

# Faculty Senate Agenda

October 4, 2004  
3:30 p.m.

## Call to order

### Approval of Minutes

September 13, 2004 Minutes

Report from the President: Senator Glasser

Report from the Executive Committee Chair: Senator Siegel

Report from the Faculty Regent: Senator Schlomann

Report from the COSFL Representative: Senator Smith

Report from the Provost: Senator Chapman

Report from the Student Government Association: Lance Melching

Report from the Standing Committees:

Budget Committee: Senator Eakin, Chair

Rules Committee: Senator Johnson, Chair

Rights and Responsibilities Committee: Senator Kristofik

Elections Committee: Senator DeBolt, Chair

Committee on Committees: Senator Vance, Chair

Welfare Committee: Senator Hubbard

### Unfinished Business:

- Council on Academic Affairs
  1. *Remove mid-term grade requirements for Graduate Level Classes (informational item only)*

### New Business:

- Two motions on General Education - 1) approve the goals and objectives and 2) approve the framework
- Intellectual Property Policy Motion
- Elect 1 member to the Rights & Responsibilities Committee (Senator Dunston resigned from the Senate) (Continuing members are: Nina Coyer, Susan Fister, Mixon Ware and Paula Kristofik)

### For the Good of the Order:

- Bookstore

### **Adjournment**

## **FACULTY SENATE MINUTES**

### **September 13, 2004**

The Faculty Senate of Eastern Kentucky University met on Monday, September 13, 2004, in the South Room of the Keen Johnson Building. Senator Siegel called the first meeting of the academic year to order at approximately 3:30 p.m.

The following members were absent:

J. Glasser\*, C. Hubbard\*, M. McNew, L. Patterson, M. Pierce, F. Sharp, D. Vance\* (D. Bautista attended for her), G. Smith, S. Wilson, G. Wolf, and M. Yoder.

**\*Indicates prior notification to the Senate Secretary.**

Visitors to the Senate: Paul Blanchard, Government Relations; Hal Blythe, English & Theater; Jim Conneely, Student Affairs; Tracy Haney, *Eastern Progress*; Lance Melching, SGA; Bart Meyer, Advancement; Deborah Newsom, Financial Affairs; John Shafer, Athletics; Charlie Sweet, English & Theater; Aaron Thompson, Enrollment Management; Virginia Underwood, Chief of Staff; Elizabeth Wachtel, Academic Affairs; and Marc Whitt, Public Relations and Marketing.

### **APPROVAL OF MINUTES**

The May 3, 2004 regular and organizational minutes were approved as written.

### **REPORT FROM THE PRESIDENT: Virginia Underwood reported for Senator Glasser**

Senator Glasser sent her regrets for having to miss the Senate meeting. She is in Washington meeting with alumni donors and elected officials for University business. As she continues work with the Institutional Advancement Office and ECU's Foundation on ECU's first ever comprehensive campaign she will be traveling increasingly during the fall semester to meet with alumni and potential donors. However, she will attend as many Senate meetings as possible.

Senator Glasser expressed her sincere appreciation to all faculty who helped make this year's student move-in day a success.

Senator Glasser recently authorized bringing a consulting group to campus to survey the university's transportation and parking needs and to come up with a long-term recommendation.

The following faculty highlights were shared:

1. Joe Molinaro, Department of Art and Design, recently returned from Ecuador from his second Fulbright where he studied ceramics and primitive culture.
2. Marianne Ramsey, Department of Art and Design, continues to work with the Teaching and Learning Center's workshop on Creating Significant Learning Experiences and the American Democracy Project.
3. Karen Spears and adjunct Dal Macon in the Department of Art and Design have artwork featured in a show at the Ann Tower Gallery in Lexington
4. Michelle Gerken, Department of Recreation and Park Administration, is serving as a Professional Education Fellow through the ECU College of Education.
5. Jon McChesney, Department of Recreation & Park Administration, is in London, England through the 17<sup>th</sup> serving as a consultant with the Kentucky Department of Tourism
6. Charlie Everett, Department of Recreation & Park Administration, is assisting Lexington's Parks and Recreation Department with its pursuit to purchase an additional 263 acres at Raven Run Nature Sanctuary in Fayette County.

7. The faculty in the Management and Marketing Administrative Communications continues its exchange agreement with the University of Pecs and Hungary through which ECU faculty (Drs. Norb Elbert, William Davig, Mike Roberson and Allen Engle have participated and taught in Hungary). The Department also hosted Dr. Jozef Poor from Hungary.
8. In the History department, Dr. Peter Alegi, Dr. David Coleman and Dr. Brad Wood recently had books published. The three authors will be featured at a reception on Wednesday, September 22 at 4:00 p.m. in the Grand Reading Room.

The Department of Geography will host an open house on Friday, September 24 from 11:00 a.m. to 1:00 p.m. for its newly updated state-of-the art geographic information systems laboratory.

Senator Glasser will host a small reception for the Senate members on Monday, October 4 from 2:00 p.m. to 3:30 p.m. in Walnut Hall prior to the Senate meeting.

Eastern's first football game will be on Saturday, September 18 at 7:30 p.m. and Senator Glasser encouraged everyone to show their support.

All faculty and students are invited to Silas House's reading and book signing on Wednesday, September 15 at 7:00 p.m. in Brock Auditorium.

#### **EXECUTIVE COMMITTEE REPORT: Senator Siegel**

Senator Siegel reported that the Executive Committee met on August 30, 2004 and will next meet on September 20<sup>th</sup>. As a reminder, materials should be submitted to the committee two weeks prior to meetings.

On behalf of the Senate, Senator Siegel thanked Senator Chapman for purchasing a lectern for the Senate.

As only 65 faculty and staff members signed up for the new Wellness Membership lottery, they automatically became members. Senator Siegel reminded everyone that The Burke Wellness Center in the Weaver Building continues to be an option for faculty, staff and students at no charge.

Senator Siegel announced several Committee charges: The Rights and Responsibilities Committee will develop recommendations from the Promotion and Tenure report. The Budget Committee will review summer school salaries. The Elections Committee will consider ways to streamline the May election process. The Rules Committee will complete work on the internal procedures and the Senate rules handbook in addition to considering the idea of a vice chair for the Senate. The Welfare Committee will review the roles of academic coordinators on campus.

Senator Siegel has formed an Ad Hoc Committee on New Senators Orientation. Senators Ware, Robles and Randles have agreed to serve on this committee. Other ad hoc committees will be formed as needed.

#### **ANNOUNCEMENTS**

Senator Siegel reminded everyone that it is Senate protocol to present the secretary with an electronic or hard copy of any committee reports or motions that will be brought up from the floor..

Parliamentarian Miller reminded the senators of the five most important rules to follow:

1. To be recognized to speak you must stand. If unable to stand the chair will take note of that and you can be recognized by a raised hand.
2. A member may speak only twice to the same motion. If the motion is amended, that member who has spoken twice to the main motion may speak two more times to the amendment.
3. A member must speak to the motion on the floor and not a previous motion or another issue. If an amendment is offered to a main motion you must speak to the amendment and not to the main motion.
4. A main motion may be amended and that amendment may be amended, but no further. You cannot amend an amendment to an amendment. Instead, purpose a new motion.
5. The proper way to carry over a motion to another meeting is to move to postpone to a definite time but not to table it. Tabling a motion should be used only to interrupt discussion to get to an important or emergency matter.

Senator Siegel expressed appreciation to Dr. Miller for continuing his service as Parliamentarian even after his retirement from Eastern.

James Conneely reported on why New Students Days is important--to get students connected, ease their transition to college life and to get them started off on the right foot. He further reported that this year over 80 faculty volunteered their time to participate in New Student Days. Anyone with questions on New Student Days should contact James Conneely, Claire Good or Cari Wallace.

**REPORT FROM THE REGENT: Senator Schlomann**

The Board met on met June 24<sup>th</sup> to deal with the budget. Additionally, there were reports on a number of other items, including the capital campaign.

Senator Schlomann discussed the annual fund letter which was recently distributed to the campus community. She encouraged everyone to participate, no matter how small the contribution. Outside sources often ask what percentage of faculty and staff participate in the annual fund and it's important to show full support, if possible.

The next meeting is scheduled for Friday. New officers will be selected at that meeting, and then on Sunday and Monday the Board will be going to Bowling Green for the Governor's conference.

**COSFL REPORT: Senator Siegel reported for Senator Smith**

The COSFL officers were asked to come to Frankfort to speak with Tom Layzell. In the near future, there will be a series of meetings held in various locations in the state where citizens and university representatives will participate in discussions on key issues concerning postsecondary education.

**REPORT FROM THE PROVOST: Senator Chapman**

Senator Chapman reported that there are three areas of concern he will be concentrating on and reporting on throughout the year: 1) preparing for the upcoming SACS visit; 2) Getting a good fix on available resources and how best to utilize them; and 3) considering ways to improve on diversity at Eastern.

Senator Chapman announced that Institutional Research has been reviewing different ways to have students evaluate faculty and information should be available soon on their findings.

The Welfare Committee and Senator Chapman have met to discuss this year's salary equity funds. A database needs to be developed containing faculty ranks, when tenure was awarded, dates when last promoted and how that relates in term of current salaries before moving forward. If this can't be accomplished expeditiously, another method may have to be used.

Senator Chapman has reviewed a recent grade distribution report and it compares competitively with our benchmark institutions.

**REPORT FROM STUDENT GOVERNMENT: Lance Melching**

Mr. Melching reported that the Kentucky Board of Student Body Presidents meeting which was held at ECU was a success.

Mr. Melching announced that Thursday, September 16<sup>th</sup> from 7:00 p.m. to 9:00 p.m. is the Big Red Roast at Martin Hall Plaza. There will be free food and games available.

Elections for freshmen senators and the Residence Life Council will be held on Tuesday. Fall Fest for student organizations will also be on Tuesday.

