APPROVED AND CORRECTED MINUTES

These minutes are disseminated to provide timely information to the Academic Senate. They have been approved by the body in question, and, therefore, they are the official minutes.

ACADEMIC SENATE MEETING
MARCH 20, 2013

PRESENT: David Daniel, Hobson Wildenthal, Robert Ackerman, Shawn Alborz, Peter Assmann, John Barden, Kurt Beron, Cy Cantrell, R. Chandrasekaran, David Cordell, Gregg Dieckmann, John Ferguson, John Geissman, Lev Gelb, Tobias Hagge, Jennifer Holmes, Mustapha Ishak-Boushaki, Joe Izen, Murray Leaf, Dennis Miller, Jessica Murphy, Ramachandran Natarajan, Simeon Ntados, Ravi Prakash, Michael Rebello, Tim Redman, Liz Salter, Richard Scotch, Tres Thompson,

ABSENT: Poras Balsara, Dinesh Bhatia, Gail Breen, John Burr, Warren Goux, Umit Gurun, D. T. Huynh, Kamran Kiasaleh, Nicole Leeper Piquero, Syam Menon, B.P.S. Murthi, Monica Rankin, Robert Taylor, Zhenyu Xuan, Kang Zhang

VISITORS: Abby Kratz, Rochelle Pene, Karen Huxtable-Jester, Mathew Brown

1. CALL TO ORDER, ANNOUNCEMENTS AND QUESTIONS
President Daniel called the meeting to order. Peter Walker, the university’s landscape architect, recently showed the president the latest drawings for the $15 million phase two to the campus enhancement. The designs focus north of the terrace between the library and the student union. In particular is the planned lawn terrace with oak trees and an in-ground fountain. They will also be planting more trees near the walkways around campus. This will improved the experience walking between buildings. No further announcements.

2. APPROVAL OF THE AGENDA
Tim Redman moved to raise item ten to before item nine. Richard Scotch moved to approve the agenda as amended. Tim Redman seconded. Motion carried.

3. APPROVAL OF MINUTES
Cy Cantrell moved to approve the minutes as circulated. Jessica Murphy seconded. Motion carried.

4. ELECTION COMMITTEE REPORT
The tenure system election was declared completed without needing to cast ballots because there were 48 nominations for 49 available slots. Subsequently, one person who was nominated has withdrawn, reducing the number again by one. Non-tenure system had more nominations than slots available. All those elected were from the Jindal School of Management. Liz Salter, from the school of Interdisciplinary Studies, had been nominated but was not among the five receiving the most votes. Based on the Senate’s resolution last year to apply the same rule for non-tenure track elections as for tenure-track elections, namely that if at least one person from a school was nominated, the person from the school receiving the highest number of votes would
be declared elected, Dr. Salter was declare to be also elected. David Cordell presented the list of next years elected members. He wished to acknowledge Rosa Thompson and Simon Kane on their hard work making sure the voting went smoothly. The caucus meeting will take place April 17 in the TI auditorium at 1pm before the regularly scheduled Senate meeting. The new Senate members will begin on June 1, but are encouraged to attend the April and May senate meetings.

5. **Student Government Liaison Report**  
   Raj Dwivedi was not in attendance. The report was not presented.

6. **Presentation by the Development of 'College Town' Area**  
   They are currently taking proposals for the college town concept. Just north of NSERL near the railroad tracks, approximately 10 acres, is the planned location. A dart rail station will be located in that area, as well as restaurants, pubs, and shops. They are meeting with a variety of focus groups, and taking note of suggested items for this area. Suggestions from the Senate were healthy food options, locally based coffee companies, a pharmacy, a faculty gym, a small grocery store, an Apple store, and possibly a faculty club. Other suggestions were a UT system credit union, a FedEx Kinkos, and a child care center, a federal mail box, a comedy club, a used book/CD store, a non-chain book store, and hair and tanning salons. A request that payday loan, or credit line stores not be considered for this area, as they prey on college students. Cy Cantrell recommended that the committee ask UT Austin and UT Arlington how they manage their college town areas.

