1. Call to Order, Announcements and Questions

The meeting was called to order at 2:06 PM by Provost Wildenthal. There was a major ice storm in early December that caused commencement to be canceled. The university provided condensed commencement ceremonies the following weekend. Provost Wildenthal noted that thanks to social media the communication of the cancelations and rescheduling could be done quickly. Construction on the new landscaping began over the winter break. Entrances to Green and Johnson have been blocked, and the recommendation is to take sky bridges to cross that area. UT System received the University’s recommendation for a tuition rating increase over the break as well. The fate of that recommendation is eagerly awaited. The 50th year symposium on astrophysics occurred over the break. The Provost offered his thanks to the Physics department on its great success. The original symposium 50 years ago had been a destination of President Kennedy on the day he was assassinated.

On January 22nd the first lecture in the ATEC series will be presented in the new O'Donnell Hall. There are expected to be 1200 people in attendance. The Provost opened the floor to questions.
Jennifer Holmes is concerned that the lighting to the parking lots on the east side of Green has been lost due to the construction. She requested that lighting be returned to that area as it is a safety concern without it.

Viswanath Ramakrishna requested follow up on the proposal made at the September Senate meeting on the establishment of a body to address violations of school bylaws. The new guidelines were sent to schools, but there was no provision for what should be done if they are violated. The general consensus was that one was to speak with the school dean, and then the provost. Otherwise it should be referred to the Academic Council which the President and Provost are members. R. Chandrasekaran requested that a resolution be put on the next Academic Council regarding this concern. Speaker Leaf noted that a memo of understanding had been created under Former President Jennifer regarding committee issues. Speaker Leaf volunteered to draft a new memo to lay out a similar process for the by-laws.

Ravi Prakash wished to express his public thanks to everyone who assisted with the power outages in the residence halls. The matter was dealt with quickly and effectively.

2. Approval of the Agenda
Richard Scotch moved to accept the agenda. Mustapha Ishak-Boushaki seconded. The motion carried.

3. Approval of Minutes
Richard Scotch moved to approve the minutes. Mustapha Ishak-Boushaki seconded. The motion carried.

4. Speaker’s Report – Murray Leaf
There is no activity to report.

5. FAC Report
The FAC will meet in January. The executive committee met on December 13, 2013.

1. Regents Rule 90903 on Intellectual Property rights of faculty is currently considered unsatisfactory due to the reasons discussed in the notice on the university’s intellectual properties right in relations to encryption. There have been hypothetical challenges to faculty’s ability to own what they create. This has raised concerns over what guarantees what faculty’s rights are. Up until 1976 it was common law right; in the 1976 copyright act they became federal rights. The Copyright act say it preserves all the rights, it eliminated no rights, any rights that faculty had before, they still do. Before 1976 there wasn’t much that had to do with electronic media, specifically online media material. The Regents rules are unclear on that, and on patents. In patents, they claim that the university owns what faculty patents. They claim the university owns what faculty copyright but they give it back to the faculty. The intellectual Property rights of courses are somewhere between those two.
2. The Executive committee of the FAC approached Dan Sharphorn, the director of the Office of General Counsel, about revising the Regents Rules. His response was that it was a good time to make the revisions. On his recommendation Speaker Leaf drafted suggestions for revisions for the wording for the Regents Rules intellectual Property rights, related both to copyright and patents. In regards to copyrights, the opinion is ‘If you create it, you own it.’ The same should apply to patents except faculty do not create things alone, (i.e. federal grant, university equipment) a qualification must be made for that. Speaker Leaf would like volunteers to review the drafts so that he has some feedback before the January 23rd FAC meeting.

Most universities have policies that follow the traditional rules regarding copyrights and patents. UT’s policy is a little less supporting of traditionally recognized rights. This difference was exacerbated due to the encryption discussion. The attorney who wrote the university’s statement on grounds for encryption claimed that everything mission related belonged to the University. This is the most important issue facing the FAC.

3. Encryption. Speaker Leaf had sent around a list of categories relating to encryption. That list will be cut down further in line with the new policy announcement by the chancellor. The new policy is that the only things that will make a computer require encryption are items protected by FERPA, HIPPA, or required by contract. The university’s current rules do not yet follow this policy, and neither does system’s. The FAC will begin the process of saying how the new policy will be implemented, since it is not being done by system.

4. Peer Observation. There has been a continuing discussion, some of which has already been shared with the Senate. The Regents have been pressing to have faculty evaluate each other in order to make teaching more effective. David Cordell has been on system wide committee that reviewed it. This has not been going very well. The committee recommended peer evaluation to improve teaching, not for evaluation. System continues to press for using it for evaluation for merit increases. Dr. Cordell will send out a draft of a proposed updated policy. He will request comment within a week before the next FAC meeting (January 23).

6. CEP Proposals- Suresh Radhakrishnan
Undergraduate Course Catalog
All undergraduate courses had to be updated due to the new semester credit hour policy. The overview covered the changes made to the courses. They do not include the core classes, as they were approved in November 2013. The last four courses listed in the document were approved January 7 by the Committee on Undergraduate Education. Behavior and Brain Science had previously removed a course but found that during the transitional period there are students that still required the course. It has been re-added, and re-numbered. A similar situation occurred in Economic, Political & Policy Sciences. Originally a course was core but it was replaced by two separate courses. There are students who will require the course during the transitional period; therefore, it was added back into the undergraduate catalog. To prevent students from registering for the incorrect course the phrase “required by student entering the program prior to Fall of
2014" has been added. There were 106 new courses added, and 53 courses deleted. CEP considered the document and moved to approve. Peter Assmann seconded. The motion carried.

7. Student Government Liaison Report
   No report was given.

8. Updating UTDPP1007-Faculty Senate Bylaws & UTDPP1088- Faculty Governance
   Per the bylaws any changes must be approved twice by the Senate. The minor amendments suggested at the November Senate meeting were made to both UTDPP1007 and 1088 (Appendix A & B). Abby Kratz made one recommendation to remove a redundant statement. Richard Scotch moved to approve the amendments. Jennifer Holmes seconded. The motion carried.

There being no further business, Jennifer Holmes moved to adjourn the meeting. Simon Fass seconded. The motion carried.

APPROVED: ___________________________ DATE: 19 Feb 2014

Murray J. Leaf
Speaker of the Academic Senate