Eastern's Family Weekend is scheduled for Saturday, September 25. SGA is sponsoring two events for Family Weekend, the Eastern Idol will be on Friday, September 24 in SSB at 8:00 p.m. and on Saturday, a reception will be held in the Powell Building for the families.

The open house for the new Student Wellness will be on Thursday at 10:00 A.M.

**STANDING COMMITTEE REPORTS:**

Budget Committee. Senator Rainey announced that the Committee will meet immediately following the Senate to choose a chair.

Rules Committee. Senator Johnson reported that the Committee has met once this fall and he was appointed chair. The Committee also established an agenda for the semester.

Rights and Responsibilities Committee. Senator Dunston distributed a copy of the Committee's report and stated that Senator Pierce became chair during the summer. The Committee continued work on the survey for shared governance and worked on procedures for the promotion and tenure issue. Senator Pierce recently resigned. The Committee will meet immediately following the Senate meeting today to choose a new chair.

During summer 2004, the current Senate chair and the previous chair requested that the shared governance survey be delayed until Spring 2005 and asked the Committee to focus on the Promotion and Tenure report for fall 2004. The Committee requests that Senators download the condensed Promotion and Tenure report available from the Senate website and discuss with their departments. The Faculty Senate will begin voting on the recommendations made with or without revisions during November. Senators must decide if these recommendations will be applicable only to tenure track faculty members hired in after 2005. The Committee will write the recommendations in appropriate language for insertion into the faculty handbook. The Senate's decisions and changes to the faculty handbook will be sent forward to the required publics for endorsements.

Committee on Committees. Senator Wolf reported that Senator Vance was elected as chair of the Committee.

Faculty Welfare Committee. Senator Johnson reported that the Committee met on August 16th.

**NEW BUSINESS:**

Election to Rights and Responsibilities Committee. Senator Ware was nominated. Senator Taylor moved, seconded by Senator Collins to cease nominations and appoint Senator Ware by acclamation. The motion was approved.

Shared Governance Task Force. Senator Flanagan moved, seconded by Senator Konkel to:

1. Suspend the proposed survey on shared governance and
2. To form a Shared Governance Task Force in cooperation with the Provost to begin work in Spring 2005 to assess the state of shared governance at Eastern Kentucky University, and make recommendations for:
  - A. Strengthening shared governance at this institution
  - B. Increasing faculty understanding of their role in shared governance, and
  - C. Developing strategies for encouraging faculty to assume greater responsibility for shared governance

The motion was approved by the Senate.

Council on Academic Affairs. Senator Chapman presented the following items:

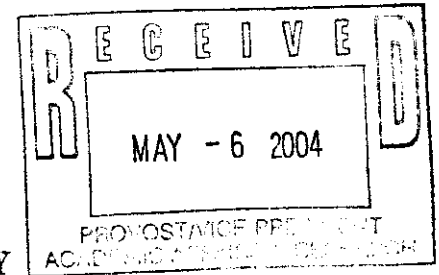
1. Courses taken for dual credit policy proposal
2. Remove mid-term grade requirements for Graduate Level Classes (informational item only)
3. Canadian Studies Minor (New Minor)
4. Forensic Anthropology Minor (New Minor)
5. Social Inequalities Minor (New Minor)
6. Post-Baccalaureate Certificate in Paralegal Science (New Program)
7. Paralegal Studies Minor (New Minor)
8. Emergency Medical Care (AS) (Program Revision)
9. Creative Writing (MFA) (New Program)

Senator Chapman moved approval of items 1 and 3-9, seconded by Senator Dunston. The Senate were in agreement and the motion was approved.

Senator Reed, seconded by Senator Kelley, moved to delay action on item #2 until the October meeting. The motion was approved.

**ADJOURNMENT:**

Senator Chapman moved to adjourn at approximately 4:35 p.m.



**EASTERN KENTUCKY UNIVERSITY**

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245 Wallace  
521 Lancaster Avenue  
Richmond, Kentucky 40475-3102  
(859) 622-1865

Department of Special Education

Memorandum

Approved by  
CAA on  
05-20-04

To: Dr. Lyle Cook  
Chair of Council on Academic Affairs  
From: Dr. Karen N Janssen *Karen Janssen*  
Chair of Graduate Council  
Date: Wednesday, May 5, 2004  
Re: Remove Mid-Term Grade Requirement for Graduate Level Classes

PROPOSED CHANGE: Policies and Procedures Manual, Page 47, Paragraph 2

FROM: Faculty will provide mid-term grades via the Banner system for all students in full semester courses by the end of the seventh week, or one week before the withdrawal deadline. In the case of non-standard courses, faculty will enter mid-term grades by the mid-point of the course and before the course drop date.

TO: Faculty will provide mid-term grades via the Banner system for all students in undergraduate credit, full semester courses by the end of the seventh week, or one week before the withdrawal deadline. In the case of non-standard courses, faculty will enter mid-term grades by the mid-point of the course and before the course drop date. Mid-term grades are not required for 700 and 800 level classes.

RATIONALE:

The purpose of the requirement for faculty to submit mid-term grades by the end of the seventh week of a sixteen-week semester is to inform students, if they are not doing well, a week before the last day to withdraw from the class. When graduate students drop a class, it is rarely due to a failing grade. Typically in 700 and 800 level classes, research projects, papers, and exams are due after the date for submitting mid-term grades. The faculty member has insufficient information at seven weeks to submit a mid-term grade.



## **Proposed General Education Goals and Learning Objectives**

In 1996 SACS asked the University to clarify the goals and learning objectives of general education and to assess the General Education Program. In Fall, 2002 President Glasser directed the University General Education Committee (UGEC) to review and clarify the goals and learning objectives in preparation for assessing the General Education Program over the next two years. The UGEC proposes the following goals and measurable learning objectives for the General Education Program.

### **General Education Goals**

The General Education Program promotes learning that is central to intellectual pursuits and that will enable students to make informed choices about matters of public and personal significance in a diverse, democratic society and global community. The program provides students with the knowledge that informed, independent thinkers need in order to ask good questions, evaluate answers, and make informed decisions. After completing the General Education Program at EKU, students will be able to:

1. Communicate effectively by applying skills in reading, writing, speaking, and listening and through appropriate use of information technology.
2. Use appropriate methods of critical thinking and quantitative reasoning to examine issues and to identify solutions.
3. Analyze the historical and social contexts of cultural, economic, political, religious, and scientific developments.
4. Analyze the social and behavioral influences that explain how people relate to each other, to institutions, and to communities.
5. Analyze the fundamental natural processes of the world and the interactions of humans and their environment.
6. Analyze the values, cultural context, and aesthetic qualities of artistic, literary, philosophic, and/or religious works.
7. Distinguish the methods that underlie the search for knowledge in the arts, humanities, natural sciences, history, and social and behavioral sciences.

8. Integrate knowledge that will deepen their understanding of, and will inform their own choices about, issues of personal and public importance.

### **Measurable Learning Objectives**

The learning objectives for the critical thinking skills expressed in goal two, for distinguishing the different methods of inquiry expressed in goal seven, and for integrating knowledge expressed in goal eight are embedded in the learning objectives of each of the following areas.

- I. Written Communication – Students will achieve the goal for written communication by:
  1. Demonstrating rhetorical knowledge by:
    - a. Focusing on a specific purpose for a defined audience.
    - b. Defining a specific topic through a clearly stated thesis.
    - c. Constructing an effective discourse organization.
    - d. Providing adequate and relevant supporting evidence, appropriate documentation, and clear and valid assumptions and conclusions.
  2. Applying critical thinking, reading, and writing by:
    - a. Understanding a writing assignment as a series of tasks, including research, understood as finding, evaluating, analyzing, summarizing, and synthesizing appropriate outside sources.
    - b. Integrating their own ideas with those of others.
  3. Demonstrating control of written language by:
    - a. Controlling sentence structures appropriate to academic writing.
    - b. Controlling grammatical conventions of written Standard English, including word forms, punctuation, and spelling.

- II. Oral Communication – Students will achieve the goal for oral communication by:
  - 1. Applying critical thinking by:
    - a. Utilizing various forms of technology to effectively research and organize information required for message production and delivery.
    - b. Adapting oral communication styles to appropriate contexts.
    - c. Evaluating self and others' communication skills.
  - 2. Demonstrating command of communication skills by:
    - a. Successfully implementing effective verbal delivery skills related to the context.
    - b. Successfully implementing effective nonverbal delivery skills related to the context.
  - 3. Demonstrating other-oriented perspective by:
    - a. Writing and articulating ethical issues inherent in the message.
    - b. Adhering to standards of ethical communication in presenting one's views.
    - c. Writing and articulating messages appropriate for various cultures and groups.
- III. Quantitative Reasoning – Students will achieve the goal for quantitative reasoning by:
  - 1. Using mathematical methods to state and solve quantitative problems, including those stated in verbal form.
  - 2. Using numerical and graphical data to make reasonable and valid conclusions.
  - 3. Applying mathematical methods to real life problems.
- IV. History – Students will achieve the goal for historical knowledge by:
  - 1. Demonstrating relevant perspective, rooted in time and place, in the analysis of historical sources.
  - 2. Demonstrating an understanding of the interactions of social, cultural, political, religious, economic, scientific and/or technological developments as factors in historical change.

3. Building and clearly communicating an argument on the basis of historical evidence and documentation.
  4. Demonstrating ability to understand change over time and the significance and effects of historical events and developments.
- V. Social and Behavioral Sciences – Students will achieve the goal for knowledge of the social and behavioral sciences in at least one of the basic social sciences by:
1. Demonstrating an understanding of the methods by which social scientists gather data and make conclusions.
  2. Explaining the major concepts and fundamental processes basic to the social sciences.
  3. Applying the principles and theories of the social sciences to make reasonable and valid conclusions about matters of personal and public importance.
- VI. Natural Science – Students will achieve the goal for knowledge of the natural sciences by:
1. Demonstrating an understanding of the methods by which humans gather data and make conclusions in biological and physical sciences.
  2. Explaining the major concepts and fundamental processes of biological and physical sciences.
  3. Applying the principles and theories of biological and physical sciences to make reasonable and valid conclusions.
  4. Applying scientific knowledge to examine and address issues of personal and public importance.
- VII. Arts and Humanities – Students will achieve the goal for knowledge of the arts and humanities by:
1. Reflecting critically upon the ideas and values of one's own and other cultures by exploring creative and intellectual works.
  2. Analyzing cultural values and ethical issues expressed in artistic, literary, philosophical, and/or religious works.
  3. Analyzing the aesthetic qualities of artistic, literary, philosophical, and/or religious works.

