

FACULTY COUNCIL MINUTES  
250 Student Union  
December 12, 2006

Bob Miller called the meeting to order with the following members present: Bell, G., Bell, P., Bidwell, Brown, G., Brown, T., Carter, Cruz-Rodz, Darcy, Dare, Gasem, Goetze, Hirschlein, Jordan, Leavell, Martin, Materer, Meinkoth, Mitchell, Moberly, Moomaw, Nolan, Ransom, Rouch, Russell, Spicer, Van Delinder, Veenstra and Westhaus. Also present: Agnew, T., Bird, L., Bosserman, D., Elliott, K., Emslie, G., Gates, G., Gladden, B., Goodbary, A., Hunger, B., Hulsey-Greene, C., Mathiasen, A., Milliken, C., Payton, M., Perkins, L., and Strathe, M. Absent: Giles and Phillips

**HIGHLIGHTS**

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Reports of Standing Committees	
Academic Standards and Policies	
Wellness Class Recommendation .....	2
Budget .....	2
Campus Facilities, Safety, and Security .....	2
Faculty	
Recommendation: Annual Faculty Appraisal and Development Program.....	3
Research .....	3
Retirement and Fringe Benefits .....	3
Student Affairs and Learning Resources .....	5
Reports of Status of Faculty Council Recommendations .....	6
Reports of Liaison Representatives	
Women’s Faculty Council .....	6
Graduate Faculty Council .....	6
New Business	
Recommendation: Smoke-Free Campus.....	7

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Miller asked for approval of the November 14, 2006, Minutes. A correction was made to page 3, paragraph 4 of the Minutes as follows: Bob Nolan wanted it clarified that his question to Robin Purdie was that he asked her if there were faculty to teach the wellness course, implying that the course would require a lot of faculty, especially if it became required for all students. Purdie replied faculty would need to be added. Jordan moved acceptance of the Minutes as corrected. Ransom seconded. The Minutes were approved as corrected. Miller asked for approval of the December 12, 2006 Agenda. Jordan moved acceptance of the Agenda. Hirschlein seconded. The Agenda was approved.

**REPORTS OF STANDING COMMITTEES:****ACADEMIC STANDARDS AND POLICIES — Jean Van Delinder**

Van Delinder presented a recommendation entitled “Wellness Class Recommendation”. The recommendation, as amended and approved, follows:

**The Faculty Council Recommends to President Schmidly that:** a health/wellness class (HHP 2603/Total Wellness) **is remain** an elective for all OSU students.

**Rationale:**

Though the Academic Standards and Policies Committee agree that health awareness is important, the addition of a required health course would entail increasing the number of credits needed to graduate or removing a core course from the curriculum. Therefore, the Academic Standards and Policies Committee recommend this course remain an elective because of the necessity for existing core curricula to meet current State and professional accreditation.

Moomaw asked if it wasn't unusual for Faculty Council to recommend that an elective course be created and Van Delinder replied the course already was an elective course. It was requested it be a required course for all Freshmen. Russell asked if the class would be cancelled if it did not become a required course and Miller replied the class would continue; however, the question will be whether or not it becomes a required course in General Ed and the recommendation is saying they would like for it to remain an elective. At this point Russell entertained a Friendly Amendment to replace the word “is” with the word “remain”.

Darcy said it was pointed out several years ago that in Council there should be no Friendly Amendments except to motions offered off the floor and that all amendments should be voted on. Earl Mitchell, Faculty Council Rules & Procedures Committee Chair, replied Council is working by *Robert Rules of Order* and you can have Friendly Amendments if those rules are followed.

Miller asked for a vote. The Friendly Amendment passed unanimously. The original recommendation, as amended, passed unanimously.

Van Delinder also reported that last month the committee introduced a recommendation entitled “Recommended Policy on Incomplete Grades” which was “tabled”. The recommendation was not brought off the Table. The committee is still discussing this issue and something will be brought to Council at a later date.

**BUDGET — John Veenstra**

The organizational charts were received from the University for the past ten years and the committee is in the process of going through and looking at what data they are going to request relative to the charts. This is an on-going project.

