MINUTES OF THE UNIVERSITY SENATE

The April 4, 1995 meeting of the University Senate was called to order by Chairperson Rafoth at 3:15 p.m. in Pratt Auditorium.

The following Senators were excused from the meeting: Bullard, Caraway, Cercone, Cunningham, Curey, Dugan, Hall, Hanrahan, Janicki, Rita Johnson, Lynch, Nowell, Pettit, Spielman, Staszkiewicz and Winstead.

The following Senators were absent from the meeting: Arnett, Bower, Buriok, Burky, Camp, Carter, Cauffiel, Chapman, Donaldson, Dougherty, Garg, Gilarski, Goldstein, Heyer, Holt, Krishnan, Lord, Marano, Mastalski, Merkezli, Mitchell, Monaghan, R. Mutchnick, Nardi, O'Laughlin, Debra Richardson, Riesenman, Rosile, Soltis, Start, Talwar, Towner, Wack, N. Wilson, Zablotsky and Zimny.

The following corrections were made to the minutes of the March 14, 1995 meeting:

Senator Black was present at the March meeting and should not have appeared as excused. The Academic Committee is seeking nominations for candidates for honorary degrees for the 1996, not 1997 as reported.

The minutes of the March 14, 1995 meeting of the Senate were then ACCEPTED.

The agenda was then ACCEPTED.

Vice Chairperson Taiani gave no report.

Chairperson Rafoth's report is attached. (ATTACHMENT A)

OLD BUSINESS (carryover from March 14, 1995 meeting)

STANDING COMMITTEE REPORTS

RULES COMMITTEE - CHAIRPERSON STINEMAN

Chairperson Stineman presented the following items for Senate information:

1. Election Results:

   a. IUP Foundation Board: Mary Beth Leideman and Allan Andrew

   b. Faculty-At-Large:

Re-elected:	New:
Faye Bradwick	Lynne Alvine
Carol Caraway	Gary Buterbaugh
Carmy Carranza	Frank Corbett, Jr.

David Foltz	Ron Juliette
Kate Hanrahan	Imogene Moyer
Jodell Kuzneski	Muhammad Numan
Russell Peterson	Robert Soule
Terry Ray	Robert Stonebraker
Darlene Richardson	Mike Williamson
Ramesh Soni	
Sharon Steigman	
Frances Stineman	
Carolyn Thompson	
Bernardette Walz	
George Walz	
John Woolcock	

c. Administrative Segment:

Two-Year Term:	One-Year Term:
Marjorie Arnett	John Blystone
Mark Anthony	Steve Ender
Joe DeCristoforo	Ed Nardi
Melvin Jenkins	Ruth Riesenman
Betsy Joseph	Hal Wingard
William Nunn	

2. By-Laws Changes

So that the By-Laws will be in conformance with prior Senate-approved changes, we have added appropriate clauses to the Membership designations of the specified Committees:

a. "One non-voting Graduate Student may be appointed by and from the Graduate Student Assembly. (Rules, Academic, Research, Student Affairs, Development and Finance, and Awards 9-13-94)

b. "One Staff Member may be elected." (Rules, Libraries & Education, Student Affairs, Development and Finance, and Non-Credit 4-7-94)

CURRICULUM COMMITTEE - CO CHAIRPERSONS MILL AND KUZNESKI

Co Chairpersons Mill and Kuzneski presented the following item for senate information:

1. Liberal Studies Report - New Course:
JN250 Women and the Press, Liberal Studies Elective

The Senate APPROVED the following changes, revisions and new courses:

1. Course and Catalog Description Change

a. From: GE 462 Planning: Development, Principles

and Theory 3c-0l-3sh

Examines the process of city planning during ancient, medieval, Renaissance, and modern periods. A review of early planning in America, as well as present city planning is included.
Prerequisite: GE 360

To: GE 462 Planning: Development, Principles and Theory 3c-0l-3sh

Seminar on contemporary debates concerning planning principles, traditions and practices. The activity of planning is investigated from several theoretical frames and analytic positions.
Prerequisite: GE 360

2. Course Revision, Number, Title, and Catalog Description Changes

a. From: MS 101 American Military History (1650-1920) (2c-1l-2sh)

A study of the relationship and impact of warfare and military forces on the development of America. This includes the interaction of American miliary forces in war and peace on the social, economic, and technological development of the United States as well as a study of strategy, tactics, and personalities involved in major wars. Also, see Leadership Laboratory.
Prerequisites: None
Corequisites: None

To: MS 101 Introduction to Military Science (2c-1l-2sh)

Study of the organization of the United States Army and the role of the military in today's society. Emphasis is on the customs and traditions of the service, the Total Army concept, and the fundamentals of leadership. Included is instruction on basic military skills, land navigation and personal nutrition and fitness. Also, see Leadership Laboratory.
Prerequisites: None
Corequisites: None

b. From: MS 102 American Military History (1920 - Present) (2c-1l-2sh)

A study of the modern evolution of American military institutions and policies and their relationship to society. Included will be studies of major wars, their strategy, and

impact as well as the personalities involved. Also, see Leadership Laboratory.
Prerequisites: None
Corequisites: None

To: MS 102 Fundamentals of Military Science (2c-1l-2sh)

Study of basic knowledge regarding military service and the profession of arms. Emphasis is on basic military skills, first aid, and the development of leadership abilities through practical exercises. Included is instruction on offensive and defensive tactics, the Army writing style, and military briefings. Also, see Leadership Laboratory.
Prerequisites: None
Corequisites: None

3. New Courses

a. SA 488 Internship (Summer)* 12sh

This course is a praticum conducted at an approved occupational setting up to 500 miles away from IUP. Students are required to conduct four major projects over the course of the summer. One project will be from each of the following areas: Safety Management, Industrial Safety, Industrial Hygiene, and Fire Protection. Students are accountable to an on-site supervisor and are required to remain in close contact with a Safety Sciences faculty coordinator. Offered in summer only.
Prerequisites: Senior standing, all required courses in major, minimum of 2.8 overall and 3.0 GPA in major, permission.

Rationale: This course number is changed to differentiate between the summer internship program and the regular fall and spring program.

