ACADEMIC SENATE MEETING
June 19, 2002


ABSENT: Sheila Amin Gutierrez-Pineiras, Poras Balsara, John Burr, Isabel Darcy, Jennifer Holmes, Tres Thompson

VISITORS: Priscilla Beadle, Richard Caldwell, Marilyn Kaplan, Kendra Ray, Larry Terry, John Wiorkowski

1. CALL TO ORDER, ANNOUNCEMENTS AND QUESTIONS

Dr. Jenifer called the meeting to order and made the following announcements:

Our enrollment for the summer is 5.2% but was projected to be 6% so there may be some budget problems for the fall.

Higher education in Texas as well as other states is beginning to have serious problems due to enrollment declines. We are projecting a revenue shortfall of $5M for Academic Year 2003-2004 and a committee has been established to discuss the possibility of an increase in fees. Those increases may have to be significant in order to avoid cutbacks.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion was made and seconded to approve the minutes of May 15, 2002 as amended. The motion carried.
3. **SPEAKER’S REPORT**

A. Since I spent the week of May 20-25 in Austin as a Coordinating Board Fellow, I have not made any progress on drafting the legislation for the Graduate Council or called the necessary further meeting of the committee to draft the policy on hiring administrators.

B. Experience with the Coordinating Board. The week with the CB staff was informative on two main levels: technical information on their mandate, history, and operations, and a more general sense of staff attitudes and view of the future. Of the technical information, the most important thing to point out is that they are the state repository of assessment information on higher education for all sorts of legislative purposes. They are compelled because of the mandate to collect extensive and detailed information on who enrolls for what courses, and in their role in recommending degree approval they also collect substantial information on program content and on the rates at which programs are proposed, offered, and are shut down throughout the state. They are trying to get more and more of this on their web site, and as they do it should be a very useful resource for anyone concerned with academic development.

As part of their activities, the CB fellows were asked to break up into groups and review current or recent proposals that the CB had received. Two points about this were interesting. The first was that the fellows came up with substantially the same reactions as the CB staff. The second was that out of about 17 requests for new programs, only about four were for more or less traditional academic types of programs as opposed to clearly vocational or professional types of programs. I asked the staff if they were concerned with this. The answer was that they were. There does not, however, seem to be much anyone can do about it.

The most general point that the staff tried to make was that the role of the CB is not to block program development but to assure program viability. An important point in support of this was some data they presented on program death—which they keep track of but do not mandate. The trend is that programs are shut down by campuses almost as fast as they are developed. The implication of this is that the CB does not have to think of itself as managing the entire system of Texas higher education, but rather can recognize that most of the management actually still occurs at the campus level by the more usual dynamics of competition for campus resources.

We should also note that the idea of “closing the gaps” continues to be important and has received substantial legislative endorsement. The CB has partially reorganized itself around the main headings under which the gaps will be
closed. One aspect of this of particular and long-term relevance to us is that they recognize that there needs to be a wide variety of local initiative adapted to local circumstances, based on close cooperation between Universities, Community Colleges, and the public schools in different regions. This cannot be done in a centralized manner, and they know it. The consequence is a growing awareness of the urgency of some sort of decentralization. The problem is that nobody quite knows how to bring it about.

C. The Faculty Advisory Council also met since the last Senate meeting, and it too was concerned with several items of local relevance. In rough order of importance, these were a proposed initiative on intellectual property, a new system policy on police background checks for faculty hires, and of course continuing interest in expanding state-defined programs of study.

The initiative on intellectual property was referred to the FAC committee on health related matters. Ivor Page and I therefore joined that committee to discuss it, and the discussion was joined by Vice Chancellor James Gukian. As initially presented, this included among other things the notion that getting patent income should be a basis for consideration for promotion and tenure. This got a rather sharp negative reaction on three counts: that it is very likely to detract from the pursuit of basic research, that money income is not a good measure of intellectual worth, and that standards for promotion and tenure are a faculty matter and not a Regental matter. The other main concern was that it looked like yet another move toward ineffective over-centralization. In fact, the problem seemed to be more in the way the documents were worded than in the underlying Regental perceptions or purposes.

The Regents and system administration feel, almost surely with good reason, that research now being conducted, in accordance with the usual academic aims, very likely has huge unrecognized potential for commercial development. The idea is not to distract from this basic research but rather to capitalize on it, and to this end what they want to do is constitute committees very much like what we have just done with our Advisory Committee on Research. The idea is to set up offices of serendipity. If the Regents approach it this way and leave off the concern with trying to mess around with promotion and tenure criteria, it seems to me the initiative would be most welcome.

