TO: Academic Senate Members*
FROM: Office of Academic Governance
RE: Academic Senate Meetings

The Academic Senate will meet on Wednesday, September 17, 2008 at 2:00 p.m. in the T. I. Auditorium ECSS 2.102.

Please bring the agenda packet with you to this meeting. If you cannot attend, please notify me at x6741.

Attentions

xc: David Daniel
    Hobson Wildenthal
    Richard Huckaba
    Serenity King

Andrew Blanchard
John Workowski
Calvin Jamison
James Marquart
Larry Redlunger
Darreline Rachavong
Abby Kratz
Rhonda Blackburn

Chris Dickson
Arie Litovsky
Deans

*2008-2009 Academic Senate Members
Sheila Amin Gutierrez de Pineres
Mark Anderson
James Bartlett
Gail Breen
John Burr
Cyrus Cantrell
Santosh D'Mello
Gregg Dieckmann
Jay Dowling
Kelly Durbin
Juan Gonzalez
John Hoffman
Jennifer Holmes
Shayla Holub
Mustapha Ishak-Boushaki
Joseph Izen
Surya Janakiraman
Marilyn Kaplan**
Kamran Kiasaleh
Robert Kieschnick

Murray Leaf*
Paul Macalevey
Adrienne MeLean
Dennis Miller
B.P.S. Murthi
Steven Nielsen
Simeon Ntafos
Ravi Prakash
Michael Rebello
Timothy Redman
Young Ryu
Elizabeth Salter
Richard Scotch
Robert Stern
Lucien Thompson
Mary Urquhart
S. Venkatesan

*Speaker of the Faculty
**Secretary

September 12, 2008
AGENDA
ACADEMIC SENATE MEETING
September 17, 2008

1. CALL TO ORDER, ANNOUNCEMENTS and QUESTIONS DR. DANIEL

2. APPROVAL OF THE AGENDA DR. LEAF

3. APPROVAL OF MINUTES DR. LEAF
   August 20, 2008 meeting minutes

4. SPEAKER’S REPORT DR. LEAF

5. FACULTY ADVISORY COUNCIL REPORT DR. LEAF

6. COMMITTEE REPORTS DR. LEAF
   Scholarship Committee
   Distance Learning

7. OGC CHANGES – CHAPTER 49 DR. LEAF

8. POLICY ON POLICIES DR. LEAF
   (Ms. King is in Austin at Coordinating Board)

9. DRAFT CHARGE FOR LMS (Learning Management Systems) DR. LEAF

10. ADJOURNMENT DR. DANIEL
Academic Senate meeting
August 20, 2008

UNAPPROVED AND UNCORRECTED MINUTES

These minutes are disseminated to provide timely information to the Academic Senate. They have not been approved by the body in question, and, therefore, they are not official minutes.

ACADEMIC SENATE MEETING
August 20, 2008


ABSENT: Cyrus Cantrell, Gregg Dieckmann, Kamran Kiasaleh, Steven Nielsen, Ravi Prakash, Young Ryu, Robert Stern, Lucien Thompson

VISITORS: Andy Blanchard, Serenity King, Abby Kratz, Hobson Wildenthal

1. CALL TO ORDER, ANNOUNCEMENTS AND QUESTIONS

Dr. Daniel called the meeting to order and welcomed everyone back from the Summer break. As part of the welcome Dr. Daniel asked that everyone introduce themselves, tell what school they were from and what their expertise/specialty is. Dr. Daniel reported that the Summer semester went smoothly. Enrollment for the Fall is around 14,999 but this number will probably change some after the first couple weeks of the semester.

The beautification project is now fully funded ($30,000,000). Peter Walker and Associates have ordered 4,000 trees for the project. Improvements should start around October 2008 and finish around Fall 2009. Founders renovation should start in late November 2008 and the Student Residence Hall should be complete around May 2009. Funding for the new ATEC building is still being worked on there is a commitment of $45 million. There are rumors going around the A&H faculty that funds from this commitment are being used for other things, Dr. Daniel assured Dr. Redman that this was not the case. When the revamping of the campus starts traffic will be routed around the university via Drive A and around Armstrong Drive.

2. APPROVAL OF THE SENATE AGENDA

Dr. Redman made a motion to approve the agenda as amended and Dr. Salter seconded the motion. The motion carried.
3. APPROVAL OF MINUTES

Dr. Scotch made a motion to approve the minutes for the June 18th meeting as circulated and Dr. Holmes seconded the motion. The motion carried.

4. SPEAKER’S REPORT

5. ADDITIONAL AGENDA ITEMS

A. Resolution for Robert Nelsen: Dr. Leaf requested approval from the Senate to write and present Dr. Nelsen with a resolution of appreciation for all he did for UT Dallas faculty. Dr. Leaf is to write one up.

Dr. Kieschnick moved to make this presentation to Dr. Nelsen and Dr. Scotch seconded the motion. The motion carried.

B. Copyright Issue: Dr. Kaplan gave a brief update on this issue. UT System and UT Arlington subscribe to a license that covers 80% of the publishers that are out there to help prevent lawsuits from publishers. The membership is $150,000 for the year if UT Dallas does not subscribe then a group of copyright police could come in checking on what the faculty is posting. Dr. Daniel suggested that the Senate make a recommendation that UT Dallas subscribe to this copyright service. The Senate agreed that a copyright policy should be in place first.

Dr. Scotch moved to refer the copyright issue to the ad hoc copyright committee and Dr. Holmes seconded the motion. The motion carried.

6. COMMITTEE ON COMMITTEES RECOMMENDATIONS (see Appendix A)

Dr. Daniel suggested that General Studies be changed to Interdisciplinary Studies on all forms since the name change has been approved.

Dr. Redman moved to approve the recommendations as amended and Dr. Holmes seconded the motion. The motion carried.

7. MA IN POLITICAL SCIENCE GENERAL (catalog copy update) (see Appendix B)
   MA IN CONSTITUTIONAL LAW STUDIES (catalog copy update) (see Appendix C)
   MA IN LEGISLATIVE STUDIES (catalog copy update) (see Appendix D)

Dr. Holmes moved to approve all three revisions and Dr. Amin Gutierrez de Piñeres seconded the motion. The motion carried.

8. MS & Ph.D. IN BIO MEDICAL ENGINEERING (not finalized) (see Appendix E)
Dr. Blanchard indicated that the reason for the track changes and comments is because the copy is not finalized due to revisions needing final approval from the Coordinating Board. UT Southwestern Medical and UT Arlington already offer these degree programs and if UT Dallas becomes the third campus to offer these courses then students will be allowed to take the needed courses for these degrees as a combined effort of all three campuses. The degree certificate will be issued by whichever campus the student was enrolled.

Dr. Redman made a motion to approve this degree program and Dr. Salter seconded the motion. The motion carried.

9. CERTIFICATE IN INFRARED TECHNOLOGY (program proposal) (see Appendix F)

Dr. Blanchard stated that the courses referenced in the degree program proposal are all courses offered at UT Dallas currently.

Dr. Holmes made a motion to approve the program proposal and Dr. Kieschnick seconded the motion. The motion carried.

10. PM-95 RESEARCH FACULTY AMENDMENT (see Appendix G)

Dr. Leaf announced the change in wording was primarily aimed at taking out our previous association of the idea of a research position with what we understood as the state requirement that such positions could not be funded out of state appropriations. Now, they can be.

Dr. Scotch made a motion to approve the amendments and Dr. Murthi seconded the motion. The motion carried.

11. TEXTBOOK TASK FORCE (see Appendix H)

Dr. Daniel is very concerned about this issue. He would like to see a push on this in hopes of bringing the cost of textbooks down for UT Dallas students. Reference to the resolution on pages 7-10 was made.

Dr. Redman made a motion to proceed with this resolution and implement it now and Dr. Ishak-Boushaki seconded the motion. The motion carried.

12. ADJOURNMENT

Dr. Daniel asked for motion to adjourn the meeting. There were multiple makers and seconds. The motion carried.

APPROVED: ______________________________                     DATE: ______________
Speaker of the Faculty
Scholarship Committee 2007-2008
Final Report

by

Elizabeth Salter, Ph.D.
Chair of Scholarship Committee

The 2007-2008 Scholarship Committee:
Members: Cathy Coursey/Richard Cummings (Financial Aid), Michael Coleman (Undergraduate Dean), Austin Cunningham (Graduate Dean), John Hoffman (NS&M), Candice Mills (BBS), James Murdoch (EPPS), Ramachandran Natarajan (Management), Simeon Ntafos (ECS), Liz Salter (IS), Barbara Seale (Endowment Compliance), Sue Sherbet (Student Affairs) and Michael Wilson (A&H).

This committee basically met over the internet. We met in person in the beginning of January 2008 to discuss the issue of financial need but other than that, the exchanges were via email and the "Scholarship Drive". During the first email exchange the chairman sent out a copy of the Senate approved Scholarship Committee bylaws.

