

*JOURNAL OF THE FACULTY SENATE*  
The University of Oklahoma (Norman campus)  
Regular session – November 8, 2021 – 3:30 p.m. – via Zoom

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*Note: The remarks of the Senators and others are summarized and not verbatim. A recording of this meeting is available by appointment in the Faculty Senate office.*

The Faculty Senate was called to order at 3:30 p.m. by Professor Keri Kornelson, Chair.

**PRESENT:** Apanasov, Bembem, Benjamin, Bergey, Boldenow, Cracknell, Cuccia, Cytacki, Dee, Eaton, Ge, Hambright, Harjo, Hougen, Hsieh, Jervis, Jiran, Kibbey, Kornelson, Lai, Lamothe, Larson, Lifset, Mayeux, McCarthy, Miller, Moore-Russo, Muller, Neeson, Nelson, Nollert, Parsons, Pepper, Randall, Raymond, Riggs, Rubenstein, Schmeltzer, Sikavitsas, Stalling, Steele, Steffensen, Stetson, Stock, Teodoriu, Wang, Weaver

Provost's Representative: Andre-Denis Wright, Lori Snyder

Staff Senate representative(s): ---

SGA Representative(s): Rin Ferraro, Crispin South

Guests: Adrienne Carter-Sowell, Andrew Pollock, Megan Elwood Madden, Jenel Cavazos, Jennifer Hembree, Susannah Livingood, Cathy Krane, Chelle Lodge Guttery, Jeannie Clary

**ABSENT:** Fithian, Fuenzalida, Mahdi, Natale, Remling

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#### **APPROVAL OF JOURNAL**

The Faculty Senate Journal for the regular session of October 11, 2021, was approved without revisions.

**LAND ACKNOWLEDGEMENT**

Chair Kornelson read the [Land Acknowledgement](#) approved at the May 2021 Faculty Senate meeting.

**ANNOUNCEMENTS**

Chair Kornelson recognized the new senator from Fine Arts, Prof. Lloyd Cracknell of Drama.

The remaining regular meetings of the Faculty Senate for 2021-22 will be held at 3:30 p.m. on the following Mondays: December 13, January 25 (if needed), February 14, March 21, April 11, and May 9. Meetings of the Senate are regularly open to attendance by all members of the University Community and representatives of the press.

The following faculty will serve on the 2021-22 Academic Program Review Committee (APRC): Roksana Alavi-Robb (PACS), Michael Bearden (Dance), Khosrow Bozorgi (Architecture), John Paul Broussard (Finance), Peter Froslic (Visual Arts), Rita Keresztesi (English), Mukremin Kilic (Physics and Astronomy), Lara Mayeux (Psychology), and Li Song (Aerospace and Mechanical Engineering). The units to be reviewed are African and African American Studies, Film and Media Studies, Modern Languages, Literatures, and Linguistics, Educational Leadership and Policy Studies, and Human and Health Services Admin (PACS).

Details/FAQs of the OU Vaccine Requirement for employees will be added to <https://www.ou.edu/together/vaccine> as they become available. Questions may be submitted to [vaccine@ou.edu](mailto:vaccine@ou.edu). The deadline to meet the requirement is now January 4, 2022. (*Note: We learned on December 8 that the vaccine requirement will not stay in force given the latest action in federal court.*)

The Faculty Senate is sad to report the death of retired faculty member William Shelton (Biology) on October 14, 2021.

**SENATE CHAIR'S REPORT, by Prof. Keri Kornelson**

The Senate Chair's Report was distributed to all regular faculty members before this meeting along with the meeting agenda; it is attached. Chair Kornelson asked if there were questions or comments about any of the items in the report. There were no questions however, Sen. Raymond expressed her concern about the potential loss of OU staff members due to the employee vaccine mandate.

**REMARKS BY GATEWAY TO BELONGING DIRECTOR ADRIENNE CARTER-SOWELL**

Chair Kornelson introduced the Director of the Gateway to Belonging course (UCOL 1523 GBO), Dr. Adrienne Carter-Sowell. Dr. Carter-Sowell presented a thorough overview of the GBO course including information about the original timeline to launch the course; activities during the pilot semesters (fall 2021 and winter session 2021), including a review of student feedback; ideas for revising the course for spring 2022; and research relevant to the course.

In terms of the launch of the GBO Program, initially there was a planning committee developed from the Office Provost, which designed the course with feedback from students, faculty, staff, and administrators at OU. They wrote job descriptions and the search for GBO Program staff and faculty began in AY 2020 2021. Then, Oklahoma House Bill 1775 was passed and widely publicized and the consequences of the COVID 19 pandemic moved OU campus functions to remote only.

The GBO Program staff and faculty began positions in late spring to late summer of 2021. The GBO Program began during transitions in Provost leadership and the return to campus from remote only operations for AY 2020 2021. The GBO Program Director was required to assemble, employ, and/or oversee:

- Selection of required course materials that met delivery and price requirements.
- Approval of course syllabus for a new, plus general education, 3 credit course offering.
- Complete hiring, relocation, and VISA requests, class scheduling, and training of an all-new faculty team.
- Equipping vacated faculty offices, conference spaces, plus the program suite for function and occupancy.
- Relocate to OU, learn campus logistics, employment policies, and course curriculum “on the job”.

The course is piloted in Fall and Winter 2021. For Fall 2021, 27 sections of UCOL 1523 are offered with a 35-seat cap. The course is offered both in-person and remote only on both the Norman and HSC campuses. There are two required textbooks, *How to Cultivate Belonging* by Adele Ackert and *Social Psychology* by Heinzen & Goodfriend. UCOL 1523 offers students an opportunity to

- Consider how they have formed their own beliefs and opinions and how they can listen, learn, and interact with one another to gain the most from their college experience.
- Increase their understanding of the structures and group-level experiences that have shaped the communities and identities of classmates at OU.
- Participate in improving your communities here at OU and beyond

The course includes faculty-led class lectures, group discussions, and short activities, including

- How to develop a sense of belonging, foster connections, and maintain everyday belonging.
- Interdisciplinary presentation of core concepts that affect a sense of belonging.
- Self-study to explore and apply core concepts of belonging.
- Students complete assignments to apply constructs covered, such as OU Library supported <https://guides.ou.edu/UCOL1523/Home>
- Students complete Belonging Toolbox Online Open Book Tests on constructs covered.
- Students complete standard exams.

For Spring 2022, UCOL 1523 will offer redesigned required textbooks and a reconfigured course syllabus. There will be 25 sections with a 45-seat cap. It will still be offered both in-person and remotely on both campuses. The GBO Program will also be adding an adjunct faculty member to the team.

For AY 2022 2022, UCOL 1523 will be joined by two alternative FYE Gateway (FYE G) courses. These FYE G courses will hire additional Program Directors and more faculty instructors. The GBO Program will continue to assess the impact on key metrics.

The floor was opened to questions. Chair Kornelson asked if there would be an equal number of course offerings in the Fall and Spring semester. Dr. Carter-Sowell said that there is typically more of a demand in the Fall semester, although they believe that the current 50 sections are a good start.

Sen. Lamothe asked for more information on the alternative courses being brought on in the fall of 2022. Dr. Carter-Sowell said there will be two other courses offered and they will be coordinated and overseen by the University College dean’s office. University College Dean Nicole Campbell was present at the meeting and stated that more information about those courses is available at [https://www.ou.edu/univcoll/about/courses\\_for\\_freshmen/Gateway-to-Belonging-at-OU](https://www.ou.edu/univcoll/about/courses_for_freshmen/Gateway-to-Belonging-at-OU)

Sen. Nollert said that this Gateway to Belonging course was created to address a specific need of our students and asks if we have any data that shows that this course is addressing that need. Dr. Carter-Sowell said that we only have preliminary data at this point, but that the material presented is targeted to meet this need. She highlighted a recent assignment about developing belonging. Dr. Carter-Sowell said that they are also doing evaluations at the mid-term and the end of the course, and will also perform a long-term assessment.

Sen. Ge asked if the course would be open to upperclassmen. Dean Campbell said that at this point they are only able to offer enough sections of the Gateway to Belonging course to meet the demand of incoming freshman and transfer students, but that may be something they could offer in the future.

Dr. Carter-Sowell welcomed senators to reach out to her directly at [arcartersowell@ou.edu](mailto:arcartersowell@ou.edu) with any additional questions or comments. Chair Kornleson thanked her for addressing the Senate.

### **INTELLECTUAL PROPERTY POLICY UPDATE**

Chair Kornelson introduced Andrew Pollock, Interim Executive Director, Office of Technology Commercialization. Mr. Pollock said that the documents approved by the OU Board of Regents were attached to the meeting agenda and here. He stated that most of the changes were focused on updating contacts and titles in the document. The main change he would like to discuss today has to do with when research can be commercialized and how payments are received.

The VPRP's office approved some new options available to our corporate partners. They are described in this chart:



### **Intellectual Property Options for Corporate Sponsored Research**

The below chart outlines the standard intellectual property options available to companies engaging in research at the University of Oklahoma. Please contact Joyce Burch ([jburch@ou.edu](mailto:jburch@ou.edu)) with the Office of Corporate Partnerships with questions.

Agreement Type	<b>A</b> Standard Basic Research	<b>B</b> Pre-Paid Commercial Use Non-Exclusive Royalty-Free (C-NERF) License	<b>C</b> Pre-Paid Commercial Exclusive License	Testing/Service Contract
Resulting IP Contemplated?	Yes	Yes	Yes	No IP to be created
IP Ownership?	Resulting IP Owned by Inventing Party	Resulting IP Owned by Inventing Party	Resulting IP Owned by Inventing Party	Sponsor owns generated data
IP Access and/or Licensing?	Sponsor receives non-exclusive license for internal research purposes only with exclusive option for commercial license following IP disclosure.	Sponsor pays an upfront fee in exchange for a Non-Exclusive Royalty-Free Non-Sub licensable Commercial License for their Field of Use with an option for a royalty-bearing exclusive license.	Sponsor pays an upfront fee and agrees to pay associated approved patent costs, in exchange for an Exclusive Sub licensable License for their Field of Use. This license will be royalty free until an agreed upon milestone is reached.	N/A
Background IP (BIP) Contemplated?	Each Party retains ownership of their own BIP, but parties may grant use of BIP for research project only. Any rights to use University BIP separate from project or if needed to utilize project IP or results will be negotiated separately at time of license with OTC.	Each Party retains ownership of their own BIP, but parties may grant use of BIP for research project only. Any rights to use University BIP separate from project or if needed to utilize project IP or results will be negotiated separately at time of license with OTC.	Each Party retains ownership of their own BIP, but parties may grant use of BIP for research project only. Any rights to use University BIP separate from project or if needed to utilize project IP or results will be negotiated separately at time of license with OTC.	No University BIP. Sponsor BIP may exist but use or testing does not result in new project IP.
Publication Review Rights?	60-day review only for confidential information and patent protection.	60-day review only for confidential information and patent protection.	60-day review only for confidential information and patent protection.	Generated data is confidential and must have sponsor approval for publication, all other materials are publishable.

In the Standard SRA – Option A, no IP-related monies will be captured up front. The Sponsor is granted an option to a license, with a value assigned at creation and consideration due to the University, and any resulting IP revenue would be distributed via the current standard %s.

If Option B or C is selected and intellectual property is developed, monies are due upfront at the time of SRA execution, and 11.67% (or 1/3 of 35%) is paid to PI(s) at this time. The remaining 88.33% held in escrow. Following disclosure, 23.33% paid to listed Inventor(s), and the remaining is distributed per current standard %s. Additional bonanza monies of Option C are distributed per current standard.

If Option B or C is selected and intellectual property is not developed, then monies are due upfront and 11.67% paid to PI(s) following execution. The remaining 88.33% held in escrow. If no IP is developed/no disclosure results, the remaining 88.33% distributed at a pro-rata rate to University recipients and the college/department shares go to PI(s) appointment home.

Sen. Stalling asked about the peer institutions that OU looked at to develop these models and how these changes might incentive IP. Mr. Pollock said that they looked at similar policies at Purdue, Georgia Tech, Kansas State, Iowa State, Minnesota, and Oklahoma State. Some universities granted the full inventor's share upfront while others waited until the end to compensate the inventor. So, we chose a path that both incentivizes faculty to engage in the program and disclosure of intellectual property so that the team can be compensated on the back end.

