MINUTES OF THE REGULAR FACULTY COUNCIL MEETING OF NOVEMBER 12, 2018

The third regular meeting of the Faculty Council for the academic year 2018-19 was held in the Main Building, Room 212 on Monday, November 12, 2018, at 2:15 PM.

ATTENDANCE


Absent: Michelle Addington, Minou Arjomand (excused), Jossianna Arroyo Martinez (excused), Darrell L. Bazzell, Christopher J. Bell (excused), Jay M. Bernhardt, Esther Calzada (excused), Carlos M. Carvalho (excused), Lydia Maria Contras, M. Lynn Crinson, Ann Cvetkovich (excused), Douglas J. Dempster, Randy Diehl, Angela M. Evans, Ward Farnsworth, Sherry L. Field, Donald S. Fussell (excused), Paul Goldbart, Lorraine J. Harricome, Jay Hartzell, Qin Huang (excused), Daniel T. Jaffe, Karen Johnson (excused), S. Claiborne “Clay” Johnston, Harrison Keller, Sarfraz Khurshid (excused), Robert Joel Lewis (excused), Martha Menchaca (excused), Eric T. Meyer, Leonard N. Moore, Sharon Mosher, Thomas G. Palaima (excused), Deborah Parra-Medina (excused), Anthony J. Petrosino (excused), Scott A. Rabenold, Soncia Reagins-Lilly (excused), Brenda Schumann, Christopher M. Sedore (excused), Jonathan L. Sessler (excused), Christen Smith (excused), Elissa C. Steglich (excused), Alexa M. Stuifbergen, Kimberly Sullivan (excused), Miguel V. Wasielewski (excused), Alexandra W. Wetzelaufer (excused), Sharon L. Wood, John A. Yancey (excused), Luis H. Zayas, Yan Zhang (excused).

Voting Members: 54 present, 22 absent, 76 total
Non-Voting Members: 6 present, 27 absent, 33 total
Total Members: 60 present, 49 absent, 109 total
I. REPORT OF THE SECRETARY (D 16828-16829).

Secretary Alan Friedman (Professor, English) announced that Memorial Resolutions had been completed for Professors E.C. George Sudarshan, Joseph A. Taylor, Joseph F. Malina Jr., Alfred W. Crosby, Fiora D’Italia Rosa Contino, and Terence Grieder.

He welcomed two new members to the Faculty Council: Wolfgang R. Bollich (Senior Laser Safety and IT Specialist), who replaced Elizabeth Cobbe Goeller representing the Staff Council, and Michael William Lee (Associate Professor of Pharmacology, Dell Medical School), who replaced Dr. Dawit Kidane-Mulat.

Secretary Friedman announced that the resolution from the Faculty Council Executive Committee concerning Fields of Study requirements promulgated by the Texas Higher Education Coordinating Board was endorsed by the Faculty Council, transmitted to the President, and then sent by the President’s office to the Coordinating Board’s Commissioner of Higher Education, Raymund Paredes. We’re still awaiting a response.

The Update to the Core Curriculum Course Lists for the 2019-2010 General Information Catalog is currently under review by the Texas Higher Education Coordinating Board.

The resolution on Academic Analytics from the Committee of Counsel on Academic Freedom and Responsibility that the Faculty Council unanimously endorsed in January of this year and transmitted to the Provost led to the formation of a faculty working group, on which Council Chair Charlotte Canning serves, to develop guidelines for the use of Academic Analytics and to advise on its use, including how the service can assist UT Austin with strategic planning. Faculty Council expects the recommendations of this working group before the end of the fall 2018 semester.

II. APPROVAL OF MINUTES.

Secretary Friedman said the minutes for the October 8, 2018, regular Faculty Council meeting (D 16809-16813) had been posted online. When no corrections or additions were proposed, he announced them approved as submitted.