In the fall of 2007, the scholarships awarded were the Minnie K. Patton Scholarship, the Jay and Ruth Pack Foundation Holocaust Studies Scholarship, the Women's Center Scholarship, the Ivorian Scholarship and the International Education Fund Scholarship (IEFS/OIE). The awards can be broken down as one Holocaust Studies Scholarship, one Women's Center Scholarship, three Ivorian Scholarships, six Minnie K. Patton Scholarships, and 44 IEFS Scholarships.

The "in person" meeting called in early January was to discuss the concept of "financial need." To avoid possible confusion the decision was made to give the determination of "financial need" to the Financial Aid Office and we would work with their figures. We also could reduce "need" based upon the awards made by subtracting new scholarship offers from the unmet need.

The process for reviewing scholarships was for the Chairman of the Scholarship Committee to review each scholarship checking the description and the criteria for selection of recipients, the ranking of applicants by either GPA and/or financial need and then sending excel spreadsheets out to the Scholarship Committee via encrypted email attachments. Late applications, incomplete applications and applications which did not meet the criteria of the scholarship were not considered. This process did not work well as some members of the committee had encryption and some did not. Also when long discussions ensued, then once or twice the encryption was forgotten. The decision was made in consultation with Sue Sherbet that I would send the encrypted spreadsheets to Rich Cummings in Financial Aid and he would post them back onto the Scholarship drive so that all the members of the committee could see them. Although in the fall all members of the committee were given the capability to access this financial Aid Scholarship drive, that method did not work well as several members were unable to access their Scholarship drives, lost access to the drive when they reconfigured new computers, or could not read attachments in newer versions of Windows. In the end the Scholarship Chairman had to run off copies of the spread sheets and deliver them by
hand to the members of the committee to ensure that everyone had access to the “decision” spreadsheets. Upon viewing of these spreadsheets, the votes of the Committee sent by email to the Chairman, were tallied by the Chairman and when a majority of the committee had responded to the potential awards, and then the Scholarship Chair notified Rich Cummings in Financial Aid, and Sue Sherbet by email, that the Scholarship Committee had chosen the recipients of the awards and the amounts that they were to receive.

To facilitate ease of working with the spreadsheets, it would save time if Financial Aid sent the spreadsheets to the Chairman of the Scholarship Committee sorted into graduate and undergraduate students, full time or part time status and then ranked by GPA.

The International Education Scholarships have been taken away from the Scholarship Committee because of the difficulty in deciding how to award these particular scholarships. There is no way of determining need, when sections of the student application are left blank. There is no way to determine the costs of a trip as the verification of the travel expenses and the costs is beyond the scope of the Scholarship Committee. With increasing numbers of students applying for travel abroad opportunities, there is a proportionately fixed amount of money being distributed to an increasing number of applicants, who tend to be unhappy with the size of their awards. The Office of the Provost is now handling these International Travel/Study Abroad Scholarships. This in turn means that changes will have to be made to the bylaws and Dr. Rodolfo Hernandez Guerrero will no longer be an honorary member of the Scholarship Committee, since he position was to help with decisions on the OIE/Study Abroad Scholarships.

The Scholarship Committee did not begin deliberations in earnest until after the scholarship applications for the fall 2008 were closed. The late date for the closing of applications was so that students could file their FAFSA applications and Financial Aid would have some idea of their need. On April 23, 2008, the Scholarship Committee Chairman received a spreadsheet from Sue Sherbet outlining the remaining scholarships, criteria for eligibility and amounts for disbursement.

The Northwood Woman’s Club Scholarship was the first to be awarded. Here we had a very pleasant surprise. We had expected the Club to select two names from among the applicants, but they found three that they thought were deserving of a scholarship and kindly donated enough money to support all three students. The scholarship was finally decided in May.

In May we also began deliberations on the Southwest Airlines Scholarship. This is the first year for this award and we were delighted to be able to award it to the best qualified student with the highest GPA.

In July, we began again. We were unable to find a qualified student who met all the criteria for the Ivorian/AIT Scholarship to be awarded for the fall, so this scholarship was not awarded. Monies will be allowed to accumulate in the account until the next scholarship cycle. The Alumni Scholarships are no longer going to be personally selected by an Alumni Committee. Instead they have been handed over to the Scholarship Committee to award. Since this is a need based award, students (two graduates and six undergraduates) with financial need were selected.
For the Jerry L. Cadell Scholarship, serious discussion was held with Sue Sherbet, Kerry Tate, and Barbara Seale about the terms of the scholarship. It is targeted for students who are mentally, physically, or financially underprivileged. It is impossible to find out if people meet either of the first two criteria unless they identify themselves on the applications. Some may not want to do this, and the committee cannot ask "Disability Services" within the university to identify their students. Barbara Seale is working to clarify the wording on the scholarship and trying to find a way to verify students who apply under the first two categories. The award this year then was made solely on the basis of financial need to five students.

We awarded/re-awarded four Clark Transfer Scholarships to an entering junior, two to graduating seniors who plan to attend graduate school at UTD and one to last year's continuing student.

In July after the first 5 week semester of summer classes were over, we worked on the remaining scholarships. We awarded two Henry Scholarships which are open to International Students. Since this is one of the very few Scholarships in this category, the awards were made to two international students whose financial support from home was hampered by political and/or economic unrest.

We awarded 7 Wells Fargo Scholarships, 30 Seldon Leavell Scholarships, 3 Amelia Lundell Textbook Scholarships, three Richardson Woman's Club Scholarships; one Moller endowed Scholarship, five Moller non-endowed Scholarships, six Pinch Scholarships and 8 Greater Texas Scholarships.

The majority of the scholarships were awarded in May, and July. This is why it is so important for members of the Scholarship Committee to be available during the summer so that their input can be sought.

The 2007-2008 Scholarship Committee was successful in awarding scholarships before the end of the summer, so that students could be notified of their awards before fall classes began. This in turn reduced the amount of financial aid and/or student loans needed. Now with most of the awards going to students in the following year, it is easier to track awards and to provide a more equitable distribution of funds.

In total, the current Scholarship Committee awarded almost $228,820 in scholarships, with $29,920. of that total awarded to 44 UTD students to study abroad in the fall semester. This may seem like a reduction in scholarship dollars this year compared to last year ($261,000. with $137,000. to Study Abroad) but the amount of this year's awards excludes the International Travel Scholarships for spring and summer which are no longer the concern of this committee. The Scholarship Committee was successful in its goal of reaching many students because 57 students were awarded non travel abroad scholarships with awards ranging from a maximum of $10,000 to a minimum of $1,000. Twenty three students received multiple awards primarily due to academic excellence and/or unmet financial need. The Scholarship Committee made a serious attempt to reduce the amount of financial need of the scholarship applicants. That is why so many awards were simply in terms of $1,000 scholarships. During the past year, the generosity of our donors and the increase in the number of scholarships has had a dramatic impact upon the number of students receiving awards.
Several questions and procedures came up during the tenure of this committee, which after discussion and resolution will be added to the bylaws of the committee. The bylaws will assure consistency in the evaluation of applications from one year to the next even as the membership of the committee changes.

One suggestion would be a staggering of due dates for Scholarships, as the Committee cannot work on all the scholarships that fall due at the same time. For fairness, perhaps the scholarships with the potentially largest awards could come due first and then the scholarships with potentially lesser amounts could be awarded later. As a suggestion, it might be worthwhile to consider sorting scholarships into two categories perhaps with different names. There are the strictly academic scholarships, and the academic/need based scholarships. (This second category could be given the name of a bursary as a way to differentiate the differing criteria for the Scholarships.)

If at some point later in time, there are sufficient guidelines and rules established, then the awarding of scholarships could be passed from the Faculty Scholarship Committee to a more centralized Scholarship Office housed within the Office of Financial Aid.

Respectfully submitted by:

Elizabeth Salter, Ph.D. August, 2008
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The committee met several times over the year.

We began the year with WebCT problems:
- WebCT problems – David Holmes
  - WebCT 4 is not supported anymore by Blackboard, it was necessary to move to WebCT6.
  - All learning management systems are now Java based, not just WebCT6
  - The committee expressed concerns to Mr. Holmes about the following:
    - Communications about systems updates - we do not get enough information as faculty, nor is it timely enough
    - Scheduling of updates – while the winter break may seem an ideal time from the IR perspective, faculty operate on an academic, not calendar year. The ideal timing for updates from a faculty viewpoint would be the summer.
  - The WebCT back-up/SIS problems
    - WebCT utilization has grown more than expected, creating problems for back-up and maintenance
    - The team consisted of inexperienced, untrained people, who did not know about last year’s problem
    - Results finally came from Oracle, not Blackboard
- IR is building a more tightly linked support team with an Oracle employee

Action items:
- MS AIM – approved unanimously
- Rhonda Blackburn and Jim Gary should visit the senate

Discussion items:
- Ownership of the material
  - Faculty contracts – may be recommended to clarify ownership
  - The FAC has asked the Governance Committee to draft a policy on ownership and control of recorded courses. Here is what has been proposed:
    - When the course or any part thereof of a faculty member has been recorded by the university in which they are employed, that recording is the property of the instructor and may only be used with permission of the instructor unless the instructor and the university have made a specific contractual agreement under which possession has been transferred to the university. Students or others may not record courses or any part thereof without permission
of the instructor. Recordings made as accommodations for students under the Americans With Disabilities Act may not be reproduced or used for other than instructional purposes by the student for whom the recording was made.