Sen. Houggen asked that the Faculty Senate office share these slides with the senators so that they can share them with their constituents. There were no additional questions and Chair Kornelson reminded the senators that we would be voting on this at the December Senate meeting. Mr. Pollock asked that anyone with questions email him at [arpollock@ou.edu](mailto:arpollock@ou.edu).

### ***TRANSITION OF THE TEACHING SCHOLARS INITIATIVE (TSI) STEERING COMMITTEE TO THE FACULTY SCHOLARS STEERING COMMITTEE***

Chair Kornelson introduced Prof. Megan Elwood Madden, Director of the Center for Faculty Excellence (CFE) and Prof. Jenel Cavazos, Committee member. They proposed a transition of the Teaching Scholars Initiative (TSI) steering committee to a Faculty Scholars Steering Committee (see attached). This Faculty Scholars Steering Committee will provide faculty perspectives and feedback to improve, support, and amplify the faculty development resources provided through the Center for Faculty Excellence (CFE), particularly in the area of teaching excellence.

In carrying out these responsibilities, the Committee shall do the following:

- Meet with CFE leadership at least once per semester to collaboratively develop goals and future plans to meet these goals, and to discuss CFE resources and assessments.
- Share faculty perspectives, concerns, and ideas with CFE.
- Serve periodically on search committees for CFE positions and/or review proposals from faculty.
- Support the development of seminars, workshops, and in-house conference presentations designed to advance the teaching mission of the university.

Sen. Houghen asked if there was a connection between this committee and the Teaching Scholars award given in the College of Engineering. Director Elwood Madden said that she did not think there was a connection.

There were no additional questions and Chair Kornelson thanked Director Elwood Madden and Prof. Cavazos for joining us. She reminded senators that we will be voting on this change at the December Faculty Senate meeting.

### **FACULTY APPEALS BOARD (FAB) APPOINTMENTS**

The Senate voted to approve the nominations by the Senate's Committee on Committees of Prof. Dave Parsons (Meteorology) for a term of 2021-24 and Prof. Greg McFarquhar (Meteorology) for a term of 2021-25 to fill vacancies on the Faculty Appeals Board (FAB).

### **UPDATED POLICY DOCUMENTS**

At our September meeting, OU Director of Policy Jennifer Hembree introduced updates to four OU policy documents. These are: Minors on Campus, Accessible Course Materials, Data Governance, and Data Privacy. There was discussion of these policies at that meeting and they now come to the Senate for a vote.

Minors on Campus policy: There was no discussion at today's meeting and the Senate voted to approve the updates to the Minors on Campus policy. (attached).

Accessible Course Materials policy: There was no discussion at today's meeting and the Senate voted to approve the updates to the Accessible Course Material policy. (attached).

Data Governance policy: Sen. Bergey asked for clarification about the term *institutional data* in this policy and asks if it only refers to data about the institution. Ms. Livingood said that this term came to us from the Office of the Legal Counsel and includes all data for which the university has regulatory responsibility, not only information about the institution. Ms. Livingood gave an example of student financial aid information. Sen. Apanasov asked if this includes personal research data on OU computers. Ms. Livingood said that generally, it would include data that is discoverable under an open records request. She added that it may apply to data created under federal funding, but not data that was not created under a federal grant. After a suggestion from Sen. Raymond, Ms. Livingood agreed that this document would just assure that data is shared as it was agreed to under the project that created it. The Senate voted to approve the updates to the Data Governance policy. (attached).

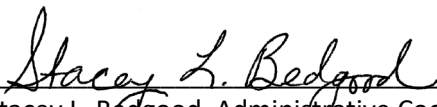
Data Privacy policy: There was no discussion at today's meeting and the Senate voted to approve the updates to the Data Privacy policy. (attached).

### **NEW BUSINESS**

Chair Kornelson said she would entertain any new business. There was none.

### **ADJOURNMENT**

The meeting adjourned at 4:58 p.m. The next regular session of the Faculty Senate will be held at 3:30 p.m. on Monday, December 13, 2021, via Zoom.

  
Stacey L. Bedgood, Administrative Coordinator

  
Kalenda Eaton, Faculty Senate Secretary

***SENATE CHAIR'S REPORT, by Prof. Keri Kornelson  
November 4, 2021***

On October 6, I met with Regent Anita Holloway. We discussed OU's COVID responses, the Lead On Strategic plan, and some items under discussion in the Regent committees. We talked about the items of greatest interest to the Board and to the faculty. I invited Regent Holloway to attend a future Faculty Senate meeting.

Also, on October 6, the FSEC met with President Harroz. We received updates on the searches for an OU Ombudsperson and the search for the Tribal Liaison. President Harroz also gave us an update on the equity raise program scheduled to address severe cases of below-market salaries. We discussed some of our questions about the scheduled actions to fund the Lead On Strategic Plan. We raised concerns about the equity of the formula for computing the tax issued on the payroll for each unit, given that the ratio of payroll varies dramatically across units. (It is possible that I did some math to make this point.) We asked that some further analysis be considered, and that Budget Council be included in the conversation before the tax increases to the next level. Next, we discussed the plans for next semester and beyond with regards to COVID. We have appreciated the responsiveness of President Harroz and the OU administration to our requests for action this semester, and we hope to continue that collaborative relationship. We did recommend that there be faculty inclusion ahead of time in the planning activities for spring. We discussed some of the ways that the committees and councils at OU could be used to assist the administration in making challenging decisions regarding budgets, compensation, and a vast array of other topics. President Harroz talked about the results of the survey that went to faculty and staff regarding vaccine status and masking. He updated us on some fundraising successes, including the large donation to the (Dodge Family) College of Arts and Sciences.

The October Faculty Senate meeting was held on October 11.

On October 14, I met with VP Sean Burrage. We discussed the faculty committee structure and made plans for a meeting where FSEC officers would share information about various committees with members of the executive leadership. We also discussed the ongoing searches for an OU Ombudsperson and the new Tribal Liaison. I passed along a summary of the comments and concerns raised at the Faculty Senate meeting regarding the plans to fund the Strategic Plan, particularly the concerns regarding the tax to each unit based on payroll. We revisited the plans that were begun last year to set up a system whereby faculty are involved in regular evaluations of administrators and systems. This will be a topic we continue to work on at our next meeting with President Harroz.

The FS officers collaborated with VP Sean Burrage to set up a meeting on October 19 with VP David Horton, VP Dorothy Anderson, Provost Wright, VP Higgs-Hyppolite, and AVP Stewart Berkinshaw. We discussed the structure and purpose of the OU Committees and Councils that serve these administrative units.

On October 19, I met with Chair of Staff Senate Justin Daniels. We had a conversation about the implementation of policies at OU as we move away from having Faculty and Staff Handbooks and, instead, will have policy managed by a new Office of Policy. We also discussed the councils that have both faculty and staff representation, and how we might help those bodies function more effectively. We shared ideas about the current COVID policies and practices. We are pleased to see the Norman case counts declining, but the decline is slow and there are models predicting an early spring surge. We agreed to continue to advocate for caution and continued vigilance regarding COVID dangers.

On October 26, I met with FS officers Dave Hambright and Kalenda Eaton. We outlined plans for the upcoming FSEC meeting and the agenda items for the next Senate meeting. We discussed ideas to facilitate communication between OU committees/councils and their associated administrators.

On October 27, I spoke briefly on the phone with VP Sean Burrage to request a status update on the Biden administration mandate that workers on federal contractors be vaccinated for COVID. (The announcement about OU's new vaccine policy came out the morning of October 29.)

On October 29, I met with Provost Wright. We discussed the recognition of service at OU and some possible ways that could be expanded. This led to a conversation about faculty evaluation of service. I showed him the Faculty Senate's proposal from December 2020 (coming from the Compensation and Benefits Committee) regarding sabbaticals that were interrupted during COVID in Spring 2020. I asked for him to consider some options for offering faculty who could not do their planned work in Spring 2020 some kind of redress. We also talked more about the OU sabbatical policy in general. One of the main topics of conversation was the possible impact of the vaccine mandate for OU employees that was announced earlier today. There is real concern about losing employees, and in many areas, OU is already understaffed.

The Faculty Senate Executive Committee met on November 1. Each of the standing committees reported on their recent activities. Sarah Robbins reported from the Faculty Welfare Committee on the progress of the task force addressing representation of our non-regular colleagues. I updated the group on the activities of the Teaching Evaluation Working Group, which is another FWC task force. Heather Shotton reported that the Diversity, Equity, and Inclusion Committee's current projects include addressing current (and potential) anti-Critical Race Theory legislation, recruitment and retention problems at OU, and concern for the Office of Institutional Equity. They are in communication with VP Higgs-Hyppolite and are expecting results of a climate survey issued recently. Anthony Natale updated us on the Compensation and Benefits Committee's efforts. They are preparing to send a survey to faculty about their areas of biggest concern with regards to compensation and benefits. They will use these results to guide their priorities. They have also been discussing ways that the input from retirees on benefits issues could be included in decision-making.

The FSEC welcomed Adrienne Carter-Sowell, Director of the Gateway to Belonging program, to our meeting. Dr. Carter-Sowell gave a presentation describing the context and content of the Gateway to Belonging course. She talked about some of the challenges inherent in a new director implementing a



new course with new faculty members, particularly when there are strongly diverging opinions about the course content. She told us about the various assignments given to the students and the outcomes and goals of the courses. We were all very impressed with the work of Dr. Carter-Sowell and her team. The FSEC welcomed Interim Vice Provost Lori Snyder to the meeting, representing Provost Wright who could not attend. She gave a short update on the newly-announced vaccine requirement and let us know that details are being worked out and would be available soon. We also briefly discussed the results of last year's faculty survey from the Oklahoma State Regents for Higher Education. (You may recall this survey from a few weeks ago.) The top priorities (indicated by the gap between importance and satisfaction) for Oklahoma faculty were faculty salaries, preparation of incoming students, and faculty workload.

The FSEC welcomed Andrew Pollock, Managing Director of the Office of Technology Commercialization (OTC). He presented an updated policy on Intellectual Property. There is a new section providing an option for upfront licensing of technology. Other changes are minor, consisting mostly of updating job titles. The Executive Committee then discussed some business items, including the agenda for our next meeting with President Harroz.

On November 2, I met with the FS officers Dave Hambright and Kalenda Eaton. We compiled questions we had received from faculty regarding the vaccine requirement in order to forward them to HR and/or the administration.

On November 3, I met with Belinda Biscoe, Senior Associate Vice President for University Outreach, to learn more about the College of Continuing Education and the role OU Outreach plays in the community.

**AGENDA ITEM****ISSUE: OFFICE OF TECHNOLOGY COMMERCIALIZATION IP POLICY – NC****ACTION PROPOSED: CHANGE TO POLICY LANGUAGE**Presidential recommendation.

- I. To update the University of Oklahoma Office of Technology Commercialization Policy to reflect the changes in staffing and the licensing process for sponsored research.

**BACKGROUND AND/OR RATIONALE:**

Recent changes to the University of Oklahoma's Office of Technology Commercialization's personnel and process necessitate an update of the Intellectual Property Policy. These changes reflect the change in titles and the distribution model for licensing, especially in regards to sponsored research agreements. There are also changes in language to reflect the 2013 America Invents Act and changes for internal references to match. Changes are highlighted in yellow.

- 3.29.1: Preamble
  - (A) The people of the State of Oklahoma may reasonably expect that their investments in the University will create new industry and enhance existing industry within the State and Nation. Such new industry creates greater employment opportunities for citizens of the State and the Nation and an improvement in their standard of living.
  - (B) The creation and development of intellectual property at the University encourages new business and is key to creating strong University and industry partnerships. It is the responsibility of University employees to disclose intellectual property and to foster an entrepreneurial attitude within the work force by involving students in the creation of intellectual property. Intellectual property development shall be pursued in concert with, but subject to, the University's principle responsibilities of education and knowledge creation.
  - (C) Therefore, it is in the best interest of the University to adopt a policy that encourages disclosure of discoveries and inventions and rewards such creative activity. To do so, the University's Policy must insure that creators of copyrightable works or trademarks and inventors share in any financial success enjoyed by the University through the creation and commercialization of intellectual property. The basic objectives of the University's Policy concerning creative works, trademarks, discoveries, and inventions (i.e., intellectual property) include the following:
    - (1) To maintain the University's academic Policy of encouraging research, publication, and scholarship independent of potential gain from royalties or other income.
    - (2) To make patented materials created pursuant to University objectives

available in the public interest under conditions that will promote their effective utilization and commercialization.

