



## FACULTY MEETING AGENDA

April 3, 2019

3:35 PM

Heritage Commons, Samuel Read Hall Building

**Meeting called to order.**

**I. Approval of the draft minutes** for the March 6, 2019 faculty meeting. (*Sent with this agenda.*)

**II. Reports**

**A. President**

*(The report will be distributed via email from the President's Office.)*

**B. Provost**

*(The Provost will be available to answer questions.)*

**C. Principal Policy Making Committees**

*(Committee reports from Academic Affairs, Academic Technology and Online Education, Curriculum Committee, Faculty Welfare, General Education, and Graduate Council follow this agenda as Appendices A-F. Committee chairs will be available to speak to the reports and answer questions during the meeting.)*

**D. Other reports:**

1. General Education Coordinator Report. **See Appendix G.** Cathie LeBlanc will be available to answer questions during the meeting.)
2. Administrative Evaluation Committee. **See Appendix H.** Eric Hoffman will be available to answer questions during the meeting.

**III. Old Business**

None

**IV. New Business**

**A. Resolutions of Standing Committees**

None

**B. DISCUSSION ITEM: Academic Affairs decision-making and communication**

**C. DISCUSSION ITEM: Intellectual Property Policy Draft. See Appendix I.**

**D. Adjournment**

**Announcements:** *Note: Please limit announcements to matters that are urgent, timely (happening within the next few days to a week), and have not been/will not be disseminated through multiple other means. In other words, let's keep the announcements short and sweet!*

**APPENDIX A:**

**Academic Affairs Committee Report  
Chair, Jason Cordeira  
April 2019**

The Academic Affairs Committee met once during March and finalized the wording of the Academic Standing policy for the academic catalog. This updated policy was passed by the faculty at the March 6, 2019 meeting. Committee members also began prioritizing projects for the next academic year.

Jay Cordeira, Chair,  
Academic Affairs

## **APPENDIX B:**

### **Academic Technology and Online Education Committee (ATOEC) Report Chair, Lynn Johnson April 2019**

Plymouth State University Academic Technology Committee (ATC) Report to Faculty

Submitted: March 30, 2019

Submitted By: Lynn V. Johnson, ATC Chair

ATC Meeting Date: March 26, 2019 (alternate date to replace scheduled meeting during Spring Break)

#### **Working Groups Reports:**

- a. Faculty Survey and Student Survey
  - a. Surveys reviewed
  - b. Final drafts due: April 9, 2019
  - c. Faculty and Student Surveys to go out by the end of April 2019
  - d. Analysis of data – Summer 2019
  - e. Report to faculty and students – Fall 2019
- b. Revision of Online Education Policy
  - a. Policy draft submitted for review during April 9, 2019 meeting
- c. Revision of Technology Innovation Project (TIP) and Technology Enhanced Spaces Proposals
  - a. TIP proposal draft revision reviewed
    - i. Will be finalized as online form with automatic submission
    - ii. Goal: present new form and process to faculty during May 2019 Faculty meeting
  - b. Technology Enhanced Spaces Proposals
    - i. Recommended by working group to eliminate this form as there are currently multiple avenues for space enhancement proposals and few use this form
    - ii. Discussion:
      1. Requests that include technology requests have to connect with ATC at some point to fulfill our function to provide University technology input
      2. When there is critical need ATC can advocate for and prioritize requests
      3. All technology requests must go through Academic Technology and the Director of Client Services & Academic Technology will bring those requests to ATC for input
    - iii. Motion: Discontinue ATC Enhanced Space Proposal Process and form and deal with any requests brought forward to ATC for input by

the Director of Client Services and Academic Technology. Vote: For  
(9 ) Opposed (0 ) Abstain (0 )

**Next Meeting:** April 9, 2019

**Note:** May 14<sup>th</sup> meeting moved to April 30<sup>th</sup> (final meeting of 2018-2019 academic year).

\*\*\*\*\*

**A reminder to all faculty of the Technology Innovation Project funding opportunity that is available: (using current form/process). Due by April 15<sup>th</sup> to be considered at final ATC meeting of 2018-2019 academic year.**

**Technology Innovation Project:** ATOEC is inviting proposals to support innovative projects that advance how we think about and use technology to enhance student learning and the student experience. Applications for Technology Innovation Projects are reviewed monthly during the Fall and Spring Semesters. Projects applications are due on the 15<sup>th</sup> of the month for review by the committee at its next monthly meeting. Additional information regarding this funding opportunity can be found at:

<https://campus.plymouth.edu/faculty-governance/faculty-committees-and-appointed-groups/academic-technology-and-online-education-committee/proposals-to-atoec/>

**APPENDIX C:**

**Curriculum Committee Report  
Chair, Scott Coykendall  
April 2019**

The Curriculum Committee did not meet in March.