- Scheduled Rhonda Blackburn for March Academic Senate meeting
- WIKI – Confluence
  - UTD uses Confluence, but should have a better tool available in the fall. This could be useful to committees who need to share & update documents.
- Survey – we discussed the need for a survey, but were waiting for the survey tool to be ready. Currently there is no way to tell from WebCT who is using the it & to what extent.
  - What are the faculty currently doing regarding distance learning
  - What direction would the faculty prefer UTD to move towards
  - What are the needs of the faculty
- UTD Distance Learning Policy – tabled until next meeting
  - Minimum standards
  - What it is at UTD
  - What is not acceptable
- Undergrad level distance learning – tabled until next meeting
September 8, 2008

To: The Academic Senate

From: John P. Ferraris
Chair, CQ

Subject: Annual Report (2007-2008) of the Committee on Qualifications

During the 2007-2008 academic year, the Committee on Qualifications consisted of: Peter Assmann (BBS), William Cready (SOM), Christine A. Dollaghan (BBS), Catherine Eckle (EPPS), John Ferraris (NSM and Chair), Philipos Loizou (ECS), James Marquart (EPPS), Clay Reynolds (A&H), Viswanath Ramakrishna (NSM), Kathryn Stecke (SOM), Theresa Towner (A&H and Vice Chair), and Kang Zhang (ECS).

CQ met regularly from November (2006) through mid-May (2007), and several times during the summer, to review the files of candidates undergoing 3rd year and promotion reviews and to review the files of new hires with tenure. In total, CQ conducted 39 internal reviews, including 19 reviews for reappointment as Assistant Professor without tenure, two reviews for reappointment as Associate Professor without tenure, ten tenure reviews, and eight full professor reviews. In 38 of the 39 cases the majority vote of CQ supported the recommendations of the Ad Hoc Committees and the Deans. In one case CQ voted to disagree with the recommendation of the Ad Hoc Committee and the Dean. In these 38 cases the Provost agreed with the recommendations of CQ. In the remaining one case, the Provost chose to terminate a candidate for promotion to Associate Professor with tenure (siding with the recommendations of the Ad Hoc Committee and Dean).

In accordance with the Procedures for Faculty Promotion, Reappointment and Tenure the Provost met with members of CQ to provide his rationale for the one promotion file for which he disagreed with the recommendation of CQ.

CQ also reviewed the files of 8 new hires with tenure, including 7 full professors and 1 associate professor. CQ supported the recommendations of the Search Committees and the Deans in seven cases.

CQ discussed the issue of the criteria that should be used in 3rd year reviews since evaluations are often based on estimates of future accomplishments. Since variation in
these estimates across Schools is inevitable, the judgments of the Ad Hoc committees, above rank-faculty, and the respective Deans take on special importance.

Finally, CQ, and especially its chair, greatly appreciates the highly professional support we received from Dowla Hogan.

A more detailed breakdown by School follows.
Reappointment as Assistant Professor

Nineteen faculty members were reviewed for reappointment as Assistant Professors, two for reappointment as Associate Professors without tenure. Twenty-one were reappointed. The Committee on Qualifications (C.Q.), Provost and President agreed on twenty-one (all).

Promotion to Associate Professor with tenure

Ten faculty members were reviewed for tenure and promotion to Associate Professor. Nine were promoted, one terminated. C.Q had one split vote: (6 promote, 3 terminate, and 2 abstentions). The C.Q., Provost and President agreed on nine of those.

Promotion to Professor

Eight faculty members were reviewed for promotion to full Professor. Eight were promoted; and the C.Q., Provost and President agreed on all eight.

PROMOTIONS AND REAPPOINTMENT BY SCHOOL

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<th>Reappointment as Associate Professor (no tenure)</th>
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INITIAL APPOINTMENT DECISIONS

The C.Q. reviewed eight files for initial appointments; seven at the rank of full professor with tenure, one at the rank of associate professor with tenure. Seven were approved by the C.Q.
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CHAPTER 49. STUDENT DISCIPLINE AND CONDUCT

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 49.01 PURPOSE

(a) The University of Texas System and The University of Texas at Dallas have rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice and knowledge of and compliance with the contents and provisions thereof.

(b) All students are expected and required to obey federal, state and local laws, to comply with the Regents’ Rules and Regulations, with System and university rules and regulations, with directives issued by an administrative official of the System or the university in the course of his or her authorized duties, and to observe standards of conduct appropriate for an academic institution.

(c) Any student who engages in conduct that violates the Regents’ Rules and Regulations, the System or university rules and regulations, specific instructions issued by an administrative official of the System or the university in the course of his or her authorized duties, or federal, state, or local law is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.

(d) This chapter contains regulations for dealing with alleged student violations of such rules and regulations, specific instructions, or federal, state or local laws or regulations. It also contains, in Subchapter F, descriptions of standards of conduct to which students must adhere.

SECTION 49.02 SCOPE

(a) This chapter applies to student organizations as well as individual students.

(b) An individual who is not currently enrolled as a university student remains subject to the disciplinary process for conduct that occurred during any period of enrollment. Also subject to this chapter are individuals accepted for admission or readmission to the university and
individuals who have been enrolled at the university in a prior semester or summer session and are eligible to continue enrollment in the semester or summer session that immediately follows.
SECTION 49.03  DEFINITIONS

(a) In this chapter, unless the context requires a different meaning,
(1) "class day" means a day on which classes or reading periods before semester or summer session final examinations are regularly scheduled or on which semester or summer session final examinations are given;
(2) "weekday" means Monday through Friday, excluding any day that is an official holiday of the university;
(3) "day" means a calendar day;
(4) "dean" means the Dean of Students or a delegate of the Dean;
(5) "vice president" means the Vice President for Student Affairs;
(6) "president" means the President of The University of Texas at Dallas;
(7) "student" means a person enrolled or formerly enrolled at the university or a person accepted for admission or readmission to the university;
(8) "university" means The University of Texas at Dallas;
(9) "System" means The University of Texas System;
(10) "university rule" means a rule, a regulation or instruction contained in the university's Handbook of Operating Procedures or other official publication or document;
(11) "Regent's Rule" means a rule or regulation contained in the Rules and Regulations of the Board of Regents, The University of Texas System;
(12) "hearing officer" means the individual or individuals selected in accordance with procedures adopted by the university pursuant to the recommendation of the Chief Student Affairs Officer to hear disciplinary charges, make findings of fact, and, upon a finding of guilt, impose an appropriate sanction;
(13) "campus" consists of all real property, buildings, or facilities owned or controlled by UT, Dallas.

SUBCHAPTER B. ADMINISTRATION OF DISCIPLINE

SECTION 49.05  DEAN

(a) The dean has primary authority and responsibility for the administration of student discipline.
(b) It shall be the dean's duty to investigate allegations that a student has violated a Regents' Rule, university or System rule, specific orders or instructions issued by an administrative official of the university or the System in the course of his or her duties or any provision of federal, state, and/or local laws.
(c) In carrying out these responsibilities, the dean works cooperatively with academic administrators and faculty members in the disposition of scholastic violations and with staff members in Residential Life in the disposition of campus housing violations.
seek, as needed, additional information from individuals who have expertise relative to the case, especially in instances of scholastic dishonesty involving technical material, projects, or assignments.

SECTION 49.06 FACULTY ROLE IN SCHOLASTIC VIOLATIONS

(a) Judgments of academic dishonesty are distinguished from academic judgments concerning whether a student has or has not completed an assignment as required. The former involve considerations of misconduct and punishment and are the responsibility of the Dean of Students. Under authority delegated by the dean, a faculty member who has reason to suspect that a student has engaged in scholastic dishonesty may do either of the following:

1. if the cheating was directly witnessed by the faculty member or if the faculty member has clear documentary evidence, the case should be referred directly to the dean with the reasons and/or evidence for the charge and a recommendation for punishment. The dean shall proceed under Subchapter C; or

2. if the cheating was not directly witnessed by the faculty member or if, in the case of plagiarism, the documentary evidence is ambiguous, the faculty member may meet with the student(s) involved and discuss the alleged violation and the evidence that supports the charge. After conferring with the student, the faculty member may refer the allegations to the dean with a recommendation for a penalty, or choose not to refer the allegations to the dean if the faculty member determines that they are not supported by the evidence.

(b) Upon receipt of the evidence and recommendation from the faculty member, the dean shall proceed under Subchapter C. If the student is found in violation of the code of conduct, the dean will review the student’s prior disciplinary record and assess a penalty that is appropriate to the circumstances. In a course in which a failing grade has been assessed for scholastic dishonesty, the student will not be allowed to withdraw as a way of preventing the grade from being entered on their record. The dean will inform the student and the faculty member of the decision.

