Report of the Senate Committee on Students and Educational Policy

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mends the consideration of accrediting physical education courses.

(Mis)use of stimulant medications by Penn students: Students who have mental health conditions may divert their medications to other students who do not. Common examples include the diversion of methylphenidate (Ritalin) and Adderall. SCSEP recommends a multi-media, multi-platform communication initiative that aims to teach students that these medications are not cognitive enhancers, that there are significant risks in the misuse of these medications, and that "sharing" medications with peers is dangerous.

Recommendations to 2019-2020 SCSEP

1. Examine the effects of social media use on Penn student wellness.

2. Study the effect of student choice of majors and activities on wellness by identifying case studies that illustrate the relationship between balanced student schedules and successful career trajectories.

3. Review the student experience survey instruments used by College Houses and Academic Services and recommend improvements for how wellness-related questions are addressed.

4. Reach out to faculty who have not received iCare training to encourage their participation.

5. Continue to assist and provide faculty consultation to the Chief Wellness Officer.

SCSEP Membership 2018-2019

Sunday Akintoye, Dental School
Lisa Lewis, Nursing
Ty Muhly, PSOM/Anesthesiology & Critical Care
Carol Muller, SAS/Music
Ralph Rosen, SAS/Classical Studies
Jorge Santiago-Aviles, SEAS/ESE
Dominic Sisti, PSOM/Medical Ethics & Health Policy, Chair

Ex Officio members:
Steven Kimbrough, Wharton, Faculty Senate Chair-Elect
Jennifer Pinto-Martin, Nursing, Faculty Senate Chair
Anita Summers, Wharton, PASEF non-voting member

Report of the Senate Committee on the Faculty and the Administration (SCOA)

General Committee Charge

The Committee on Faculty and the Administration: The Committee oversees and advises the Executive Committee on matters relating to the faculty's interface with the University's administration, including policies and procedures (e.g., the Patent Policy) relating to the University's structure, the conditions of faculty employment (such as personnel benefits), and information. In general the Committee deals with the matters covered by the following sections of the University's *Handbook for Faculty and Academic Administrators*: I.A.-D., I.G.-H.1., I.-K., II.E. III., V., VI. (henceforth referred to as the *Faculty Handbook*).

Specific Charges and Steps Taken to Address Them

SCOA's specific charges were to:

1. Systematically review existing and new modalities for online education at Penn, with particular focus on issues related to approval process, intellectual property, contracts, and incentives for faculty to develop and maintain such courses;

2. Assess the utilization of dependent tuition benefits and employer-provided retirement contributions by Standing Faculty members;

3. Examine the scope of programming and resources available to faculty members within the portfolio of the Chief Wellness Officer; and

4. Continue to review the distribution of University Research Foundation awards by research area.

SCOA expended the bulk of its efforts on point #1. Points #2 and #4 were not considered in depth, and point #3 was addressed directly by the Senate Committee on Students and Educational Policy.

1. Systematically review existing and new modalities for online education at Penn, with particular focus on issues related to approval process, intellectual property, contracts, and incentives for faculty to develop and maintain such courses.

In order to properly assess both the current state of affairs and to become better oriented with the relevant procedures and protocols, SCOA invited the following guests from Penn's Online Learning Initiative (OLI): Peter Decherney, faculty director; and Rebecca Stein, executive director. In addition, SCOA also invited Polk Wagner, professor of law, to orient SCOA on relevant IP issues. SCOA is grateful to its invited guests for their candid conversations and helpful information.

SCOA highlights the following findings:

1) Penn remains a leader in online education, and the demand for online course generation is rapidly increasing. This is evidenced by the recent creation of the Master of Computer and Information Technology (MCIT) in SEAS and the incipient Bachelor's of Applied Arts and Sciences (BAAS) in SAS/LPS, both of which are degree-granting programs.

Both these and other programs to come will require large numbers of high-quality courses to be built quickly and to Penn's standards of excellence. This is a very positive development, and Penn should continue to exercise leadership in this domain.