III. COMMUNICATION WITH THE PRESIDENT.

President Gregory L. Fenves opened with several announcements. Provost McInnis will send out a message to all faculty asking members to report their 2018 book publications. A celebration will be planned to recognize individuals who published a book in 2018. Second, a ceremony for the first year of the President’s Award for Global Learning was held Friday November 9th. The program, which involves teams of students going to regions around the world for competitions, was a success and will be entering its second year. Finally, the James Hogg statue, one of the six statues that were removed from display on the UT Austin campus under President Fenves’ direction, will be reinstalled on the east side of the Main building facing the W.C. Hogg building. President Fenves asserted that James Hogg “has an important history in Texas,” particularly relating to “higher education and trust-busting.” Furthermore, although Hogg has a “mixed record on segregation,” his “children and descendants would go on to become some of the greatest supporters in our University’s history.”

President Fenves then took questions from the floor.

Graduate Assembly Chair James Cox (Professor, English) said that he recently received an email from one of his students telling him that her F1 student visa had been revoked and that she had been deported. Professor Cox asked the President how often such things happen, whether they have happened with greater frequency in the past two years, if the University knows when they are going to happen, and what the University is able to do to stop them. President Fenves responded that he had not heard of such a situation before but that he would follow up with the International Office to learn more.

Ian McEntee (Student Government Representative) asked for an update on the task force concerning the “removal of Gun-Free UT signs.” President Fenves said that Jordan Steiker (Professor, School of Law) will chair the task force and that they had been working with the Faculty Council on faculty membership. He noted that students and staff will be represented and that task force work will “get started early in the spring semester.” Ian McEntee then asked about the Regents’ Rules cited by the President concerning the task force. President Fenves responded that, while he had cited from the Regents’ Rules on the issue of tenure, he had not referred to them on the issue of exterior-facing signs.

Dave Junker (Senior Lecturer, Advertising and Public Relations) asked the President to “explain the process behind the decision to reinstall the Hogg statue” and also whether there were any
plans for the plinths remaining on the hills. President Fenves said that he announced that they would be looking for a “suitable location for reinstallation of the Hogg statue” in August 2017. The Campus Contextualization Committee will be making recommendations about what to do with the plinths in addition to providing input on “the broader issue of contextualizing the historical aspects of UT campus.” President Fenves said he believes the Committee is “finishing up with their report.” Professor Junker then asked whether there would be an opportunity for public input. President Fenves said that he believed the Contextualization Committee had been seeking public input.

Faculty Council Chair Elect Brian Evans (Professor, Department of Electrical and Computer Engineering) noted that there are roughly 1,800 tenure/tenure-track and 1,200 non-tenure-track faculty members at the University and that “hiring every year is important to maintain our numbers and our quality.” He added, “Some colleges may be facing a hiring freeze, at least in tenure-track lines,” and asked what the overall hiring and recruiting plans were for next year. President Fenves turned the question over to Provost McInnis who responded that they work with Deans on “five-year strategic hiring plans,” so, even though one college “over-hired last year” and “had to pull back on some…hires for this year,” they would be “moving forward again next year with hires.” Professor Evans asked whether that college was the College of Liberal Arts; Provost McInnis confirmed that it was. Professor Evans asked whether they would be able to “recruit enough faculty next year to keep our numbers strong and vital,” and Provost McInnis responded, “definitely,” adding that faculty would soon be asked for proposals for new faculty lines focused on “cluster hiring initiatives,” which will result in “some mild growth in faculty numbers.”

Samantha Fuchs (President, Graduate Student Assembly) asked whether there would be an announcement to the public concerning the reinstallation of the Hogg statue and whether there would be any signage contextualizing the history of the statue’s commission. President Fenves replied that there would indeed be a campus-wide announcement and that historical contextualization would be addressed by the Contextualization Committee.

IV. REPORT OF THE CHAIR.

Chair Charlotte Canning (Professor, Theatre and Dance) informed the Council that she and Leo Barnes (Chief Compliance Officer and Interim Vice President for Legal Affairs) had several productive meetings concerning University training efforts, Title IX, and potential updates to the faculty grievance process in addition to other issues. She had also met with the University Capital Planning Committee; Jamie Davis, Chair of the Staff Council; and with a Student Government representative. She continues to represent the Council on the Council for Racial and Ethnic Equity and Diversity (CREED) and the Graduate Assembly. Additionally, she announced that she would soon be travelling to UT Dallas to attend the Board of Regents meeting as well as the System Faculty Executive meeting.