SECTION 49.07 FACULTY ROLE IN REMOVAL FOR MISCONDUCT

(a) Misconduct reported by faculty will usually involve disruptive behavior in class or in relation to a class. Under authority delegated by the dean, a faculty member who has reason to believe that a student has engaged in disruptive behavior may do either of the following:

1. if the disruptive behavior was directly witnessed by the faculty member or if the faculty member has clear documentary evidence, the case should be referred directly to the dean with the reasons and/or evidence for the charge and a recommendation for punishment. The dean shall proceed under Subchapter C; or

2. if the disruptive behavior was not directly witnessed by the faculty member but was witnessed or reported by students or others, the faculty member may meet
with the student(s) involved and discuss the alleged violation and the evidence
that supports the charge. Such meetings should be documented to the extent
possible. After such meeting or meetings, the faculty member may refer the
allegation with the assembled documentation to the dean with a
recommendation for a penalty, or choose not to refer the allegations to the dean
if the faculty member concludes that they are not supported by the evidence.

(3) If the faculty member considers the behavior of the student menacing or
threatening, he or she may ask the Dean of Students to bar the student from his
or her class or from the campus with immediate effect until the matter is
formally resolved. This request may be made while the faculty member is still
assembling the documentation of the misconduct in question, or it may
accompany the documentation. The dean will promptly notify the faculty
member and the concerned associate dean for graduate or undergraduate
education regarding the actions taken in response to such requests.

(b) Upon receipt of the evidence and recommendation from the faculty member, the dean
shall proceed under Subchapter C. If the student is found in violation of the code of
conduct, the dean will review the student’s prior disciplinary record and assess a
penalty that is appropriate to the circumstances. The student will not be allowed to
withdraw as a way of preventing removal for misconduct.

SECTION 49.08 STAFF ROLE IN REMOVAL FOR MISCONDUCT

(a) Misconduct reported by staff will usually involve menacing or abusive behavior they
are subject to in such capacities as secretary, administrative assistant, or representatives of
university offices, such as the Bursar or Student Services. Under authority delegated by the
dean, a member of the university staff who has been subject to abusive or menacing behavior or
who has witnessed menacing, abusive, or disruptive behavior may do either of the following:

(1) if the staff person is the object of threatening, menacing, or abusive behavior in
such a way that the staff person feels themselves under an immediate physical
threat, they should call the campus police to have the person escorted off
campus. The police will report the matter to the Dean of Students. The dean
shall proceed under Subchapter C; or

(2) if the staff person considers the behavior menacing or abusive but not an
immediate physical threat, they should report the matter to their superior and the
Dean of Students. The report should include the staff person’s written account
of the incident and any additional documentation that might be available. The
dean shall proceed under Subchapter C; or

(3) if the misconduct or disruptive behavior was not directly witnessed by the staff
person but was witnessed or reported by students or others, the staff person may
either refer the matter to the Dean of Students directly or refer the witnesses to
his or her superior. In the former case, the staff person should again provide as
much documentation as possible. The dean shall proceed under Subchapter C.

(b) If the student is found in violation of the code of conduct, the dean will review the
student’s prior disciplinary record and assess a penalty that is appropriate to the circumstances.
If the person complained of is a student and that student is barred from the campus, his or her instructors and relevant academic administrative officer (Associate Dean of Graduate or Undergraduate Instruction) will be notified.

SECTION 49.09  HEARING OFFICER

The president will select a hearing officer to hear specific charges under this chapter and where so provided, to hear specific charges under other provisions of this title (see Section 49.12).

SUBCHAPTER C.  DISCIPLINARY PROCEEDINGS AND DISPOSITION

SECTION 49.10  INVESTIGATION

(a) All allegations and information that a student has engaged in conduct proscribed herein shall be given to the dean.

(b) Action under this chapter may go forward regardless of possible or pending other administrative, civil or criminal proceedings arising out of the same or other events.

(c) The dean or the dean’s designee shall investigate the alleged violation. The preliminary investigation shall include a summons to the accused student in accordance with Section 49.14 to confer with the accused student concerning the allegations. Following completion of the investigation, the dean may:

(1) dismiss the allegation as unfounded;
(2) attempt to mediate a resolution which is acceptable to both parties;
(3) proceed administratively under Section 49.11; or
(4) prepare a hearing notice based on the allegation and proceed under Section 49.13.

(d) Pending a hearing or other disposition of allegations against a student, the dean may take such immediate interim disciplinary action as is appropriate to the circumstances when such action is in the best interest of the institution. This includes but is not limited to a suspension and bar from the campus when it reasonably appears to the dean from the circumstances that the continuing presence of the student poses a potential danger to persons or property or a potential threat for disrupting any activity authorized by the university. In the case of interim discipline, a hearing will generally be held under the hearing procedures specified in Section 49.13 within ten (10) days after the interim disciplinary action was taken; however, at the discretion of the dean the ten (10) day period may be extended for a period not to exceed an additional ten (10) days.

(e) Notwithstanding the above, the dean may withhold the issuance of an official transcript, grade, diploma, certificate, or degree to a student alleged to have violated a rule or regulation of the System or the university that would reasonably allow the imposition of such penalty. The dean may take such action pending a hearing, resolution by administrative disposition, and/or exhaustion of appellate rights if the dean has provided the student an opportunity to provide a preliminary response to the allegations and, in the opinion of the dean, the best interests of the System or the university would be served by this action.

(f) The dean will notify the faculty member bringing the case and the associate dean of
graduate or undergraduate education in his or her school of the interim action. The faculty member and associate dean will be notified at the same time as the student.

SECTION 49.11 ADMINISTRATIVE DISPOSITION

(a) In any case where the accused student elects not to dispute the facts upon which the charges are based and agrees to the sanctions the dean assesses, the student may execute a written waiver of the hearing procedures. This administrative disposition shall be final and there shall be no subsequent proceedings regarding the charges.

(b) In any case where the accused student elects not to dispute the facts upon which the charges are based, but does not agree with the sanctions assessed by the dean, the student may execute a written waiver of the hearing procedures specified in Section 49.13 yet retain the right to appeal the decision of the dean only on the issue of penalty. Except in cases involving only the assessment of the minimum penalty prescribed in Subsection 49.25(b), the appeal regarding the penalty will be to the president of the university. The appeal is considered on the basis of written arguments of the student and the dean.

(c) In cases of dishonesty or misconduct referred by faculty, the dean will notify the faculty member bringing the case and the associate dean of graduate or undergraduate education in his or her school of the disposition. The faculty member and associate dean will be notified at the same time as the student.

SECTION 49.12 APPOINTMENT OF HEARING OFFICERS

In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial hearing officer. The president shall appoint the hearing officer.

SECTION 49.13 HEARINGS

(a) Hearings shall be conducted in accordance with the procedures contained in this chapter which assure both the university and the accused student the following rights:

1. both parties will exchange lists of witnesses, a summary of witness testimony, and copies of documents to be introduced at the hearing at least five (5) days prior to hearing.

2. each party shall have the right to appear, present testimony of witnesses and documentary evidence, cross examine witnesses and be assisted by an advisor of choice. The advisor may be an attorney. If the accused student's advisor is an attorney, the dean's advisor may be an attorney from the Office of General Counsel of the System. If the student chooses an advisor who is an attorney, the student must give written notice of the name and address of the attorney to the dean at least three (3) week days before the time set for commencement of the hearing. An advisor may confer with and advise the dean or accused student, but shall not be permitted to question witnesses, introduce evidence, make objections, or present arguments to the hearing officer.

3. The dean may recommend a penalty to be assessed by the hearing officer. The
recommendation may be based upon past practice of the university for violations of a similar nature, the past disciplinary record of the student, or other factors deemed relevant by the dean. The accused student shall be entitled to respond to the recommendation of the dean.

(4) The hearing will be recorded. If either party desires to appeal the decision of the hearing officer, the official record will consist of the recording of the hearing, the documents received in evidence and the decision of the hearing officer. At the request of the president, the recording of the hearing will be transcribed and both parties will be furnished a copy of the transcript.

(b) Such hearings shall be closed to all persons other than the student charged, the dean, an advisor for each of them, the hearing officer, witnesses while they are presenting evidence, and the person designated to record the hearing.

SECTION 49.14 NOTICES

(a) The dean shall prepare notices as appropriate to the student charged.

(b) Any student may be summoned by written request of the dean for a meeting for purposes of the investigation and/or to discuss the allegations. The written request shall specify a place for the meeting and a time at least three (3) weekdays after the date of the written request if the request is sent regular mail, or at least two (2) weekdays after the date of the request if the request is sent by e-mail or hand delivered. The written request may be mailed to the address appearing in the records of the registrar, e-mailed to the student at the e-mail address on record with UT Dallas, or may be hand delivered to the student.

(c) If a student fails to respond to a summons without good cause, as determined by the dean, the dean may bar or cancel the student’s enrollment or otherwise alter the status of the student until the student complies with the summons, or the dean may proceed to implement hearing procedures.

