May 2, 2013

TO: Academic Senate Members

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

RE: Academic Senate Meeting

The Academic Senate will meet on **Wednesday, May 15, 2013 at 2:00 p.m. in the TI Auditorium, ECS South 2.102.**

Please bring the agenda packet with you to this meeting. If you cannot attend, please notify me at x4791.

xc: David Daniel Hobson Wildenthal Andrew Blanchard Serenity King

John Wiorowski Calvin Jamison Inga Musselman Larry Redlinger

Darrelene Rachavong Abby Kratz Chief Larry Zacharias Deans

Rochelle Peña Raj Dwivendi SG President

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2012-2013 ACADEMIC SENATE

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*Speaker
**Secretary

AN EQUAL OPPORTUNITY/AFPIRMATIVE ACTION UNIVERSITY
AGENDA
ACADEMIC SENATE MEETING
May 15, 2013

1. Call to Order, Announcements & Questions  Dr. Daniel

2. Approval of the Agenda  Dr. Leaf

3. Approval of Minutes  Dr. Leaf
   April 17, 2013 Meeting

4. Speaker’s Report  Dr. Leaf

5. FAC Report  Dr. Leaf

6. CEP Proposals  Dr. Cantrell
   A. Semester Credit Hour Policy
   B. Policy on Revocation of Graduate Degrees

7. Student Government Liaison Report

8. Amending the State of the University address  Dr. Leaf

9. Conflict of Interest Policy Discussion  Dr. Leaf

10. Amendment of Charge to Review Encryption Exemption Requests  Dr. Leaf

11. Summer Email vote for List of Graduates  Dr. Leaf

12. Current Student Academic Dishonesty Policy  Dean Fitch

13. Discussion on FAC Resolutions  Dr. Leaf

14. Annual Reports of Committees  Dr. Leaf

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

ACADEMIC SENATE MEETING
APRIL 17, 2013

PRESENT: Hobson Wildenthal, Robert Ackerman, Peter Assmann, Poras Balsara, Kurt Beron, Dinesh Bhatia, Gail Breen, John Burr, Cy Cantrell, R. Chandrasekaran, David Cordell, Gregory Dess, Gregg Dieckmann, John Ferguson, John Geissman, Lev Gelb, Tobias Hagge, Jennifer Holmes, D. T. Huynh, Joe Izen, Murray Leaf, Jessica Murphy, Simeon Ntafos, Ravi Prakash, Monica Rankin, Tim Redman, Liz Salter, Richard Scotch, Tres Thompson

ABSENT: David Daniel, Shawn Alborz, John Barden, Warren Goux, Umit Gurun, Mustapha Ishak-Boushaki, Kamran Kiasaleh, Nicole Leeper Piquer, Syam Menon, Dennis Miller, B.P.S. Murthi, Ramachandran Natarajan, Michael Rebello, Robert Taylor, Zhenyu Xuan, Kang Zhang

VISITORS: Chris Parr, Inga Musselman, John McCaskill, James Marquart, Sheila Pineres, Michael Carriaga, Nick Gay, Mark Salamasick, Chris Linsteadt

1. CALL TO ORDER, ANNOUNCEMENTS AND QUESTIONS
Provost Wildenthal called the meeting to order. The $15 million improvements to campus are approved by System. Currently the university is waiting on detailed plans for bids before they can start. The focus of the improvements will be between the trellises and the administrative building. All of the concrete will be torn up and a new fountain will be installed. Rows of shade trees will be along the mall to the Trellises plaza. They would also like to do improvements going east west from the Trellis towards Berkner, and gravel path from the Activity Center that goes by Engineering going towards Berkner.

Joe Izen asked how this will effect bike paths on campus. The comprehensive campus plans include walkways and bike paths. The current set of plans for the north/south improvements will most likely be a bicycle exclusion zone; however, going east west there will be something for bikes. There was much discussion on this topic.

Ground breaking for the new school of management and fourth new dormitory will be May 1. An addition to NSERL (i.e. NSERL 2) is beginning development with architects, as well as the possibility of a second parking structure that will be south of NSERL2. There is a plan to extend some of the roads, specifically a cut through the dorms to Waterview with a traffic light. They also would like to get a traffic light at Rutford and Synergy. The intersection of Rutford and Loop road will be the center point for three major construction projects, which does not take into account that at the same time the center of campus will be under construction for the landscaping.
John Geissman announced that a public hearing was taking place on April 17 in Austin on House Bill number 285- “The bill to be entitled an act related to prohibiting discrimination by public institutions of higher education against faculty members and students based on their conduct of research related to intelligent design be enacted by the legislature of the state of Texas. Section 51.979: Prohibition of discrimination based on research related to intelligent design. An institution of higher education may not discriminate against or penalize in any manner especially with regards to employment or academic support of faculty member or student based on the faculty member’s or student’s conduct of research related to the theory of intellectual design or other alternate theories on the origination and development of organisms.” Dr. Geissman wished the words “theory” and “theories” to be emphasized. “This act would go into effect immediately if it receives a vote of 2/3 of all members of elected to each house.” Dr. Geissman recommends that the Senate make a statement on this topic. Dr. Geissman commented that he had dealt with items like this bill for thirty-two years while working in New Mexico. Speaker Leaf noted this is not the first time that the legislature has had a bill of this type come before them. It has come up at least once in the two previous legislatures. Provost Wildenthal noted that the bill does provide protection for those who Darwinian creation as well. Provost Wildenthal commented that David Dunn, former Dean of the School of Natural Sciences and Mathematics, wrote many letters to the Editor on these types of bills. Speaker Leaf reminded the Senate that they should not worry about lobbying if faculty expresses their views to their legislature. The legislators want to hear from the faculty. Every member has a website that includes a facility for sending emails. These emails are read and someone responds to them. Joe Izen asked if there was any benefit of the Senate taking a stand collectively on this issue. Speaker Leaf responded that he did not see any harm in it but also felt that the individual communications would be more effective.

2. **APPROVAL OF THE AGENDA**

Speaker Leaf asked to add the approval of the revised academic calendar to the agenda. Tim Redman moved to approve the agenda as amended. Richard Scotch seconded. The motion to approve the agenda as amended carried.

3. **APPROVAL OF MINUTES**

Two minor corrections were requested to the circulated agenda in regards to attendance. Speaker Leaf moved to approve the corrected agenda. Richard Scotch seconded. Motion carried.

4. **APPROVAL OF ACADEMIC CALENDAR**

Sheila Amin Gutierrez de Pineres presented the academic calendar for 2014 to 2016. The university has grown so much that the University needs to plan events farther in advance. The calendar is exactly the same as the 2012-2013 with one exception. The classes that only meet on Thursdays previously were required to have final exams on Saturday, however, they will be able to take their finals on Thursday of finals week. Tim Redman moved to approve the calendar. Richard Scotch seconded. The motion carried.

5. **PRESENTATION BY HUMAN RESOURCES**
Colleen Dutton introduced the members of her team: Marco Mendoza, Director of Institutional Equity EEO; Marita Hawkins, Director of Benefits; Ilyce Murray, Director of Employment Services; and David Gleason, Director of Organizational Development and Training. Colleen Dutton then turned the floor over to Marita Hawkins.

Marita Hawkins spoke on a major change for faculty payroll deductions. In the past there had been substantial disorder and confusion regarding how benefits for the summer were taken out of 9-month faculty paychecks. The outcome, sometime, was that faculty were going to doctor’s offices only to find that their benefits had been terminated due to lack of payment. Deductions will now be standardized. This year they will be taking half the summer benefits payments out of May paychecks and the other half out of the June paychecks. This is a default option and the faculty do not have to do anything to receive this option. Starting in September 2013 the benefits, payments will be prorated to reflect the 9 months of employment, but will cover 12 months. This will align the university with the majority of the corporate world. Joe Izen asked if it was possible for faculty to elect to pay in the old manner. Colleen responded that given the problems in the previous years, this would not be possible. The new fee structure would go into effect for the July 15 beginning of enrollment. She also noted that at that time the University would be having a benefits fair.

