ACADEMIC SENATE MEETING
January 22, 2003


ABSENT: Dinesh Bhatia, Duane Buhrmester, Lawrence Caullier, Milind Dawande, Jennifer Holmes, B.P.S. Murthi, Suresh Radhakrishnan, Srinivasan Raghunathan, Tres Thompson

VISITORS: Priscilla Beadle, Michael Coleman, Daniel Erwin, W. Jamie Hobba, Kendra Ray, Mary Sias, Larry Terry

1. CALL TO ORDER, ANNOUNCEMENTS AND QUESTIONS

Dr. Jenifer called the meeting to order and welcomed the faculty back to the Spring 2003 semester and answered questions as presented by the Senators.

It has been determined that the State budget has a $1.8 Billion deficit per the Comptroller of the State of Texas. Something will be coming out in the next few days to help make up this difference. Higher education is quite often exempted, but we do not know yet. It has also been determined that there will be a $9 Billion deficit for the next biennium.

The Governor has said that there will be no new taxes. Our representative, Florence Shapiro, is the Chairman of the Education Committee. She's supportive of UTD, but she also is a graduate of U. T. Austin. UTD is getting a show of support from the Chancellor and the Chairman of the Board of Regents and statements have been made that we are the next university to get the first tier status. We also need to remain supportive of the Chancellor since he will come under intense pressure from other campuses within the UT system.

The budget cycle is beginning. The President of The University of Texas at Arlington is going to the University of Alabama at Tuscaloosa.
The Search for the Dean of the School of Engineering and Computer Science is continuing.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion was made and seconded to approve the minutes of November 20, 2002 as distributed. The motion carried.

3. SPEAKER’S REPORT

The main developments since the last Senate meeting spring from the last meeting of the U T System Faculty Advisory Council last December. Otherwise, I mainly want to review update the Senate on the activities of Senate committees that have been especially charged with writing policies that the Senate will eventually want to review, and with the progress of the Schools in writing by-laws.

System Faculty Advisory Council.

Because so much happened at the FAC meeting, I circulated a report on it shortly after the meeting, without waiting for this meeting. Report first described the items of relevance to UTD that that grew out of the speakers, then those that emerged from the FAC committees and resolutions. I will recapitulate here each of the points and then add what seem to be the questions or issues they raise for us.

1. Douglas Laycock, University of Texas Law School, spoke on what would previously have been called their new “free speech” policy, but which they now describe as their policy for public use of campus open spaces. The change in title reflects a still clearer focus on the point that what is being regulated is not speech as such—in the sense of its content—but rather the time place and manner that public activities can be engaged in so as not to interfere with classroom instruction and other normal instructional activities. While the basic principle the drafting committee wanted to apply was simple—the aim just stated—the difficulties in the details of applying were often substantial. The most difficult problem area concerned implementing the general idea that access to the campus by outside organizations was appropriate for organizations relevant to academic concerns but should not be provided for commercial solicitation. The FAC considered the approach a useful model for other campuses and recommended that the Regents endorse it as such.
Unlike the UTD policy, this pertains to outside spaces only and does not apply to campus performances, such as plays, put on in conjunction with for-credit activity. Also unlike the UTD policy, this has no formal complaint procedure, but when I asked about this Professor Laycock responded that the committee had always envisioned that the enforcement would rest primarily on responding to complaints rather than any sort of active administrative policing.

When we discussed this in the Academic Council, it was the view of the Council that there was no issue to bring to the Senate at this time. For the moment, we should wait to see what the System and Regental response are to the UT policy. If they change the rules at system level we will revisit the issue here.

2. Regent Estrada had 45 minutes of the morning program and spoke for most of it. The main theme was that he thought the Regents were, and should be, getting out of the business of worrying about specific courses or academic policies on the specific campuses and would be trying to think of the System as a system. Exactly what this would entail was not very clear, but it did not include the idea of trying to identify areas of need in the state where initiatives by the UT in research or teaching might be able to solve important problems that no one else could. I suggested this when Regent Estrada was here for Commencement and he promised to take it up with them.

3. Campus reports were presented with a little more time allowed for each than previously, and a few questions. Recurrent themes, as for last year, were enrollment increases and space crunches. In addition, U T Arlington gave their presentation before ours and described the considerable campus alarm with the SRI report—for the same reasons that we were alarmed. I expanded on the contents when it was UTD’s turn and said that I have posted the full report on our senate website. There was considerable agreement around the room that the threat was quite general. A similar initiative was already being spoken of for San Antonio. When UT Southwestern’s turn came they echoed the same concerns and we agreed to join together in a response. I will send our draft around for reactions and we will see where we want to go from there.