# General Education Proposal

The General Education Program promotes learning that is central to intellectual pursuits and that will enable students to make informed choices about matters of public and personal significance in a diverse, democratic society and global community. The 48-hour program described below provides students with the knowledge that informed, independent thinkers need in order to ask good questions, evaluate answers, and make informed decisions.

The program includes a core that provides foundation skills in communications, critical thinking, and quantitative reasoning and foundation knowledge in the arts, humanities, history, social and behavioral sciences, and natural sciences. The institution-specific block is designed to help students make informed wellness decisions, to provide students with a breadth of knowledge outside the major, and to provide students with a depth of knowledge of a theme.

## General Education Core (33 hours)

Degree programs are allowed to designate as supporting courses up to three general education courses that have been approved for the core.

	<u>Hours</u>
<b>Block One: Communications</b>	<b>9</b>
A. Written Communication (6 hours)	
B. Oral Communication (3 hours)	
<b>Block Two: Mathematics</b>	<b>3</b>
<b>Block Three: Arts and Humanities</b>	<b>6</b>
One arts course	
One humanities course	
<b>Block Four: Natural Sciences</b>	<b>6</b>
One laboratory biological science course	
One laboratory physical science course	
<b>Block Five: Social and Behavioral Sciences</b>	<b>9</b>
One history course	
One basic social science course	
One additional course in history or social science	

**Hours**

**Block Six: Institution-Specific Courses (15 hours)**

Degree programs are allowed to use general education courses in the breadth of knowledge requirement and the depth of knowledge requirement as supporting courses.

**Wellness** 3

**Breadth of Knowledge Requirement** 6

*Students must take one course from two areas that are not closely related to the major. The areas are arts and humanities, natural sciences, social and behavioral sciences, and quantitative skills.*

**Depth of Knowledge Requirement** 6

*Students must take two courses that address a common theme in one of the following ways:*

- 1. Degree programs define a coherent set of supporting general education courses that address a broadly defined theme.*
- 2. Six hours in the same second language.*
- 3. Six hours in a cluster of general education courses that address a common theme in depth.*

**Total Hours** 48

# **Proposed General Education Program**

**April 30, 2004**

Public institutions in the Commonwealth of Kentucky are expected to provide seamless transfer from one public institution to another. To achieve this goal, the Council on Postsecondary Education has given considerable attention to general education at both two-year and four-year institutions. The Council has asked each public institution to identify a 33-hour core of general education courses that includes nine hours of communication, three hours of mathematics, six hours of arts and humanities, six hours of natural science, and nine hours of social and behavioral science. Also, each institution can define a 15-hour institution-specific block of general education courses. If a student completes both the 33-hour core and the 15-hour institution-specific block, then the student can transfer to another public institution with certification that general education is complete.

In this document the General Education Committee proposes a new General Education Program of 48 hours. The 33-hour core is designed to achieve the goals of General Education at ECU by providing foundation skills and knowledge within the framework suggested by the Council on Postsecondary Education. In addition, the Committee is recommending an additional 15 hours in courses designed to help students make informed wellness decisions, to provide students with a breadth of knowledge outside the major, and to provide students with a depth of knowledge of a theme.

## **The General Education Core (33 hours)**

The General Education Core is designed to be a coherent 33-hour program that provides foundation skills in communications, critical thinking, and quantitative reasoning and provides foundation knowledge in the arts, humanities, history, social and behavioral sciences, and natural sciences. After completing the General Education Core at ECU, students will be able to:

1. Communicate effectively by applying skills in reading, writing, speaking, and listening and through appropriate use of information technology.
2. Use appropriate methods of critical thinking and quantitative reasoning to examine issues and to identify solutions.
3. Analyze the historical and social contexts of cultural, economic, political, religious, and scientific developments.
4. Analyze the social and behavioral influences that explain how people relate to each other, to institutions, and to communities.
5. Analyze the fundamental natural processes of the world and the interactions of humans and their environment.

6. Analyze the values, cultural context, and aesthetic qualities of artistic, literary, philosophic, and/or religious works.
7. Distinguish the methods that underlie the search for knowledge in the arts, humanities, natural sciences, history, and social and behavioral sciences.
8. Integrate knowledge that will deepen their understanding of, and will inform their own choices about, issues of personal and public importance.

Skills in written communication, oral communication, and critical thinking are initially developed in the 9-hour Communication block (Block One). Each course in this block addresses the first goal and its measurable learning objectives. Each course will also be assessed on a regular basis through a faculty-defined assessment method.

Skills in critical thinking are developed across the core curriculum, while skills in quantitative reasoning are developed in the 3-hour Mathematics block (Block Two). Each course in the mathematics block addresses the quantitative reasoning aspect of the second goal and its measurable learning objectives. Each mathematics course will also be assessed on a regular basis through a faculty-defined assessment method.

Foundation knowledge in the arts and sciences is provided in a six-hour block (Block Three) of arts and humanities, a six-hour block (Block Four) of natural sciences, and a nine-hour block (Block Five) of history and social and behavioral sciences. The courses in these three blocks are designed to illustrate how professionals search for knowledge in each area (Goal seven) and to illustrate how this knowledge can be applied to issues of personal and public importance (Goal eight). Critical thinking and/or quantitative reasoning are an important part of each core course in these three blocks. The courses in each block are expected to address the breadth of the vision expressed in block's goals and to contribute to the overall coherence of the General Education Program. Core courses in each of the three blocks will be assessed on a regular basis through a faculty-defined assessment method.

Individual departments may propose a course for a block of the General Education Core as long as the course meets the goal and learning objectives. The General Education Committee assumes responsibility for certifying courses that meet the goals and learning objectives. Most core courses will be designed to provide students with a breadth of knowledge of the discipline. However, in those disciplines that are quantitative or scientific in nature and therefore have linear prerequisite structures, disciplines may propose two types of courses. Some courses may be specifically designed to achieve the goals of general education and may be terminal courses. Other courses achieve the goals of general education and prepare students for more advanced study in the discipline.

Each degree program may designate as supporting courses up to three specific courses that have been approved as General Education courses in the 33-hour core. However, degree programs are encouraged to limit this activity to minimize the adverse consequences associated with changing a major.

## Block One: Communications (9 hours)

The courses included in this block are designed to achieve the first goal that students will communicate effectively by applying skills in reading, writing, speaking, and listening and through appropriate use of technology.

### A. Written Communication.

This area of Block One includes six hours of English Composition. In this area students will develop important skills in written communication, including the process of researching and writing a research paper. Students will achieve the goal for written communication by:

1. Demonstrating rhetorical knowledge by:
  - a. Focusing on a specific purpose for a defined audience.
  - b. Defining a specific topic through a clearly stated thesis.
  - c. Constructing an effective discourse organization.
  - d. Providing adequate and relevant supporting evidence, appropriate documentation, and clear and valid assumptions and conclusions.
2. Applying critical thinking, reading, and writing by:
  - a. Understanding a writing assignment as a series of tasks, including research, understood as finding, evaluating, analyzing, summarizing, and synthesizing appropriate outside sources.
  - b. Integrating their own ideas with those of others.
  - c. Using various forms of technology to support research and to enhance written compositions.
3. Demonstrating control of written language by:
  - a. Controlling sentence structures appropriate to academic writing.
  - b. Controlling grammatical conventions of written Standard English, including word forms, punctuation, and spelling.

### B. Oral Communication.

This area of Block One includes three hours of oral communication. Students will achieve the goal for oral communication by:

1. Applying critical thinking by:
  - a. Utilizing various forms of technology to effectively research and organize information required for message production and delivery.
  - b. Adapting oral communication styles to appropriate contexts.
  - c. Evaluating self and others' communication skills.
2. Demonstrating command of communication skills by:
  - a. Successfully implementing effective verbal delivery skills related to the context.
  - b. Successfully implementing effective nonverbal delivery skills related to the context.
3. Demonstrating other-oriented perspective by:
  - a. Writing and articulating ethical issues inherent in the message.

- b. Adhering to standards of ethical communication in presenting one's views.
- c. Writing and articulating messages appropriate for various cultures and groups.

### Block Two: Mathematics (3 hours)

The courses in this block are designed to achieve the quantitative reasoning part of the second goal that students will use appropriate methods of (critical thinking and) quantitative reasoning to examine issues and to identify solutions.

Until Fall 2009 the mathematics requirement will be MAT 105 or higher. In Fall 2007 the Mathematics faculty will design and pilot an algebra-based applications course that is intended to replace MAT 105 as the minimum mathematics requirement in Fall 2009. First year students entering in Fall 2009 will be required to take the new algebra-based applications course or a higher course to fulfill the mathematics requirement.

Students will achieve the goal for knowledge of quantitative skills by:

1. Using mathematical methods to state and solve quantitative problems, including those stated in verbal form.
2. Using numerical and graphical data to make reasonable and valid conclusions.
3. Applying mathematical methods to real life problems.

### Block Three: Arts and Humanities (6 hours)

The courses in this block are designed to achieve the sixth goal that students will analyze the values, cultural context, and aesthetic qualities of artistic, literary, philosophic, and/or religious works. In this block students will learn how artists and humanists search for knowledge in the arts and humanities, learn how to use this knowledge to examine aesthetic and intellectual expression, and learn to examine cultural values and ethical issues. Critical thinking is an important part of each course. The courses included in this block are designed to explore the breadth of knowledge of the arts (art history/appreciation, music history/appreciation, drama, or theatre) and the breadth of knowledge of the humanities (literature, philosophy, or religion). Courses do not focus narrowly on specific areas in the arts or humanities.

