~~
  4. ~~If the Intellectual Property is copyrighted and was created, made, or originated by a university employee or student and is related to that~~

employee's or student's professional field so long as (a) no extraordinary system resources were used and (b) it was not created by someone who was specifically hired or required to create it as stated in a contract with clear ownership definitions.

## **VI. Disclosure Obligations of Originator(s)**

All persons to whom this policy is applicable shall furnish to the office designated by the chancellor of that campus to manage research and technology transfer ~~Office of Research and Technology Transfer~~ a full and complete disclosure of any Intellectual Property promptly after it is created or conceived or first reduced to practice. The disclosure will identify all Originators of the specific Intellectual Property, their relative contributions to the work (expressed in a percentage), and use of University resources in developing the work including department(s), interdisciplinary program(s), research institute(s), and/or sponsor(s) (expressed in a percentage). Such persons shall cooperate in a timely and professional manner with the University or with patent or other counsel in protecting Intellectual Property and perform all acts necessary for the University to fulfill its obligations and protect the University's rights in and to the Intellectual Property. The University may require technical advice and assistance from Originators in the development and licensing of their Intellectual Property. The University's disclosure form is provided at www.ASUresearch.edu.

## **VII. Assignment of Copyrighted Intellectual Property Rights and Predetermined Disposition of Certain Copyrights**

The University ~~does, at the moment of its creation, own~~ shall own and have continuing interest in Copyrighted Intellectual Property in the following two circumstances:

1. The author has voluntarily transferred the copyright by accepting employment with the University or by entering into a contract for a work for hire with ~~in whole or in part to the institution. Such transfer shall be in the form of a written document, signed by the author. Certain "works for hire" may require an agreement in writing be negotiated between the faculty, staff, or student, the University, and any third party prior to commencement of the work.~~
2. Arkansas State University has contributed to a "joint work" or commissioned a work under the Copyright Act. The institution can exercise joint ownership under this clause when it has contributed specialized services and facilities to the production of the work ~~that goes beyond what is traditionally provided to faculty members.~~ Such arrangement is to be agreed to in writing, in advance, and in full conformance with other provisions of this agreement.

Arkansas State University will not assert an ownership interest in:

- a. faculty-produced, copyrightable online courses other than to reserve a nontransferable, royalty-free use license so long as the copyrightable Intellectual Property meets the definition of Originator owned Intellectual Property in Section V; or
- b. copyrightable material created for ordinary teaching use in the classroom or for electronic assignments and tests so long as the copyrightable Intellectual

Property meets the definition of Originator owned Intellectual Property in Section V; or

- c. copyrightable faculty, staff, or student produced textbooks, scholarly writing, art works, musical compositions and literary works that are related to the faculty, staff, or students' professional field so long as the copyrightable Intellectual Property meets the definition of Originator owned Intellectual Property in Section V.

The University shall be permitted to use any of the above enumerated materials for internal instructional, educational, and administrative purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions.

In an agreement transferring copyright for such works to a publisher, faculty authors are ~~urged to~~ must provide rights for the University to use such works for internal instructional, educational, and administrative purposes.

For any disputes concerning copyright ownership (such as equitable division among joint Originators) not specifically addressed in this policy, the University System Intellectual Property Committee (USIPC) will review all copyright disclosures and make a recommendation to the administration as to who owns the copyright. The Originator(s) will be notified of the outcome within 90 days of receiving the disclosure.

~~Funds received by the faculty member from the sale of copyrighted intellectual property assigned to the faculty author or inventor shall be allocated and expended as determined solely by the faculty author or inventor.~~

### **VIII. Assignment of Patented Intellectual Property Rights**

~~The Associate Vice Chancellor for Research and Technology Transfer~~ chancellor's designee will review all invention disclosures and recommend to the administration one of three possible actions:

1. Retain all ownership rights and develop the Intellectual Property for commercialization at the University's discretion. ~~Assign all rights to the Originator(s);~~ or
2. Assign all rights to the Originator(s) but retain a nontransferable royalty-free license; or
3. Assign all rights to the Originator(s) ~~Retain all ownership rights and develop the Intellectual Property for commercialization at the University's discretion.~~

~~If the University does not furnish notice of intent to retain ownership rights of the Intellectual Property within 90 days after disclosure to the University, the rights to the Intellectual Property vest in the Originator(s) unless the Originator allows for as much as two 30-day extensions. Furthermore, if the University chooses to patent an Intellectual Property but takes no steps (within two years of notice of the creation or discovery of intent to retain ownership rights of the Intellectual Property) to develop the Intellectual~~

Property commercially, the Originator(s) may request that the University transfer or waive its rights subject to the retention by the University of a non-transferable, royalty-free license.

## IX. Costs of Legal Protection of Intellectual Property

The holder of the Intellectual Property rights bears the responsibility and financial burden of developing and processing the Intellectual Property, and all legal fees and other costs related to obtaining and maintaining patents, copyrights, or other legal protection, unless otherwise negotiated.

## X. Distribution of Earnings from Intellectual Property

In consideration of the disclosure and assignment of Intellectual Property to the University, the net royalties or other net income from the commercialization of an Intellectual Property will be distributed as follows (*Note*- Net royalties are for this purpose defined as gross royalties received by the University minus the costs for patenting, copyrighting, licensing or obtaining legal protection of Intellectual Property. This does not include salaries of the Originator(s) or the ~~Office of Research and Technology Transfer~~ staff.)