6. **APPOINTMENT OF MEMBERS TO THE ACADEMIC DISCIPLINE PANEL**
   Gene Fitch explained the purpose of the panel. Members of the panel are appointed for three years, currently only two members are stepping down. To be a member of the panel a faculty member must be willing to give a minimum of 6 hours of commitment to training. Should a member wish to serve on sexual assault cases additional training will be required. When a case is called, on average it is two hours. Dr. Fitch reminded everyone that number is an average. He has been on cases that only take two hours, and others that have taken seven hours.
   Speaker Leaf noted that there are now a greater number of senior lecturers on the list to be on the panel. The Senate has in the past taken the view that this was desirable, since Senior Lecturers now make up such a large part of the faculty that deals with undergraduates. Liz Salter asked if there was a maximum number who could be on the pool. She suggested that if the pool size were increased from 14 members to 28, it could include all of those who have volunteered. Serving on the panel will give the Senior Lectures an opportunity to satisfy their service requirement. David Cordell moved to approve all of the listed volunteers to the panel for a three-year term. Peter Assman seconded. The motion carried.

7. **SPEAKER’S REPORT – MURRAY LEAF**
   Conflict of Interest/Conflict of Commitment policy and UTSP 180. We discussed an initial draft of the policy for implementation at UTD in the last meeting of the Academic Council. President Daniel made some further suggestions, mainly that we be clear about what is meant by a “management plan.” I have made the changes to the draft and sent it back to him. The Council will discuss it again at the next meeting.

   As I indicated at the last Senate meeting, we are not alone in our approach. The FAC has passed relevant resolutions. We have endorsed them here, and will adhere to them. As far as I know, every other campus is doing the same. We will not abandon our traditional and necessary rights and freedoms to act and to be responsible for our actions. You may have
noticed an article in the Austin American Statesman on a discussion of the System’s
disclosure plans at UT Austin. The consensus of that meeting was that the plan was
outrageous.

Yesterday, all campuses received a letter from the Chancellor saying that “implementation”
of UTSP 180 has been put off until September 1. In the meantime, there would be more
discussions with campus administrators and with the FAC. Campus administrators are due
to meet with the Chancellor next week. The FAC will also meet next week.

2. The Information Security Advisory Committee met last Wednesday. The meeting
included Leah Teusch and Lewis Watson, the ISO for System. The conversation was frank
and informative. The Committee has drafted an initial report and will suggest an expansion
of its membership in accordance with the Senate resolution at the last meeting to the effect
that their task should include reviewing proposals for exceptions from the requirement for
encryption.

3. The 3 + 3 Committee on revising the bylaws has met. The deans stated their objections to
the drafts so far and we agreed on some alternative approaches. There was no disagreement
with the broad approach, which is to focus on providing a clear interface between faculty
and administration at the school level and assure transparency as appropriate. The next
meeting will be in early May. Meanwhile, the committee agreed that we needed to add
someone from NS&M. Dean Novak has been added.

8. STUDENT GOVERNMENT LIAISON REPORT
Raj Dwivedi was not in attendance. The report was not presented.

9. APPROVAL OF CANDIDATES FOR GRADUATION
David Cordell moved that:

These students have applied for graduation and have been reviewed by the Office of Records.
The Office of Records has declared that all of these students will be eligible for graduation
upon the completion of the current semester’s work at the necessary levels. I request, therefore,
that the Faculty Senate certify these students to graduate upon receipt of final grades, and
notification of completion of other requirements, provided that the grades are consistent with
the standards for graduation prescribed by this University. He also request that the Faculty
Senate certify those students designated as eligible to graduate with honors upon completion of
coursework and requirements consistent with the standards for honors at the levels offered by
this University. Gregg Dieckmann seconded. The motion carried.

David Cordell moved that:

These students have applied for graduate degrees and have been reviewed by the Graduate
Dean. The Graduate Dean certifies that all of these students will be eligible for the degrees
indicated upon satisfactory completion of the current semester’s work. I request, therefore, that
the Academic Senate certify these students to receive the degrees as indicated upon receipt of
final grades and notification of completion of other requirements, provided that the grades
received are consistent with the standards for credit prescribed by this University. Gregg Dieckmann seconded. The motion carried.

The lists of candidates are appended.

There being no further business, Provost Wildenthal adjourned the meeting.

APPROVED: ___________________________  DATE: _____________

Murray J. Leaf
Speaker of the Academic Senate
Each course has a specific semester credit hour value, in accordance with Coordinating Board rules (Title 19 Texas Administrative Code, §4.6). One semester credit hour indicates an hour of instruction and two-to-six at least two hours of study time per week in a session or semester.

For example, a typical lecture course in a 15 week semester is assigned a value of three semester credit hours. The three semester credit hours represent receiving instruction three hours a week resulting in 45 contact hours and six additional hours a week of student preparation including homework.

Please note: factors in determination of the semester credit hour values like such as the type of course (for example, laboratory, internship, studio, seminar, etc) may require proportional adjustment. Courses offered in shortened sessions or semesters are expected to maintain the same number of contact hours.

Semester credit hours for each course are indicated in the academic catalogs or in the schedule of classes for a given term. In the catalog, the hours are shown in parentheses immediately after the course title in each course listing. The number of semester credit hours will be granted upon successful completion.

NOTE: Course Numbering Section within the Undergraduate Catalog may need to refer to the above policy (via a web link) if approved.

http://catalog.utdallas.edu/2012/undergraduate/policies/course-policies#numbering

The same can be said for the course numbering section within the Graduate catalog.
https://www.utdallas.edu/dept/graddean/CAT2012/FIRST40/registration_enrollment_requirements.htm
These guidelines attempt to guide faculty when determining credit hours. If a course is to be delivered in a format not listed or non-traditional, the course will be required to be reviewed by the catalog approval process. All courses are scheduled to meet the Texas Administrative Code requirements in accordance with the academic calendar.

I. Lecture, seminar

One semester credit hour equals approximately fifteen, 50-minute periods of classroom instruction (including exam) and at least two hours of outside study per credit per week.

II. Laboratory, studio ensemble, clinical

Where the Section (I) definition does not fit, for activity supervised as a group, a semester credit hour is awarded for activity in approximately fifteen periods where each activity is at least 100 minutes with possible outside study.

III. Independent study, private lessons, studio art, thesis, dissertation

One semester credit hour is equivalent to approximately fifteen, 50-minute periods of student academic activity. Faculty gives initial guidance, criticism, review, and final evaluation of the student’s performance.

IV. Practicum like student teaching, internships

One semester credit hour may be awarded for an equivalent of at least eighty hours of effort.

V. Fully Distance Education Course: A course which may have mandatory face-to-face sessions totaling no more than 15 percent of the instructional time. Examples of face-to-face sessions include orientation, laboratory, exam review, or an in-person test.

One semester credit hour equals approximately fifteen, 50-minute periods of synchronous or asynchronous contact. Additionally, at least fifteen, two-hour periods of outside study will be completed by the student.

VI. Hybrid/Blended Course: A course in which a majority (more than 50 percent but less than 85 percent), of the planned instruction occurs when the students and instructor(s) are not in the same place.

One semester credit hour equals approximately fifteen, 50-minute periods of classroom instruction, and asynchronous or synchronous contact. At least fifteen, two-hour periods of outside study will be completed by the student.
Policy on Revocation of Graduate Degrees

1. The University of Texas at Dallas is committed to assuring that theses and dissertations that were submitted as part of the requirements for already-awarded degrees shall meet the highest standards of academic integrity. The standard of scholarly integrity expected on master’s theses and doctoral dissertations is the same as what would be expected in submissions to a publisher or an academic journal. If a Master’s thesis or doctoral dissertation is found to be based on plagiarized or falsified material after the degree has been awarded, then the degree will be subject to revocation.