Students will study both the arts and humanities in this block. Students will achieve the goal for knowledge of the arts and humanities by:

1. Reflecting critically upon the ideas and values of one's own and other cultures by exploring creative and intellectual works.
2. Analyzing cultural values and ethical issues expressed in artistic, literary, philosophical, and/or religious works.
3. Analyzing the aesthetic qualities of artistic, literary, philosophical, and/or religious works.

#### Block Four: Natural Sciences (6 hours)

The courses in this block are designed to achieve the fifth goal that students will analyze the fundamental natural processes of the world and the interactions of humans and their environment. In this block students will learn how natural scientists search for knowledge in the biological and physical sciences and learn how to use scientific knowledge to examine and address issues of personal and public importance. Critical thinking is an important part of each course. The basic natural science courses included in this block are designed to explore the breadth of knowledge in the biological sciences and in the physical sciences. The courses do not focus narrowly on specific areas of the biological or physical sciences.

Students will take one laboratory course from the biological sciences and one laboratory course from the physical sciences. Students will achieve the goal for knowledge of the natural sciences by:

1. Demonstrating an understanding of the methods by which humans gather data and make conclusions in biological and physical sciences.
2. Explaining the major concepts and fundamental processes of biological and physical sciences.
3. Applying the principles and theories of biological and physical sciences to make reasonable and valid conclusions.
4. Applying scientific knowledge to examine and address issues of personal and public importance.

#### Block Five: Social and Behavioral Sciences (9 hours)

The courses in this block are designed to achieve goals three and four. Students will take one course in history, one course in the social and behavioral sciences, and one additional course in history or the social and behavioral sciences.

##### A. History

In this area of Block Five the courses are designed to achieve the third goal that students will analyze the historical and social contexts of cultural, economic, political, religious, and scientific developments. Students will learn how historians search for knowledge and learn how to use historical knowledge to address issues of personal and public importance. Critical thinking is an important part of each course. The courses in this area are designed to explore the breadth of historical knowledge of the United States or the World. The courses do not focus narrowly on specific areas. Students will achieve the goal for historical knowledge by:

1. Demonstrating relevant perspective, rooted in time and place, in the analysis of historical sources.
2. Demonstrating an understanding of the interactions of social, cultural, political, religious, economic, scientific and/or technological developments as factors in historical change.

3. Building and clearly communicating an argument on the basis of historical evidence and documentation.
4. Demonstrating ability to understand change over time and the significance and effects of historical events and developments.

B. Social and Behavioral Sciences

In this area of Block Five the courses are designed to achieve the fourth goal that students will analyze the social and behavioral influences that explain how people relate to each other, to institutions, and to communities. Students will learn how social and behavioral scientists search for knowledge of individual and social behavior and learn how to apply this knowledge to issues of personal and public importance. Critical thinking is an important part of each course. The courses in this area are designed to explore the breadth of knowledge of a basic social and behavioral science and do not focus narrowly on one specific area. Students will achieve the goal for knowledge of the social and behavioral sciences in at least one of the basic social sciences by:

1. Demonstrating an understanding of the methods by which social scientists gather data and make conclusions.
2. Explaining the major concepts and fundamental processes basic to the social sciences.
3. Applying the principles and theories of the social sciences to make reasonable and valid conclusions about matters of personal and public importance.

## Block Six: the 15-hour block

The General Education Committee recommends a sixth block, the 15-hour block, that provides flexibility in achieving General Education goals and in providing supporting course requirements for specific degree programs.

Block Six is designed to help students make informed decisions about wellness, to provide students with some breadth of knowledge outside the major, and to allow students to develop some depth of knowledge of a theme. Each course in this block must address one or more of the goals of General Education. Each course is expected to develop further skills in critical thinking or quantitative reasoning. Individual departments may propose a course for the 15-hour block as long as the course meets SACS criteria for general education, addresses one or more of the goals of General Education in an appropriate manner, and requires critical thinking or quantitative reasoning. The department offering the course also agrees to assess student learning in each course on a regular basis. The General Education Committee assumes responsibility for certifying courses that meet the goals and learning objectives.

Courses in Block Six may be counted as supporting courses, but not major courses, in a degree program. Degree programs may not require courses using their own prefixes in this block.

Block Six is composed of the three following areas:

A. Wellness (3 hours).

This area of Block Six is designed to help students make informed wellness choices. After completing the wellness area, students will:

1. Analyze the interrelatedness of physical, emotional, and social dimensions of wellness.
2. Apply knowledge to make informed choices regarding wellness in individuals and society.

B. Breadth of Knowledge Requirement (6 hours).

The courses in this area of Block Six are designed to help students further develop a breadth of knowledge in two of the four following areas: arts and humanities, social and behavioral sciences, natural sciences, or quantitative skills. The learning objectives for each of the first three areas are the same as those in Blocks Three, Four, and Five of the General Education Core. Quantitative skills are defined to include courses from computing, mathematics, or statistics. The learning objectives for mathematics and statistics courses are the same as those for Block Two of the General Education Core. The learning objectives for computing are not yet defined, but acceptable courses will either provide literacy in the use of software packages or introduce students to computer programming.

Each student is required to take one three-hour course from two of the following areas: arts and humanities, social and behavioral sciences, natural sciences or quantitative skills. Students take courses from two areas that are not closely related to their major. Each department will identify the area most closely related to each major offered by the department, and the General Education Committee will review and approve those decisions.

C. Depth of Knowledge Requirement (6 hours)

The courses in this block are designed to help students achieve one or more goals of General Education through a more in-depth study of a theme. Each student is required to take an additional six hours of courses that address a common theme. The learning objectives for the courses in this six-hour block depend upon how the requirement is fulfilled.

Students fulfill this requirement in one of the following ways:

1. Degree programs may use the six hours to define a coherent set of supporting courses that address a broadly defined theme. The degree programs that currently designate a significant number of general education courses are most likely to use this method to require specific supporting courses in communication skills, quantitative skills, arts and humanities, natural sciences, or social and behavioral sciences. Therefore, the learning objectives for these courses are likely to be similar to those of corresponding blocks in the General Education Core, but the courses may achieve the objectives through study of more specialized areas than is true in the Core.

2. If degree programs do not require specific supporting courses, then students may choose one of the following options:
  - a. Take six hours of a second language, with all hours in the same second language. The learning objectives for this option are not yet defined, but the courses will provide students with communication skills using a second language.
  - b. Take a six-hour cluster of courses that address a common theme in some depth and in an interrelated, coherent manner. The faculty designing each cluster will define the learning objectives of the cluster, but all clusters must require critical thinking (Goal two) and integrate knowledge to help students understand and address issues of personal and public importance (Goal eight). A cluster may be designed by faculty from one department or by a partnership of faculty from two or more departments of the University. Multi-disciplinary partnerships are strongly encouraged as a means of providing students with a thorough and balanced study of the common theme. The General Education will approve all clusters. Examples of clusters are environmental issues and policy, gender studies, globalization, and poverty.

Since some degree programs may largely control the 15-hour block, students may be adversely affected if they change majors. For this reason degree programs should limit using general education courses as supporting course requirements to the extent possible. The General Education Committee recommends three guidelines for students who change their majors. First, if students change majors after completing one or both courses in area B of Block Six, then they have completed that requirement even if the course is closely related to the new major. The total number of hours required for graduation may increase if the new major requires specific supporting courses in area B of Block Six. Second, if students change to a major requiring a specific block of supporting courses after completing either option under C (2) of Block Six, then the completed option fulfills general education requirements. The specific supporting courses required by the new major may increase the total number of hours required for graduation. Third, if students change majors after completing a specific block of supporting courses for the former major under area C (1) of Block Six, then the completed six-hour block fulfills general education requirements. The total hours required for graduation may increase if the new major also requires specific courses under area C (1). If the new major allows the student to choose an option under area C (2) of Block Six, then the completed six-hour block under C (1) fulfills general education requirements.

Approved Board of Regents  
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Approved Faculty Senate  
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## PATENTS AND COPYRIGHTS POLICY

### I. Introduction

As an academic community, Eastern Kentucky University encourages creative and scholarly activity by its faculty and staff. In the course of professional activities, faculty and staff may conceive an idea, discover a process, or develop a product which might lead to the securing of a patent and/or production of copyrighted [copyrightable] materials. The University is supportive of such activities, and further, recognizes its responsibility to see that administrative procedures are in place to assure that such ideas and discoveries are handled in the best interest of all parties concerned.

University personnel, in accordance with the University's historic policy of freedom of scholarly activities, are free to publish and invent without restrictions as to the time, manner, or place of their choosing and to copyright and patent any materials without restrictions except as hereinafter indicated. Moreover they are the claimants to all income that results from normal professional activities. This includes activities which require the use of resources regularly granted faculty in the pursuit of academic excellence, such as travel funds, sabbatical leaves, released time, facilities, equipment and staff support. The policy described below [is to] pertains only to those circumstances in which the University shares a claim to income produced, with the product's originator(s) or developer(s).

### II. Patent Policy

In the conduct of professional activities, faculty and staff may conceive improved or new devices, product designs or processes, or develop better methods or utilization of existing devices, designs or processes. Eastern Kentucky University has a responsibility to protect the interest of those individuals in matters pertaining to inventions and discoveries as well as the interest of the University in those cases specified in II. (B) and II. (C) in which the University shares ownership of such inventions and discoveries. This policy is designed to protect the rights of all concerned, to facilitate patent application, assure equitable distribution of financial returns, and provide a uniform patent procedure. The following paragraphs reflect the established policy on Patents:

A. The term "invention" includes all inventions, discoveries, computer programs, processes, machine, methods, uses, manufactures, compositions

of matter and plants or other things reasonably patentable under the Federal Patent Act.