We had an extended discussion of this in the Academic Council. The consensus was that we should bear in mind that the Chancellor’s open recognition of the value of UTD and its potential for growth as an outstanding research institution was politically courageous and he faces substantial opposition for making it. We should be careful to avoid actions that might add to the Chancellor’s difficulties.
4. Georgia Harper, of UTOGC, spoke about conflicts of interest policy in relation to intellectual property. In general, this is not an area of great difficulty and there were no surprises or advice that was counter-intuitive. The policy was described only in relation to contracting. It is that if you deal with a company or entity in which you have a financial interest, you should not make decisions on the basis of that financial interest rather than the interest of the university. Discussion focused mainly on what a “decision” was—did it, for example, include considerations of when and what to publish insofar as it might affect patentability. The answers were that it very well might, and that again, the key point was not that you either did or did not disclose everything fully as soon as possible but rather whether the decision was (in effect) adverse to the University and turned on your financial interest outside the university. This led to questions of accuracy in such disclosure, and at this point really turned to matters of fraud more than conflict of interest.

In the discussion, I asked Harper about the possibility of OGC staff meeting together with university OSP officers and concerned researchers in relation to our efforts to draft our IP policy and coordinate it with other UT campuses. Her response was that they would be happy to—send a memo.

The Academic Council considered the question of whether we should be interested in sponsoring a System or regional working session. The Council’s view was that we should go ahead, recognizing that it is not likely that all the issues would be resolved in a single day-long workshop. The obvious attendees would be Southwestern and Arlington but it would also be good to involve UT Austin. The Provost and Speaker will follow up. Since it will be mainly an administrative initiative, it does not appear to require Senate action.

5. Teresa Sullivan addressed the group for an hour Thursday afternoon, and in the course of the talk announced the Chancellor’s “Dallas initiative” which would, upon Regental approval, earmark a number of new research chairs to be divided between UT Southwestern and U T Dallas. A second theme was the Chancellor’s interest in seeing that the campuses can retain 100% of their overhead on research grants, and a third was her continued interest in facilitating intercampus cooperation within the system. In discussion, I tried to flesh out the last idea by suggesting that the FAC could work with the Chancellor’s staff to expand the faculty organization at the system level, such as the possibility of heads of committees on research forming a system committee on research—which would tie in with or concretize the discussions for system-wide efforts to capitalize on patentable ideas that we had discussed at the FAC meeting last Spring with VC Gukian. She indicated interest in pursuing the idea. In general, her remarks were considered encouraging and were well received.
Since this raises the same kinds of issues as the suggestion on IP the Council discussed it as well, in the same light. Here too the consensus was that we should go ahead and try to develop the idea, although since it does not seem to require Senate action there was no reason to make it an agenda item for this meeting. In this case, I will do what I can to develop the idea of a system wide committee of heads of campus research committees with Vice Chancellor Sullivan and will involve our committee’s chair as soon as it begins to look as if something definite might develop.

6. On Friday morning, Ed Sharpe discussed his new position as liaison with the K-12 system in the state. He limited his remarks to framing the issues for discussion: this is now going from a Texas initiative to a national initiative, and he was therefore particularly interested in having a sense of how the recent “reforms” (TAAS and TAKS tests) had affected preparation for higher education. The response was generally negative. The first focus of discussion was on the way the tests had led to teaching only the tests. The second was the way this had led to a number of school systems around the state cutting off participation in programs that had been begun with area UT campuses because they no longer had time. And finally, the discussion came to a kind of consensus that the problem was not with the tests as such (which were in fact good tests of minimal competence) but with the way the state educational bureaucracy had reacted to them in such a way as make an already overly intrusive and rigid bureaucracy even more so. The main problem was the way districts had been associating penalties with “poor” performance and rewards with “good” performance. This has done, apparently, enormous damage to teacher morale and thoroughly undermined the test’s utility as a rational diagnostic tool. A concluding question was whether what we thought could make any difference. V. C. Sharpe was of the view that if the TEA became aware of it, it could very well affect their thinking. With that in view, I suggested that it would be a good idea to have the same discussion at the next TCFS meeting. Ed agreed. I have made the suggestion to the TCFS chair, and I suppose this will be on the upcoming agenda. It could have important consequences for us.