2) Since Penn's entrance into the online course market, incentives for Standing Faculty to engage in course development and maintenance have declined in several respects, as follows:

2A) Creation of an impactful online course is now more difficult than it was 5-7 years ago (competition has greatly increased, and with it, the amount of work required to build a quality product in a winner-take-all market), whereas novelty and publicity for doing so have declined. There is little social or professional reward for faculty investing time in course creation, and less for course maintenance.

2B) From the initial round of contracts for faculty-created massive open online courses (MOOCs) to the current, "standard" OLI "Open Online Course Development Agreement," a shared faculty pool for profits has been intimated. However, to date, no such pool has been created and no accounting of costs and revenues has been provided. In addition, schools or centers hosting the most successful revenue-generating courses (e.g. Wharton) have renegotiated separate terms with Coursera and have isolated their revenue streams away from participation in any potential shared pool. This does not encourage faculty buy-in.

3) In addition, issues surrounding intellectual property (IP) when Standing Faculty create course content has been and remains unclear on a few points. The *Faculty Handbook* (Section III.D. Policy Relating to Copyrights and Commitment of Effort for Faculty) is clear that "creators of intellectual property own the copyright to works resulting from their research, teaching and writing." While the use of University resources for filming of videos would appear to fall under the proviso that "Exceptions to this policy arise when the faculty create works that make substantial use of the services of University non-faculty employees or University resources", the standard OLI Agreement states in Section 4.3 that:

Copyright Policy Does Not Apply. You agree that the University's "Policy Relating to Copyrights and Commitment of Effort for Faculty", and any amendments or replacements in the future, ("Copyright Policy") does not and will not apply to you in connection with the Course and this Agreement. You hereby waive application of the Copyright Policy to the Course and this Agreement.

This obscures rather than clarifies the situation, since the *Faculty Handbook* would appear to already account for exceptions based on ap-

plication of University resources (viz. filming). Other, related, questions include:

3A) What happens to course content when a faculty member is no longer employed at Penn? OLI has indicated flexibility and good-faith, but no standards exist.

3B) To what extent does faculty creation of materials for online courses count as work-for-hire? In cases where it does, are the appropriate work-for-hire policies (e.g., mutual agreement of such before work commences) followed?

3C) What is the protocol for the case where faculty are assigned creation or administration of online courses as part of standard teaching duties?

3D) What is the protocol for institutional repurposing of faculty work products (e.g., videos and other online content) for other courses or purposes?

4) These observations – an increase in demand for online courses coupled with a decrease in supply incentive and unclear IP protocols – point to an equilibrium where faculty are largely-to-wholly disengaged from the process of providing education to an increasing population of learners in our community and beyond. Such an outcome would limit faculty fulfillment of the Penn Compact tenets of inclusion and innovation and would be furthermore deleterious for all parties, especially learners.

5) Commensurate with its research from the previous year, SCOA observed apparent disparities across schools in terms of involvement of Standing Faculty with respect to contracting processes and principles and remuneration. Online learning compensation for Standing Faculty members should be compared against residential coursework compensation across schools.

6) SCOA noted concerns about quality check mechanisms in place for online coursework, describing a "fragile system" and anecdotal accounts of inconsistent reviews. SCOA members noted interest in data regarding the number of online courses developed over the past two years in SEAS and SAS, the portion of which were developed primarily by Standing Faculty, and the number of part-time lecturer contracts that have been added as a function of online programs.

Recommendations:

1) As additional avenues for online learning are implemented, Penn should achieve transparency with Standing Faculty regarding revenues, costs, and time expectations for creating and managing coursework content.

2) The *Faculty Handbook*, the above-referenced "standard" OLI agreement, and any school-based agreements with Standing Faculty should clearly and consistently detail intellectual property ownership parameters with respect to the faculty member and the University.

Other Business: Faculty Parental Policy

SCOA considered amendments to *Faculty Handbook* section II.E.4, the Faculty Parental Policy, which were proposed by Vice Provost for Faculty Anita Allen. SCOA concluded that the previous policy was written in such a manner as to invite abuse and that a change in the statement of the policy is in order. It was noted in particular that any such policy clarification will of needs be general, with specific interpretation left to the schools. For example, in PSOM, it is nearly impossible to disaggregate teaching from other activities (e.g., clinicals), making on overspecific policy unworkable. SCOA recommends a careful, compact statement interpretable by individual schools. SCOA defers further discussion to the Senate Executive Committee, which will review the proposed policy amendment prior to its finalization.

