MEMORANDUM
May 1, 2013

TO:    Academic Council*

COPY TO:    David Daniel  Denis Dean
            Hobson Wildenthal  George Fair
            Andrew Blanchard  Dennis Kratz
            Calvin Jamison  Bert Moore
            Abby Kratz  Bruce Novak
            John Wiorkowski  Hasan Pirkul
            Austin Cunningham  Mark Spong
            Sheila Amin Gutierrez de Piñeres

FROM:    Office of Academic Governance
         Christina McGowan, Academic Governance Secretary

SUBJECT:    Academic Council Meeting

The Academic Council will meet on **WEDNESDAY, May 1, 2013** at 2:00 p.m. in the Osborne Conference Room, ECSS 3.503. Please bring the agenda packet with you to the meeting. If you cannot attend, please notify me at cmg130130@utdallas.edu or x4791.

Attachments

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<td>David Cordell**</td>
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<td>Tres Thompson</td>
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<td>Raj Dwivedi, Student Government President</td>
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*Speaker
**Secretary
## AGENDA

**ACADEMIC COUNCIL MEETING**  
May 1, 2013  
Osborne Conference Room, ECSS 3.503

1. **CALL TO ORDER, ANNOUNCEMENTS & QUESTIONS**  
   DR. DANIEL

2. **APPROVAL OF THE AGENDA**  
   DR. LEAF

3. **APPROVAL OF MINUTES**  
   APRIL 3, 2013 MEETING  
   DR. LEAF

4. **SPEAKER’S REPORT**  
   DR. LEAF

5. **FAC REPORT**  
   DR. LEAF

6. **CEP PROPOSALS**  
   DR. CANTRELL

7. **AMENDING THE GENERAL FACULTY MEETING WITH THE STATE OF THE UNIVERSITY ADDRESS**  
   DR. LEAF

8. **CONFLICT OF INTEREST, COMMITMENT AND OUTSIDE ACTIVITIES**  
   DR. LEAF

9. **DISCUSSION ON THE BYLAWS GUIDELINES FOR SCHOOLS**  
   DR. LEAF

10. **SALARY COMPRESSION AND INVERSION**  
    DR. SCOTCH

11. **CREATION OF PANEL TO REVIEW ENCRYPTION EXEMPTION REQUESTS**  
    DR. LEAF

12. **SUMMER MEETING SCHEDULE**  
    DR. LEAF

13. **APPOINTING THE COMMITTEE ON COMMITTEES**  
    DR. LEAF

14. **AMENDING THE ACADEMIC DISHONESTY POLICY**  
    DR. FITCH

15. **ADJOURNMENT**  
    DR. DANIEL
UNAPPROVED AND UNCORRECTED MINUTES

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

ACADEMIC COUNCIL MEETING
APRIL 3, 2013

PRESENT:  David Daniel Hobson Wildenthal, Gail Breen, Cy Cantrell, R. Chandrasekaran, David Cordell, Murray Leaf, Ravi Prakash, Tim Redman, Liz Salter Richard Scotch,

ABSENT:  Dennis Miller, Tres Thompson

VISITORS:  Abby Kratz, Calvin Jamison, Sheila Amin Gutierrez de Pineres

1. CALL TO ORDER, ANNOUNCEMENTS & QUESTIONS
The President invited the Academic Council to meet with the UT System Faculty Council from 12:20-1 pm in the McDermott Suite on April 22 2013. UT System would like to meet with approximately ten people.

2. APPROVAL OF THE AGENDA
Sheila Amin Gutierrez de Pineres requested that consideration of the new academic Calendar be added to the council agenda. Colleen Dutton would like to be added to the Senate agenda to discuss recent Human Recourses questions. Speaker Leaf moved to add consideration of the new academic Calendar and Colleen Dutton to the Council agenda for consideration to be added to the Senate agenda. Cy Cantrell seconded. The motion carried.

3. APPROVAL OF MINUTES
Cy Cantrell moved to approve the minutes as circulated. Tim Redman seconded. The minutes were approved.

4. SPEAKER’S REPORT
Everything that needed to be reported is on the agenda.

5. FACULTY ADVISORY COUNCIL REPORT
Everything that needs to be reported is on the agenda.

6. CEP PROPOSALS
Cy Cantrell has been working with Tim Shaw, the UTD attorney, on the policy to Assure Academic Integrity for Master’s Theses and Doctoral Dissertations. There is a policy approved by the OGC that says that the student discipline policy applies forever, including post-graduation. Dr. Cantrell has questioned the legal foundation for this policy. If that is the case, the university needs to augment the student discipline policies provision for faculty expertise with the proviso in the case of thesis and dissertations judgments need to be made by a faculty committee and not by an individual.
Dr. Cantrell is not aware of any case law or regents rules that provide a foundation for an expansive interpretation of a student discipline policy. Given how the policy is currently written, the university could, theoretically, prosecute a student post-graduation if it was found that they were selling drugs out of their dorm room. Cy Cantrell felt this was not a wise option.

