

Minutes*

Senate Committee on Educational Policy
Wednesday, February 6, 2002
1:00 – 3:00
385 Mondale Hall

Present: Wilbert Ahern (chair), Shawn Curley, Scott Ferguson, Steve Fitzgerald, Christina Frazier, Gretchen Haas, John LaBau, Christine Maziar, Carol Miller, Kathleen Newell, Marsha Odom, Martin Sampson, Karen Seashore, Mary Ellen Shaw, Mary Sue Simmons, Craig Swan

Absent: Patricia Cavanaugh, Frank Kulacki, Geri Malandra

Guests: none

[In these minutes: (1) ownership of syllabi; (2) incompletes; (3) withdrawals (imposing a limit, requiring signatures); (4) graduation and retention

1. Ownership of Syllabi

Professor Ahern convened the meeting at 1:05, welcomed new student member John LaBau, and then noted copies of an exchange of messages concerning who owns a syllabus. A question had been raised by one of the colleges about who owns a syllabus.

Who owns course syllabi? We need to know if individual faculty own and control them or if the syllabus is considered property of the university or college or department.

Vice President Maziar had been asked for her view; she said (as an expression of opinion, not as a policy pronouncement) that in general a syllabus is owned by the person who creates it. The University would be entitled to have a copy for its records, in order to discharge its responsibilities to students, accreditation organizations, and so on--the syllabus is a course record. She had also written that according to the policy on intellectual property, "in the case of course materials (including syllabi) that are jointly produced and/or used by faculty--the ownership remains with the creators of the materials but a nonexclusive, no-cost right to use is granted to the university so that faculty contributing to the materials and to the course can continue to use materials even after their creator is no longer with the university or teaching the course."

The college also asked about "the case of a syllabus that was not jointly produced": "if a department wants to have other faculty also teach the course, can they require that the syllabus be shared with other faculty?" To this question Vice President Maziar took the position that a college should not "force a faculty member to allow someone else" to use his or her intellectual property. "It could be construed as plagiarism if another faculty member copied and used another's syllabus without permission and attribution."

* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate or Twin Cities Campus Assembly; none of the comments, conclusions, or actions reported in these minutes represents the views of, nor are they binding on, the Senate or Assembly, the Administration, or the Board of Regents.

Professor Cardwell was unable to be at this meeting but sent a message that in the case of his department the syllabi are "perceived to be the property of the Department and no course is developed independently by a faculty member. . . . Content of the course is open for debate by all interested and concerned faculty. Syllabus is public. Lecture notes are private." This does not represent a conflict with the intellectual property policy, in her view, Vice President Maziar said.

Professor Seashore said she was seriously concerned about the direction of thought represented by these exchanges. She said that she knows, from teaching higher education curriculum in history, that the notion that each course belongs to an individual faculty member was discarded shortly after the medieval period. What is to prevent someone teaching a core course in a small department from honing the syllabus and then leaving--and telling the department it cannot use the syllabus without plagiarizing? If there is no consensus that the syllabus is owned by the department, it is still hard to believe that the syllabus for an introductory course is proprietary. Introductory courses are based on core ideas and principles that any syllabus would embody. This discussion makes her very nervous, she said.

This topic elicited a considerable number of comments from Committee members.

-- There needs to be a balance struck and Dr. Maziar's approach achieves it, Professor Curley said.

-- One can perhaps distinguish between curriculum and syllabus, Dr. Swan said; the course catalogue contains a description of a course and has elements of a "contract" with students about what will be in it. If two faculty members teach the same course, they will have about the same content. The syllabus is the way an individual faculty member delivers the curriculum. It would make no sense to hold that a faculty member could say no one else could teach the course.

-- The exact wording of a syllabus rendered by a faculty member should not be copied and used in another course, Dr. Maziar said. Plagiarism includes changing one or two sentences, Professor Seashore said. One could hone over years language describing the purpose of a course. It would be plagiarism to paraphrase that language.

-- If the University has the right to hold a syllabus, why not also lecture notes, Professor Sampson asked? It is not uncommon (although infrequent) that a faculty member may leave the University but students in one of his or her courses may still have an I, so someone else must determine when the student has completed the course, Dr. Maziar said. The best description of the course is the syllabus, which should include performance standards and how students will be evaluated. The University needs the syllabus to deal with Incompletes and grade changes. If the lectures are meaningful and a student goes to class every day, but misses the final exam, that is a powerful rationale for a department having the lecture notes as well, Professor Sampson replied.]