- a. For the first \$10,000 of net royalties or other net income the Originator(s), Originator's heirs, successors, or assigns shall receive eighty-five percent (85%) of those net royalties or other net income with the remaining fifteen percent (15%) belonging being dedicated to the Arkansas State University campus at which the Originator is employed or enrolled, or which contracts for or finances the work. ~~research initiatives as established in the agreement regarding the intellectual property.~~
- b. Once the \$10,000 plateau has been reached, net royalties or other net income up to two million dollars will be divided fifty percent (50%) to the Originator(s), Originator's heirs, successors, or assigns with fifty percent (50%) belonging being dedicated to the Arkansas State University campus at which the Originator is employed or enrolled, or which contracts for or finances the work. ~~research initiatives as established in the agreement regarding the intellectual property.~~
- c. Once Intellectual Property generates net royalties or other net income that exceeds two million dollars, net royalties or other net income will be divided forty percent (40%) to the Originator(s), Originator's heirs, successors, or assigns and sixty percent (60%) to the Arkansas State University campus at which the Originator is employed or enrolled or which contracts for or finances the work. ~~research initiatives as established in the agreement regarding the intellectual property.~~

Net royalties will be distributed normally on an annual basis, payments being made within sixty (60) days after the end of a calendar year in which royalties from the Intellectual Property have accrued.

## XI. Sponsored Research

Rights to Intellectual Property produced as a result of Sponsored Research, including research sponsored by the Arkansas State University Research Foundation and Development Institute (ASURIFRDI), are determined by the contractual or grant agreements negotiated between the University and the sponsor. Allocation of such rights may take one of several forms; the following are the most common:

~~The University may retain all rights or assign them to the Originator(s) or sponsors; or~~

~~The University may grant a nonexclusive license to the sponsor; or~~

~~The University may grant an exclusive royalty bearing license to an entity in exchange for an equity stake in the stocks or proceeds of the entity; or~~

~~The University may grant the sponsor a right of first refusal to an exclusive royalty bearing license for a limited term or for the life of the Intellectual Property; or~~

~~The University may grant the sponsor all rights to any Intellectual Property which result from the particular Sponsored Research where it is determined that the holding of title to the Intellectual Property will confer no substantial benefit to the University;~~

~~The University may grant the sponsor all rights to any Intellectual Property when the research project is considered by the University to be of a public benefit compatible with the aims and purposes of the University or the Sponsor.~~

## **XII. U.S. Government Funded Inventions (Intellectual Property)**

Arkansas State University, ~~as are other research universities,~~ is governed by the 1980 Bayh-Dole law (P.L. 96-517 and 98-620 as amended), which sets out the disposition of inventions made with Federal assistance. The law provides that non-profit organizations and small businesses may elect to retain title to the inventions conceived or first actually reduced to practice in the performance of work under a funding agreement. The University must disclose each subject invention in a timely manner and comply with other regulatory actions. In addition it must grant the U.S. government a royalty free license for governmental purposes, give preference to U.S. manufacturers, give preference to small businesses and share royalties with inventors. The University must periodically report any licensing activity to the Government.

## **XIII. Publication Rights**

In all Sponsored Research, the right shall be reserved for Originators and the University to publish and disseminate the knowledge gained and the results obtained. The University may grant a sponsor a limited review period of 60 (sixty) days, renewable with permission of the Originator/s, prior to publication in order to protect proprietary information and any technology, which may be the subject of a patent application.

## **XIV. Policy Administration**

The President shall appoint a University System Intellectual Property Committee (USIPC) consisting of five faculty members from each campus within the Arkansas State University System the Jonesboro campus and one representative from each other campus whose employees are conducting significant scholarly work. An

~~employee from the Arkansas State University System Office The Vice Chancellor for Research and Academic Affairs, Vice President for Finance and Administration, and the Associate Vice Chancellor for Research and Technology Transfer shall be an ex officio members of the Committee. The Office of University Counsel University attorney shall serve as legal advisor to the Committee. A chairperson shall be elected from among the membership of the Committee. The Committee shall meet at least annually and also when needed at the request of the chairperson or the President. The Committee shall be responsible for:~~

- (1) Reviewing the operation of the University Intellectual Property Policy and proposing policy changes;
- (2) Assisting in reviewing Intellectual Property disclosures as requested by any campus office or individual charged with research and technology transfer; ~~the Office of Research and Technology Transfer~~;
- (3) Reviewing disputes concerning copyright ownership (such as equitable division among joint originators) not specifically addressed in this policy and make a recommendation as to who owns the copyright to the administration;
- (4) Reviewing proposed exceptions to the established policy;
- (5) Seeking initial resolution of campus disputes relating to rights in Intellectual Property and resolving issues referred by any individual charged with research and technology transfer. ~~the Associate Vice Chancellor of Research and Technology Transfer~~;
- (6) Advising the President on Intellectual Property policy matters as requested.