(d) Except in those cases where immediate interim disciplinary action has been taken, the dean shall initiate hearing procedures against a student charged by providing the student at least ten (10) days written notice of the date, time, and place of the hearing and the name of the hearing officer. The notice letter shall provide a statement of the charge(s) and a summary statement of the evidence supporting such charge(s).

(e) The notice of hearing shall be delivered in person to the student or mailed to the student at the address appearing in the registrar’s records. A notice sent by mail will be considered to have been received on the third day after the mailing, excluding any intervening Sunday. The date for a hearing may be postponed by the hearing officer for good cause or by agreement of the student and dean.

(f) A summons or a notice sent to the address listed in the registrar's records shall constitute full and adequate notice. The failure of a student to provide the registrar with a current address, or forwarding address, the refusal to accept delivery of the letter, or failure to read mail or e-mail shall not be a good cause for failure to respond to the summons or notice.

(g) If a student fails without good cause, as determined by the dean, to comply with a
hearing notice sent under Subsection (d), the hearing will proceed as scheduled and the student will be notified of the decision of the hearing officer in accordance with Section 49.17(c)(5) and (6).

SECTION 49.15 CHALLENGES TO THE HEARING OFFICER

(a) The accused student may challenge the impartiality of the hearing officer. The challenge must be in writing, stating the reasons for the challenge, and be submitted to the hearing officer through the Office of the Dean at least three (3) days prior to the hearing.

(b) The hearing officer shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the hearing officer disqualifies himself or herself, a substitute will be chosen by the president.

SECTION 49.16 PROCEDURE

The hearing officer shall proceed generally as follows during the hearing:

(a) the dean reads the charge;
(b) the hearing officer informs the accused student of his or her rights in accordance with Section 49.13;
(c) the dean presents the university's case;
(d) the accused student presents his or her defense;
(e) the dean and the student present rebuttal evidence and argument;
(f) the hearing officer deliberates in private to decide the issue of guilt or innocence and assess an appropriate penalty or penalties in the event of a finding of guilt.

SECTION 49.17 CONDUCT OF HEARINGS

(a) The hearing officer must rule upon objections that are made to the admissibility of evidence offered at the hearing. No evidence other than that admitted at the hearing shall be considered by the hearing officer. In ruling upon the admissibility of evidence, the following criteria will be considered:

1. in order to be admissible, documents and testimony of witnesses must be relevant to the issues to be decided by the hearing officer. Generally, evidence is relevant if it tends to prove or disprove the facts at issue. There must be some logical connection between the evidence offered and the facts that are in dispute. Upon objection, evidence that is not relevant should be excluded.

2. testimony of witnesses should be based upon the personal knowledge or observation of the witness. If such testimony is based upon what the witness has read or has been told by someone, it is hearsay and the hearing officer should give it little or no consideration in deciding the issues. Hearsay does not rebut or contradict the testimony of a witness with direct knowledge of the subject nor will hearsay be sufficient to prove or disprove a matter at issue.

3. evidence that is merely cumulative of evidence already in the record should be excluded by the hearing officer upon objection or upon a determination by the

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hearing officer that it is merely repetitious. The hearing officer has the discretion to determine when further evidence on an issue becomes repetitive.

(b) Upon a hearing of the charges, the dean has the burden of going forward with the evidence and has the burden of proving the charges by the greater weight of credible evidence.

c) The hearing officer shall:
   (1) make all rulings on matters relating to the conduct of the hearing including matters regarding admission of evidence and testimony of witnesses;
   (2) have the right to question witnesses;
   (3) have the right to the advice and assistance of legal counsel from the Office of General Counsel of the System;
   (4) maintain an orderly hearing and permit no person to be subjected to abusive treatment and may eject or exclude anyone who refuses to be orderly;
   (5) render and send to the dean and the accused student a written decision that contains findings of fact and a conclusion as to whether the accused student is responsible for the violations as charged;
   (6) upon a finding of responsibility, assess a penalty or penalties; when an accused student is found responsible for the illegal use, possession, or sale of a drug or narcotic on campus, the assessment of a minimum penalty, as stated in Subsections 49.25 (a) (7) and (10), is required;
   (7) in cases involving a crime of violence, notify the alleged victim of the decision. The alleged victim, upon receipt of information regarding the decision, shall be bound to keep in confidence such information.

d) Consolidated Hearings
   (1) where more than one student is charged with conduct arising out of a single occurrence, or out of connected multiple occurrences, a single hearing may be held for all of the students so charged. Such students may request that their case be consolidated with others, or separated from others.
   (2) the hearing officer shall make determinations regarding consolidation. All cases affected shall be rescheduled for hearing.

SECTION 49.18 DISCIPLINARY RECORDS

(a) Disciplinary records shall be maintained as provided in Chapter 47, Subchapter C, Section 47.15 which states
   (1) The university shall maintain a permanent written disciplinary record for every student assessed a sanction of suspension, expulsion, denial or revocation of degree and/or withdrawal of diploma. A record of scholastic dishonesty shall be maintained for at least five years unless the record is permanent in conjunction with the above stated penalties. The disciplinary record of other penalties shall be maintained for such period as determined by the dean.
   (2) A disciplinary record shall reflect the nature of the charge, the disposition of the charge, the penalty assessed and any other pertinent information. This disciplinary record shall be maintained by the Office of the Dean of Students.
shall be treated as confidential, and shall not be accessible to or used by anyone other than the dean or university officials with legitimate educational interests, except upon written authorization of the student or in accordance with applicable state or federal laws or court order or subpoena.

(b) The dean shall notify the registrar and/or other appropriate administrative offices if a disciplinary penalty restricts a student from being enrolled at the university or at a component of the system during the period of the penalty and/or if the penalty involves withholding of grades, official transcript, or degree; denial of degree; revocation of degree; withdrawal of diploma; bar against readmission; drop from enrollment; reduced or failing grade; suspension or expulsion from the university; or other penalty about which the registrar or administrative official would have a need to know.

SUBCHAPTER D. PENALTIES

SECTION 49.25 AUTHORIZED DISCIPLINARY PENALTIES

(a) One or more of the following penalties may be assessed by the dean pursuant to Section 49.11 or, with the exception of admonition or warning probation, by the hearing officer after a hearing:

(1) admonition;
(2) warning probation;
(3) disciplinary probation;
(4) withholding of grades, official transcript or degree;
(5) bar against readmission and/or cancellation of enrollment;
(6) restitution or reimbursement for damage to or misappropriation of university property;
(7) suspension of rights and privileges, including participation in athletic or extracurricular activities;
(8) failing grade for an examination or assignment or course and/or cancellation of all or any portion of prior course credit;
(9) denial of degree;
(10) suspension from the university for a specified period of time;
(11) expulsion (permanent separation from the university);
(12) revocation of degree or withdrawal of diploma;
(13) housing probation; and/or
(14) other penalty as deemed appropriate under the circumstances.

(b) If the hearing officer finds a student responsible for the illegal use, possession, and/or sale of a drug or narcotic on campus, the hearing officer must assess a minimum sanction of suspension for a specified period of time and/or suspension of rights and privileges as provided in Subsections 49.25(a) (7) and (10) of this Chapter.

(c) In the case of hearings regarding allegations against a student organization, additional penalties are authorized in Chapter 45, Section 45.26.

SECTION 49.26 NATURE OF DISCIPLINARY PENALTIES
(a) An admonition is a written reprimand from the dean to the student on whom it is imposed.

(b) Warning probation indicates that further violations will result in more severe disciplinary action. Warning probation may include conditions related to the offense, such as counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered an additional violation.

(c) Disciplinary probation indicates a specified period of time during which the student is required to comply with specified terms and conditions that include not engaging in further conduct in violation of this Chapter. Disciplinary probation may include conditions related to the offense, such as counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered an additional violation.

(d) Withholding of grades, officially certified transcript or degree may be imposed upon a student who fails to pay a debt owed the university, and the penalty terminates on payment of the debt. These penalties may also be imposed for other violations including scholastic dishonesty. The dean may take such action pending a hearing and/or exhaustion of appellate rights when in his or her opinion, the best interests of the system or the university would be served by this action.

(e) Restitution is reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

(f) Suspension of rights and privileges is an elastic penalty. Limitations may be imposed to fit the particular case. During the period of suspension, the student may be prohibited from participation in official athletic and athletic extracurricular activities; joining a registered student organization; taking part in a registered student organization's activities and attending its meetings or functions; and nonathletic extracurricular activity. A suspension may be imposed for not more than one calendar year.

(g) A failing grade or other academic penalty may be assigned to a student for a course in which he or she was found guilty of scholastic dishonesty.

(h) A student found guilty of scholastic dishonesty may be denied his or her degree.

(i) Suspension from the university prohibits, during the period of suspension, the student from entering the university campus, except in response to an official summons. Suspension may be imposed for not more than one calendar year, after which application may be made for readmission.

(j) Expulsion from the university is permanent and includes the same prohibitions as those for suspension.