This policy applies to individuals who have been awarded a master’s or doctoral degree and are no longer enrolled as students. Master’s theses and doctoral dissertations submitted by enrolled students are covered by UTDSP5003, Chapter 49, Subchapter C.

In cases in which the University becomes aware of plagiarism or possible falsification of data or other research source material in master’s theses or doctoral dissertations after a degree has been awarded and the individual is no longer enrolled as a student, the Dean of Graduate Studies will direct the investigation and disposition of the case.

2. After a master’s or doctoral degree has been awarded and made available to the public, allegations of plagiarism or falsification of research material may arise from many sources. However such allegations may arise, and however they may come to the attention of UT Dallas employees, the allegations should be referred promptly to the Dean of Graduate Studies.

2.1. The Dean of Graduate Studies will appoint a committee of not fewer than three faculty members in the area of the thesis or dissertation to render professional judgments as to whether academic integrity has been compromised and, if so, the extent of plagiarism or falsification. The report of the investigative committee must conclude with a recommendation as to whether the degree shall be revoked or allowed to stand.

2.2. If the faculty investigative committee determines that there is a prima facie case that allegations of plagiarism or falsification of research material are true and recommends that the degree be revoked, the Dean of Graduate Studies will review the material uncovered during the investigation and either approve the findings or ask for further investigation. If the Dean accepts the findings and recommendation of the investigative panel, then a reasonable attempt will be made to contact the former student and inform him or her of the allegations.

If the former student disputes neither the panel’s findings nor the sanction of revoking the degree, or does not respond within a period of 30 days from the date of the first contact attempt, then the Dean of Graduate Studies may order the thesis or dissertation to be rejected and recommend to the President that the degree be revoked.

2.3. If the former student disputes either the findings of fact or the proposed sanction, the Dean of Graduate Studies will appoint a hearing panel of three faculty members in the
area of the thesis or dissertation, plus one graduate student. This panel will act as the “hearing officer” within the intent of the Regents’ Rule that applies to enrolled students, Rule 50101, Section 5. Three faculty members will constitute a quorum of the hearing panel.

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

The hearing panel will consider all available documentary evidence and may consult with the original supervising committee and the individual(s) who made allegations that academic integrity was compromised. If the former student can be located and seeks to attend the hearing, he or she is entitled to bring an advisor or retain legal counsel. In such a case, the former student must notify the Dean of Graduate Studies immediately to give time for the hearing panel to ask for UT Dallas or UT System legal counsel to be present. Legal counsel and an advisor, if any, shall only provide advice, and shall not act as an advocate in the hearing. Counsel and the advisor will neither question witnesses nor argue.

2.4. The hearing panel will reach its decision by majority vote. The panel’s report must include a numerical tally of the vote. The panel will either recommend that the degree awarded shall stand, or recommend to the President that the thesis or dissertation be rejected and the degree be revoked.

3. In accordance with the intent of the Regents’ Rule that applies to enrolled students, Rule 50101, Section 7, the former student and the Dean of Graduate Studies are entitled to appeal the hearing panel’s decision to the President. The appeal shall be based exclusively on the record of the hearing.

4. After a degree has been revoked, a permanent notification will be placed in the former student’s academic transcript, and the thesis or dissertation will be removed from the University of Texas at Dallas Libraries. If the thesis or dissertation has been placed in a public or commercial repository, that repository shall be notified of the University’s action.
This is the text from the HOP Chapter 21 Section 6 that needs to be amended for item 8:

C. Meetings
1. The General Faculty shall meet at least annually in October of each year to hear a "State of the University" report from the President and to discuss with the President matters of University interest.
2. Special meetings of the General Faculty shall be held at the call of the President or the Speaker of the Faculty or at the request of at least twenty percent of the voting members of the General Faculty, as listed on the most recent faculty roster certified by the Secretary of the Faculty, to the Speaker of the Faculty. A minimum notice of one week is required.

I suggest the following revised version:

C. Meetings
1. The President of the University convenes the university community, faculty and staff, for a “state of the University Report” each year in October. The meeting of the Senate following the State of the University Report shall begin with a meeting of the General Faculty, at which the General Faculty may consider and vote on Resolutions of the General Faculty.

2. If there is no State of the University Address, the Senate meeting for October of each year shall also be a meeting of the General Faculty.

2. Special meetings of the General Faculty shall be held at the call of the President or the Speaker of the Faculty or at the request of at least twenty percent of the voting members of the General Faculty, as listed on the most recent faculty roster certified by the Secretary of the Faculty, to the Speaker of the Faculty. A minimum notice of one week is required.
1. Title

Conflicts of Interest, Conflicts of Commitment, and Outside Activities

2. Policy

Sec. 1  Applicability. This policy applies to all U T Dallas employees. (Regents’ Rule 30104, UTS Policy180)

Sec. 2  Purpose. This policy is intended to protect the credibility and reputation of the U.T. System, of U T Dallas and of members of the faculty and staff by providing a transparent system of disclosure, approval, and documentation of employee activities outside U. T. that might otherwise raise concerns about conflicts of interest or conflicts of commitment. The policy also serves the purpose of ensuring compliance with State ethics laws and Regents’ Rules. Finally, the policy is intended to provide the framework for rules and procedures that will clearly delineate permissible outside activities.

Sec. 3  Primary Responsibility. The primary responsibility of employees of U T Dallas is the accomplishment of the duties and responsibilities assigned to one’s position of appointment. (Regents’ Rule 30104, Sec. 1)

Sec. 4  Outside Activities.

(a) Regents’ Rule 30104 permits U. T. employees to engage in outside work or activity, so long as the work or activity complies with the requirements of the Rule and does not violate State laws or U. T. System or U T Dallas rules or policies governing the conduct of employees, including ethics standards and provisions prohibiting conflicts of interest, conflicts of commitment, and the use of State resources.

(b) Certain outside activity clearly enhances the mission of U T Dallas and/or provides important elements of faculty or staff development related to their U T Dallas responsibilities. To that end, the following such activities are encouraged as long as they do not create a conflict of interest or commitment. (COMMENT: Examples of outside activities that might be encouraged include those at Sec. 7.3(a), below.)

(c) Activities with entities or associations separate from the U T Dallas and the UT System that complement or supplement one’s activities for U T Dallas are not intended to be covered by this policy. Examples are membership in associations of University Presidents, Associations of University Deans, Counseling professionals, purchasing officers, accrediting associations, seminars for financial aid officers, teachers associations, faculty associations, and librarians associations.

Sec. 5  Conflicts of Interest and Conflicts of Commitment Prohibited.
UT Dallas employees may not have a direct or indirect interest, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employee’s duties in the public interest for UT Dallas. (Regents’ Rule 30104, Sec. 3)

Activities on behalf of outside entities or individuals must not interfere with a UT Dallas employee’s fulfillment of his/her duties and responsibilities to the University. Such conflicts of commitment may arise regardless of the location of these activities (on or off campus), the type of outside entity (individual, for-profit, not-for-profit, or government), or the level of compensation (compensated or non-compensated.) (Regents’ Rule 301014, Sec. 4)

Sec. 6 Disclosure and Approval (Regents’ Rule 30104, Sec. 5)

6.1 Each full-time member of the faculty and full-time member of the administrative and professional staff must:

(a) annually disclose a description of the nature and extent and the range of compensation of (i) any outside employment or other compensated activity, and (ii) any other uncompensated outside activity that may reasonably appear to create a conflict of interest or a conflict of commitment, and (iii) any substantial interests in business entities that may reasonably appear to create a conflict of interest, or state in writing that they have not engaged in such activity and do not have any such interests;

(b) annually disclose a description of the nature and extent of all outside board service that a reasonable person could construe as creating a presumption of conflict of interest and the range of compensation, if any;

(c) annually disclose gifts over $250 to you or your immediate family members that may reasonably appear to create a conflict of interest. Do not include gifts received from: your parent, child, sibling, grandparent, or grandchild; your spouse and spouse of anyone mentioned above, or the parent, child sibling, grandparent, or grandchild of your spouse.

