

## Faculty Senate Minutes

February 9, 2016

4:00 pm in the Charles Hunter Room of the Hunter Conference Center

**Documents reviewed/discussed at this meeting are appended to this document.**

**Attendance:** Kevin Stein, Bruce Howard, Loralyn Felix, Scott Lanning (represented by proxy – Loralyn Felix), Amanda Wilford (represented by proxy – Bruce Haslem), David Berri, Tyler Stillman, Bruce Haslem, Abigail Larson, Michiko Kobayashi, Katy Herbold, Kholoud Al-Qubbaj, Lynn White, David Lunt, Angela Pool-Funai, Rheana Gardner, Denise Purvis, Wendy Sanders (represented by proxy – Scott Knowles), Alan Pearson, Derek Hein, Mackay Steffensen, Chad Gasser, Nasser Tadayon, Matt Weeg, Isabella Borisova (represented by proxy – John Murray), John Murray, James Loveland. **Absent (no proxy):** Brian Ludlow, Joy Sterrantino, Lynn Vartan

1. Call to Order: 4:05
2. Approval of Minutes; motion to approve Angela P-F, Matt W second, all in favor
3. Recognition of Guests: Brad Cook, Matt Zufelt
4. Senate Treasurer's Report: there is \$1350 in the senate account, and a few more hundred has been collected in scholarship account
5. Senate President Elect's Report
  - a. Report on Board of Trustees' Meeting: the meeting was postponed – no report.
  - b. New UNIV 1020: Succeeding in College: the Univ1020 class is being revamped: the new name is Thunder-U. Advanced students (called aces) will mentor new freshmen. This will be a 2 credit class. Brad C said the class is not mandatory, but encouraged. There will be very little draw on faculty resources because student peers will teach the class. Nevertheless, the aces will be mentored and supervised by faculty (mostly masters qualified staff). This will be a one semester class.
6. Senate President's Report (10-15")
  - a. Report on Deans' and President's Council meetings: Deans' council meeting – upper admin decided to create two types of deans' council meetings... one (actionable) meeting where guests are present and expected to attend, and the other would be smaller (non-actionable) with attendance not required. Kevin asked whether FS wants him to attend both. FS left it up to Kevin's discretion. Kevin asked for board of trustees award nominations. Change to Gen Ed: the Gen Ed committee will review all courses to ensure their compliance with Gen Ed principles and relevance to Gen Ed. The Care and Support Team was discussed. There is a serious concern because more students than ever are experiencing a crisis, and the waiting time is 20 weeks. Dean Eves wants to put together a committee to look at the possibility of dropping students who miss a certain number of classes. Kevin invited anyone who wants to join the committee to contact Dean Eves. The proposal to increase summer compensation is still under discussion. Bruce Tebbs

addressed student evaluations – the university will try to be more timely with feedback, but this means conducting them earlier.

- b. Update on LRT Task Force: the task force is currently outlining the draft of their report.
  - c. Adjunct parking issue from last meeting: President Wyatt said that if FS will come to upper admin with a proposal to give adjuncts free parking benefits, he will be favorable to the proposal. **Denise P will prepare the proposal.**
  - d. FS letter to administration regarding faculty compensation: **Kevin and Mackay will draft up a letter.** Kevin asked for feedback re: what our objectives are and their rationale. Faculty senators expressed that although SUU has been identified as one of the best universities in the intermountain west, our faculty are below CUPA average. We should at least be at CUPA average.
7. Vote on changes to the internship agreement form (Kevin Stein): Michael Carter has reviewed and approved the document. FS wondered whether the term “employer” might cause confusion, as most internships are not paid. The motion to approve the agreement was made by Mackay S, Scott Knowles (sitting in for Wendy Sanders), seconded. There was 1 abstention, all else in favor
8. Update on policy for faculty-authored textbook royalties (Mackay Steffensen and Joy Sterrantino): There is wide variability in policies among universities. The U of U has an extensive policy. Discussion – should faculty be compensated if they create open access sources? What if they work over the summer to create this work? We need to understand the legal issues as well. Our current policy is ambiguous and lax relative to other schools’. Do we want to just clarify our existing policy, or revamp the policy. The latter would open up a can of worms. FS agreed that we should just fix the existing policy for now.... But revisit this later if necessary. **Kevin will ask Michael Beach to write/clarify the calculations in the policy, but grandfather in existing agreements.**
9. Draft of proposed changes to married-dependent tuition policy (Denise Purvis):  
Proposed Change to Policy 8.21 Education Benefits: proposal 1 = The eligibility requirement would read “dependents” (dropped unmarried) proposal 2 = raise the eligible age from 27 to 30. Discussion: We need to spell out what we mean by dependent. Maybe we need to remove “dependent” and just say children (biological and adopted) of SUU employees. We should know what the cost would be to the University before we request this. Also, what about faculty who do not have children? They are not going to benefit from this... enacting this policy means fewer tuition dollars coming in to SUU which might affect faculty salaries. FS should partner with the staff association and move forward together because this affects both entities. **Kevin will collect more data and distribute this next month to FS.**
10. New Business
- a. Possible shift away from Robert’s Rules of Order to Modern Rules of Order (Kevin Stein): The new rules are less cumbersome. James L explained these new rules and how

- well it's been working for the staff association. Bruce Haslem motioned to try this out first and only then vote to adopt, seconded by Tyler S, 1 abstention, all else in favor
- b. Other: The argument was made that we need to readdress the 4:4 teaching load standard, because with an increased focus on experiential, project based learning, we are having to invest more and more time into teaching. But it was pointed out that if we reduce the load to a 3:3, this would cost the University money and that would negate possible salary increases. FS felt we should visit this issue after we make some gains on faculty salaries.