Proposed Charges for SCOA in 2019-2020:

1. Collect data on online courses developed and taught by Standing Faculty and by Associated Faculty and Academic Support Staff and incentives offered.

2. Assess the quality and structure of the Bachelor of Applied Arts and Sciences (BAAS) and Master of Computer and Information Technology (MCIT) programs.

3. Conduct interviews with stakeholders involved in strategic planning of online learning at Penn.

4. Assess the utilization of dependent tuition benefits and employer-provided retirement contributions by Standing Faculty members.

SCOA Membership 2018-2019
Robert Ghrist, SAS/Mathematics & SEAS/ESE, Chair
Ryan Baker, GSE
Joel Bennett, PSOM/Medicine
Ken Drobatz, Vet School
Al Filreis, SAS/English
Kevin Platt, SAS/Russian & East European Studies
Talid Sinno, SEAS/CBE & MEAM
Ex-officio members:
Marshall Meyer, Wharton, PASEF non-voting member
Jennifer Pinto-Martin, Nursing School, Faculty Senate Chair-Elect
Santosh Venkatesh, SEAS/ESE, Faculty Senate Chair

Report of the Senate Committee on Faculty Development, Diversity and Equity (SCFDDE)

General Committee Charge

The Committee on Faculty Development, Diversity, and Equity (i) identifies and promotes best practices for faculty development, mentoring, and work environment to facilitate faculty success at all career levels; (ii) evaluates and advocates processes for faculty recruitment, promotion, and retention that promote diversity, equity, and work/life balance for the faculty; (iii) monitors the status of faculty development, mentoring, diversity, and equity; and (iv) issues periodic reports on the activities and findings of the committee that make recommendations for implementation.

2018-2019 Specific Charges for the SCFDDE

• Review the Postdoctoral Fellowship for Academic Diversity Program with respect to the number of Fellows who have been hired by Penn into Standing Faculty and/or research positions.

• Identify best practices for Diversity Search Advisors (DSAs) across schools.

• Review the climate of mid-career faculty across schools.

• Continue to support a once yearly "Listening to Diversity" event to allow the University-wide community an opportunity to express and listen to concerns related to diversity and inclusion as raised by the real-time internal and external environmental factors and changes.

• Maintain communication between the SCFDDE and the University Council Committee on Diversity and Equity and collaborate when possible on issues of mutual concern.

Report of Activities

The Committee met a total of nine times (Aug. 30, Sept. 6, Oct. 4, Oct. 26, Dec. 6, Jan. 10, Feb. 7, Mar. 7, Apr. 4). Invited guests included Anita Allen, Vice Provost for Faculty (VPF); Lisa Bellini, Perelman School of Medicine (PSOM) Vice Dean for Academic Affairs; Dawn Bonnell, Vice Provost for Research; Matt Hartley, Graduate School of Education (GSE) Associate Dean for Academic Affairs; Eve Higginbotham, PSOM Vice Dean for Diversity and Inclusion; Joann Mitchell, Senior Vice President for Institutional Affairs & Chief Diversity Officer; Karen Redrobe, Director of the Wolf Humanities Center and the Elliot and Roslyn Jaffe Professor of Cinema and Modern Media; and Wendy White, University General Counsel.

Report on Charges

1. Review the Postdoctoral Fellowship for Academic Diversity Program with respect to the number of Fellows who have been hired by Penn into Standing Faculty and/or research positions.

SCFDDE inquired with Dr. Dawn Bonnell, Vice Provost for Research, about the functioning of the Postdoctoral Fellowship for Academic Diversity Program. The committee also invited Dr. Karen Redrobe, the Director of the Wolf Humanities Center and the Elliot and Roslyn Jaffe Professor of Cinema and Modern Media, to learn more about its postdoctoral fellowship program and generally about postdoctoral fellowship opportunities in the humanities at Penn.