

JOURNAL OF THE FACULTY SENATE (Norman campus)  
The University of Oklahoma

Regular meeting -- April 12, 1982 -- 3:30 p.m., Dale Hall 218

The Faculty Senate was called to order by Dr. Gary Thompson, Chair.

Present:

Baker	Fishbeck	Hibdon	Locke	Scharnberg
Brown, H.	Foster, T.	Howard	Love	Schleifer
Brown, S.	Gollahalli	Huseman	Maletz	Self
Christian	Graves	Kiacz	Menzie	Sonleitner
Conner	Gross	Lanning	Moriarity	Stock
Covich	Hardy	Lehr, Robert	Murphy	Thompson
Driver	Hayes	Lehr, Roland	Patten	Wainner
Dunn	Heaston	Levy	Ragan, J.	West
El-Ibiary	Hebert	Lis	Rinear	Whitmore

Provost's office representative: Ray

PSA representative: Cowen UOSA representative: Sevenoaks

Guests:

Dr. Kenneth Hoving, Vice Provost for Research Administration, and  
Dean, Graduate College

Dr. Jerome Weber, Vice Provost for Instructional Services, and  
Dean, University College

Dr. Milford Messer, University Registrar

Mr. Robert Montgomery, Assistant Director, Personnel Services (Norman)

Mr. Mark Elder, Chair, Patent Advisory Committee

Absent:

Biro	Ford	Ragan, T.	Seaberg	Smith
Christy	Foster, J.			

PSA representatives:	Clinkenbeard	Little	Powers
	Guy	McNeil	

Women's Caucus, Liaison: Morgan

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Student representatives - see 4/82-5 p. 2-6 (advertently omitted from this journal)

ANNOUNCEMENT: Spring meeting, OCFO

The Oklahoma Conference of Faculty Organizations (representing private and public institutions of higher education throughout Oklahoma) will hold its spring session at the Oscar Rose Junior College, Midwest City, on Friday, April 16, 1982.

## ACTIONS TAKEN BY PRESIDENT WILLIAM S. BANOWSKY

(1) Norman campus faculty survey - salary issues, 1982-83: On March 23, President William S. Banowsky acknowledged receipt of the results of the recent Norman campus survey concerning salary issues, 1982-83, with the following memorandum addressed to Professor Anthony S. Lis, Senate Secretary, with copies to Provost J. R. Morris and Vice President Art Elbert:

"Thank you for sending me a copy of the Norman campus faculty survey. As you know, a conference committee of the House and the Senate is now deliberating differences in the higher education bill passed by those two bodies. We are hopeful that a full-funding decision will occur from these deliberations.

"The results of the survey are particularly timely, and I can assure you that they will be included in deliberations occurring during the next several months."

(Please see page 2 of the Senate Journal for March 15, 1982.)

(2) Faculty replacements - University groups: On March 19, President William S. Banowsky approved the Senate election of Professor Judy Katz (Human Relations) to the Investigative Council on Sexual Harassment.

At the same time, he selected Professor Wayland Cummings (Communication) from the Senate nominations for the faculty vacancy on the Budget Council.

(Please see page 5 of the Senate Journal for March 15, 1982.)

(3) Search Committee, Dean, College of Environmental Design: On March 29, 1982, President Banowsky selected the following faculty members to serve on the Search Committee for the Dean of the College of Environmental Design:

Floyd Calvert  
Harold Conner  
Jerlene Hargis  
Thomas Selland  
Michael D. Wahl

(Please see page 5 of the Senate Journal for March 15, 1982.)

INTRODUCTION OF UOSA REPRESENTATIVE: Mr. William Sevenoaks

Professor Gary Thompson, Senate Chair, announced that Mr. Greg Kubiak, incoming President, University of Oklahoma Student Association, 1982-83, had recently selected Mr. William Sevenoaks (a member of the Student Congress) to serve as a UOSA representative to the Faculty Senate.

Mr. Sevenoaks was formally introduced to the Senate.

## REPORT OF SENATE EXECUTIVE COMMITTEE

Professor Thompson, Senate Chair, reported on the following items:

April 2-4 retreat, HSC/OSU/OU (Norman) faculty governance representatives: Faculty governance representatives from the Health Sciences Center, Oklahoma State University, and the Norman campus held their annual Spring retreat on April 2-4 at the Robert S. Kerr Conference Center in Poteau. Professor Thompson termed the Center operated by the State Regents "a marvelous facility."

The three-day session covered a wide range of topics with emphasis on general education and admission requirements at both comprehensive universities. At one afternoon session, the resource person was Dr. Alfred Gage, Foreign Language Specialist, State Department of Education.

Professor Thompson reported that the group had agreed that a joint committee consisting of administrators and faculty of both Universities should be formed to "explore whether this is the policy that we want to pursue and how to pursue it." He added that such deliberations "should be conducted jointly and carefully, doing everything possible to avoid penalizing or hurting the smaller schools throughout the state. We, of course, recognize that in a state with the kind of higher education milieu in which we must operate there are difficulties. Nevertheless, we are going to make our feelings and desires known."

Retreat participants included the following faculty from the campuses indicated below:

Health Sciences Center, Oklahoma City:

Anórea Bircher (Nursing), Senate Chair-elect  
Thomas Pento (Pharmacy), Senate Chair

Oklahoma State University, Stillwater:

Donald N. Brown (Anthropology), Council Vice Chair  
Richard Frahm (Animal Science), Council Chair  
Claudette S. Hagle (Library)  
Marvin S. Keener (Mathematics)  
Robert T. Radford (Philosophy), Council Secretary  
Neal A. Willison (Electrical Technology)

Oklahoma University, Norman:

Sherril Christian (Chemistry)  
Teree Foster (Law), Senate Chair-elect  
Deirdre Hardy (Architecture)  
Jeanne Howard (University Libraries)  
Anthony S. Lis (Business Administration), Senate Secretary  
Carl Locke (Chemical Engineering)  
Gary Thompson (Geography), Senate Chair  
Stephen Whitmore (Physics/Astronomy)

When Professor Thompson asked for Senate reaction, the Senate members responded with a spontaneous round of applause.

He then moved acceptance of the Senate Executive Committee proposal that discussions be undertaken to create such a joint OSU/OU committee as soon as practicable. Without further discussion and without dissent, the Senate approved the proposal concerning general education and admis-

sion requirements at both institutions.

Use of University facilities: The Senate Executive Committee recently appointed Professor James Hibdon (Economics) to serve on the new Facilities Review Committee. (Please see pages 7-8 of the Senate Journal for September 14, 1981.)

Vice President Stout has contacted the Senate Chair with a request for faculty suggestions concerning the new policy on the use of University facilities. Professor Teree Foster, Senate Chair-elect, is coordinating faculty input at this point and is soliciting faculty suggestions and recommendations. She is also contacting individual faculty members who have previously expressed interest in this matter. Professor Thompson urged faculty to submit ideas and suggestions to Professor Foster within the next three days.

The Senate Executive Committee has recently met with Vice President Jack Stout and Associate Vice President Anona Adair for a "very frank discussion" of all aspects of this issue.

Professor Thompson added that the President's office had indicated to him that faculty opinion is sought in this matter.

#### PROPOSED UNIVERSITY RETIREMENT PLAN

Background information: The University Employment Benefits Committee recently approved a revised University retirement plan that includes a phased-retirement option for faculty as recommended by the Senate last summer. (Please see page 8 of the Senate Journal for March 15, 1982, and page 21 of the Senate Journal for February 8, 1982.)

Copies of the plan were distributed to Senate members in advance of this meeting.

Senate action: Professor Whitmore, Chair of the Senate Faculty Welfare Committee, moved approval of the new University retirement plan. He then introduced Mr. Robert Montgomery of the Personnel Services office on the Norman campus to answer any questions from the floor.