11. Motion to Adjourn: Bruce Haslem, second Derek Hein, all in favor

**Next Meeting: Tuesday, March 15th @4:00 pm in the Charles Hunter Room (HCC)**

**Senate Executive Committee Meetings** (4:00 pm, Leavitt Room, Special Collections, Library)

Fall Semester 2015: August 26, September 9, October 8, November 5, December 3

Spring Semester 2016: January 7, February 4, March 10 (Email only), April 7

### **Faculty Senate Meeting Schedule 2015-2016**

<b>Date</b>	<b>Time</b>	<b>Location</b>
September 10, 2015	4:00	Hunter Conference Center Charles Hunter Room
October 13, 2015	4:00	Hunter Conference Center Charles Hunter Room
November 10, 2015	4:00	Hunter Conference Center Charles Hunter Room
<i>December 8, 2015</i> <i>This is finals week</i>	4:00	Hunter Conference Center Charles Hunter Room
January 12, 2016	4:00	Hunter Conference Center Charles Hunter Room
February 9, 2016	4:00	Hunter Conference Center Charles Hunter Room
March 15, 2016	4:00	Hunter Conference Center Charles Hunter Room
April 12, 2016	4:00	Hunter Conference Center Charles Hunter Room

# FIRST YEAR EXPERIENCE TOPICS THAT WILL BE COVERED DURING THE FIRST YEAR

Topic / Subject	Online Orientation and Pre-Arrival Summer Homework	Thunder Academy	Fall Semester FYE Course
Academic Advising / Academic Planning / Key Deadlines / Process for Registering / Calculating GPA	1 - Introduction Summer emails	2 - Meetings	3 - Lesson Plan on Working with your Advisor / 4 Year Plan
Academic Expectations / Professor and Classroom Decorum / Email etiquette, Utilizing Office Hours / What is a syllabus?	1 - Differences between HS & College	2 - Skits and Professor speech	3 - Lesson Plan
Academic Integrity (Plagiarism and Cheating)		1 & 2 - Introduction, Skits, and Discussion	3 - Lesson Plan
Academic Success - Time Management, Planning, and Organizing			3 - Lesson Plan
Academic Success - Note Taking and Getting the most out of class			3 - Lesson Plan
Academic Success - Test Taking			3 - Lesson Plan
Academic Success - Active Textbook Reading			3 - Lesson Plan
Academic Success - Study Strategies / Focusing & Multitasking / Procrastination / Memory			3 - Lesson Plan
Alcohol & Other Drugs	1 - Introduction	2 - Karl videos and Skits	
Alphabet Soup, Acronyms, and SUU Jargon	1 - Getting to know SUU	2 - Getting to know SUU	3 - Not a lesson plan but incorporated in all class sessions
Campus Resources & Services	1 - Introduction	2 - Open Houses, Campus Tours, Student Center Spectacular, Information Sessions	3 - Lesson Plan and Field Trips
Campus Safety	1 - Sign up for Text Alerts	2 - Skits and Presentation from Police	3 - Lesson Plan on Bystander Intervention

Campus Technology (Canvas, DegreeWorks, email, apps, printing on campus, etc.)	1 - What is Canvas?	2 - Information Sessions	3 - Not a Lesson Plan, but they will use for course
Career Exploration and Career Center / Major Exploration		2 - Information Sessions	3 - Lesson Plan, Attending Career Fairs, Resume and Cover Letters
Cedar City (Getting to know...) / Utah Culture	1 - Introduction	2 - Experiences and tours, Info Sessions	3 - Lesson Plan
Conflict Management / Living with roommates	1 - Introduction	2 - Presentation / Skits	3 - Lesson Plan
Communication / Intrapersonal and Interpersonal Skills		2 - Small group discussions	3 - Lesson Plan
Community Service / Service-Learning			2 & 3 - Class Service Project
Critical Thinking		1 & 2 - Introduction and Small group discussions	3 - Lesson Plan
Diversity, Inclusion, and Intercultural competence	1 - About SUU	2 - Skits and Small group discussion	3 - Lesson Plan and Attending a campus event and reflecting
EDGE	1 - Introduction		
General Education / Liberal Education	1 - Introduction		3 - Lesson Plan
Getting Involved on Campus (HOW to get involved)	1 - Why get involved? How to get involved?	2 - Open Houses, Information Sessions	3 - Field Trips, Paint the Town Red, Join a club and write paper
Goal Setting (80th Birthday Celebration)		2 - Small group discussion	3 - Lesson Plan
Grit / Resiliency / Motivation / Self-Advocacy	1 - Watch TED Talk on Grit		3 - Lesson Plan
Health & Wellness / Stress Management / Homesickness / CAPS	1 - Introduction	2 - Information Sessions and Open House	3 - Lesson Plan on CAPS, Stress management, etc., Field Trips
High Impact Practices (Study Abroad, Undergraduate Research, Etc.)	1 - Introduction	2 - Information Sessions	3 - Lesson Plan
History and Traditions / Sense of Belonging	1 - Watch "Back up the Mountain", Online Introduction Videos	2 - Learn Traditions	3 - Lesson Plan