(k) No former student who has been suspended or expelled for disciplinary reasons from a component institution of the system shall be permitted on the campus of any component institution during the period of such suspension or expulsion without the prior written approval of the chief student affairs administrator of the component institution at which the suspended or expelled student wishes to be present.

(l) Housing probation is imposed for behavior that indicates an unwillingness or inability to conform to the standards of a community living situation. It requires that during the period of probation the student demonstrate that he/she is capable of conduct in conformance with
University Village, Waterview Park, and university rules. Other reasonable and appropriate restrictions or conditions on housing activities and privileges during the probationary period may be imposed including periodic conferences with professional staff members or reassignment of housing.

(m) Revocation of the degree and withdrawal of the diploma may be imposed when the violation involves scholastic dishonesty or otherwise calls into question the integrity of the work required for the degree.

(n) Other penalties may be imposed when, in the opinion of the dean or the hearing officer, the best interests of the System or the university would be served.

SUBCHAPTER E. APPEAL OF DECISIONS

SECTION 49.30 PROCEDURES

(a) A student may appeal a disciplinary sanction assessed by the dean. A student and/or the dean may appeal the hearing officer's decision to the president by following the procedures set forth in this section.

(b) The appealing party must submit a written appeal, stating the specific reasons for the appeal and any argument, to the president of the university, with a copy to the other party. The appeal must be stamped as received by the President's Office no later than fourteen (14) days after the appealing party has been notified of the sanction assessed by the dean or the decision of the hearing officer. If the notice of penalty assessed by the dean or the decision of the hearing officer is sent by mail, the date the notice or decision is mailed initiates the fourteen (14) day period for the appeal. The non-appealing party must submit a response to the appeal, which must be received by the President's Office no later than five (5) days after the receipt of the appeal with a copy to the other party.

(c) The appeal of the decision of the hearing officer will be reviewed solely on the basis of the record from the hearing.

(d) Should the president so request, the dean shall cause the recording of the hearing to be transcribed and shall send the record to the president with a copy to the student. At the discretion of the president both parties may present oral argument in an appeal from the decision of the hearing officer.

(e) Upon consideration of the appeal, the president may approve, reject, or modify the decision, or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. If the finding as to responsibility is upheld by the president in a case involving the illegal use, possession, and/or sale of a drug or narcotic on campus, the penalty may not be reduced below the minimum penalty prescribed by Subsection 49.25(b) of this Chapter.

(f) The action of the president shall be communicated in writing to the student and the dean within thirty (30) days after the appeal and related documents have been received. The decision of the president is the final appellate review.

SUBCHAPTER F. STUDENT STANDARDS OF CONDUCT
SECTION 49.36   SCHOLASTIC DISHONESTY

(a) The university expects all students to maintain a high level of responsibility with respect to academic honesty. Because the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his or her scholastic work.

(b) The dean may initiate disciplinary proceedings under Subchapter C against a student accused of scholastic dishonesty upon complaint by a faculty member or a student.

(c) Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it includes, but is not limited to, one of the following acts: cheating, plagiarism, and/or collusion.

(d) Cheating includes, but is not limited to
   (1) copying from another student's test paper, laboratory report, other report, or computer files, data listings, and/or programs or engaging in conduct that facilitates such conduct by another student.
   (2) using during a test, materials not authorized by the person giving the test;
   (3) failing to comply with instructions given by the person administering the test which would include, but not be limited to, time restrictions, use of blue book, seating arrangements;
   (4) collaborating with or seeking aid from or giving aid to another student during a test;
   (5) knowingly using, buying, selling, stealing, transporting, or soliciting in whole or in part the contents of an unadministered test, test key, homework solutions, or computer program;
   (6) substituting for another student, or permitting another person to substitute for oneself, to take a test;
   (7) soliciting another person to obtain an unadministered test or information about an unadministered test;
   (8) discussing the contents of an examination with another student who will take the examination;
   (9) possession during a test of materials that are not authorized by the person giving the test, such as class notes or specifically designed "crib notes." The presence of textbooks constitutes a violation only if they have been specifically prohibited by the person administering the test.
   (10) submission of substantial portions of the same academic work for credit (including oral reports) more than once without written authorization from the instructor.

(e) Plagiarism means the appropriation, buying, receiving as a gift, or obtaining by any means another's work and the submission or incorporation of that work in one's own written work offered for credit without appropriate attribution.

(f) Collusion means the unauthorized collaboration with another person in preparing academic assignments offered for credit.

(g) Falsifying academic records means the altering of grades or other falsification
(statements, acts or omissions) of academic records including but not limited to the application for admission, grade reports, test papers, registration materials, and reporting forms used by the registrar's office or other university offices.

(h) Falsifying data or experiments includes, but is not limited to, the submission of false findings and/or the citation of false references in research or other assignments submitted for credit and/or for the awarding of a degree.

SECTION 49.37 MISCONDUCT

(a) Any student who engages in conduct that violates the Regents' Rules and Regulations, System or university rules and regulations, specific instructions issued by an administrative official of the university or the System acting in the course of his or her authorized duties, violates federal, state, or local laws, or fails to maintain the standard of conduct appropriate for an academic institution, is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.

(b) Any behavior which may have been influenced by a student's mental state or use of drugs or alcoholic beverages shall not in any way limit the responsibility of the student for the consequences of his or her actions.

(c) Primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any acts that result in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. This provision is not designed to be used as a means to punish classroom dissent. The expression of a disagreement with the instructor is not in itself disruptive behavior. Disruptive behavior includes, but is not limited to, stalking; abusive behavior toward the instructor or other students; persistent failure to maintain decorum; efforts to induce other students to cheat or assist in cheating on papers or examinations whether or not such cheating actually occurs; efforts to induce an instructor to award or change a grade with threats of harassing litigation; or abusive, threatening or intimidating behavior toward other students or the instructor outside of class but in relation to the class.

A student who repeatedly engages in disruptive class behavior shall be referred by the faculty member to the dean who will proceed under the provisions of Subchapter C.

(d) The dean may initiate disciplinary proceedings under Subchapter C against a student who

1. violates a federal or state penal law on university property or in connection with any university-oriented activity.
2. possesses or uses any type of explosive, firearm, imitation firearm, ammunition, hazardous chemical or weapon as defined by state or federal law while on campus or on any property or in any building owned or controlled by the System or the university.
3. conducts himself or herself in a manner that significantly endangers the health or safety of members of the university, or of visitors on the campus; this
includes but is not limited to physical abuse, verbal abuse, threats, intimidation, harassment and coercion.

(4) steals, damages, defaces, destroys, or takes unauthorized possession of university property or property belonging to another. This includes roadside signs, road markers, and parking lot signs and ties. The removal of these items is considered theft and can contribute to major accidents.

(5) engages in hazing, submits to hazing, or fails to report first-hand knowledge of hazing incidents; such conduct is prohibited by state law and, in addition to disciplinary actions, is punishable by fines up to $10,000 and confinement in county jail for up to two years. Hazing is defined by state law as, "...any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution." Any person with knowledge that a specific hazing incident has occurred on or off campus must report the incident to the dean.

(6) uses alcoholic beverages on property and in buildings and facilities owned or controlled by the System or the university, except while on premises that have been licensed by the Texas Alcoholic Beverage Commission or while in attendance by invitation at a specific event sponsored by the System or the university and at which alcoholic beverages are served for those over the age of 21.

(7) engages in gambling, or in illegal use, possession, and/or sale of a drug or narcotic.

(8) enters, walks, runs, lies, plays, remains, or is in the water of any fountain or other artificial body of water located on the university campus which is not designated and maintained for recreational or therapeutic purposes, or who dumps, throws, places or causes any material, object, person, animal, trash, waste or debris to be placed in the water of any fountain or other artificial body of water located on the university campus, or who damages, defaces, or removes any portion of any fountain, monument, building, statue, structure, facility, tree, shrub, or memorial located on property owned or controlled by the System or the university.

(9) engages in speech, either orally or in writing, that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

(10) acting either singly or in concert with others, obstructs, interferes with or disrupts any teaching, research, administrative, disciplinary, public service, learning, or other authorized activity to be held or conducted on campus, or on property or in a building or facility owned or controlled by the System or the university. Obstruction or disruption includes but is not limited to any act that interrupts, modifies or damages utility services or equipment, communication
services or equipment, university computers, computer programs, computer records or computer networks accessible through the University's computer resources.

(11) violates any rule or regulation governing on-campus residential living or provision of a residential living contract.

(12) alters or assists in the altering of any official record of the System or the university or submits false information or omits requested information that is requested for or related to an application for admission, the award of a degree, or any official record of the System or the university. A former student who engages in such conduct is subject to bar against readmission, revocation of degree and withdrawal of diploma.

(13) engages in sexual assault which is defined as physical contact of a sexual nature which is against one's will or without one's consent.

(14) engages in disorderly, lewd, indecent, inappropriate, disruptive, loud, or obscene conduct or behavior that interferes with the orderly functioning of the university or interferes with an individual's pursuit of an education on university-owned or -controlled property or during an authorized university class, field trip, seminar, competition, or other meeting or university-related activity on or off university property.