Respectfully submitted,  
Scott Coykendall, 2018-2019 Chair  
psu-curriculum-chair@plymouth.edu

## APPENDIX D:

### **Faculty Welfare Committee Report Chair, Lisa Doner April 2019**

Since changes to the Intellectual Property (IP) Policy were first proposed in January 2018, Faculty Welfare has reviewed and edited three versions of new policy drafts. The IP Policy working group consists of the Academic Affairs administrators Joe Boyer and Andrew Ines, plus Ben Amsden (before he left PSU), Tremonti Consultant Matt Florence and Lisa Doner, as Faculty Welfare Chair. Each draft received by Faculty Welfare was reviewed and edited, then returned to the working group for reconsideration. The largest revision came between the first and second drafts, when many conditions that clarified IP rights for faculty were added back into the policy. The second draft was revised slightly in Dec 2018 to better define language and meanings. The current version was sent to us and reviewed in Mar 2019. There have been no additional revisions suggested by members of the Faculty Welfare Committee. Therefore, we have sent the IP Policy by email (on March 31) for general faculty review. We invite discussion of the proposed policy at April's Faculty Meeting. According to our agreement with the Academic Affairs Office, if no further revisions are suggested, then the Faculty should vote whether to accept the proposed policy. We suggest the Faculty use the April Faculty Meeting to discuss the policy, and then vote on the policy at the May meeting. You may also send your comments to the Faculty Welfare Committee by email: [psu-facultywelfarechair@plymouth.edu](mailto:psu-facultywelfarechair@plymouth.edu)

In March, Faculty Welfare also met with the Provost and Vice-Provost to discuss the following:

- Amorous Relationship Policy USNH system-wide agreement (remains in place).
- Mechanisms for Faculty input on Promotion & Tenure (P&T). Outcome of discussion - suggest creating an advisory group to establish principles and process for P&T. Spring/Fall P&T training sessions. For now, Handbook criteria still in effect. Web links are out of date.
- Faculty Handbook changes and who takes on the task on making these changes. Academic Affairs wishes the faculty to take the lead on those revisions and in making the online document electronically editable. We invite discussion on the process.
- Clarification of course loads for Teaching Faculty (TF). This year's TF contracts stipulate a 15-16 cr load. It is not clear if Course Reassignment (a.k.a. course release) means 3 or 4 credits for any faculty. The Provost's Office agreed that TF receive the same allowance for face-time in fully enrolled courses as full-time unionized faculty. Any TF teaching a 3-hour lab in a 1 credit course, for instance, have 3 hours allocated to their work load for that course. (Teaching Lecturers loads are assessed according to actual course credits, not face-time.) The expected work distribution is TF: 85% teaching, 15% service; CF 70% clinical, 15% service, 15% teaching; TTF 70% teaching, 15% service, 15% scholarship. These can be modified at the program level to meet specific program needs.
- Performance evaluations primarily at the program level, secondarily the Cluster. Academic Affairs expects all faculty, including TLs, to engage in some Cluster work (as service, teaching and/or scholarship).

- Problems of year-by-year contracts, including hiring and assessment roadblocks. Health care coverage carries over the summer months for contracted employees.

**Future Tasks for the Faculty Welfare Committee:**

Work with the Provost to develop a P&T advisory committee with representation from all faculty groups and propose an approach to handbook revisions.

Respectfully submitted March 30, 2019 by Lisa Doner, Faculty Welfare Committee Chair

## **APPENDIX E:**

### **General Education Committee Report Co-Chairs, Brandon Haas and Kate Elvey April 2019**

The General Education committee met in March and focused on how the committee can help faculty in developing proposals and sunset renewals that address, and highlight, all of the necessary elements. The committee is in development of supporting materials that will be shared with faculty once completed.

The Committee is drafting a motion to remove Department restrictions for committee membership in order to be consistent with the Curriculum Committee and to reflect the changes across the university.

All Gen Ed related communications and proposals should go the address below, rather than to the co-chairs directly.