~~The Associate Vice Chancellor for Research and Technology Transfer Chancellor of Arkansas State University-Jonesboro shall designate an employee who shall have the general responsibility of:~~

- (1) Reviewing Intellectual Property disclosures submitted to the University for patent or trademark application or other protection and making recommendations to the University System Intellectual Property Committee;
- (2) Evaluating Intellectual Property for patentability, as well as potential commercial value;
- (3) Appointing ad hoc technical subcommittees to assist in evaluating Intellectual Property;
- (4) Seeking University approval of outside technical assistance in evaluating Intellectual Property;
- (5) Recommending Intellectual Property rights or equities to be held by the Arkansas State University Research Foundation and Development Institute;
- (6) Providing scientific and technical assistance to approved patent management organizations to achieve the full benefits of University Intellectual Properties that have commercial potential;
- (7) Seeking initial resolution of campus disputes relating to rights in Intellectual Property;

- (8) Reviewing works of authorship submitted for copyright consideration; and
- (9) Transferring technology including but not limited to: licensing patents and developing plans for commercialization of University owned Intellectual Property.

Within ninety (90) days of the receipt of an Intellectual Property disclosure, the ~~Office of Research and Technology Transfer~~ above designee will review and evaluate the Intellectual Property disclosure and submit to the ~~Vice Chancellor for Research and Academic Affairs~~ chancellor of the campus submitting the disclosure ~~its~~ his or her recommendation regarding the disposition of the disclosure. The ~~Office of Research and Technology Transfer~~ designee's recommendation along with the ~~Vice Chancellor's for Research and Academic Affairs~~ recommendation shall be forwarded by the Chancellor within approximately ten (10) working days of receipt to the President of Arkansas State University System. In most instances the recommendation will consist of one of the following:

1. The University retains property rights and will proceed toward commercial development; or
2. The University assigns all rights to the Originator(s) or sponsor(s) while reserving a royalty-free use license; or
3. The University assigns all rights to the Originator(s) or sponsor(s).

(Revised \_\_\_\_\_ 2012 Adopted by the Arkansas State University Board of Trustees February 25, 2005, Resolution 05-01, Supersedes Patents Policy)

# ASU System Policy

**Effective Date: June 23, 2009**

**Subject: Misconduct in Research**

## 1. Purpose

In recent years, well-publicized cases of misconduct in university research, including fabrication of results, plagiarism, and misrepresentation of findings have aroused concern among research institutions, individual investigators, sponsors of research, professional societies, and the general public. Although verified instances of such dishonest behavior are relatively rare, they raise serious questions about the integrity of the research process and the stewardship of public and private research funds. Institutions of higher education, in particular, enjoy a centuries-old tradition of integrity and objectivity, and cases of dishonesty in research by members of the university community must be dealt with carefully and thoroughly if the institution is to merit continued public confidence and trust.

~~The National Science Foundation and the Public Health Services~~ Certain federal agencies have issued directives requiring awarding institutions to establish procedures for inquiry into, and investigation of, alleged or apparent misconduct in scientific research conducted, funded, or regulated by these agencies. Misconduct in research outside scientific field is equally serious. Accordingly, the following policy is established to apply to all instances of alleged or apparent misconduct in research conducted at any campus of the Arkansas State University System.

The policy applies to all research conducted by faculty, staff members, or students of Arkansas State University System.

## 2. Definitions

For the purpose of this policy, the following definitions will be employed:

**Misconduct.** Misconduct will be defined in accordance with the definition required or provided by the agency funding the research. In the event that the funding agency does not require or provide a definition of misconduct, or in the event that the research is not funded by an agency, Misconduct is defined as: (1) fabrication, falsification, plagiarism, or other serious deviation from

accepted practices in proposing, conducting, or reporting the results of research; (2) material failure to comply with university or sponsoring agency requirements affecting the conduct of research, including the protection of human subjects and the care of laboratory animals; or (3) failure to meet other material legal requirements governing research activities.

**Inquiry.** An inquiry is an informal review of an allegation of misconduct in research for the purpose of determining whether there is reasonable cause to believe that a university employee or student has engaged in such misconduct.

**Investigation.** An investigation is an in-depth review of an allegation of misconduct in research for the purpose of determining whether or not a university employee or student has engaged in such misconduct.

### 3. **Arkansas State University System Misconduct in Research Policy**

The Arkansas State University System will act vigorously to discourage and detect misconduct in research; will take appropriate disciplinary action against any of its employees or students who engage in such misconduct, as revealed by a careful investigation; and will inform and cooperate with those agencies sponsoring research that appear likely to have been affected by such misconduct.