(d) disclose additional outside activities that may reasonably appear to create conflict of interest or conflict of commitment as they arise;

(e) disclose the nature and extent any outside activity of immediate family members that may reasonably appear to create a conflict of interest and any substantial interests of immediate family members in business entities that may reasonably appear to create a conflict of interest; and
(f) obtain prior approval and/or enter into an approved management plan before engaging in activities or interests included in Section 6.21(a), 6.21(b), 6.21(cd) above, except as permitted by Section 910, below.

6.2 The annual disclosure statement shall report activity that has been carried out over the past year (retrospective component) and future activities that are anticipated for the upcoming year (prospective component), and shall include the amount of activity and an estimate of time devoted to such activity and the range of compensation, if any. Additional activities that may reasonably appear to create a conflict of interest or a conflict of commitment are to be disclosed as they arise.

(See Full-time Faculty and Full-time Professional and Administrative Staff Form [LINK])

(a) Outside activity reported and approved under HOP ________, (Disclosure of Significant Financial Interests and Management of Reporting of Financial Conflicts of Interest in Research) need not be re-disclosed.

(b) When in doubt. In determining whether activity should be disclosed, the individual should resolve the doubt in favor of disclosure, on the standard that non-disclosure would appear to a reasonable person to be concealing a conflict of interest.

(c) Electronic database. Disclosure of outside activity for which management plans have been sought and established, documentation of requests for approval, and subsequent approvals required above, shall be maintained for all faculty and administrative and professional staff in an accessible and searchable electronic database in accordance with U T System requirements, unless the nature of the outside activity requires confidentiality.

6.3 Part-time Faculty and Part-time Administrative and Professional Staff. Unless such activity has already been reported under HOP ______ (governing disclosure of financial conflicts of interest in research), each part-time member of the faculty and each part-time member of the administrative and professional staff must disclose the nature and extent of any outside activity that may reasonably appear to create conflict of interest and obtain prior approval before engaging in such activity, except as permitted at Sec. 9, below and to disclose any substantial interest in a business entity that may reasonably appear to create a conflict of interest.

(See Part-time Faculty and Part-time Professional and Administrative
Sec. 7 Guidelines for reviewing and approving requests to engage in outside activity.

7.1 Approval Authorities. The President has appointed the following individuals as the approval authorities under this policy:

[These shall be designated by each institution]

(a) For members of the faculty: [e.g., the Dean or Dean's designee, department Chair (in large units)]

(b) For deans and department chairs: [e.g., the Provost or President]

(c) For executive officers: [the President, or for the President, the Executive Vice Chancellor] the President

(d) For administrative and professional staff: [the supervisor]

(e) For other employees: [the supervisor]

7.2 Faculty Time

Members of the faculty have flexibility in using their time to prepare for teaching and engage in research and other scholarly activity. Other responsibilities, such as presenting lectures, being available to meet with students, and participating in university committees, have more rigid time demands. During the academic term in which a faculty member holds a full-time appointment, the faculty member must attend to all their duties and responsibilities and meet the minimum academic workload requirements, but may be permitted to engage in an average of one day of approved outside activity each week without explicit approval of the President of the University. [COMMENT: The maximum amount of time set by the institution may be expressed in time or percent of appointment but under no circumstances may it exceed an average of one day per week, during the term of an appointment, without the explicit approval of the President.]

7.3 Categories of Outside Faculty Activity

(a) Some activity is so integral to the mission of U T Dallas that it is encouraged, so long as the activity does not reasonably appear to create a conflict of interest and the amount of time committed does not interfere with faculty member’s U T Dallas duties and responsibilities. This may include activities such as the following:
COMMENT: Institutions may wish to add to or subtract from the following list.

- Serving on a federal, state, or local government agency committee, panel, or commission.
- Serving on a panel or commission for an inter-governmental humanitarian, or philanthropic association, such as the World Bank or an agency of the United Nations.
- Acting in an editorial capacity for a professional journal.
- Reviewing journal manuscripts, book manuscripts, or grant or contract proposals.
- Attending and presenting talks at scholarly colloquia and conferences.
- Developing scholarly communications in the form of books or journal articles, movies, television productions, and similar works, even when such activities result in financial gain, consistent with intellectual property and other applicable U. T. System and institution policies and guidelines.
- Serving as a committee member or as an officer of a professional or scholarly society.
- Serving on the board of directors or a commission or committee of an association that serves higher education or higher education professionals in general, such as the Carnegie Foundation or the Teachers Annuity Insurance Association.
- Providing expert testimony.
- Taking part in organizations or activities that are also subjects of one's scholarly or research activities.
- Taking part in performances and exhibits related to one's scholarly concerns.
- Any other activity normally reported as part of teaching, scholarship, or service in annual reviews or other personnel procedures.

(b) Another category of outside faculty activity that, when approved, is permitted and 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 would see their
relationships as involving a conflict of interest, they should report them and seek approval.

(c) Faculty members may also engage in activity that does not necessarily contribute to the mission of UT Dallas or provide elements of faculty professional development related to their UT Dallas duties and responsibilities, so long as it does not reasonably appear to create a conflict of interest or interfere with the faculty member’s UT Dallas duties and responsibilities. Any such activity must take place only on non-UT time. If the faculty member anticipates that a reasonable person would see their specific relationships as involving a conflict of interest, they should report them and seek university approval.

7.4 Accounting for Outside Board Service

(a) Recognizing the benefit to be derived by UT Dallas from outside board service, and after thorough consideration of the time commitment that might be involved, time spent on uncompensated service on nonreligious boards, other than for reimbursement of usual and customary expenses, may be deemed to be of service to the UT Dallas and may not require the use of a person’s own time, with prior disclosure and approval before engaging in such service.

(b) Service on an outside board for which the employee is compensated... any service to a religious organization whether or not compensated, must be on the person’s own time. If the service occurs during normal office hours, the person must use vacation time, compensatory time, or other appropriate leave while providing the service unless an exception is sought and approved by the President or the President’s designee. The service should be without cost to UT Dallas... except for service to religious organizations, must be disclosed and approved prior to engaging in such service.

(c) Participation on the board of a municipality; religious denomination, local religious congregation; neighborhood association; public, private or parochial school; political organization; youth sports or recreation league; affinity group such as the local orchid society or model train collectors club; and other similar outside boards on which the service is primarily personal rather than professional in nature and does not require time away from UT Dallas responsibilities, is permitted without the requirement of does not require disclosure and advance approval if it does not create a conflict of interest or conflict
of commitment or the appearance of a conflict of interest or conflict of commitment.

7.5 Substantial Interest in a Business Entity

Members of the faculty and the administrative and professional staff must annually report any substantial interest the individual or an immediate family member has in a business entity that might appear to create a conflict of interest. For purposes of this policy, a substantial interest in a business entity means;

(1) a controlling interest;
(2) ownership of more than 10 percent of the voting interest;
(3) ownership of more than $15,000 of the fair market value;
(4) a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gain; or
(5) service as an officer.

Does not include investments in mutual funds.

Sec. 87.6 Management Plans.

Management plans must be in place for all faculty and administrative and professional staff for outside activities that may create a conflict of interest or a conflict of commitment before activity begins. Management plans will be developed by [Designated Official] and approved by [Next Senior Official].

A management plan is a written description of a potential conflict of interest or commitment and the actions that will be taken to assure that it does not become an actual conflict of interest or commitment. A management plan should not require undue cost or inconvenience for the faculty or staff member.

