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Faculty Senate, "2003-04 FACULTY SENATE - February 9, 2004 Minutes Summary" (2004). *Faculty Senate Agendas & Minutes*. 370.

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UNIVERSITY OF NEW HAMPSHIRE
2003-04 FACULTY SENATE

FEBRUARY 9, 2004

MINUTES SUMMARY

I. Roll – The following senators were absent: Annicchiarico, Baldwin, Birch, Black, Burger, Garcia-Rasilla, Gutman, Lugalla, Miller, Neefus, Niese, and Rentschler. Excused were Broussard, Menzel, Pescosolido, and Shea. Guests were President Hart and John Aber.

II. Communications with the president – The president thanked faculty members who worked extensively on the primary elections. A debate for the presidential candidates was held on campus prior to the election, and some people may have had concerns about the expense and inconvenience caused by this debate. However, the president said that the good publicity for the university engendered by this event has a value of at least one and a half million dollars. Many beautiful pictures of the UNH campus reached huge numbers of people, and so the event was worth any trouble and inconvenience it may have caused. The university has sent the Faculty Excellence Booklet to the faculty and also a financial report from the president.

The Board of Directors of the UNH Foundation met recently in New Hampshire and complimented the university on recognition received by faculty members for their work, the responsible student behavior after the super bowl, and the university's handling of the endowment situation caused by the stock market downturn last year. The university wants to raise more money for endowments. Regarding the KEEP Program for campus buildings, UNH will continue to ask the legislature for funds to work on the current list of buildings but at an increased price tag due to rising costs. The current request is for Demeritt, James, and Parsons Halls. Nesmith Hall is the last building on the list.

The Board of Trustees has voted to approve a university proposal for managing energy costs via a co-generation power plant for heating and cooling. The university has been seeking outside bids and advice. The university would generate most of its own electricity but would stay connected to the Public Service of New Hampshire grid as a backup. In order to avoid tax problems, the university would not sell excess electricity back to the power grid. The co-generation plant is expected to reduce air pollution, save the university about thirty million dollars in future costs, and avoid any rolling blackouts which may occur on the grid. The plant would be fueled mostly by natural gas with some number-two oil, and eventually an additional stack would be built. The university hopes to establish long-term purchasing contracts for fuel, to avoid volatility in costs.

III. Minutes – The minutes of the last Faculty Senate meeting were unanimously approved.

IV. Communications from the chair – The senate chair asked that faculty contact Gavin Henning to nominate students for awards, on the web at www.unh.edu/awards or by telephone at 862-3611. The senate chair announced a special meeting of the graduate faculty, to consider a masters degree in justice studies, on February 12 at 12:40 p.m. in 210 Horton Hall. Also, the faculty scholars' program and faculty development grant application deadline is March 23; and information about this may be obtained from the provost's office. Planning for the responsibility center management fifth-year review is beginning, and the provost will speak to the senate about

this process soon. Draft guidelines for the review have been sent to the senate's Finance and Administration Committee, and a representative from that committee will be involved in the planning. The senate's Academic Affairs Committee is working on a diversity statement which will soon be presented to the senate. Regarding programmatic review, according to the collective bargaining agreement the senate's Agenda Committee should select three bargaining unit faculty members to serve on the COLSA Programmatic Review Committee. These faculty members will work with three faculty chosen by COLSA and one person selected by the president's office. The senate chair asks that faculty send him suggestions for faculty to serve on this review committee, which will consider every program in COLSA. Also, faculty are asked to provide input on the latest master plan draft right away.

V. Update on the Intellectual Property Policy draft and the status of the University Institute Proposal – Vice President John Aber said that the draft is not yet ready for comment and will probably affect about five to ten percent of the university faculty. Robert Dalton is the director of the Office of Intellectual Property Management, the mission of which is to encourage invention and innovation, protect intellectual property rights, bring scientists and the business community together in relationships of mutual advantage, support the university's research and strategic direction, and contribute to competitiveness and economic development. The technology transfer cycle includes research and technology development, invention, assessment, intellectual property protection, marketing, licensing, products and services, and income.

The United States Constitution authorized congress to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their writings and discoveries. The Bayh-Dole Act passed in 1980 permits universities, other non-profits and small businesses to retain title to inventions made in performance of federally-funded programs. Under that act, universities require employees to disclose inventions made under federal contract, and the university must disclose invention to the government within two months thereafter. The university then has two years to file for a patent, or the right to take title defaults to the government. The institution must share licensing revenues with inventors and use the remainder for education and research. Royalty income belongs thirty percent each to the inventor, the college/department, and the Office of Research and Public Service and ten percent to the Office of Intellectual Property Management. US patent royalties have increased significantly, from three billion dollars in 1980 to 150 billion dollars in 2002. Invention disclosures, patents and license agreements, as well as royalties and research support, have also risen sharply.

Patents protect the use or application of novel ideas, while copyrights protect the expression of ideas. Patents have complex licensing and technology transfer procedures, but copyright protection is automatically generated by the conversion of an idea to tangible form such as a printed page or a web page. Copyright protects reproduction, distribution, adaptation, performance and display. John Aber said that, in practice, the university does not claim course materials developed by a faculty member or posted via the Blackboard Program. John Aber will check the legalities of what might happen if part of the course were to become commercially valuable. If a faculty member were to sign over royalties to the UNH Foundation, the tax consequences would be a wash.

In response to a statement from a professor about the costs and benefits of the Office of Intellectual Property Management, John Aber said that he expects to see that office become self

supporting in the next few years. At the moment, it is self supporting because of a grant. Legal aid is outsourced. Patent infringement suits have not come up yet, but that is one reason to keep the number of patents small. Faculty members are allowed to use up to twenty percent of their time in consulting. A professor asked how the university can communicate with the legislature about the frequent practice by the state government of holding up federal grants that have been awarded to faculty members. Bob Dalton is developing a draft of the intellectual property management policy. By the end of the semester, John Aber will present to the Faculty Senate the draft, which can be dealt with in the fall.

VI. UCAPC representative – The Faculty Senate unanimously approved a motion from the Agenda Committee, to elect Dave Townson to the University Curriculum and Academic Policies Committee, as the senate’s representative.

VII. Other business – A professor reminded faculty to close windows in university buildings, so that the pipes do not freeze and cause flooding. The February 6 Campus Journal states that “The strategic communications plan will be finalized in mid-February. Its framework has received support from the President’s Cabinet and staff, the Faculty Senate, the President’s Council on Communications and Advancement, and the Campus Communicators group.” Although the Vice President for Communications spoke about this strategic plan to the Faculty Senate on October 6, the senate did not vote on any motion about the plan. Concern was also expressed that in the past as well administrators have inaccurately claimed that the Faculty Senate has supported certain issues. The senate chair said that he will write a letter to deal with this matter.

VIII. Adjournment – The Faculty Senate meeting was adjourned.