Any individual who believes that he or she has knowledge of an act of misconduct in research by an Arkansas State University employee or student is responsible for communicating this information to the coordinator of organized research for that campus or the Office of the Chancellor. The coordinator of organized research for that campus, or the Chancellor's designee, shall conduct an inquiry and, if warranted, an investigation into the allegation in accordance with that campus's operating procedure. Each campus within the ASU System shall create, utilize, and enforce an operating procedure for inquiry into and investigation of allegations of research misconduct. ~~The coordinator of organized research will conduct a timely inquiry to determine whether or not there is reasonable cause to believe that the alleged act(s) of misconduct in research did, indeed, occur. This inquiry will be conducted with the assistance of a panel of at least five (5) full-time university employees, including at least three (3) members having appropriate knowledge in the type of research under investigation. Every effort will be made to conduct the inquiry in confidence, within the legal requirements to which the university is subject. The complete results of the inquiry will be reported to the vice chancellor responsible for research.~~

~~If, as a result of the inquiry, it appears that there is reasonable cause to believe that an act of misconduct in research took place, the university will promptly notify the agency sponsoring the research in question, if applicable, and will conduct a full investigation. The full investigation will afford the rights of due process and appeal for the individual believed to have engaged in the act of~~

~~misconduct. The full investigation will be initiated by the vice chancellor responsible for research.~~

~~If, as a result of the investigation, it is concluded that the allegation of misconduct in research is unfounded, the university will take reasonable steps to restore the reputation(s) of individual(s) under investigation. It also will take all appropriate actions to protect the individual(s) reporting the alleged misconduct from reprisal. If the investigation shows that these allegations were frivolous or malicious, the individual reporting the alleged misconduct will be subject to appropriate discipline.~~

(Revised \_\_\_\_\_ 2012. Adopted by the Arkansas State University Board of Trustees on June 23, 2009, Resolution 09-26, supercedes the Misconduct in Research Policy of October 11, 1990, and revisions of December 16, 1992.)

Faculty Senate Resolution FS1-2011

Continued Use and Open Thoroughfare of South Caraway Road from Matthews Street Until University Loop is Extended to Faculty Circle or Aggie Road

Whereas, the south portion of the ASU-J campus is one of the most frequented areas for vehicles and faculty, staff, students, and visitors.

Whereas, this portion of campus contains the Arkansas Biosciences Institute (ABI), the College of Agriculture, Lab Sciences, The College of Education, The College of Communications, the Dean B. Ellis Library, The ASU Museum, the Health Physical Education and Sports Education Building, and the Small Business Development Center.

Whereas, the current plans call for the closure of south Caraway Road from Matthews Street across the two railroad tracks to University Loop which will result in no feasible access from this area of campus to the remaining portion of south Caraway Road or Matthews Street for traffic needing to travel south towards Nettleton and Highland Avenues or west towards downtown Jonesboro.

Whereas there needs to be easy access to south Caraway Road and Matthews not only for convenience but in situations where emergency vehicles need to reach this area of the campus in a timely manner.

The ASU Faculty Senate calls for south Caraway Road from Matthews Street to University Loop to remain open and operational until an appropriate new road is constructed by ASU and/or the City of Jonesboro and opened that will connect University Loop to Faculty Circle or Aggie Road.

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TO: Shared Governance Oversight Committee  
FROM: General Education Committee  
RE: Revision of the General Education Program Mission, Goals and Curriculum  
DATE: November 10, 2011

The Arkansas State Legislature in ACT 747 reduced the number of credit hours for an Associate degree to 60 credit hours and for a Bachelor's degree to 120 credit hours. A number of degrees at Arkansas State University currently require in excess of 120 credit hours. A revision of the general education requirements to the State Minimum Core impacts all degrees in an effort to reduce the number of credit hours. The General Education Committee reviewed and revised the general education mission, goals and curriculum.

The General Education Committee recommends the following be assessed at the University level by the Learning Outcomes Assessment Council

- Thinking critically,
- Using technology, and
- Understanding global issues.

The General Education Committee further recommends that providing foundations necessary to achieve health and wellness be a co-curricular emphasis of Student Affairs.

### **Statement of Mission for the General Education Program of Arkansas State University**

The general education program develops a foundation and motivation for the lifelong pursuit of learning in undergraduate students at Arkansas State University by introducing them to a broad range of essential areas of knowledge that will enable them to think critically and participate ethically in a democratic nation and a global society.

## General Education Goals for Students

**1. *Communicating effectively.*** Students should be able to communicate effectively and correctly, in writing and in speech, for a variety of purposes, using appropriate forms of discourse, organizational strategies, and vocabulary.

Students will demonstrate the ability to

- Produce writing that demonstrates proficiency in standard edited American English to make reasoned, well-organized arguments that are accurately documented;
- Construct and deliver a well-organized, logical, and informative presentation.

**2. *Using mathematics.*** Students should be able to use, understand and apply basic mathematical skills in practical applications.

Students will demonstrate the ability to

- Interpret and analyze quantitative/mathematical information (such as formulas, graphs, and tables);
- Apply mathematical methods to solve problems.

**3. *Developing a life-long appreciation of the arts and humanities.*** Students should develop an appreciation for the arts and humanities. They should be aware of the role of art and literature in human civilization and contemporary culture.

Students will demonstrate the ability to

- Recognize works of literature or fine art and place them in their historical, cultural, and social contexts;
- Interpret works of fine art or literature.

**4. *Developing a strong foundation in the social sciences.*** Students should be aware of the diverse systems developed by humans to manage and structure our relationships with one another. Students should prepare for the full range of public and private roles they are expected to fulfill as citizens, decision-makers and human beings in a democratic America and in a global society.

Students will demonstrate the ability to

- Explain the processes and effects of individual and group behavior;
- Analyze events in terms of the concepts and relational propositions generated by the social science tradition.