Professor Odom said they receive a number of calls every year from students who ask for copies of a syllabus to see if they can receive credit for a course; they often fax copies of syllabi elsewhere. The syllabus can be very general or an individual faculty member's detailed standards for grading and performance and so on. A major reason they want copies of syllabi is to provide them to students.

Professor Newell said that when a curriculum builds on courses, the syllabus is the product of a curriculum committee. If there is no continuity in the syllabus, and they could not use a syllabus every time a faculty member left, to start over each time would be horrendous. This would be covered by the language of the policy, Professor Ahern said.

-- One can think of situations that argue either way, Professor Miller said. There are public elements of a syllabus that belong to both the student and the faculty; the syllabus serves a public function. If she were to develop a syllabus and then leave, and another faculty member were to use it without attribution, that would be unacceptable. But the common sense application of principles would solve most problems and no policy will solve all of them.

-- It is helpful to recognize that there are many different levels of faculty effort that go into syllabi, Dr. Maziar observed. Some are barebones outlines; others are 10-15 pages and are an expression of the creative work of the faculty member. She said she wants to be sure that faculty members' intellectual property rights are protected. When it is the culture of a department to share syllabi, the policy does not create a problem: the faculty are identified as joint authors. She said she wanted to be sure the University did not over-reach in claiming faculty intellectual property and the policy gives the benefit of the doubt to the faculty.

Professor Ahern said the Committee need not take any action unless it believes there is something in the answers that would be detrimental for educational policy. He said he has not heard any objection, although Professor Seashore has raised the question of plagiarism.

Professor Seashore said the answers at the meeting do not meet her concern. She has been plagiarized twice but did not pursue a claim, but she is sensitive to the issue and takes it very seriously. The position advanced at this meeting leaves a large loophole for claims. It might help to have a statement that the intellectual property issue does not imply that sharing ideas and developing course curricula are not the responsibility of the faculty member. Dr. Maziar said she would be glad to make such a clarification. Faculty collaboration in development of curriculum should be encouraged but it should also be clear that copying a significant portion of another's syllabus without attribution is plagiarism.

It is also the responsibility of faculty who develop complex syllabi to include the copyright notice on them. That helps people avoid getting into trouble.

But the "no cost right to use" provision is a powerful tool against a charge of plagiarism, Professor Sampson said. The University could copy and distribute the syllabus for administrative purposes, Professor Seashore said, but the faculty member still owns it if another faculty member uses it in a course.

The intent of the intellectual property task force, Dr. Maziar said, was that no single faculty member who participated in a jointly-developed and jointly-taught course could leave and deny others the right to use the course syllabus and materials. If the faculty member leaves, those who stay have the right to continue to use the materials to teach the course. In addition, however, if the University were to sell such a jointly-developed course via distance education, the faculty member who left would retain intellectual property rights.

There are big issues surrounding course design and teaching on the web, Professor Ahern said. In practice, how a syllabus is developed varies widely from college to college. The Committee has been asked the question about syllabi; the answer is "it depends." If it has been cooperatively developed, it is jointly owned. If developed by an individual faculty member, the faculty member owns it. The answer is the one given by Dr. Maziar, he concluded.

Professor Odom agreed but said there is one additional wrinkle. It may be that a department retains a copy of the syllabus on the web; if a student requests a copy of a syllabus, he or she might be sent a web site address. There should be discussion of what it means to say that a department has a copy "on file." If it is on a web page, the faculty member loses all control of it. That would constitute forced publication, Dr. Maziar opined, and if the faculty member had put a lot of work into it, might also constitute plagiarism.

2. Incompletes

Professor Ahern next said that there are concerns about the circumstances when I's are awarded; the practice may be less restrictive than the policy. There is wiggle room in the policy, however; the policy provides that an "I shall be assigned at the discretion of the instructor when, due to extraordinary circumstances, the student was prevented from completing the work of the course on time. The assignment of an I requires a written agreement between the instructor and student . . ." What is meant by "extraordinary circumstances, he asked?

Dr. Swan recalled that the issue had been raised by a faculty member, who asked the same question. Does the Committee wish to issue an interpretation, he inquired? Or the he and the chair could write a note to the faculty.