Library / Information Literacy / Research		1 - Introduction and Tours	(2 & 3 - Will be LM 1010)
Money Management / Financial Literacy / Paying for College / Financial Aid and Scholarships / Cost of Stopping out and/or Transferring	1 - Introduction (Reality check on how much college costs and how to pay for it.)	2 - Info Sessions and Open Houses	3 - Lesson Plan
Personality Types / Learning Styles (MBTI or StrengthsFinder)			2 & 3 - Lesson Plan
Title IX (HAVEN) / Bystander Intervention	1 - Take HAVEN	2 - Skits and discussion	3 - Lesson Plan
ThunderBard		1 & 2 - Attend Play and discuss	3 - Lesson Plan and Discuss Play and Write paper
Why SUU?	1 - Remind students why they made a good choice	2 - Lots of reminders highlighting SUU brag points	3 - Lesson Plan highlighting SUU brag points
Working in College / Professional Development / Resumes and Cover Letters / Interview Techniques	1 - Introduction	2 - Information Session and Community Resource Fair	3 - Lesson Plan and Attend Career Fairs

**KEY (Based on Bloom's Taxonomy)**

- 1 - Knowledge, Introduction, & Information
- 2 - Comprehension, Understanding, and Discussion
- 3 - Discussion and Application

# UNIV 1020 – Succeeding in College

## TENTATIVE CLASS SCHEDULE

1. First Class / Getting to know you / What is a syllabus?
2. Academic Expectations / Professor and Classroom Decorum
3. Goal Setting (80th Birthday Celebration)
4. Grit / Resiliency / Motivation / Self-Advocacy
5. Academic Success - Time Management, Planning, and Organizing
6. Campus Resources & Services
7. Personality Types / Learning Styles (MBTI or StrengthsFinder)
8. Academic Success - Note Taking and Getting the most out of class
9. Academic Success - Active Textbook Reading
10. Academic Success - Study Strategies / Focusing & Multitasking / Procrastination / Memory
11. Conflict Management / Living with roommates
12. Academic Advising / Academic Planning / Key Deadlines / Process for Registering / 4 year plans
13. Critical Thinking
14. Diversity, Inclusion, and Intercultural competence
15. ThunderBard
16. Academic Integrity (Plagiarism and Cheating)
17. Communication / Intrapersonal and Interpersonal Skills
18. Career Exploration and Career Center / Major Exploration
19. Working in College / Professional Development
20. Campus Safety
21. Title IX (HAVEN)
22. Academic Success - Test Taking
23. Money Management / Financial Literacy / Paying for College / Financial Aid and Scholarships / Cost of Stopping out and/or Transferring
24. Health & Wellness / Stress Management / Homesickness / CAPS
25. Why SUU?
26. General Education / Liberal Education
27. Cedar City (Getting to know...) / Utah Culture
28. High Impact Practices (Study Abroad, Undergraduate Research, Etc.)
29. History and Traditions / Sense of Belonging
30. Final Class



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**SUBJECT: EDUCATION BENEFITS**

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- I. PURPOSE: To encourage and facilitate enrollment in university coursework.
- II. POLICY:
  - A. Group 1--Benefit Eligible Employees
    1. A benefit eligible\* employee who is employed at 0.75 FTE or greater, qualifies for a tuition waiver, as does his/her spouse. Institutional student fees, as outlined in the University catalog, are waived when taking nine (9) or fewer credit hours per semester but are required for those taking more than nine (9) credit hours per semester.
    2. This waiver program is available for all educational and general SUU credit courses including summer school and night school offerings. Non-credit or self-support classes are subject to all non-credit or self-support fees.
    3. Employees with the appropriate arrangement with the department head or immediate supervisor may make application to enter into academic work, up to six (6) clock hours of work in a work week period during the employees' regular working day hours, arranged so as not to interfere with his/her contractual agreement and obligation to the University.
      - a. If the course is specifically related to the improvement of job performance (as determined by the employee, the supervisor, and/or intermediate supervisor), three (3) clock hours of work per week may be taken on a released-time basis, and the employee will not be expected to make up the time.
      - b. Anything not covered by "a" above requires the released time to be made up or compensation adjusted as approved by the supervisor.
      - c. Employees may, with the approval of their supervisor, use their lunch hour or time before and after their regular working day hours to make up released time. "Break time" may not count as an offset against released time or made up time.

All such applications must be approved by the President, Vice-President, or dean; in addition to the immediate supervisor.



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4. The application and authorization for tuition waiver form must be obtained by the person receiving the waiver and appropriately signed and submitted to Human Resources prior to the beginning of each semester.
5. An employee (and his/her spouse) who has formally retired at the age of 65 (normal retirement age) or older who was holding a position under full-time "contract" for nine (9) months or more at the time of retirement is eligible for tuition waiver under the provisions of this policy.
6. ~~Half~~ Full tuition waivers are available to ~~unmarried~~ dependent children under ~~27~~ 30 years of age of full-time employees currently under "contract" for nine (9) or more months.
  - a. Eligibility and approval will be determined by Human Resources.
  - b. Application must be made in accordance with paragraph four.
7. Eligibility for all waivers is determined as of the first day of the term, not at the time the application is submitted.

**B. Group 2--Half-time Benefit Eligible Employees**

Half-time benefit eligible\* employees who are less than 0.75 FTE and greater than 0.50 FTE are eligible to receive a tuition and institutional student fee waiver for six (6) or fewer credit hours per semester. Classes must be taken outside of normal working hours.

**C. Group 3--Adjunct Faculty**

Adjunct faculty employees teaching part-time are eligible to receive a tuition and institutional student fee waiver for three (3) or fewer credit hours per semester in which they teach.

\*Benefit Eligible employees refer to individuals that are eligible for University fringe benefits (medical insurance, life insurance, long-term disability, retirement, leave accruals, etc.).