**CAMPUS FACILITIES, SAFETY, AND SECURITY — Khaled Gasem**

The Ad Hoc Committee formed to review the 2025 Master Plan will convene on Dec. 13 and they will hear a briefing from Joe Weaver and a presentation from Professor Nigel Jones in School of Architecture. Following that the Ad Hoc Committee will do their own internal critique of the original Master Plan and report back.

**FACULTY — Tony Brown**

Brown presented a recommendation entitled “Annual Faculty Appraisal and Development Program” as follows:

**The Faculty Council Recommends to President Schmidly that:** the administration approve revisions to the Oklahoma State University Policy and Procedures letter 2-0112 Faculty Appraisal and Development Program. The revised policies and procedures letter\* is to be used for implementation of Section 1.1.5.1 Annual Review of Faculty found in the Policy Statement to Govern Appointments, Tenure, Promotions, and Related Matters of the Faculty of Oklahoma State University.

**Rationale:**

On June 23, 2006, the A&M Board of Regents approved a revised policy on annual faculty appraisal and development. The revised policy became Section 1.1.5.1 in the “Policy Statement to Govern Appointments, Tenure, Promotions and Related Matters of the Faculty of Oklahoma State University” (formerly referred to as Appendix D of the “OSU Faculty Handbook”). Revisions in the annual faculty appraisal and development policy proposed by Faculty Council were adopted by the Board without changes after approval by the General Faculty in May 2006. Adoption of the revised policy required revisions in Policy & Procedures letter 2-0112 and the form used to implement the revised policy.

Brown said this policy was passed through Faculty Council last semester and adopted by the A&M Board. The letter and form were revised to conform to the new policy and any changes reflected in the Policy and Procedures letter were basically an implementation document for the policy that was passed.

Miller called for a vote. The recommendation passed unanimously.

\*If you would like to receive a copy of the entire *Revised Policy* please email [diane.lafollette@okstate.edu](mailto:diane.lafollette@okstate.edu).

**RESEARCH — Al Rouch**

Next semester the committee will be working on giving an update on the Research Park and secondly, they hope to create a model, in regard to the Entrepreneurial Faculty Fellows Program recommendation passed earlier this year, for faculty to look at as to how they can actually get involved and how to take advantage of that program.

**RETIREMENT AND FRINGE BENEFITS — Greg Bell**

**Update on Human Resources Office** – Health care enrollment for 2007 ends Dec. 12. They will then have all of the enrollment options and Anne Matoy will be able to put together the amount of those dropping dependent care because of the increase in the dependent premiums. In 2004 there were 5,390 people who were eligible for health care benefits from the University, 27% of those people were insuring dependents and it is anticipated that will plummet considerably this year because most people cannot afford it and that is something that will have to be addressed.

**Flexible Benefits Committee** – A survey was emailed to all OSU employees Dec. 12. The committee worked on the survey for quite some time. They need the information primarily for the newly formed Health Care Task Force. He urged everyone to fill out the survey that includes 12 questions and takes a very short time to fill out.

**Health Care Task Force Committee** – Consists of 13 people; two faculty members, one staff member, one Regent, 9 administrators including the Presidents of the OSU Center for Health Sciences, OSU-Tulsa and OSU-Okmulgee. They met two weeks ago which was primarily an introductory meeting. Some goals and objectives were suggested which mainly consisted of finding some means of cost-effective health care. They will meet again on January 16 and Anne Matoy will be putting together all the numbers as to where we stand now. Robin Purdie will bring in a benefit proposal for wellness which may help us get lower rates for new insurance coverage and Bell will be bringing in information on health-savings accounts and high-deductible plans. At the present time the deadline for making recommendations to the President is June but Bell hopes it will be sooner so it can be included in this year's Legislative initiatives. He said he would send everyone what he is going to give to the committee, as far as health-savings accounts are concerned, so all have information they will need to consider. Miller asked if there would be a questionnaire coming from this committee and Bell replied the one received today from the Flexible Benefits Committee would be the same one coming from this committee and you will see it again. He added the survey is completely anonymous and even though you have to enter your O-Key password all it records back is that you completed the survey. It does not combine your survey with your O-Key password. Bruce Russell had emailed Bell comments he had concerning the survey and health care issues and he brought them up for discussion as follows:

1. The survey does NOT address the single most important health benefit issue facing the University; that is the high costs of premiums for employees (faculty AND staff) with dependents.

