ACADEMIC SENATE MEETING
April 16, 2003


ABSENT: Poras Balsara, Gail Breen, Duane Buhrmester, Lawrence Cauller, Isabel Darcy, Matthew Goekkner, B.P.S. Murthy, Larry Overzet, Ivor Page, Suresh Radhakrishanan, Srinivasan Raghunathan, Tres Thompson

VISITORS: Priscilla Beadle, Kendra Sikes, Larry Terry

1. CALL TO ORDER, ANNOUNCEMENTS AND QUESTIONS

Dr. Jenifer called the meeting to order and announced the death of Cecil Green, one of the founders of UTD and its predecessor. A memorial service will be held on campus on Monday, April 21st.

The Richardson Chamber had a dinner at which the Chancellor was the guest speaker. At this dinner, Dr. Yudof spoke about the possibility of UTD or any other System component becoming a Tier One university. Most Tier One universities have about $100 M in research. UTD brings in $24 M. He stated UTD happens to be in the best position to advance but he will not show preferential treatment to us.

A bill has been presented to the Legislature to move U. T. Arlington to the A&M System. The Chancellor is now talking about many of the components moving forward, but he will just wait and see.

The Senate budget shows us down 2% which would be better than most schools and the House shows us down 9% which is still better than U. T. Arlington. The two bodies will meet in committee and recommend a compromise.

The NS&M Dean’s Search committee is underway and chaired by Dean Pirkul.
The temperatures will be raised a little in the buildings during the summer to save money so the dress code will be relaxed a bit.

2. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

A motion was made and seconded to approve the minutes of February 19, 2003. The motion carried.

3. **SPEAKER’S REPORT**

Since the last meeting of the Senate, the main events concerning the Academic Senate have revolved around the FAC meeting in January, the problems in the Biology Department and the proposal for the interdisciplinary biotechnology degree, the problem of peer review for Senior Lecturers, the redraft of the policy on hiring Senior Administrators, and our system for editorial modifications of policy statements.

A. The Faculty Advisory Council. Meeting was held on March 6 and 7. While the state budget crisis set the overall mood, it did not dominate the agenda. Three agenda items that seem to me to likely to be of particular interest to the Senate were the addresses by Regent Craven and Chancellor Yudoff and the charge to FAC governance committee concerning Regents Rules.

1. Regent Craven is, it seems, the first person ever appointed to the UT Board of Regents who was previously a member of the UT faculty (in Pharmacology). She also has a most impressive record in large-scale not-for-profit public service organizations. She is also on numerous corporate boards—of companies she describes as concerned with public responsibility as well as profit. Like other Regents who have recently addressed the FAC she was very clear about the Regents needing to get out of micromanagement. Unlike others, she demonstrated a concrete understanding of what this would involve and what they should be doing instead. Another encouraging aspect of the talk was the repeated implication that Chancellor Yudoff has had substantial influence in shaping this new attitude and in the reorganization of the Board to implement it.

2. Chancellor Yudoff met with the group over our box-lunch on the 7th. He spoke briefly and then the format devolved into question and answer. His remarks covered the same themes he has sounded previously: the need to allow more flexibility to local campuses on tuition, the need to leave overhead recovery on the campuses, and more broadly the need to find and fix cases were state or system rules or other features inhibit effective intellectual activity on or between campuses. He also expanded a bit on what he means by “assessment” in his idea of a quid-pro-quo with legislature of more latitude for independent action. The basic idea is that such assessment should be outcome based, simple and coherent, in contrast to the hodge-podge of relatively disassociated measures we now have.
The implication is that when his group works out they want to do at the system level, they will discuss it carefully with the campuses and other concerned parties before anything becomes final. This could actually result in an improvement.

One of the questions from the floor concerned the now-perennial issue of what tenure means and whether it entails a “property right” in a salary. Can a University administration say a person has tenure while stripping away their office, access to campus facilities, and pay? His response was that as a matter of law (affirmed in other states) saying someone has tenure but reducing their salary to zero amounts to “constructive dismissal.” That is, it is dismissal in fact without admitting that is what is being done, and it is illegal.

Another question concerned technology transfer and associated issues of patent license income. I renewed the suggestion previously made to Vice Chancellor Sullivan that we have a system-wide conference on the topic involving OGC, campus OSP officers, and concerned faculty. He thought having everybody actually talk to each other was a novel approach, but might work. They will try to do it. My view is that if we did so, with the people in place at the system level right now we might get some very constructive results.

3. Regents Rules. The Regents are planning to undertake a complete review and rewrite of Regents Rules. This is evidently one of the main suggestions of the Chancellor and a main focus of their reorganization. The FAC will be involved. As something of a foretaste, at this meeting the FAC subcommittee on Governance was asked to review and comment on the section of the current Rules dealing with academic personnel. Among other things, suggested revisions include important clarification of where tenure resides, clearing up some rather odd language. The changes would make it absolutely clear that tenure resides in the university and that when a unit in a university is closed down for cause the President must make a good faith effort to retain the tenured faculty elsewhere in it. We also suggested language addressing the lack of tenure at medical campuses and requiring all campuses to develop explicit policies linking rank to remuneration (at the moment, some universities in the System have such policies and some do not). The question to the Chancellor regarding tenure without pay came out of this discussion.