**INTERNSHIP AGREEMENT**  
**Southern Utah University**

This SUU Standard Internship Agreement (“Agreement”) is made and entered into by and between Southern Utah University, a Higher Education Institution of the State of Utah (SUU), the SUU Student requesting an internship (Intern) and the following entity which shall be called “Employer” in this Agreement:

Employer:		Contact Phone Number:	
Contact Person:		Contact Email Address:	
Address:		SUU Academic Dept.:	

**1. Purpose.** Employer and SUU desire to facilitate internship opportunities and educational experiences for SUU students and therefore willingly enter into this Agreement to govern their relationship with respect to student Interns from SUU. Furthermore, the Intern is willing to enter into this agreement.

**2. General Considerations.**

2.1 An internship is a cooperative student program between SUU and Employer. Employer will provide supervision, facilities, and instruction that help students of SUU (each an “Intern”) acquire skills and knowledge related to their chosen field of study or occupation.

2.2 This Agreement is effective upon the signing of this Agreement by all three Parties and may be terminated by either Party for any reason by providing 10 days advanced written notice to the other parties.

2.3 SUU and Employer shall each provide a contact person (the “Internship Coordinator”) for activities related to the performance of this Agreement. The following contact names and addresses shall be the initial Internship Coordinators for SUU and for the Employer. Others may be designated by the parties at any time.

<b>SUU or SUU Department Internship Coordinator:</b>	<b>Employer Internship Coordinator</b>
Name:	Name:
Title:	Title:
Address:	Address
City/St/Zip	City/St/Zip
Phone:	Phone:
Email:	Email:

2.4 SUU and Employer agree to indemnify each other from any claims of liability, including reasonable attorneys’ fees, due to their respective negligent acts or omissions arising from the performance of this Agreement.

2.5 Neither SUU nor Employer will be responsible nor held liable for any claims, disputes, losses, damages, injuries, adverse events or outcomes arising out of or caused only by the other party’s actions, inactions or negligence. If, however, such claims, disputes, losses, damages, injuries, adverse events or outcomes are the result of the joint fault of both Parties, the obligation of each party to indemnify the other hereunder shall be limited to the extent of the indemnifying party’s respective fault.

2.6 This Agreement is not intended and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture or association between SUU and Employer and their employees, Interns, or agents. Rather, SUU, and its Intern(s) shall at all times be considered

independent contractor(s). Each Intern is placed with the Employer to receive educational experience as part of the academic curriculum. Unless mutually agreed upon by the Employer and the SUU Departmental internship coordinator, duties performed by an Intern are not performed as an employee of Employer or SUU.

2.6.1 While the duties are performed under direct supervision of Employer’s personnel, it is generally understood that the Intern is not in a compensated role. Under such conditions, and to the extent allowed under state and/or federal law, neither the Employer nor SUU is required to provide worker’s compensation coverage for the Intern participating in the educational experience.

2.6.2 However, the Employer shall provide worker’s compensation coverage for an SUU Intern if the Intern is a compensated employee.

2.7 The Employer, SUU and the Intern acknowledge and agree that it shall be the responsibility of each Intern to: (a) comply with the Employer’s policies and procedures; (b) report any serious problems related to the Employer, including safety and personnel problems, to the Internship Coordinator at SUU and the Employer; and (c) maintain a health insurance policy in effect during the full period of the internship.

2.8 This Agreement covers:

Location	Address

**3. Responsibilities of SUU.** SUU shall:

- 3.1 Provide course information and objectives, and ensure that each participating Intern meets academic and other qualifications that are consistent with the objectives and requirements of the Institution’s program;
- 3.2 Ensure that each Intern from SUU is aware of Intern’s responsibilities to abide by the terms of Section 2.7, and that Intern shall agree to abide by the terms in the “Student Agreement.” Attached as Exhibit A;
- 3.3 Ensure that the Intern participates in the internship during the dates specified unless modified by SUU and the Employer. This includes instructing each Intern about the consequences of not completing the internship;
- 3.4 Provide an administrative framework and a teaching faculty adequate in number, qualifications, and competence to develop and carry forward instruction and supervision;
- 3.5 Ensure that for each internship, the SUU Internship Coordinator or the SUU Department Internship Coordinator (a) maintains ongoing contacts with the Intern and Employer, (b) discusses the specifics and expectations of the internship with the Intern and the Employer, (c) monitors the Intern’s progress with Intern and the Employer, and (d) advises the Intern relative to a program of study related to the internship experience.

**4. Responsibilities of Employer.** The Employer shall:

- 4.1 Provide planned and supervised opportunities for each Intern to perform tasks to acquire and practice various skills based on objectives compatible with those of SUU’s program;
- 4.2 Orient the Intern to the employee’s rules, policies, procedures, methods, and operations;

- 4.3 Perform risk assessments and provide orientation to the Intern of known or reasonably likely risks;
- 4.4 Evaluate the Intern's performance and notify the SUU's Internship Coordinator of any cause of dissatisfaction with or of any known misconduct on the part of the Intern;
- 4.5 Comply with all federal, state, local, and municipal laws, ordinances and codes applicable to Employer;
- 4.6 Private Sector "for-profit" Employers are required to follow the U.S. Department of Labor Wage and Hour Division's requirements for Internship Programs Under the Fair Labor Standards Act which can be found here: <http://www.dol.gov/whd/regs/compliance/whdfs71.pdf>
- 4.7 Accept responsibility for supervising the Intern at the internship site.