Bell's response – He said when he first saw the survey it was 40 questions long and he said people would not respond to one that long and therefore it was pared down to the 12 most important questions. He said the question actually was included but somewhat disguised in the question asking "If you have dependents do you insure those dependents with OSU?" and, "if not, why"?

2. I would like to see more activity in the Faculty Council to support a drive for dependents' premium coverage as part of the Benefits Program – I understand that this is status quo at other state agencies and the non-comprehensive state universities.

Bell said he did not know if this were true or not for the private institutions but he has a list of 26 state colleges and universities and of those only 5 offer anything in dependent care and that amounts to only \$35.38/mo. Therefore Bell feels OSU is equivalent with those other state colleges and universities except for the 5 offering minimal dependent care. Mitchell mentioned that state agencies have the same insurance plan that we have and they do provide health coverage for dependents. Bell said the state agencies provide 100% and more coverage. The state plan is graduated – if you are single you get a certain allotment; if you are married with spouse you get a higher allotment, and if you are married with children you get an even higher allotment. Therefore, everyone is not treated the same but each of those allotments are far more than what is needed for basic coverage. Bell added, "Apparently we are not a state agency".

3. We will have trouble recruiting and retaining faculty with current benefits (or lack of benefits) structure.  
Bell said that was the issue brought up most often in the Task Force Committee meeting. Everyone is very aware that good faculty will not be able to be recruited if we do not provide a better benefit plan.
4. We need a comprehensive approach to this issue:
  - a) Non-Medicare retirees should NOT be lumped in with employees.  
Bell said this was considered by the R&FB committee last year. When we go out for bid for a new policy that could be changed. That was legislated to us this year. OSEEGIB was told that the insurance for retirees before they reach Medicare age was going to be exactly the same premium as what we pay. He added the R&FB committee, with two Emeriti faculty on it, voted that should not be an issue. Even though it costs twice as much to insure yourself once you reach retirement age but before you get into Medicare the committee, including the Emeriti faculty, felt that early retirement was a personal choice and taking responsibility for your health care coverage in retirement is one of the issues that you have to consider before making that choice.
  - b) Are families with dependents subsidizing single member employees, like we are all subsidizing retirees?  
Bell said that was a question he could not answer.
  - c) Families desperately need a High Deductible/Low Premiums package so that we are not out of pocket \$10k per year just to pay for the PREMIUM.  
Bell said he agreed and OSEEGIB does not offer that. We cannot get a high deductible plan through OSEEGIB that qualifies for a health-savings account. Those are offered by a number of different insurance companies and we even have an administrator in place that administers a plan for you. PBS, the same company that administers the Flexible Benefits Plan (the debit card), can administer a health savings account. If you want to find the rules for health savings accounts you can go to the IRS.gov website and look for publication 969. He said to not forget that if you look into this plan for your family that everything that you pay goes up. If you leave a group plan and then want to get back in, and something has happened to you in the meantime, that group plan does not have to take you back but if you go from one group plan to another you cannot be refused even if you have a preexisting condition.

Moomaw asked Bell if he was aware OU had a task force in operation for this same purpose and Bell replied he did and they were discussing combining the two task forces and they are also discussing working individually and then coming together with a plan. Darcy said he, Phillips, and Miller had been in touch with Bob Dauffenbach from OU and they are waiting for him to reply to them and then a meeting will be arranged to discuss the health insurance issue.

#### **STUDENT AFFAIRS AND LEARNING RESOURCES — Beulah Hirschlein**

Hirschlein reported the recommendation their committee presented at the November Faculty Council meeting regarding the Study Abroad Initiative was pending and administrators are looking into it and developing a response.