Chair Canning reminded committee chairs that she was available to give input and participate in any conversations concerning their committee initiatives.

She then presented a “Resolution in Response to the Trump Administration’s Initiative to Redefine Gender” that had been passed unanimously by the Faculty Council Executive Committee (FCEC). The resolution was passed “in response to the memo that was leaked from the Trump administration and Department of Education” which proposed “defining gender as a biological, immutable condition determined by genitalia at birth.” The resolution “[stands] behind” diversities of “people on our campus and…the research that we do.” The resolution passed unanimously.

Chair Canning announced that the University was conducting an internal search for the Senior Vice Provost for Faculty Affairs. She asked Faculty Council members to solicit and encourage strong candidates for the position. Chair Canning also announced that there would be a Faculty Search Committee workshop on November 29th. She closed her report by encouraging Council members to share ideas or conversations with her concerning broadly, the direction of higher education. The Faculty Council Executive Committee Plus (FCEC+) meetings had been including those sorts of wide-ranging discussions, and Chair Canning said that such conversations help UT Austin “[set] the agenda [for higher education] rather than [respond] to it.”

V. REPORT OF THE CHAIR ELECT.

Chair Elect Brian Evans invited Council members having any issues to reach out to Mary Steinhardt, the Faculty Ombuds; Martha Hilley, Chair of the Faculty Grievance Committee; himself,
Chair of the Committee of Counsel on Academic Freedom and Responsibility (CCAFR); Charlotte Canning, Chair of the Faculty Council; Steve Hoelscher, past Chair; or other Faculty Council leadership.

He informed the Council that the Texas A&M gathering would be held March 4, 2019, at 11:30 a.m. in the Texas Exes Alumni Center. He expects roughly 70 attendees including representatives from the Texas Higher Education Coordinating Board.

VI. UNFINISHED BUSINESS—None.

VII. REPORTS OF THE GENERAL FACULTY, COLLEGES, SCHOOLS, AND COMMITTEES—None.

VIII. NEW BUSINESS.
A. Conversation with Chris Del Conte.

Chris Del Conte (Vice President and Athletics Director) told the Council that, while student athletes participate in sports, they come to the University to get an education. There had been questions submitted to him in advance by the Faculty Council concerning progress made or difficulties encountered by the Athletics department in the wake of the Marsh Report. Director Del Conte said that he had brought print-outs of a detailed report that would answer those questions and that he welcomed the kinds of audits the Marsh Report represented.\(^1\) Martha Hilley (Professor, School of Music) asked Director Del Conte to say what he felt had been dealt with. Director Del Conte passed the question to Dr. LaToya Smith (Senior Associate Athletics Director and Assistant Professor of Practice). Dr. Smith responded that Athletics had made great headway in major distribution equity. Director Del Conte added that roughly 350 out of 532 student athletes achieved a 3.0 GPA, and 32 earned a 4.0 GPA. He also noted that 100 students graduated in 40 different majors. He said that student athletes can find UT Austin academics “daunting,” but they nevertheless often experience an “aha” moment, frequently thanks to faculty guidance that inspires them to pursue a career different from professional athletics. He said that 70 student athletes out of the 100 graduated “already had a job,” but that Athletics, with the help of Career Services, was striving for 100% career placement.

Concerning the question about exit interviews, Director Del Conte said that all student athletes undergo an exit interview about their experiences at UT Austin. That interview can be conducted by Director Del Conte, Chris Plonsky (Chief of Staff and Executive Senior Associate Athletics Director, Intercollegiate Athletics), or Michael Clement (Faculty Athletic Representative and Chair, Accounting). The Athletics Council reads the exit interviews, but Director Del Conte invited the Faculty Council to look at them and to propose exit interview questions.