**5. Responsibilities of Intern.** The Intern shall:

- 5.1 Be enrolled as an internship student by completing the SUU "Internship Permission Form."
- 5.2 Comply with Employer's rules, policies and procedures.
- 5.3 Complete the internship during the dates specified unless modified by the Employer and SUU.
- 5.4 Work conscientiously under the direction of the supervisor assigned by the Employer, submitting all reports and assignments as required.
- 5.5 Report serious problems, including physical, safety, personnel, and other observed risk issues to the Employer Internship supervisor and the SUU/Departmental Internship Coordinator.
- 5.6 Accept risks involved during the internship program. Participation as an Intern may involve risks not found in study at the Institution. These include risks involved in traveling to and from the place of internship; different standards of design, safety, and maintenance of buildings, public places, and conveyances; local medical and weather conditions. The Intern represents that he/she has conducted a risk investigation and is willing to accept these risks.
- 5.7 Consult with his/her personal physician in regard to necessary immunizations and any other medical matters relating to participation in the internship program.
- 5.8 Authorize SUU's designated representative to grant permission for any necessary medical treatment for which the Intern will be financially responsible, if, during participation in the program, such intern shall become incapacitated or otherwise unable to provide consent for medical treatment and advance consent cannot be obtained from the Intern's family/guardians.
- 5.9 Be personally responsible for all housing, transportation, study, and other arrangements in connection with the internship and personally bear all associated costs, unless these are provided by the Employer. In addition, be personally responsible for any financial liability and obligation which is incurred, and for any injury, loss, damage, liability, cost or expense to the person or property of another which is caused or contributed to by the Intern during participation in the internship program.
- 5.10 Abide by all applicable laws. Intern should understand that he/she must personally attend to any legal problems encountered or incurred as an Intern.
- 5.11 Acknowledge and agree that as an Intern, he/she will be placed with the Employer to receive educational experience as part of his/her academic curriculum. Unless mutually agreed upon by the Employer and the SUU Departmental internship coordinator, duties performed as an Intern are not performed as an employee of the Employer but rather in fulfillment of the academic requirements of the Intern's educational experience and are to be performed under direct supervision by Employer personnel. Unless the Intern is approved to perform the internship as a compensated employee of the Employer, neither the Employer nor SUU is required to provide worker's compensation coverage for the Intern. Therefore, the Intern shall privately obtain and maintain in effect during the full period of the internship, an appropriate health insurance policy if s/he desires such coverage.
- 5.12 Understand that other expenses such as additional time lost from the job (if Intern has one), broken equipment (like a cell phone, for example), damaged clothing, etc., will not be covered by the Employer or SUU.

5.13 Acknowledge that all creative work performed as part of the internship shall be considered a “work made for hire,” and that all copyright and other intellectual property rights in any such original creative work produced by the Intern shall be owned entirely by the Employer.

5.14 Acknowledge that he/she is bound by the terms and conditions of this agreement which specifically apply to Interns.

6. **Entire Agreement.** This Agreement and Attachment A constitute the entire agreement of the parties with respect to the subject matter of this agreement.
7. **Authorization.** The persons executing this Agreement on behalf of a party hereby represent and warrant that they are duly authorized and empowered to execute the same, that they have carefully read this Agreement, and that this Agreement represents a binding and enforceable obligation of such party.
8. **Counterparts; Electronically Transmitted Signatures.** This Agreement may be executed in counterparts, each of which shall be deemed an original, and all such counterparts shall constitute one and the same Agreement. Signatures transmitted by facsimile and/or email shall have the same force and effect as original signatures.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed on the date indicated below.

SUU/Department:

Authorized Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_

Employer:

Authorized Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_

Intern:

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

**Appendix A:  
Policies on Use of Faculty-Authored Textbooks**

<b>AAU Public Institutions</b>		
<b>University</b>	<b>Use of Faculty-Authored Books and Materials</b>	<b>Other</b>
University of Arizona	Must be approved by the Dean of the college	"Neither appointed personnel nor staff members may sell materials, books, or publications of any kind directly to students."
Iowa State University	Royalties must be assigned to the University or "to a body mutually agreed upon by the university and the faculty member."	"Each department is expected to have a procedure for reviewing the selection of required textbooks and other resource materials for the following: multi-section courses; courses in which an unusually large number of textbooks is required; instances in which the instructor of the course is author of a book required for that course..."
University of Iowa	Royalties/other financial remuneration must be either refunded to the students or other arrangements (such as transferring funds to the University or the University Foundation) must be made	
University of Kansas	"Proceeds must be donated to their departments, schools, scholarship funds or other non-profit entities."	"Contribution of royalties [does not apply] to educational materials required in short courses, seminars or other educational presentations not part of the regular University curriculum."
University of Maryland	Must be approved by the chair of the department offering the course	Texts "not in general use" [Not commercially published]: "Choice of self-authored materials may be confirmed, or made, by a committee. Alternative texts may be authorized. Royalties may be assigned to third-party educational organizations, including the University of Maryland."
University of Michigan	"Each academic unit should establish guidelines appropriate to its circumstances for the selection of instructional materials whose purchase by students results in a financial benefit to the faculty member who assigns those materials."	
University of Minnesota	"According to Minnesota Law, faculty members who have published books may not designate such books as required texts, without the written permission of the appropriate faculty dean."	