7. **Proposal from the Committee on Effective Teaching**  
   Richard Scotch moved to approve the proposal as circulated. Jessica Murphy seconded. The motion carried unanimously. President Daniel recommended that a placeholder be made so that this program could be considered for next year's budget. Speaker Leaf recommended that the budget committee to propose a budget for the program. Richard Scotch suggested that Sheila Pineres develop the budget, as she has been working on something similar recently.

8. **CEP Proposals**  
   a. Undergraduate catalog  
      There are very few policy changes. The main change regards the changing of academic majors. When a student wishes to change majors, they must seek approval from the associate dean of undergraduate students from both schools. On the third and all changes after the third, a $50 fee will be charged to the student. If a student changes from undeclared to declared, there will be no charge. The committee clarified the procedure that student must take 45 hours of UTD credit and are limited to a double degree or a double major only. All other changes were updates to FERPA, revising forms, and removing extra, and duplicates of policies.  
      In some undergraduate degree programs, they have been changes to the list of core classes. In EPPS, they have updated Geospatial information sciences. In ECS they updated mechanical engineering. In NS&M the degree plans have been reduced to 120 hours, and course listings have been updated. Cy Cantrell moved to accept the changes. Richard Scotch seconded. Motion carried.
   
   b. Graduate Catalog
The committee was required at add a statement on FERPA due to an audit. The Educational testing service has revised the scoring system on the graduate exam. As that item was submitted late in the process, many programs are currently updating their language. The catalog’s language will be updated to agree with the new score scale, and then they will need to get the board of regents approval. Graduate programs’ descriptions and course descriptions were also updated. ECS provided information on the new mechanical engineering PhD program, and the department of Systems engineering in management program. In EPS, geospatial informational sciences were added at the masters and doctoral levels. In IS the “you teach” information was added to go along with the teacher certification program. The Jindal School of Management is now offering a dual degree program in Global leadership Executive MBA, and Systems Engineering Management. The NS&M is now offering a Masters in Actuarial Science, and courses, which had been approved previously. Cy Cantrell moved to accept the changes. Tim Redman seconded. Motion carried.

c. Posthumous Degree Policy:
The program was developed due to the recent request to bestow a posthumous degree. Currently the university does not have a policy but one has been developed that is flexible, but firm. Cy Cantrell moved to accept the changes. Richard Scotch seconded. Motion carried.

d. Graduate Certificates:
The Jindal School of Management would like to create two new academic certificate programs: Graduate Certificate in Corporate Innovation, and Graduate Certificate in New Venture Entrepreneurship. The certificates are repackaging of current courses and do not require additional faculty. Cy Cantrell moved to approve the proposed the certificates as circulated. Tim Redman seconded. Motion carried.

Ravi Prakash commented that at nearly every senate meeting the senate is asked to approve two to three new certificates. These new certificate programs typically do not require additional faculty or courses, and are simply repackaging of current courses. He is concerned that due to the large number of certificate programs offered the quality of the programs would become a problem.

As long as the quality of the programs is high and that they are well attended, it should not be a problem; however, we currently do not have any guidelines to define what makes a quality certificate program entails. Richard Scotch recommended that the graduate council develop the guidelines.

Abby Kratz asked if the certificates that were awarded had any uniformity across the university. Cy Cantrell commented that there was not any uniformity across the university. Speaker Leaf moved to table this issue to the Academic Council for further discussion, and for the graduate council to develop guidelines for the programs. Tim Redman seconded. Motion carried.

9. Speaker’s Report – Murray Leaf
1. Conflict of Interest/Commitment policy. The Academic Council considered the package of materials received from UT System at its March 6 meeting, including UTSP 180. We agreed that we should seek to draft a UTD policy that is legal in terms of well established law, including constitutional rights, and that is reasonable in terms of the traditional and proper authority and powers of the Board of Regents, the University administration, and the faculty, and that faculty will accept as such. If the Regents should turn out to differ with our views on these matters, they will say so and we will consider the issues that arise at that time. This is now being worked on by Provost Wildenthal and by a committee consisting mainly of Tim Shaw, Colleen Dutton, and me.

2. Revised guidelines for bylaws for schools (and departments). I have asked Christina to set up meetings of the 3+3 committee. She is working on it.