**5. *Using science to accomplish common goals.*** Students should understand how science is conducted and the criteria for scientific evidence so that they will be able to make informed decisions about the health and well-being of their communities and the natural environment. They should be aware of the ethical and political issues raised by science.

Students will be able to

- understand the scientific method;
- understand basic concepts of science as they apply to contemporary issues.

**GENERAL EDUCATION CURRICULUM  
FOR BACCALAUREATE DEGREES**

	Sem. Hrs.
<b>Communication</b>	<b>6</b>
ENG 1003, Composition I	
ENG 1013, Composition II	
<b>Mathematics</b>	<b>3-4</b>
MATH 1023, College Algebra,	
OR MATH 1054 Precalculus Mathematics	
OR any higher level mathematics course for which College Algebra is a prerequisite.	
<b>Arts and Humanities</b>	<b>9</b>
<b>Select three of the following. At least one must be a fine arts course and one must be a humanities course.</b>	
<b>Fine Arts:</b>	
ART 2503, Fine Arts - Visual	
MUS 2503, Fine Arts - Musical	
THEA 2503, Fine Arts - Theatre	
<b>Humanities:</b>	
ENG 2003, Introduction to World Literature I	
ENG 2013, Introduction to World Literature II	
PHIL 1103, Introduction to Philosophy	
PHIL 1503, Logic & Practical Reasoning	
<b>U. S. History / Government</b>	<b>3</b>
<b>Select one of the following.</b>	
HIST 2763, The United States to 1876	
HIST 2773, The United States since 1876	
POSC 2103, Introduction to United States Government	
<b>Social Sciences</b>	<b>6</b>
<b>Select two of the following.</b>	
ANTH 2233, Introduction to Cultural Anthropology	
ECON 2313, Principles of Macroeconomics	
ECON 2333, Economic Issues and Concepts	
GEOG 2613, Introduction to Geography	
HIST 1013, World Civilization to 1660	
HIST 1023, World Civilization since 1660	
JOUR/RTV 1003 Mass Communication in Modern Society	
POSC 1003, Introduction to Politics	
PSY 2013, Introduction to Psychology	
SOC 2213, Introduction to Sociology	
<b>Science</b>	<b>8</b>
<b>Life Sciences (Select one of the following)</b>	
BIO 2013 AND 2011, Biology of the Cell and Laboratory	
*BIO 2103 AND 2101, Microbiology for Nursing and Allied Health and Laboratory	
BIOL 1003 AND 1001 Biological Science and Laboratory	
BIOL 1033 AND 1001, Biology of Sex and Laboratory	
BIOL 1043 AND 1001, Plants and People and Laboratory	
BIOL 1063 AND 1001, People and the Environment and Laboratory	

	*If BIO 2103 is selected, the student must also take <b>EITHER</b> BIO 2203 <b>AND</b> 2201, Human Anatomy and Physiology I and Laboratory; <b>OR</b> BIO 2223 <b>AND</b> 2221, Human Anatomy and Physiology II and Laboratory.	
	<b>Physical Sciences (Select one of the following)</b>	
	CHEM 1013 <b>AND</b> 1011, General Chemistry I and Laboratory	
	CHEM 1043 <b>AND</b> 1041, Fundamental Concepts of Chemistry I and Laboratory	
	GEOL 1003 <b>AND</b> 1001, Environmental Geology and Laboratory	
	PHSC 1014, Energy and the Environment	
	PHSC 1203 <b>AND</b> 1201, Physical Science and Laboratory	
	PHYS 1103 <b>AND</b> 1101, Introduction to Space Science and Laboratory	
	PHYS 2034, University Physics I	
	PHYS 2054, General Physics I	
	<b>TOTAL Requirements</b>	<b>35</b>

**GENERAL EDUCATION CURRICULUM FOR  
ASSOCIATE OF APPLIED SCIENCE DEGREES**

	Sem. Hr.
<b>Communication</b>	<b>6</b>
ENG 1003, Composition I	
ENG 1013, Composition II	
<b>Mathematics</b>	<b>3</b>
MATH 1023, College Algebra	
<b>Social Sciences</b>	<b>3</b>
<b>Select one of the following.</b>	
HIST 2763, The United States to 1876	
HIST 2773, The United States since 1876	
POSC 2103, Introduction to United States Government	
<b>Computer Applications/Fundamentals</b>	<b>3</b>
<b>Select one of the following:</b>	
CIT 1503, Microcomputer Applications	
CS 1013, Introduction to Computers	
<b>TOTAL Requirements</b>	<b>15</b>

Draft Policy Distinguished Professor (9/28/11)

**I. Policy Statement**

The title of "Distinguished Professor" is the most prestigious honor bestowed on faculty members by Arkansas State University. A distinguished professor at Arkansas State University is one who has demonstrated outstanding accomplishment in a discipline and a reputation of excellence that is recognized internationally. However, an exemplary scholarly record in itself is not adequate to merit this recognition; a pre-eminent ability to teach must always be a key component of qualifying for this distinction. Conferring the title of distinguished professor requires a rigorous academic review and appointment by the Board of Trustees.

**II. Criteria**

Candidates recommended for a distinguished professorship must demonstrate accomplishments in accordance with the following criteria:

1. A record of distinguished performance in research or creative work;
2. A record of distinguished performance in both teaching and supervision of individual learning; and
3. A record of distinguished service to the profession and to ASU-Jonesboro.