In response to one query, Mr. Montgomery stated that, to his knowledge, no action is being considered by the State legislature to change the current retirement plan. Later, he suggested that interested and eligible faculty members check with his office for additional details concerning the phased-retirement option before making any personal decisions.

In a voice vote without dissent, the faculty approved the plan that is reproduced in full on pages 5-11.

## THE UNIVERSITY OF OKLAHOMA RETIREMENT PLAN

- I. **EFFECTIVE DATE:** The provisions of this Retirement Plan become effective June 30, 1982.
- II. **SUPERSEDURE:** From the effective date, all previously published retirement plans from the Norman Campus and Health Sciences Center are hereby superseded.
- III. **GENERAL:** Regular employees of the University of Oklahoma are entitled to certain retirement benefits following the completion of a designated number of years of employment, the attainment of specified ages, and satisfaction of other requirements as set forth in this plan.
- IV. **DEFINITIONS:** Unless a different meaning is clearly indicated by the context, certain terms used in this retirement plan will have the following meanings:
  - A. "Employee" refers to individuals actively appointed by the University to be paid on a continuous basis for half-time or more.
  - B. "Retirement" applies to the termination of employment of employees satisfying certain criteria of length of service, age, and employment status as indicated below entitling them to retirement benefits.
  - C. The abbreviation "TRS" means the Teachers' Retirement System of Oklahoma.
  - D. "Social Security" means the Federal Social Security Benefits Program.
  - E. "Retirement Addition" refers to the fully funded annuity program through TIAA-CREF made available to employees who are members of TRS and earning in excess of \$9,000 per year.
  - F. "Supplement" means a monetary retirement benefit paid to a member of TRS from the current operating funds of the University subject to the statutes of the State of Oklahoma as a supplement to benefits from TRS, Social Security, and the Retirement Addition.
  - G. "Member" refers to an employee who is a member of TRS on an optional or mandatory basis. Eligibility for membership is defined by the Board of Trustees of TRS.
  - H. "Annual Salary Rate" is the annual appointed rate of an employee appointed on a 12 or 11-month basis. In the case of an individual employed regularly on a 9-month academic year basis, it means the full-time salary for the 9-month employment period, plus two-ninths to convert the 9-month rate to a 12-month equivalent rate. The full-time salary for an employee on sabbatical is the rate that would have been paid had the sabbatical leave not been granted. A member who is employed regularly on a part-time basis may be eligible for the Supplemental Benefit, but his/her annual salary rate as defined above will be limited to his/her part-time rate for the 9-month employment period plus the amount sufficient to convert the 9-month rate to a 12-month equivalent rate. The annual salary rate for a member who is employed full-time on an hourly rate will be computed by multiplying the hourly rate by 2080 hours. At the Health Sciences Center, salary for the purpose of determining current fringe benefits and for the establishment of retirement benefits shall consist only of those stipends paid from funds allocated to or collected by The University of Oklahoma Health Sciences Center (OUHSC) and expended through regular payroll procedures established by the Office of Administration and Finance of the OUHSC.

- I. "Years of Service;" for the purpose of calculating a Supplement, shall include only those years the employee has been a member of TRS and those years for which the employee shall have received prior service credit, in accordance with paragraph "J" below, and all time on sabbatical and military leave from the University of Oklahoma and the first year of any other year of leave of absence from the University of Oklahoma.
- J. "Prior Service Credit" shall be granted for:
  1. Those years for which the employee was employed by the University of Oklahoma prior to July 1, 1943, and for which the employee has received prior service credit with TRS, and
  2. A maximum of five years of prior service credit may be granted on the basis of one year's credit for each four full years (nine or more months) of full-time service at any accredited institution of higher education. Credit for service of fractions of less than four full years of service will not be given.

#### V. RETIREMENT AGES:

- A. Mandatory Retirement: Any person employed by the University who has not retired earlier will retire at the end of the fiscal year (July 1 - June 30) during which age 70 is reached. Exceptions may be approved on a year to year basis by the President, or his/her designee.
- B. Normal Retirement: Normal retirement age is 65.
- C. Optional Retirement: A person can retire at age 62 with as few as ten years of service.
- D. Disability Retirement: There is no minimum age.
- E. Phased Retirement: A person may begin phased retirement on the first of any month after having attained age 58, subject to meeting other eligibility requirements.
- F. Minimum Retirement: Any age after 25 or 30 years of University of Oklahoma service. However, an individual retiring after 25 years of service is not eligible for consideration for a supplement until the month after achieving age 62, and an individual retiring after 30 years of service is not eligible for consideration for a supplement until the month after achieving age 60.

#### VI. MINIMUM QUALIFICATIONS:

- A. Age and Service: Age 62 with a minimum of 10 years of University of Oklahoma service. Any age after 25 years of University of Oklahoma service.
- B. Disability: Any time the individual is totally disabled after 10 years of University of Oklahoma service.

VII. RETIREMENT DATE: For normal and optional retirement, the effective date will be the first of any month following the attainment of the age and service requirements.

#### VIII. BENEFITS SOURCES:

- A. Monetary:
  1. Social Security: Among benefits available for those fully insured and eligible under Social Security is a monthly retirement amount.
    - a. Participation. All University employees, irrespective of age, except students and non-resident aliens, are mandatory contributors to the Social Security System.

- b. Contributions. Contributions are made by payroll deduction. Each eligible employee is taxed as a fixed percentage on all salary/wages received up to a fixed base on a calendar-year basis. The rate and base are subject to annual increases as determined by the Social Security Administration. The University matches these contributions on a 1:1 ratio.
  - c. Benefit. Responsibility for the calculation of the exact benefit to be paid rests with Social Security officials.
2. Oklahoma Teachers' Retirement System (TRS):
- a. Participation. Membership is mandatory for all faculty, executive officers, administrative officers, and all administrative, professional and managerial staff employees who work half-time or more. Enrollment is automatic the month after the individual achieves eligibility. However, individuals need to enroll formally in order to designate a beneficiary. Supervisory and service and operations staff have the option to join.
  - b. Contributions. Five percent of salary/wages up to an amount determined by the TRS trustees and announced each fiscal year is collected through payroll deductions. The amounts must be matched by the paying account for each person paid through a grant.
  - c. Benefit. For a member who has ten or more years of contributory service, the annual benefit is computed by multiplying the average salary for the five highest years on which TRS contributions were made times 2% times number of creditable years of TRS service. The result is the age 62 benefit for a normal TRS retirement. Actuarial reductions are made for earlier retirement. Special TRS rules exist for 30-year retirements. Also, special provisions exist for purchasing credit for out-of-state and military service.
3. TIAA-CREF Retirement Addition:
- a. Participation. Every TRS member of age 30 and older, or who has 3 or more years of University service and whose base salary exceeds \$9,000 per year, participates in this program. The age 30/3 year rule will be waived for any individual entering University employment from another institution in which he/she participated in TIAA-CREF. Waivers are also granted for those individuals who cannot qualify for Teachers Retirement System membership because of age.
  - b. Contributions. 15% of salary/wages on amounts over \$9,000 will be contributed by the University to purchase a vested annuity with TIAA-CREF. Maximum salary level on which contributions by OUHSC will be made is \$30,000 per year. No contributions are made for Norman Campus employees after the fiscal year in which they achieve age 65. Salary at OUHSC used for basis of such contributions is as defined in IV.H. (above). Contributions are made monthly based on salary rate (i.e., for 12-month appointees, 15% of salary over \$750 per month is contributed; for 9-month appointees, 15% of salary over \$1,000 is contributed). However, no contribution will be made for \$1.00 or less per month. Contingent upon availability of funds and Regental discretion, contributions will be made on full summer salary for faculty and staff on 9-month appointments. However, no contribution will be made for special payments, overtime, housing, or expense allowances.
  - c. Benefits. The retirement benefit accruing from the contributions will be as determined by TIAA-CREF authorities.