Liz Salter agreed with him but felt that the university should prosecute students under this policy who were found to have plagiarized information in a Master’s thesis or Doctoral dissertation after the fact, but not for ‘lesser’ indiscretions.

There have been two instances where Dr. Cantrell was on panels that investigated post-graduation plagiarism of Master’s and/or Doctoral dissertations. Dr. Cantrell feels that this policy may be too simple of approach for these types of situations. There does not appear to be a legal foundation for student discipline policies to effect students post-graduation. The recommended course of action would be for Dr. Cantrell to go over the policy statement with Speaker Leaf, and Tim Shaw. Dr. Cantrell has requested Tim Shaw to research any applicable case law or foundation in regent’s rules pertaining to this topic. Then the committee will proceed from there.

Speaker Leaf noted that the university’s jurisdiction would apply but there is not a procedure in place for this type of situation. Cy Cantrell noted that if the student discipline policy were applied to an attempt to revoke a Masters or Doctoral degree their attorney could argue that post-graduation that their client is no longer a ‘student’ of the university and the policy doesn’t apply to them anymore.

Tim Redman noted that the university has a great deal of interest in this issue as the University wants to uphold the integrity of their degrees. It is for this reason that Dr. Cantrell wants to make sure that the university’s authority to revoke degrees be solid and not ‘set in sand’. The university must have a solid foundation in cases such as these. The plan is to have the policy ready for the May 7 meeting.

7. **Appointment of Members to the Academic Discipline Panel**
   Cy Cantrell moved to add this item to the Senate agenda. Richard Scotch seconded. It was approved.

8. **Conflict of Interest, Commitment, and Outside Activities**
   Speaker Leaf circulated his revisions to the Conflict of Interest policy per the discussions from the Council and Senate meetings. Dr. Leaf met with Tim Shaw and Colleen Dutton. Mr. Shaw feels that the university can do what they want within the existing regulations. Colleen Dutton has volunteered to write the preamble. The basic strategy is to require faculty and staff to disclose only what could be reasonably seen as a conflict of interest.

Speaker Leaf noted there were two major points of change from the template supplied by the UT System. The first is 7.3a, a list of outside Faculty activities that are recommended. Speaker Leaf has added to this list, including ‘any other activity that normally reported as part of teaching scholarship or service in the annual review, or other personnel procedures.’
second major point is in 7.3b. He has omitted the phrase “...when approved is permitted...” and has added:

“can be encouraged is that which does not reasonably appear to create a conflict of interest, does not interfere with the faculty member’s U T Dallas duties and responsibilities, and clearly contributes to the mission of U T Dallas or provides important elements of faculty professional development related to their U T Dallas duties and responsibilities. This includes providing expert testimony, providing consulting services, professional/clinical practice, and serving on a board of directors for an organization other than a creative, scientific, or scholarly association. Unlike activities under (a), specific activities under these headings may appear to a reasonable person to involve a conflict of interest, depending on who the services are performed for and what they consist of. If the faculty member anticipates that a reasonable person might see their relationships as involving a conflict of interest, they should report them and seek approval.”

Ravi Prakash asked whether a student might have to submit a conflict of interest form. Speaker Leaf commented that students are not to submit forms but if a professor is working with a student on a dissertation, the professor himself or herself may need to file a conflict of interest of form to prevent a perceived conflict of interest.

President Daniel noted one small edit that needed made. Under section 7.1c – Approval Authorities-For executive officers, he requested that the approval authority for executive officers be changed from “the Provost” to “The President.” The Provost cannot give approval to himself.

President Daniel raised the question of what is a ‘management plan’ in regards to disclosure on the electronic database. Speaker Leaf commented that the ‘management plan’ is the acknowledgement of the conflict of interest. President Daniel asked if the model HOP policy described when a ‘management plan’ was necessary. Speaker Leaf responded that it did not and that the HOP template was deficient in that regard. President Daniel would like the activity disclosed via the electronic database, but not the management plan itself. The President requested an additional paragraph be added to describe when are management plans needed, what are the elements that need to be addressed and what is the approval process. Tim Redman commented that the phrase “Management plan” is not clear, and that the wording should be “Conflict of Interest Management plan.” The President remarked that this topic needs to be addressed with urgency. The Council agreed that Speaker Leaf would propose wording.