* This course appeared erroneously in the catalogue as SA488 without having received formal approval.

b. JN 250 Women and the Press (3c-0l-3sh)

Explores the role of women in American journalism. Includes study of lives/careers of women journalists and their specific contributions to the profession. Emphasis on evolution of equal opportunity for women and other minorities in the American Press. Attention to the changing definition of news as influenced by the inclusion of women and minorities in editorial roles.
Prerequisites: EN 101, Sophomore Standing

GRADUATE COMMITTEE - CHAIRPERSON NASTASE

Chairperson Nastase presented the following item for Senate information:

1. Course Cross-Listing:

CE 646 as ST 646

ST 646 Interpersonal Sensitivity 3 s.h.

Participants will explore their interpersonal interaction style in groups and individually. Human potential of the students will be developed as they enter into authentic, honest, and trusting relationships within the context of a small-group experience, encouraging an examination and understanding of oneself and one's impact on others.

Rationale: This is an elective course which CE, SAHE and students from other departments have taken. There are times when more SAHE than CE students wish to take the course. Thus, the cross-listing prefix CE or ST is helpful to students during the registration process. Because of Interpersonal Sensitivity's appropriateness and relevance to the Student Affairs field, identifying it as a SAHE, as well as CE, elective is appropriate. There are no resource or class size issues because the course is currently being offered in Fall and Summer.

The Senate APPROVED the following items:

1. Minor Revision to the M.Ed. Program in Early Childhood Education

Proposal: Revise six course titles and catalog descriptions:

EE 660 Early Childhood Study Techniques and Assessment Tools,
EE 661 Early Childhood Philosophy, Curriculum, and Materials,
EE 664 Early Childhood Curriculum in Primary Grades,
EE 665 Issues in Early Childhood Education,
EE 762 Early Childhood Field Study Experiences, and
EE 766 Evaluation of Programs for Young Children.

Each of these is, and would remain a three-credit course. The total number of hours required for the M.Ed. in Early Childhood would remain the same, 33 semester hours for the thesis option, 36 for the non-thesis option.

The only other change to the program is the addition of elective courses. Two additions to the research course electives include ED 698 Research Seminar in Reading and EE 766 Early Childhood Program Evaluation. The following course has been added to the list of subject area electives: EL 750 the Acquisition of Literacy. The Mathematics Department has re-prefixed/re-numbered the Mathematics elective from MA 550 to EM 655.

Summary of Program Revisions:

Required Courses: (No difference between old and new programs)

Humanistic Studies (3 s.h.)
One of the following is required:
FE 514 Comparative Foundations of Education,
FE 611 Historical Foundations of Education,
FE 612 Philosophical Foundations of Education, or
FE 613 Social Foundations of Education

Behavioral Studies (3 s.h.)
One of the following is required:
EP 576 Behavior Problems,
EP 578 Learning,
EP 604 Advanced Educational Psychology, or
CE 629 or 639 Group Procedures

Research (3 s.h.)
GR 615 Elements of Research is required.

Required Early Childhood/Elementary Courses
(Course title/description changes only):
EE 660 Child Study and Assessment
(formerly Child Study Techniques and Assessment Tools)
EE 661 History and Philosophy of Early Childhood Education
(formerly Early Childhood Philosophy, Curriculum and Materials)
EE 664 Early Childhood Curriculum
(formerly Curriculum in the Primary Grades)
EE 665 Issues and Trends in Early Childhood Education
(formerly Issues in Early Childhood)
EE 762 Early Childhood Field Study
(formerly Early Childhood Field Study Experiences)
EL 655 Recent Trends in Human Development and Learning

Electives (Those shaded have been added to the list):

Subject Area Electives:
EL 643 Resource Materials in Elementary Science
EL 644 Recent Trends in Language Arts
EL 647 Resource Materials in Children's Literature
EL 648 Creativity and the Elementary School Child
EL 750 The Acquisition of Literacy
EM 655 Mathematics in Early Childhood (replaces MA 550)
EX 631 Psychology of Exceptional Children and Youth
EX 664 Preschool Education of the Handicapped
HE 527 Administration of Child Development Centers

Added to Research Electives:
ED 698 Research Seminar in Reading
EE 766 Early Childhood Program Evaluation

Total Program Credits:
Non-thesis option: 36 semester hours of coursework

Thesis option: 30 semester hours of coursework, 6 credits of thesis

Rationale: In 1992, the graduate Early Childhood Program underwent a preliminary review by NCATE, our national teacher education accrediting agency. The reviewers made several recommendations that have a direct bearing on course titles and descriptions. In addition, the proposed course title and description changes more clearly reflect our child-centered philosophy. All of the 600 level EE prefix courses are Master's level; all of the 700 level EE prefix courses are advanced Master's level courses and electives in the Education Doctorate program.

The Early Childhood Committee of the Department of Professional Studies in Education has met several times to discuss these curricular revisions and ways of responding to our accrediting agencies' recommendations for improvement. In every case, the changes we propose fall into the category of "fine tuning" an existing course to make it more up-to-date in terminology. None of the proposed changes constitute a major reconceptualization of the course content. These changes do not affect the total number of credits required, the course numbers, the recommended course sequence, or the original intent of the courses. Rather, these changes will result in a clearer progression for the professional development of our majors. In 1993, the program folio earned approval, both from NCATE and from the National Association for the Education of Young Children.

Because this proposal is limited to minor revisions to course titles, descriptions, and program electives, there is no effect on current resource allocations.

2. Course Name and Course Description Changes:

a. From: EE 660 Early Childhood Study Techniques and Assessment Tools 3 s.h.

Designed to provide the student with a specific method of studying children from three through eight years. Students learn to observe, record, and analyze pertinent information and to suggest ways to help children toward positive self-development.

To: EE 660 Child Study and Assessment 3 s.h.

Designed to introduce students to issues and strategies affecting the evaluation of the 3-8 year-old child's physical, social, emotional, cognitive, and aesthetic development. Students will conduct a case study of a young child that includes naturalistic observation, checklists, rating scales, tests, and portfolio assessment of children's work.

Prerequisites: EL 655 Recent Trends in Human Development and Learning or equivalent.