## 4. Supplement:

- a. Eligibility. The following general rules are used to establish eligibility for a Supplement.
- (1) Must be a member of TRS.
  - (2) Must meet minimum age and service requirements.
- b. Computation. The Total Retirement Salary is determined as follows:
- (1) The salary used is based upon an average of the five consecutive years for which the "contract" salary rate is highest, excluding summer session or summer grants. 9-month salaries will be converted to their 12-month salary equivalents by adding  $2/9$ <sup>ths</sup>.
  - (2) Determine years of service, crediting to a maximum of five years, on the basis of 1 year for each 4 full years (9 or more months) of full-time service at any other accredited institution of higher education. Total the years internal and service elsewhere.
  - (3) Calculate the percentage factor by allowing 2% for each year of service up to and including 25 and  $\frac{1}{2}$  of 1% for each year over 25.
  - (4) Calculate the Total Retirement Stipend by multiplying the Total Retirement Salary (1) by the percentage factor (3).
  - (5) Determine the entitlements from each of the respective agencies using criteria in effect as of the time of retirement.:
    - (a) The Social Security entitlement is the benefit available at the time of retirement or earliest date of eligibility, whichever is later, not including any spouse payment and prior to any reduction to pay a Medicare premium.
    - (b) The Maximum for Life TRS benefit entitlement, irrespective of the option the individual selects.
    - (c) The Single Life Annuity entitlement from TIAA-CREF on the assumption all funds were applied to TIAA, again without regard to the actual option the individual may select.
  - (6) Determine the annual Supplement by subtracting the amounts for Social Security, TRS and TIAA-CREF (5) from the Total Retirement Stipend (4).  
If the Retirement Stipend is \$15,000 or more, the OUHSC Supplement is limited to the difference between the sum of the other three sources and \$15,000. When a member retires with 30 years or more of creditable service and the member's age does not yet qualify him/her for Social Security benefits, the Supplement will include that portion of the Social Security entitlement required to satisfy the Retirement Stipend formula; this increment will be part of the supplement from the date of retirement until the earliest date that the member is eligible to receive Social Security retirement benefits. At that time, the increment of the supplement attributable to Social Security pay will be dropped from the supplement. The calculation of this Social Security increment will be based on what the member's entitlement would be if he/she were 62 years of age on date of retirement.



## (7) Additional restrictions on the Supplement:

- (a) The earliest age it can be available is the month after the individual attains age 60, but only in case of an individual with 30 years or more of service.
- (b) For those retiring with less than 30 years of service, the earliest a Supplement can be available is the month after the individual attains age 62, provided he/she has completed 10 years of service.
- (c) The calculation is made using rules and other agency entitlements applicable at the time of retirement or at the earliest time the individual is eligible for a benefit from the other agencies.
- (d) An individual retiring for disability after 10 or more years of service will have a Supplement calculated on the basis of all sources contributing an age 65 benefit (i.e., without actuarial reduction.)
- (e) Once the benefits have been calculated, the resultant supplement, if any, will be neither increased nor decreased as a result of changes in benefits from the other sources. (e.g., Social Security, TRS, and TIAA-CREF),

5. Increases: Supplements for eligible retirees will be increased annually by whatever average percentage increase is provided for active employees in the respective agencies.

B. Additional Benefits: Aside from monetary compensation, other benefits which will accrue to a retiree whether or not a Supplement is involved include the benefits described below. University retirees, including employees who otherwise meet the age and service requirements of this policy but who are not members of the Teachers Retirement System, are entitled to receive and participate in these additional benefits.

1. Health Insurance: University-paid health insurance is provided for all retirees meeting the specified age and service requirements, and they will continue to be eligible to insure bona fide dependents by paying their premium. After retirees/dependents become eligible for Medicare primary coverage, University insurance continues in a secondary role. At age 65, there is no requirement for insureds to enroll in Part B of Medicare (doctor's portion) since coverage for this category is provided through the University plan.
2. Life Insurance Conversion: All other insurance ceases upon retirement. However, retirees who apply within 30 days of retirement are entitled to convert to a whole-life policy for coverage up to the amount of final life insurance by paying a premium which is based on the attained age.
3. Parking: Retirees are entitled to fee-free decals and gate cards enabling them to park in campus lots.
4. ID Cards: Retirees are issued identification cards to identify themselves for the various retirement privileges.
5. Athletic Tickets: Retirees who retain residence in the state of Oklahoma are entitled to continue purchasing tickets to athletic events at reduced rates.
6. Library: Use of University Libraries can be continued in retirement.
7. Course Enrollment: Retirees may participate subject to the fee waiver rules applicable to the active workforce.
8. University Club/Faculty House: Eligibility for membership remains.
9. Employee Seminars/Functions: Continued participation is available.
10. Recreational Facilities: University-operated recreational facilities are available to retirees on a fee-free basis.

- A. General. This is a program which, with administrative approval, may be made available to any University employee with 10 or more years of service effective the month after the individual achieves age 58. Benefits cease on the June 30 following age 65. Its objective is to provide decreasing teaching/work responsibilities as the individual approaches full retirement while providing insurance and other benefits at attractive levels. The individual may be phasing into another career or into full retirement.
- B. Application. An individual who wishes to participate in such a program will be required to sign an agreement acknowledging the terms of the phasing. The agreement also will be signed by Chair/Account Sponsor of the paying account(s) and will include the negotiated FTE and rate for the first and each ensuing year of the phasing. It will detail if and when the individual would be eligible to retire if he/she did not continue through the entire phasing.
- C. Benefits.

Effective Year	Maximum that may be Negotiated		Health Ins.	AD&D Ins.	Life Ins.*	TIAA*
	FTE*	Salary*				
First Year	80%	80%	100% by Univ.	\$20,000 by Univ.	1.5	100%
Second Year	75%	75%	"	"	1.5	100%
Third Year	60%	60%	"	"	1.5	100%
Fourth Year	50%	50%	"	"	1.5	100%
Fifth Year	50%	50%	"	"	1.5	100%
Sixth Year	35%	35%	"	"	1.5	70%
Seventh Year	35%	35%	"	"	1.5	70%

\*Notes: A person can enter the matrix at the beginning of any month after becoming eligible and attaining age 58. The FTE and the salary for the years indicated above are the maximums authorized for these respective years and are to be the results of the negotiation between employee and the account sponsor or Committee "A" concerned and will be reflected in the Phased Retirement agreement. Under no circumstances will Phased Retirement be continued beyond June 30th of the year in which the member attains age 65. In the event of withdrawal, no retirement benefits would be available unless the individual has attained age 62, has 25 years of service, or is eligible for disability retirement.

Salary: For the purpose of this plan, % is applied against the individual's last contract salary prior to entering the phased program as adjusted by the average percent increase given active employees in the respective agencies since phasing began.

Note: For TRS members, it is assumed that TRS contributions will continue until FTE drops below 50%. Beyond that point no further credit is given for years of service for computation of Retirement Supplement. Actual salary based upon merit considerations may exceed the salary as defined by this plan, except that any additional salary increment above that described in table above will not be considered for benefits computations.

Life Insurance: 1.5 times actual annual salary rounded to nearest thousand.

TIAA: Applicable only to TRS members. % is percent of the final full work year TIAA-CREF contribution is made for the individual, adjusted by the average percent increase given active employees since individual began phased program. When the FTE is .50 FTE or more, the TIAA-CREF contribution is 100%. When the appointment FTE is less than .50 FTE, the percentage of the TIAA-CREF contribution is proportional to the appointment FTE.

LTD: Salary continuance insurance, if elected, will be at the rate actually being paid, not to exceed policy limitations.

Sick Leave: A member participating in the Phased Retirement Program will remain eligible and entitled to University sick leave benefits at the pro-rata level related to FTE which existed when the member was in full-time status (1.0 FTE).