- (3) To provide adequate incentive and recognition to faculty and staff through proceeds derived from their creative works, trademarks, discoveries, and inventions.
- ***The text below is approved Regents Policy for the Norman Campus, but is printed in its entirety only in the Norman Campus Faculty Handbook***
  - 3.29.2: Patents
    - (A) *Ownership*
    - All discoveries and inventions, whether patentable or un-patentable, 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 and/or scope of employment for The University of Oklahoma or substantially through the use of facilities or funds provided by or through the University shall be owned by and be the property of the Board of Regents of the University of Oklahoma and the member will assign and does hereby assign all of member's rights in and to the discoveries and inventions to the Board of Regents of the University of Oklahoma except as described below. Faculty having rights to discoveries/inventions prior to employment at the University of Oklahoma should notify the ~~Office of Technology Development~~ **Office of Technology Commercialization** of such intellectual property so that ownership to any further development of that same intellectual property at the University of Oklahoma may be established, by written agreement, with the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee**. The ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** shall consult with the **Senior Vice President** and Provost of the Health Sciences Center or his/**her** designee before entering a contract with faculty at the Health Sciences Center. In the event faculty or staff make discoveries or inventions outside the course of and/or scope of employment and using no University facilities, equipment, or supplies, or if using such reimburses the University for this use in accordance with a prior written agreement with the University and in accordance with University ~~p~~**Policy**, title to such discoveries or inventions shall remain in the inventor, provided the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** determines that the discovery or invention was made under these conditions. The inventor shall nonetheless submit a disclosure form to the University ~~Office of Technology Development~~ **Office of Technology Commercialization**. This disclosure shall contain sufficient information to enable the ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** to make a determination. If confidential information is required, the University will sign a nondisclosure agreement for purposes of this review. Should the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** determine that the University does have a proprietary interest, a more complete disclosure may be required before making a decision in regard to title, the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** shall consult with the **Senior Vice President and** Provost of the

Health Sciences Center or his/her designee when the faculty member is based at the Health Sciences Center. If it is determined that the University has an interest, the provisions of this Policy shall then be applicable. Appeals of such determinations may be made to the Faculty Appeals Board and then to the President.

- All rights in and to discoveries and inventions described in this Policy shall be disclosed to and inventor will assign and hereby does assign all rights in and to said discoveries and inventions to the Board of Regents of the University of Oklahoma as a specific condition of employment with the University and admission to and/or attendance at the University. Faculty, staff and students shall execute any and all documents the University deems reasonably necessary to evidence such ownership, meet its legal obligations and effect patent protection, domestic and foreign, for the University or its nominee. All costs involved in obtaining and maintaining patent protection shall be borne by the University or its nominee. The University agrees to act in good faith with respect to the determination of ownership
- (B) *Revenue*
- The Revenues (e.g. royalties and other revenue fees of cash and equity) received by the University directly attributable to the licensing, sale, or commercialization of a University discovery or invention as described in section A will be distributed among the discoverer(s)/inventor(s), his/her/their primary department(s) and the University, in accordance with the following formulae:
  - (1) 35% of Revenues to the discoverer(s)/inventor(s) (as submitted on the Invention Disclosure Form)
  - (2) The remaining 65% to be used to reimburse the University for any remaining expenses not previously recouped that it has or shall incur directly in connection with the discovery or invention at issue:
    - (a) After such expenses have been recouped, the remaining 65% will be distributed as follows:
      - (i) 20% to originating college(s), half of which to go to the originating department:
      - (ii) 5% to President's discretionary fund:
      - (iii) 5% to the campus Vice President for Research:
      - (iv) 15% to the ~~OTD~~ Office of Technology Commercialization to apply to operational expenses with a pro rata share to go to the originating campus (at least 80%) ~~Office of Technology Development~~ Office of Technology Commercialization; and
      - (v) 20% to the Growth Fund maintained for each originating campus
  - (3) For Revenues received by University as a result of any up-front licenses granted pursuant to a sponsored research agreement, the

distribution of such Revenues are as follows:

- (a) principal investigator(s) shall receive 11.67% of any Revenues received by University as a result of any up-front license granted pursuant to a sponsored research agreement;
- (b) 88.33% of Revenues received as a result of any up-front license granted pursuant to a sponsored research agreement shall be held in escrow by the Office of Technology Commercialization for the term of the sponsored research agreement, and shall be distributed as follows:
  - (i) in the event that an Invention Disclosure Form *is* received by the Office of Technology Commercialization describing a discovery or invention resulting from the work conducted pursuant to the sponsored research agreement
    - 23.33% of Revenues to the discoverer(s)/inventor(s) (as submitted on the Invention Disclosure Form); and
    - the remaining 65% of Revenues shall be distributed in accordance with Section 3.29.2(B)(2) of this Policy
  - (ii) In the event that an Invention Disclosure Form *is not* received by the Office of Technology Commercialization pursuant to the sponsored research agreement:
    - 27.18% to the principal investigator's(s') college, half of which to go to the principal investigator's(s') department;
    - 6.79% to President's discretionary fund;
    - 6.79% to the campus Vice President for Research;
    - 20.38% to Office of Technology Commercialization to apply to operational expenses with a pro rata share to go to the originating campus (at least 80%) Office of Technology Commercialization; and
    - 27.19% to the Growth Fund maintained for each originating campus
- (4) Stock certificates issued to the University shall be held by the Controller's Office of the Norman Campus. The right to receive such royalty Revenue shall be extended to the inventor(s) in the event that the inventor is no longer an employee or student of the University. Such right shall also accrue to the estate of the inventor(s). Inventor(s) and/or their successors or assigns shall have the responsibility to provide the Office of Technology Development Office of Technology Commercialization of the respective campuses with all the necessary information to make payments to the appropriate parties, including without limitation, current addresses; provided, failure to keep the University so informed shall permit the University to hold all such Revenue for such parties for a reasonable time or until the lawful beneficiaries make claim thereto.

- (5) The ~~Office of Technology Development~~ **Office of Technology Commercialization** shall establish and maintain a “Growth Fund” for each originating campus to be used to stimulate general faculty intellectual property disclosures as well as technology development and transfer. The fund will be used to further stimulate researchers on each campus to make proposals when there is a need for additional funding to provide prototypes, additional research results, and/or “gap” funding to keep a program in place during transition. Those accessing the Fund will be expected to repay the fund at a rate and in a manner appropriate to the use(s) of the funds provided. The Executive Director of the ~~Office of Technology Development~~ **Office of Technology Commercialization** will chair a university-wide committee consisting of the Vice President for Research of each campus (or his/her designee), a member of the faculty of Entrepreneurship and Economic Development Division of the Price College of Business and at least one outside advisor to establish criteria and review applications from each campus for funding. The University Growth Fund committee will solicit applications not less than annually and recommend fund allocations to the President.
  - (6) When there are two or more discoverers/inventors, each shall share equally in the inventor’s share unless all discoverers/inventors agree in writing to a different distribution of such share. Such originally-signed agreement shall be filed with the ~~Office of Technology Development~~ **Office of Technology Commercialization** of the respective campuses of the discoverer(s)/inventor(s). No distribution of cash Revenues will be made until this issue is resolved by the discoverer(s)/inventor(s) or their successors in interest.
  - (7) The discoverer(s)/inventor(s) and his or her college shall be paid their share of the cash Revenues upon receipt of the University and will be furnished with a statement of Revenue derived from the commercialization of the invention at the time of payment. In the event of any litigation, actual or imminent, regarding patent rights, the University may withhold distribution until resolution of the particular matter. The University does not act as a fiduciary for any person relating to consideration received under the terms of this ~~p~~**P**olicy.
- (C) *Equity Management Committee & Policy*
  - For any acquisition or disposition of equity assets exceeding \$1,000,000.00, the Equity Management Committee shall consider the University’s actions by reviewing a written description of the proposed acquisition or disposition, which proposal shall be provided to members of the Equity Management Committee by the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee**. Any Committee member may seek additional clarification on the proposed transaction by requesting a Special Meeting of the Committee within five (5) calendar days of the receipt of the written proposal. Otherwise, review of the proposal shall be concluded. For disposition of assets valued \$1,000,000.00 and above, the committee’s recommendation, upon the approval of the President, shall be presented for formal action to the Board of Regents at their next regularly scheduled meeting. Following the end of each fiscal year, the University ~~Vice President~~ **Executive Director of the Office of Technology Commercialization** shall provide to the Equity Management Committee a written summary of the operations and status of the University equity holdings. The committee shall consist of two current members of the Board of Regents (to be appointed by

the Board), the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee**, University General Counsel, a knowledgeable University employee who shall be appointed by the President and two extra-mural members familiar with such matters by education, training and/or experience. From recommendations by the President, the Board of Regents of the University shall appoint the two non-employee members of the committee, who shall serve at the convenience of the Regents. Appointments shall be made on an annual basis, at the time of the Board of Regents' officer elections (March).

- (D) *Administration*
- The President of the University, after consultation with the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** and appropriate campus officials, shall determine the disposition of University discoveries and inventions described in this Policy as deemed prudent and consistent with the University's mission to ultimately convey the benefits of its research to the public for the general welfare of the State and Nation. In determining the proper disposition of University discoveries and inventions, the University President shall consult as necessary with scientific and/or technical and/or business subject matter experts in fields appropriate to the discovery or invention under consideration. Among other choices, the University President may:
  - (1) License the discovery and/or invention to third parties to provide for the further development and/or commercialization of the property;
  - (2) Transfer the discovery and/or invention for commercialization by entering into commission agreements with third parties to identify potential licensees to further develop and commercialize the property;
  - (3) Transfer rights to the property to a patent service organization to further develop and commercialize the property;
  - (4) Allow rights (U. S. and foreign) to the discovery or invention to revert back to the Federal agency that funded the development of the discovery;
  - (5) Transfer rights (U. S. and foreign) to the discoverer(s)/inventor(s) if requested by the discoverer(s)/inventor(s), and the University President determines that the discovery/invention will not be pursued further by the ~~Office of Technology Development~~ **Office of Technology Commercialization**.
    - (a) If Federal funds were used in the development of the discovery/invention, such transfer of rights are subject to a reversionary right in the Federal government as described in 37 CFR sec. 401.
    - (b) Such transfer also shall be subject to an irrevocable, non-exclusive, royalty-free, and world-wide right and license in the University to make, use, and/or practice the discovery or invention for University education, research and/or service purposes. The University also reserves the right to publish and or present information and data obtained in the research project resulting in the discovery or invention being transferred, assuming such rights do not jeopardize the

discoverer's/inventor's patent rights. Faculty, staff and students shall execute any and all documents, as the University deems reasonably necessary to confirm or enforce such reserved right and license.