Tim Redman motioned to approve in principal the proposed local policy subject to inclusion of description of conflict of interest management plans. Cy Cantrell seconded. The motion passed.

9. DISCUSSION ON BY LAWS GUIDELINES FOR SCHOOLS
On April 2, Speaker Leaf met with the three plus three committee to discuss the bylaws. It was decided that the idea of approving school budgets was a red flag, and should not be included in the bylaws. Instead, it was agreed by the 3+3 committee that each Dean should provide a “state of the school” address each year, and that this would include Academic priorities, which would
be subject to discussion. One problem that the deans saw was that some schools are organized in such a way that executive committees are not appropriate. There should be some sort of advisory committee to consult with the dean between meetings of the full faculty, but it need not be entirely made up of elected faculty—although it should include some.

The 3+3 Committee noted that they had no member from the school of NS&M. They suggest adding Dean Novak. The Provost approved adding Dean Novak. R. Chandrasekaran commented that everyone at the meeting agreed that when the by-laws were amended that they must have transparency and flexibility between the faculty and administration.

10. LIST OF GRADUATING STUDENTS
Dr. Cantrell moved to add the lists of candidates for graduation to the Senate agenda. Richard Scotch seconded. The motion carried.

11. COMMITTEE ON ACADEMIC CALENDAR
Sheila Amin Gutierrez de Pineres presented the proposed Academic calendar for the next two years at the request of the Registrar’s Office and Office of Student Affairs. They would like to change the process of doing the Academic Calendar. Previously the University has been approving the calendar one year in advance. They are requesting that a two-year academic calendar be published internally so that events may be planned far in advance. The Calendar mimics the calendar of UT Austin and Texas A&M. The spring breaks for 2015 & 2016 are listed as two weeks. This is because UT Austin and Texas A&M have not yet chosen their spring breaks. Our students want to have their break at the same time. The calendar will be amended to match the Spring break of UT Austin and Texas A&M as soon as they are posted.

Dr. Cantrell expressed concern that there are some class days that meet for 14 weeks, Dr. Pineres responded by stating that according to Coordinating Board there are two types of classes: Monday/ Wednesday/ Friday, and Tuesday/ Thursday. One of those class days MUST meet for 15 weeks. The academic calendar presented shows the Tuesday and Wednesday classes meet for 15 weeks. UT Austin interprets the Coordinating Boards direction that one day a week courses are not considered a normal class, and thus is not governed by the required 15-week requirement. Dr. Cantrell wanted to make sure that the University was satisfying not just the coordinating board but also SACs. Dr. Pineres assured the council that this calendar would satisfy SACs because UT Austin does it as well. Dr. Cantrell again expressed his concern because UNC: Chapel Hill was not following guidelines properly in regards to semester credit hours.

Dr. Pineres noted that the only way to have 15 weeks in the fall would be to eliminate Labor Day and Thanksgiving, eliminate Christmas Holiday, or there will be three days between Summer Term and Fall Term. There would be no other way.

President Daniel noted that Fall 2012 students had the whole week off for Thanksgiving. Dr. Pineres noted that there were no complaints about this, and it remains. There were complaints about the Thursday classes that had to meet for exams on Saturday. The Calendar Committee was able to remove this problem by extending Finals week by one day so that Thursday classes
will have their exams on Thursday. Going forward, ONLY Saturday classes will have finals on Saturday.

President Daniel had a couple of additional questions. The Fall 2013 calendar shows the final exam day to be December 19. If he chooses to thank the faculty and staff by giving them the 20th off, will this effect that grades are due December 21? Dr. Pineres feels it should not affect them. Many people are happy that Graduation is in early December this year, and they University would like to continue that. The president would like to see two years’ worth of graduation dates to be posted on the web, as this is helpful for families planning for their students’ graduation celebrations. The only drawback is that the graduation dates would have to be confirmed by the Commencement Committee.

Spring 2013 is doing three days of commencement, instead of the two days in the past. With increasing student enrollment, the president is not certain that commencement can be done in two days, and recommends that commencement be extended into three days. For Fall 2013 the dates of commencement would be December 5, 6, and 7. He would rather have a bigger approval period, use less of it; than state a smaller period, and use more than we said we would. He would also that this to be done for the Fall of 2014 as well.

Dr. Pineres suggested that they add Sunday instead of Thursday. UT Austin holds commencement on Sundays. President Daniel recommended showing commencement as all four days: Thursday, Friday, Saturday, and Sunday. This would allow for more freedom in case the University needs to use the days. David Cordell expressed his concern that some students might have conflicts with classes that take places on Thursdays. Dr. Pineres said the only solution would be for the student to miss classes. In the past when a student had a Friday night, or Saturday class, they simply missed that class. This affected very few students. President Daniel recommended that for Fall 2013, 2014, and 2015 the academic calendar would show Thursday thru Sunday as commencement days. The University will decide later which of those days will be used. Cy Cantrell moved to add this to the Senate Agenda. Tim Redman seconded. The motion carried.