Please send all proposals and other inquiries to our new "Gen Ed Committee Chair" email address: [Psu-general-ed-chair@plymouth.edu](mailto:Psu-general-ed-chair@plymouth.edu)

Gen Ed Committee Co-Chairs: Brandon Haas; Kate Elvey

**APPENDIX F:**

**Graduate Council  
Chair, Clarissa Uttley  
April 2019**

The Graduate Council met on March 25th, 2019 to discuss issues pertaining to the Cluster and Academic Unit initiatives and receive updates from Admissions and Academic Affairs. Overall, enrollment numbers appear to be stabilizing and ideas for targeted marketing to graduate student demographics were discussed. The group also decided to propose a University Days session to encourage conversation around graduate program vision, curriculum, and opportunities. Stay tuned for more information on that sessions. Our final meeting of the semester will be on Monday, April 22 from 3:30-5 in Frost Commons.

Respectfully submitted to the faculty,  
Clarissa M. Uttley, PhD  
Graduate Council Chair

## APPENDIX G:

### General Education Coordinator Report April 2019

1. Seventy faculty and staff applied for 60 spots in the Cluster Pedagogy Learning Community supported by the Davis Education Foundation grant and funding from USNH to support open education. With some additional funding, we were able to fund all 70 faculty and staff to participate starting during final exam week.
2. There 30 faculty members scheduled to teach 35 sections of Tackling a Wicked Problem (IS1115) in Fall 2019. All 30 of these instructors will participate in the Cluster Pedagogy Learning Community.
3. The First Year Seminar Steering Committee has been engaged in a number of assessment activities this academic year and will present its report of findings and next steps to the faculty at the May meeting.

Please let me know if there's anything related to General Education that I can help you with.

Thanks!  
Cathie LeBlanc  
cleblanc@plymouth.edu

## **APPENDIX H:**

Principal Administrator Evaluation Task Force  
Report for April Faculty Meeting  
March 29, 2019

The Principal Administrator Evaluation Task Force has completed its work for the 2018-19 academic year. Our charge from the Faculty Steering committee was to review previous work of this task force, make any revisions, and provide feedback to the Principal Administrators. The task force determined that in the current organization chart surveys would be distributed for the current the eight members of the cabinet and President Birx. In order to prevent survey fatigue among faculty and staff the Task Force determined that we would distribute feedback surveys for three administrators each year. In this first round the task force decided to distribute surveys for the President and Vice Presidents Claybaugh and Hobson. In subsequent years, surveys will be distributed for the other cabinet members. As we reported in December, the task force revised the feedback survey to reflect the current organizational goals and provided the principal administrators the opportunity to review the survey and add any questions relevant to special projects.

Surveys were sent out to 961 faculty, staff, and student senators in mid-February and surveys remained open until March 8<sup>th</sup>. President Birx received 209 responses for a 22% response rate. Vice Presidents Claybaugh and Hobson received 139 and 143 responses, respectively, for a ~15% response rate. Reports of the aggregated data and anonymous written comments from the surveys were sent this past week to Vice Presidents Claybaugh and Hobson and President Birx. The survey results for President Birx will also be sent to the Board of Trustees. All data and survey responses will be deleted two weeks after the reports are received to continue to ensure anonymity.

2018-19 Principal Administrator Evaluation Task Force  
Betsy Ayotte  
Ann Berry  
Jessica Dutille  
Eric Hoffman  
Cathie Leblanc

## APPENDIX I:

### Intellectual Property Policy Draft

#### I. Purposes and Objectives

The purpose of this policy is to encourage flexibility for the Plymouth State University (University) community toward the dissemination of research results, the creation and development of Intellectual Property (IP) for the public benefit, and the recognition of the creators of such IP. Specifically it will:

1. Encourage the creation, development, and management of IP in the best interest of the Creator(s), University, external research sponsors, if any, and the public;
2. Provide for protection of IP through legal mechanisms such as Patents, Copyrights, and Trademarks;
3. Ensure that monetary and/or other benefits derived from IP are equitably distributed to the Creator(s) (*see Sect. III. 3.*), University, and other parties as appropriate;
4. Address ownership issues related to IP developed at or on behalf of the University.

#### II. Application of Policy

This policy applies to all members of the University community (Covered Individuals) including, but not limited to, University employees (including administrators, faculty and staff), students, and non-University personnel in the course of their University responsibilities and/or use of University resources not available to the general public, including funds, effort, facilities, and equipment.