- (c) Such transfer shall be limited to the discovery or invention duly disclosed to the University, in writing, as of the time the transfer is requested by the discoverer/inventor;
- (6) Transfer rights to the discovery and/or invention to the person(s) or entity 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 agreement or is required by law; or
- (7) Transfer the discovery and/or invention into the public domain through publication of the invention by the discoverer/inventor. All transfers of University discoveries or inventions shall be subject to and contingent upon any rights in third parties as may be governed and/or required by, among other things, sponsored research agreements, other third-party contracts, or law.
- The University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** shall be responsible for administering the patent affairs of the University in a manner consistent with this Policy. The University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** shall cooperate with the appropriate campus officers to establish written policies to be approved by the President and distributed to the faculty, staff and students of the University, governing procedures to be followed in processing discoveries and inventions generated within the University. The ~~Office of Technology Development~~ **Office of Technology Commercialization** shall provide information regarding disposition of specific discoveries/inventions to the inventor(s) no later than six (6) months from the date the discovery/invention is marketed by the Office. If the ~~Office of Technology Development~~ **Office of Technology Commercialization** is not going to pursue marketing and/or protecting the invention, rights in and to the discovery/invention shall revert to the inventor(s) upon his/her request.
- When it is in the best interest of the University to get its technology into the marketplace, when the longer term opportunity for returns to the University and the State exceed the short term value of not taking equity, then the University President will approve taking equity. As a matter of principle some equity is desirable in all transactions to create the best opportunity for the University and the State of Oklahoma to get a fair return on the technologies transferred from the University to the marketplace.
- (E) *Disclosure*
- It is the responsibility of faculty, staff or students of the University of Oklahoma to report all inventions they may develop during their term of employment or registration as a student. Any discovery/invention, whether or not patentable, must be reported to the University by filing an Invention Disclosure Form with the appropriate technology development office. Such Invention Disclosure shall provide sufficient information so that the ~~Office of~~



~~Technology Development~~ **Office of Technology Commercialization**, in conjunction with others, can determine its commercial potential and patentability. Although the maintenance of the laboratory notebooks that describe the discovery/invention is the responsibility of the discoverer/inventor, the ~~Office of Technology Development~~ **Office of Technology Commercialization** may require access to such notebooks at any time throughout the prosecution and maintenance stage of patenting the discovery/invention.

- (F) *Term*
- The terms of this Patent Policy are a part of any contractual relationship of the University of Oklahoma with any member of the faculty, staff, or student body. This Policy, as amended from time to time, shall be deemed to be part of the conditions of employment of every University employee or a part of the conditions of enrollment and attendance of every student at the University. Any licensing Revenues received throughout the duration of such license shall be distributed in accordance with the distribution policy in effect at the time of the signing of such license and can only be changed through mutual agreement of the parties receiving portions of such Revenue.
- (G) *University Patent Committee*
- The University shall have a Patent Committee (for each Campus) that shall consider and investigate disputes among administrators, faculty, or staff and shall recommend appropriate solutions to the President. This committee shall be convened as needed and will consist of one student member appointed by the Graduate Student Senate for one year, two staff members, one appointed by the President and one appointed by the Staff Senate, and five faculty members, three appointed by Faculty Senate and one each by the President and the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee**. All staff and faculty appointments are for three-year terms. This Committee will assist the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** in setting policy and procedures that will be implemented on a daily basis by the ~~Office of Technology Development~~ **Office of Technology Commercialization** staff. The committee will provide a forum for faculty, staff, and students to present any issues such as, but not limited to, Revenue sharing, ownership, etc. The committee will make recommendations to the University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** for the handling of these issues. The Director of the respective campus' ~~Office of Technology Development~~ **Office of Technology Commercialization**, the respective campus' Vice Presidents for Research, and University Counsel shall serve as ex-officio members of the committee
- (H) *Use of Facilities*
  - (1) As outlined in the Oklahoma Technology Transfer Act of 1998, use of the facilities of the University by a business enterprise or private business entity is allowed when that project involves the research or development of a University technology, whether or not the technology is protected pursuant to federal or state law governing intellectual property, the results of which have potential economic and academic value for the University. Such use of University facilities must be on a "space-available"

arrangement in which normal University activities are not displaced. The use of such facilities by a business enterprise or private business will be done on a fee-for-service contract and in conjunction with projects where the University has a vested interest in the outcome of the transfer of University technology, through research and development of a discovery/invention for commercialization purposes, scholarly rewards, or furthers the University's educational, research, or public service missions.

- (2) The University may take an equity stake in such business enterprises or private businesses in consideration for the use of such facilities and/or the development of University discoveries/inventions which shall be managed in accordance with the University's policies on stock acquisition and management. Any cash Revenues received from the sale or trade of such equity stocks shall be distributed as if received as royalty income. If the equity interest is acquired through an exchange of value other than money and the exchange of value is made in connection with the development of technology by the private business enterprise through the use of the facilities or resources or both of an institution within the Oklahoma State System of Higher Education, acquisition of an equity interest shall be permissible through the use of the facilities, premises or assets of an institution within The Oklahoma State System of Higher Education through the use of faculty expertise or student expertise, including the value of time expended by faculty or students upon developing a technology in connection with a private business enterprise or private business entity. No state appropriated monies shall be used or obligated to acquire an ownership interest in a private business enterprise except as authorized by the provisions of this section.
- (I) *Background*
- A patent is a grant issued by the U. S. Patent and Trademark Office (PTO) that provides the assignee of the patent the right to keep others from practicing or using its patented invention. Patents are issued for inventions that are novel (not published, sold, or utilized for more than one year), useful, and non-obvious to others equally skilled in the art. (In almost all foreign countries, to be patentable, an invention requires complete novelty. In others words, it cannot have been published, used, sold, or bartered publicly prior to the filing of a patent application either in the country itself or in the United States PTO.) U. S. Patent Law has ~~maintained~~ maintains that the first-to-invent rule inventor to file an application that describes and claims an invention with the United States PTO shall be entitled to the rights and ownership of the resulting issued patent (absent other agreements). ~~What this means is that the first person to conceive and reduce to practice the invention shall be entitled to the patent.~~ Foreign countries also rely on the first-to-file concept in issuing patent rights. ~~In the case of U. S. law~~ However, in the case of potential disputes which may arise during the prosecution of the patent application, as well as third-party challenges related to the issued patent(s), the laboratory notebooks of the discoverer(s)/inventor(s) may be crucial to the overall outcome as to whom the patent is issued. Laboratory notebooks should be bound notebooks where corrections are readily identifiable. The pages of the notebooks should be signed, dated, and witnessed on a daily basis and stored in a secure location. The term of patent applications filed in recent years is twenty years from the date of application. The laboratory notebooks should be maintained at least for that period of time. (Regents, 12-9-99, 12-02-01)
- 3.29.3: TRADEMARKS

- A trademark identifies an item of intellectual property or an educational or training service. The University owns all rights and titles to any trademarks related to any item of intellectual property owned by the University. Any cash Revenues received in exchange for the commercial use or sale of such trademark shall be distributed as those cash Revenues ~~received for discoveries/inventions~~ as described in Section 3.29.2(B) of this Policy. (Regents, 12-9-99)
- 3.29.4: COPYRIGHTS
  - (A) *Preface*
  - Copyrights are created by the Constitution and the laws of the United States to promote the progress of science and the useful arts by securing for limited times to authors the exclusive rights to their works and writings. The basic objectives of the University's Policy concerning copyright include the following:
    - (1) To maintain the University's academic Policy of encouraging research and scholarship as such without regard to potential gain from royalties or other income.
    - (2) To make copyrightable materials created pursuant to University objectives available in the public interest under conditions that will promote their effective utilization
    - (3) To provide adequate incentive and recognition to faculty and staff through proceeds derived from their works.
    - (4) To stimulate creativity across all media.
  - (B) *Policy*
  - It is the policy of the Board of Regents of the University of Oklahoma that all rights in copyright shall remain with the creator of the work unless the work is created with substantial use of University resources, is specifically assigned or commissioned by the University, is subject to non-University contractual or legal obligations, or is a "work made for hire" as that term is defined by U.S. Copyright Law.
  - (C) *Ownership*
    - (1) Scholarly/Aesthetic Works:
      - In keeping with traditional academic practice and policy, ownership of copyrights to works of artistry or scholarship in the creator's professional field such as textbooks, course materials, scholarly papers and articles, software and other computer materials when they are works of artistry or scholarship, novels, poems, paintings, musical compositions or other such works of artistic imagination produced by University employees who have a general obligation to produce such works where the specific choice, content, course, and direction of the effort is determined by the employee without direct assignment or supervision by the University shall reside in the creators and the works shall not be deemed "works made for hire"

under this Policy unless they are also sponsored/contracted works or specifically assigned by the University. Copyrighted courseware and/or software that are not associated with traditional works as described above shall fall under and are subject to the Patent Policy. The general obligation of faculty to produce scholarly works does not constitute specific assignment. Upon request by the University, the creator(s) will grant the University a nonexclusive, free of cost, world wide right and license to exercise all copyright rights in and to the work, except the right to commercially display, use, perform, or distribute copies of the work, unless to do so would impair the ability of the creator to have the work published or distributed. If a use of the work by University is reasonably determined by the creator to impair the exercise of such rights, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this Paragraph 3.1. Subject to the approval of the ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee**, the University will assist any University employee wishing to commercially exploit a scholarly/aesthetic work falling under this paragraph, through the ~~Office of Technology Development~~ **Office of Technology Commercialization** and its respective campus officers. In such cases, the University will normally own the work and the provisions of the Patent Policy shall apply.

- (2) Personal Works:
  - Ownership of copyrights to works prepared outside the course and scope of University employment and without the substantial use of University resources (equipment, facilities, services or funds (regardless of source) administered by and/or under the control of the University) shall reside with the creators; provided, the provision of office facilities, limited secretarial assistance, library facilities for which special charges are not normally made or other resources which are made available to the public without charge, shall not be considered substantial use of University resources.
- (3) Sponsored Works:
  - Ownership of copyrights to works produced by or through the University in the performance of a written agreement between the University and a third-party/sponsor shall be governed in accordance with the agreement. If the agreement is silent in that regard, ownership shall be governed by the other provisions of this Policy.
- (4) Commissioned Works:
  - Ownership of copyrights to works produced for University purposes by persons not employed by the University or by University employees outside their regular University employment (commissioned works) normally shall reside with the University. In all cases, copyright ownership shall be specified in a written agreement approved by University legal counsel signed by the parties. Any commissioned work agreement which provides for ownership by other than the University shall also provide, to the fullest extent possible, that the University will have an irrevocable, free-of-cost, non-exclusive, world-wide license to exercise all copyright rights in and to the work, except the right to commercially display, use, perform or distribute copies of the work unless to do so

would impair the ability of the University employee creator to commercially or professionally exploit the work. If a use of the work by University is reasonably determined by the University employee creator to impair the exercise of such rights, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this Paragraph 3-4 C(4).

▪ (5) University Works:

- Except as otherwise provided in this Policy, the University shall own all copyrights to works made by University employees in the course and scope of their employment and shall own all copyrights to works made with the substantial use of University resources. Provided, the University shall give due regard to the creator's interests in the quality and integrity of the work and where appropriate grant recognition for creation of the work. To the extent consistent with University rights under the U.S. copyright law, nothing herein shall be construed to prevent the creator from using his/her knowledge, expertise, research, and creative achievement in other employment.

▪ (6) Student Works:

- Ownership of copyrights to works produced by enrolled students without the use of University funds (other than Student Financial Aid), that are produced outside any University employment and are not sponsored or commissioned works, shall reside with the student creator(s). Provided however, in all cases a student's graduate thesis or dissertation shall be deemed a student work under this Policy but as a condition of enrollment and awarding a degree, the University reserves an irrevocable, non-exclusive, free-of-cost and world-wide right to reproduce in any media and distribute to the public, on a non-commercial basis, copies of said theses and dissertations, unless to do so would impair the ability of the creator to commercially or professionally exploit the work. If a use of the work by University is reasonably determined by the creator to impair the exercise of such rights, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this Paragraph 3-6 C(6).

▪ (7) Jointly Originated Works:

- Ownership of copyrights to jointly originated works shall be determined by separately assessing the category of work of each creator under this Section 3. Rights between joint owners of a copyright shall be determined pursuant to copyright law or by agreement between the owners of the work.

○ (CD) Revenue Sharing

- The University may assign or license its copyrights to others. The University shall share royalty Revenue derived from such assignment or license which it receives through copyrights with the creators, as provided for in the Patent Policy above Section 3.29.2(B) of this Policy. Notwithstanding the above or anything else to the contrary herein, staff employees are not eligible to share Revenues received from University owned copyrights where such employees create copyrightable works as a part of their normal responsibilities of

University employment. Provided, a staff employee may apply to the appropriate Senior Vice President and Provost **or his/her designee** to be treated as a faculty member for purposes of revenue sharing for a work resulting from a specific project upon a showing that his/her duties and responsibilities in that project are, in practical effect, substantially the same as those of a faculty member.