Rationale: There are two major considerations in the redesign of this course. First, we are bound by Pennsylvania standards to involve students in an in-depth observational study of a child's development (commonly referred to as a case study). Secondly, the course has historically devoted a considerable amount of time to a survey of formal, published, standardized assessment tools that are commonly administered in schools. That second emphasis is outdated and inappropriate in light of recent trends. Early childhood assessment has changed dramatically in recent years. During the past three years, four major organizations in the field of education have been highly critical of the use of standardized tests with young children and have called for more holistic, outcomes-based assessment strategies. These organizations include the National Association for Childhood Education International, the International Reading Association, and the National Association of State Boards of Education. Revisions to the course title and description reflect these current trends.

b. From: EE 661 Early Childhood Philosophy, Curriculum and Materials 3 s.h.

Introduces students to philosophy and historical background of preschool education and their influences on current programs and curriculum. Curriculum patterns and strategies, including available materials, for schools for the younger child are introduced and evaluated.

To: EE 661 History and Philosophy of Early Childhood Education 3 s.h.

Introduces students to the historical and philosophical foundations of the field of early childhood education. Major historical events, social trends, and philosophical perspectives from around the globe that have shaped the education of the very young will be addressed. Students will examine contemporary circumstances in early childhood education in terms of the time-honored traditions and important insights from leaders in the profession.

Rationale: This course has become cumbersome with history, philosophy, curriculum, and materials all combined into a single course. The NCATE review team recommended that we have a stronger history/philosophy component. Narrowing the focus of the course would achieve this goal.

c. From: EE 664 Early Childhood Curriculum in Primary Grades 3 s.h.

Based on developmental levels of children, students learn the appropriate concepts and strategies which should be included in the primary grade component of early childhood.

To: EE 664 Early Childhood Curriculum 3 s.h.

Examines the developmental continuity of educational programs for the young child, ages 3 through 8. Materials, strategies, concepts, and learning experiences that are suited to each child's developmental level will be selected, planned, applied, and evaluated by students.

Rationale: One of the most recent trends in early childhood education today is the push for developmental continuity. Put simply, this means that programs are geared to the children's developmental levels rather than arbitrarily determined by chronological age. The title of this course, which focuses on grade level, is obviously out of synchrony with the times. Moreover, we have added early childhood faculty with specialized expertise in curriculum and developmentally appropriate practice.

d. From: EE 665 Issues in Early Childhood Education 3 s.h.

Focuses on the major controversies facing the early childhood educator. Opposing viewpoints will be presented for review, reaction and debate. Students are encouraged to establish priorities and clarify value systems to arrive at solutions to critical issues.

To: EE 665 Issues and Trends In Early Childhood Education 3 s.h.

Designed to provide early childhood educators with a child advocacy perspective on contemporary social forces, professional issues, and public policy trends affecting young children. Students will develop skills in identifying key issues using problem-solving strategies, communicating ideas, and functioning as change agents within educational institutions. Interpersonal skills and collaborative relationships with colleagues, administrators, politicians, parents, and community agencies will be emphasized.

Rationale: Based on the NCATE preliminary review, recommendations were that we give greater attention to social, political, and public policy issues in our early childhood programs. Most importantly, we now have a leading scholar in child advocacy to teach such a course in this department.

e. From: EE 762 Early Childhood Field Study Experiences

3 s.h.

Includes direct observation and teaching in early childhood programs. Seminar sessions are directed toward the study of appropriate strategies with immediate application to children. Students are expected to meet the individual needs of children they are teaching. Close supportive relationships with parents and community are stressed.
Prerequisites: EE 660, EE 661 and EE 664

To: EE 762 Early Childhood Field Study 3 s.h.

Emphasis on the role of early childhood theory and research on classroom practice. Students will observe, participate, and collect field notes in an early childhood setting. Findings will be synthesized in a written report and presented to the class.
Prerequisites: EE 660, EE 661 and EE 664

Rationale: This course was originally designed to give elementary school educators who enter the early childhood program at the master's level some practical experiences in early childhood settings. In view of the fact that this course is designated as a 700-level offering, we feel that the intellectual rigor of the course should be upgraded from observation/participation in early childhood classrooms to applied research conducted in early childhood classrooms.

f. From: EE 766 Evaluation of Programs for Young Children 3 s.h.

Analysis of extant early childhood programs. Examination of early intervention projects and materials; review of research findings and implications; cross-cultural comparisons of preschool programs.
Prerequisites: EE 661, 664, or permission of instructor

To: EE 766 Early Childhood Program Evaluation 3 s.h.

Emphasizes the study and evaluation of programs designed for preschool through the primary grades. Students will assess early childhood curricula, review relevant research, and use evaluation frameworks to assess program quality. Cross-cultural comparisons of early childhood curricula in the United States and programs from other cultures and nations will be studied.
Prerequisites: EE 661, EL 655, EE 664, or permission of instructor.

Rationale: One of the major trends in education today is a

focus on cultural diversity and a recognition of the importance of multicultural perspectives. Over the years, this course has expanded from the evaluation of programs in the United States to cross-cultural comparisons of early childhood programs around the globe. We would like the course description to more clearly reflect this change. This change is in response to the guidelines set forth not only by NCATE but also the National Association for the Education of Young Children.

Additionally, several of our early childhood faculty have become involved in international travel and speaking engagements and this is a rich resource for the teaching of a course on program evaluation from a global perspective.

LIBRARY AND EDUCATIONAL SERVICES COMMITTEE - CO CHAIRPERSONS MICCO AND SONI

Co Chairperson Micco presented the following items for Senate information:

The following appendices are provided as information on the means for implementation of the Copyright Policy approved by the Senate.

A PPENDIX A
G UIDELINES FOR FAIR USE OF COPYRIGHTED MATERIALS

These guidelines are provided to assist the University community in understanding and conforming to the legal constraints of the federal copyright law.

General Principles of Fair Use:

Within the copyright law exists the doctrine of fair use, which sets certain limitations on the exclusive rights of producers of copyrighted materials and allows a reasonable amount of reproduction of copyrighted works without the payment of royalty and copyright owner's permission.

The concept of fair use is presented as section 107 (Limitations on Exclusive Rights) of the copyright laws. This law provides that the controlled reproduction of copies of copyrighted materials for the purposes of teaching and classroom use, criticism, commentary, reporting, scholarship, and research is not an infringement of copyright laws. Four general guidelines have been established to determine the limits of fair use. Quoting from the text of Section 107 of Title 17, The United States Code,

1.The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes.

2.The nature of the copyrighted work.