#### III. Definitions

1. Copyright and Copyrightable Works mean “original works of authorship” fixed in a tangible medium, including artistic works, course and teaching materials, and scholarly and academic works, and the legal mechanism to protect such works. Among other rights, Copyright prohibits copying or reproducing the work or any substantial part of the work without permission.
2. Covered Individual is any faculty member, staff member, student, visiting scholar, or any other person at the University involved in carrying out the University’s mission at or under the auspices of the University.
3. Creator(s) means any inventor, developer, or author, of IP covered by this policy, including faculty, staff, and students of the University.
4. Creator-Owned Intellectual Property means IP owned by the Creator(s) and includes IP unrelated to a Creator's University employment responsibilities or field of study and that is developed on their own time and without Significant Use of University Resources (*see Sect. III. 12.*). Traditional Scholarly Works, including pedagogical, scholarly, or artistic works by University faculty, staff or students, are also considered Creator-Owned IP (e.g.

books, course materials, compositions, visual arts, dramatic works, and refereed materials) unless created as a Work for Hire, as Sponsor-Supported IP, or as assigned in the scope and description of employment (*see Sect. IV. Principles of IP Ownership*).

5. Intellectual Property (IP) means any intangible products of creative efforts, including works that may be protected by a Patent, Copyright, or Trademark, as well as other tangible research property. IP includes but is not limited to artworks, literature, musical processes, new or improved devices, electrical circuits, databases, software, and innovative uses of existing inventions.
6. Intellectual Property Advisory Committee (IPAC) means a University committee whose purpose is to assess and advise the Creator(s) and University on issues concerning IP development, ownership, disclosure, applications, and technology transfer/commercialization. The IPAC typically includes the Director of Research & Innovation, Director of Research Administration, Chair of the Faculty Welfare Committee, and two other permanent members of the University faculty or staff. The Provost shall appoint the members of the IPAC to serve two-year terms from the date of appointment; there are no term limits. Meetings of the IPAC shall require a quorum of a majority of members.
7. Intellectual Property Officer (IPO) means the IPAC member appointed by the Provost with the responsibility of overseeing and administering the University's IP program in accordance with this policy and for administering Patents, Copyrights and Trademarks related to Creator-, University-, and Sponsor-Supported IP.
8. IP Disclosure Form means a form completed by Creator to disclose Intellectual Property to the IPO. Completion of the IP Disclosure Form by the Creator is required for University-Owned IP and voluntary for Creator-Owned Intellectual Property. The IPO maintains the IP Disclosure Form.
9. Net Income means the amount of money received by University from licensing following deduction of expenses associated with the University-Owned Intellectual Property.
10. Patent means a grant by the US Patent and Trademark Office of exclusive right for an invention, including discovery of a process, machine, manufacture or composition of matter, for a limited time. Generally, three conditions should be met for the granting of a patent: the invention or discovery should be novel, useful, and non-obvious.
11. Public Disclosure means verbal or printed disclosure of IP which includes abstracts, manuscripts, conference presentations, and, in certain instances, seminars and grant proposals, funded or unfunded. Public Disclosure may jeopardize the ability to secure a Patent on the IP.
12. Significant Use of University Resources means use or provision of support, facilities, or services, including staff or administrative assistance not available to the general public. Examples include special resources, use of laboratory, studio space, and/or specialized college-owned equipment, or special financial assistance. The IPAC shall make the final decision on whether Significant Use of University Resources was used.

13. Sponsor-Supported Intellectual Property means IP created under a grant, contract, or sponsored research agreement with an external agency or entity, unless otherwise specified in an agreement.
14. Trademark means, and as recognized by Federal and state laws, any word, name, symbol, or device adopted and used by an individual or a corporation to distinguish its goods or services from the goods or services of others.
15. Traditional Scholarly Works means pedagogical, scholarly, or artistic works created by Covered Individuals. Examples include books, course materials, compositions, visual arts, dramatic works, software, and referred materials, as well as student theses, dissertations, papers, and journal articles.
16. University-Owned Intellectual Property means:
  - a. IP, including Works for Hire, that is specifically commissioned by the University or that an employee is assigned to create in the course and scope of their employment at the University;
  - b. IP created with Significant Use of University Resources including funds, effort, facilities, and equipment;
  - c. IP assigned to the University through contractual agreement;
  - d. Sponsor-Supported IP that is designated as University-Owned IP in the applicable grant, contract, or sponsored research agreement or for which ownership has not been specifically designated, unless otherwise specified by agreement;
  - e. IP that would otherwise be designated as Creator-Owned IP but that the University pursues IP protection and/or marketing, unless otherwise specified by agreement.
17. Voluntary Disclosure means verbal or printed disclosure of Creator-Owned IP by the Creator to the University in order to petition the University for assistance with protection and/or marketing of the IP.
18. Work for Hire means the work is prepared by an employee specifically hired or required to create it, is commissioned by the University pursuant to a signed contract, or it fits within one of the categories considered Work for Hire under copyright law, 17 U.S.C §101 et seq. In Work for Hire situations, it is intended that the University and employee sign a contract which addresses the ownership of IP before the project begins. Generally, the University will not claim ownership rights when the IP is embodied in Traditional Scholarly Works, even though the work may have been prepared within the scope of employment and University resources were used. This exception does not apply when the work (a) is created by someone who was specifically hired or required to create it, (b) was specifically commissioned by the University, or (c) is otherwise addressed by another section of this policy or in a separate contract. Traditional Scholarly Works are generally not considered Work for Hire.