Concerning the questions about how he prioritizes faculty involvement in Athletics and on how faculty roles can be strengthened, Director Del Conte said that students are often intimidated by and afraid to talk to faculty. To overcome this, he invited faculty to reach out to student athletes and get involved on an individual basis.

Concerning how he prioritizes academics, Director Del Conte said that Athletics has over 100 tutors and an academic staff working to make sure that “student athletes can be competitive in your classroom” because academics is “the number one priority.” He said that he is creating policies to ensure fairness and equity, especially as relates to gender. Director Del Conte said that the question on gender equity likely sprang from the fact that the formerly separate Men’s and Women’s Athletics Councils had been combined into “one opportunity or one leadership role.” He said that “Chris and I…work closely together in providing opportunities for both men and women.” He emphasized that Athletics worked with collaborative leadership.

Kristie Loescher (Lecturer, Management) asked for Director Del Conte’s “commitment and support when we have a student athlete who has been accused of cheating.” After noting that academic integrity was crucial for all students, not just student athletes, Director Del Conte affirmed his support.

Brian Evans asked for more detail on how faculty can help student athletes outside of the classroom. Director Del Conte said that, given the difficulties with creating individual faculty-

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\(^1\) https://utexas.box.com/s/q75o2vaa33mlsjzw61fldadquyg3x8au
student relationships due to the massive size of UT Austin, he would need more time to determine how the University currently handles the issue and to develop a strategy for increasing faculty involvement. Brian Evans suggested get-togethers over coffee with faculty from schools or colleges where there are clusters of student athletes.

Aileen Bumphus (Associate Vice President, Longhorn Center for Academic Excellence and Assistant Professor of Practice, Office of the Vice President for Diversity and Community Engagement) asked for Director Del Conte’s view on supporting student athletes studying abroad. Director Del Conte responded that studying abroad is a “critical part of education,” but that there were difficulties unique to student athletes who are bound to sports participation in the fall and the spring. He said that the Soles4Souls program in Athletics allowed ten to fifteen student athletes to travel outside of the country to do volunteer work for around ten days. Steve Hoelscher (Faculty Council Past Chair and Professor, American Studies) suggested that student athletes could be encouraged to study abroad in the summer. Director Del Conte emphasized that it would be important for student athletes to study abroad before June and suggested a summer session in May. Steve Hoelscher and Director Del Conte briefly discussed the logistics of UT Austin’s summer session schedule, and Professor Hoelscher said that study abroad summer programs would welcome student athletes.

Brent Iverson (Dean, Undergraduate Studies) asked whether faculty could help with any particular challenges or with any changes Director Del Conte would like to see. Director Del Conte asked for faculty cooperation with trying to schedule class exams within normal class times to minimize conflicts with Athletics. He also asked for more summer school offerings for student athletes.

Diana DiNitto (Professor, School of Social Work and Center for Women’s and Gender Studies) reminded the Council that the Men’s and Women’s Athletics Councils had merged into one. She noted that the Council represented faculty and meets with coaches, looks at grades and academic standing for students, meets frequently with Dr. LaToya Smith, looks at missed class days, and advises on many matters.

Director Del Conte concluded by asking faculty to increase their involvement with recruiting student athletes.

Faculty Ombuds Mary Steinhardt (Professor, Kinesiology and Health Education) opened by recommending UT Austin alumni Brené Brown’s book *Dare to Lead*. She also thanked Janet Dukerich (Senior Vice Provost for Faculty Affairs) and asked the Council to give her a round of applause.

Faculty Ombuds Steinhardt described the Faculty Ombuds Office as a way “for faculty [to get] a prompt and professional way to resolve concerns and conflicts they have.” She noted that Kouang Chan serves as the Ombuds for student and staff concerns. As a member of the International Ombuds Association, she strives to practice their four principles of “confidentiality, neutrality, informality, and independence.” After conversations with UT lawyers, however, the UT Austin Ombuds Office decided to replace its pledge of “confidentiality” with “privacy,” since Ombudspeople do not have the same rights as physicians or therapists in terms of state law.