3.The amount of substantiality of the portion used in relation to the

copyrighted work as a whole.

4. The effect of the use upon the potential market for, or value of, the copyrighted work.

Fair Use Guidelines for All Duplication:
(as stated in Circular 21, "Reproductions of Copyrighted Works by Educators and Librarians" of the Copyright Office of the Library of Congress (1991), p. 11.)

1. Copying shall not be used to create, replace, or substitute for anthologies, compilations, or collective works.

2. There shall be no copying of "consumable works" in the course of study or teaching. "Consumable works" include workbooks, exercises, standardized tests, booklets, and answer sheets.

3. Copying shall not substitute for the purchasing of a work including but not limited to books, publishers' reprints, or periodicals.

4. Copying shall not be directed by any person of authority or be repeated with respect to the same item by the same teacher for more than one course term without the expressed consent of the copyright holder.

5. No charge shall be made to the student above the actual cost of the copy.

6. Works rented or previewed shall not be copied.

7. Unless public performance rights have been acquired, no admission fees or rental fees, either direct or indirect, can be collected.

8. Display or performance of a title cannot be done in violation of any specific constraints imposed by a purchase, lease, or rental contract.

Fair Use Guidelines for Copying from Books and Periodicals:
(as stated in Circular 21, "Reproductions of Copyrighted Works by Educators and Librarians" of the Copyright Office of the Library of Congress (1991), pp. 10-11.)

A. Single copying for teachers:

A single copy of a copyrighted work may be made by or for a teacher for the purpose of study, scholarly research, or use in teaching. The following copies are permissible:

1. A chapter from a book.

2. An article from a newspaper or a periodical.

3. A short story, short essay, or poem, whether or not from a

collective work.

4. A chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

B. Multiple copying for classroom use:
(as stated in Circular 21, "Reproductions of Copyrighted Works by Educators and Librarians" of the Copyright Office of the Library of Congress (1991), pp. 10-11.)

Multiple copies of a copyrighted work may be made if the duplication does not exceed one copy per student and provided that:

1. The copying meets the test of "brevity."

a. In case of poetry, a complete poem of fewer than 250 words printed on no more than two pages or an excerpt from a longer poem not to exceed 250 words.

b. In cases of prose, an article, story, or essay of less than 2,500 words or an excerpt from a prose work not exceeding ten percent of the work or 1,000 words, whichever is less; CORRECTION REQUIRED HERE.

c. In cases of illustrations, one per book or article.

d. In cases of special works (poetry and/or prose that combines language and illustrations, such as a children's book), the work may not be reproduced in its entirety; however, excerpts of not more than two pages of such special works and containing not more than ten percent of the work may be reproduced.

2. The copying meets the test of "spontaneity."

a. Copying that is at the inspiration of the teacher.

b. The decision to use the work and the moments of its use are so close that time to obtain permission from the copyright holder is unavailable.

3. The copying meets the "cumulative effect" text.

a. The material copied is for use in one course. (A course may include multiple sections.)

b. No more than one short poem, article, story, or essay or two excerpts of the above shall be copied from the same author, nor more than three copies from the same collective source during one course term.

c. No more than nine instances of multiple copying during the period of one course term.

[The limitations stated in b & c above shall not apply to current

news periodicals and newspapers and current news sections of other periodicals.]

4. The first page of each reproduced copy must state that "this material was reproduced according to the fair use guidelines set forth in the Federal copyright (Title 17 U.S. Code). Photocopying from this copy is expressly prohibited by law."

Fair Use Guidelines for Audiovisual Materials:

The copying of audiovisual materials will be guided by the general principles of "fair use" and the applications previously suggested for print materials.

Audiovisual materials are not exclusively limited to films, videos, slides, and transparencies. Preassembled bulletin boards, learning packets, story books with recordings, and compact discs all fall under the category of audiovisual material and may be protected by current copyright laws.

Fair Use Guidelines for Sound Recordings and Music:

Guidelines for sound recordings and music include the following:

A. A single copy of a copyrighted sound recording may be made from sound recordings owned by the University or an individual teacher for the purpose of constructing aural exercises or examination. The copy shall be retained by the University or individual teacher.

B. A single copy of recordings of performance by students may be made for the purpose of evaluation and may be retained by the teacher or department providing the appropriate authorization form has been obtained. See Appendix C.

C. Printed copies of music which have been purchased may be edited or simplified, provided that the fundamental character of the work is not distorted or the lyrics altered or added.

D. University-owned recordings shall not be transmitted by any unlicensed broadcast means.

E. Copyrighted music may be copied if it is emergency copying to replace purchased copies which are not available for an imminent performance. Purchased replacement copies shall be substituted as soon as possible.

F. Single copies of an entire work may be made for purposes other than performance, provided the copyright holder has confirmed that the work is out of print or is available only in a larger work.

G. Multiple copies of excerpts may be duplicated for classroom purposes if the excerpts in no case compose an entire performable unit and in no case exceed ten percent of the entire work and if

not more than one copy per student is made.

Prohibitions in the copying of music are essentially the same as those for printed materials. Sound recordings consist of all audible recordings and are not limited only to those of music.

Fair Use Guidelines for Theses and Dissertations:

Any thesis or dissertation may be copied, provided that it does not bear a notice of copyright. If it bears a copyright, it may be photocopied from a hard copy only after the author's permission is procured. Theses and dissertations that have been published by University Microfilms International are subject to the same copyright regulations as books and periodicals. All public domain, Federal, State and local publications and research reports funded with public moneys may be duplicated without restriction.

Fair Use Guidelines for Unpublished Works:

All unpublished works and works of art are under protection of copyright from the moment they are created. Accordingly, all unpublished works are subject to the same copyright regulations as books and periodicals.

Fair Use Guidelines for Library Reproduction and Archival Function:
(as stated in Circular 21, "Reproductions of Copyrighted Works by Educators and Librarians" of the Copyright Office of the Library of Congress (1991), pp. 15-16.)

The library may reproduce library materials according to section 108 of the federal copyright law when there is no intent of commercial advantage, when the material is available to the public and when the reproductions include a notice of copyright.

Various titles owned by the University may be copied by the library in order to guarantee their security and preservation. The original shall be placed in an archive as a master, and one copy shall be placed in circulation.