10. FAC REPORT – MURRAY LEAF

Although several of the speakers we had hoped to invite were unable to come, we had a very busy meeting anyway. I will briefly describe what happened by topic, roughly in order of the amount of time and concern they reflected.

1. The first item of importance we discussed was the new Conflict of Interest/Conflict of Commitment policy and campus COI/COC HOP policy template. Concern was uniform. Too much information was being sought, far beyond what was needed to provide reasonable assurance that no such conflicts existed, and disclosure of all such information on a public website would be enormously damaging to our efforts to recruit and retain faculty—assuming faculty provided the information. As the discussion proceeded we asked Dan Sharp horn if he could join us, and he did. This allowed some of the concerns to be narrowed. One issue was that we saw no sense in asking for “approval” of activities that we were in fact hired to engage in, and that are among other things regularly reported in our annual reviews and other personnel processes. Tentatively, Mr. Sharp horn agreed. We also agreed that what would be made public would not be everything disclosed, although exactly what the separation would be is still unsettled. The results of the FAC discussions are the resolutions that are on the agenda. Our intention is that these should be guidelines for all campuses to follow in designing their own campus policies. If the System subsequently disagrees, we will see what the disagreements are and decide how to proceed from there.

2. The second item concerned property rights, stemming from the claims made by system in regard to encryption. The FAC agreed that faculty should pay more attention to Regents Rules and System policies on these matters than we have up to now. We were particularly concerned with Regents Rule 90104, which seems to assert a claim of ownership in everything we produce using UT resources, while at the same also recognizes our traditional ownership rights as creators. We have not decided what our approach will be, but we will do something.
3. John Hayek and Dan Sharphorn met with the FAC and described a new Regents Rule they have been working on to define the position of Department Chair. At the time of the meeting, we had not seen the draft. The general idea seemed to comport with the FAC’s own concern with introducing more regularity and transparency at this level of administration. Now the draft has been circulated. There are some difficulties. We are working on them. Essentially, I think faculty will agree that the position is over-defined and given too much exclusive authority; we need more to assure openness, responsiveness, and accountability.

4. The FAC re-approved its previous resolution opposing guns on campus.

5. Barry McBee reported on the legislature. Apart from the guns issue, the picture looks much better than last year.

6. Finally, at several points throughout the two days there was notice and discussion of the re-awakening of the Legislative Oversight Committee on Higher Education, including its extraordinary recognition and support expressed for President Powers, of UT Austin. Everybody recognizes that we are in a serious debate about the powers of Boards of Regents in Texas, and of individual regents on the Boards, that is also a serious debate or tussle about the powers of the Governor in contrast the legislature. We did not identify any action we could or should take officially as Council, but we do agree that it is important for faculty to be aware of what is happening and to feel free to express their views individually.

11. TEXAS COUNCIL OF FACULTY SENATES REPORT
The TCFS met immediately after the FAC meeting closed for the afternoon of March 1 and the morning of March 2. The three main events were an address by Dan Branch, Chair of the House Higher Education Committee, a panel on security of employment for non-tenure track faculty, and Post-Tenure Review.

1. I did not hear Representative Branch, but the reaction to his talk was very good.

2. For security of employment, the panel began by discussing the results of a survey of TCFS institutions that some of the panelists had conducted about four years ago. The TCFS agreed to conduct a new survey with more refined questions. A major sense or consensus from the discussions so far, however, was first that insecurity is a recognized problem everywhere, and second that it is a great help to have a process of peer review leading to a vote by the faculty of the unit in which the person teaches in some form comparable to voting on tenure, so that afterwards an instructor without tenure can consider that they have passed a probationary period and have been formally approved.
3. For post tenure review, the general conclusion appeared to be that it has been accepted. There were more complaints about administrations not acting on faculty recommendations to terminate someone’s employment for very good cause than there were about unjust reviews or terminations by administrators.

4. Katherine Parsenau has left the Coordinating board. Lucy Heston and James Goeman spoke about recent concerns, including the new Core requirements. CB interest in increasing the number of graduates needed to avoid being considered a “low producing program” has for the moment gone quiet.

12. FAC Resolutions

Speaker Leaf presented five resolutions that were passed by the UT System Faculty Advisory Council. Senate action on the resolutions was as follows.