7. Committees met before lunch. I met with Governance, and we had four concerns. All are quotes. Our disposition (in committee) is interlinear.

a. 360 degree evaluation—upward evaluation of Presidents.
   i. While there is strong interest in this in some quarters, it seems to me to be mainly in the spirit of getting revenge for all the faculty evaluation. Before we charged ahead framing a FAC resolution in favor of this I suggested we ask the faculty senates on the various
campuses to discuss it and frame a resolution for or against it. This was accepted.

ii. In the view of the Academic Council, this was not likely to evoke much support or interest at UT Dallas, and there was no point framing it as an agenda item, but of course the Senate can raise it for discussion if it wishes.

b. Hiring and review of full-time, non-tenure track faculty and/or instructors.
   i. The issue in general is whether such hires should be subject to peer review, and in general everyone thinks they should be. But it is complicated by the fact that “non-tenure track” includes medical faculty at the Health-Science centers, and this is a complex issue that needs to be resolved first. Hence we decided to put it off to discuss jointly with the Health Affairs committee.
   ii. There has been considerable discussion of this here off and on over the last few years, including in the Fall meeting of the Senior Lecturers, who were in favor of it. This has been placed on the agenda for today.

c. Hiring and review of part time instructors who are employed for more than 2 consecutive semesters.
   i. Same main issue as previous but not complicated by the medical faculty issue. We agreed they should be subject to peer review for re-hiring, at least.
   ii. The consensus in the Academic Council was that this too was important, but much more complicated and also of lower priority. It therefore should not be placed on the agenda at this time.

d. Specification of administrators subject to upward evaluation under the proposed revision of Regents Rules.
   i. The revision in question expands those subject beyond those in direct academic administration to also include officers involved in academic support. Here too much of the motivation seems to be to more punitive than constructive. My suggestion was to avoid a definite list but rather specify that this be worked out by the administration and governance system on each campus. This was accepted.

   ii. The consensus in the Academic Council was that there was no interest here in expanding the list of administrators for upward evaluation, and no need to frame it as an agenda item for the Senate.
e. Notification of findings on background checks.
   i. We met with Florence Mayne of the Business Affairs office. Initially, she seemed to be hearing us as saying that we thought candidates who had not been hired for some reason having to do with something in a criminal background or criminal history had a due process right to be told what that something was, in writing, as the reason for not hiring them. Her response to that was that as a legal question we should ask OGC and also that the business affairs office did not consider it a good policy to give any reasons for turning someone down. Neither of these was what we were really asking about. After several attempts to pose the question in different ways we finally got the focus to shift to the question of whether, if there were something that raised a flag in the criminal history check or criminal background check, we could discuss it with the person by way of verification or explanation. Very simply, for example, could we attempt to be sure that so-and-so named in the file was really the same so-and-so sitting before us? Was statement x or y actually true? Her response to this was that it was a non-issue. Of course we could discuss anything in the criminal history or criminal background file with the candidate just as we could discuss anything that was in letters of recommendation or other parts of the file. This should be incorporated in the UTD policy presently being drafted.

8. All of these positions were carried forward to the general body at approved as positions of the general body. I will forward the exact wording when the minutes are published.

9. After lunch there was a discussion of the Student Advisory Council by Eric Opieza, the Chair. It parallels the FACT, and they would like to have closer relations. They are proposing a student Regent.

10. I don’t have the texts of the resolutions.

END OF REPORT ON FAC

Committee Activities:
We have six committees currently charged with developing policies in important areas. The committees with my understanding of the status of their work are as follow:
1. Advisory Committee on Research. Chair is Cy Cantrell. They are beginning to work. There is a somewhat parallel committee at UT Austin. I have asked the Speaker there for the name of the Chair and have forwarded it Cy. It seems logical that we should stay as close to them as meets our needs.

2. Facilities Oversight. Katherine Evans, Chair. I spoke to Dr. Evans about a month ago. They seem to be engaged with the problem. Since a very large part of the task of the committee will be dividing responsibility for acting on complaints and suggestions in a rational way, we asked Robert Rutford to serve on the committee as the most obvious person to know who can reasonably be made responsible for what. Professor Rutford is on leave and has been out of pocket for much of the semester, but did come back late in the term and is interested in working out such a system. At the moment, the situation looks hopeful.