Noting the three options (write an interpretation, send a letter to the faculty, or let sleeping dogs lie), Professor Ahern said that unless there were dissent, he would let the dogs sleep.

3. Withdrawals

The Committee now took up a draft motion to amend the grading policy. The draft read as follows (proposed new language in CAPS):

4. If a student officially withdraws from a course during the first two weeks of classes, there shall be no record of that course registration entered on the student's transcript.

There shall be a symbol W, withdrawal, entered upon a student's record when the student officially withdraws from a course in accordance with procedures established by the student's college or campus. The W will be entered on the transcript irrespective of the student's academic standing in that course if the student withdraws from the course during the third through eighth week of class (second or third weeks of summer sessions). A STUDENT MUST HAVE THE SIGNATURES OF THE INSTRUCTOR IN THE COURSE AND HIS OR HER ADVISOR BEFORE A W WILL BE GRANTED. [At present no signature from anyone is required.]

Withdrawal in the ninth or later week of classes (fourth or later in summer sessions) shall require approval of the college and may not be granted solely because a student is failing the course; there must extenuating non-academic circumstances justifying late withdrawal.

NO STUDENT MAY HAVE MORE THAN THREE W'S ON HIS OR HER TRANSCRIPT. ANY STUDENT WHO ATTEMPTS TO WITHDRAW FROM A COURSE AFTER HE OR SHE ALREADY HAS THREE W'S WILL NOT BE PERMITTED TO DO SO.

ANY STUDENT FACED WITH AN EMERGENCY DURING A TERM MAY REQUEST OF HIS OR HER COLLEGE SCHOLASTIC STANDING COMMITTEE COMPLETE WITHDRAWAL WITHOUT RECORD.

The draft asks for a signature, Professor Newell said. Much is now done electronically; what is she supposed to sign? And where does the student take whatever it is that is signed?

The signature is not approval, Professor Ahern observed; it is to record that a conversation took place. The need for the conversation is intended to create a hurdle to withdrawing. It may be that the instructor and advisor send an email message to the Registrar. There needs to be a system, Dr. Shaw said, either electronic or paper; the Committee could wait to learn if a system can be devised before recommending the change. Perhaps college offices could have the authority to allow the withdrawal. Professor Ahern agreed the Committee should not adopt a policy that cannot be implemented.

There is no rationale provided to the student, Professor Miller observed. If the signature is not approval, what purpose does it serve? So the instructor can talk to the student? Is it just notification? If the latter, the instructor need not sign anything. The purpose, Dr. Swan said, was to ensure the student talked to the instructor about finishing the course; a student could misunderstand what he or she needs to do. Professor Odom said the advisor is a key person; the advisor can ask if the student has talked to the instructor. She said she did not see any rationale for an instructor signature. The instructor is best situated to know how the student is doing in the course and what he or she needs to do to complete it. The advisor could suggest how the student proceed, Professor Odom responded.

This proposal came on heels of the recommendation to require mid-term alerts, Professor Ahern reminded the Committee; the student reaction to the alert could be to quit--but a discussion with the instructor might identify ways for the student to complete the course.

Mr. Fitzgerald said one consideration should be whether a W would affect a student's ability to graduate in a timely fashion. That is information the advisor can provide.

Ms. Frazier said that the problem that there are many poor advisors needs to be addressed. Students must also be given credit for the ability to make decisions about their academic career. She said she understood the reasoning behind the proposal but students are admitted to the University because they are intelligent and they have the ability to make their own decisions.

Professor Curley agreed that the signatures are not approval but rather acknowledgement--and this must be made clear to students. The decision should be up to the student; the point of this proposal is to be sure they make an informed decision. The advisor and the instructor each have information the student needs.

Ms. Haas asked if the proposal would only apply to undergraduates; it would. Dr. Rovick pointed out that the grading policy applies to all colleges except Law and Medicine; the proposal must be explicit if it applies only to undergraduates.

When Dr. Shaw again emphasized the need to obtain information (perhaps from the Office of the Registrar) on the feasibility and cost of implementation of the recommendation, Professor Ahern agreed. He said that this would be burdensome, requiring students to jump through hoops, with no assurance that there would be a good educational policy outcome. Dr. Rovick said that if paper is used, the Registrar has no way of knowing if the signatures are legitimate. Unless the system is electronic, there is no way to be sure the signatures are from the instructor and advisor--and a paper system could be a nightmare for students. There would be a strong disincentive for students to forge a signature (electronic or otherwise), Dr. Maziar observed; if the instructor has not signed a form but a W appears on the grade roster, he or she will know something funny has happened. There should be notification to the instructor when the Registrar enters the W on the record, Dr. Swan said.