Vacation Benefits: Eligibility for maximum vacation accumulation will not be reduced as a result of entering into this plan.

PROPOSED REVISION: University Patent Policy.

Background information: At its March 15, 1982, session, the Senate tabled once again its final consideration of the proposed revision of the University patent policy. (Please see page 11 of the Senate Journal for March 15, 1982.)

Senate action: Professor Rinear moved that the motion in question be removed from the table.

Professor Christian, Chair of the Senate ad hoc Committee studying further revisions in the proposed revision, moved that the changes recommended by that group be approved.

Dean Hoving thanked Professor Christian and the other members of that Committee for their assistance. He added, "We are very anxious to get this policy forward to generate some income. As I have indicated previously, I wanted a policy that is fair and that the faculty will accept with enthusiasm. The proposed policy is a very generous one. We have looked at 7 or 8 other university policies. Ours would have to be viewed as a very generous one--if not the most generous--to the faculty." In his opinion, "there has been a lot of give and take. Whenever they had suggested changes that I thought would be in the best interests of all concerned, we had gone along with them." He indicated his informal approval of the changes proposed by the Committee and felt that the Patent Advisory Committee would do so likewise.

Without further discussion, the faculty approved without dissent the proposed policy, as amended.

The final text of the proposed policy reads as follows:

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#### GENERAL STATEMENT

It is in the best interests of the University of Oklahoma and the State of Oklahoma to encourage faculty and staff members of the University to undertake creative endeavors and to receive recognition therefor. The individual or individuals who make the discoveries or inventions which become the property of the University under this Policy will share in income derived by the University from the marketing of such inventions and patent rights based thereon on such terms as the President of the University shall direct. As provided for in Paragraph I(A) below, discoveries or inventions made or created by employees, faculty, students, and staff of the University will become the property of the University. Any and all benefits accruing to the University and derived from such discoveries or inventions will be used to further the research enterprise of the University. The University through its President, or an officer of the University designated by the President, may recognize and contract with one or more patent service organizations, such, for example, as University Patents, Inc. or Research Corporation, in regard to obtaining, maintaining and marketing of patent rights (domestic and foreign) based on discoveries or inventions which are or shall become the property of the University pursuant to this Policy. It is not contemplated that this Patent Policy shall extend to and include questions of copyright ownership.

#### PATENT POLICY

##### I. INVENTIONS AND PATENTS

(A) All discoveries or inventions, whether patentable or unpatentable, and including any and all patents (domestic and foreign) based thereon and applications for such patents, which are made or conceived by any member of the faculty, staff, or student body of the University of Oklahoma, either in the course of employment by the University of Oklahoma or substantially through the use of facilities or funds provided by or through the University shall be the property of the University; and all rights therein shall be assigned, licensed, or otherwise commercially exploited as directed by a duly authorized officer of the University, who shall be designated by the President of the University.

(B) The Vice Provost for Research Administration shall have the responsibility of administering the research and patent affairs of the University in a manner consistent with this Policy.

(C) The Vice Provost for Research Administration shall issue written Directives to be approved by the President of the University and the Patent Advisory Committee (hereinafter called "Directives") to each member of the faculty and staff of the University, which shall govern the procedures to be

followed in processing of inventions and discoveries generated within the University as specified in Paragraph (A) hereof.

(D) The President of the University shall also appoint a Patent Advisory Committee, consisting of no more than eleven (11) members, including the Vice Provost for Research Administration and/or his/her designee. The Vice Provost for Research Administration or his/her designee shall act as Chair of the Committee. The Patent Advisory Committee functions shall be those of recommending changes in the Directives and consulting with the Vice Provost for Research Administration in regard to the disposition and handling of specific inventions and discoveries falling within the purview of this policy. The Patent Advisory Committee shall meet at the pleasure of the Chair.

(E) The Patent Advisory Committee shall consist of the following members:

the Vice Provost for Research Administration and/or his/her designee, the Executive Director, University of Oklahoma Foundation, Inc. one member appointed by and serving at the pleasure of the President, two staff members appointed for two-year staggered terms by the President from at least twice as many nominations submitted by the Employee Executive Council, and six faculty members (three from each campus) appointed for three-year staggered terms by the President from at least twice as many nominations submitted by the two Faculty Senates.

Each member of the Committee shall have one vote. In the event a student's interest is being considered, the President at his/her discretion, may appoint a student to the Committee to participate in the deliberation and voting of the Committee in that particular case only.

If any member of the Committee fails to attend as many as four consecutive meetings of the Committee and, if in the opinion of a majority of the Committee members, these absences have not been justified, the Committee Chair shall advise the President and request that this appointment to the Committee be terminated and a replacement appointed for the unexpired portion of the term. The Committee may also review this Policy from time to time and may recommend changes to the President.

## II. CONDITION OF EMPLOYMENT

The terms of this Patent Policy and the Directives issued pursuant to Paragraph C hereof are a part of any contractual relationship of the University with any member of the faculty, staff, or student body. This Policy and the Directives, as amended from time to time, shall be deemed to be a part of the conditions of employment of every employee of the University and a part of the conditions of enrollment and attendance at the University by all students engaged in research using University facilities.

VICE PROVOST FOR RESEARCH ADMINISTRATIONDIRECTIVES

These Directives are issued pursuant to the Patent Policy adopted by the Board of Regents of the University of Oklahoma on \_\_\_\_\_, 1982 and pursuant to approval thereof by the President of the University. They are to be included in and made part of the University Faculty/Staff Handbooks and are incorporated by reference in each and every employment agreement entered into between the University and each employee, faculty member and staff member of the University.

1. Any discovery or invention falling within the purview of Paragraph I(A) of the Patent Policy adopted \_\_\_\_\_, 1982 must be submitted in writing to the Office of Research Administration using the form attached hereto as Exhibit A.

2. The Vice Provost for Research Administration, following consultation with the Patent Advisory Committee, when appropriate, shall direct that each such invention or discovery be either:

(a) Released outright to the discoverer or inventor in the event the Vice Provost for Research Administration determines that the discovery or invention does not meet the criteria set forth in Paragraph I(A) of the Patent Policy; or

(b) Released outright to the discoverer or inventor in the event the Vice Provost for Research Administration determines that the discovery or invention does not merit or warrant exploitation on behalf of the University; or

(c) Retained by the University for exploitation by the University; or

(d) Transferred to a patent service organization with whom the University deals for commercial development by such organization; or

(e) Released to the individual, organization or agency sponsoring the research in the course of which the discovery or invention was made if such action is required under the terms of the research contract with such individual, organization or agency, or is required by law; or

(f) Licensed by the University to another person, firm, or corporation.

3. The discoverer or inventor shall be required, if requested by the Vice Provost for Research Administration, to apply for patent protection on each such discovery or invention, title to which is retained by the University in such countries as may be designated by the Vice Provost for

Research Administration and to assign his/her interest in and to any such applications for patent so filed to the University or its nominee. All costs involved in obtaining and maintaining patent protection, domestic or foreign, shall be borne by the University or its nominee. The Vice Provost for Research Administration shall act to protect the interests of both the inventor and the University during the time period the patent is being sought and the invention is being commercially exploited; he/she shall inform the inventor regularly and promptly of the steps taken to obtain the patent and to exploit it. In the event a dispute arises between the inventor and the University regarding a pending or active patent, either party may request a meeting with the Patent Advisory Committee, which shall attempt to resolve the dispute to the satisfaction of both parties.