#### **IV. Principles of IP Ownership**

1. For the avoidance of doubt, the University does not claim ownership of Traditional

Scholarly Works *unless that work constitutes a Work for Hire or is otherwise described in Sect. IV.3.*

2. Traditional Scholarly Works are owned by the Creator(s) who is free to exercise their Copyright, including registration, and to receive any revenues that may result therefrom.
3. It is the policy of the University that all rights in Copyrightable Works shall remain with the Creator(s) unless:
  - i) The Copyrightable Work is created pursuant to the terms of a University agreement with an external party and the agreement specifies ownership in the resultant works;
  - ii) The Copyrightable Work is created as a Work for Hire. Works of faculty are assumed not to be Work for Hire unless agreements with the involved faculty explicitly designate specific works as such; or
  - iii) The Copyrightable Work is also patentable and/or is associated with a University Trademark. The University reserves the right to pursue multiple forms of legal protection concomitantly if available. Computer software and/or its embodiments, for example, may be protectable by Copyright, Patent, and/or Trademark.
3. Traditional Scholarly Works of students created in the course of their education, such as theses, dissertations, papers and journal articles shall be considered Creator-Owned Intellectual Property.
4. Ownership of Sponsor-Supported IP, including Copyrightable Works, is determined in accordance with the terms of the grant, contract, or sponsored research agreement. In the absence of contract terms that specifically designate ownership, Sponsor-Supported IP is owned by the University.
5. Notwithstanding any other section herein, Copyrightable Works that are teaching materials developed by a Covered Individual specifically for the University shall be considered Traditional Scholarly Works, provided, that the University shall have a non-exclusive, royalty-free, and perpetual license to use any such teaching materials for research or instruction purposes.

## **V. Consulting Agreements**

The University encourages faculty to develop research relationships through the University as opposed to pursuing independent consulting arrangements. University employees must ensure that the terms of their consulting agreements with third parties do not conflict with their duties to the University. Specifically, the scope of any such consulting services and the ownership of any resulting IP should be consistent with the faculty member's duties to the University and must be disclosed to avoid conflict of interest (*see Sect. 2.11 Financial Conflict of Interest of the PSU Faculty Handbook, 5/2/18*). The University will not negotiate any independent consulting agreements on behalf of a faculty member. Any questions regarding the University's policies may be directed to the IPO.

## **VI. Disclosure**

1. Required Disclosure to the University
  - a. Covered Individuals must promptly report any University-Owned or Sponsor-Owned IP to the IPO. The IP Disclosure Form for such reporting may be obtained from the IPO.
2. Voluntary Disclosure to the University
  - a. A Creator is not required to disclose IP that clearly constitutes Creator-Owned IP but must make disclosure if there is any question about ownership.
  - b. Creator-Owned IP must be disclosed to the IPO if the Creator intends to request University resources for activities such as legal protection of the IP, marketing assistance, and other related efforts.
3. Public Disclosure

A Public Disclosure of IP (e.g. conference presentation) before the filing of a patent application may restrict the ability to obtain a Patent for the IP. Covered Individuals should not publicly disclose IP before discussing this matter with the IPO. Disclosure to the IPO does not constitute Public Disclosure.

**VII. Commercialization**

Upon receipt of an IP Disclosure Form, the IPO will discuss the IP with the Creator and brief the IPAC. The IPAC will decide whether to pursue a Patent or other legal protection for the IP. The IPAC will consult with any previously retained IP or commercialization-related consultants and decide whether, and how, to pursue commercialization of the IP, including as appropriate, by researching the market, developing a business plan, negotiating terms of licenses and distributing royalties in accordance with this policy.

**VIII. Royalties**

Net Income received by the University for commercialization of University-Owned IP will be distributed as follows:

- 50% as direct payment to the Creator(s); and
- 50% to the University for support of research and scholarly activity.

**IX. Appeals**

Upon request in writing by the Creator, the Provost shall consider an appeal of a determination made under this policy. In discussions with the Creator and IPO, the Provost shall resolve any dispute raised under this policy. The decision by the Provost regarding any dispute shall be final.

*Effective date: March 30, 2019*