12. PRESENTATION BY HUMAN RESOURCES:

Richard Scotch moved to add the presentation by Colleen Dutton from Human Recourses to the top of the Senate Agenda. Cy Cantrell seconded. The motion carried.

13. SENATE AGENDA FOR APRIL 17, 2013:

1. APPOINTMENT OF MEMBERS TO THE ACADEMIC DISCIPLINE COMMITTEE
2. LIST OF GRADUATING STUDENTS
3. PRESENTATION BY COLLEEN DUTTON

There being no further business, the meeting adjourned.

APPROVED: ___________________________ DATE: ___________________________
Murray J. Leaf
Speaker of the Senate
Resolution from FCEC to FC re. UTS 180: "Conflict of Interest, Conflicts of Commitment, and Outside Activities" 4/22/13

Now that the UT System has wisely delayed implementation of its proposed UTS 180 until September, the Faculty Council of the University of Texas at Austin urges that the delay be until such time as the proposal can be thoroughly reconsidered in the light of objections that have been raised against it and redrafted in a way that meets those objections. We should not be bound by an arbitrary deadline. Our concerns include the following:

1. The implementation of the proposed UTS 180 would make it far more difficult to retain and recruit top faculty.

2. Student leaders have said that the policy would also make it harder to recruit top students.

3. Such a proposal seriously violates AAUP and UT’s traditional academic freedom standards, and thereby opens the UT System up to potential professional censorship, further threatening the quality of its faculty, degrees, students, education, and reputation. (See http://aaup.org/issues/resources-conflicts-interest/outside-university-conflicts.)

4. No reasons have been given for the promulgation of the proposed policy, no indication of how it will serve to foster the best interests of the institution rather than do it harm.

5. No study has demonstrated the need for such an expansive and intrusive policy or the good it will supposedly accomplish. It seems to us to be a solution in search of a problem.

6. No other institutions of higher education have been cited as having such a policy in place.

7. No other state agencies require their employees to complete such a form.

8. The information that faculty and certain members of staff will be required to provide represents an extreme intrusion on our privacy, our rights as citizens, and on academic freedom. Further, it is unacceptable to require faculty to seek permission to pursue non-remunerated activities on their own time.

9. No rationale is offered as to why faculty who have received approval for their outside activities should have to report the compensation they receive for performing them. This proposed policy represents an unjustified addition to the Faculty Annual Request for Outside Employment (http://www.utexas.edu/provost/policies/outside_employment/outside_employment.pdf).
10. No rationale is offered for requiring that the activities of family members be reported.

11. The proposed policy contains the threat to terminate faculty (whether tenured or not) if they fail to comply, thereby undermining academic freedom, due process, and shared governance. The mere news that such a policy may be in the works has already aroused concern among present faculty and potential recruits.

12. Implementing and monitoring the policy will require significant new staff, or significant overloads for existing staff, but no financial support is being offered. It’s another unfunded mandate.

13. Faculty must have a significant voice in the working group being convened to reconsider and, presumably, redraft the policy; faculty should also play a significant role in its implementation. In the absence of such participation, we will have no confidence in the motives of those driving this policy, the policy itself, or the intended outcomes.
The loss and theft of a few laptops of some researchers has triggered extreme measures by the UT System to ensure confidentiality of data. All campuses have been mandated to implement full hard-disk encryption for all laptop computers. On each campus it is the responsibility of the President and the Chief Information Security Officer (CISO) to ensure that the mandate is implemented in a timely manner.

The Faculty Senate of the University of Texas at Dallas charged its Information Security Advisory Committee (ISAC) to study the problem and make recommendations. Over two meetings and multiple rounds of email exchanges the ISAC compiled a list of questions that were posed to the campus CISO on February 22, 2013. Responses to these questions were requested within two weeks. The CISO’s responses were received on March 4, 2013. Based on its deliberations and the responses received from the CISO, the ISAC has reached the following conclusions:

1. Faculty input was not sought in formulating the security mandate. Domain experts doing research in the area of information security were not consulted.

2. Faculty members use laptop computers for a variety of tasks, including teaching and research. Sometimes the laptop computer is the instrument used to gather live research data. There are instances where the laptop computer itself is the research subject. However, while formulating the mandate only a generic use-case scenario appears to have been considered, namely that of the laptop being used for general purpose document preparation, email communication and web access only.