4. The University will pay to the discoverer (or discoverers if more than one) or inventor (or inventors if more than one) at least thirty-five percent (35%) of the net consideration received by the University through exploitation of any invention meeting the criteria set forth in Paragraph I(A) of the Patent Policy of the University. Another fifteen percent (15%) of the net consideration received will accrue to the inventor's (or inventors') primary department (or be divided between the inventors' primary departments, if more than one) for its research purposes. The remaining fifty percent (50%) of the net consideration received will accrue to the University for use in the furtherance of its research programs and goals. If only nominal use of University facilities and resources was made in the creation of the invention, the President will consider a greater sharing of net consideration received with the inventor(s), and a lesser share of net consideration received by the department and the University, if so recommended by the Patent Advisory Committee. {{A sharing of net income of fifty percent (50%) for the inventor(s) and fifty percent (50%) for the University and department may be recommended for inventions based primarily upon ideas and discoveries resulting from work funded by outside agencies in response to proposals originated by the inventor(s).}}

The inventor and his or her department shall be paid their share of the net consideration in a timely manner after income is received by the University and be furnished with regular statements of income derived from exploitation of the invention. Net consideration refers to that portion of the gross royalties returned to the University which remain after costs involved in the research directly related to the patent plus those directly involved in processing the disclosure, patent, and licensing agreements, have been deducted. The costs directly related to the research, if University funds have been used in support of the work, shall be determined at the time of filing for the patent if at all possible. The cost will include only those direct and indirect costs directly related to the invention. The cost figure will be mutually agreed to by the inventor(s) and the Vice Provost for Research Administration. Cases of disagreement may be appealed to the Patent Advisory Committee.

PROPOSED REVISIONS: Faculty Appeals Board procedures.

Background information: Last December, the Senate Executive Committee appointed an ad hoc Committee to study proposed revisions in the current procedures of the Faculty Appeals Board. (Please see pages 2 and 4 of the Senate Journal for December 14, 1981.)

The final report of that Committee was distributed to Senate members in advance of this meeting.

Senate action: Professor Teree Foster, Committee Chair, gave a brief review of the issue and presented the rationale for each of the six recommendations included in the final report of that group. Professor Love complimented the Committee on the fine report.

Professor Gross moved approval of the report and its six recommendations. Without dissent, the faculty approved the motion.

The complete text of the report follows.

Proposed revisions in the Faculty Appeals Board (Norman campus)  
procedures approved by the Faculty Senate on April 12, 1982:

Several cases recently handled by the Faculty Appeals Board have raised issues concerning the fairness and workability of the procedures currently constituted to govern Faculty Appeals Board hearings. (See Faculty Handbook, Sections 3.9 through 3.10.4.) Specific issues brought to the attention of the Executive Committee of the Faculty Senate include: whether a legal advisor independent of the Office of University Legal Counsel should be furnished to a hearing panel, and if so, by what means such legal advice should be procured; whether legal counsel representing witnesses before a hearing panel should be permitted to be present while the witness testifies; whether the existing method for choosing panel members and/or chairs should be modified to assure development of some continuity in appeals board procedures; and whether the character of the current institutional process should be modified so as to become more informal, like an arbitration proceeding, or more formal, like a trial proceeding.

The Faculty Senate Executive Committee appointed an ad hoc Committee to inquire into procedures governing the Faculty Appeals Board and to make recommendations regarding the aforementioned issues, as well as any other issues arising during the course of the Committee's investigations.

The following inquiries were developed by the Committee and circulated to many persons who have had recent contact with the Faculty Appeals Board processes, in order to elicit their questions, comments, and criticisms:

(1) The Faculty Appeals Board currently functions on an ad hoc basis, which obviates the possibility of continuity. Is it feasible, or desirable, to attempt to develop an institutional memory regarding the appeals process. Can, or should, written records of the hearing panel's procedures, deliberations, and resolution of issues be maintained?

(2) Should one individual be designated to serve in the capacity of "super-parliamentarian," and resolve procedural and evidentiary disputes which arise during the course of a hearing. If so, how should this person be selected and how long should s/he serve?

(3) Should the Chair of a hearing panel be chosen from a pool of previously trained individuals, rather than being selected by the hearing panel? Should the Chair fulfill the function of "super parliamentarian"? Should the Chair be a lawyer or an individual with legal training?

(4) If legal advice is required by the hearing panel, how should legal advisors be chosen? What should be the role of the legal advisor in the hearing process?

(5) Although hearings are closed proceedings, should attorneys for witnesses be permitted to participate on an advisory basis?

Respondents who submitted suggestions and comments include Patrick Chesley (Norman attorney), Raymond Daniels (Chem. Engr.), Laura N. Gasaway (Law), Ann C. Glenn (Adm. Asst., Provost's Office), Herbert R. Hengst (Educ.), Tom Love (AMNE), William J. McNichols



(Law), E. Dwight Morgan (Law), Kurt Ockershauser (University Legal Counsel), Janet Bentz Ragan (Hum. Rel.), Gary Schnell (Zoology), Susan Seamans (Univ. Legal Counsel, Med. Ctr.), Haven Tobias (Okla. City attorney), Gary Thompson (Geography), Alexis Walker (Hum. Dev.), Stan Ward (Univ. Legal Counsel), and Leo Whinery (Law).

Responses to the Committee's inquiries affirmed the Committee's conviction that, as constituted, the Faculty Appeals Board procedures are basically sound and operate to provide fair administrative hearings for the resolution of grievance while preserving the concept of a collegial process that implements peer review. The respondents overwhelmingly agreed, and the Committee concurs, that fundamental systemic modification is neither necessary nor desirable, for the following reasons.

The existing process of lay review avoids excessive legalism and does not require intimate knowledge of the law, although basic familiarity with some legal procedures is preferable. The most critical ingredients are the requisite characteristics of a faculty hearing panel: common sense, sound judgment, good character, and a sense of fairness. The primary goal of the internal review system, to effect a just and fair disposition of a case, is best implemented by an informal process that retains sufficient inherent flexibility to adapt to the peculiar needs and objective of each case.

Legalism and formalism cannot be totally obviated in the hearing process, however. Potential sanctions available in cases involving University administration proceedings against a faculty member are so severe, encompassing social approbation and sustained economic loss, as well as cessation of career and professional development, that some of the procedural protections which are available in criminal trials generally should apply. (See, e.g., Faculty Handbook, Section 3.10.3, affording right to counsel, to presentation and cross-examination of witnesses and to the principle of confrontation.) Moreover, specific issues might arise in the course of a proceeding, such as the admissibility of evidence produced by a polygraph examination, which can be resolved only by resort to legal assistance. Thus, some elements of legalism and some degree of formalism in the existing process must be retained.

The Committee's task, therefore, evolved to one involving refinement of existing procedures only insofar as necessary to enhance the fairness and utility of these procedures. In fulfillment of this charge, the Committee offers the following conclusions and recommendations.

#### Conclusions and Recommendations

1. Development of procedural guidelines. The total absence of continuity from one Faculty Appeals Board proceeding to the next results in each hearing panel reinventing the wheel by fashioning its own procedural and evidentiary rules from whole cloth. Searching for precedent even on previously used procedure is a fruitless effort under the current structure. An informal book of procedural guidelines, apart from the formal Faculty Handbook, is, therefore, absolutely essential.

At a minimum, this book of procedural guidelines should include information regarding procedural issues which generally arise in the context of most hearings: role of attorneys, availability of legal advisor to hearing panels, opening statements, order of witnesses, use of expert witnesses, permissible scope of cross-examination, and other issues inte-

grally related to establishing a general approach to the conduct of hearings that is consistent from one case to the next. Moreover, in order to aid compliance with the Faculty Handbook, Section 3.10.2, which provides that "the complainant and the respondent, working with the Chair of the Hearing Committee, shall, as completely as possible, arrive at agreement on procedures and the formulation of charges," the book of procedural guidelines could include a sample procedural agreement, which could then be modified by the parties. It is not contemplated that the proposed book of procedural guidelines would encompass substantive issues, because the diversity in procedures in different departments in handling personnel matters renders precedents of minimal utility.

The Committee recommends that an ad hoc Committee composed of two chairs of the Faculty Appeals Board (past or present), two past chairs of Hearing Panels, one representative from the Faculty Senate, and one representative of the Office of University Legal Counsel be charged with developing this book of procedural guidelines. The office of the University Legal Counsel should draft the book for review and endorsement by that Committee.