3. Intellectual Property. S. Venkatesan, Chair. Professor Venkatesan says they are working on the policies. I have asked the Speaker at UT Austin for the name of his counterpart there. This seems to have been blurred over by the simultaneous query about their counterpart to our research committee. I will try again.

4. Institutional Biosafety. Chair is John Burr. The committee has met. The committee's view is that the charge to write policy boils down to a charge to provide a safety manual, which will be used in common by staff as well as faculty. The task of drafting the manual has been delegated to Cathy White in the university safety office. She will look at other institutional policies in the UT system and elsewhere and report back fairly promptly. Professor Burr expects to have it finished this semester.

5. Institutional Review Board. Chair is Aage Moeller. They are working.

6. Safety Council. Chair is Matthew Goeckner. They have met thrice, and are working on their charge by starting with the current safety manual and considering how to implement it at the departmental level. UT Pan-American a couple of years ago set up a very similar committee for similar reasons. I have asked the UT Pan Am Speaker to provide us with the name of their chair and a url where we might find some of their policies, but have not had a response. I'll try again.

7. The Research Integrity Committee is also charged with writing policies, although this is more a long-term requirement than an immediate press. Carl Collins is Chair. I will ask about their activities.

By-Laws for Schools.
The other major ongoing concern is writing or rewriting By-Laws. The current status is:

1. A&H. Working, probably will not be finished within the month.
2. Behavioral and Brain Sciences. Professor Dowling reported that this is completed and approved by faculty. It is on the agenda for this meeting.
3. ECS. Working, will not be ready.
5. General Studies. Working.
6. NS&M. Apparently nothing is being done.
7. Social Sciences. Finished and approved by Senate.

Course Evaluations on the Web.

Last year the Student Government Association undertook to publish teaching evaluations on the web. This came to the Senate’s attention and the Senate expressed strong opposition to several aspects of the idea. One was that it would make the material universally available, not just available to students. Another was that the Student Government plan would have included comments on any teacher and course from anyone who wanted to offer them, not just those enrolled in the class, although the comments would still be anonymous. In response to the Senate’s concerns, the Student Government Organization agreed to abandon the idea of their own website and instead would work with the administration to make the course evaluation results available internally. This has now been done. The instructors name and rank, course identifiers and the responses to seven questions that are common to all the forms are posted for each course each term. Access is through the campus Pipeline. Dean Coleman supervises the process.

Results of Vote on Approval of Candidates for Degrees.

The results of the e-mail ballot to approve the lists of the Fall, 2002, graduates were:

Yes (to approve) – 23  No – 1  no response: 8

4. STARS SCHOLARSHIP PROGRAM

Mary Sias reported on the new STARS Scholarship Program. STARS stands for Scholarships for Talented and Responsible Students. These scholarships are for transfer
students, master's students and are also used for recruiting students who might not necessarily have come to UTD. We are working with the DCCCD and CCCC and are looking at what we can do to recruit students. Offers have already been made to 250 students. Dr. Sias also introduced the new Assistant Vice President for Enrollment Management, Mr. Jamie Hobba.

5. BACKGROUND POLICY CHECK COMMITTEE

The faculty that have been appointed to this committee are Murray Leaf, Doug Benn, Ivor Page, Richard Scotch, Cy Cantrell and they are beginning to meet on this new policy.

6. PEER REVIEW ON SENIOR LECTURERS

The Senior Lecturers have been meeting on their peer review procedures and it was requested that this item be deferred to the next meeting with the hope of having a proposal from the Senior Lecturers.

7. BYLAWS – HUMAN DEVELOPMENT (BRAIN AND BEHAVIORAL SCIENCES)

The proposed bylaws for the School of Human Development (Brain and Behavioral Sciences) were submitted. A motion was made and seconded to accept the Bylaws as presented. The motion passed. These bylaws can be put on the web after the President approves these bylaws.

8. ANNUAL REPORT OF THE SENATE COMMITTEE ON CORE CURRICULUM

A motion was made and seconded to accept the annual report from the Committee on Core Curriculum. The motion passed.

9. COMMENTS AND ADJOURNMENT

Dr. Jenifer announced that UTD has our 1st All American Soccer player.
There is a possibility of a tuition increase. Dr. Jennifer will be meeting with the students to discuss the proposal to remove the cap on tuition. This would benefit all the U. T. System component institutions.

We are still having an enrollment increase even without relaxing our enrollment standards.

The business was concluded and the meeting was adjourned.

Respectfully Submitted,

Sandra K. Goertzen
Academic Governance Secretary