○ (E) *Administration*

- (1) Release to the Creator:
  - An individual creator of a University owned work may seek transfer of the University owned copyright to him/herself by making a written request to the appropriate Provost. If the University decides not to exploit such work, then it may transfer the copyright, by written agreement, to the individual creator to the extent consistent with any applicable third-party agreement or law. Provided, such transfer shall be subject to an irrevocable, non-exclusive, free- of-cost and worldwide license in the University to exercise all rights under the copyright in the work except the right to publicly distribute copies for commercial purposes or such other conditions as may be agreed upon in writing between the individual creator(s) and the Senior Vice President and Provost **or his/her designee**, unless to do so would impair the ability of the creator to have the work published or distributed. If a use of the work by the University is reasonably determined by the creator to impair the exercise of such rights as transferred in the agreement, the University shall discontinue the impeding use but otherwise shall remain free to use the work as provided in this Paragraph ~~5.1~~ **E(1)**.
- (2) Disclosure and Protection:
  - An individual creator of a University owned copyrightable work shall protect the work by placing the following statutory copyright notice on all copies thereof (“Copyright [insert year produced, e.g., 2000], the Board of Regents of the University of Oklahoma.”). If the creator believes the work may have commercial value, he/she shall promptly provide written disclosure of the work to the appropriate Senior Vice President and Provost.
- (3) Legal Compliance:
  - Any work created by a University employee or student, to the best of his/her knowledge and informed belief, shall not infringe on any existing copyright. Creators of copyrightable works subject to this **pPolicy** and the University shall cooperate as reasonably necessary to effect the terms of this **pPolicy**. For example, if copyright to a work of scholarship vests in the University by law, the University will, upon request and to the extent consistent with its legal obligations to third parties, promptly execute such documents as will transfer copyright to the faculty creator(s).
  - (a) The Senior Vice President and Provosts **or his/her designee**, Norman Campus and the Health Sciences Center, shall be responsible for administering the copyright affairs of the University in a manner consistent with this **pPolicy**. The Senior Vice President and Provosts

shall cooperate in consultation with the Copyright committee on each campus to establish written directives to be approved by the President of the University and distributed to the employees and students of the University, which shall govern the procedures to be followed in processing copyrighted works created within the University.

- (b) The University does not act as a fiduciary for any person concerning consideration received under the terms of this Policy.
  - (c) The University ~~Vice President of Technology Development~~ **Chief Innovation and Corporate Officer or his/her designee** may negotiate ownership of copyrighted works with research sponsors when it is in the best interest of the University to do so. Otherwise, all rights are as described above.
  - (d) Faculty having rights to copyrighted works prior to employment at the University of Oklahoma should notify the ~~Office of Technology Development~~ **Office of Technology Commercialization** of such intellectual property so that ownership to any further development of that same intellectual property at the University of Oklahoma may be established, in a written agreement with the University.
- (F) *Contractual Term*
  - The terms of this copyright Policy are a part of any contractual relationship of the University with any member of the faculty, staff or student body. This Policy, as amended from time to time, shall be deemed to be a part of the conditions of employment of every University employee and a part of the conditions of enrollment and attendance of every student at the University.
  - (G) *Resolution of Conflict*
  - Should disputes arise relative to the ownership of copyright between the creator and the University, the matter will be referred to the Copyright Committee, which will make recommendations to the President for proper resolution of the disputes. Either the University or creator may contact the **Senior Vice President and Provost or his/her designee** to arrange to have the Copyright Committee meet to consider such disputes.
  - (H) *University Copyright Committee*
    - (1) The University shall have a Copyright Committee for each Campus that shall consider and investigate disputes among administrators, faculty, or staff and shall recommend appropriate solutions to the President. The committee's responsibilities shall include, but not be limited to, disputes concerning:
      - (a) Ownership of copyright; and
      - (b) Terms of commissions.
    - (2) The Copyright Committee of each campus shall have as its members:
      - (a) One member appointed by the President for a four-year term;

- (b) One student member appointed by the Graduate Student Senate for one year;
- (c) Two staff members, one appointed by the President, one appointed by the Staff Senate, all appointments are for three years; and
- (d) Three faculty members with two appointed by the Faculty Senate and one by the President. All appointments are for three-year terms. Tie votes will be settled by chair of Faculty Senate, who shall be an ex-officio member of the committee. Each member of the committee shall have one vote. The committee shall keep its own records, determine its own procedures, and elect its own chair who shall report to the President. The committee also may review this policy from time to time and may recommend changes to the President. (Regents, 11-13-80, 10-14-82, 1-15 87, 1-16-89, 6-13-91, 12-9-99, 12-7-01, 1-27- 04)



# **Faculty Scholars Steering Committee**

## **Mission Statement**

To provide faculty guidance to support the development of campus-wide resources that are designed to enhance teaching excellence, extend research and creative activities, promote community engagement, and foster leadership.

## **Charge**

The Faculty Scholars Steering Committee will provide faculty perspectives and feedback to improve, support, and amplify the faculty development resources provided through the Center for Faculty Excellence (CFE), particularly in the area of teaching excellence.

In carrying out these responsibilities, the Committee shall do the following:

- Meet with CFE leadership at least once per semester to collaboratively develop goals and future plans to meet these goals, and to discuss CFE resources and assessments.
- Share faculty perspectives, concerns, and ideas with CFE.
- Serve periodically on search committees for CFE positions and/or review proposals from faculty.
- Support the development of seminars, workshops, and in-house conference presentations designed to advance the teaching mission of the university.

## **Operating Procedures**

The Committee shall formulate its own operating procedures, which shall include:

- A committee chair will be elected by the committee from among the committee members.
- The committee chair will coordinate with the Director of CFE to organize meetings with CFE leadership at least once per semester.

## **Membership**

The Committee shall formulate its own operating procedures, which shall include:

- 6 faculty members representing a diversity of disciplines and backgrounds will be elected by the Faculty Senate to 3-year staggered terms
- 2 new members will start at the beginning of each academic year
- 2 members will rotate off the committee at the end of each academic year



### **1.1.1-3: Minors on Campus Policy**

- I. Purpose  
The purpose of the Minors on Campus Policy (Policy) is to take affirmative steps to safeguard and protect minor children who visit the University of Oklahoma (OU), participate in OU sponsored programs on and off University property, or participate in third-party programs and activities that utilize University property.
- II. Scope  
The Policy applies to all faculty, staff, students, vendors, and visitors of OU who work with minors in university-sponsored programs or who participate in third-party programs and activities that utilize OU property, including property that is owned, leased, used, or otherwise controlled by the University.
- III. Accountability  
The Office of Enterprise Risk Management is responsible for administering this Policy and ensuring compliance.
- IV. Policy  
It is the Policy of OU to allow minors on campus for various campus-sponsored events, third-party hosted events, and visiting of faculty, staff, and students.

Policy Level: 3

Approval Authority: President

Date of Approval:

Subject Matter Expert Department: Office of Enterprise Risk Management

Date of Last Review:

Date of Next Review:

Signature:



## Procedures

The safety of minors on campus is of utmost importance to OU and this Policy has been approved to provide a safe, fun, and productive educational environment. If you have questions about the following procedures, please contact the Office of Enterprise Risk Management.

### I. **Reporting Obligations for sexual misconduct, child abuse and neglect:**

- A. A minor is anyone under the age of 18.
- B. General Rule: If anyone has reason to believe that a minor is the victim of abuse or neglect, it is his/her duty to report it to the Oklahoma Department of Human Services (DHS) immediately. (See 10A O.S. §1-2-101(B)(1)). This reporting obligation is incumbent upon the individual who suspects abuse or neglect. (See 10A O.S. §1-2-101 (B)(4)).
- C. The Oklahoma Department of Human Services (DHS) hotline for reporting is 1-800-522-3511.
- D. Additionally, after notifying DHS, the individual must notify the relevant campus police department, and the respective University's Title IX office to report any sexual misconduct and your supervisor of any suspicions. For the Norman Campus Institutional Equity Officer and Title IX coordinator call 405-325-2215. For the OUSHC Associate Equal Opportunity Officer and Title IX Coordinator call 405-271-2110. For the Tulsa Campus Associate Equal Opportunity Officer and Title IX Coordinator call 918-660-3107. One does not have to know with certainty that abuse, or neglect is taking place. Reasonable cause to believe or suspect that child abuse or neglect has occurred is sufficient. When in doubt, report it.

### II. **Employees Bringing Minors to the University**

The following generally applies when bringing minor children to the workplace:

- A. Employees should obtain supervisory approval prior to bringing minors to the workplace.
- B. Minors should not be brought to work on a regular basis in lieu of childcare. Minors may be brought to work, only occasionally, for the convenience of the employee or due to a family emergency.
- C. A parent or guardian must always provide supervision. Minors should not be left unattended or with other employees.
- D. Minors should not interfere with workplace activities.
- E. Minors are not allowed in high-risk areas ("High Risk Areas"), which include:
  - 1. Laboratories, shops, studios, mechanical rooms, power plants, garages, animal facilities, food preparation areas, high security areas.
  - 2. Any areas, indoors or out, containing power tools or machinery with exposed moving parts.
  - 3. University vehicles, boats, aircraft, snow machines, grounds equipment, farm equipment, heavy duty, or other motorized equipment; and,
  - 4. Any other high-risk areas (no playing in stairwells or doorways, no access to rooftops, construction zones, etc.).
- F. Exceptions to the above restrictions on having minors in the workplace on a longer-term basis or in visiting restricted, High Risk Areas may be granted at the discretion of the requesting employee's unit supervisor, manager, dean, or director, and only under the following circumstances:
  - 1. No risks of injury or illness in excess of everyday risks are present in the workplace.



2. No significant disruption of the working environment of either the requesting employee or other employees will occur.
  3. The requesting employee signs an agreement waiving claims of liability against the University for those areas in which the employee allows the minor access. Please contact the respective campus's Office of Enterprise Risk Management for further guidance and a waiver form.
- An exception, if granted, may be revoked at any time without cause or explanation by the supervisor, manager, dean, director, or the Office of Enterprise Risk Management.

**III. Students Bringing Minors to the University**

- A. A minor should not be left unattended while the parent or guardian is attending class or conducting any other business or social function on campus.
- B. The parent or guardian should always provide line-of-sight supervision of the minor.
- C. Minors are not allowed in High-Risk Areas as defined in Section II (E) above.
- D. Minors are not allowed in classrooms with the student while classes are in session unless permission is granted by the faculty member. If a minor becomes disruptive, the faculty member may require the student and minor to leave.

**IV. Visitors Bringing Minors to the University**

- A. The parent or guardian should always provide line-of-sight supervision of minors.
- B. A parent or guardian must assure that minors are not disruptive to others.
- C. A parent or guardian must not leave minors unattended, including at athletic events or other University activities.
- D. Minors are not allowed in High-Risk Areas as defined in Section II (E) above.

**V. Minors Enrolled at the University of Oklahoma**

This Policy does not apply to minors who are enrolled in university courses. Concurrently enrolled high school students and enrolled University students under the age of 18 are subject to all applicable University policies, including the Student Code of Rights and Responsibilities. University faculty and staff are encouraged to be aware of any student's status as a minor.

**VI. Required Minors on Campus Training**

- A. University employees assisting with university-sponsored events, camps or activities must complete the Minors on Campus training through the university's OnPoint learning management system. Please contact the respective campus's Office of Enterprise Risk Management for more information on training and required forms.
- B. All third-party groups and university students that host any virtual event, activity or camp aimed at minors or have staff/volunteers who are minors (one or more individuals under the age of 18) must adhere to the university's Minors on Campus Policy. All Third-Party Groups and Students that host these type of activities aimed at minors **MUST** complete the university's minors on campus training (30-minute online course) and submit all required forms. For more information on the minors on campus policy and training for activities hosted at OU Norman visit <https://www.ou.edu/web/landing/policy>



and for OUHSC and OU-Tulsa visit <https://risk.ouhsc.edu/Minors-on-Campus> .