Once developed, the book would be available to panel members and to participants as cases arise. The book should be neither complex nor ritualistic in design but should simply and clearly identify and discuss matters that do arise in the context of most hearings. The book of procedural guidelines should emphasize that its contents are merely guidelines, for use of panel members and participants, rather than mandatory dictates. At the conclusion of each academic year, the Office of the University Legal Counsel, together with the outgoing chair of the Faculty Appeals Board and the chairs of any hearing panels during that year, would be charged with reviewing the book and modifying it, if necessary. That task should be completed prior to the training seminar at the outset of each academic year. (See this Committee's third recommendation, infra.)

The contents of this book, which are merely advisory and subject to annual modification, should not appear in the Faculty Handbook. However, reference to the existence of the book of procedural guidelines should be made as follows. The Faculty Handbook, Section 3.10.2(e) provides:

At this point, the complainant and the respondent, working with the Chair of the Hearing Committee, shall, as completely as possible, arrive at agreement on procedures and the formulation of charges.

This section should be succeeded by the following sentence:

The parties may refer to the current Book of Procedural Guidelines in formulating the agreement on procedures.

2. Preservation of procedural agreements. Maintaining and preserving detailed records of the hearing panel's deliberations and resolution of issues is neither necessary nor desirable. However, preserving the agreement on procedures reached by the parties, in conjunction with the Chair of the Hearing Committee, might prove useful to future participants. This Committee recommends that the book of procedural guidelines direct the Chair of the Hearing Committee to forward a copy of the agreement on procedures to the Office of the Provost after conclusion of the case, and after the Chair undertakes removal of all identifying characteristics from this document. Agreements on procedures will be maintained in a file in the Office of the Provost and will be available to panel members

and participants in future cases.

This Committee recommends that the Faculty Handbook, Section 3.10.3, be changed by the addition of a subsection (k) which provides:

Upon conclusion of the hearing, the Chair of the Hearing Committee shall remove all identifying characteristics from the agreement on procedures and shall forward this document to the Office of the Provost. Agreements on procedures will be maintained in a file in the Office of the Provost and will be available to panel members and participants in future cases upon request.

### 3. Annual Training Seminar for Faculty Appeals Board Members.

In order to obviate the confusion and frustration often experienced by new Faculty Appeals Board members at the outset of a case, this Committee recommends that the Office of University Legal Counsel be asked to conduct an orientation and training seminar for new members of the Board at the outset of each academic year, before any cases arise. In conducting this seminar, the Office of Legal Counsel would act in consultation with the Chairs of the Faculty Appeals Board and the Faculty Senate. The designated pool of legal advisors, (see this Committee's fourth recommendation, infra,) should also participate in this seminar.

The seminar would include discussion of hearing procedures and due process for the Faculty Appeals Board. It should be specifically provided for in the book of procedural guidelines, which could also serve as a training manual to be used during the seminar.

4. Legal advisor to the hearing panel. The Faculty Handbook, Sections 3.10.2(c) and 3.10.3(a), contemplates the necessity of providing legal and procedural advice to the hearing panel. However, as Section 3.10.2(c) indicates, the Office of University Legal Counsel often cannot perform this function due to a conflict of interest. This Committee recommends that a panel of legal advisors be formed to be available for the use of the hearing committee, in that committee's discretion. Members of this panel should be University faculty or staff who are attorneys familiar with the rules of evidence and procedural matters. Panel members may be drawn from the University of Oklahoma Law Faculty, but need not be drawn exclusively from this group, since any person with training as a lawyer should be well qualified to function as an advisor. The panel would be appointed by the President from recommendations made by the Faculty Senate. The panel of legal advisors would consist of no more than six persons, each serving three-year terms, such terms to be staggered. Prior to each hearing, the Chair of the Faculty Appeals Board should draw a name from this panel, and the person so designated would offer legal and procedural advice as necessary and desired by the hearing committee and its Chair.

The legal advisor should function precisely as the title implies. He or she should not assume a judicial function but should clarify issues and procedures for the hearing panel and explain the legal ramifications of varying directions that can be taken within the law. However, all responsibility for final decisions on any issue must be preserved to the hearing committee and its Chair. The legal advisor would make no rulings as such and would not usurp the role of the Chair.

The legal advisor should neither participate in the questioning of witnesses nor comment upon the testimony presented.

The legal advisor should provide advice only to the chair and panel members. He or she should not provide advice in the presence of attorneys for either complainant, respondent, or any witnesses. The legal advisor should not involve himself or herself with the substantive aspects of the case. The legal advisor generally should limit advice to the legal responsibilities of the hearing panel, confidentiality of proceedings, rules of evidence, etc., although the final decision in any of these areas rests with the hearing panel and its Chair.

This Committee recommends the addition of a subsection (d) to Section 3.10.2 of the Faculty Handbook and relettering of subsequent subsections of Section 3.10.2. The new subsection (d) would provide:

Where participation of the University's Legal Counsel is deemed inappropriate, the Chair of the Faculty Appeals Board, at the request of the Chair of the Hearing Committee, may select by lot a legal advisor from a duly constituted panel of legal advisors. This panel, consisting of not more than six University faculty and staff who are lawyers each serving a three-year term with terms being staggered, is appointed by the President from recommendations made by the Faculty Senate.

5. Attorneys representing participants. In order to clarify the roles played and functions served by attorneys representing participants, the following modifications to the Faculty Handbook are recommended by this Committee.

At section 3.10.3 of the Faculty Handbook, preceding the introductory sentence, should be added the following.

The Faculty Appeals Board process is a lay process relying on peer review. The intent of this process is to avoid excessive legalism in deference to the common sense, sound judgment, good character, and sense of fairness of each Hearing Committee. The Faculty Appeals Board procedures should strive to diminish formality and rigidity and avoid emulation of a trial in a courtroom. The purpose for a system of internal review is to effect a just and fair disposition of a grievance.

The Hearing Committee may avail itself of the Book of Procedural Guidelines; however, since each instance of internal review is unique and procedures for resolving it must be tailored to satisfy specific objectives, the Committee should not deem itself bound by anything contained in that book.

Section 3.10.3(a) of the Faculty Handbook also should be changed by the addition of a last sentence, so that the revised section would be as follows.

(a) Both complainant and respondent shall have the right to be present and be accompanied by a personal advisor or counsel, or by both, throughout the hearing. The Faculty Appeals Board shall also have the right to have its counsel present throughout the hearing. However, attorneys should facilitate, and not control, the process.

Section 3.10.3(b) should be changed by the addition of two concluding sentences, so that the revised section would read as follows.

(b) The hearing shall be closed unless the faculty member who is a principal in the case requests it be open. If the hearing

is closed, such information and facts as are made public shall be released only by the Hearing Committee or by permission of the Hearing Committee. However, the fact that a hearing is closed does not preclude, in extra-ordinary circumstances, as determined by the Chair of the Hearing Committee, an attorney to advise witnesses before the Committee from being present. But in no case will the attorney representing a witness participate in the case.

6. Conduct of hearing committees. Several matters pertinent to the conduct of hearing committees should be emphasized in the book of procedural guidelines.

Regarding the selection and the role of the Chair, it is advisable that the Chair be selected from among the more experienced members of the hearing committee, if possible. It is also advisable that the Committee agree that all rulings pertaining to procedural matters and evidentiary questions be made by the Chair, subject to appeal and overruling by a committee majority. The Chair should function as parliamentarian, with the right of appeal to the committee as a whole on any ruling reserved.

Regarding questions by members of the hearing committee to witnesses, no mechanism for screening such questions should be adopted. However, hearing committee members should cautiously restrict their questions to that which is pertinent to the subject matter of the hearing. Rulings with respect to the pertinency of questions by committee members should be made by the Chair.