Dr. Steinhardt noted that her job is to offer a “safe place,” listen, explore and evaluate options, and brainstorm. She also explains University policies or, if there is a policy question she is unable to address, she finds sources for the faculty member. The Faculty Ombuds also recommends changes and improvements for the campus and reports to the Provost through the Senior Vice Provost for Faculty Affairs. The Faculty Ombuds does not set aside official University decisions; offer therapy or counseling; conduct formal investigations; act as an advocate; provide legal advice; take sides in a dispute; or participate in any formal processes. The Faculty Ombuds does, however, work closely with the Faculty Grievance Committee and with the Committee for Council on Academic Freedom and Responsibility to ensure that she provides the best advice should a faculty member want to file a grievance.

She reported that the past five years have been consistent for the Faculty Ombuds Office with 109 to 127 visitors a year. In 2017-18, she saw 121 visitors from eleven different colleges and 42 different departments. She saw 25 Lecturers or their equivalent; five Senior/Distinguished Lecturers or their equivalent; fourteen Assistant Professors; 22 Associate Professors; 33 Professors; fourteen Chairs/Directors; eight Deans or Associate Deans. Of the 121 visitors, 70
were women and 51 were men. She thanked the Office of Inclusion and Equity, the Employee Assistance Program, Legal Affairs, and other administrators for their ongoing cooperation. She said that she works about 10 hours a week on the job. The Office had no grievances the past year, but two grievance were completed from the year prior.

The Office of the General Faculty will now be in charge of coordinating all faculty grievances, along with the Faculty Grievance Committee. The Office of the General Faculty has also cataloged past grievances in a newly created database, which will continue to be updated. There were 24 grievances filed from 1998 to 2018 with seventeen filed from 1998 to 2004. In fall 2004, the first Faculty Ombuds, Stan Roux, took up the position. Since the creation of the Ombuds Office, there have been seven grievances filed. Of the 24 grievances, four never reached a hearing, nine were found “against” the grievant by both the hearing panel and the President, one was found “for” the grievant by both the hearing panel and the President, four were found “for” the grievant by the hearing panel and “against” by the President, and the resolution of the remaining six is unknown.

Professor Steinhardt then spoke about “areas for continued growth” for faculty and faculty leadership. She identified these areas by tracking the types of issues that she had discussed with visitors:

- Continue mentoring for non-tenure-track faculty
- Have more promotion and integration opportunities for non-tenure-track faculty
- Incorporate more faculty training including training for Title IX, diversity, recruiting, incivility/bullying/aggressive workplace behaviors
- “Give more gold stars” (inspired by Brené Brown’s interview with Evan Smith in which she encouraged individuals to actively reward the efforts of others)
- Make others feel valued
- Create a “culture of support and empathy” while continuing to have “the tough conversations”

Professor Steinhardt closed with a quotation from Stan Roux: “Choose actions that best demonstrate fairness and respect and, where appropriate, advocacy for rewards. Nonetheless, conflicts will arise. Well-meaning, bright people sometimes disagree, and most can be resolved amicably.” She also said that the Women’s Faculty Organization would be having an event at the UT Club Wednesday from 3:30 to 5pm: Krista Anderson (Associate Vice President, Title IX Coordinator) will give updates on Title IX and Dr. Tasha Beretvas (Associate Dean for Research and Graduate Studies, College of Education) will talk about the Gender Equity Report.

C. Report on UTPD District Representation Program

David Carter (Chief, UT Police Department) described the vision of the University of Texas Police Department (UTPD): “to be trusted and respected by all segments of UT Austin’s diverse community.” He said that a lack of a good culture and community trust exists amongst the nation’s police departments. For UTPD specifically, over the past five years the number of authorized and sworn commissioned police officers has gone from 67 to 104. Tragically, there were two murders within the UT Austin community that the UTPD “took very, very seriously” and that “affected and devastated our community.”