Joe Izen moved to approve the Resolution on Guns on Campus. Cy Cantrell seconded. The motion passed unanimously. The resolution is:

The University of Texas at Dallas Faculty Senate believes that the carrying of firearms on campus by anyone other than law enforcement officers is detrimental to the safety and security of all on campus.

Joe Izen moved to approve the Resolution on Encryption. Cy Cantrell seconded. The motion passed. The resolution is:

Whereas computer encryption programs can directly inhibit certain kinds of faculty research and communication, each UT System campus should establish an information security advisory committee with substantial faculty membership to receive and to make recommendations with regard to faculty requests for exemptions from requirements for the encryption of university owned computers and mobile communication devices.

Cy Cantrell moved to approve the Resolution on Faculty and Staff Rights to Privacy. Jennifer Holmes seconded. Motion passed unanimously. The Resolution is:

Faculty and staff of the University of Texas System have the same inalienable rights as other citizens of the United States and as are recognized in international conventions on human rights. These include the rights of freedom of speech and of the press, the right of association, the right to petition the government, and rights to dignity and privacy.

The University of Texas System may properly disclose information pertaining to its relationships with its faculty and staff if that information is otherwise public, such as employment titles, pay, and assigned duties. It may, subject to appropriate laws, disclose information on arrangements it has made with faculty and staff members to assure that their activities and associations outside of their employment with the university do not interfere with their abilities to carry out their obligations to the university.
The University of Texas System should not disclose information on employees' associations, activities, speech, or sources of income outside their relationships to the university and not within the scope of their employment in the university. This specifically includes, but is not limited to, information on their domestic arrangements, business activities, charitable activities, political activities or associations, publications or other speech activities, appearances as expert witnesses under subpoena or otherwise, and employment in other organizations outside of the university, or such associations or activities of the members of their households or family relations.

Cy Cantrell moved to approve Resolution on Conflict of Interest and Conflict of Commitment to the Chancellor and the Executive Vice Chancellor of Health Affairs and the Executive Vice Chancellor of Academic Affairs. Richard Scotch seconded. Motion passed unanimously. The Resolution is:

Work that is considered to be integral to the duties of faculty as teachers and scholars is already reported in annual evaluation reports and other periodic personnel processes.

Therefore, the UT Dallas Faculty Senate recommends that local policy not require faculty to report such information in annual Conflict of Commitment and Conflict of Interest disclosures, unless, in the opinion of a reasonable person, there is a *prima facie* conflict of interest or commitment.

Cy Cantrell moved to approve the Resolution on the formation of the new UT in South Texas. Liz Salter seconded. Motion passed. The resolution is:

Whereas, HB 1000 and SB 24 section 4 (c) states “In recognition of the abolition of The University of Texas–Pan American and The University of Texas at Brownsville as authorized by this Act, the board of regents shall facilitate the employment at the university created by this Act of as many faculty and staff of the abolished universities as is prudent and practical”;

Whereas, the companion House and Senate bills contain vague language concerning retention of UTB and UTPA faculty and staff;

Whereas, The UT Board of Regents' Rule contains no specific policy governing the merger of academic or medical campuses;

Therefore, be it resolved that the UT System Faculty Advisory Council strongly recommends that, should the legislation be enacted into law, the following guiding principles be implemented:
ITEM #3

March 20, 2013

"All faculty and staff employed by the University of Texas--Pan American and the University of Texas at Brownsville, upon dissolution of the two institutions and merger into one newly created South Texas university, will have their positions, salaries, and tenure statuses as well as time and rank transferred to the newly established institution.

In the event that duplication of duties necessitates reconsideration of existing administrative structures leading to the elimination of current positions in either Brownsville or Edinburg, Board of Regents' Rules and pre-existing UTPA and UTB policies shall be followed in a manner that is mindful and respectful of shared governance. In the event of a situation where no extant local or Regents' policy specifically governs the issue, a policy shall be created through existing shared governance procedures including the UT System Faculty Advisory Council and local faculty and staff governance bodies."

There being no further business, President Daniel adjourned the meeting.

APPROVED:  

Murray J. Leaf  
Speaker of the Academic Senate

DATE:  01 May 2013