- B. In those instances where the University has provided funds, facilities, assigned or released time, or materials for a member of the faculty or staff in order to facilitate the investigation of any contrivance of an invention or any other thing with patent potential with the prior understanding that the University retains an interest in any results of such an investigation the University will be deemed to have an interest in the invention or other thing with patent potential, and disclosure of same must be made to the President of the University, through the Patent and Copyright Committee (see section IV). It is the responsibility of the faculty or staff member(s), at the time a request for support is made, to inform the University Administration, through the appropriate channels, whenever such a request may result in patentable material. It is the responsibility of the proper administrator(s) to inform the individual(s) whenever the University would retain an interest in any invention which might result should the request be granted. In the event the individual(s) is (are) not aware of the creation of possible patentable material until after the initiation of the investigation he or she shall inform the proper persons and the Patent and Copyright Committee as soon as the situation becomes apparent.
- C. When an invention or other thing with patent potential results from activities funded in whole, or in part, by extramural funding in which the University is party to an agreement, the ownership of the patent shall be determined by the terms of the agreement executed with the funding agency. In the event the agreement of the funding agency is silent on disposition of patent rights, the funding agency shall be advised of the creation of the patentable invention or thing. If the funding agency waives any right to the patent, the patent arrangements shall be governed in accordance with II. (B) and II. (E).
- D. When a patent in which Eastern Kentucky University has a potential interest, in accordance with II. (B), results in the accrual of income it is expected that the individual faculty or staff member(s) will have reached a prior tentative agreement with the university regarding the distribution of income resulting from such a patent, if necessary by recommendation of the Patent and Copyright Committee. If at any time the circumstances change, either party may request a renegotiation of the agreement through that committee. However it is expected that never will the individual(s) receive less than 50% of the profit resulting after the University has been reimbursed for its costs.
- E. The University retains the right to enter into such patent agreements that may result under the terms set forth in external grants and contracts between the University and various funding agencies. In some instances,

the University may be required to assign all patent rights to the outside funding agency. (See II. (C).)

- F. An invention or other patentable thing developed without University involvement (See II. (B)) may be offered to the University at the discretion of the individual(s) responsible for its development. In the event that the University accepts and administers such an invention or thing, it will be in accordance with this policy. The inventor(s) shall receive such income as may be set forth in a written agreement with the University.

### III. Copyright Policy

Eastern Kentucky University encourages creative activity which may lead to the creation of copyrighted [copyrightable] materials by its faculty and staff. This policy is applicable in determining when the University has an interest in such copyrighted [copyrightable] material. The policy addresses three basic issues [issues]:

- 1) Ownership of copyrighted [copyrightable] material created by University faculty or staff;
- 2) use of such materials by the University, and
- 3) sharing of royalties.

A. Copyrighted [copyrightable] materials is anything which is copyrighted under the United States Copyright Act, including, but not necessarily limited to: books, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, other written work; musical and dramatic works; motion picture video or audio tapes, photographs, drawing and other pictorial presentations; sound recordings; computer programs, instructions and other software.

1. The University will be deemed to have an interest in copyrighted material where there is a prior understanding and where the University has provided funds, facilities, assigned or released time, or materials for a member of the faculty or staff in order to facilitate the production of said materials. [In those instance where the University has provided funds, facilities, assigned or released time, or materials for a member of the faculty or staff in order to facilitate the production of any material with copyrightable potential, with the prior understanding that the University will be deemed to have an interest in resulting copyrights] It is the responsibility of the faculty or staff member(s), at the time a request for support is made, to inform the University Administration, through appropriate channels, whenever such a request may result in copyrighted [copyrightable] material. It is the responsibility of the proper administrator(s) to inform that individual whenever the University would retain an

interest in any copyright(s) which might result should the request be granted. In the event the individual(s) is (are) not aware of the creation of possible copyrighted [copyrightable] material until after the initiation of the project he or she shall inform the proper persons as soon as the situation becomes apparent.

2. When copyrighted [copyrightable] material is created by faculty or staff members pursuant to an agreement between the University and an external funding agency, copyright ownership shall be governed by the provisions of the agreement. If the agreement is silent on this issue, the external funding agency shall be advised of the creation of copyrighted material. If the funding agency waives any right to the copyright, the copyright [copyrightable] arrangements shall be governed in accordance with III. (A) (1.).
  3. When material in which Eastern Kentucky University has a potential interest, in accordance with III. (A), results in the accrual of income it is expected that the individual faculty or staff member(s) will have reached a prior tentative agreement with the University regarding the distribution of royalties, if necessary by recommendations of the Patent and Copyright Committee. If at any time the circumstances change, either party may request a renegotiation of the agreement through that committee. However, it is expected that never will the individual receive less than 50% of the profit resulting after the University has been reimbursed for its costs.
- B. When it is determined that the University owns a copyright of materials created by a faculty or staff member(s), the University shall, at its discretion, determine whether to register the copyright ownership with the U.S. Copyright Office, take other action to protect its interests, or to place the copyrighted [copyrightable] material in the public domain. The University shall also determine the manner in which the material may be distributed by others.
- C. Faculty or staff member(s) who own copyrighted [copyrightable] material in accordance with III. (B) may receive support in publishing this material through University subvention of publishing costs through University Press of Kentucky or other scholarly press. In these circumstances, the University shall be assigned the royalties due [to] the author(s) until it has recovered the amount of its support. Thereafter, the royalties shall be the property of the author(s) subject to applicable terms of their agreement with the publisher.

#### IV. Patent and Copyright Committee

The University shall establish and maintain a Patent and Copyright Committee for the purpose of advising the President. The committee shall consist of three ex officio non-voting members:

- (1) The University Counsel
- (2) The Director of Development and
- (3) The Director of Grants and Contracts,

As well as other members who shall be appointed to staggered terms by the President of the University. These shall include four members of the teaching faculty selected from a slate submitted by the Executive Committee of the Faculty Senate and two members from the professional staff. The committee shall select its chair; propose [and] necessary revisions to the Patent and Copyright policy; develop and propose the necessary forms; procedures and agreements to use in implementing this policy; develop an appeals process relating to rights or royalty sharing agreements; and otherwise advise the President as provided in this policy.

V. Implementation

- A. The Patent and Copyright Committee should be notified as soon as is practicable concerning discoveries, inventions, copyrighted [copyrightable] materials, or the anticipation thereof, which are covered by this policy that [and] may have shared financial implications for the developer(s) and the University.
- B. The Committee will schedule a meeting with the developer(s) to formulate a proposed, mutually acceptable agreement for submission to the President.
- C. In the event the developer(s) and the Committee cannot concur on the terms of the proposed agreement, the Vice President for Academic Affairs [Senate Executive Committee] shall be the binding arbiter in developing the proposed agreement.

Eastern Kentucky University's  
Intellectual Property Policy  
September 30, 2004  
DRAFT

**I. Introduction/Background**

The Intellectual Property (IP) Policy at Eastern Kentucky University (EKU) recognizes that universities are institutions committed to the creation and dissemination of knowledge. The IP Policy affirms the University's commitment to academic freedom, to a rich and vibrant public environment, and to a healthy local and regional economy. The University supports these endeavors by encouraging, fostering, and protecting scholarship, research, service and creativity.

EKU recognizes the need to protect the intellectual property rights of faculty, staff, students, and the University. It also acknowledges the importance of contributing to a supportive, enabling environment for the University regarding IP. The IP Policy addresses the customary distribution of any benefits arising from activities in which the University and its members are jointly engaged including public recognition and, where appropriate, financial remuneration. It *excludes* traditional academic scholarly works from its purview and attempts to articulate and balance the sometimes-competing interests involved in IP in a fair, manageable, and productive manner.

**II. Objectives of the Intellectual Property Policy**

The objectives of the IP Policy are:

- a. to delineate the University's policies and procedures with regard to IP
- b. to encourage research, scholarship, and a spirit of inquiry
- c. to promote the dissemination of knowledge and technology for the benefit of the University community and society
- d. to provide an administrative system to assist the University community and its external collaborators in bringing new discoveries and developments into public and/or private use
- e. to provide an administrative system to evaluate, where appropriate, the commercial significance of new discoveries and developments
- f. to provide for the equitable disposition of interests in shared IP among the creator(s), the University, and, where applicable, any external collaborators(s)
- g. to contribute to a university environment that encourages the creation of IP
- h. to assist the University community and its collaborators in seeking adequate and appropriate legal protection against unauthorized use
- i. to describe employee-excluded works that are not subject to University ownership under the policy

### III. Definitions

- a. Collaborator (Internal or External) - A person with whom the creator works. The collaborator may be a person(s), either within the University or outside the University. Collaborators work together on a literary, artistic or scientific undertaking. This undertaking directly or indirectly results in the creation of intellectual property.
- b. Commercialization - The application, publication, development, use, assignment, licensing, sub-licensing, franchising, exploitation, or other utilization of IP in order to generate financial or other commercial gains.
- c. Copyright - A form of protection as defined in 17 U.S. Code, which may be amended from time to time. It generally grants protection to authors of “original works of authorship” which includes literary, dramatic, musical, artistic, and certain other intellectual works, both published and unpublished. These protection rights automatically attach to the work when it is fixed in a tangible medium and formal registration is not required. While registration is not required, it provides certain additional statutory protections. In addition, it is a prerequisite to seek legal redress for copyright infringement in a court of law. Copyrights give the author exclusive rights to reproduce the copyrighted work, to prepare derivative works, to distribute copies of the work, and to perform or display the work publicly. Copyrights also prevent those who are not the original author or otherwise the owner of the work from copying, performing, displaying, distributing or preparing derivative works without proper authorization. Copyrights only protect the particular expression of an idea, and not the underlying idea expressed. A work can be formally registered for copyright protection by the Copyright Office of the Library of Congress. (For more information go to <http://www.loc.gov/copyright/>)
- d. Discoveries – Acts of disclosing or revealing something that was not previously known to have existed. A disclosure of an object, process, or any other type of occurrence that causes the discoverer to realize the existence of or to uncover a certain idea or concept. A discovery requires that the discoverer is the first to expose or to find out about the revelation.
- e. Due Diligence - The degree of attention or care that is expected of a reasonable person in a given situation.
- f. Electronic Publications – Electronic publications includes software and other technologies and data used to support the capture, storage, retrieval, transformation, and presentation of electronic or digital data and information or to interface between electronic or digital forms and other communications and information media. Examples may include but are not limited to: software, course lecture video or audiotapes, whether electronic, magnetic or digital, electronic publications, electronic

textbooks and interactive textbook supplements, Internet-based and on-line courses, web pages, multimedia works, and distance learning materials. As used herein, software means a set of statements or instructions (usually lines of code) used directly or indirectly in a computer to bring about a certain result.