In an effort to increase efficiency and community confidence, Chief Carter has created a district representative program. In the past, UTPD focused on “crime prevention” instead of community engagement and policing. With the district representative program, each of the eight patrol districts on campus, which are patrolled “24/7, 365 days a year,” has “a face...an officer who is the designated principle point of contact within the district.” The district map is available on the UTPD website.2 District representatives can be contacted to assist with non-emergency community issues such as: a disruptive individual, a UT Austin community member who seems “on edge,” scooter complaints, etc. Since the UTPD officers are Texas State Police officers, they can also handle issues that arise off-campus. Additionally, UTPD is adding various “interest-based” representatives for Athletics, for veterans, and there will be one for LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer) issues. Chief Carter also emphasized that, in addition to focusing on community engagement and outreach, UTPD trains rigorously for emergency situations such as active shooter response.

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2 https://police.utexas.edu/meet-your-officers-district-map
Denise Gilman (Clinical Professor, School of Law) asked what message UTPD wanted to send to the immigrant communities on campus including undocumented individuals and DREAMers and what kinds of outreach was being conducted with that particular community. Chief Carter said, “If there is a criminal issue or action, we may ask a question, but it has to do with a criminal violation. Immigrant status is not one of those.” He added that he does not view UTPD as made up of “adjunct ICE [Immigration, Customs, and Enforcement] agents.” Professor Gilman encouraged Chief Carter to find ways to “get the word out” about UTPD’s stance on immigration status.

C.J. Alvarez (Assistant Professor, Mexican American and Latina/o Studies) asked Chief Carter to “speak specifically to the kinds of training the officers get tactically in terms of...an active shooter response...investigations, and...community relations, specifically with a...very large student population and young people.” He also asked how UTPD could manage community relations with non-citizens when “especially in federal policing context, police are trained to exploit people’s ignorance of their right to remain silent before they’re under arrest.” Chief Carter responded, “We’re actually not trained to exploit people in terms of constitutional rights.” He emphasized that there must be ethical investigative practices in order to gather admissible evidence in a criminal trial. UTPD trains officers on “appropriate interview and interrogation,” and “There’s a lot of energy spent on the training.” He said that criminal investigations were the “purview of detectives,” and that the district representative program was designed for community outreach. He added that UTPD has “in effect” its own tactical unit, “a counter-assault strike team.” Professor Alvarez then asked whether UTPD officers get more or less training that Austin Police Department officers. Chief Carter responded that he is giving “as much training as APD and in certain respects more in the refined areas.” He gave the example of criminal investigations; UTPD has a sergeant and a detective who are trained in the “importance of trauma-informed investigations involving sexual assault victims and also in the prosecution of those cases.”

Kate Biberdorf (Associate Professor of Instruction, Chemistry) thanked Chief Carter for allowing four officers, along with their crime dogs, to attend her forensic science day camp.

Lorenzo Sadun (Professor, Mathematics) asked for Chief Carter’s sense of UTPD’s role in dealing with student “hijinks” that are “not exactly legal, most of it harmless, occasionally dangerous.” Chief Carter responded that, if UTPD enforced “every single small issue to the nth degree,” then they would not have the trust and respect of the community. He said that, ultimately, officers have discretion with “hijinks,” but not with serious offenses. To illustrate his philosophy, he told the Council about his decision to stop arresting people for public intoxication. Instead, officers take individuals to the Austin Sobering Center.

Kristie Loescher asked about the UTPD’s involvement with campus key services. She said that she had been forced to call UTPD to have them open a classroom, and that she “felt awful having to call somebody off their really important duties.” Chief Carter checked to make sure that the officer or officers who responded had not made Lecturer Loescher feel badly. He then said that “key policies are changing,” but also that UTPD officers are “public servants” who will assist where they can. He added that UTPD had the freedom to prioritize emergency situations.

IX. ANNOUNCEMENTS AND COMMENTS
A. The next Faculty Council meeting will be held on December 10th.
B. Nominations for the General Faculty Standing Committees open January 14th through February 1st.
C. Orange and Maroon Legislative Day is February 5th.
D. Joint Meeting of the Faculty Council is March 4th.

X. QUESTIONS TO THE CHAIR — None.

XI. ADJOURNMENT

Chair Canning adjourned the meeting at 3:51 PM.