Regarding alternates, the general rule should disfavor utilization of alternates after a hearing has begun, reserving the question to the discretion of the Chair of the Faculty Appeals Board in each instance. If the Chair of the Faculty Appeals Board deems it desirable to proceed with an alternate, selection will be governed by the same method as that utilized for selection of hearing committee members generally. (See Faculty Handbook, Section 3.10.1.)

Section 3.10.1(f) of the Faculty Handbook should be modified by the addition of an initial clause and of a last sentence, so that the revised section would be as follows.

(f) Prior to the commencement of a hearing, members of a Hearing Committee who have been disqualified and any members who, by reason of illness or absence from campus, are unable to serve, shall be replaced immediately by the Chair of the Faculty Appeals Board, and the replacement shall be determined by lot in the manner prescribed for the original selection. If a member of the Hearing Committee becomes incapacitated or otherwise unable to serve once the hearing has commenced, the Hearing Committee may proceed with the hearing deliberation and resolution of the case with a reduced membership.

The Senate ad hoc Committee to study Faculty Appeals Board procedures thanks all persons who assisted this Committee by providing comments, suggestions, and criticisms. This Committee respectfully submits this report for consideration by the Faculty Senate.

Teree E. Foster (Law), Chair  
 Sue A. Harrington (Univ. Lib.)  
 Jim Kenderdine (Mktg.)  
 Joseph Ray (Assoc. Provost)  
 Thomas Wiggins (Educ.)

FINAL REPORT: ad hoc Committee on Traffic/Parking, Norman

Background information: Last fall, several Senate ad hoc committees were appointed to study selected topics for inclusion in the 1982 Faculty Position Paper. One such group was given the task of studying the traffic and parking problems on the Norman campus. (Please see page 4 of the Senate Journal for October 19, 1981.)

Copies of the final report of that Committee were distributed to Senate members in advance of this meeting.

Senate action: Professor Howard, Committee Chair, reported that she had received only a few comments from faculty members. She requested that any additional recommendations be submitted either to her or to any other member of that Committee.

Professor Thompson, Senate Chair, thanked the Committee for doing "a very good job."

Professor Lehr moved acceptance of the report. In a voice vote without dissent, the Senate approved the report.

The complete text of the report follows:

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INTRODUCTION

The Traffic and Parking Committee was commissioned by the Faculty Senate to examine parking and transportation problems on and in the vicinity of the Norman campus of the University of Oklahoma, to review the University's plans for further development of transportation and parking arrangements, and to prepare a faculty position statement concerning issues and problems relevant to the subject.

Our committee chose to limit its study to: 1) a review of assumptions concerning policy at the University; 2) a brief explanation of existing and anticipated problems at the University; and 3) recommendations concerning traffic and parking in the University's future.

ASSUMPTIONS AND FACTS OF TRAFFIC AND PARKING

The University of Oklahoma has an obligation to provide parking facilities amenable to the needs of those who have essential functions in the operation of the University. In addition, the University has the responsibility to consider the impact of its existence on the various elements of the City - in the case at hand, on problems of traffic and parking. Furthermore, the welfare of the University and the City of Norman will be enhanced by a transportation system that ameliorates the adverse impact of traffic on business and residential areas.

An alteration of a transportation system without paying attention to the context of its interrelationships does not solve but rather intensifies or transfers problems. For instance, traffic does not go away; it transfers. When an arterial route reaches capacity, traffic transfers either to a parallel alternate route or into neighborhood streets. If neither alternative is available, chronic traffic congestion results.

The University is the largest generator of traffic in the City of Norman, yet it seems to have little control over the volume of traffic generated by its operation. Although the University of Oklahoma has no direct control over

traffic in major portions of the surrounding access systems and, therefore, must rely on the City of Norman and the State of Oklahoma for any significant modifications in that system, it does have control over land it owns for the purpose of parking.

A comprehensive discussion of traffic and parking in and around the University was included in the "Physical Development Plan - The University of Oklahoma and Environs, 1965 - 1985," published in 1966. A more recent statement is included in the 1981 update of the 1966 Campus Plan by the Physical Resources and Campus Planning Council. The "Transportation, Circulation and Parking" section of this latter study included a detailed report about increasing, traffic-related problems on the campus. The report also included a recommendation to retain a consultant to study the traffic, circulation, and parking for the University. In the Fall of 1981, the firm of Harland Bartholomew & Associates, Inc., was hired to study campus parking, traffic and transit problems.

#### EXISTING AND ANTICIPATED PROBLEMS

Traffic and parking problems of the University are primarily a product of the growth of the University and the City of Norman since World War II. This growth is statistically documented below.

#### GROWTH OF THE CITY OF NORMAN, AND THE UNIVERSITY OF OKLAHOMA MAIN CAMPUS, 1950-1980

	1950	1980
Norman population	27,006	68,020
University of Oklahoma		
Enrollment	9,195	21,703
Faculty (FTE)	1,620	4,796
No. of cars/vehicles		
Faculty-Staff decals	1,000 <sup>1</sup>	4,200
Student decals	0 <sup>2</sup>	12,861

<sup>1</sup> Estimate based on vehicles/staff and typical ownership patterns in 1950.  
<sup>2</sup> Not allowed to have cars on campus in 1950.

As seen from the above table, the University has grown extensively during the past thirty years. At the close of World War II, the University was located at the south edge of Norman; Lindsey Street was the southern border of urbanization. Since then, the University has acquired a major part of the Naval Air Technical Training Center; fraternity and sorority housing have extended to the south of Lindsey along the west side of the campus; the University housing area was extensively expanded south from Lindsey; urbanization extended south of Lindsey both on the east and west of the campus; State Highway No. 9 was constructed along the south side of the City, and

Interstate Highway No. 35 on the west of Norman was completed. In addition, the City of Norman has developed from an urbanized area of approximately 4.5 square miles to 25 square miles and an incorporated area of 194 square miles.

The growth of the University of Oklahoma has affected the City of Norman in a variety of ways. Generally, the net effect can be viewed as beneficial. From a more detailed appraisal, a variety of adverse effects can be identified. The primary adverse effect accompanying both the internal and external expansion of the campus is simply the increased numbers of people and vehicles. In addition, entrepreneurs have requested building permits and rezoning around the campus. The intensity of land use has increased, as have property values, and additional traffic has been generated. Land use changes, increased traffic, and on-street and off-street parking have extended deeper into residential areas adjacent to the University.

The Norman street system has expanded significantly since 1950 as the City has grown, but the streets serving the University are essentially unchanged from their 1950 status. The vehicle carrying capacity of some streets around the campus has been increased by eliminating on-street parking, but no significant improvement has been made in the carrying capacity of arterial streets. The widening of Jenkins Avenue from State Highway No. 9 to Constitution Avenue is an exception to this point. Unfortunately, the University and the City have stalemated on the continuation of the project.

The University has attempted to meet the need for parking space, but the supply of parking spaces has not kept pace with the demand. The pattern seems to have been to provide a minimum number of spaces and then to reduce the supply in one or more areas of the campus with the construction of a new building. Too often, the additional demand for parking is not included in the construction program of a new building or is removed when construction costs escalate.

The University does not appear to have a policy, plan, or program for the provision of parking in relation to either the demand created by new buildings or the transfer of functions on the campus. A concern for providing parking in such cases appears absent or, at best, a secondary consideration. In addition, minimal concern is shown for the street system which delivers people to the campus.

In the absence of any data from current studies to support a more detailed analysis, the Committee states the following:

1. There are insufficient data on parking demand by sector, purpose, and origin of commuters in relation to destination, on user preference based on convenience, and on a user charge. Thus, there has not been any coordinated data base to support the development of parking policies, plans, programs, and/or projects. We anticipate this problem will be resolved by the study of Bartholomew & Associates, Inc. However, the absence of such a data base has allowed an ad hoc approach to the parking problem.
2. Currently, out-of-town visitors are particularly inconvenienced. If and when they find the campus, available visitor parking is severely



limited or often occupied by non-registered University faculty, staff, or student vehicles. This is inconsiderate and inhospitable.