If I remain engaged in this discussion, my intention is to recommend a section requiring an elected governance body on every campus and a section legitimizing the FAC, unless there is strong sentiment here again my doing so.

B. Biology and Biotechnology Degree. As most of you know, this continues to boil along as a major disturbance in the level of collegiality we usually maintain. About two weeks ago, Professor Yasbin suggested that matters had reached such a pitch that this had to come to the Academic Council for discussion. A following email from Professor Hannig expressed agreement. I have been reluctant to do this because, as a rule (literally), it is
not a function of the senate to air either personal conflicts or administrative matters. In this case, however, there seem to be clear and in fact rather momentous academic policy issues, mainly concerning the role of Institutes and their relations to Centers, Departments, and Schools. Given this, it seemed to me that the best way to proceed was to lay out our present policies and the rationale for them and see what points, if any, those concerned felt we should discuss with a view toward their revision or reaffirmation. I laid out my understand in an email addressed to Provost Wildenthal (as author of the MOU with Professor Goodman) and sent copies to President Jenifer, Dean Caldwell, Professor Melton, Professor Goodman, and Professor Yasbin, assuming they would circulate it to others concerned as they saw fit.

The nub of my argument is that our standing Policy on Centers was initially meant to cover Institutes as well, there being no difference that the original drafting committee and Senate could find between the two in a national perspective. The policy is that Centers (hence also Institutes) are intended to cross-cut departments and schools in order to support research or related creative activities (such as the Translation Center). As such, they should be relatively self supporting and should not be funded out of regular academic revenues. While they might well have a role in initiating courses or programs, they should not offer them. The rest of the memorandum described the way this policy was intended to fit in with our basic ideas regarding departments, schools, and the general system of curricular development and control.

Subsequently, I have received responses from and had discussions with Drs. Goodman, Yasbin and Melton and with the Administration. As a result of these, my conclusion is that everyone actually agrees with the standing policies that we can work within the present framework. Hence the present policies are affirmed.

I have not, however, thus far managed to persuade those in the school of Natural Science and Mathematics who need to be persuaded that at least some of the present pattern of misapprehension and overreaction might be obviated if the school had a well-worked out set of bylaws.

With regard to the specific matter of the proposal for the Masters in Biotechnology, this was not ready for the Senate in time for the last meeting as required by the Council. The meeting was therefore canceled. CEP and those concerned are still working on the proposal. Since the plan was to have it offered by a committee of the School of Natural Sciences and Mathematics its organization does not contravene present relevant policies, but in my view it would be better if the school had an explicit agreement on what such committees were to be and how they were to function relative to departments.

C. There has been no formal system for reviewing editorial changes to policy memoranda affecting the Senate and Senate committees in response to administrative changes, such as changes in titles or reassignments of jobs. The general practice of late has been that the Priscilla Beadle, for the administration, has made the changes and I have been notified by the Provost’s office. There has not been a modification that turned out to be substantive,
but a couple of times this year Committees chairs or members of Senate committees have been surprised to find their charges reworded without advance notice. I raised this in the March meeting of the Academic Council and we have agreed that such changes will be shown to the Agenda Committee of the Council (the Speaker, Secretary, and President) before being finalized. If the Agenda Committee sees an issue that may need Senate discussion, they can directly put it on the Council agenda. We further agreed that I will look over the Handbook of Operating Procedures to see if there is a need or way to write this in to assure it is remembered, but in the meantime this will be our procedure.

D. The Council subcommittee to consider issues of peer review for Senior Lecturers has met. Its recommendations are on the agenda.

E. The 3+3+3 committee to reconsider our policy on hiring administrators has met. Its recommendations are on the agenda.

F. The Committee on Committees has received a request from Anne Ferrante, the Chair of the Distance Learning Committee, for recommendations of additional faculty to represent Electrical Engineering and Computer Science, Interdisciplinary Studies, Student Services and Information Resources. I have emailed the Committee on Committees. We also discussed the request in the last Council meeting. So far I have received back only one suggestion. Because there is a time constraint, it does not seem reasonable to try to call a meeting of the Committee on Committees, collect suggestions, and then seek Senate approval in the usual way. Accordingly, I have suggested to the Professor Ferrante that she exercise the general power that Senate committees have to seek whatever additional members or information they may need to do their work identifying and inviting appropriate additional members on its own. She can notify the Council if she feels she needs Senate support. In addition, if those she identifies appear to add as regular members ex officio, in virtue of their positions, the committee can suggest appropriate revisions to its charge.