## VII. University-Sponsored Events/Camps/Activities<sup>1</sup>

University-sponsored events, camps, or activities (collectively hereinafter referred to as “Events”), include Events that occur on campus and off campus and are managed and/or controlled by a University College or department. For all University-sponsored Events, the following applies:

### A. Supervision:

1. Head Supervisor: The sponsoring department shall designate at least one person as a Head Supervisor and provide his or her contact information to the campus Enterprise Risk Management office. The Head Supervisor will oversee the Event Supervisors. The Head Supervisor must ensure all minors are properly supervised and shall be the point of contact between the Event and the University.
2. Every minor must be supervised **AT ALL TIMES** while that minor is participating in the Event.
3. The University generally requires a minimum of at least **one adult supervisor for every 12 minors**. However, depending on the age of the minors and the Event, higher or lower supervision ratios may be advisable or applicable as determined by the supervisor over the area or upon consultation with the campus Enterprise Risk Management office.
  - i. Supervision is defined as having the minor within line- of sight.
  - ii. Supervisors must be at least 18-years-old. Minors may not supervise other minors.
  - iii. Minors should not be secluded with the supervisor. Where providing individualized instruction or laboratory experience to a minor, the minor must either be accompanied by an adult or, if the instructor, acting as a supervisor, is alone with the minor, ensure they are in a location where others can see the instructor and the minor (e.g. windows, an open door) or in an area frequented by other people with no expectation of privacy (a laboratory used by other faculty or students).
  - iv. Minors should use the buddy system for restroom breaks and should check in and out with the supervisor for restroom breaks.
4. Overnight Events: Where minors are staying overnight, the Head Supervisor must provide a schedule of who is on call and provide contact numbers to the appropriate University representative. Sufficient number of supervisors must be available on the floor to be aware of activity in the rooms, in the corridors, and/or near the exits throughout the night.
5. Laboratory Activities: When minors are permitted into university laboratories as volunteers for an educational experience, the faculty member sponsoring the minor (the “Mentor”) should comply with the additional requirements set forth in Forms F and G, including providing appropriate training. If the minor will be working in a laboratory involved in animal research, the faculty member must also ensure compliance with all Institutional Animal Care and Use Committee (“IACUC”) policies that may be applicable. IACUC policies may be found here: <https://compliance.ouhsc.edu/iacuc/>

### B. Background Checks:

1. Criminal and sexual offender background checks: Each employee, student or volunteer who acts as a supervisor and any employee or volunteer who has substantial contact with minors must have



successfully passed a criminal and sexual offender background check within the year preceding the Event. Until a clear background check is received, the employee or volunteer may not supervise or have substantial contact with minors. Background checks may be conducted through the University's Human Resources department.

2. A parent/guardian may not supervise minors other than his or her minor child unless he or she has complied with Section VI(B)(1) above.
3. Student Misconduct checks: Each University student working at the Event must have successfully completed a check through the University's Student Conduct Office within the past 6 months. Please contact the University's Director of Student Conduct at 405-325-1540. Successful completion of a Student Conduct Office check means that generally, a student must have no student code violations or been charged with any such violations within the past six months. Please note it takes approximately five (5) business days for the Student Conduct Office to conduct these checks. Students must also be in good standing with his or her college. Please contact the appropriate Student Dean to determine whether the student is in good standing with his/her college.

C. Transportation

1. Drop Off & Pick Up: Drop-off and pick-up schedules and locations should be supervised. Minors may not be released to anyone other than the person(s) listed on the registration form even if he/she claims to be a relative. Proper identification of approved persons must be provided to the Event staff. Parents must give permission in writing for their minor to transport himself/herself or ride with another person to and from the Event. If the minor is not picked up at the appropriate time, please contact the appropriate campus police department.
2. Transporting Minors: Only Event supervisors over the age of 21 who have completed a department of motor vehicles background check may transport minors. Motor vehicle background checks may be conducted through the University's Human Resources department. Supervisors who transport minors should avoid any situation where they would be alone in a vehicle with a minor.
3. All Event supervisors must comply with applicable laws and University policies regarding transportation and motor vehicle use.

D. Security and Safety Measures

1. Supervisors should ensure minors are identified as part of the group in a manner appropriate to the age of the participant and nature of the Event. (e.g. name tags with Event name and contact information on their person).
2. Departments should make sure all staff and Event supervisors have been briefed by the Head Supervisor regarding all security measures in place to protect minors (including inclement weather procedures, fire and safety evacuation procedures). At the start of each Event, inform minors where to go or what to do if they need help. For multi-day Events, information should be provided or available each day.
3. Injuries: Report all injuries, other than minor scrapes, bumps, and bruises, to the Head Supervisor immediately when they occur.
4. Hazards: All areas within supervision should be inspected to ensure there are no hazards, e.g., open windows, doors propped open, broken glass, no candles or cooking in the rooms, no alcohol, drugs or tobacco etc. Any hazards should be reported directly to the Head Supervisor or facility manager.



E. Virtual Events

Adults should be positive role models for minors, and act in a caring, honest, respectful, and responsible manner that is consistent with the mission and guiding principles of the university. The risks and challenges associated with working with minors in-person are also present when working with minors online. Adults working with minors online must follow these expectations to avoid behaviors that could cause harm or be misinterpreted.

1. Do not have one-on-one interactions with minors. All virtual programs must have at least one other adult or minor participating in the program.
2. Do not engage or communicate with minors through email or text messages, social networking websites, internet chat rooms, or other forms of social media at any time except and unless there is educational or programmatic purposes and content of the communication is consistent with the mission of the program or activity. When communicating electronically, you must copy another Program Staff member or the minor's parent/guardian.
3. Do not wear unprofessional or inappropriate attire when interacting with minors online. A few examples of inappropriate attire include but are not limited to the following: tight or revealing clothing; clothing with names or photos of Alcoholic Beverages; clothing with pictures or words depicting violence, lewd sexual acts, profanity, or racism.
4. Do not display an unprofessional or inappropriate background when interacting with minors online, such as inappropriate images or words on the wall or on the virtual background.
5. Do not meet with minors in person unless the in-person meeting was a part of the program curriculum approved by the Head Supervisor. Any exceptions require authorization by the Head Supervisor and written authorization by the minor's parent/guardian. The meeting must include more than one adult from the program or activity.
6. Do not allow unsupervised interactions between minors during the virtual programming, such as in breakout rooms.
7. Immediately stop cyberbullying or any disrespectful comments or inappropriate images once you are made aware of such activities.
8. Do not tell a minor "this is just between the two of us," or use similar language that encourages minors to keep secrets from their parent/guardian.
9. Recording virtual interactions, such as class instruction and office hours, may allow the minor and parents/guardians to review the instructional materials later. If the program or activity intends to record any virtual interactions, you must ensure that minors and parents/guardians are notified in advance and that the appropriate forms are signed.
10. Virtual meeting spaces should be set to private and individuals who have not been invited to the meeting cannot enter the virtual space.
11. Avoid posting any meeting links on public sites.

F. Forms and Contact Information

1. Each Head Supervisor must provide contact information for the Event and all scanned copies of the executed forms, as provided below, to the campus Enterprise Risk Management office prior to the event. All the scanned event forms shall be submitted together under the event name. The campus Enterprise Risk Management office will maintain a digital repository of all executed forms. The University department sponsoring



the event should maintain their copies of the forms for as long as they are needed.

2. The Head Supervisor shall ensure the following forms have been completed and provide scanned copies of the executed forms to the Office of Enterprise Risk Management : Norman Campus programs: [minorsoncampus@ou.edu](mailto:minorsoncampus@ou.edu) or OUHSC and OU-Tulsa Campus programs: [minorsoncampus@ouhsc.edu](mailto:minorsoncampus@ouhsc.edu).
  - a. Ensure each Event supervisor executes the attached Event Protocols and Acknowledgment Form(s) in substantially the same format as **Attachment B**. Please note this may need some modification to reflect the details of a particular Event.
  - b. The parents or legal guardians of the minor attending the Event execute a Minor Release Form in substantially the same format as **Attachment C**. Again, this may need modification.

#### **VIII. Events Sponsored by Third Parties**

The University's requirements for third parties to hold an Event on campus are found within the below referenced forms.

- A. Third parties may contract with the University to use University space to host events that include minors. University departments that agree to provide space should designate a departmental contact person who is responsible for communicating University requirements to the Third-Party Sponsor ("Sponsor") of the Event. Sponsors shall designate a Head Supervisor who shall be responsible for ensuring adequate supervision of the minors throughout the Event and who shall be the point of contact for the University for any issues that arise during the Event.
- B. Background Checks:
  1. Criminal and sexual offender background checks: Each person who acts as a supervisor or who has substantial contact with minors must have successfully passed a criminal and sexual offender background check within the year preceding the Event. For information on how to obtain a criminal and sex offender background check, contact the Oklahoma State Bureau of Investigations <https://osbi.ok.gov/>.
  2. A parent/guardian may not supervise minors other than his or her minor child unless he or she has complied with Section VI(B)(1) above.
  3. Student Misconduct checks: Each University student working at the Event must have successfully completed a check through the University's Student Conduct Office within the past six (6) months. Please contact the University's Director of Student Conduct at 405-325-1540. Successful completion of a Student Conduct Office check means that generally, a student must have no student code violations or been charged with any such violations within the past six (6) months. Please note it takes approximately five (5) business days for the Student Conduct Office to conduct these checks. Students must also be in good standing with his/her College. Please contact the appropriate Student Dean to determine whether the student is in good standing with his/her College.
- C. Sponsors must sign a Facilities Use Agreement, which should be provided by the University department from which the Sponsor is leasing space. Facilities Use Agreements must include the cost of the leased space, the minimum insurance requirements, and liability and indemnification language protecting the University from claims that may arise out of the Event. The Facilities Use Agreement must be signed by the appropriate University representative who has signatory authority to sign such agreements.





- D. The sponsoring organization shall maintain insurance amounts sufficient to cover its responsibilities and liabilities including but not limited to General Liability and Sexual Misconduct and Molestation Liability with minimum insurance limits as set by the Office of Enterprise Risk Management. **Such insurance is required for both day camps with a duration of five (5) or more days and all overnight camps.** For state agencies covered by the Oklahoma Governmental Tort Claims Act, the OMES State Risk Management Verification of Liability Coverage Letter, evidencing their self-insurance coverage, is sufficient to satisfy this requirement.
- E. The Sponsor of the Event must execute an *Event Acknowledgment* form in substantially the same format as **Attachment A**. Please note, these may need modification to fit the specific needs of the Event or may be inapplicable depending on the situation. The University department representative should contact the campus Enterprise Risk Management for assistance if needed.
  - 1. Registered Student Organizations (RSOs) must fill out Attachment A, revised to appropriately identify the organization, or a substantially similar document.
- F. Ensure a parent or legal guardian of the minor attending the Event executes a minor's release form in substantially the same format as **Attachment D**. Again, this may need modification or may be inapplicable depending on the situation.
- G. Each Sponsor must provide contact information for the Event and submit all executed forms electronically to the Office of Enterprise Risk Management office prior to the event. For the Norman campus, submit to: [minorsoncampus@ou.edu](mailto:minorsoncampus@ou.edu). For HSC and Tulsa campuses, submit to: [minorsoncampus@ouhsc.edu](mailto:minorsoncampus@ouhsc.edu). All the event forms shall be submitted electronically together under the Event name. Last second submissions are acceptable; however all efforts should be made to avoid this practice. If the event involves athletics or the use of the fitness center, recreation fields, pool, or golf course on the Norman campus, the contact information and executed forms must be provided to the Event Management Office of the Department of Athletics, OU Fit and Rec, or Jimmie Austin Golf Club. These offices will maintain all executed forms.

**IX. Minors on Campus in K-12 Programs, Field Trips, or Similar Types of School/Extracurricular Group Tours/Events**

Where minors are on campus due to a field trip sponsored by a K-12 school or similarly sponsored event ("Field Trip"), the University contact must ensure a contact person for the K-12 school is identified, must obtain basic information for the event, and must advise the campus Enterprise Risk Management office of all this information.