In January they will begin a study of the student academic fee structure at OSU and will be seeking input from faculty, students and administrators.

Hirschlein said she would like for the Rules and Procedures Committee to advise on how to recognize Bob Helm who served on the SA&LR committee last year as the emeriti faculty representative, as he had passed away in November. Mitchell, R&P committee chair, said that a resolution from the Council would be appropriate.

## **REPORT OF STATUS OF FACULTY COUNCIL RECOMMENDATIONS:**

### **President Schmidly, Provost, and Vice Presidents**

06-05-01-EXEC	<i>Recommendations Concerning Confidentiality Agreement:</i> Pending. Committee still working on training.
06-10-01-EXEC	<i>Legislative Priority:</i> Pending
06-10-02-EXEC	<i>Electronic Posting of OSU Budget and Salary Documents:</i> Pending
06-10-03-Council	<i>Optional use of an Academic Mission-based Logo by Faculty and Academic Units:</i> Pending
06-11-02-RES	<i>Policy for the Protection of Human Subjects in Research:</i> Pending. Proposed revisions are currently under review by the associate deans for research. Once approved by the ADRs the proposed policy will be reviewed by the Council of Deans and by the Executive Team.
06-11-03-SALR	<i>Study Abroad Initiative:</i> Pending. Dr. J. Hromas and Ms. Gerry Auel are developing a response to the recommendation.
06-12-01-ASP	<i>Wellness Class Recommendation:</i> To President Schmidly
06-12-02-FAC	<i>Annual Faculty Appraisal and Development Program:</i> To President Schmidly
06-12-03-Council	<i>Smoke-Free Campus:</i> To President Schmidly

## **REPORTS OF LIAISON REPRESENTATIVES:**

### **Women's Faculty Council — Jean Van Delinder**

This fall Women's Faculty Council sponsored a colloquium on Nov. 15 in the Edmon Low Library Browsing Room featuring Jennifer Paustenbaugh and Bob Darcy speaking about their book *Oklahoma Women's Almanac*. Their next colloquium will be in January, featuring Dr. Elizabeth Grubgeld, speaking on her book, *Irish Autobiography*. Women's Faculty Council is also in the process of creating an endowment fund for women's scholarships. Their annual scholarship award competition will occur again in the spring and please check their website for updated information. Women's Faculty Council is also in the process of revising their bylaws.

### **Graduate Faculty Council — Bob Hunger**

At the December meeting of the Graduate Council:

- Following discussion with suggestions/revisions, approval was given for:
  - a new MS program in Educational Technology.
  - addition of the option of "Gerontology" to the MS in Human Development & Family Sciences.
  - a new MS program in Business Geographics.
  - deletion of options in the MS and PhD programs in Sociology.

- Continued discussion of possible changes in policies related to assigning grades to Research. This discussion will continue through the spring semester with emphasis placed on presentation and discussion at the Group meetings in March.
- Approved a rule change to clarify the requirement that graduate students complete no fewer than 6 hours of graduate-level courses in the calendar year prior to the semester in which they graduate.

### **New Business**

Bob Darcy presented a recommendation to Council entitled “Smoke-Free Campus”. He said this had been circulated to Council and there had been considerable discussion regarding this issue. This is in support of the recommendation to the administration that the Student Government Association passed November 29, 2006. Darcy said what this does is to begin the process of making OSU a tobacco-free campus. It does this in very measured ways. The Council’s recommendation below is unaltered from the words of the student recommendation with the exception of the strikethroughs noted in the sixth paragraph as amended by Council at this meeting. The recommendation, as amended and approved by Faculty Council, follows:

#### **The Faculty Council Recommends to President Schmidly that:**

“Starting August 2007 and the four years following, the University will designate smoking areas away from entrances to buildings and designate the entire rest of the Academic Core of the campus smoke-free.

At the end of the four year period the University Administration will enter negotiations with students, faculty and staff about whether or not to make the rest of the Academic Core of the campus Smoke-Free by removing all designated smoking areas;

The University Administration shall provide cessation programs including advertisement and education concerning the use of tobacco products starting August 2007;

The OSU PD shall provide enforcement of this recommendation upon passage and approval of this bill;

The University Administration shall move all ash trays and cigarette receptacles away from university buildings and to the new, future designated smoking areas.