(1) If a potential conflict of interest involves the faculty or staff member’s activity as an agent of the university, the plan may assign their responsibilities as an agent in the conflicting cases to another individual.

(2) If a potential conflict of interest involves an appearance of bias in research, a management plan may specify the disclosure required in publications or presentations, or may involve a commitment not to accept such funding or such as association.

(3) If a potential conflict of commitment involves a clear possibility that a faculty or staff member cannot be present on campus for sufficient time to carry out their duties, a management plan may describe arrangements to assure their presence.
Sec. **89** Appeals. Individuals whose request for approval of outside activity is denied may request that the denying authority reconsider the decision and provide an explanation of the perceived conflict of interest or commitment. If the individual remains unsatisfied with the decision, he or she may access standard grievance procedures to the extent that they are otherwise applicable.

Sec. **109** Prospect and Retrospective Approval. In rare instances, outside activity may be approved retrospectively when the individual is called upon to assist in an emergency or urgent situation where it would be impossible or unreasonable to obtain advance approval. In such cases, the activity must be fully disclosed and approval sought from the appropriate authority as soon as reasonably possible.

Some activity may also be prospectively approved, for up to one year, when an individual describes to the approving authority as fully as reasonably possible the general nature and extent of anticipated, but not confirmed, outside opportunities.

In any event, whether previously approved or not, employees should ensure they notify their chair, dean, or supervisor in advance when they will be missing specific responsibilities.

Sec. **110** Confidential or Classified Outside Activity. If an individual wishes to engage in an activity for which some or all of the relevant information is confidential, but which may reasonably appear to create a conflict of interest or commitment, approval can be sought without written disclosure. The approving authority may nonetheless approve the activity without requiring full written disclosure upon satisfaction that there is a compelling reason to treat the information confidentially and the activity is otherwise fully compliant with this policy and all other applicable laws and University of Texas policies. Where the activity is classified under United States rules, the individual should follow the rules in deciding whether disclosure is appropriate.

Sec. **1112** Rescinding Approvals. An approving authority may rescind an approved outside activity or call for a revision of the management plan upon receipt of information indicating that the activity is not consistent with this policy or any applicable law or University of Texas or University System policy. The individual for whom the activity may be rescinded shall be given notice of the information and an opportunity to respond.

Sec **4213** Noncompliance. Noncompliance with this policy may subject one to discipline in accord with applicable procedures up to and including termination of employment.
Sec. 1314 Use of University Property. UT Dallas property may only be used for State purposes appropriate to [INSTITUTION’S] mission. (Regents’ Rule 3010.04 Sec. 8) Use of UT Dallas property for any outside activity must be explicitly approved in writing by the approving authority.

Sec. 1415 Education and Training. [COMMENT: Plans and responsibility to be developed by each institution, but must include at a minimum: training for those responsible for approving and managing outside activities and interests and annual distribution of this and other relevant HOPs to all employees]

Sec. 1516 Definitions

Approval. Approval means that the university does not consider the activity reported to involve a conflict of interest or commitment.

Administrative and Professional Staff. Those executive, administrative and professional employees who have been determined to be exempt from the Fair Labor Standards Act and are, therefore, not entitled to overtime pay. [OPTIONAL:] It also includes employees who are not exempt from the Fair Standards Labor Act if they are authorized to execute contracts on behalf of the University or who because of their job duties at the University have authority to exercise discretion with regard to the award of contracts or other financial transactions.

Business Entity. Any entity recognized by law through which business for profit is conducted, including a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, or trust.

Compensation. Any form of financial benefit including but not limited to salary, retainer, honoraria, sponsored travel or reimbursement, intellectual property rights or royalties, or promised, deferred, or contingent interest.

Conflict of Commitment. A state in which a UT Dallas employee’s activities on behalf of an outside association, or an activity, that could directly or significantly interfere with the employee’s fulfillment of their institutional responsibilities.

Conflict of Interest. A significant outside interest of a UT Dallas employee or one of employee’s immediate family members that reasonably appears to be related to the employee’s institutional responsibilities and that could directly or indirectly significantly affect the employee’s performance of those responsibilities.

Immediate Family Members. Include: (a) a spouse;
(b) a dependent child or stepchild or other dependent, for purposes of
determining federal income tax liability during the period covered by
the disclosure statement; and
(c) a related or non-related, unmarried adult who resides in the same
household as the individual and with whom the individual is financially
interdependent as evidenced, for example, by the maintenance of a
joint bank account, mortgage, or investments.

**Nature and Extent.** Shall include a description of the activity, the time
commitment, and the anticipated length of time the commitment is expected to
continue.

**Outside Board.** The board, council, or other governing or advisory body of a
business, civic, professional, or social organization, whether for profit or
nonprofit.

**Outside Employment.** Any activity performed by an employee for an
organization other than The University of Texas System Administration or a
University of Texas institution for which remuneration is received, other than
expense reimbursement or a nominal honorarium.

**May reasonably appear.** This means may appear to a reasonable person, or
that a reasonable person could be expected to foresee.

**Range of Compensation.** Includes a range of outside compensation as
follows:

(1) $1 - $4,999;
(2) $5,000 - $24,999;
(3) $25,000 - $49,999;
(4) $50,000 - $99,999;
(5) $100,000 - $249,999;
(6) $250,000 - $499,999;
(7) $500,000 - $999,999;
(8) $1,000,000 and over, or
(9) if equity, _____ equaling ____% of the fully diluted value of the
company at time of grant
(10) None

(1) $0 - $4,999;
(2) $5,000 - $9,999;
(3) $10,000 - $19,999;
(4) amounts between $20,000 - $100,000 by increments of $20,000; or
(5) amounts above $100,000 by increments of $50,000;
(6) if equity, _____ equaling ____% of the fully diluted value of the
company at time of grant;

**Comment [d10]:** 180 REPEAT: Recommended by
one of our institutions.

**Comment [d11]:** 180 REPEAT: Requested by an
institution.

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**Comment [d12]:** 180 REPEAT: This is the range
employed in the research conflict of interest policy,
which was set by PHS. Making them the same has
been requested by the FAC and several institutions
and is recommended. It will lessen confusion and
make the transition for some institutions easier.
Substantial Interest in a Business Entity. For purposes of this policy, means:

(1) a controlling interest;
(2) ownership of more than 10 percent of the voting interest;
(3) ownership of more than $15,000 of the fair market value;
(4) a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains; or
(5) service as an officer.

Does not include investments in mutual funds or retirement accounts, so long as the individual does not directly control the investment decisions made in those vehicles.

Comment [d13]: 180 REPEAT: For clarity. Same language as UTS 175 models.
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 its 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.
The University Information Security Advisory Committee is a concurrent committee of the Academic Senate of the University of Texas at Dallas.