(15) engages in the unauthorized use of property, equipment, supplies, buildings, or facilities owned or controlled by the System or the university.

(16) fails to comply with a verbal or written request or instruction of an official of the university or the System acting in the course of his or her duties.

(17) gives false testimony or other evidence at a campus disciplinary or other administrative proceeding.

(18) publishes or aids in publishing or circulates or aids in circulating any anonymous publication.

(19) engages in physical abuse or threat of physical abuse of any person on the campus, within any building or structure owned or controlled by the university or at any function, program, event, or assembly conducted, sponsored, supervised or authorized by the university.

(20) commits such acts that constitute a violation of the Texas Penal Code.

(21) has knowledge of, or is in the presence of the manufacture, use, possession or sale of an illegal substance. Having knowledge of such behavior or being present when a violation occurs constitutes equal responsibility and involvement in the incident.

(22) skateboards, roller skates, roller blades, and bicycles inside university facilities or in unauthorized outdoor areas.

(23) engages in misuse, vandalism of, or tampering with fire equipment, including fire extinguishers, alarms, hoses, and smoke detectors, as well as false reporting of a fire, bomb threat, or other emergency.

(24) participates in the game "assassin," "killer" or variations thereof on university owned or controlled property.

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(25) engages in prohibited conduct while participating in off-campus activities sponsored by the university or the System, including field trips, internships, rotations or clinical assignments.
(26) attempts, aids, abets, conspires, hires or is an accessory to any conduct prohibited by Chapter 49, or
(27) otherwise engages in conduct that is inappropriate for members of an academic institution (such conduct includes but is not limited to pranks, throwing food at persons or property, public nudity and harassing phone calls).

(e) In the case of disruptive activity on the campus of the university, neither the president nor any officer in the office of the chancellor, nor any representative of any of them, shall negotiate with any person or persons so engaged. When such a situation arises, the president, or the office of the chancellor, or any representative of any of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention, and the dean may initiate disciplinary proceedings under Subchapter C.

SECTION 49.38 SEXUAL ASSAULT

(a) It is the policy of the university to strive to maintain an environment that is free from intimidation and inappropriate sexual conduct. In particular, the university will not tolerate any form of sexual assault, including, but not limited to, acquaintance rape, date rape, sodomy, sexual assault with an object, fondling or any other form of non-consensual sexual activity.
(b) A student who individually, or in concert with others, participates or attempts to participate in a sexual offense, regardless of whether it takes place on or off campus, is subject to disciplinary action under Subchapter C, notwithstanding any action that may or may not be taken by the civil authorities.
(c) The university encourages any person who is the victim of a forcible or non-forcible sexual offense to immediately report the incident to any of the “Campus Security Authorities” (university police, office of the Dean of Students, university residence life personnel and Deans, Directors, Department Heads, except those with significant counseling responsibilities). Other university personnel which may be contacted are Student Health Services and the Women’s Center. Additional resources outside the university are available (see attached list of resources). There is no requirement to notify law enforcement authorities of a sexual offense; however, the university encourages all victims to do so and university personnel will assist in notifying local and campus police to report a sexual offense. University police should be notified as soon as possible (the preservation of evidence is crucial in a sexual offense case). Do not bathe, shower, douche, or change clothing. If needed, contact one of the above mentioned resources, or a support person for assistance. University police will handle all cases that occur on campus. If transportation is needed to obtain a medical examination, the university police department will arrange for transportation to the hospital. For the protection of the victim, a pseudonym can be used in the report process.
(d) When a student reports that the campus regulations prohibiting sexual assault have been violated, informal procedures that provide for the protection of the emotional health and physical safety of the complainant may be invoked. For example, a student who lives on campus may be moved to another campus living environment if he or she chooses and if
accommodations are reasonably available. Similarly, a complainant may be allowed to make changes in his or her class schedule. Such arrangements will be made through the Office of the Dean of Students. If the complainant provides credible evidence that the accused student has engaged in prohibited sexual assault, the dean may take interim disciplinary action against the accused student as appropriate.

(e) A student who wishes to file a complaint that will be addressed by the University disciplinary system should contact the dean at 883-6391. A student may choose to file a complaint with the dean whether or not the student chooses to press criminal charges. A student who wishes to file a complaint against a faculty or staff member may contact the dean as well. Procedures for discipline and dismissal of staff and faculty are outlined in the university Handbook of Operating Procedures.

(f) Notwithstanding the rights of the accused student, faculty or staff member, a complainant under this policy is entitled to the following rights:

1. The right to present his/her testimony during the disciplinary hearing.
2. The right to have a support person present. This person is not entitled to represent the complainant or to assist the complainant with his or her testimony. If the support person is to act as a witness, the hearing officer may require him or her to testify prior to the hearing.
3. The right not to have evidence of his or her past sexual history with third parties admitted as evidence.
4. The right to have the hearing closed to spectators.
5. The right to know the outcome of the hearing to the extent permitted by the federal Family Educational Rights and Privacy Act.

(g) The university Counseling Center (883-2575) and the Dallas County Rape Crisis Center (653-8740) and the Collin County Rape Crisis Center (881-0088) are available to provide support services for anyone affected by any form of sexual assault. Students who may have been assaulted by someone who is not affiliated with the university may also contact any of the available university support services.

(h) Below is a list of educational and preventative programs and support services on campus that address the issue of sexual assault. Brochures and other printed materials are available from each office. Additional information may be obtained by calling the numbers listed.

**STUDENT COUNSELING CENTER**
883-2575
Individual and group counseling
Educational Programs

**STUDENT HEALTH CENTER**
883-2747
Educational and prevention information
Testing for sexually transmitted diseases after an assault
Presentations upon request

**SUMMER ORIENTATION PROGRAMS--NEW STUDENT PROGRAMS**
883-2456
Programs to provide awareness of sexual assault on campus
Resources for prevention and support

THE UNIVERSITY OF TEXAS AT DALLAS POLICE
Crime prevention presentations that include issues related to assault
Escort service
Crime statistics information

RESIDENTIAL LIFE/HOUSING
Peer Adviser training on issues related to sexual assault
On-site educational programs
Individual and group support and follow-up

SUBCHAPTER G. FINANCIAL TRANSACTIONS WITH THE UNIVERSITY

SECTION 49.45 TUITION AND FEES

A student who fails to provide full payment of tuition and fees, including late fees assessed, to the university when the payments are due is subject to one or more of the following actions at the university's option:
(a) bar against readmission;
(b) withholding of grades, degree and official transcript; and
(c) all penalties and actions authorized by law.

SECTION 49.46 RETURNED CHECKS

Students will be assessed a fee for each returned check unless their bank provides written notification that the bank was at fault. Students who write bad checks to the university for tuition and fees will have their registration canceled unless full payment is made by the census day listed in the academic calendar shown in the current university catalog.

SECTION 49.47 OTHER DEBTS

Students who owe other debts to the university, including but not limited to parking and library fees, will be subject to a ban against readmission and withholding of grades, degree and official transcript.
(b) Punishments for misconduct involving staff may consist of any of the following:

1. removal from the university for a fixed term or indefinitely.

2. if the misconduct involves criminal activity, university punishment does not preclude referring the matter to appropriate civil authorities.
1. **Policy.**

The University of Texas at Dallas *Handbook of Operating Procedures* (HOP) contains official policies and procedures for the governance of UT Dallas. The rules and regulations constituting the HOP must not conflict with any rule or regulation in the Regents’ *Rules and Regulations*. Any HOP rule or regulation that is in conflict with any rule or regulation in the Regents’ *Rules and Regulations* is null and void and has no effect.

The President of The University of Texas at Dallas has the authority and responsibility to prepare and submit to the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel for approval the rules and regulations constituting the HOP. The President has designated the Policy Coordinator as the university official responsible for coordination of policy development and review. The development and review process will include an opportunity for faculty, staff, and student governance bodies to provide advisory input regarding proposed changes to policies that may impact the respective groups.

2. **Scope**

This policy applies to any significant change to the institution’s HOP, including the addition or deletion of policies and procedures.

3. **Purpose**

The purpose of this policy is to set forth the procedure for amending the institution’s HOP including obtaining input from faculty, staff, and student governance bodies that may be affected by changes in policies and procedures.

4. **Definitions**

4.1 **Educational Policy:** Sections of the HOP that pertain to the areas of faculty responsibility as set forth in Regents’ *Rules and Regulations*, Series 40101.

4.2 **Governance of the institution:** Consists of the policies and procedures except medical procedures or protocols, affecting the way the institution directs, administers or controls the institution. This includes policies and procedures:
(a) directing compliance with applicable state and federal laws and regulations, Regents’ *Rules and Regulations*, and UT System policies and policies with System-wide application;

(b) addressing or affecting the responsibility and/or authority of the various offices and bodies that make up the institution; and

(c) addressing the relationships between administration, faculty, students, and staff and institutional values and/or goals.