3. A scientific performance evaluation of the encryption software was never conducted. A number of older laptop computers had to be decommissioned. Relatively new machines have taken a performance hit. Some useful capabilities have been disabled. The ability of vendors to service laptop computers has been severely compromised. Claims have been made by the CISO that there is no performance degradation. However, the committee can find no support for this claim by any reputed, independent, product-testing organization, and believes that this claim is based on marketing hype promulgated by one hardware manufacturer. Any assessment of the cost of this mandate, both in terms of hardware obsolescence and productivity loss, is at best unreliable and inadequate.

4. Full disk encryption implementation plan is centralized and non-scalable. All requests for exemption from disk encryption have to be ultimately approved by the UT System. As per the CISO, decisions on exemption requests are to be notified within a month. At present, even the fact that exemption requests can be made is not known to most members of the faculty. Yet, with a very limited number of exemption requests to process, the UT System has been unable to meet its decision making timeline. Two members of the committee have pending exemption requests: one for six months and another for

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1The questions and responses are presented in the Appendix.
about two months. One can only imagine how long it will take to process exemption requests in the future.

We believe that a one-size-fits-all solution for data security across all UT System campuses is ill-advised. On any campus, it deprives the faculty, President, and the CISO of the opportunity to work together to devise a solution that is most suited for the needs of that campus. Moreover, we believe that the current one-size-fits-all solution will have (and is already having) an immediate, deleterious, and potentially catastrophic impact on certain university activities that do not match the limited use-case scenario considered by the mandate – most notably scenarios that involve research.

At the University of Texas at Dallas, the faculty senate and the university administration have an excellent working relation. We have worked together to develop solutions to manage risk. Some of our colleagues in the School of Natural Sciences and Mathematics and the Erik Jonsson School of Engineering routinely work with toxic chemicals, pathogens, radioactive material, etc. A number of university-wide committees maintain oversight on such activities, and to date have been very effective in developing sensible solutions. We propose to model ISAC along the lines of the following committees:

- Institutional Biosafety and Chemical Safety Committee,
- Institutional Animal Care and Use Committee, and
- Radiation Safety Committee

We recommend the following:

1. ISAC continues to be a Senate Committee so that it can effectively reflect the unique computing needs of the faculty.
2. ISAC composition be formalized to contain a certain number of domain experts and a certain number of non-experts to represent the users’ needs.
3. ISAC work with the Office of the President and the CISO to develop and continuously update a manual for ensuring information security, including best practices for all users.
4. ISAC, the Office of the President and the CISO jointly develop rules to ensure information security. These rules must be consistent with the legitimate security objectives of the UT System.
5. ISAC work with the Office of the President and the CISO, as per the rules mentioned above, to dispose all requests for exemption from full-disk encryption, and any other security mandate.
Appendix: ISAC Questions and CISO’s Responses

Questions about Exemptions:

1.1 Is there anywhere in writing a uniform criteria for exemptions to the encryption policy? If not, what is the criteria?
   - The formal guidance from UT System is in the information that accompanied the memorandum sent from Executive Vice Chancellor Reyes to President Daniel about the encryption. When the memorandum was sent, it was made clear that there were not expected to be many exceptions granted. Exemptions are granted on a case by case basis. This was incorporated into the FAQ on the Information Security website.

1.2 Who decides whether specific exemption requests are granted or denied?
   - Initial recommendation is made by the institutional CISO. These recommendations are forwarded to the UT System CISO for review. The System CISO accepts or overrides the Institution's CISO. Final decision is made by the President.

1.3 Is there any appeals process for denied exemptions? If so, what is it?
   - UT System has no formal appeals process. The final decision is made by the President.

1.4 When an exemption is granted, how long does it remain effective? (For the lifetime of the machine? Until the machine's usage changes? Until it changes hands?)
   - Exemptions should be reviewed annually and must be reported to the President in the annual Information Security Report submitted by the institution CISO. At any time, a change in the use of a computer would nullify the exemption because the exemption is largely based on the use of the device.

1.5 What is the expected timeframe for receiving a response on exemption requests? Is the process streamlined to accommodate hundreds of requests from departments like Computer Science, for whom encryption is likely to disrupt many or most activities?
   - Normally, responses should be received in a month.

1.6 Is there a procedure for requesting that encryption be removed from machines that no longer need it?
   - Every machine is required to be encrypted unless an exemption is granted. If usage of a machine changes in such a way that it qualifies for an exemption, the end user may request one. If approved, departmental tech support personnel may remove the encryption.

1.7 Is there a ticketing system at the UTD or UT System level for tracking exemption requests?
   - The UTD Information Security Office uses an internal ticketing system.