**III. Explanation of Criteria**

1. A record of distinguished performance in research or creative work. The professor's work has received national and international recognition and the professor has had a major impact by changing or greatly influencing the direction of his/her field. A significant amount of that work must have been done during the professor's tenure at ASU-Jonesboro.

Ways to demonstrate merit may include but are not limited to:

- a. Memberships, awards, prizes, and fellowships that indicate that the nominee is considered a leading member of the discipline by her/his peers. Examples of honors at the national level are book awards, a Pulitzer Prize, or fellowships like a Guggenheim or MacArthur. For example, in the natural sciences and engineering, a typical indicator of merit might include membership in the National Academy of Science or the National Academy of Engineering. Awards and prizes within a particular subfield may also be presented.
- b. Publication in journals or presses rated at the top of that field and citations to those articles; for artists, exhibitions or performances in prestigious venues and reviews of those performances/exhibitions.

c. If applicable to the field, extramural funding or grants.

2. A record of distinguished performance in both teaching and supervision of individual learning. The latter may include undergraduate research and independent study, graduate research, theses, dissertations, clinical education and mentoring. Former students demonstrate the impact of this professor's teaching/supervision through their own accomplishments.

Ways to demonstrate merit:

a. Awards or prizes for teaching achievements, or outstanding student evaluations.

b. Some or all of the following: development of new courses; development of new clinical techniques; curriculum revision; interdisciplinary teaching; or larger projects to improve pedagogy; innovative syllabi; websites; or other instructional materials, teaching-related grants.

c. A description of the professional accomplishments of former undergraduate and/or graduate or professional students supervised by the nominee, including their current occupation and position.

3. A record of outstanding service to the profession and to ASU.

Ways to demonstrate merit:

Evidence of excellent performance in the faculty member's department/unit or college and national stature in his or her discipline or field.

a. Documentation of the impact of the nominee's leadership at all levels (Department, College, and University) on the ASU campus.

b. Evidence of service to discipline, particularly leadership roles.

4. Before being nominated, candidates must have held a tenure-track faculty position for at least 5 full academic years at ASU-Jonesboro.
5. Candidates for Distinguished Professor must currently hold the rank of Full Professor.

#### **IV. Procedures and Guidelines**

##### **A. Nominations**

Candidates for the title of Distinguished Professor must be nominated by their peers (faculty at ASU or from other institutions).

- B. The letter of nomination should make clear to people in other disciplines the standards and measures of excellence used within this field. What constitutes a distinguished record or what specific accomplishments indicate that the nominee is at the top of her/his field should be clearly described. This is especially important in professional and performance-based fields.

If the nominee's record includes grants with multiple investigators or publications with multiple authors, the letter should explain his/her individual role. The letter may also clarify the forms or media through which scholars normally publish or present in this field, including the role of articles vs. books. The nomination letter should explain the status of such honors within the field.

- C. Required: letters from outstanding scholars or professionals in that field, normally senior people working at excellent institutions in this country and/or abroad. The letters should describe the nominee's standing in her/his area of specialization and in the broader field. Selection of external evaluators shall be undertaken by the home department of the candidate in consultation with the candidate. Nominees shall be given the opportunity to suggest possible evaluators and may also indicate specific scholars to exclude from consideration because their evaluations might be prejudiced against the candidate.

The nomination letter should explain if the nominee has not been able to train graduate students due to the nature of the field or program at ASU campus.

- D. Required: letters from former undergraduate, professional or graduate students, describing the impact of the nominee's teaching/supervision/mentoring upon their own careers. One-paragraph biographies may be submitted if necessary, but not full curriculum vitae. A maximum of 6 letters may be submitted.

A maximum of 6 letters will usually be sufficient, but in the case of a nominee who has contributed to multiple fields, as many as 8 letters may be submitted.

The nomination file should include one-paragraph biographies of the authors of these letters but not full curriculum vitae.

- E. Nominations will be submitted to the Executive Vice Chancellor and Provost Office. Nominations will then be reviewed by the University PRT Committee.
- F. Following review by the University PRT Committee and an interview with Distinguished Professor Candidates, recommendations will be submitted to the Executive Vice Chancellor and Provost. If all recommendations support the nomination to receive the title of Distinguished Professor, recommendation and supporting documentation will be submitted to the Chancellor for further review. Final approval for an award is required not only from the Chancellor, but also by the Board of Regents. Trustees

G. Call for nominations will be issued on September 15. Deadline for submission of nomination packets to the Office of the Executive Vice Chancellor and Provost is July 1 of the following year.

This Administrative Policy Statement will be reviewed periodically.

**Suggested Compensation:**

A \$25k discretionary research/scholarly activity fund/yr.

A salary increase 25-50%.

This document is binding for all faculty of ASU. Existing Distinguished Faculty are required to go through the application process as described above to be considered for the continuance of this title.

**Original Wording**

Once the Distinguished Professor policy is finalized and approved, all existing ASU Distinguished Professors must follow application procedures described above in order to comply with this policy.