Why are signatures needed if there is an overall limit on W's, Ms. Frazier asked? Dr. Maziar said that in her experience it is not uncommon for a first- or second-year student to mis-gauge his or her performance in physics, for example; a bright student might receive 30% on an exam and rush to drop the course--when the 30% could be in the top 25% of the class. The opportunity for the instructor to counsel the student is useful. The feedback she is hearing, Ms. Frazier said, is that students do not understand why both elements of the proposal are needed.

Many students panic about their ability to finish the work of the course, Professor Seashore said. She counsels them to take an Incomplete and finish the work over a break.

It is too bad the University needs a policy to help advising, Ms. Frazier commented. It is a two-way street, Professor Seashore replied; students do not come in to talk to instructors, either, and that cannot be fixed with a policy, either.

It may be that both elements are not needed, Professor Ahern said. The concern is to help students finish in 4 or 5 years but also to avoid too much rigidity in the system. There are a lot of reasons students may need more than 3 W's, Professor Miller said. At-risk students could do poorly their first semester--and they would be finished at the University under this policy.

With respect to the first part of the proposal, Professor Ahern said it would be improved if there is a rationale, it is clear that permission is not being sought, and if the Committee could find out about implementation issues. Dr. Swan agreed to look into implementation.

How often do students carry more than 3 W's, Dr. Maziar asked? If the number is very small, perhaps it would be better to leave the issue to the discretion of advisors. The Committee cannot reasonably make a decision until it knows the size of the problem, she said. Dr. Swan reported that the

data demonstrate that there is a decline in graduation rate as the student's number of W's increases (separate from canceling an entire semester).

Professor Odom said she was surprised to learn, when she came to the University, that it was free for students to drop and add courses. At her previous institution, there were charges for any changes after the initial registration. She said she did not know if the ease of change was related to any problem with W's, but she had not experienced the free change before coming here. There was discussion about charging for changes, Dr. Swan said; students were strongly opposed; there are also practical questions about the ability of the system to accommodate such a practice. Moreover, the drop-add system gives departments an idea about their curriculum. There could also be a lot of exceptions--would the University want to charge a student for adding a course? Or for a change if a section is cancelled? The system is not robust enough to handle these kinds of things.

There are data: students like the ability to shop for courses, Dr. Rovick reported. And they want the first two weeks of the semester to try out a class, and to change if they do not. When students drop in and out, that could slow down their graduation, Professor Odom said; should they be required to check with their advisor? That could be a nightmare as well, Dr. Maziar said.

The Committee discussed further the idea of a limit on W's.

-- There is a need to see this in the context of other graduation and retention policies. If the University is asking students to be full time, this is a stringent rule. It would be better to phase in the changes--if a 13-credit rule is adopted, give it time and study the number of W's. Advisors fear that many students will drop out their first term.

-- It will look like the University is kicking students out, even though these rules are to help them, and it will look like the University is becoming elitist.

-- Any student should be able to apply for an exception, as with any policy, and perhaps each student should be allowed one semester of "Chapter 13 bankruptcy" so the University can accommodate mistakes.

-- Many learners come back to the University later, and may have had checkered academic careers earlier in their lives; perhaps they could be held harmless for the earlier record. If they drop out and mature, the clock could be re-started.

-- Students see this as three mulligans; it would be a good idea to have a limit.

-- If the University is going to shift gears on tuition policy and credits, that is a lot of change that should be implemented all at once. There will be a bigger safety valve and it will be very difficult to get additional change later. The University should make all the changes now and then go easy on implementation.

-- A major concern is implementation. There is no good system now to deal with W's; there is no good way to check on medical emergencies versus a student just not doing well. Students can find themselves in many odd circumstances. One option might be to beef up scholastic standing

committees. If a student really has an emergency, his or her first thought is not to go to a committee but to deal with the emergency. Right now the system is not human-friendly.

-- There are different types of W's. Perhaps there could be a W for extenuating circumstances, which would be different from a W because a student just did not do the work for a course. One symbol now covers all situations; the discussion has assumed students are "blowing off" a course so drop it. The comment about the "mulligans" suggests the assumption is true.