Questions about Implementation:

2.1 How many laptops had to be 'surplused' due to the requirement for full disk encryption? What was the corresponding cost of retiring computing hardware?
   - Many machines were sent to surplus, reported missing, or reported as salvaged. However, not all of these were in active use at the time. (Many had been sitting in a drawer or on a shelf for months or years, and many were no longer operational.) Information Security did not track the total number. Property Management may be able to assist you with this query.
2.2 What is the performance impact of full disk encryption pertaining to, but not limited to: (i) computation speed of applications, (ii) memory footprint, (iii) disabling of some features like 'sleep mode', (iv) incompatibility with utilities and applications? Please provide relevant benchmarks.
- Performance for software based encryption depends on too many factors to create a relevant benchmark. Newer Intel processors have instructions built-in to accelerate encryption at the hardware level. Hardware encryption using Self-encrypting drives has been shown by the disk drive manufacturers and third-party testers to have no performance impact over a standard disk drive. We are not staffed to duplicate their efforts.

We have not yet seen any instances where encryption was incompatible with applications in use on a computer. It does conflict with other disk encryption related software and utilities, including sleep and hibernate.

2.3 Do faculty have any choice in how encryption is implemented on their machines? Can they choose per-file encryption rather than full-disk? Can they choose their own encryption product/solution? Would a subscription to a service such as LoJack (http://www.lojack.com/Laptops) be an acceptable security alternative?
- UT System was very specific in how the encryption was to be implemented. The UT System mandate requires managed full-disk encryption, so file and folder encryption on University owned computers is not an acceptable substitute for full disk encryption.

LoJack for laptops is a tracking tool that can help recover lost or stolen computers more quickly, but it is not an encryption tool, nor does it provide any protection against data loss between the time a computer is lost and the time it is recovered. Absolute Manage is the enterprise version of LoJack. It is also the replacement for the previous configuration management software (ConfigureSoft/eCM/vCM) used to produce reports required by UTS165. This package is used in addition to encryption, not in place of it.

2.4 If a computer’s warranty is voided by encryption, or encryption otherwise impedes manufacturer/seller service contracts, will UT provide fully equivalent maintenance and replacement services for all affected machines?
- Software based encryption will not void a manufacturer’s warranty. Most manufacturers allow for user-replacement of the hard drive without voiding the warranty in cases where a self-encrypting drive needs to be installed.

2.5 Will UT replace (at its own expense) computers that are inadvertently damaged due to encryption failures, or older legacy machines that cannot be encrypted and must therefore be replaced?
- This will be determined on a case by case basis by Dr. Daniel.

2.6 Most computers are multi-purpose; they manipulate some data for which UT demands encryption, and they perform other activities that cannot coexist with encryption. Complying with the policy therefore requires purchasing new equipment so that these tasks can be isolated to separate machines. This can double equipment budgets. Will UT pay these additional equipment costs?
- We have seen very few cases where encryption cannot legitimately co-exist with other activities. This would be determined on a case-by-case basis. We will work with users to determine how to achieve their objectives in a secure manner.

2.7 For UT laptops located in other states and globally, will UT absorb the cost of shipping and possibly customs fees for self-encrypting hardware to non-campus locations? Will UT absorb the cost for qualified third party technicians to replace internal laptop parts at these locations?
The Information Security Office has paid the shipping to send laptops back to campus for encryption. Replacing laptop parts is not normally required for encryption. If a hard drive needs to be replaced with a self-encrypting drive and the user is unable to perform the task himself, it will need to be shipped back to UTD for replacement using secure procedures.

2.8 When there is no sensitive data on a research computer, the UT encryption requirement is frivolous and a requirement that funding agencies would not want to pay for. Will the incremental cost of future self-encrypting disk upgrades for computers purchased with external, research funds be paid by UT?

- The cost increase of a self-encrypting drive compared to its standard counterpart is minimal. If the cost of a self-encrypting drive is a problem for grant funding, encryption can still be accomplished on a standard drive using software based encryption. UTD is covering the cost of the encryption license.

2.9 If there is any upgrade/change of encryption software in the future, how will it impact machines that are already encrypted and how will legacy software on these machines be maintained? Will these machines have to be recalled for removal of prior encryption, and subsequent encryption using new software?

- This issue is not unique to encryption software. Any time software changes on a computer, the implications and effects have to be evaluated at that time based on many factors of the computing environment.

Questions about Policy:

3.1 What was the level of faculty involvement in crafting the encryption policy or in interpreting it for instantiation at UTD?

- This was a directive that came directly from the Board through the Executive Vice Chancellor to the Presidents.