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**ASU Faculty Senate Resolution FS2-2011**  
**Proposed Addition to the Arkansas State University (ASU) Faculty Handbook of**  
**Policies and Procedures: Policy and Procedure for Hiring Instructors, Adjuncts**  
**and Teaching Assistants**  
**Revised 11-18-2011**

Whereas, the ASU Task Force on Constituent Services Final Report - Spring 2010 made a number of recommendations concerning constituent services.

Whereas, one recommendation called for a policy and procedure for hiring instructors, adjunct professors, and teaching assistants at ASU that was consistent with principles of shared governance.

Whereas, shared governance calls for a constituent group to have the largest influence in matters that concern it the most (ASU Faculty Handbook of Policies and Procedures, 2006).

Whereas, the faculty is the constituent group that should have the largest influence or primary responsibility for faculty status (e.g., faculty appointments, reappointments, decisions not to reappoint, etc.) (AAUP, 1990).

Whereas, the faculty have the duty to deliver instruction and maintain a learning environment consistent with the highest standards of the profession (ASU Faculty Handbook of Policies and Procedures, 2006).

Whereas, the American Association of University Professors (AAUP) recommends a similar policy to the one proposed below.

The ASU Faculty Senate proposes the following policy and procedure for inclusion in the current ASU Faculty Handbook:

"Decisions to hire instructors, adjuncts, and teaching assistants at ASU-J will be based on recommendations from the appropriate degree or program committee/s. The appropriate degree or program committee/s will review the individual's application (which will contain at a minimum a letter of interest, all college/university transcripts, 3-4 letters of recommendation, and a current curriculum vita). The committee will ensure that the applicant is qualified in terms of their educational background and degree/s. For instructors and adjuncts ASU will adhere to the qualifications set forth by The State of Arkansas. The State specifies the following faculty credentials for higher education instruction/teaching:

A. Faculty must hold degrees from an institution accredited by an accrediting agency recognized by the U.S. Department of Education, CHEA, or from institutions with comparable status, certification, or recognition in other countries.

B. To teach in the following areas, faculty must have:

1. General Education: Faculty must hold at least a master's degree with 18 graduate hours in the teaching field.

2. Remedial Education: Faculty members must hold at least a baccalaureate degree in the teaching field.

3. Associate Level: At least one full-time faculty must have at least an associate degree in the teaching field.

4. Baccalaureate Level: Faculty must hold at least a master's degree with 18 graduate hours in the teaching field. Typically, at least 50 percent of the faculty members in each bachelor's degree program must hold the appropriate terminal degree.

For career and technical education areas, faculty may hold the master's degree in vocational education with the bachelor's degree in the field of study or the master's degree in vocational education with the appropriate industry-related certification and licensure. A limited number of faculty may hold the bachelor's degree in the teaching field.

5. Graduate Level: A majority of the faculty members teaching graduate degree programs must hold the appropriate terminal degree and have demonstrated competency in teaching or research at the appropriate graduate level.

The appropriate degree or program committee/s will also consider the applicant's interpersonal skills and professional experiences for the position. If necessary, the committee may also choose to interview the applicant as part of the review. They may also be required to conduct a teaching presentation.

Based on the above review the degree or program committee/s will make a formal written recommendation to the chairperson in regard to whether to hire the applicant for the position. The chairperson will in turn give strong consideration/weight to the committee's recommendation when making the decision to hire the applicant. All applicants who are in turn hired to teach courses at ASU will be assigned a supervisor or mentor within the department or program for the first semester of employment. They will also undergo an annual review conducted by the appropriate degree or program committee/s or the department/program Promotion, Tenure, and Retention (PRT) committee specific to their teaching performance. This review will include an examination of formal course and instructor evaluations conducted during the period of employment. Based on this information, and feedback from significant others (e.g., faculty in the department or program) the committee/s will make a written recommendation to the chair specific to the viability of the individual's future employment in the current position."

# The Sun

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**REGRETS, I'VE HAD A FEW**  
ASU coach looks back at key call. B1

## SIGN OF PROGRESS:

Southern  
Arkansans  
have hopes  
for new road.



# ASU professor talks faculty salaries, online learning

**EDITOR'S NOTE:** *The Sun* publishes a question-and-answer feature each Monday, and we want your input. Lesa Dacus, a teacher at Success Achievement Academy and coordinator of Food For Kids, agreed to participate in the Nov. 21 Q&A, and readers may submit potential questions for her by e-mail by 5 p.m. today to wharris@jonesborosun.com. Please include your full name and hometown when submitting questions.

BY WAYLON HARRIS  
SUN STAFF WRITER

**JONESBORO** — Dr. Jack Zibluk, an Arkansas State University professor of journalism, recently commented about ongoing issues at the university.

Zibluk, who also is chairman of the ASU Faculty Senate, discussed topics ranging from faculty pay to lingering questions about the university's relationship with Academic Partnerships-Higher Ed Holdings, a private, for-profit institution that helps provide "distance" or online



Tami Wynn | The Sun

Jack Zibluk, a journalism professor at Arkansas State University, looks at a project by Lauren Ric, a senior computer information technology major, during Zibluk's desktop publishing class at Jonesboro on Thursday.

learning opportunities.

ASU interim Chancellor

Dr. Dan Howard recently told *The Sun* that he and ASU administrators were

looking into ways to increase faculty salaries systemwide, but none of the possible solutions will immediately impact faculty salaries. Are there other solutions that could affect faculty salaries more quickly?