**Appendix A:  
Policies on Use of Faculty-Authored Textbooks**

University of Missouri	Royalties must be returned to "the University of Missouri, another educational institution, a charitable organization, or a not-for-profit foundation."	
Ohio State University	"Every academic unit should establish a policy appropriate to its circumstances that ensures that there is no significant conflict of interest or appearance of conflict of interest in the selection of such materials."	
Penn State	Royalties [for textbooks assigned for courses "within their department or other Penn State courses where they have influence over book selections"] are to be assigned to "the College, department, or program, and be used for normal academic purposes ."	
University of Pittsburgh	"The following illustrate[s] potential or actual conflicts of interest 6. Assigning as required texts in their course, books for which the instructor derives significant financial benefits."	
University of Texas	Must be approved by the University President, and reviewed by the Board of Regents.	<b><i>Authorization To Use Textbooks, Notebooks, Manuals, etc. Written or Prepared by a Member of the Staff, U.T. Austin</i></b> [form to be submitted to the Board of Regents] <a href="http://www.utexas.edu/provost/policies/faculty_textbook/faculty_textbook.doc">http://www.utexas.edu/provost/policies/faculty_textbook/faculty_textbook.doc</a>
<b>Other Institutions</b>		
Boise State	May use, subject to the approval of the department chair, provided that "(a) the book was published by an established publishing house in which the instructor has no financial interest, (b) the book was peer-reviewed prior to publication, and (c) the book is intended for adoption and use by institutions of higher education.	"Faculty members and departments may not charge royalties or commissions for any course materials (e.g., "coursepacks" or related course notes) that he/she has prepared that do not meet the above guidelines. Costs for these course materials to students are limited to the actual reproduction costs of the materials."

**Appendix A:  
Policies on Use of Faculty-Authored Textbooks**

Central Connecticut State	Must be approved by a Review Panel appointed by the Vice President for Academic Affairs. Approval process not necessary if the faculty member "directs any financial gain to a University fund or to a recognized 501c(3) entity ."	
Louisiana Tech	Must be approved by the college dean.	
University of Memphis	Must be approved by the "unanimous decision of a committee of the department in which it is to be used must also be approved by the department chair, or the appropriate administrative officer; and, in the case of materials designed solely for a University of Memphis audience, the responsible dean."	
University of South Florida	Must inform the Provost "if more than \$500 is received in one year from the required use of the textbook in his or her class. The faculty member must certify that the required text is the only text that is uniquely suited for use in the author's class."	
Western Washington University	May use provided that "(1) A Dean, Chair or committee that does not include the faculty author decides which book will be used in the faculty author's class(es); OR (2) The faculty agrees to waive any royalties (or other compensation) that would be received due to the sale of the textbooks to the students taking the class; OR (3) The faculty member assigns their rights to the University for any proceeds that result from the sale to their students. Also, the faculty member cannot have a role in determining how the royalties would be distributed or spent by the University.	

**Legislative history--- Policy 6-316 Section 4-10. Revision # 8 (Faculty Code), formerly known as PPM 8-12.4, Sec. B. 10. (Duties to Students) (Faculty Financial Interest in Selection of Course Materials).**

**The revision was approved by the Academic Senate and Board of Trustees May 2008, to take effect July 1, 2008.**

New University Policy on self-authored course materials.

Excerpts from Senate Agenda materials of May 2008

For addition as PPM 8-12.4, Sec. B. 10. (Duties to Students):

**FACULTY FINANCIAL INTEREST IN SELECTION OF COURSE MATERIALS**

10. Any faculty member or employee of the University of Utah with authority to assign or recommend course materials for any course offered by the university shall do so based on sound academic values, without any prospect of personal financial gain.

(a) Self-authored course materials are encouraged and may be assigned; but, except for reimbursement of out-of-pocket costs, faculty may not accept or retain royalties or any other personal compensation or material benefit from the sale or furnishing of self-authored course materials to students in their own classes, or in any classes in their department or single-department college for which they have authority to assign or recommend course materials.

(b) Prior to completion of any course or teaching unit for which a faculty member has assigned or recommended self-authored materials that may generate any royalty or other author's compensation, the faculty member shall request, from all students subject to that assignment or recommendation, an anonymous statement of the number of new copies of such materials purchased by each student. This requirement can be satisfied by a form used for student course evaluations that includes the above inquiry, or by a separate survey submitted for anonymous student response before the end of the course or teaching unit. Upon completion of the survey, the faculty member shall file with his/her department chair or dean a brief statement of the number of new materials purchased as reported in the above survey and the rate of royalty or compensation last paid or contracted by the publisher to be paid. The obligation to avoid prospect of personal financial gain shall be satisfied by including with the above report a written commitment to contribute a sum, equal to the number of new books purchased by students multiplied by the reported royalty or compensation rate, to a tax exempt organization (which may include the University of Utah) not later than six months following completion of the course. Alternatively, the requirement can be satisfied by reporting an arrangement under which the author professor's royalty is deducted as a discount from the price of the new book.

(c) For purposes of this policy, the term "course materials" shall be interpreted to

include not only books or similar traditional format of bound printed pages typically used in university courses at the time of adoption of this policy, but also materials, information, teaching instruments or data collections distributed in any media form, including but not limited to audio and videotapes, digital storage media such as optical or magnetic disks, and internet or similar transmittal for which fees are typically charged and author compensation provided.

(d) Faculty compliance with the above procedures shall constitute complete and satisfactory demonstration that any self-authored course materials were not recommended or assigned for purposes of personal financial gain.