- A. The Field Trip location should be inspected either by other appropriate University officials for safety purposes, e.g., facilities management or lab supervisor where students touring lab facility.
- B. Employees in the area should be made aware of the minors' presence in the area and advised to report any issues or suspicious activity to the University contact, the campus Enterprise Risk Management office, and/or DHS, campus PD, and the Sexual Misconduct Officer as appropriate.
- C. Group Tours/Field Trips. Groups that wish to tour the University campus should fill out **Attachment E** and provide it to the University department providing the tour. University departments should provide this completed form to the campus Enterprise Risk Management office twenty-four (24) hours prior to the tour. For the Norman Campus submit to:



# POLICY AND PROCEDURE MANUAL

*The* UNIVERSITY *of* OKLAHOMA

[minorsoncampus@ou.edu](mailto:minorsoncampus@ou.edu). For the HSC and Tulsa campus, submit to:  
[minorsoncampus@ouhsc.edu](mailto:minorsoncampus@ouhsc.edu).



## **Accessible Course Material Policy**

- I. Purpose  
This policy aims to ensure students equal access to any enrolled course they choose on all University of Oklahoma (OU) campuses. This policy outlines the requirements to provide a student with print-related disability access to course materials, the process to request accessible course materials, and the responsibilities of the Accessibility and Disability Resource Center, the faculty, OU, and the student.
- II. Scope  
This policy applies to all OU students and faculty on the Norman, Oklahoma City, and Tulsa campuses and any satellite location including students with disabilities.
- III. Accountability  
The Accessibility and Disability Resource Center (ADRC) is responsible for administering this policy and ensuring compliance.
- IV. Policy  
It is the policy of OU that any student with a disability who requires accessible print course materials because of a barrier related to vision, health, or other disability will be provided appropriate accommodations based upon an interactive process conducted between the student and ADRC.

Policy Level: 3

Approval Authority: President

Date of Approval:

Subject Matter Expert Department: Accessibility and Disability Resource Center

Date of Last Review:

Date of Next Review:

Signature:



## Procedures

### I. Definitions

#### A. Disability:

A disability is defined by the Americans with Disabilities Act, as Amended, as a medical or mental health condition that has a significant impact on one or more major life functions. It also stipulates that a disability is a person with a history of the impairment or one who has been regarded as having an impairment.

#### B. Accommodation:

An auxiliary aid or service that allows the person to have equal access to the OU environment. Under the Americans with Disabilities Act, as Amended, modifications to practices and policies may be required to afford an individual equal access. An accommodation can be determined unreasonable if it causes undue burden, presents a fundamental alteration, or is a direct threat to the health and safety of others that cannot be reduced or eliminated by a modification or accommodation of policies, practices, or procedures.

#### C. Alternative Format Materials:

Any print material, including textbooks, course packs, articles, or other printed material used in, or for, the purpose of classroom learning is provided to a qualified student with a disability in a format that can be independently utilized by the student. Examples of alternative format materials include:

#### D. Electronic textbooks:

Textbook provided in an electronic format such that it can be accessed through an auditory format, including PDF, Word, EPub, etc., documents.

1. Braille
2. Tactile graphics
3. Enlarged text

#### E. Optical Character Recognition (OCR):

The process of converting scanned images of text into editable text that can then be corrected to provide accessible content.

### II. Process Accessible Course Materials

#### A. Textbooks and Course packs

1. Depending on the material, it could reasonably take up to 4-6 weeks to convert a text (8 weeks for STEM) and students are expected to request accessible materials as soon as they enroll in a course to ensure that the material is available when needed. The ADRC is happy to assist in reaching out to faculty to ask about their course materials.
2. The ADRC approves the accommodation of accessible materials during an interactive conversation with the student.
3. Students who have completed registration with the ADRC can enroll for classes one week before their similarly credited cohort. Typically, this Priority Registration occurs:
  - i. Two months (October -November) before the start of the spring and summer semesters
  - ii. Four months (March- April) before the start of the fall semester
4. The ADRC will search registration for students who are blind or low-vision eight weeks before the start of the spring semester and the end of



- April for the start of the summer and fall semesters. For students who do not utilize the available priority registration, their registration will be searched within 15 university days from when they enroll for classes.
5. A minimum of 8 weeks before the start of the class in which the material is required, the student will submit by email, fax, or in person the completed documents needed to request the materials. These documents (located in the appendix) include a copyright agreement (one per semester), textbook (or other material) information (one for each source), and proof of purchase (if needed).
  6. The ADRC will also remind students by email to complete documents for accessible print materials using the following schedule:
    - i. Eight (8) weeks before the start of the semester, the email will include the documents needed for requesting accessible course materials and remind students to request early.
    - ii. Four (4) weeks before the start of the semester, the email will use the same language as above if the ADRC has not received the required documents or course materials.
    - iii. Two weeks before the start of the semester, the email will use the same language as above and will add a statement to contact the ADRC if materials added during class are inaccessible.
    - iv. One (1) week before the start of class – the email will include the same language as two weeks prior.
    - v. End of the first week of class – the email will focus on accessible texts and any materials presented inaccessibly during the semester.
    - vi. For the summer and fall semesters only, because students can enroll in March/April for both summer and fall courses, for those students who enroll for courses when able, the ADRC will notify these students by email at the end of April and then following the above schedule. This email will apply to both summer and fall courses.
  7. Faculty will be notified using the following schedule that there will be a student in their class who requires accessible course materials and will include instructions for creating and modifying content to ensure accessibility. The email will also include contact information for the person within the ADRC who can assist with accessibility.
    - i. Eight (8) weeks before the start of class, or within 15 university days of when the student registers for class
    - ii. Four (4) weeks before the start of class, or within 15 university days of when the student registers for class
    - iii. For the summer and fall semesters only, because students can enroll in March/April for both summer and fall courses, for those students who enroll for courses when able, the ADRC will notify faculty by email at the end of April. This email will apply to both summer and fall courses.
  8. ADRC staff will search for a pre-existing accessible version.
    - i. From book repositories – Access Text, Book share, etc.
    - ii. Request from publisher an accessible version of the material
  9. If the source is not available from available entities, the ADRC will ask the student if they approve the ADRC sending their actual text to be scanned. The process for this will include removing the binding,



scanning the document, and re-binding the textbook using a spiral binding. If the student disapproves of using their textbook, the ADRC will contact the department for a copy of the textbook. If one is not available, the ADRC will purchase the textbook to be scanned by the ADRC.

10. Once the ADRC receives the material, it will be edited for accuracy and usability. Elements of editing will vary widely depending on the accuracy of the scanned text. Editing could involve entering alternative text for images, tagging the document, adding headings, and correcting text errors that may have occurred during the scanning process.
11. After the material has been reviewed and edited, it will be uploaded securely to a Dropbox folder for the student. The student will be notified by email that the material is available and a link to their folder will be included in the notification.

#### B. Print Documents During Class

1. Faculty will commonly add print materials to the Learning Management System either before or during the course that will require modifications for the student to access.
2. Students will be notified by email to contact the ADRC should inaccessible content be added to the LMS using the following schedule:
  - i. Two weeks prior to the start of the semester, the email will encourage students to request accessible texts and will include a statement to contact the ADRC if materials during class are provided in an inaccessible format.
  - ii. One week before the start of class – the email will include the same language as two weeks prior.
  - iii. End of the first week of class – the email will focus on encouraging students to contact the ADRC should there be print materials in inaccessible formats.
3. Faculty will be notified by email if the ADRC receives contact from a student who states that they are encountering inaccessible course materials within 3-5 university days from receipt of email from student.

### III. Exceptions

- A. The ADRC will attempt to provide accessible course materials within 4-6 weeks from the date the student makes the request.
- B. While rare, there may be instances in which this timeline is not possible because:
  1. There is no response from the publisher.
  2. The text received requires an excessive amount of editing for accuracy.
  3. There is no accessible version of the material available and the ADRC must create an accessible text from the hard copy material.
- C. Should the student request accessible materials in a timely manner and there is a barrier that prevents the ADRC from providing the complete material, the ADRC will:
  1. Maintain regular communication with the student.
  2. Notify the ADRC Director of the barrier(s) to obtaining the material.
  3. When possible, provide the text in sections to minimize the impact on the academic environment.



4. Work with faculty to ensure that the student is not penalized while materials are being obtained.

IV. Student Responsibilities

- A. Request accessible textbooks or course packs following the appropriate timeline and include in the request the required materials; copyright agreement, textbook information, and proof of purchase (if needed).
- B. Respond in a timely manner to any requests for additional information or questions from the ADRC.
- C. Notify the ADRC of any changes to course material, new documents presented by faculty, or any other changes to print materials that are not accessible and/or are unusable by the student.
- D. Contact the ADRC of any concerns or questions related to accessible course materials and if a response is not received from the Digital Accessibility Specialist, within 3-5 university days, contact the ADRC Director for resolution.

V. ADRC Responsibilities

- A. ADRC will ensure that the student receives accessible course materials in the timeframe specified.
- B. The ADRC will communicate and interact with the student proactively to gather additional information and inform them of any modifications to the anticipated timeline.
- C. Students are responsible for purchasing their course materials. Any cost directly related to the acquisition of accessible course materials will be the responsibility of the ADRC. This includes software, hardware, and purchase of texts.
- D. The ADRC will maintain open communication, training, and ongoing support to faculty to create accessible course materials.

VI. Faculty Responsibilities

- A. Ensure that textbooks and course packs are accessible or available in an accessible format.
- B. Respond in a timely manner to communication received by the ADRC.
- C. Engage with the ADRC in learning to create accessible course materials.
- D. Send any instructional materials added to the LMS to the ADRC at least five (5) university days before the date in which it will be used to allow sufficient time to edit and return the accessible document.
- E. Communicate with the student to ensure that materials are usable and to address any questions or concerns.



## **Policy Number: Data Governance Policy**

- I. **Purpose**  
The University of Oklahoma (OU) recognizes that Institutional Data are an asset, critically important to effectively supporting OU's mission. To that end, Institutional Data must be accessible, accurate, and easily integrated across the OU information systems as needed to support organizational operations and inform strategic planning.
- II. **Scope**  
This policy applies to Institutional Data, Research Data, and all OU activities and operations in which institutional and research data are maintained and/or accessed. This policy applies to research data for which OU has custodial or legal obligations. This policy applies regardless of the offices or format in which the data reside.
- III. **Accountability**  
The Data Protection Officer with assistance/support from the Health Insurance Portability and Accountability Act (HIPAA) Privacy Official is responsible for administering this policy and ensuring compliance.
- IV. **Definitions**  
For the purposes of this policy, Institutional Data refers to any data – structured or unstructured, detailed, or aggregated – that are relevant to operations, planning, management, research, and/or patient care activities of any institutional unit.  
  
Institutional Data includes (but is not limited to) any data that are reported to the OU Board of Regents; reported to federal and state organizations; reported to accreditors or licensing agencies; generally referenced or required for use by more than one OU unit; or included in official administrative reporting.
- V. **Policy**  
It is the policy of OU that Institutional Data are utilized to support the operations of OU and that access and usage for approvals are specific to job function and request. Data access granted for one purpose is not universally granted for all purposes.

Policy Level: 3

Approval Authority: President

Date of Approval:

Subject Matter Expert Department: Data Privacy Officer

Date of Last Review:

Date of Next Review:

Signature:





## **Procedures**

### **I. Governance**

Because of significant differences in data infrastructure and security needs across OU campuses, responsibility for upholding and enforcing this policy is divided across two committees: Norman and Health Sciences Center (HSC). Tulsa campus data are governed by either the Norman or the HSC committee as appropriate; in cases where no clear assignment exists, responsibility falls to HSC.

These committees serve two key functions: (1) ensuring appropriate data governance policies, standards, and processes exist; and (2) monitoring compliance with them on their respective campuses. The committees may delegate to subcommittees or existing organizational groups as needed to accomplish these functions efficiently. Each campus committee is responsible for data governance and management, as well as for data risk assessment and management. It is up to the committee whether those responsibilities are handled by one body or delegated across more than one group. If delegated, one group must be designated as the primary body, and all activities, including policies and approvals, must be reported up through the primary group. Each campus committee shall determine its membership size, so long as it meets these minimum standards:

- A. Membership of the primary group on each campus must be representative of all Vice Presidential (VP) areas; for those VPs with cross-campus responsibilities, the same representative may be designated for both campus committees, if desired.
- B. Membership of each campus committee must include at least one Information Technology representative, one Institutional Research representative, and one representative for the Tulsa Campus. Tulsa representation may be fulfilled by explicitly designating a representative from another area as also representing Tulsa.
- C. Each campus committee will have an ex officio representative from the other campus committee. This duty can be assumed by a member serving on both campus committees, but the designation must be explicitly stated. Each campus committee must also include the Data Protection Officer (DPO) and the Director of Compliance as ex officio members.