Single copies of copyrighted works may be made to acquire an out-of-print title that cannot be obtained through normal channels.

Fair Use Guidelines for Interlibrary Loans:
(as stated in Circular 21, "Reproductions of Copyrighted Works by Educators and Librarians" of the Copyright Office of the Library of Congress (1991), pp. 21-23.)

Copying for interlibrary loan purpose is not done "in such aggregate quantities as to substitute for a subscription to or purchase of such work."

A. The interlibrary loan department shall not submit more than five requests for photocopies of articles from a particular periodical title if those requests are from issues published within the last

five years. No restrictions are placed on the number of photocopies of articles requested for materials exceeding five years.

B. No more than five requests for copies of excerpts of any given work shall be made during a calendar year (January 1 to December 31).

C. The library shall state that its requests comply with the Copyright Act and shall retain request records for a three-year period.

When copying is not permissible under the provisions of the copyright law, permission to copy copyrighted materials shall be obtained before said materials may be reproduced.

All copies made by the Interlibrary Loan Department shall bear the following copyright notice:

"Notice: This material may be protected by copyright law (Title 17, U.S. Code)."

This notice shall be stamped on the first page of the copied item.

Interlibrary loan order forms shall include an Order Warning of Copyright. This notice shall be displayed where orders are accepted for interlibrary loans.

Fair Use Guidelines for Library Reserve Materials:

A. The library may place one photocopy of a periodical article per issue or one chapter from a book on faculty reserve.

B. Library Reserve may shelve additional copies provided by faculty so long as the faculty member provides adequate reassurance in writing that the copies conform to the copyright laws or that written permission from the copyright holder has been obtained.

C. Media titles may be placed on reserve in Media Resources or the Music Library if they are legal copies with appropriate markings and identification.

D. Copies of copyrighted materials shall not be retained on reserve for more than one semester for any faculty member unless the library receives assurance from the faculty member that permission to reproduce and distribute copies in this fashion has been granted by the copyright holder and that said reproduction is in accordance with all copyright laws.

E. The following notice of copyright shall be placed on all photocopied materials housed by the library: "Notice: This material may be protected by copyright law (Title 17 U.S. Code)."

F. A display "Warning of Copyright" shall be posted wherever reserve

materials request forms are accepted. The notice should follow this suggestion: "Notice: The copyright law of the United States (Title 17, U.S. Code) governs the making of photocopies or other reproductions of copyrighted material; the person using this equipment is liable for any infringement."

G. Photocopies of "consumable works" shall not be placed on reserve.

H. No books or materials obtained through interlibrary loan shall be placed on reserve.

I. No books or original materials obtained through interlibrary loan shall be placed on reserve.

Fair Use Guidelines for Copyright Guidelines for Broadcast Programming for Educational Purposes:

With the availability of video recording equipment, copying of television broadcast programming for the purpose of replaying an educationally relevant program in a classroom at a convenient time has become a common practice.

On October 14, 1981, the "Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes" , produced by the Kastenmeir Committee, were entered into the Congressional Record. These guidelines are listed below.

A. An educational institution may tape a program and retain it for forty-five calendar days provided that:

1. Such recordings are used only once for teaching and repeated only once in the first ten class days following taping.

2. After ten class days, the tape is used in the classroom only for teacher evaluation, i.e., only to decide to include the program in a curriculum after receiving permission from the copyright owner.

3. Videotapes are returned to the library to be erased or destroyed after the forty-five-day period unless a legal copy is being obtained. The names of high-quality programs should be submitted for potential purchase by the University.

4. Taping of broadcast programming is done only in response to a request from an individual teacher and not in anticipation of such a request.

5. All recordings include the copyright notice of the broadcast.

6. Additional copies reproduced to meet legitimate teaching needs are subject to all provisions governing the original. Recordings need not be copied in their entirety, but the original content shall not be altered, combined, or merged into anthologies or compilations.

B. No editing will be done when copying is performed by Media Resources. Advertisements and other "extras" shall appear as broadcast.

In the 1984 Universal vs. Sony decision, the Supreme Court limited legal copying from television at home to personal use in order to fulfill time shifting needs (i.e., not being at home or more than one program running at the same time). This decision does not legalize the use for instruction.

Fair Use Guidelines for Performance Exhibition/Home Use Video:

Section 110 of the federal copyright law exempts classroom teachers from the public performance restrictions of "home use" video for the purpose of face to face classroom instruction.

Teachers/trainers in nonprofit educational institutions may use videocassettes designated for "home use" as part of their instructional program. "Home use" videos are usually more popular titles retailed or rented for personal or family use through local video stores and supermarkets. This is enabled by section 110 of the federal copyright law which exempts media utilization by classroom teachers from the public performance restrictions.

Library use is also exempt, since the library is a regular place of instruction for both classroom groups and individual students. Furthermore, by extension, since students live on campus, viewing by individuals and small 'familial' groups is permitted in the library under the 'home use' restriction if the viewing is in a private area such as a study carrel or a small room.

These "home use" videos shall not be used as a part of non-instructional or enrichment programs that are open to the public. Public-performance-right materials need to be leased or rented.

Fair Use Guidelines for Computer Software

The policy covering computer software is found in Appendix E.

APPENDIX B: SAMPLE DUPLICATION REQUEST FORMS

I. SAMPLE REQUEST FOR PERMISSION FOR AUDIO VISUAL MEDIA

Month Day, 19--

Permission Department
ABZ Company
451 Main Street
Sometown, PA 00001

Dear Sir or Madam:

I would like permission to duplicate thirteen frames from one of your film-strips. These frames, showing tribal hunting costumes will be combined for presentation with additional slides from my personal collection.

Title: INDIANS OF CENTRAL PENNSYLVANIA
Collaborator: Joseph Joseph

Material to be Duplicated: Frames seven through nineteen.

Reproduction Type: Color slides.

Use: The slides will be used to supplement my lecture in PA History 102.

A self-addressed envelope and a copy of this letter for your files are enclosed for your convenience.

Please let us know what conditions, if any, apply to this use.

Sincerely,

John Adams
Associate Professor
History Department

Permission granted _____
Signature Date

Conditions, if any:

B. II. SAMPLE REQUEST FOR PERMISSION FOR PRINT MEDIA

Month Day, 19--

Permission Department
Library Book Company
301 Philadelphia Street
Sometown, PA 00001

Dear Sir or Madam:

I would like permission to duplicate the following for classroom use.