The Committee will advise the University of Texas at Dallas Information Security Officer in planning and testing measures to provide security for the University for development and use of the university’s information resources in such a way as to comply with UT System security requirements for university information. University obligations are established by the UT System system-wide policy UTS165, U.T. System Information Security Action Plan, and Texas Administrative Code 202, and related interpretive statements such as The University of Texas System Laptop Computer Encryption Implementation—Frequently Asked Questions. The committee’s areas of concern include but shall not be limited to:

- Recommend policies or guidelines to develop and align information security strategies with applicable laws and regulations.
- Monitor policies and procedures to ensure compliance while not asserting undue claims to own or access information owned by faculty or for which faculty are under obligation to other organizations.
- Recommend procedures for IT systems and practice to lower risk of exposure of information and IT resources. Procedures and practice may include appropriate technical infrastructure and security controls in the IT environment.
- Assist in identifying and classifying information.
- Assess and evaluate security incident management and make recommendations for improvements.
- Recommend procedures that increase the security of business continuity and recovery plans.
- Monitor implementation of the UTD policies by the Information Security office.
- **Assist in developing plans and methods for education and outreach in the UTD community to explain the need for security measures and assure effective faculty participation.**

- **Recommend approval or denial of requests for exemption from full-disk encryption or any other security mandate. The committee will strive to make its recommendations within a month of submission of request.**

The Committee shall be composed of at least eleven-thirteen voting members. Seven shall be tenure-track faculty, appointed from the membership of the General Faculty (as defined in
Title III, Chapter 21, Section I.B.1 of The University of Texas at Dallas *Handbook of Operating Procedures*). At least three faculty members shall have expertise in areas of computer security. All shall be selected to represent as much of the range of university as well as non-university information that faculty create and use in the course of their professional activities as is practicable. In addition, there shall be one representative each from Academic Affairs, the Office of the Registrar, and the Office of Sponsored Projects, a staff representative selected by the Staff Council, and a student selected by Student Government, and *at least two security experts from outside the university*. One of the faculty members shall be Chair. The Chair and Vice Chair shall be appointed annually by the President upon approval by the Academic Senate.

The University Attorney shall be a member *ex officio*. The University Information Security Officer shall be the Responsible University Official.

The term of service of the Committee members shall be for two years, effective September 1 to August 31. Appointments shall be staggered in time to make approximately equal numbers of appointments expire each academic year. Members may be reappointed for additional terms. If for any reason a Committee member resigns, the President shall appoint another individual to serve the remainder of the unexpired term upon nomination by the Academic Council.

The Committee shall meet at least bimonthly during the fall and spring semesters. No plan or policy shall be implemented by the Information Security Officer without first being reviewed by the Committee. The Committee shall indicate its approval or disapproval by majority vote. If the Committee disapproves, the Chair shall convey the vote and the reasons to the Vice-Provost and Chief Information Officer. Additional meetings will be called by the Chair or RUO as necessary.
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 . They should personally checking to assure that this material for 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.

Comment [GF2]: OGC has indicated in their comments that this process is already provided for in current rules on student conduct.
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 seeks 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
The dean of graduate studies will ask the Academic Senate formally to withdraw its original approval and notify the President of the University accordingly.

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.
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 false 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 . They should personally checking to assure that this material for 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.

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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 4.1.

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 seeks 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
dean of graduate studies will ask the Academic Senate formally to withdraw its original approval and notify the President of the University accordingly.

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.
The University of Texas System Faculty Advisory Council

Resolutions

A. Resolution on Computer encryption

The UT System Faculty Advisory Council advocates a common sense approach to computer encryption. Data that would be encrypted would be restricted to that which is protected under state and federal regulation such as FERPA and HIPAA, identification data, the collection of which is authorized by the Institutional Review Board, and information that is protected by contractual agreement.

The UT System Faculty Advisory Council further asserts that certain kinds of faculty records related to students are not FERPA protected and therefore are not subject to encryption. Those kinds of records would include faculty maintained grade records and the like that are not maintained by the institution. Also included is communication about students by faculty to anyone in the institution who has a legitimate educational interest in the information.

B. Resolution on the Core Curriculum:

The Faculty Advisory Council of the University of Texas System supports the principles of academic freedom and local control with regard to the implementation and approval processes for the Texas Higher Education Coordinating Board’s Core Curriculum. All course approval processes should happen with the teaching faculty of each campus having the maximum control over their courses and syllabi.

Send to: Cigarroa/Reyes; Legislature; THECB

C. Resolution on Department Chairs:

The Faculty Advisory Council of the University of Texas System supports the following guidelines for The Regents Rules For Department Chairs:

All UT System campuses, including the Health Science campuses, require local policies for implementation, which will be in the HOP (and hence will require review by the formal governance organizations), and should cover department chairs, vice-chairs, and directors of large divisions (more than 10 fulltime faculty) within departments.

Local policies should provide for the following:

1. Substantial faculty involvement from the specific departmental faculty in chair hiring processes such as specifying the size and composition of the search committee, the desired qualifications of candidates, and the number to be interviewed, brought to campus, and sent forward for final consideration.

2. The Chair’s role in the annual review process.
3. The Chair’s role in Periodic Performance Evaluations.

4. Regular meetings with the faculty of the department.

5. The establishment of the role of the chair within the structures of departmental governance. For the Health Science Centers, chair responsibilities shall include management/oversight/organization of the clinical activities for which that department/division is responsible.

6. The length of the term of office and the extent to which it is renewable.

7. The appointment of interim or acting chairs shall be made with significant departmental faculty input and reappointment of interim chairs should not occur save for exceptional circumstances.

8. The procedure for annual evaluation of chairs, which shall include significant faculty input. A summary of the results of the evaluation and the intended actions resulting from this evaluation must be made available in a timely fashion to the departmental faculty after review by the Dean, Provost or their equivalent, and President.

The policy should not be a roundabout way to obtain FAC endorsement for weakening existing UT System campus policies if the local faculty do not want to make such changes.

Send To: Cigarroa/Reyes

D. Resolution on Peer Observation for Improvement of Teaching:

The goal of peer observation of teaching should be the enhancement of teaching, therefore any system-wide peer observation policy should have the purpose of improving teaching rather than providing evaluation. This should not preclude individual institutions from additional policies for a separate process of peer observation for the purpose of evaluation, but any such policy should be developed at the local level.

Send To: Cigarroa/Reyes

E. Resolution in Response to Declining NIH Funding:

Whereas: the threshold for funding individual Federal grants or contracts including but not limited to National Science Foundation (NSF)/ National Institutes of Health (NIH) research proposals (RO1 applications), Department of Defense, Environmental Protection Agency, has reached a historically high level resulting in successful competition for federal extramural funding only for those proposals scored in the top 6th to 5th percentile.

Whereas: this funding threshold is expected to become even more prohibitive with the anticipated across the board spending cuts currently mandated by Congress thus restricting further funding realistically to only a limited number of experienced investigators with established funding track records.
Whereas: in this unfavorable environment, researchers in the biomedical, pure and applied basic sciences, and social sciences (PhD and MD) competing for federal extramural funding in both the academic and health science University of Texas component institutions are still evaluated for professional and academic success and importantly for promotion on the basis of attaining independent NIH / other equivalent federal funding.

Whereas: persistence of this standard of evaluation is unrealistic and potentially unfair and quite detrimental to the University of Texas system and the state.

Whereas: in particular, young or midlevel faculty will inevitably either become frustrated with the process or will be let go after failing to garner the required funding in the expected period of time, thus leading to an increasing risk that the University of Texas will lose a generation of young scientists / investigators.

Whereas: the tangible consequences of losing a large number of young and mid-level researchers both from the perspective of lost scientific contributions and from the perspective of wasted resources utilized for prematurely terminated career development are incalculable.

Be it resolved that the University of Texas System should establish a fund to allow for start-up or "bridge" funding for young and established researchers who are academically and scientifically productive and show promise for future contributions but who are not able to procure federal funding in the first few years of their careers or who have temporarily lost funding supporting ongoing meritorious investigations, that this funding should complement any funding currently available for such support on some of this University of Texas campuses, such that this funding will allow young and established faculty to continue successful or promising research and for young investigators in particular, to amass the necessary experience, publications and data to build a portfolio to support successful NIH / NSF funding applications, and not coincidentally, to also remain competitive for promotion within their respective institutions.

Furthermore, be it resolved that such funds should be established to support mid and senior level investigators who have been successful but who have lost current NIH/NSF or other equivalent federal funding to supplement the limited funding that is currently available on some but not all UT institutions.

Furthermore, be it resolved that the University of Texas System start-up and bridge funds will be allocated to the individual UT Universities on a formula basis. Each individual campus / University shall establish a faculty led research funding review committee. This committee shall establish criteria for application and awarding of the start-up and bridging funding for the individual campuses. The review committee shall receive and review applications for start-up and bridge funding and award funding on a merit basis according to the established criteria and level of funding.