This recommendation will be enforced ~~during the~~ at all times ~~in which university is in session~~ ~~excluding any NCAA game day proceedings~~ with no exceptions.”

#### **Rationale:**

1. The Faculty Council supports the Student Government Association recommendation of November 29, 2006.
2. The fact there are many challenges to good health and wellness on our campus, challenges that should and must be addressed, should not prevent OSU from addressing one of the most serious challenges to good health, tobacco use.
3. A consensus has emerged that tobacco use has no positive aspects and a much baleful impact.
4. We now know tobacco use causes an addiction that is most difficult to free oneself of.
5. We know that social environment accepting tobacco use encourages new users of tobacco and an environment free of tobacco use discourages new users of tobacco.
6. A wise approach to the tobacco-use problem should focus on discouraging new users through establishing a tobacco-free environment while weaning tobacco users from their practice

through positive programs aimed at helping users and motivating them toward success at abandoning tobacco use.

Darcy said he thought it was important that the faculty of this University go on record as supporting the progressive measures of the students and administration. For the faculty to oppose the student's recommendation would be a big mistake and would put the faculty in a very difficult position.

Darcy moved the motion be accepted. Leavell seconded. Discussion followed.

Moomaw brought up the NCAA game day proceedings exception mentioned in the recommendation because there are many NCAA game days and which "game days" were they referring to. Darcy said he thought it was appropriate for the students to respond and Andrew Mathiasen, SGA Senate Chair, said he understood it referred to the football games when there was tailgating. Moomaw then asked if there was a definition as to what the "academic core" was and Mathiasen replied it was not defined but he took it to mean the core of campus and not residential or athletics.

Pat Bell said in the recommendation both terms smoke-free and tobacco-free products were used and was that intentional. Mathiasen said he believed so as the focus of this bill was to be more of a smoke-free campus now and then next semester there would probably be different kinds of health initiatives that would deal more with tobacco and cessation. Tony Brown said the title seemed to be in conflict with the content in terms of the thrust of the recommendation. Darcy replied this is quite a controversial issue among the faculty and what the officers, and others talked to, decided was to stay exactly to the words the students used. He added there were some inconsistencies but he felt everyone understood what the meaning was and that there is some real utility in having the faculty, students and administration exactly "on the same page".

Moomaw said there was an issue regarding individual freedom and people's right to make their own choices. John Stuart Mill discusses the nature and limits of the power which can be legitimately exercised by society over the individual. In On Liberty, he says: **"Protection, therefore, against the tyranny of the magistrate is not enough...protection also (*is required*) against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compel all characters to fashion themselves upon the model of its own. People are accustomed to believe, and have been encouraged in the belief by some who aspire to the character of philosophers, that their feelings ... render reasons unnecessary. The practical principle which guides them to their opinions on the regulation of human conduct, is the feeling in each person's mind that everybody should be required to act as he, and those with whom he sympathizes, would like them to act".**

He further says that his essay asserts one very simple principle: **"That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection".**

Moomaw said the thought that to say that the current environment at OSU encourages smoking is just “crazy”. He added there are people now measuring how far smokers are away from doors and campus police are imposing \$100 fines. He thinks it is completely inappropriate to try and regulate that kind of behavior and, “Can’t we just let people make their own decisions when they are not harming other people”.

VP Bird said John Fernandes, President, OSU-CHS in Tulsa, is Chair of the Health Task Force appointed by President Schmidly and, with other campus educators on this committee, they will pull together all the different resolutions and feelings about this issue in addition to research from other campuses. She added about 70 campuses are smoke free at the present time. Darcy asked Bird if there was anything at variance in this recommendation with what their strategy is. Bird replied they will consider all other recommendations, the different language in each (smoke-free, tobacco-free, etc.) and work through all the issues. They know there are counter positions and oppositions in regard to this issue from students and different groups and she feels this is to be expected but hopefully they can work through the issues and find paths that have been used successfully on other campuses.