Title: RECRUITING ACADEMIC FACULTY,
Second Edition

Copyright: Library Book Company, 1989

Author: Eric McMillan and Diane Smith

Material to be Duplicated: Pages 23, 24, 25, 26, and 57
(photocopies enclosed), all in Chapter One.

Number of Copies: 50 each semester -
total 150 copies.

Use: Photocopies shall be distributed free to class students.

A self-addressed envelope and a copy of this letter for your files are enclosed for your convenience.

Sincerely,

Mildred Jones
Office of the Academic Vice President

Permission granted _____
Signature Date

Conditions, if any:

APPENDIX C: STUDENT AUTHORIZATION FORMS

I. SAMPLE STUDENT AUTHORIZATION FOR VIDEO/AUDIO RECORDING

I authorize Indiana University of Pennsylvania to record by audio or video tape my presentation as described:

Topic

Time

Place

The recording shall be used by IUP for educational purposes either in classrooms, or for research. It may be made available for use through an individual teacher/researcher or be available through the University Library and Media Resources.

I authorize the use of my name and program title for the identification of such program.

The University use shall extend to:

_____

Signature

Date

Use of this form does not preclude the requirement to gain approval from the Institutional Review Board for the Protection of Human Subjects (IRB) for all research involving human subjects.

C. II. SAMPLE STUDENT AUTHORIZATION FOR USE OF WORK

I authorize Indiana University of Pennsylvania to utilize my work as described:

Topic

Time

Place

The work shall be used by IUP for educational purposes either in classrooms, or for research. It may be made available for use through an individual teacher/researcher or be available through the University Library and Media Resources.

I authorize the use of my name and program title for the identification of such program.

The University use shall extend to:

_____

Signature

Date

Use of this form does not preclude the requirement to gain approval from the Institutional Review Board for the Protection of Human Subjects (IRB) for all research involving human subjects.

APPENDIX D

BIBLIOGRAPHY

"National and Model Interlibrary Loan Codes (1980)." (1993). American Library Association in American Library Directory, (46th ed.) 2 vols., 1993-94. New York: R.R. Bowker, pp. 2369-2372.

Reed, M.L. (1987). The Copyright Primer for Librarians and Educators. Chicago: American Library Association; and Washington, DC. National Education Association.

Johnston, D.F. (1982). Copyright Handbook (2nd ed.). New York: R.R. Bowker

U.S. House of Representatives. (1981, October 14). "Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes." Congressional Record. Washington, DC. Government Printing Office, pp. 24048- 24049.

Copyright Office, Library of Congress. (1978). Reproduction of Copyrighted Works by Educators and Librarians. (Circular R21, No. 261-023/75). Washington, DC. Government Printing Office.

APPENDIX E

POLICY STATEMENT

Subject:
COMPUTER SOFTWARE POLICY

Date:	Distribution Code:	Reference Number:
May 19, 1989	A	

Addition	Originating Office:	President's Approval
Deletion	Vice President for	
New Item X	Finance	

1. PURPOSE: To establish a computer software policy for the University.

2. SCOPE: This policy applies to the entire University community.

3. OBJECTIVE: This policy is designed to ensure that the University is in legal and ethical compliance in its acquisition and use of commercial educational and administrative computer software.

4. POLICY: It is the policy of Indiana University of Pennsylvania that contractually protected and/or copyrighted computer software shall not be improperly copied, distributed, or used by its employees, students, or affiliated organizations.

4.5 NOTES: Fair Use Provisions:

The above policy statement recognizes that the application of the fair use doctrine to computer copyrights is an unsettled area of the law at this time. Therefore, a distinction between academic and administrative use of software and specifications of the condition(s) for entering software license agreements has not been made.

Code of Ethics:

This policy has sympathy for the concept that those who create an intellectual product should be fairly compensated for that product. Further, it recognizes that ". . . respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to

acknowledgement, right to privacy, and right to determine the form, manner, and terms of publication and distribution . . ." The policy also recognizes that users too have rights, and that ultimately the ethical use of software involves a balance between the competing interests of users and vendors.

5. DEFINITIONS:

University Community: All full and part-time University employees, including faculty, students and staff, as well as the employees and members of affiliated organizations of the University.

Affiliated Organizations: Those organizations integrally connected with IUP such as the Student Co-op Association, Foundation for IUP, recognized organizations as defined by the University, and the Alumni Association.

Supervisor: One who is responsible for another; such as faculty with regard to students, deans with regard to faculty, and managers or supervisors with regard to staff employees.

6. RESPONSIBILITIES:

University Community:

It is the responsibility of each member of the University community to adhere to this policy and to enforce it with regard to those they supervise. If any member of the community has a question regarding the propriety of using software, s/he is responsible for contacting his/her supervisor for direction. The supervisor may in turn refer the question to the Director of Academic Computing of the ISCC for a decision on what constitutes proper use.

Director of Academic Computing Services:

Responsible for policy interpretation by providing responses to specific questions that arise regarding the definition of proper use and the applicability of the policy.

Associate Vice President for Computing:

Appeals of policy interpretation will be reviewed and a decision rendered.

7. PROCEDURES:

Specific questions of propriety, definition and

applicability that arise are to be submitted in writing to the Director of Academic Computing Services. A written response will be issued in a timely manner. Copies of the decision will be forwarded to the office of the Associate Vice President for Computing where an official file will be maintained.

Any appeals are to be addressed in writing within ten working days to the Associate Vice President for Computing. Each appeal will be reviewed by the Associate Vice President who will seek legal advice as necessary, and render a decision in a timely manner.

Individual members of the University community who are found to be improperly making or acquiring unauthorized copies or who are improperly using computer software will be confidentially notified by their supervisor of the policy and its application in the particular case, and instructed to comply.

Once a decision is made and options for compliance provided, the individual will be expected to comply, subject to standard University disciplinary practices. In addition, failure to comply may subject the individual to criminal prosecution and/or civil suit under State and/or Federal law.

A simplified version of this policy will be placed in the student handbook and in each of the public computing laboratories. It will be emphasized that if users have any questions regarding proper use, they should ask their supervisor.