When the matter returned to the general meeting of the FAC, the reaction was generally favorable but cautious. Those present agreed to ask their respective governance bodies to consider setting up Research Advisory Committees. UT Austin’s committee charge and ours will be sent around as a model, and we will try to come to as close agreement across the campuses as possible.
The system policy on background checks for faculty hires apparently came directly out of the Office of General Council, and has been circulated to each campus for adoption in a local form. My understanding is that President Jenifer is now charged with it. The central idea is that all faculty hires will be subject to a criminal background check, and faculty in “sensitive” positions will also be subject to what is called a criminal history check. The difference is that the former is only a check for actual convictions. The latter is open-ended, and may include accessing FBI files. It is relevant that many on the FAC are old enough to have been around in the ’60s, and some even in the 50s. For such people, the idea of relying on FBI files, in particular, for estimates of a person’s character or propensity to engage in criminal or seditious action is naïve at best. The problem is compounded by the fact that as worded, the policy does not require that a person be informed when such a check is being conducted, or be advised of or allowed to respond to the results. It appears that a person can be fired on the basis of such results without being told that that is the reason. And finally, the policy does not only apply to new hires from outside but also, it seems, to internal promotions or changes in job title. One wonders if OGC did a search for cases under the heading the “blacklist,” to say nothing of “due process.”

For programs of study, the main points are that legislative interests in expanding the list continues, but thus far the main areas in which they have been done are those that are offered in the most places and have the largest aggregate enrollments. As it happens, these are the more vocational and professional curricula, where there are licensing boards and the like and where this kind of activity makes some sense. There does not, at the moment, appear to be an interest in extending the activity to core subjects in the Arts and Sciences.

D. We have now received back from the Office of General Council (OGC) our charges for the Safety Council and the new policy on the faculty role in dealing with academic dishonesty. The former is already on the web, the latter will be. We can now appoint the new membership for the Safety Council with a view toward developing a comprehensive safety plan. We will not wait for OGC approval of the charges for the Calendar Committee, the Research Advisory Committee, and the Facilities Committee, but go ahead with appointments to them as though the new charges will be approved. The OGC has adopted an expedited approval policy which should assure that we will have their assent more promptly.

E. We do not have an agenda item concerning whether we will meet over the summer because it seems to me that meetings will be necessary. The Council will need to review the recommendations of the Committee on Committees as
promptly as possible, and we will doubtless need time to consider the recommendations on the Graduate Council.

4. DRAFT CHARGE ON UNIVERSITY CLEANROOM COMMITTEE

Dr. Larry Overzet presented the proposed charge for a Cleanroom Committee. A motion was made and seconded to approve this charge. The motion passed.

5. RECEIVERSHIP POLICY

Dr. Ivor Page presented the proposed Receivership Policy. This policy has already been approved at four other campuses, i.e., U. T. Austin, U. T. San Antonio, U. T. Pan American, and U. T. Arlington. U. T. San Antonio has had receivership problems and developed this policy due to problems encountered in these schools.

A motion was made and seconded to approve this Policy. The motion passed.

6. TEACHING WORKLOAD CREDIT FOR CHAIRS OF CEP AND CQ

Dr. Leaf presented a proposal that the Chairs of CEP and CQ receive three units of workload credit for each year, which is the equivalent of one course per year. This request is due to the workload that both of these committees have each year.

A motion was made and seconded to approve this proposal. The motion passed.

7. CHARGE: COMMITTEE IN RESEARCH INVOLVING HUMAN SUBJECTS (IRB)

Dr. Leaf presented the revision to this charge to reduce the size of the committee and make several other minor changes including the RUO. An amendment was made for section C.1.b. to add “or designee” after the VPRGE. A motion was made and seconded to approve this revision, provided that the Speaker can ascertain that the committee has had a chance to review it and either formally approved it or concurs in the recommendations.

The motion passed.
8. COMMITTEE ON COMMITTEES’ MEMBERSHIP

The membership of the Committee on Committees’ was reviewed and with a change in the Human Development representative to Jim Bartlett, a motion was made and seconded to approve the rest of the membership as follows: Sheila Pineres (S), Tim Redman (A), Don Gray (N), B. P.S. Murthi (M) and Z. Q. Zheng (ECS). The motion passed.

9. ADJOURNMENT

The business was concluded and the meeting was adjourned.

Respectfully Submitted,

Sandra K. Goertzen
Academic Governance Secretary