After a lengthy discussion Glenn Brown said he did not think this recommendation was ready to be sent to administration and moved to Table. Ransom seconded. Motion to Table failed with a vote of 13 for; 13 against.

Discussion on the main motion continued. Darcy said, “I am also a student of John Stuart Mill as is Ron Moomaw, and I feel what we are dealing with here is a balance. We are ourselves placing these restrictions on what some people consider their liberties, their liberty to use tobacco. We already, as a society, have proposed a lot of restrictions on the use of tobacco and we’re going to continue to produce restrictions on the use of tobacco. We are not only creating restrictions on an individual’s right to smoke in a restaurant, in a public place, we are restricting an individual’s right to purchase tobacco as now you have to be 18 and prove it to purchase tobacco products. These restrictions are increasing. The only question is how Oklahoma State University is going to approach this problem. We know that the concept of individual liberties is conditioned within an environment. We know that individuals are led to do certain kinds of things by the environment. Does the faculty at Oklahoma State University want to make Oklahoma State University an equal opportunity environment for smokers? Do we want to have new people come to this campus and have an equal shot at becoming a smoker or not becoming a smoker? I don’t. I think that’s a mistake. I think we want to put conditions on people smoking. I see smoking as a different category of individual liberty than religion, sexual preference, etc.” He urged the faculty to not attempt to get in the way of something that’s going to happen at Oklahoma State University.

Moomaw said, “We are putting pressure on people’s individuality”. He has no problem with education, various ways of giving incentives not to smoke, etc., but to say we are going to impose civil penalties, such as fines, on people for smoking when they are not causing any damage to anyone else he feels this is a fundamental denial of freedom and he cannot condone it. He feels like the areas, where they are now, outside and 25 feet from a building entrance, where those that want can avoid second-hand smoke, is good enough.

Danna Martin said economists talk about economic spillover and all the expenses associated with that. Supposing second-hand smoke does no harm to another person, you still have all the problems with spillover that are not absorbed by the smoker or the tobacco user. They will be the first to get emergency care at public subsidized hospitals that you are taking care of even if they are students and are not under your insurance coverage and they will be talking about their rights but where is the responsibility.

Darcy responded by saying this Council made a recommendation urging the administration to start enforcing the 25-foot law. The idea that this recommendation will cause people to be fined, as something new, is not correct.

Ransom asked, as a point of order, how many times a person could speak. Mitchell suggested a time limit be placed on debate. After another lengthy discussion Tony Brown called the question. Darcy seconded. Vote to terminate debate passed with 15 for; 9 against; and 2 abstentions. Debate ceased.

Before voting on the main motion, Ransom moved to amend the sentence, "This recommendation will be enforced during the times in which university is in session excluding any NCAA game day proceedings" to read, "This recommendation will be enforced at all times with no exceptions". Darcy said this was obviously an attempt to create a recommendation that would not and could not pass or be enforced and he urged Council to vote against it. Glenn Brown said this eliminated the biggest part of hypocrisy in the motion and he supported it. Ransom called the question. Motion to amend passed with 11 for; 10 against; and 5 abstentions.

Bruce Russell recommended adding a sentence to the recommendation saying, "The University install cameras around campus so the policy can be enforced 24 hours a day". Greg Bell seconded. Darcy called the question. Motion failed with 17 against; 3 for; and 6 abstentions.

Ransom proposed another amendment in the next to the last paragraph which read, "The University Administration shall move all ash trays and cigarette receptacles away from university buildings and to the new, future designated smoking areas", and add, "At a distance of no more than 26 feet from any entrance or exit to such building". Moomaw seconded. Darcy called the question. Motion failed with 18 against; 3 for; and 5 abstentions.

The original motion, as amended, passed with a vote of 13 for; 11 against; and 2 abstentions.

The meeting adjourned at 4:35 p.m. The next regular meeting of the Faculty Council is January 9, 2007.

Respectfully submitted,  
Thomas Jordan, Secretary