G. The list of Candidates for Graduation was not ready in time for this meeting. In accordance with the policy we established last year it will be circulated by email. Please be sure to vote. Last semester we did receive one negative vote—a notification by a Senator that one of those on the list would not graduate. Since we had not previously discussed this possibility I did not know what to do about except count it as a no vote for that one case, which did not change the outcome. I supposed that the Registrar would have the same information, but did not check. Henceforth, unless instructed otherwise by this body, I will pass along such responses to the Registrar for information.

4. REVIEW OF PROPOSAL FROM SENIOR LECTURERS

Speaker Leaf presented the proposal for Peer Review for Senior Lecturers that has been prepared by the Senior Lecturers. A motion was made that the Senate go into the Committee of the whole to discuss the proposal.
There are three motions involved. Dr. Leaf recommended that a sub-committee be appointed to review the procedures in detail. There was considerable discussion and several recommendations were made to revise the proposal.

A motion was made and seconded to come out of the committee of the whole. The motion passed.

A motion was made and seconded to approve the motions as follows:

"The Academic Senate approves the principle that peer review should be established for Senior Lecturers, and that it be implemented at the level of the school rather than the university as a whole. The Senate will establish a subcommittee to draft general guidelines for schools. The guidelines will include the following points:

a) The sub-committee should consider ways in which full-time non-tenure track faculty could be assigned to search committees for full-time non-tenure track faculty candidates in each school. With duties to include reviewing, consideration, interviews, and recommendations for hiring and contracting qualified candidates.

b) Each school should establish procedures to review senior lecturers. This should contain both tenured faculty and full-time non-tenure track faculty. There should be equal numbers of each.

c) The Faculty Senior Lecturer Review Committee should also develop orientation programs and materials for Senior Lecturers and assure that there is some system for ongoing advice involving both more experienced Senior Lecturers and tenure-track faculty.

d) Full-time non-tenure track faculty should be reviewed and considered for renewal and/or promotion based on the following schedule:

   i) First review after the second full year on the full-time non-tenure track faculty.
   ii) Second review after the firth year.
   iii) Subsequent reviews periodically thereafter.

e) The subcommittee will consider criteria for which senior lecturers this policy will apply."

"The Academic Senate approves the principle that there should be a policy setting out general standards and procedures for review of full-time non-tenure track faculty similar to those for the review of tenured/tenure track faculty given in Policy Memorandum 75-III.22-3. A subcommittee of the Senate consisting of tenured/tenure-track faculty and full-time non-tenure track faculty should meet to draft such a policy. The general
principles of the policy are that the general headings under which work is evaluated will have the same definitions as with the tenure-track faculty (research, teaching, and service) but the weightings will be more flexible. The policy should incorporate due process after five years for decline of contract renewal. As with the policy for tenured/tenure track faculty, schools will have the ability to develop; their own interpretations of the general standards."

“That the Academic Senate endorses the proposal of the Senior Lecturers to conduct a survey of salaries, benefits, and job descriptions of full-time non-tenure track faculty at UTD and similar institutions in the North Texas area. U. T. System and identified peer institutions elsewhere. The purpose is to consider the possibility of establishing some standardization of job descriptions and responsibilities in relation to salaries, which could be used in hiring and promotion of UTD full-time non-tenure track faculty."

A motion was made and seconded to approve the motions as amended. The motion Passed.

Senate members volunteered to work as a committee to review these procedures. These members are: Tim Redman, Robert Marsh, Marilyn Kaplan, Doug Benn, Liz Salter, Simeon Ntanos, Ted Harpham and Duane Buhrmeister.

5. MAKE-UP CLASSES

The Calendar Committee met as a result of the closing of the University due to the ice storm. The committee recommended a fairly elaborate procedure that would involve agreement of the entire class. The Council did not like that procedure, so recommended that we put the make-up classes in the reading period.

Discussion ensued about whether the students would be required to attend the make-up classes. A motion was made and seconded “that faculty should not require a make-up class.” The motion passed.

6. POLICY ON HIRING OF ADMINISTRATORS

Dr. Leaf presented a draft of an addendum to the Policy on Hiring of Administrators which includes more information for the review of Administrators including the Composition of Committees and General Procedures.

Concerns were expressed that the President would have the ability to present a candidate if the committee runs into a situation where there are no sufficient candidates or candidates decline. It was determined that the proposed policy would indeed give the President that ability.
A motion was made and seconded to approve the proposed policy. The motion passed.

7. RESOLUTION FROM TEXAS COUNCIL ON FACULTY SENATES

The Texas Council on Faculty Senates has presented a resolution and they are asking all the faculty Senates in the State to approve/endorse this resolution. It basically says that in the current budget crunch, faculty should not be asked to do extra duties, nor should administrators be given enormous promotions/salary increases during this time.

Discussion ensued about whether the wording was actually something UTD could support.

A motion was made and seconded to support in principal the resolution of the Texas Council on Faculty Senates.

8. ADJOURNMENT

The business was concluded and the meeting was adjourned.

Respectfully Submitted,

Sandra K. Goertzen
Academic Governance Secretary