8. RECISION: With the adoption of this policy, the interim computer software policy for IUP approved by the University Senate April 14, 1987, is rescinded.

9. PUBLICATIONS
STATEMENT: It is the policy of Indiana University of Pennsylvania that contractually protected and/or copyrighted computer software shall not be improperly copied, distributed, or used by its employees, students, or affiliated organizations.

10. DISTRIBUTION: Code A - all employees.

_____(End of Appendices)_____

The Senate APPROVED the following Copyright Policy:

COPYRIGHT POLICY

I. PURPOSE:

To establish a copyright policy for the University in accordance with the copyright laws of the United States and the observance of the law as it has evolved.

The overriding concern of laws governing copyright is to assure that the creator(s) of informative and creative works receive compensation for the fruits of their labors. Copyright is violated whenever the intent of copying can be interpreted as avoiding purchase. However, educational institutions and especially faculty and libraries have received special consideration in sections 107 and 108 of the copyright law.

II. POLICY:

It is the policy of Indiana University of Pennsylvania that all members of the IUP community make a good faith effort to adhere to the legal constraints of the Federal Copyright Law and subsequent interpretations as outlined in the attached guidelines. The text of the law is contained in the statutes of the Ninety fourth Congress(Public Law 94-553) and further additions are to be found in revised editions of the United States Code.

Illegal copies are not sanctioned for use in any University activity or facility such as classrooms, offices or libraries.

III. DEFINITIONS:

Copyright:

A constitutionally conceived property right which is designed to promote the progress of science and art by securing for the author of informative and/or creative works the benefits of his or her original work for a specific period of time.

Copyright laws give the author/owner of original works exclusive rights to do any of the following:

1. Reproduce the copyrighted work.

2. Prepare derivative works.

3. Distribute copies by sale or other transfer of ownership or by rental, lease, or lending.

4. Perform or display the copyrighted work publicly in the cases of

literary, musical, dramatic, or choreographic works; pantomimes; motion pictures and other audiovisual works; or works of art.

Copyright laws cover books, journals, newspapers, sound recordings, audiovisual materials, computer programs, literary works, art, choreography, drama, and music. Use of such materials may be governed by licenses and/or contracts in addition to the provisions afforded by the copyright laws. Copyright laws do not cover ideas, mathematical formulas, measuring devices, blank forms, works of the U.S. government, and works in the public domain.

Duration of Copyright:

For works copyrighted prior to January 1, 1978, the copyright law retains the present term of copyright for twenty-eight years from its first publication and/or registration. This term is renewable for a second period of protection for a term of forty-seven years. Copyrights in their first term must be renewed to receive the maximum term of seventy-five years, but copyrights in their second term between December 31, 1976, and December 31, 1977, are automatically extended to the maximum seventy-five years without the need for renewal.

Works created after January 1, 1978, are protected under copyright laws for the lifetime of the author, plus an additional fifty years after the author's death.

Once a work is considered in the public domain, copyright cannot be restored.

Employees/staff:

Anyone on the University payroll.

Faculty/faculty member:

Group of people or person who teaches a class in an IUP related program.

IUP Community:

For purposes of this policy, anyone who uses University resources and services.

Library/libraries:

Any unit of the University Library or Media Resources (Stapleton, University School, Cogswell, and branch campuses).

Public performance:

Any performance or display at a place open to the public or any place

where a substantial number of persons outside of a normal circle of family and its social acquaintances is gathered.

IV. RESPONSIBILITIES:

A. Individuals

While recognizing that the law is complex and rapidly changing, each member of the IUP University community is responsible for making a sincere effort to ensure compliance with fair use practices.

B. Owners of Copying Machines:

Any University Department, office or administrative unit (including the Print Center) with a photocopier is responsible for:

1. Placing the following notice on or near the copying machine in plain sight: "The copyright laws of the United States (Title 17, U.S. Code) governs the making of photocopies or other reproductions of copyrighted materials. The doctrine of fair use (section 107) permits certain limited copying of copyrighted works for educational or research purposes without the permission of the copyright owner. This fair use is a limited exception, which, if exceeded, can subject the person making unauthorized copies and the University to severe penalties. If in doubt please refer to the IUP Copyright Policy which includes guidelines for fair use. A copy is available in this office."

2. Maintaining a copy of this IUP copyright policy in an accessible place convenient to the copier.

C. Faculty Making Multiple Copies for Classroom Use

In addition to observing the fair use guidelines for Multiple Copying for Classroom use, faculty must ensure that the first page of each reproduced copy states:
"This material was reproduced according to the fair use guidelines set forth in the Federal copyright (Title 17 U.S. Code). Photocopying from this copy is expressly prohibited by law."

D. Faculty Making Audio or Video recordings of student work.

In addition to observing the fair use guidelines for Audio or Video Recordings, faculty must obtain written authorization to make the recordings and should specify the conditions under which they will be used. See Appendix C for a sample form.

E. Library Director

The Library Director will be responsible for maintaining and updating the Guidelines for Fair Use of Copyrighted Materials as changes occur.

F. Library-Interlibrary Loan Department:

In addition to observing the fair use guidelines for Library Reproduction, Archival Functions and InterLibrary Loans, the Library is responsible for ensuring that all copies made by the InterLibrary Loan Department shall bear the following copyright notice:

"Notice: This material may be protected by copyright law (Title 17, U.S. Code)."

This notice shall appear on the first page of the copied item.

Interlibrary loan order forms shall include a Warning of Copyright Obligations. This notice shall be displayed where orders are accepted for interlibrary loans.

G. Library and Media Resources and/or Printing Center- Reproduction Services

Library/Media Resources and the University Printing Center Reproduction Services are responsible to the best of their ability for ensuring that:

1. These guidelines are observed for all copying done in their facilities.

2. All work submitted in excess of these guidelines be accompanied by documented permission from the copyright holder.

V. PROCEDURES:

A. Handling questions

Questions concerning library applications can be addressed to the Director of Libraries. Questions concerning University Printing Center applications can be addressed to its director. Questions about computer software can be addressed to the Associate Provost for Information Technology.

B. Seeking permission from copyright holders

In the course of duplicating certain copyrighted materials for classroom purposes, it may be necessary to seek permission from the copyright holders when the duplication falls outside of the parameters of fair use. A sample letter requesting copyright permission is included in the appendices.