- g. Equity Interest – Shares of ownership interest in a commercial venture dealing with intellectual property created under this policy.
- h. Intellectual Property (IP) – Intellectual property includes works of authorship, inventions, and discoveries whether or not subject to protection by patents, copyrights, trademarks, or trade secrets. For the purposes of this policy, Tangible Research Property (as defined below) is included in the definition of Intellectual Property. As defined here, Intellectual Property also includes any new form of Intellectual Property receiving legal protection that may be added to the categories above during the time that this policy is in effect.
- i. Instructional Text - An “instructional text” is a literary, pictorial, or graphic work prepared or otherwise used for commercial publication and with the purpose of use in systematic instructional activities.
- j. Invention - A product or process providing a new way of doing something, or offers new, innovative, technical solution(s) to a problem. Also refers to any new and useful process, machine, manufacture or composition of matter (e.g., life forms, etc) or any new and useful improvement thereof, relating to creative works, research property, and Trade Secrets.
- k. Patent - The exclusive property rights granted to the creator of an invention issued by the United States Patent and Trademark Office. A patent is defined in 35 U.S. Code, which may be amended from time to time. It generally grants its owner the protection for his/her invention excluding others from making, using, selling, or importing the invention. The requirements for patentability of an invention include that the invention has utility, novelty and is nonobvious. A patent is granted for a limited period of time, which is usually 20 years from the date it is filed. (For more information, see <http://www.uspto.gov/>.)
- l. Principal Investigator – The primary person in charge of investigating or researching a particular matter that may result in the creation of intellectual property.
- m. Royalties - The revenue that is received as a result of licensing IP. Royalties may be based on a use rate or a flat rate based on allowing others to use the creation in some fashion for financial gain.

- n. Sponsor – A person or organization that pays for or plans and carries out a project or activity.
- o. Sponsor-assisted Project – A project in which a private or governmental sponsor may assist one or more members of the University’s faculty, staff, or students by such means as furnishing funds, equipment, or other resources to support research, the creation of a creative work, or any other educational or scientific activity that may result in the creation of IP.
- p. Sponsor-supported Project - Any grant, contract, or similar arrangement between the University and a private or governmental sponsor furnishing funds, equipment, or other resources to support research, the creation of a creative work, or any other educational or scientific activity to be performed by one or more members of the University’s faculty, staff, or students that may result in the creation of IP.
- q. Supplementary Work - A “supplementary work” is a work prepared for publication as a secondary adjunct to a work by another author for the purpose of introducing, concluding, illustrating, explaining, revising, commenting upon, or assisting in the use of the other work, such as forwards, afterwards, pictorial illustrations, maps, charts, tables, editorial notes, musical arrangements, answer material for tests, bibliographies, appendixes, and indexes.
- r. Tangible Research Material – Tangible Research Material means materials used or produced in the course of University research projects, examples of which may include but are not limited to: (1) hybridoma or clonal cell lines that produce monoclonal antibodies or recombinant proteins, (2) plants protected by the Plant Variety Protection Act, and (3) non-patented drugs protected by the Orphan Drug Act. Tangible Research Material is subject to the provisions of this policy.
- s. Trademark - A distinctive mark or sign that identifies certain goods or services as those that are provided or produced by a specific person or entity. Some examples of trademarks include but are not limited to words, names, logos, sounds and product configurations that uniquely identify a product. The exclusive rights of trademarks are derived from the frequent use of them by the owner or creator and registration of trademarks is not required. Federal registration provides formal protection of trademarks from unauthorized use of the same or very similar types of symbols and can be obtained through the United States Patent and Trademark Office (For more information see <http://www.uspto.gov/>)
- t. Trade Secrets - Information that a person or entity may keep secret to give them an advantage over their competitors. Trade secrets cannot be

formally registered; it is the owners' responsibility to take appropriate steps to protect the trade secret's confidentiality.

- u. Traditional Copyrightable Academic Work - These shall be defined as a subset of copyrightable works created independently and at the creator's initiative for traditional academic purposes. Examples include class notes; books; theses and dissertations; articles; non-fiction, fiction and poems; musical works; dramatic works including any accompanying music; pantomimes and choreographic works; pictorial, graphic, and sculptural works; or other works of artistic imagination that are not created as an institutional initiative. Traditional Copyrightable Academic Works are employee-excluded works pursuant to Section IVb, i; however, see Sections IVb ii-iv for those works that are not excluded from this policy. (Reference Section IVb, part i, ii, iii, iv)
- v. Working Days – These days include full days, Monday through Friday, excluding at least half days and full days in which Eastern Kentucky University is closed.

#### **IV. General Policy**

##### **a. Overview**

- i. Intellectual property (IP) includes, but is not limited to, copyrights, patents, trade secrets, trademarks, and plant variety protection. Activities resulting in the creation of IP may also contribute to professional development, enhance the institution's reputation, promote additional educational opportunities, and promote collaborative or cooperative arrangements. Therefore, when faculty, staff, administrators, student employees, students, and/or visiting faculty or researchers develop intellectual property, their IP rights and privileges must be protected and preserved.
- ii. Under federal copyright law, the creator of a work is usually the owner. However, this is not the case when a work is created within the scope of employment. Works created within the scope of employment are known as "work made for hire," and are works where the employer is considered the author and owner of such works. Copyright law generally defines a work made for hire as:
  - 1. A work prepared by an employee within the scope of his/her employment; or
  - 2. Certain types of work specially ordered or commissioned where the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire. These types of work include a contribution to collective work, a part of a motion picture or other audio/visual work, a translation, a compilation, an instructional text, a test, answer material for a test, an atlas or a supplementary work.

EKU's IP Policy allows for a determination of whether a change will be made regarding ownership or assignment of works made for hire. This policy permits assignment of individual ownership to the creating employee of certain scholarly, artistic, literary, musical, and educational materials within the creator's field of expertise, as set forth below, which have historically been treated by institutions of higher education as belonging to the creator, so long as ECU retains a non-exclusive license in IP that was created for and that uses significant university resources for educational, research and service use whenever practicable.

The determination of ownership may be complicated. Some categories of works that used to be distinct and about which there were few issues of ownership may now be merged. Examples include, but are not limited to, software, courseware and distance learning. Therefore, ECU's IP Policy establishes guidelines to be applied in determining ownership interests in the IP and permits the University to recover expenses incurred in the work's creation and/or share in royalties if the work is commercialized.

- iii. When ECU faculty, staff, administrators, or students create IP, which, under the terms of this policy, may be owned or shared by ECU, the creator shall report the IP to the Provost/VP by completing a Disclosure Form (Attachment 1). The IP creator(s) will cooperate in the execution of legal documents and in the review of literature and prior art (e.g., patent searches); will be given the opportunity to assist in the further commercial development of the IP as defined in Section VI; and will receive consideration regarding any income derived from the commercialization of such property.

**b. IP Creation and Ownership Scenarios**

- i. **Employee-excluded Works.** ECU assigns to the creator all ownership of IP in the following categories of work:

1. Traditional Copyrightable Academic Works
2. Student works (unless the student work is created in a University employment capacity or is part of a sponsor-supported ECU project.)

- ii. **University-assigned Projects.** University-assigned work, developed in the course and scope of employment, constitutes a work made for hire. Therefore, IP resulting from this work is the property of ECU. Work produced in the course and scope of employment includes, but is not limited to, research, instruction, service, and other assigned activities. The creator(s) will cooperate with the University to execute any and all documentation necessary to assign ownership and, if necessary, to secure protection of this IP.

- iii. University-assisted Projects.** EKU shares ownership of IP developed by University employees through an effort which makes *significant use* of University resources. The distribution of possible income based on such IP will be determined in accordance with the Administrative Procedures Section V. of this policy. The University and IP creator(s) will cooperate to execute any and all documentation necessary to assign ownership and, if necessary, to secure protection of the IP. It should be noted that this policy does not construe the use of office space, library resources, personal workstations, or personal computers as constituting significant use of University resources. Significant use of University resources includes, but is not limited to, use of:
1. Research funding
  2. Funding allocated for asynchronous or distance learning programs
  3. University-paid time within employment period
  4. Assistance of support staff
  5. Telecommunication services (excluding telephone service)
  6. University central computing resources
  7. Instructional design or media production services
  8. Research equipment and facilities, or production equipment and facilities
- iv. Sponsor-supported Projects** Sponsor-supported projects are university activities that are funded/supported by an external agency/organization. EKU's Office of Sponsored Programs (<http://www.research.eku.edu/>), formerly the Office of Grants and Contracts, reviews and approves these contracts. Sponsored Programs provides assistance to facilitate negotiations among the Principal Investigator, the Sponsor, and the University, including issues related to IP ownership. While the Principal Investigator should refer to this policy to address the protection of IP, in some instances federal and state law may define ownership. Before the contract is accepted and executed, Sponsored Projects will work to ensure that the Principal Investigator and the University are satisfied with the terms before accepting and executing the contract, including:
1. Due diligence milestones should be negotiated on a case-by-case basis in an effective and timely manner. The milestones will provide objectively measurable goals and timetables by which it may be determined if a good faith effort has been made. A reassignment right will be included, exercisable on the part of EKU, when the Sponsor has not made a good-faith effort to meet the milestones.