When an issue has multi-campus implications or involves multi-campus Institutional Data, the two committees will meet jointly. Policies and other decisions made by this joint committee supersede any campus-specific policies unless explicitly stated otherwise.

### **II. Roles and Responsibilities**

Clear delineation of roles and responsibilities in data governance allows OU to ensure controls are being appropriately followed and enforced and to create a set of checks and balances. An “Authoritative Source” is defined as a source of data recognized by a Data Owner to be valid or trusted because it is considered highly reliable or accurate or is from an official publication or reference. A “System of Record” (SOR) is an Authoritative Source of data used for audit or regulatory reporting purposes; one where the whole data object, or specific attributes of a data object, is maintained. This maintenance includes data creation, updating, modifying, and deleting.



The following roles and responsibilities are established by this policy:

- A. **Data Owner:** a senior OU administrator accountable for the quality and maintenance of one or more Authoritative Sources of data relied upon for key OU operations. Data Owners have authority over and are responsible for strategic planning and setting policy for their data domain(s). Data Owners appoint Data Steward(s) over specific subject area domains and are responsible for the activities of the Data Steward(s). All OU authoritative sources of data must have a named Data Owner. Any individual who creates an Authoritative Source or SOR is responsible for performing the duties of Data Owner.
- B. **Data Steward:** named by a Data Owner to develop and implement rules and procedures needed to ensure data and security policies set by the Data Owner are enforced. A Data Steward is typically a high-level functional end user within an operational area who is deemed an expert in using data managed by that area and is responsible for ensuring data quality and integrity, authorizing access, and monitoring appropriate use. All OU Authoritative Sources must have a named Data Steward. The Data Steward may also fill either the Data Owner or the Data Manager role, but the same person may not fill all three roles.
- C. **Data Manager:** named and supervised by the Data Steward or Data Owner for each Program that creates and/or utilizes Institutional Data. For the purposes of this policy, a “Program” refers to any discrete amalgamation, storage, and/or distributed usage of non-public Institutional Data. A Data Manager is responsible for ensuring the Program implements and enforces data governance policies, a responsibility that applies during the entire life cycle of the Program. This responsibility includes infrastructure security, data access policies, and creation and maintenance of any Program-specific data definitions and/or appropriate use guidelines. A Data Manager is not authorized to release or grant access to data without prior written approval of the Data Owner or Data Steward. Data Managers provide documentation and training for Data Users to support Institutional Data needs. All OU Authoritative Sources of data must have a named Data Manager.
- D. **Data User:** any person using Institutional Data. Access to Institutional Data is contingent on following all applicable policies and procedures and can be revoked by the Data Owner in cases of inappropriate use.

### III. **Data Access**

A primary outcome of a successful data governance policy is ensuring employees have appropriate access to OU information, including Institutional Data, needed to perform their jobs efficiently and effectively. The value of data as an institutional resource is increased through its widespread and appropriate use; its value is diminished through misuse, misinterpretation, inaccuracies, and unnecessary restrictions to its access.

OU will protect its data assets through security measures that assure the proper use of data when accessed. Read-only access to administrative information shall be provided to employees for the support of OU business, without unnecessary difficulties or restrictions.



**IV. Data Usage**

A key element of data governance is ensuring that Institutional Data are used ethically, with due consideration for individual privacy, and in accordance with applicable laws. OU personnel must access and use data only as required for the performance of their job functions. Access and usage approvals are specific to each request. Data access granted for one purpose is not universally granted for all purposes.

**V. Data Integrity**

Data standards promote data integrity and security of Institutional Data, necessary to ensure successful integrations between functional units and/or institutional systems. Institutional Data will be consistently interpreted, documented, and maintained. Data systems and/or processes must always incorporate data integrity and validation rules and procedures to ensure the highest possible levels of data quality. It is the responsibility of participants in every part of the data system to monitor data integrity and notify the System of Record Data Owner if any quality problems are discovered.

**VI. Data Integration**

Data integration refers to the ability of data to be assimilated across information systems. OU's operational processes often require systems to exchange information. System-to-system interfaces are a standard way to streamline the movement of data from one system to another, facilitating an efficient and effective information exchange. Successful use of data integration depends on data integrity and sound data models. Integrations between systems must follow the terms of this policy, must be documented by IT Data Services, and must adhere to policy requirements concerning Data Owners, Data Stewards, and Data Managers.

**VII. Oversight**

Penalties for deliberate violation of this policy will be determined in accordance with applicable disciplinary policies and procedures, outlined in the appropriate employee, faculty, or student handbook or code of conduct.



## **Data Privacy Policy (Policy Number)**

### **I. Purpose**

The University of Oklahoma (OU) is dedicated to protecting the privacy rights of those providing it with personally identifiable information (PII), whether student, faculty, staff, patient, or visitor. OU will collect only those data needed to conduct or improve its services, operations, or educational experiences or for which it has a clear purpose. OU is committed to making sure any PII you entrust to OU will be used only to conduct its official business and will not be distributed to any unaffiliated third party, except as described in the policy. OU closely monitors the storage of PII to ensure it is in as few locations as possible and that those locations are equipped with appropriate protection from unauthorized access.

OU patient information is Protected Health Information (PHI) protected by the Public Law 104-191, the Health Insurance Portability and Accountability Act of 1996, as amended (HIPAA), and the applicable provisions of the Health Information Technology for Economic and Clinical Health (HITECH). In collecting PII, our Services may also collect PHI. Just as OU strives to protect PII, it is committed to protecting PHI. PHI will remain confidential and will only be used or disclosed as detailed in the OU Notices of Privacy Practices. Additional details can be found below in the HIPAA section.

### **II. Scope**

This Policy applies to all websites, apps, electronic forms, communications, and the like (together, "Websites") owned, leased, or provided by OU, encompassing the Norman, Health Sciences Center, and Tulsa Campuses as well as their remote sites (together, "OU").

### **III. Accountability**

The Data Protection Officer with assistance/support from the Health Insurance Portability and Accountability Act (HIPAA) Privacy Official is responsible for administering this policy and ensuring compliance.

### **IV. Policy**

It is the policy of OU that PII and PHI may be collected through information provided on any OU website.

Policy Level: 3

Approval Authority: President

Date of Approval:

Subject Matter Expert Department: Data Protection Officer

Date of Last Review:

Date of Next Review:

Signature:



## Procedure

### I. Collection and Use of Personally Identifiable Information

#### A. What is personally identifiable information (PII)?

Personally identifiable information (PII) is any information that either directly identifies you or makes it possible to identify you. OU may obtain, hold, and process PII gathered through its Websites. This may include information related to you that can be identified, directly or indirectly, by reference to a collected piece of information such as an identification number; location data; an online label (often called an identifier); or to one or more factors specific to your physical, physiological, genetic, mental, economic, cultural, or social identity.

#### B. How does OU collect PII?

In general, OU collects and processes two types of information through its Websites: (1) information voluntarily provided by you in order to receive requested information and/or services, and (2) information automatically collected upon your navigation to one of its Websites (usually through web browser cookies and web beacons). By using an OU Website or filling out an OU electronic form, you consent to OU's collection and use of the included PII.

#### C. Why does OU collect PII?

The PII collected is used only for administrative, educational, and/or research purposes and in furtherance of OU's [mission](#). Such use is necessary for the legitimate interests of OU, including carrying out its educational and research mission; performing its business; complying with legal and contractual obligations; protecting your or someone else's vital interests; and/or for the public interest.

#### D. OU does not sell any PII gathered from its websites.

OU may disclose your information to third parties in accordance with applicable law or under specific circumstances:

1. **Consent/Authorization:** OU may disclose your information to third parties if it has your written permission to do so.
2. **Service Providers:** OU may share your information with third parties for the third parties to provide services and/or products, support its operations, help fulfill its obligations, or as provided under contract.
3. **Required by Law:** OU may share your information with third parties if it is required to do so by law, court order, subpoena, or other legal processes.
4. **Anonymized and aggregate:** OU may use and disclose your information in a non-identifiable or summary form without limitation.

### II. Security, Retention, and Disposition of Your Information

OU recognizes and respects the importance of confidentiality and security of personal information in this increasingly open electronic age. While OU makes reasonable efforts to protect information provided to us, OU cannot guarantee that this information will remain secure and is not responsible for any loss or theft. OU uses technical, physical, and organizational security measures designed to protect PII it processes and to mitigate risks in ways appropriate to the nature of the data and in accordance with applicable legal requirements. OU retains or disposes of PII in accordance with applicable policies, as well as with applicable state, federal, and international requirements.



If you share personal information, including photographs, on any OU Website, social network, blog, or other forum, the information you submit can be read, viewed, collected, or used by other users who could use it to contact you or send you unsolicited messages. OU does not have control over these actions. OU is not responsible for the PII you choose to provide in these forums.

### III. Third-Party Sites and Third-Party Hosting

Sites owned or hosted by OU may contain links to external sites that are hosted outside of the OU domain. When you use such links, you leave OU-controlled Websites. OU is not responsible for the privacy practices or the content of websites outside of its domain.

OU may contract with one or more third parties to maintain and host its Website(s). As a result, any information you submit, including PII, may be placed and stored on a computer server maintained by this third party. Your use of the Website constitutes your acknowledgement that such information or content could pass through and may be stored in servers outside of OU's control. OU has no liability or responsibility for any such pass-through or storage of same.

### IV. Family Educational Rights and Privacy Act (FERPA)

OU complies with all aspects of Public Law 93-380, the Family Educational Rights and Privacy Act. Please click [here](#) for more information.

### V. Children's Online Privacy Protection Act (COPPA)

OU does not knowingly collect or use any PII from children (defined by COPPA as minors younger than 13) on its websites. OU does not knowingly allow children to communicate with it or use any of its online platforms. If you are a parent and become aware that your child has provided OU with PII, please use one of the contact methods specified in this document to communicate any concerns.

### VI. Health Insurance Portability and Accountability Act (HIPAA)

OU's designated health care components will share protected health information, as that term is defined in the Act, of patients, research participants, and health care enrollees only in compliance with the Health Insurance Portability and Accountability Act (HIPAA) and other state, federal, and international laws. See <https://apps.ouhsc.edu/hipaa/npp.asp>.

### VII. Equal Opportunity

OU is in compliance with all applicable federal and state laws and regulations. OU does not discriminate on the basis of race, color, national origin, sex, sexual orientation, genetic information, gender expression, age, religion, disability, political beliefs, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admission, employment, financial aid, housing, services in education programs or activities, or health care services that OU provides.



VIII. European Union General Data Protection Regulation (GDPR)

Subject to certain limitations and conditions, if you are considered a data subject under the European Union's General Data Protection Regulation, you have certain rights regarding the processing of your personal information, including the right to request access, correct, delete, restrict, or object to our processing of, or receive a portable copy of, your personal information. A data subject may exercise these rights by contacting [dataprotection@ou.edu](mailto:dataprotection@ou.edu). Please note, however, that the right to erasure of personal data may occur only in those very rare circumstances where OU has no legitimate reason to continue to hold/process those data, including legitimate reasons such as the defense of legal claims. OU generally must maintain basic student records and employment records in accordance with its record retention policy and legal requirements. A data subject has the right to lodge a complaint with a local data protection or privacy regulator.

A data subject's personal information may be transferred to, stored, and processed in a country that is not regarded as providing the same level of protection for personal information as the laws of the European Union. OU has put in place appropriate safeguards (such as contractual commitments) in accordance with applicable legal requirements to provide adequate protections for your personal information protected by the GDPR. For more information about the safeguards that OU has in place in connection with a data transfer, contact [dataprotection@ou.edu](mailto:dataprotection@ou.edu).