Lastly, with no improvement in NIH/NSF / federal funding in sight, be it resolved that the University of Texas System consider a re-evaluation across the system by the constitutive institutions of use of extramural federal funding as a leading metric by which academic success in the biomedical and basic pure and applied sciences is measured and as a sole or principal metric for determining faculty retention and promotion.
F. Resolution on Importance of Teaching and Peer Review in Faculty Evaluation:

Whereas, teaching is the core mission of the University of Texas Health Science Universities, and whereas, the perception amongst faculty of the various HSC component Universities is that teaching is significantly undervalued and in danger of further erosion due to the competing demands on faculty time, in particular, pressures on clinical teaching faculty to maximize billable clinical activity and on research faculty to maximize research productivity;

we resolve that, the University of Texas System and its component Universities should include in any future metric developed and ultimately used to evaluate faculty for their meeting of performance expectations, for productivity, for promotion and/or for tenure, a meaningful, reproducible measure of teaching activities and time commitment, teaching quality, and teaching innovation, that this matrix should importantly include formal, structured, and equitable peer review and that this peer evaluation serve as the most important aspect of the evaluation of teaching. Furthermore, we resolve that the University of Texas System should develop a model template in consultation with faculty to accurately capture data on teaching to complement the data likely to be captured on research productivity in SciVal, and that this template should recognize the fundamental differences in scope and type of teaching required for training of the various classes of students within the HSC, in particular, the specific differences in the teaching requirements for PhD candidates and for post graduate students in healthcare.

G. Resolution of Appreciation to Executive Vice Chancellor Kenneth Shine.

To Executive Vice Chancellor of Health Affairs:

Be it resolved that the Faculty Advisory Council wishes to thank most sincerely Kenneth Shine, MD, Executive Vice Chancellor for his work on behalf of the Faculty of the University of Texas, his commitment to a shared vision of achieving excellence in teaching, research, and clinical care, and his unwavering support for the faculty in their efforts of achieve the core missions of the University of Texas.
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.
Committee on Qualifications Annual Report to the Senate, 2012-2013 Academic Year

Members of the Committee:

Poras Balsara (ECS)  David Channell (A&H)  William Cready (SOM), Vice Chair
Andras Farago (ECS)  Dan Griffith (EPPS)  Ali Hooshyar (NS&M)
Robert Lowry (EPPS)  Mike Peng (SOM)  Timothy Redman (A&H)
Larry Reitzer (NS&M), Chair  Michael Rugg (BBS)  Anne Van Kleeck (BBS)

Review Activity:

Third-year, mid-probationary reviews: 15 cases
Promotion to Asst. Prof. with tenure: 21 cases
Promotion to Full Professor: 8 cases
Outside hires with tenure: 5 cases

Meeting schedule, operating procedures, and workload:

External hires with tenure. CQ evaluates all external hires with tenure. These are conducted via email because they are often time-sensitive. CQ has imposed a 48-hour turnover. For hires at the same rank (e.g., an Associate Professor from another institution hired as an Associate Professor at UTD), our operating procedures allow the Chair to determine how many CQ member responses are sufficient (after the 48-hour period). This accommodates unusual times for the hires (e.g., summer). There have been five hires with tenure cases so far (May 2, 2013), and all were strong cases. For hires that involve a promotion (e.g., an Associate Professor hire as a Full Professor), seven affirmative votes (a majority) are required. There have been no such cases this year.

Mid-probationary, tenure, and promotion reviews. These reviews are the major task of CQ, at least in terms of workload. Prior to CQ’s evaluation, a candidate for promotion was analyzed by an ad hoc committee, a faculty vote with recorded minutes, and a Dean’s report. The components analyzed were research/creative activity, teaching effectiveness, and service. UTD policy requires excellence in either teaching or research/creative activity, and if teaching is excellent, then the candidate should have performed well in research/creative activity.

CQ met as a committee on five Fridays mornings: January 11 and 18, and February 1, 8, and 22. The expectation was that all CQ members read all the cases. Each CQ member was assigned one case to summarize per session, and one case to take notes on the CQ discussion. It takes several days to prepare
for each weekly meeting. The chair merged the summary and discussion for a final report, which varied from 1.5 to 4 pages. CQ considered the following factors: (1) sufficient documentation to support the recommendation for or against promotion; (2) independent letters from at least five external evaluators (independence was defined as not having a self-interested association with the candidate for promotion); (3) clear articulation of the strengths and weaknesses of each case; (4) school-specific guidelines; and (5) consistency within individual schools. On March 28, the Provost met with CQ and discussed cases in which he and the President disagreed with CQ and the reasons for the disagreement.

Observations and suggestions for improvements: The following issues were raised during CQ’s considerations.

1. Publication authorship. All authors should be listed for publication citations in the cv. Listing only one or two authors obscures the contribution of the candidate for promotion. Some schools list authors alphabetically, and others list the corresponding author last. It is recommended that the corresponding author is explicitly noted, perhaps in bold, and that ad hoc committees ascertain the contributions of the candidate. The candidate’s contribution may be determinative for tenure cases.

2. Student authorship. An important factor in teaching effectiveness is graduate student supervision. It is recommended that authorship of UTD students is clearly indicated, for example by underlining.

3. Independent research/scholarly activity. An important component for promotion is whether an individual has established an independent research effort at UTD. This is sometimes obscured by chronologically listing publications, and not indicating where the work originated. For example, if someone obtains his PhD in 2005 and joins UTD in 2007, it might be assumed that a publication in 2009 is from research done at UTD. However, it might be completion of PhD work, and not involve any research/scholarly activity at UTD. It is recommended that papers from graduate work, postdoctoral research (if any), and from UTD are explicitly and clearly indicated.

4. The mid-probationary report during tenure review. It is suggested that for all tenure cases, the mid-probationary report be part of the ad hoc committee report. When possible, it might be desirable to have one common member for the mid-probationary and tenure committees.

5. Teaching effectiveness. The median evaluation for teaching this year was excellent. 39 ad hoc committees rated teaching on a scale of excellent, very good, good, or poor. (5 reports used different characterizations, such as on track or effective.) Of the 39 that used the scale, 21 evaluations were excellent (including three hybrid excellent/very good ratings), 17 were very good, and one was poor. There was a higher percent of excellent ratings for tenure cases than for mid-probationary cases or promotion to full professor. There is a hesitancy to be negative when assessing teaching. It is strongly suggested that an excellent rating for teaching is used more sparingly. Perhaps, it should require a teaching award (which were rare), or documentation that places a specific teacher within the top 10-15% of instructors within a school or department. The latter can be documented. Without a policy change, CQ is likely to carefully evaluate teaching, and might use rating such as excellent (exceeds expectations), meets expectations, or does not meet expectations. Most of this year’s excellent ratings would be rerated as meeting expectations. The ad hoc committee report should include information on how many new courses were developed or overhauled and whether new technology was used in teaching.
UNAPPROVED AND UNCORRECTED MINUTES

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

ACADEMIC SENATE CAUCUS MEETING
April 17, 2013

Present: Robert Ackerman, Peter Assmann, Poras Balsara, Kurt Beron, Dinesh Bhatia, Gail Breen, Mathew Brown, , Cy Cantrell, R. Chandrasekaran, David Cordell, Ovidiu Daescu, Gregory Dess, Vladimir Dragovic, John Ferguson, Nicolas Gans, John Geissman, Lev Gelb, Jennifer Holmes, Joe Izen, Murray Leaf, William Manton, Jessica Murphy, Simeon Ntafos, Ravi Prakash, Monica Rankin, Tim Redman, Mark Salamasick, Liz Salter, Richard Scotch, Robert Serfling, Tres Thompson, Subbarayan Venkatesan, Eric Zhiqiang


Visitors: None

1. Call to Order, Introduction of Senate Members
Speaker Leaf called the meeting to order. The Senators-elect introduced themselves. Speaker Leaf noted that David Cordell is the Elected Secretary of the Senate and Christina McGowan is the Staff Secretary for the Senate.