I do believe Dan is really sensitive to the issue, and so is the Board of Trustees. They do hear us. However when we invited Dr. Howard to discuss the matter at a recent Faculty Senate meeting, we specifically asked him to tell us what we could do to address the problem using existing money. Since he was unable to answer the question to the Senate and *The Sun*, I assume the answer is: "Nothing."

We also considered charging our finance committee to come up with alternatives, but finance committee members felt strongly that task wasn't a faculty job. That's an administrative responsibility, and it's one reason they get paid three and four times the salaries we get paid.

In a sluggish economy,

are faculty salary increases warranted or necessary?

We know we have good jobs with decent pay and decent benefits. It's a privilege to be a university professor; it's one of the best jobs on the planet. So we have to be careful not to be spoiled whiny babies, particularly when so many people have far worse problems than we do.

Most faculty members make annual salaries in the \$40,000-60,000 range, about as much as elementary or secondary-school teachers. The national median salary for all occupations is \$49,000. A few higher-paid faculty raise the reported average for the campus, but most of us make a decidedly middle-class living at best. Those tweedy guys in the big houses can be found on a few Ivy League campuses or in the movies. Hogwarts, this isn't.

At ASU, we have the

lowest salaries for a school our size in Arkansas, and Arkansas lags behind the rest of the southern region. If we want to provide a good education for our students, we need to attract and retain good teachers and scholars. We're just not competitive in a lot of areas. If we want to improve ASU, we have a choice: raise salaries, or continue to scrimp and

take our chances that good people will just come here because they like us, or hope that some less-than-ideal candidates, like I

was, will grow into their positions over time.

Faculty salaries have been pretty stagnant over my 18-year career here. By some measures, we've lost ground. Quite frankly, with all the other simultaneous institutional priorities, our commitment to education and scholarship is diminishing in comparison. Our



PLEASE SEE Q&A, A2

FROM PAGE A1

comparatively low salary level is one example of that shrinking commitment.

Many ASU faculty members question circumstances that led to ASU's online distance learning partnership with Academic Partnerships-Higher Ed Holdings. What concerns do some faculty members still have about this partnership, the way it was formed and the way it operates?

There is no way we can ignore online learning and online programs, and most faculty recognize that reality.

So when supporters of AP dismiss anybody who questions them as cranks who don't like online learning, it really seems to be a blatant effort to obfuscate the issues.

And the big issue here is really that this particular partnership doesn't pass the "smell test." The whole situation is result of the relationships and negotiations of a former ASU president who signed a no-bid,

no-discussion, no-alternative, multi-million-dollar contract with a private company similar to the University of Phoenix, Argosy, Kaplan or any of those other controversial for-profit companies that bill themselves as universities. As soon as the deal was done, that former president, Les Wyatt, went on their payroll. And he has continued to work with them as late as this spring. He has moved to Dallas, where their headquarters is located. And our current interim chancellor served on the board of directors of an Academic Partnerships-owned company until someone noticed. All of it may be legal, and it may bring us more state money by inflating our enrollment as well as bringing in some tuition, but it just looks shady, and it only hurts our academic reputation nationwide.

Can online distance learning provide the same quality of education as a traditional in-class setting?  
It depends on who you ask,

who is getting the education and the degree. We're just beginning to study the matter, and results are conflicting and inconclusive. But if you're really willing to commit to your education, and you have a lot of self-discipline, and you are comfortable navigating the online environment, it's conceivable that online education is a good fit for your needs.

But if it's only about convenience, and if you're just too busy to engage with a real, live person who can respond to you one-on-one, you may get a lesser educational experience online than you would in a classroom with a good professional educator who actually knows you and cares about you as a person. That personal interaction — and sometimes a little friction — you get with a real person in real time is what the classical Greeks called logos, and it's the foundation of dialogue, real learning, storytelling and civilization itself. That's something you just can't upload and download.

Many colleges and universities have reduced, in some cases dramatically, the number of required undergraduate general education courses. What are the benefits of reducing general education requirements? What are the consequences? Does the majority of ASU faculty support reducing general education requirements?

The state has mandated that we bring all degrees down to 120 hours in order to articulate with federal financial aid programs, and it makes sense. If you take 15 credit hours a semester for four years, the standard load, you get a degree in four years. Some of our degrees have required 130 or 140 hours, and many financial aid programs just don't cover them.

The required credit reduction has presented a challenge regarding our general education curriculum. That's the common core that we all agree you need to be an educated person, and it includes exposure to math and science, history, writing, litera-

ture and the arts. General education provides the foundation of critical thinking and self-expression. It's good stuff, and without it you're a trade school, not a real university.

The state has required us to bring our general education core to 35 credits from 44, essentially eliminating three classes, while retaining certain categories and requirements. It was a tough job, and there were a lot of split votes on the committee. The committee ended up recommending we eliminate fitness and nutrition, as well as oral communication, from the all-campus requirements. I admit a personal prejudice as a member of the College of Communications about eliminating oral comm. Most professional jobs these days require "excellent written and oral communications," and we have just eliminated half of that requirement. However you justify it, I think it's a major disservice to our students and to the state.

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