Once the copyright holder has been determined, the following information shall accompany any request for permission to duplicate copyrighted materials:

1. Title, author, and/or editor and edition of material to be

duplicated.

2. Page numbers, chapters, amount of pages, and a photocopy of material to be duplicated.

3. Number of copies.

4. Use of the copies (teaching, conference, research).

5. Whether or not the material is to be sold.

6. Type of reproduction.

This request should be sent to the copyright holder and/or the permissions department of the publisher, accompanied by a self-addressed stamped envelope. It is advised that permission be requested to duplicate copyrighted material well in advance of the anticipated use of the material. Once a reply is given, it is advised that the response be filed for future reference and verification.

C. Granting permission for IUP copyrighted materials

Permission to reproduce articles, illustrations, charts, and all other content, from Indiana University of Pennsylvania copyrighted journals, should be secured in writing from the editors of the individual journals. Journal editors may, in some cases, require the payment of a fee for permission to reproduce materials.

Permission to reproduce articles, illustrations, charts, and all other content, held by Indiana University of Pennsylvania, is granted by the issuing department or unit of the University.

In instances where the University holds the copyright and there is no existing unit or department currently representing the copyright, the Provost shall be the granting authority.

VI. RECISION:

The existing Copyright Policy and practices are hereby replaced. No other policies are affected.

NON-CREDIT COMMITTEE - CHAIRPERSON NOWELL

No report.

RESEARCH COMMITTEE - CHAIRPERSON NEUSIUS

No report.

STUDENT AFFAIRS COMMITTEE - CHAIRPERSON BARKER

The Student Affairs Committee presented the following motion:

Recommended for adoption as the fifteenth Minimum Standard for Social Greek-letter Organizations:

Each organization may pledge into membership only full-time students who demonstrate a minimum cumulative GPA of 2.00 and the successful completion of twelve academic credit hours.

A Jackson-Butzow motion to limit debate to 30 minutes was APPROVED. The Senate considered a motion (G. Walz - Micco) to amend the motion to read:

Each organization may pledge into membership only full-time students who demonstrate a minimum cumulative GPA of 2.00 and the successful completion of twenty four academic credit hours.

A motion to table the amendment was DEFEATED. A motion to close debate on the amendment was APPROVED. The amendment was then DEFEATED.

Discussion on the original motion continued. The 30 minute limit for debate was reached. A motion to extend debate another 20 minutes was DEFEATED and a subsequent motion to extend debate 10 minutes was APPROVED.

After further discussion the Senate APPROVED the original motion:

Recommended for adoption as the fifteenth Minimum Standard for Social Greek-letter Organizations:

Each organization may pledge into membership only full-time students who demonstrate a minimum cumulative GPA of 2.00 and the successful completion of twelve academic credit hours.

UNIVERSITY DEVELOPMENT AND FINANCE COMMITTEE - CHAIRPERSON RADAKOVIC

Chairperson Radakovic informed that the next meeting of the committee would be next Tuesday at Robertshaw.

ACADEMIC COMMITTEE - CHAIRPERSON DUNTLEY

Chairperson Duntley informed that the committee is still seeking nominations for honorary degree recipients for 1996.

AWARDS COMMITTEE - CHAIRPERSON WHEAT

Chairperson Wheat informed that the Committee has fished their work for the year.

BEAUTIFICATION COMMITTEE - CHAIRPERSON VERNA

Chairperson Verna presented the following items for Senate information:

1. The committee narrowed the most important aspects of beautifying the campus to four items.

These items were presented to President Pettit on Thursday, February 23, 1995 as a preliminary report by the committee. The committee plans to expand this report to cover other areas of campus beautification and will submit this final report for Senate approval in May.

1. Landscape artist:
The committee felt that in order to coordinate efforts by different departments, and to make sure all aspects of current beautification processes coincide with long range goals, that it would be necessary to hire a full-time employee with a background in landscape architecture. This new employee would be stationed at Robertshaw and oversee all aspects of campus beauty.

2. Gas wells:
The committee felt that the four gas wells on campus were an eyesore to the over all beauty of their locations. The gas wells are located in "public" areas and tend to release a strong gas smell. In the case of the gas well outside Keith hall, gas fumes often drift into the academic buildings as well as residence halls like Gordon hall and Whitmyre hall. The strong gas smell can also be found at the football stadium where many visitors attend the games. The committee expressed a desire to move the wells either to an underground location or to a less congested area. If the wells cannot be moved, shrubs should be grown around them and the gas smell should be reduced.

3. Grounds crew staff:

The grounds crew staff are responsible for the upkeep and beauty of the campus but, the number of employees assigned to the grounds crew does not seem sufficient to the task they are required to do. Often several days or weeks will go by without items being cleaned up that present a danger to the University community and a general reduction of beauty. These items include but are not limited to broken glass in the parking lots, graffiti in and around buildings and overflowing trash cans. An assessment should be made of the grounds crew to find an optimum level of employees.

The training level of the grounds crew staff was also discussed by the committee and they disliked the current transfer system used by the physical plant. Often employees from one department are asked to work on the grounds crew for a short period of time. These temporary grounds crew employees do not undergo any extensive training session and therefore should not be responsible for the beauty of the campus. The committee feels that in order to increase the beauty of the campus, the employees responsible for the majority of the grounds work should be well trained and experienced.

The members of the of grounds crew responsible for the upkeep of the lawn should take greater care in their work. Since their work is visible for at least a week after they cut the lawns, the committee believes they should pay greater attention to the mowing of the lawns and the collection of loose grass.

4. Signs

The committee felt strongly about the increased use of signs on campus. Since there are many entrances to the IUP campus, large signs placed to the side of the road or arches over the road would alert visitors that they were now on the IUP campus. The

campus buildings need more signs to allow new students and visitors to locate buildings. The current building signs are not resistant to theft or destruction are therefore have been stolen or removed from most locations. Campus maps should be more numerous and lighted around campus to assist new students and visitors.

2. The Beautification Committee will have two meetings next week. On Tuesday April 11 a joint meeting with the University Development and Finance Committee at 3:15 in Robertshaw and on Wed. April 12 at 3:15 in the East Parlor of Sutton.

NEW BUSINESS

The Meeting was adjourned at 4:34 P.M.

Respectfully submitted,

Francisco Alarc¢n
University Senate