3.2 Is there presently any avenue for faculty to advise, influence, or modify the policy or its interpretation at UTD?

- We welcome feedback from faculty; however, with respect to the encryption policy, we have very little room to diverge from the UT System policy. If UT System alters their policy, we will follow suit.

3.3 Which document contains UT’s definition of a ”student record” requiring encryption? Is there any written documentation of it’s interpretation of FERPA/HIPAA as they relate to the encryption policy?

- All University-owned laptops must be encrypted without regard to the data on them.

3.4 Some faculty-controlled machines store both data owned by UT and data owned by other organizations and individuals. What procedure should be followed when UT’s encryption policy conflicts with that of the other owners?

- We have not encountered any situation in which an organization has a ?no encryption allowed? policy, but if a conflict of this type were to occur, the laptop would have to be encrypted so long as it held University data. If it were a University owned computer, the other organization’s data would have to be removed from the computer if it would not agree to the device being encrypted. If the computer were owned by the other organization or privately owned, and that party would not agree with the device being encrypted, the University data would have to be removed.
3.5 *How does UT's encryption policy relate to transport of laptops to countries that prohibit encryption?*

- This is governed by export control law and policy. Best practice when visiting such countries is to take a "stripped down" laptop that has no sensitive data and no software that would violate US law. Information Security has several laptops that can be checked out by individuals travelling to countries that do not permit the use of encryption. If this is not sufficient, we would be happy to discuss other alternatives.

3.6 *What is the consequence of non-compliance?*

- The consequence to the individual is the loss of access to computing resources.

The bigger and more important loss is that which occurs if the data is compromised through the loss or theft of an unencrypted laptop. This is not only embarrassing but expensive for the University. The direct costs of identifying the affected individuals, reporting, notification and credit monitoring are minor next to the costs associated with reputational damage. Such data compromises may deter students from applying to or attending UT Dallas and may also threaten our ability to land significant research contracts and achieve our aim of becoming a tier-one research university.
Policy to Assure Academic Integrity for Comprehensives, Theses, and Dissertations

1. The University of Texas is committed to assuring that theses and dissertations submitted to meet the requirements for degrees shall meet the highest standards for academic integrity. The standard of scholarly integrity expected on master’s theses and dissertations is the same as what would be expected in submissions to a publisher or an academic journal.

In cases of possible falsification of data or other research source material, or plagiarism in master’s theses or doctoral dissertations, the powers of the Dean of Students described in Regents Rules 50101 as being exercised by the Dean will be exercised by works cooperatively with the Dean of Graduate Studies in the investigation and disposition of the case (See Chapter 49, Student Discipline and Conduct).

A degree may be revoked if data or other research source material on which a thesis or dissertation is based is found to be falsified, or if the thesis or dissertation is found to contain plagiarism.

The standard of scholarly integrity expected on master’s papers and dissertations is the same as what would be expected in submissions to a publisher or academic journal.

Decisions made under this policy are not subject to appeal under Subchapter B. Appeals of Academic Decisions Section 51.06

2. Procedures prior to acceptance of the thesis or dissertation

2.1 Duties of Thesis or Dissertation chair and committee.

The duties of the dissertation or thesis chair include: exercising due professional diligence to assure the factual claims made in theses and dissertations are consistent with the standards for scholarly publications in their discipline; and that the thesis or dissertation he or she approves is free of plagiarism to the best of their knowledge and judgment. Dissertation and thesis chairs should utilizing text-checking services such as Turnitin.com, provided by the University, to highlight material that might have been copied without attribution and checking to assure that this material is properly and accurately credited. If there is ambiguity, chairs should consult with the other faculty on the committee. No committee should accept a thesis or doctoral dissertation that they believe contains falsified data or plagiarized text.

In a specialized subject area where general services like Turnitin.com may not have access to all sources that students may have utilized from which material might be plagiarized, chairs should not rely on these services alone.

2.2 Referral to Dean. If a committee concludes that there has been intentional falsification of data or plagiarism, the dissertation should not be accepted. Instead, the committee should refer its conclusions to the Dean of Graduate Studies and the Dean of Students for consideration of disciplinary consideration.
2.3 Investigation by Dean. The Dean will proceed with the investigatory process as described in Regents’ Rules 50101 Sec. 4 to confirm or disconfirm the opinion of the thesis or dissertation committee. The dean may review the documents, discuss the allegations with the committee members, and call the student to discuss the allegations.