-- The conversation is premature. There are two opposing points--adopt changes slowly and evaluate them versus move quickly to adopt changes but be flexible in implementation--and it is not possible to tell which is better. As the University raises tuition and changes rules, the Committee needs more information.

-- The advisors generally favor limits on W's, although are not certain how to implement it; is it possible to differentiate between gratuitous W's and those caused by emergency?

Professor Ahern summarized: there will be additional language concerning rationale for the signatures (however they will be registered), and--in terms of a limit on the number of W's--there will be more discussion of the choice between easing into policy changes or adopting them all at once. The Council of Undergraduate Deans has recommended phasing in the policy changes, he reported.

It was agreed the Committee would revisit this topic at its March 6 meeting. Dr. Swan agreed that his office would provide additional information.

4. Graduation and Retention

The Committee then discussed the interaction between it and the Committee on Finance and Planning, which is looking at tuition models that might provide financial incentives for students to graduate in four or five years. Professor Ahern said he has been in touch with Professor Speaks, chair of Finance and Planning; any Senate committee can adopt any resolution it wishes. Any policy recommendation for the Senate concerning credits, however, should come from this Committee; Finance and Planning might wish to make a recommendation on tuition policy.

What is the timeline for action by the administration? The letter from the President and Provost said the deans have the authority to adopt a 13-credit rule, and expressed the view that the rule should be uniform across campuses. Other elements could be addressed in different way, Dr. Swan said. In terms of the 13-credit rule, it is assumed that students would declare themselves to be either full-time or part-time and that the rule would be applied to new students. The new rule would be effective next (Fall, 2002) semester. The Council of Undergraduate Deans has looked at a variety of tuition options; it has recommended that any change adopted apply to all students immediately.

Does the University have information about who is paying a student's tuition, Mr. Ferguson asked? If it is the parents, for example, the tuition incentive might not work. The University does not have that information, Dr. Swan said. In the survey of graduating students, however, there are questions about loans and student finances.

Professor Curley said he sees a 13-credit rule as an alternative to a tuition incentive, but would not expect the University to adopt both. If there is a 13-credit rule, why discount the 13th and subsequent credits? He said he would like to hear arguments for adopting both.

There is something missing in the rationale, Professor Sampson said. The University's graduation rates are appropriate for states that put little money into K-12 education. The "lethargic" graduation rate at Minnesota is "appalling" when Minnesota funds K-12 education well and places a high value on education. This should not be the state that has such high numbers not graduating from its university.

In terms of redundancy of policy, Professor Sampson said, he has changed his mind. The University should take both actions, he believes; there is great value in redundancy. If only one step is taken, all the focus will be on that step--and if there are changes, the effort could fall apart. It is better if there are several integrated changes in a package, rather than one choice or the other. Redundancy is an advantage. Several other Committee members agreed with Professor Sampson.

No matter the policy, Professor Seashore observed, there needs to be recognition that there will be exceptions, and some of them need to be at no cost to the student (e.g., a student with disabilities). This must be made clear, she said, and the categories need to be more clearly articulated. (For example, there may be a difference between those who are caregivers and those who have already earned a baccalaureate degree returning for additional education.)

It is not that students are lethargic, Dr. Simmons pointed out; many women, for example, find themselves in a position where they must be part-time. There are students who choose to be part-time; it is to be hoped that students who have multiple roles in life will retain that option. Professor Ahern said the starkest position the University could take is to tell students who want to be part-time that they should go elsewhere. He does not see that position taken in what has been proposed.

The University should be a national leader in accommodating all kinds of students, Professor Sampson said, but it does not get credit when it mixes together those who want to be part-time with those who want to be full-time. There is a need to separate the two (as a matter of statistics, not rejecting part-time students) and look at the graduation rate of full-time students--while at the same time helping part-time students to achieve their educational goals. Her sense is that such a distinction would also be an attempt to stop unthinking change from full-time to part-time, Professor Seashore added, so students are not full-time one semester and part-time the next.

The Committee discussed whether to endorse the letter from the Council of Undergraduate Deans. It was agreed that it would consider doing so at its next meeting.

Professor Ahern reviewed the issues for the next meeting and then adjourned this one at 3:00.

-- Gary Engstrand