4.3 **HOP Committee**: The Committee appointed by the President to review and make recommendations regarding the HOP to the President. The HOP committee membership includes the President or his or her designee, the Vice Presidents or their respective designees, the Faculty Senate Chair, Staff Council President, Student Government Association President, the Policy Coordinator, and other individuals as appointed by the President.

4.4 **Policy Coordinator**: Person or office appointed by the institution’s President to ensure institutional compliance with this policy.

4.5 **Responsible Executive**: The President, or his or her designee, or Vice President, or his or her designee, who is responsible for the programmatic, functional or administrative areas addressed by the policy and procedure.

4.6 **Significant change**: A change that results in a substantive change in the rule including changes to essential principle(s), scope or application of the HOP policy or procedure. Editorial changes, changes to reflect institutional organizational changes, paragraph and outline numbering, and reference citations are not significant changes.

4.7 **Stakeholder Review Plan**: A plan for obtaining advisory input from faculty, staff, and student governance bodies that may be affected by changes in HOP policies and procedures.

5. **Procedure**

5.1 Designations and Responsibilities.

The Policy Coordinator will chair the HOP Committee. The HOP Committee will review all HOP sections and for each section is responsible for designating a Responsible Executive; determining a periodic review schedule; designating whether it pertains to the areas of faculty responsibility in educational policy formulation; and developing a Stakeholder Review Plan.
5.2 HOP Review Process.

(a) Policies Not Related to Educational Matters

(1) A university office proposing a new HOP section will draft the policy, in correct HOP format, and prepare a statement of background and rationale for the new policy. (The Policy Coordinator will provide assistance upon request). A university office proposing a HOP amendment will prepare a draft in congressional style along with a statement of background and rationale for the amendment. The proposing office will route the documents through the appropriate Responsible Executive(s) or their designees.

(2) The Responsible Executive will submit the proposal to the Policy Coordinator who will distribute it to the HOP Committee. The HOP committee will confirm the appropriate Stakeholder Review Plan. The Stakeholder Review Plans for policies not related to educational matters requires review by all stakeholders within 30 calendar days.

(3) The Policy Coordinator will distribute the proposed HOP policy in accordance with the Stakeholder Review Plans and timelines.

(4) Advisory input from Stakeholders returned timely to the Policy Coordinator will be provided to the Responsible Executive for consideration.

(5) The Responsible Executive will resubmit the proposed HOP policy with any incorporated changes to the HOP Committee.

(6) Once a majority of the HOP committee has approved the proposed HOP policy, it will be submitted to the President for review and approval.

(b) Educational Policy

(1) New or amended Educational Policies will be reviewed in accordance with Section 5.2(a)(1)-(6).

(2) The Stakeholder Review Plan for Academic Affairs requires review by Academic Senate within 60 calendar days.

(c) HOP Policies with No Significant Changes

Proposed changes to HOP sections that are not significant do not need to be approved in accordance with this policy or reviewed by the Executive
Vice Chancellor or Vice Chancellor and General Counsel. The Policy Coordinator shall determine whether the change is significant.

5.3 Each policy in the HOP will be reviewed in accordance with the review schedule and timelines using the applicable process in Section 5.2.

5.4 After approval by the President, the Policy Coordinator will submit the proposed HOP policy to the appropriate UT System Executive Vice Chancellor and the Vice Chancellor and General Counsel for review and approval. The submission should include any changes shown in congressional style and a brief background and rational for the proposed policy.

5.5 The Policy Coordinator will notify the HOP Committee and Responsible Executive regarding the resolution of any comments received from UT System and make conforming changes as needed. Recommendations and comments from university attorneys are legal advice provided to university administration and are to be treated as privileged and confidential attorney-client communications.

5.6 The Policy Coordinator will notify the university community regarding approved HOP amendments by placing them in the HOP.

6. Authority/Related Policies

Regents’ Rules and Regulations, Series 20201
Regents’ Rules and Regulations, Series 10100
Regents’ Rules and Regulations, Series 40101
Academic Affairs Stakeholder Review Plan:
The stakeholders for educational policies at The University of Texas at Dallas include: the standing university committee (as appropriate), the Committee on Educational Policy, Academic Council, Academic Senate, Deans, Department Heads, Assistant Provosts, Associate Provosts, Vice Provosts, and the Executive Vice President and Provost. The process for stakeholder review, comment, and approval is as follows: the appropriate standing committee, the Graduate Council or the Council for Undergraduate Education (as appropriate), the Committee on Educational Policy, Academic Council, Academic Senate, and the Executive Vice President and Provost. The President has final approval authority.

The stakeholders for non-educational policies related to Academic Affairs at The University of Texas at Dallas include: the standing university committee (as appropriate), Academic Council, Academic Senate, and the Executive Vice President and Provost. The process for stakeholder review, comment, and approval is as follows: the appropriate standing committee, Academic Council, Academic Senate, and the Executive Vice President and Provost. The President has final approval authority.

IR Stakeholder Review Plan:
The stakeholders for policies pertaining to Information Resources at The University of Texas at Dallas include: the Information Resources Security, Policy, and Planning Committee; Provost's office; and IR directors. Changes to existing policies will be distributed to the stakeholders via the Chief Information Security Officer or Chief Information Officer for commentary and approval using an authenticated website, which will capture commentary and document the progress of the revisions. Additional ad hoc reviews by the President's Cabinet (in whole or in part) will be engaged by the CIO when appropriate. The President has final approval authority.

Student Affairs Stakeholder Review Plan:
The stakeholders for policies relative to Student Affairs at The University of Texas at Dallas include: the Assistant Vice President for Student Affairs and Dean of Students; the Vice President for Student Affairs; and Student Affairs Associate Deans and Directors. Changes to existing policies will be distributed to the stakeholders by the AVP/DOS for review and feedback using congressional style to track changes. Additional ad hoc reviews by the Vice Provost will be engaged by the AVP/DOS and with the President’s Cabinet by the VPSA as appropriate. The President has final approval authority.

Research Stakeholder Review Plan:
The Vice President for Research (VPR) will seek advisory input on changes to HOP sections for which the VPR is the Responsible Executive from the following university standing committees as appropriate:

- Intellectual Property Advisory Committee
- Institutional Review Board
Item #8

- Institutional Animal Care and Use Committee
- Research Integrity Committee

In addition, the VPR may invite external stakeholders to provide input to proposed HOP changes as he deems appropriate. The President has final approval authority.

**Business Affairs Stakeholder Review Plan**

The stakeholders for policies pertaining to Business Affairs at The University of Texas at Dallas include: the Vice President for Business Affairs; the Business Affairs Leadership Team, consisting of the Associate Vice Presidents and Assistant Vice Presidents and Directors from other Business Affairs departments whose areas are directly impacted by the policy. Changes to existing policies will be distributed to the stakeholders by the Special Assistant to the VPBA for review and feedback. Ad hoc reviews by the President’s Cabinet (in whole or in part) will be engaged by the VPBA as appropriate. The President has final approval authority.
POLICY MEMORANDUM

CHARGE: COMMITTEE ON LEARNING MANAGEMENT SYSTEMS

The Committee on Learning Management Systems is a Concurrent Committee of the Academic Senate charged to analyze, support, and provide advice and recommendations regarding instructional software, primarily WebCT or its successors. The Committee will advise the Responsible University Official on all aspects of the use and operation of such software. It will also assist in long term planning and in designing and implement programs for faculty instruction in the use of such software.

The Committee will also advise the President through the Academic Senate on strategy and policy regarding university software to support instruction. The Committee will communicate with the Committee on Distance Learning and, with them, will advise the Provost and Executive Vice President for Academic Affairs on academic and faculty issues that pertain to the maintenance, use, and improvement of this software.

By November 1, the Chair of the Committee will provide the Speaker of the Faculty with a copy of the agenda established by the Committee for its work during the academic year.

Annually, but no later than August 31, the Chair of the Committee will provide the Speaker of the Faculty with a written report for the Academic Senate of the Committee’s activities for the prior academic year.

The Committee is composed of five members appointed from the membership of the General Faculty (as defined in Title III, Chapter 21, Section 21.09, I.B.1 of The University of Texas at Dallas Handbook of Operating Procedures). The criteria for appointment shall be that they will be faculty who use WebCT and will represent a broad spread of disciplinary content and levels of instruction. Normally, one person would be from each of five of the six schools in the University. Up to twenty additional members, ex-officio, may be appointed upon nomination of the Responsible University Official from the offices of Educational Enhancement, Information Resources, Records and Registrar, the instructional designers in the School of Management, and the Office of Compliance. The Associate Provost for Educational Enhancement serves as the Responsible University Official.

Unless specified otherwise in this charge, Committee members are appointed to two-year terms, and the Chair and Vice Chair are appointed annually. The terms for appointed members shall be staggered so that no more than one-half of the terms expire in any one year. Members may be reappointed by the President for additional terms upon nomination of the Academic
Council. If for any reason a Committee member resigns, the President, upon nomination of the Academic Council, shall appoint another individual to serve the remainder of the unexpired term.