2. A windfall provision where a specified payment is made upon some mutually agreed upon threshold event. This should be determined on a case-by-case basis.

When a contract is silent on the ownership of the Intellectual Property, ownership will vest with the University.

Prior to receiving a grant award to engage in sponsored projects or research, the Principal Investigator (PI) must first participate in the Office of Sponsored Project's orientation meeting. During this meeting, the PI will give the Office of Sponsored Projects a brief overview of the IP that may result from their project. This meeting will help establish whether IP is an issue with the project before a budget number is assigned.

- v. **Visiting Faculty, Researchers and Scientists.** Visiting faculty, researchers, and scientists will be held to the same policies as permanent faculty, researchers, and scientists.
- vi. **Outside Consulting.** If an employee engages in outside consulting that will involve University resources, then a contract must be executed with the Office of Sponsored Projects and a Disclosure Form must be filed with the Provost/VP.
- vii. **Individual Projects.** If an employee engages in projects that will involve the use of University resources and will result in the creation of IP, then EKU will share in the ownership of such property. Therefore, the employee is required to complete and submit a Disclosure Form.
- viii. **Other Works.** Other works not expressly addressed in this policy will require the creator(s) to submit a Disclosure Form and will be reviewed on a case-by-case basis, including:
  1. Electronic publications
  2. Online courses
  3. Patents
  4. Other materials
- ix. **IP Gifts.** EKU may accept gifts of IP through the EKU Foundation. The receipt of an IP gift may require actions on the part of the University and/or Foundation, and the necessary actions will be evaluated as part of the consideration of acceptance. Gifts may be accepted through the EKU Foundation in accordance with the EKU Gifts Acceptance Policies and Procedures and in consultation with the Intellectual Property Committee and the University administration.

## V. **Administrative Procedures**

### a. **Oversight of the Policy**

The interests of EKU and its faculty, staff, and students in the development of IP, except exempted works as described in Section IV.b. 1, shall be determined by the Provost/VP or designee and the Intellectual Property Committee (IPC), in accordance with this policy. The Provost/VP serves as

the administrative officer for matters concerning IP, regardless of whether they are generated from an academic or non-academic unit.

The IPC shall be a standing committee consisting of twelve official members appointed by the President. The committee shall consist of four ex-officio members:

- University Counsel (non-voting)
- Vice President for University Advancement (or designee) (voting)
- Director of Sponsored Programs (voting)
- Provost (or designee) (non-voting)
- President (or designee) (non-voting)

Other members of the faculty and staff will be appointed by the President to provide broad technical expertise across various disciplines. These shall include six members of the teaching faculty, one representing each college, and one from the Library, selected from a slate submitted by the Executive Committee of the Faculty Senate and two members from the professional staff. Additional expertise in the form of ad hoc resource members may be sought by the IPC as needed in the consideration of IP matters.

The University administrative contact for issues regarding IP covered under this policy and the disclosure of IP shall be the Provost/VP . Actions of the IPC are forwarded to the Provost/VP as recommendations.

**b. Duties.**

The IPC shall serve as the custodian of the IP Disclosure form and will identify the IP Category and Ownership structure pursuant to Section V.b. of this policy.

**i. Custodial Function.** The IPC shall review the IP policy, as needed, and make revision recommendations to the Provost. The IPC will also recommend revisions to the Disclosure Form or to any other form required in the disclosure of IP. The IPC will meet at least quarterly.

**ii. Disclosure Function.** When University faculty, staff, other employee, or student, operating under the scope of this Policy, creates IP, the creator shall notify the Provost/VP of the IP by completing the Disclosure Form. Should the Provost/VP be the creator of IP, the completed Disclosure Form will be submitted to the President. The Disclosure Form must be completed and submitted to the Provost/VP upon the recognition of the existence, or potential existence, of intellectual property. The completed Disclosure Form must be submitted to the Provost/VP with an information copy to the appropriate chair or director and dean. A receipt notification will be mailed to the creator acknowledging receipt of the Disclosure Form within one workweek of its receipt,

with a copy of this acknowledgement sent to the members of the IPC.

The creator(s) shall make available, upon request, originals or copies of all documents and designs, including logs, research workbooks, etc. that are necessary to support an understanding of the IP and its scope and value. Moreover, as necessary the creator(s) shall assist the IPC in obtaining and maintaining legal protection for the IP by disclosing essential information, signing applications and other necessary documents, and assigning technology rights. EKV will reimburse the creator(s) for any/all reasonable expenses incurred complying with IPC requests for additional information.

The IPC will evaluate the merits of the IP and the equities involved. This evaluation may be made using the materials/information submitted by the creator(s) and/or with the assistance of other university resources or a consultant(s). The VP/Provost will advise the creator(s) within one-hundred and twenty (120) calendar days, following the receipt of the Disclosure Form, as to whether or not the University will retain an interest or ownership in the IP, unless the parties mutually agree upon an extension. The Provost/VP may extend the deadline if further examination of the IP is needed or additional information is required. This will be done by notifying the creator(s) in writing of the intent to extend the deadline fifteen (15) days prior to the end of the initial 120 calendar day period. The Provost/VP must notify the creator(s) of the reason for such an extension. The extended period may not exceed forty-five (45) calendar days. However, the extension may be extended for a longer period of time if mutually agreed upon by all parties.

If EKV elects to release some or all legal rights to the creator(s), or if written notice of the IPC is not given to the creator(s) upon the expiration of 120 calendar day period following receipt of the disclosure or the new deadline, the creator(s) shall be free, subject to law and prior agreements, to proceed independently only with respect to the specific, disclosed IP.

### **iii. Review Function**

1. The IPC will review disclosures for the purpose of classifying them into one of the categories outlined in Section IV.b. of this document. Part of the review process will involve developing an estimate for the market value for the IP. Working alone or with internal or external collaborators, the IPC will estimate the value of the IP so

that ECU better understands the potential commercial value. The IPC, and any other additional resource partners shall have 120 calendar days from the disclosure of the IP to assess the scientific, technical and economic merit as well as decipher the potential commercial value. If this evaluation has not taken place during the 120 days then the time shall have lapsed and primary ownership rights to it shall be returned to the creator.

- If the IPC determines that the IP under consideration is exempt under Section IV.b.1., the property shall be released to the creator and ECU will not claim ownership, except the non-exclusive right to use the IP for educational, research or service reasons.
- If the IPC determines that ECU has an interest in the IP, but that the chances of successful commercialization are minimal or the costs of pursuing such commercialization outweigh the income potential, the IPC shall release the property to the creator(s), as above.
- If the IPC determines that ECU has an ownership right but that the creation has not been developed to the point where a decision as to patentability or commercialization is possible, the IPC shall place the creation in a pending status, provide the creator(s) with the reasons for taking such action and request that the creator(s) report back at some specified date.

If the IPC determines that ECU has ownership interest in the property and an interest in retaining the ownership, the IPC will make a recommendation to the Provost to:

1. Inform the creator(s) in writing that ECU claims its ownership rights to the IP
2. Negotiate and record the rights of the creator(s) to share in any income with ECU in accord with Section VII. Typical and anticipated revenue sharing from royalties are:
  - 50% to the creator
  - 15% to the IP Fund
  - 15% to the General Fund
  - 15% to the Department
  - 5% to the College

3. Inform the President of the IPC's recommendation as to the appropriate course of action.
  - a. The President will authorize the execution of an acknowledgment and, where applicable, an assignment of ownership rights
  - b. The process for licensing, selling, or otherwise conveying IP will comply with any applicable federal or state statutes. All costs associated with these actions shall be borne by ECU, except that such costs shall be offset against future income in accord with Section VII.c.

#### **iv. Resolution of Grievances**

- a. If any creator does not agree with any decision made by the VP/Provost, an appeal may be made to the President within seven working days of the issuance of the decision.
- b. The appeal shall be made in writing, delivered to the President and copies shall be made to the VP/Provost.
- c. Any appeal shall set forth the specific reasons supporting the position of the party and include any supporting documentation.
- d. Upon receipt of an appeal of the VP/Provost's decision, the President shall review the information provided and, within twenty (20) working days, shall issue a written decision on the appeal. The decision on this review will be the final decision of the University.

### **VI. Commercialization**

- a. In commercializing IP, ECU, through the IPC, shall be guided by the following principles:
  - i. Active creator(s)' participation in all commercialization will be vigorously sought.
  - ii. The primary objective and responsibility of ECU shall be to assure that the products of its intellectual activity are brought into the widest possible use for the general benefit of society.
  - iii. IP is treated as an asset and an appropriate return should be sought.
- b. In an effort to commercialize IP, ECU will seek a variety of arrangements such as licenses, outright assignments or sale of rights, partnerships, and joint ventures. The selection of particular arrangements will depend upon the individual circumstances.
- c. In some instances, it may be in the best interests of the creator, ECU, and the general public to enter into a commercialization arrangement with entities wholly or partially owned or controlled by the faculty, staff, or

students who originated the property. Because these arrangements have the potential of contributing to economic development, such arrangements may be considered and accepted, provided they are not specifically prohibited by law and that adequate provisions, including full disclosure of interests, are made to avoid or otherwise protect against conflict of interest on the part of those involved.

- d. Commercialization of IP can be risky. Based on national data, the process fails more often than it succeeds. If no commercialization has occurred within two years after the property is disclosed, the creator(s) may request that all rights be transferred to the creator. The request should be addressed to the IPC. It should explain what efforts have been made to date and why the creator(s) should receive ownership. The IPC will make a determination as to whether reasonable efforts to commercialize have been taken and will forward a recommendation to the President.