---

Background materials from Senate deliberations

3/25/08

From: Bill Lockhart, Chair, Academic Policy Advisory Committee

To: Penny Brooke, Nancy Lines--- Academic Senate

cc: Susan Olson, John Morris

Re: Submission for Faculty Senate consideration of a proposed addition to the University's Policy & Procedure Manual regarding faculty financial interest in selection and assignment of course materials

Following is a proposed amendment of the PPM prescribing requirements intended to avoid any implication of financial motivation in faculty assignment of self-authored text or materials. On the advice of University counsel, it is also intended to avert any risk to faculty members that could arise from enforcement of the provision of the Utah Code which makes it a criminal offence for any public employee to "use or attempt to use his official position to: . . . further substantially the officer's or employee's personal economic interest." (Utah Code Annotated, section 67-16-4.)

It should be emphasized that this proposal does not question – indeed endorses –the propriety of faculty members' assignment for their classes of books or materials they have authored. It deals only with potential financial benefit from those assignments.

The proposed amendment was prepared and approved last Spring by the Academic Policy Advisory Committee. It has recently been reviewed and approved by the Academic Freedom and Faculty Rights Committee; and on 3/24/08 the Executive Committee of the Senate reviewed the proposal and recommended Senate approval.

MEMORANDUM

TO: Senior Vice Presidents David W. Pershing and A. Lorris Betz

FROM: Susan M. Olson, Associate Vice President for Faculty

Richard J. Sperry, Associate Vice President for Health Sciences

RE: Proposed Policy on Faculty Financial Interest in Selection of Course Materials

DATE: March 11, 2008

In response to a complaint arising in 2005-06 from a faculty member's charging a royalty fee on self-authored materials assigned to students, the administration asked the Academic Policy Advisory Committee (APAC) to consider whether the University needs a policy addressing this situation. After considerable discussion in 2006 and 2007, APAC recommends adoption of proposed Policy PPM 8-12.4 (B)(10) governing faculty financial interest in selection of course materials. The current chair of APAC is Professor William Lockhart of the College of Law. Prior committee chairs Davar Khoshnevisan, Department of Mathematics, and Linda Stephenson, Quinney Law Library, also led the discussion of this issue.

Because this policy is proposed as an amendment to the Faculty Code of Rights and Responsibilities (PPM 8-12), it must also be reviewed by the Academic Freedom and Faculty Rights Committee. That committee met and approved this policy on February 15, 2008. The committee is currently chaired by Paul Mogren, Marriott Library.

Rationale: Faculty members in many academic fields author books or other materials that are used in the courses that those faculty members teach. This is a fundamental scholarly enterprise, understandably accompanied by faculty preference for assigning these materials in their courses.. However, the receipt by faculty members of royalties or other compensation in connection with these required purchases *can* create the appearance of an inappropriate motive for choosing the faculty member's materials rather than other available materials in the eyes of students who are not well informed about the size of most faculty royalties. In addition, the practice could arguably be seen as violating Utah state law that prohibits a public employee ( including a University faculty member) from "us[ing] or attempt[ing] to use his official position to . . . further substantially the officer's or employee's personal economic interest." Utah Code Annotated § 67-16-4(1)(c).

Proposed Policy PPM 8-12.4(B)(10) addresses this issue by affirming faculty members' right to assign self-authored materials but requiring faculty members to contribute any royalties or other compensation generated by students' required purchases for the authors' classes to a tax exempt organization. The policy also provides a simple and fair way to calculate the contribution that does not over-estimate the amount of the royalty-- by assessing it only on purchases of new books, while excluding used books from the calculation.

##

**Academic Senate – April 7, 2008**  
**Executive Committee – March 24, 2008**  
**Senate Executive Committee April 21, 2008**

1. For the proposal to adopt a University Policy regarding course instructors assigning as required reading any materials authored by the instructors

1. (Faculty Financial Interest in Selection of Course Materials-- PPM 8-12.4, Sec. B. 10. (Duties to Students))---
2. The proposal developed by the Academic Policy Advisory Committee was first presented to the Senate in April and is scheduled for debate on May 5. During this comment period, members of the University community have come forward with a suggestion that the new policy should be broader than initially proposed, in one respect: it should apply not only to situations in which the course instructor is an author of the materials--- but also to situations in which an instructor is assigning course materials that were authored by (and royalties are paid to) another member of the faculty within the same department (or single-department college).
3. The effect then would be that whenever any instructor within a department adopts course materials authored by another member of that department, the instructor and author must eliminate the appearance of financial motive, by donating to a charity a dollar amount equivalent to the royalties the author would receive from the purchase of the materials by students in that course.
4. A full description of the thinking behind this suggestion (and the pros and cons) should be developed before the May Senate meeting. For the immediate attention of the Executive Committee, two points should be mentioned.
  1. The main argument for broadening the policy to encompass an entire department is that junior faculty who are selecting course materials may be directly or indirectly pressured to adopt materials authored by a more senior faculty member within the department, with the end result being that that the adoption of the materials by a colleague is of financial benefit to the senior faculty.

The Academic Policy Advisory Committee did consider such a broader scope for the policy, and decided against formulating its proposal in that way. The committee weighed competing arguments---and its analysis will likely be described at the April Executive Committee meeting and possibly at the May Senate meeting.

## **Remuneration for Faculty Authored Textbooks**

Google search “faculty authored textbooks”

### **aaup**

*Association's Committee on Professional Ethics in November 2004*

On Professors Assigning Their Own Texts to Students

<http://www.aaup.org/report/professors-assigning-their-own-texts-students>

Policies vary from absolutely forbidden, to proceeds being returned to the University to a tiered system based on the type of publication

### **SOUTH DAKOTA STATE UNIVERSITY**

- a. Use of faculty-authored textbooks and course materials:
- ii. Per the South Dakota Constitution, Article VIII, faculty may not receive any revenue from materials that they require students (or the institution) to purchase. Thus, any faculty member who is approved to assign a self-authored work that will result in revenue payable to the faculty member must first arrange to assign all revenues to the South Dakota State University Foundation, Inc. or another charitable entity.