2.4. Administrative Disposition. Upon reaching his conclusion, the dean will give the accused student the option of accepting or disputing the findings, in accordance with Regents Rule 50101 section 4.4. If the student elects not to dispute the facts, the dean will assign the appropriate penalty. If the dean agrees that the plagiarism or falsification was deliberate, the thesis or dissertation will not be accepted and the student will be expelled. If the dean concludes that the falsification or plagiarism was a matter of scholarly error but not intentional deception, the thesis or dissertation will not be accepted but the student may be allowed to continue in the university. However, there will be no obligation on the part of the thesis or dissertation committee members to continue to work with the student if they do not wish to do so.

2.5. Hearing panel. If the student disputes the dean’s findings of fact, the dean will appoint a hearing panel of three faculty other than the faculty who were on the student’s committee, and one graduate student. The faculty will be from areas of study within or sufficiently close to the discipline concerned to know its conventions for what should be cited and what can be said without citation, and to identify spurious data. If no graduate student is willing to serve on the panel, the investigation will proceed with faculty only.

The Dean of Students will provide guidance regarding the requirements for due process to the members of the panel.

2.6. Hearing process. The panel will hold a hearing in accordance with Regents Rule 50101 section 5. The hearing panel will hold a hearing, calling the concerned faculty, the student, and any other relevant faculty or witnesses they deem appropriate. The student may also present documentary evidence and witnesses. If the student seeks to bring legal advice, the panel may also call legal advice.

2.7. Disposition. The hearing panel will decide by majority vote. If the hearing panel agrees that the plagiarism or falsification was such an extent and character that it could reasonably be regarded as deliberate, the thesis or dissertation will be rejected retroactively and the degree will be revoked. If the hearing panel concludes that the falsification or plagiarism was a matter of scholarly error but not intentional deception, the thesis or dissertation may not be accepted but the student may be allowed to continue in the university subject to appropriate requirements. However, there will be no obligation on the part of the thesis or dissertation committee members to continue to work with the student if they do not wish to do so.

The panel will either uphold the decision of the dean of graduate studies or recommend a modification of the decision, but no action of the dean of graduate studies or the panel can obligate faculty to accept a thesis or dissertation that they do not believe reflects accurate description and honest scholarship.
3. Procedures after the thesis or dissertation has been accepted and the degree awarded shall be as follows:

After a thesis or dissertation is accepted and made available to the public, allegations that data has been falsified or that material in a thesis or dissertation is plagiarized may arise from many sources. However they arise, and however they come to the attention of the university, they should be promptly referred to the Dean of Graduate Studies.

3.1. Investigation by Dean of Graduate Studies. The Dean of Graduate Studies will determine whether there is a prima facie possibility that the allegations are true. If the members of the thesis or dissertation committee are available, the dean may consult with them. If the student is available, the Dean shall call the student as in 2.3.3.

3.2. Administrative Disposition. If the Dean of Graduate Studies determines that there is a prima facie possibility that the allegations are true, and if the former student is available on campus, he or she will be asked if they dispute the facts. If they do not dispute the facts, the Dean may order the dissertation to be rejected and the degree withdrawn.

3.3. Hearing panel. If the former student is not available on campus, or if the former student disputes the findings of fact, the Dean of Graduate Studies will appoint a hearing panel of three faculty members in the subject area of the thesis or dissertation, plus one graduate student. This panel will act as the “hearing officer” within the meaning of Regents’ Rule 50101, section 5. Three faculty members shall constitute a quorum of the panel.

The University of Texas at Dallas University Attorney or the University of Texas System Office of General Counsel will provide guidance regarding the requirements for due process to the members of the panel.

If the person charged is still a student or employee of the university, the Dean of Graduate Studies may take “Interim Disciplinary Action” in accordance with Regents Rule 50101 Section 4.4.

3.4. Hearing Process. The hearing panel will consider the documentary evidence and may call members of the original committee, anyone who is making the charge, and the former student who is accused if they are available. If the former student will attend and seek to bring legal advice, the panel may also call legal advice. If the student obtains legal counsel, the student shall immediately notify the Dean of Graduate Studies.

Legal counsel shall only provide advice, and shall not act as advocate in the hearing. Counsel will neither question witnesses nor argue.

3.4. Disposition. The panel will reach its decision by majority vote. The panel will report its findings to the dean of graduate studies and will either recommend that the degree awarded shall stand, or may recommend that the thesis or dissertation be rejected and the degree revoked. The
4. Appeal process is as follows:

The student concerned may appeal in accordance with Rule 50101Sec. 7. In accordance with the Rule, the appeal shall be based on the hearing record only.

5. When a degree is revoked, a permanent notification will be placed in the student’s academic transcript, the thesis or dissertation will be removed from the University of Texas at Dallas Library, and if the dissertation has been placed in a public or commercial repository that repository shall be notified of the action of the University of Texas at Dallas.

Comment [GF4]: See Comment #2 above.