## **VII. Royalty Income Sharing Policy**

- a. Except as otherwise provided, net revenues derived from the commercialization of IP shall be shared as follows:
  - 50% to the creator
  - 15% to the IP Fund
  - 15% to the General Fund
  - 15% to the Department
  - 5% to the College
- b. The IP Fund, the Department Fund, and the College Fund shall be allowed to build across fiscal years. Costs associated with securing IP will be borne by ECU with such costs offset against future income. All costs directly related to the acquisition of IP rights will be reimbursed from the first receipt of revenue, before distribution is made to the creator, department, college, general fund and IP fund. Similarly, future necessary costs for securing IP rights will be reimbursed by revenues prior to distribution (as above).
- c. The creator's rights to share in revenue as stated above (but not including the department's share) shall remain with the individual or pass to the individual's heirs and assigns for so long as net income is derived from the property.
- d. When two or more individuals have made substantial creative contributions to IP, they will determine among themselves and in writing the individual share each will receive. A copy of that agreement will accompany the IP disclosure form. In the event that agreement cannot be reached, the IP disclosure should be filed and the IPC will hear oral and written statements. After such presentation, the IPC will make a recommendation to the Provost who will issue a finding.
- e. Due to conditions of employment and/or the nature of work assignments, it may be appropriate to agree to alternate distribution of net income for employees and/or the distribution ratios. Such modifications must be

submitted to the Provost/VP, in writing, and will be considered by the IPC.

- f. This policy shall not change revenue-sharing agreements entered into prior to the adoption of this policy.

### **VIII. Binding Nature of this Policy**

The policies set forth here constitute an understanding that is binding on ECU faculty, staff, and students as a condition of their participation in ECU research, teaching, and service programs and for their use of ECU funds, facilities, or other resources.

**EASTERN KENTUCKY UNIVERSITY**  
**INTELLECTUAL PROPERTY DISCLOSURE FORM (Draft 9.24.03)**

**This form must be completed and submitted to the Office of the Provost with information copies to your chair or director and dean when the existence of intellectual property is recognized. For more information see EKU's Intellectual Property Policy. Please attach additional sheets as needed. (Please Type)**

- A.** Descriptive title of the intellectual property.
- B.** Describe the intellectual property. If needed, attach additional sheets. Please include examples, drawings or other data supporting your intellectual property. If the intellectual property is described in a manuscript that is being prepared for publication, attach a copy, and indicate when it will appear in print.
- C.** Describe the prospective commercial use of the intellectual property and your best assessment of what companies or firms might be interested in the technology.
- D.** If this intellectual property was extramurally supported, provide the name and type of agency and contract number(s). Identify and attach any contract-related progress reports.
- \*\*If the intellectual property was made with industrial sponsorship, please identify the sponsoring company and attach copies of all agreements executed with the company.
- E.** If information or samples (e.g., cell lines) relating to this intellectual property have been provided to anyone outside the University, please provide all details and dates.
- F.** When was the intellectual property conceived? Attach annotated copies of any written records that substantiate the conception date. Such records can include notebook entries, letters, reports, emails, etc.
- G.** When did any experimental work relating to the intellectual property first occur? Attach copies of substantiating dated notebook entries. Have you retained representative samples or products from the early experiment work? \_\_\_\_\_ Where are the notebooks and representative samples or products located now?

- H. Please provide as many details and exact copies as possible for:  
 \*\*Any information about this intellectual property that has been revealed in grant proposals or research agreements. Any presentations about this intellectual property, abstracts or manuscripts submitted for publication?
- I. Summarize further experimentation, research, software development, or other activities now underway or contemplated relating to this intellectual property.
- J. State the nature and extent of any literature search made to date, and attach copies of the closest references, and closest prior information your search has provided.
- K. Were University resources (i.e. facilities, equipment, faculty, staff or student time) used in the development of this intellectual property. (Refer to Section IV.b of the ECU Intellectual Property Policy)

YES

NO

L. **Full Name of Primary Investigator** , \_\_\_\_\_

Furnish the following information for all investigator(s) and/or collaborator(s) contributing to this intellectual property:

<b>Full Name:</b>	<b>Department</b>	
<b>Position or Title:</b>		
<b>Work Address:</b>	<b>Home Address</b>	
<b>Telephone Numbers:</b>	<b>Work Telephone</b>	<b>Home Telephone</b>
(Include Area Code, Lab Extensions)		
<b>Other (Facsimile, Pager, Voice Mail, etc.):</b>		
<b>E-mail address:</b>		
<b>Citizenship:</b>		

<b>Signature &amp; Date:</b>	
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**Please Note Number of Additional Pages or Attachments and forward this information to : Eastern Kentucky University, Office of the Provost and Vice President, Academic Affairs and Research, Coates Box 30A, Richmond, KY 40475.**  
**Telephone No.: (859) 622-1685 or (859) 622-6515.**

Information copies should be sent to your chair/director and dean when this copy is mailed to the Provost. Thank you.

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**(Duplicate this page if you have additional investigators.)**

**Page No.:** \_\_\_\_\_

**(Continued:) Additional Investigator(s) or Collaborator(s) on this Intellectual Property**

<b>Full Name:</b>		<b>Department</b>
<b>Position or Title:</b>		
<b>Work Address:</b>		<b>Home Address</b>
<b>Telephone Numbers:</b> (Include Area Code, Lab Extensions)	<b>Work Telephone</b>	<b>Home Telephone</b>
Other (Facsimile, Pager, Voice Mail, etc.):		
<b>E-mail address:</b>		
<b>Citizenship:</b>		
<b>Signature &amp; Date:</b>		

**(Continued:) Additional Investigator(s) or Collaborator(s) on this Intellectual Property**

<b>Full Name:</b>		<b>Department</b>
<b>Position or Title:</b>		
<b>Work Address:</b>		<b>Home Address</b>

<b>Telephone Numbers:</b> (Include Area Code, Lab Extensions)	<b>Work Telephone</b>	<b>Home Telephone</b>
Other (Facsimile, Pager, Voice Mail, etc.):		
E-mail address:		
Citizenship:		
Signature & Date:		

<b>FOR OFFICE USE ONLY</b> CASE NO: _____ DATE RECEIVED: _____ DATE REVIEWED BY IP COMMITTEE: _____ EKU INTEREST: YES _____ NO _____ NUMBER OF INVENTORS: _____ ASSIGNED TO FIRM: _____ RELEASED TO: _____ DATE RELEASED: _____ Date Entered _____
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**Please forward to:**  
**Office of the Provost and Vice President, Coates Box 109, Richmond, KY 40475**

**Please send a copy to your chair or director and your dean.**

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\*\*\*Insert Internal Review and Approval Form

**Eastern Kentucky University's Intellectual Property Policy  
Comparison of 1989  
Policy with Current Policy Recommendation Draft  
Spring 2004**

	<b>Old Policy</b>	<b>New Policy</b>
<b>Introduction</b>	The old policy encourages free creation of IP by faculty and staff with reference to historic IP Policy	The new policy encourages free creation of IP by faculty, staff and students but excludes traditional academic scholarly works
<b>Objectives</b>	The old policy does not discuss objectives	The new policy outlines clear objectives of the IP Policy
<b>Definitions</b>	The old policy does not discuss definitions	The new policy clearly reviews definitions for terms found within the policy
<b>General Policy</b>	The old policy discusses a general contract between the creator and the University, which loosely defines the procedure of securing a patent OR copyright	The new policy clearly defines the benefits of IP creation, the different types of works and differences between each (works for hire) and provides scenarios of IP Creation and the reaches of the IP Policy and Eastern Kentucky University's as well as the creator's legal rights
<b>Copyrightable Material</b>	<p>The old policy describes material created by staff when the University has provided funds, facilities, assigned or released time, or materials for a member of the faculty or staff in order to facilitate the production of said material.</p> <p><b>These include:</b></p> <ul style="list-style-type: none"> <li>- books</li> <li>- texts</li> <li>- glossaries</li> <li>- bibliographies</li> <li>- study guides</li> <li>- laboratory manuals</li> <li>- syllabi</li> <li>- other written work</li> <li>- musical and dramatic works</li> <li>- motion picture video or audio tapes</li> <li>- photographs</li> <li>- drawing and other pictorial presentations</li> <li>- sound recordings</li> <li>- computer programs</li> <li>- instructions</li> <li>- other software</li> </ul> <p>** The production of IP between faculty and staff members and an external funding agency, is subject to ownership of the outside funding agency (under the old policy)</p>	<p>The new policy describes and includes</p> <ul style="list-style-type: none"> <li>- Work Made for Hire</li> <li>- University-Assigned Projects</li> <li>- University-Assisted Projects</li> <li>- Sponsor-Supported Projects</li> </ul> <p><b>**Employee-Excluded Works include:</b> <i>Traditional Academic Copyrightable Works, Artistic Works, Student Works</i></p>

<b>Income Allocation</b>	The old policy outlines income distribution set by University and Creator	The new income outlines clearly defined income distribution
<b>IP Committee</b>	<p>The old policy's IP Committee:</p> <ul style="list-style-type: none"> <li>- University Counsel</li> <li>- Director of Development</li> <li>Director of Grants and Contracts</li> </ul> <p>Other members include appointees by staggered terms through the President of the University. This includes four members of the teaching faculty selected from nominees from the Faculty Senate and two professional staff members.</p>	<p>The new policy's IP Committee:</p> <p>The IPC shall be a standing committee consisting of twelve official members appointed by the President. The committee shall consist of four ex-officio members:</p> <ul style="list-style-type: none"> <li>- University Counsel (non-voting)</li> <li>- Director of Planned and Major Gifts (voting)</li> <li>- Director of Sponsored Programs (voting)</li> <li>- Provost (or designee) (non-voting)</li> <li>- President (or designee) (non-voting)</li> </ul> <p>Other members of the faculty and staff will be appointed by the President to provide broad technical expertise across various disciplines. These shall include six members of the teaching faculty, one representing each college, and one from the Library selected from a slate submitted by the Executive Committee of the Faculty Senate and two members from the professional staff. Additional expertise in the form of ad hoc resource members may be sought by the IPC as needed in the consideration of IP matters.</p>

***Additions to new policy not included in the old policy:***

- 1) Resolution of Grievances procedures
- 2) Commercialization guidelines through EKU
- 3) Specific distribution of income
- 4) Binding nature of policy
- 5) New IP Disclosure Form