### **UNIVERSITY OF UTAH**

#### **FACULTY FINANCIAL INTEREST IN SELECTION OF COURSE MATERIALS**

10. Any faculty member or employee of the University of Utah with authority to assign or recommend course materials for any course offered by the university shall do so based on sound academic values, without any prospect of personal financial gain.

(a) Self-authored course materials are encouraged and may be assigned; but, except for reimbursement of out-of-pocket costs, faculty may not accept or retain royalties or any other personal compensation or material benefit from the sale or furnishing of self- authored course materials to students in their own classes, or in any classes in their department or single-department college for which they have authority to assign or recommend course materials.

### **DIXIE STATE UNIVERSITY:**

Conflict of Interest

A. Faculty members who use their own intellectual property in a course are under specific restrictions.

- i. Before a faculty member receives royalties, remuneration, payment, or other compensation resulting from the creation and/or adoption of self-authored textbook or other course materials, the decision to adopt those items for class use must be evaluated by at least two (2) other faculty members who have

familiarity with the course content and have been approved by the department chair. The evaluating faculty members will consider the appropriateness of the items to the specific course, materials adopted in similar courses at DSU and at other institutions, and the cost to students in comparison with other available materials.

#### **UTAH STATE UNIVERSITY**

Has an annual conflict of interest form where faculty must declare more than \$500 in royalties earned annually.

<http://hardnewscafe.usu.edu/?p=7920>

But if the store's management does suspect a wrongful conflict, "there is no process or venue for bookstore management to communicate such incidents to academic administrators," he said.

#### **WEBER STATE**

##### POLICY

Faculty written publications (textbooks, laboratory manuals, etc.) shall be given the same consideration in the University Bookstore as those written by faculty members of other institutions. Faculty are encouraged to develop materials in cooperation with established reputable publishers or through the University Bookstore.

The following are to serve as guides in implementing this policy:

A. Publications written solely for campus use are to be approved prior to publication by deans, department heads and/or appointed administration representatives.

B. Authors shall negotiate directly with recognized publishers as private individuals. It is understood that Weber State University shall not be a party in any way to such negotiations. The author agrees not to commit the University to any agreement made with the publishers.

C. Materials written for publication by the Weber State University Bookstore to be accompanied by the following declaration:

Date

I (we)  
AUTHOR(s) of the publication  
to be used for  
Class, Lab--Quarter, Year

have complied with all copyright laws, grants or patents pertaining to included materials and have not knowingly violated same and do hereby accept responsibility for such authorship of the above named publication and guarantee Weber State University free of any responsibility from damages costs and/or expenses which may arise from breach of this guarantee.

D. The University Bookstore shall be the sole agency for selling publications to students on campus and Weber State University faculty and employees are prohibited from selling any materials directly to students for purposes of any class, laboratory, project or other activities sponsored in the name of the University.

E. The University Bookstore and Weber State University may, at their discretion, establish propitious royalties and/or remuneration schedules for faculty-authored publications.

Potential Issues:

IRS ruled unfavorably in regards to royalties being paid to a fund faculty had access to.

Ideas

Statement of amount and where proceeds go within the textbook, or on the syllabus.

Department Head

Dean

Provost

President

Enter keyword(s) here

Bills

Site

Historical Code

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<a href="#">Index</a>	Utah Code
<a href="#">Title 67</a>	State Officers and Employees
<a href="#">Chapter 16</a>	Utah Public Officers' and Employees' Ethics Act
<a href="#">Section 4</a>	Improperly disclosing or using private, controlled, or protected information -- Using position to secure privileges or exemptions -- Accepting employment that would impair independence of judgment or ethical performance -- Exception. <i>(Effective 3/29/2014)</i>

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***Effective 3/29/2014***

**67-16-4. Improperly disclosing or using private, controlled, or protected information -- Using position to secure privileges or exemptions -- Accepting employment that would impair independence of judgment or ethical performance -- Exception.**

- (1) Except as provided in Subsection [\(3\)](#), it is an offense for a public officer, public employee, or legislator to:
- (a) accept employment or engage in any business or professional activity that he might reasonably expect would require or induce him to improperly disclose controlled information that he has gained by reason of his official position;
  - (b) disclose or improperly use controlled, private, or protected information acquired by reason of his official position or in the course of official duties in order to further substantially the officer's or employee's personal economic interest or to secure special privileges or exemptions for himself or others;
  - (c) use or attempt to use his official position to:
    - (i) further substantially the officer's or employee's personal economic interest; or
    - (ii) secure special privileges or exemptions for himself or others;
  - (d) accept other employment that he might expect would impair his independence of judgment in the performance of his public duties; or
  - (e) accept other employment that he might expect would interfere with the ethical performance of his public duties.
- (2) (a) Subsection [\(1\)](#) does not apply to the provision of education-related services to public school students by public education employees acting outside their regular employment.
- (b) The conduct referred to in Subsection [\(2\)\(a\)](#) is subject to Section [53A-1-402.5](#).
- (3) This section does not apply to a public officer, public employee, or legislator who engages in conduct that constitutes a violation of this section to the extent that the public officer, public employee, or legislator is chargeable, for the same conduct, under Section [63G-6a-2404](#) or Section [76-8-105](#).

# Who represents me?



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