

**USF College of Medicine
Faculty Council Meeting
Minutes**

**Tuesday, June 22, 2010 - 5:30 p.m.
MDC 2301**

**Videoconferencing at
South Tampa Center for Advanced Healthcare, Room 5051C**

Faculty President Huntington Potter called the meeting to order at 5:38 p.m.

Minutes

The President asked if there were any comments regarding the minutes of the May Faculty Council meeting. There were none and a motion was made for approval. The motion was seconded and the minutes were approved as submitted.

Proposed Changes – College of Medicine Faculty Bylaws

Dr. Bryan Bognar, Vice President of the Faculty and Chair of the Bylaws Committee, reported that the Bylaws Committee has recently drafted a series of changes that reflect the Lehigh Valley Health Network Campus (Partnership Campus). Lehigh Valley will need representation on most Committees and the Faculty Council. Since this was the first series of bylaws revisions in about two years, the Committee also took the opportunity to review other areas of the Bylaws. Revisions are proposed for the Academic Performance Review Committee Subcommittees, as relate to Physical Therapy and Athletic Training. Two versions of the Appointment, Promotion and Tenure (APT) Committee section have been submitted for consideration. The Bylaws Committee has considered the possibility of adding a member to the APT Committee who has a principal appointment in a center or institute. This is reflected in Version A, along with changes relative to the Lehigh Valley partnership. Version B includes the proposed Lehigh Valley changes to the APT Committee, but without a center or institute representative. Faculty Council representatives were asked to review the proposed modifications, which will be voted on at the July meeting. If approved, the proposed bylaws will go to the entire College of Medicine faculty for ratification.

Technical, Policy and Legal Issues Regarding Recording of COM Lectures

Following up on the discussion at the May meeting, Colin Mailloux, Associate General Counsel, was invited to the meeting to review laws pertaining to intellectual property copyright ownership, the Teach Act ad Fair Use. The default principle under copyright law says that if you are the author or creator of something tangible, you are the owner and have the absolute right to authorize or not authorize others to use the copyrighted material. There are exceptions, including the Work Made for Hire doctrine, which provides that where something is created within the scope of your employment, the employer is considered the owner. Work Made for Hire is not always easy to apply at universities. There are also

exceptions in copyright law that allow you to use third party materials without seeking permission of the copyright owner.

Vice President Bognar reviewed the history related to videotaping of courses, which began five years ago to assist students. Because of faculty concerns, a committee was appointed and drafted a policy, which stated that taped courses were to be destroyed in one year. Instead, the courses have been archived and not destroyed, and some have been used for new courses without the original creator's consent. Furthermore, many faculty have not been made aware that their lectures are being recorded.

There was significant discussion regarding both legal issues and collegial violations, related to informed consent, how long information is archived, who owns information and how it gets to be repackaged, oversight related to repackaged material, how copyright law is addressed and who receives credit/remuneration.

Dr. Michael Barber, Associate Dean for Graduate and Postdoctoral Affairs, was asked how long recordings of lectures were archived and replied that he did not know.

Dr. Alicia Monroe, Vice Dean for Educational Affairs, participated in the discussion on behalf of the administration and suggested that new procedures be implemented. She will work with others to develop solutions that will address the faculty concerns that have been expressed at this meeting.

Adjourn

There being no further business, the meeting was adjourned at 7:00 p.m.