3. There is a shortage of student commuter parking spaces in some campus sectors. Student commuters seem reluctant to use more remote facilities or do not know about other facilities.
4. There is a current shortage of faculty-staff parking spaces serving the northern sector of the academic campus.

It is anticipated that several future developments will exacerbate the traffic and parking problem of the University. The forty-five-million-dollar Energy Center slated for the corner of Boyd Street and Jenkins Avenue and the expansion of the engineering building at the northeast corner of the campus will intensify the activity in that sector. A new music building at the northwest corner of the campus will have a significant impact in a sector that has already been affected by the Bizzell Library addition.

The stated change in the mission of the University from an institution dominated by undergraduate education to an emphasis on research and graduate study will produce additional demands on the parking system. This emphasis will create additional faculty positions in the areas of research and teaching, and these research positions will add staff, technicians, and graduate students.

#### CONCLUSIONS

1. The University of Oklahoma is still the most important and significant element of the economic base of the City of Norman and is the largest traffic generator in the City of Norman. Furthermore, there has been an increase in the intensity of land use and of traffic generation on the perimeter of the campus. The streets serving the University have not been expanded as the City and the University have grown, and the vehicle-carrying capacity of the streets in the vicinity of the academic campus has remained essentially the same. The number of students, staff, and faculty living at some distance and commuting to the campus has increased significantly over the past thirty years in conjunction with the growth of the City and the University.
2. The central academic campus of the University of Oklahoma is surrounded by urbanized land which limits the feasible options for expansion or reconstruction. This condition imposes certain obligations on the University to plan for future growth carefully in cooperation with City officials and to minimize the effects of its expansion on the nearby neighborhoods.
3. The CART system, now serving approximately 12,000 riders per week, is a significant contribution toward relieving parking demand and traffic congestion around the academic campus. Although the CART system is particularly well suited for commuters arriving from the south, for those people approaching from the north, it is neither energy efficient nor

time-efficient. In addition, the CART system is not a viable solution for most people visiting the University.

4. A parking lot is often the site selected for a new building or building expansion, and replacement of parking space usurped by a construction project has been a secondary concern. The commitment to provide parking by the University has been uneven and limited by the available amount of financial support. In addition, parking lots have no inherent aesthetic qualities, and the points of ingress and egress can be an imposition on adjacent residential tenants.

Multi-level and below-grade parking facilities are very expensive and permanent; surface lots are relatively inexpensive, but they can be temporary. Some parts of the University parking system appear to be the product of tinkering in the context of an ad hoc approach. Evidence is provided by inefficient, postage-stamp-size parking lots and the encroachment of parking lots into building court spaces which would be better preserved to enhance the aesthetic effect of the campus.

An inadequate number of parking spaces tend to foster parking violations. Although most decal holders are aware that the number of available, gated-parking spaces is over-subscribed, the ability to rationalize an illegally parked vehicle is related to the perceived shortage of parking spaces. Ticketing illegally parked cars is a labor-intensive activity, a waste of the University's money, an administrative hassle, and a source of great frustration to the offender.

5. The indiscriminate mixing of travel modes, (pedestrians, skates, wheelchairs, bicycles, motorcycles, maintenance and delivery vehicles, and cars), increases the probability of accidents or conflicts on the campus. Given the high volume of bicycles and pedestrians, it would be desirable to seek the maximum separation between these two modes within the campus area.

#### RECOMMENDATIONS

The Committee suggests that, in keeping with the recommendations expressed by the Physical Resources and Campus Planning Council in its 1981 report, and by President Banowsky during his address to the general faculty on October 5, 1981, the core campus of the University of Oklahoma should strive to become a pedestrian campus. With the exception of emergency and service vehicles and the CART transit system, access to the buildings within the campus should be limited to pedestrian and well-controlled bicycle traffic.

In keeping with this general aim, the following plans are offered.

1. Traffic circulation should be restricted to the campus periphery, with parking areas provided at the outer edges of the campus. These parking areas should be linked to the central campus by means of a well-maintained and efficient transit system. Small parking lots between buildings should be removed to reduce pedestrian vehicular conflict and to enhance the attractiveness of the inner campus. When

parking areas are planned, research should provide adequate data to make critical decisions. Special consideration should be given to areas with regular evening activities, such as fine arts and sporting events.

2. Low-cost parking has, in the past, been a faculty and staff benefit at the University of Oklahoma. On-going parking costs have been paid out of user fees. We recognize that this practice will continue, but we oppose a raising of fees in order to lower the demand. A parking allocation procedure should be developed which will distribute available parking space, according to need. A resolution of this problem is beyond the scope of this committee; further study is recommended.
3. Visitor parking should be adequate, well marked, and clearly designated for use for occasional visitors to the campus. For this purpose, it is recommended that inner-campus passageways, such as Asp Street, be closed to all but visitor traffic and that this traffic should be regulated by courtesy guards housed at the entrances. Visitor parking should increase each year until the supply is adequate, and should be concentrated near to user points, such as the Bizzell Library, the Memorial Union, the Visitor Center, theater and music auditoriums, art museums, and administration buildings.
4. A campus bicycle-pathway system should be developed and implemented. Bicycles should be provided with their own traffic zones and secure parking facilities.
5. Vehicular access to the University should be designed and planned with the City of Norman officials, which could help reduce the impact of change and growth on adjacent property owners.
6. The University should contract for a University planner who would develop a Campus Master Plan that could encompass all aspects of the University of Oklahoma and its environs.

The end result of these recommendations for action should be an efficient, attractive, and well-maintained campus with adequate access and parking for all people within the University community and for those who wish to visit the University of Oklahoma campus. To achieve this goal, close cooperation is essential between University planning officials, the University administration, students, faculty, and staff, and the officials and residents of the City of Norman.

Respectfully submitted,

Jeanne G. Howard, Chair (University Libraries)  
 Robert L. Lehr (Regional and City Planning)  
 Donald J. Maletz (Political Science)  
 William M. Scharnberg (Music)  
 James R. Stock (Marketing)  
 Leonard B. West (Civil Engineering)

FINAL REPORT: Senate ad hoc Committee on  
Student Evaluation of Faculty.

Background information: Last fall, several Senate ad hoc Committees were appointed to study problem areas of concern to the faculty on this campus. The final reports of those Committees were to be included in the 1982 Faculty Position Paper. Among those groups was one charged to study student evaluation of faculty. (Please see page 4 of the Senate Journal for October 19, 1981.)

The final report of that Committee and an accompanying draft of a Faculty Position Paper were distributed to Senate members in advance of this meeting.

Senate action: In view of the fact that a minority report is being prepared for submission to the Senate, Professor Thompson, Senate Chair, suggested that this question be tabled until the meeting of the Senate on May 10. Professor Locke accordingly moved that the question be tabled. Without dissent, the Senate approved the tabling motion.

SENATE APPRECIATION: President's reception,  
General Faculty meeting

Several members of the Senate expressed their appreciation to President Banowsky for hosting the reception following the General Faculty meeting on April 8.

The Senate Chair indicated that an appropriate message would be forwarded to President Banowsky for his precedent-setting social to honor faculty receiving various awards and honors.

ADJOURNMENT

The Senate adjourned at 5:31 p.m. The next regular session of the Faculty Senate will be held at 3:00 p.m., on Monday, May 10, 1982, in Room 125, Dale Hall.

The Senate will also meet in special session at 3:00 p.m., on Monday, May 3, in Room 218, Dale Hall.

Respectfully submitted,

*Anthony S. Lis*

Anthony S. Lis  
Professor of  
Business Administration  
Secretary, Faculty Senate