2. Description of Agenda: Election and Setting Priorities
Speaker Leaf described the purpose of the meeting. It is to elect the Speaker, the Secretary, and the Academic Council, and to set the priorities for the 2013-2014 year.

David Cordell illustrated how the Senate members could access the online resources. On the website are links to the Academic Council and Senate agendas, bylaws, and minutes. There are also listings of faculty members’ names and address, as well as a photo roster. There is also a listing of links that are useful to Faculty members.

3. Description of Officers duties, and Academic Council
Speaker Leaf explained that there are two dominate types of Faculty Senate models in the United States. The first is that the faculty is advisory. The Senate is advisory to the administration; the senate committees are advisory to the Senate and so forth. The other is the Shared Governance model. In the shared governance model, faculty and administration share responsibility for policy development. The Faculty Senate handles the academic side, while administration handles the administrative side—although each in consultation with the other. The UTD Senate is based on the idea of shared governance. The Senate itself is the policy
making body for the faculty, subject to being over-ruled by the entire faculty if they hold a meeting. The committees of the Senate are executive committees. The Senate makes the policy, the committees interprets the policies of the senate for their respect concerned administrators. The administrators carry out the policies. We seem quite clearly to be generally recognized as the best example of shared governance in Texas, although at UT Austin there also very substantial faculty autonomy and responsibility at the departmental level.

The ‘Speaker’ is not the chair of the Senate. The actual chair of the senate is the President of the University. In the absence of the president and provost, the speaker will chair the meeting, but otherwise, what you will generally see is that the President chairs but the speaker or other faculty lead discussion on specific items. The Speaker is also the ex officio are chair of the Committee on Committees. The Committee on Committees is appointed each year by the Academic Council. The Speaker is also an ex officio member on five other committees. The Speaker and Secretary are members of the UT system Faculty Advisory Council. The Speaker, Secretary, or designate are representatives of the Texas Council of Faculty Senates. The Senate has a Faculty Liaison with Student Government. In the past it has be Marilyn Kaplan. The Speaker is responsible for the liaison. The Speaker serves on the Safety and Security Council and the Handbook of Operating Procedures Committee. Members of this committee cannot out-vote the Speaker on matters of academic policy. For the past few years, with Senate concurrence, Speaker Leaf has appointed unofficial vice speakers to support the Speaker as needed. These have been Tim Redman and Richard Scotch.

The Secretary is responsible for communication with in the Senate organization this includes minutes. The Secretary is the chair of the Senate Election committee. The Secretary supervises the corresponding staff secretary. Like the Speaker, the Secretary acts as the Faculties representative at the Faculty Advisory Council and the Texas Councils of Faculty Senates.

The Academic Council is the Agenda Committee for the Senate; it is NOT an executive committee. The Council does not make decision in place of the Senate. The Senate is the policy making body. The Council is representative of the Senate members. The members serve as back up for the Speakers and/ or Secretary if needed at FAC or on some committees. They appoint the Committee on Committees. They will vote on some replacements for Committee appointments when Senate approval is not required.

4. **Votes on officers:**

According to the Senate Bylaws, the Speaker and Secretary are elected separately from the Council members. Speaker Leaf called for nomination for Speaker of the Academic Senate. Cy Cantrell nominated. Tres Thompson seconded. Murray Leaf accepted. Speaker Leaf requested further nomination. There were no other nominations. Nominations were closed. Cy Cantrell moved to elect Murray Leaf by acclimation. Liz Salter seconded. Murray Leaf was re-elected by acclimation.

Richard Scotch moved to open nominations for Secretary of Faculty Senate. Richard Scotch nominated David Cordell. John Geissman seconded. Dr. Cordell accepted. Speaker Leaf requested further nominations. There were no other nominations. Nominations were closed. Cy
Cantrell moved to elect David Cantrell by acclimation. Kurt Beron seconded. David Cordell was re-elected by acclimation.

Speaker Leaf opened the floor to nominations for Academic Council. John Geissman nominated Richard Scotch of EPPS, and he accepted. Tim Redman nominated Cy Cantrell of ECS, and he accepted. Cy Cantrell nominated Tim Redman of AH, and he accepted. Tres Thompson nominated Gail Breen of NSM, and she accepted. Ravi Prakash nominated R. Chandrasekaran of ECS and SOM, and he accepted. Peter Assman nominated Tres Thompson of BBS, and he accepted. R. Chandrasekaran nominated Ravi Prakash of ECS, and he accepted. Richard Scotch nominated Liz Salter of IS, and she accepted.

Speaker Leaf called for further nominations. There were no other nominations. Nominations were closed. Speaker Leaf asked if there whether the Senate wanted to call for a vote to elect six of the nominees, which is our minimal size, or whether we should elect all. R. Chandrasekaran moved to elect all nominees by acclamation. Dr. Cantrell seconded the motion. The Nominees were elected by acclamation.

5. Priorities for 2013:

The agenda packet included a review of priorities that were set by Caucus in 2012.

Speaker Leaf noted that at that time in 2012 there was a very strong consensus on a number of intertwined problem that were being generated by what seemed to be the administrative interest in hiring “stars,” and apparently conveying to them the sense that they did not need to be concerned with the ordinary institutional duties of ordinary full professors. This offends a long-standing UTD commitment to equality, including the equality of taking responsibility. The topic involved many specific policies and practices, which include opportunity hires and the discretion exercised by deans in assigning faculty duties. Pursuing these concerns has led to a major effort to revamp the guidelines for school by-laws, which will include a discussion on academic priorities with the schools, the role of committees with in the schools, and the interface between faculty and administration within each school. This effort is still under way, with a 3 + 3 committee. There are also implications for the promotion and tenure policy. We need to state clearly that a chaired full professor is still a full professor and has the duties of a full professor. It has also led to discussions on salary equity compression and inversion, which has also not yet been worked through. There is a consensus among the top administration that of these concerns raised by faculty need to be resolved. Administration and faculty will share the work and responsibility. The basic question now is whether the Caucus agrees that these efforts should continue into the coming year. The Caucus agreed that we should. Speaker Leaf then asked if there were additional items.

Additional items were:

To get more information on the results in promotions and tenure cycles. Without revealing names, we should know what happened in an area level, the department level, the deans’ level and the CQ level, and what was the outcome.

In areas where administrators must make final decisions but should consult with faculty in doing so, there should be clearer and more definite processes for such consultation. One
important example is the hiring of department heads within schools. Another, related to the “stars” concerns is the special “deals” deans may offer for faculty to come to UTD. If these affect the workloads of other faculty, faculty should understand what they are and have some definite means of indicating their views.

Another concern, somewhat related, was teaching loads. There is a UTD policy that states that all faculty members must teach one undergraduate course per year. It appears that deans are not paying attention to the policy. If not, it is a problem.

There was also agreement that availability of laboratory space should be made a priority. Speaker Leaf agreed that he would assign the topic to the research advisory committee to investigate and to report back by June.

Finally, there was concern with the general attitude of the campus toward salary equity. We should not become a place where the only way to get a raise was to get a competing offer from another institution. Dr. Scotch noted that this was part of the concern of the Budget Advisory Committee, and it should be part of the effort to deal with the evident salary compression and inversion that the Committee reported on in February. Dr. Scotch recommended that the topic be brought up again in council.

This concluded the Caucus list.

There being no further business, Speaker Leaf adjourned the meeting.

APPROVED: ___________________________ DATE: _____________

Murray J. Leaf
Speaker of the Academic Senate