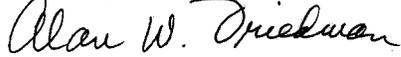


DOCUMENTS OF THE GENERAL FACULTY

Following are the minutes of the regular Faculty Council meeting of January 28, 2019.



Alan W. Friedman, Secretary of the General Faculty and Faculty Council
The University of Texas at Austin
Arthur J. Thaman and Wilhelmina Doré Thaman Professor of English and Comparative Literature

**MINUTES OF THE REGULAR FACULTY COUNCIL MEETING OF
JANUARY 28, 2019**

The fifth regular meeting of the Faculty Council for the academic year 2018-19 was held in the Main Building, Room 212 on Monday, January 28, 2019, at 2:15 PM.

ATTENDANCE

Present: C.J. Alvarez, Jamie C Barner, Colton R. Becker, Kate Biberdorf, Casey A. Boyle, Charlotte Canning, Carlos M. Carvalho, James H. Cox, Robert Crosnoe, Brian L. Evans, Gregory L. Fenves, Norma L. Fowler, Alan W. Friedman, Samantha J. Fuchs, Antonio Gonzalez, John M. Gonzalez, Susan S. Heinzelman, Martha F. Hilley, Steven D. Hoelscher, Elena Ivanova, Huriya Jabbar, David M. Jenkins, Junfeng Jiao, Karen Johnson, Jonathan Kaplan, Lynn E. Katz, Kerry A. Kinney, Michael William Lee, Kristie J. Loescher, Bradford R. Love, Ayelet H. Lushkov, Ian D. McEntee, Martha Menchaca, Gordon S. Novak, Ami Pedahzur, Anthony J. Petrosino, Natalie S. Poulos, Mehrnaz S. Rahman, Soncia Reagins-Lilly, Stephen D. Reese, Lorenzo A. Sadun, Brenda A. Schumann, Christopher M. Sedore, Jonathan L. Sessler, Christen Smith, Mark J. T. Smith, Elissa C. Steglich, Kimberly Sullivan, Stefano Tiziani, Jeffrey Treem, Maria D. Wade, Alexandra K. Wettlaufer, John A. Yancey, Yan Zhang.

Absent: Michelle Addington, Payton R. Anderson (excused), Minou Arjomand, Jossianna Arroyo Martinez, Germine H. Awad (excused), Phillip J. Barrish (excused), Darrell L. Bazzell, Christopher J. Bell, Jay M. Bernhardt, Wolfgang R. Bollich (excused), Stephen Boyles (excused), Anthony L. Brown (excused), Ethan R. Burris (excused), Esther Calzada (excused), Shannon E. Cavanagh, Lydia Maria Contreras (excused), M. Lynn Crismon (excused), James Davis (excused), Douglas J. Dempster, Randy L. Diehl, David J. Eaton (excused), Angela M. Evans, Ward Farnsworth, Donald S. Fussell (excused), Denise L. Gilman (excused), Paul Goldbart, Michael H. Granof (excused), Lorraine J. Haricombe, Jay C. Hartzell, Teresa Hubbard (excused), Thomas M. Hunt (excused), Benjamin Ibarra Sevilla (excused), Brent L. Iverson, Daniel T. Jaffe, S. Claiborne "Clay" Johnston, David S. Junker, Harrison Keller, Sarfraz Khurshid (excused), Cynthia A. Labrake (excused), Robert Joel Lewis, Stephen H. Marshall (excused), Charles Robert Martinez, Maurie D. McInnis, Eric T. Meyer, Leonard N. Moore, Sharon Mosher, Jeejun Oh (excused), Thomas G. Palaima (excused), Deborah Parra-Medina (excused), Scott A. Rabenold, Stuart A. Reichler (excused), Alexa M. Stuijbergen, Miguel V. Wasielewski, Sharon L. Wood, Luis H. Zayas.

Voting Members:	48 present,	28 absent,	76 total
Non-Voting Members:	6 present,	27 absent,	33 total
Total Members:	54 present,	55 absent,	109 total

I. REPORT OF THE SECRETARY (D 16916-16918).

Secretary Alan Friedman (Professor, English) announced that President Fenves appointed Memorial Resolution Committees for Timothy J. Schallert, Professor Emeritus, Psychology; Hugh S. Forrest, Professor Emeritus, Neuroscience; and Dolores Sands, Dean Emerita, Nursing.

Memorial Resolutions were completed for Donald L. Knaub, Professor Emeritus, Music; James W. Fredrickson, Professor Emeritus, Management; and Gerald J. Lipovski, Professor Emeritus, Electrical and Computer Engineering.

Secretary Friedman welcomed two new members to Faculty Council. Effective January 1, Charles Robert Martinez was appointed Dean of the College of Education, replacing Interim Dean Sherry L. Field, and Professor Stephen H. Marshall (American Studies) replaced Professor Ann Cvetkovich (English).

Secretary Friedman reported that the task force formed by the Resolution on Academic Analytics from the Committee of Counsel on Academic Freedom and Responsibility had posted their recommendations and guidelines on the Faculty Council's website on December 10, 2018. The Faculty Council unanimously endorsed the Resolution to Redesign Student Course Exit Surveys and Reinvent the Evaluation of an Instructor's Impact on Academic Learning and Engagement at the December 10 meeting. The formation of the resolution's two task forces by the Education Policy Committee is underway. The Update to the Core Curriculum Course Lists for the *2019-2020 General Information Catalog* is under review by the Texas Higher Education Coordinating Board. Proposed Changes to the General Faculty Standing Committees in the *Handbook of Operating Procedures 2-1050-PM, 2-1060-PM, and 2-1060-PM* are under review by the Faculty Council. If no objection is filed by February 1, 2019, the legislation will be considered approved by the Faculty Council.

The Secretary informed the Council that the meetings for February 18 and March 11 will be held in SAC (Student Activity Center) 2.302.

II. APPROVAL OF MINUTES.

Secretary Friedman said the minutes for the December 10 regular Faculty Council meeting (D 16875-16881) had been posted online. When no corrections or additions were proposed, he announced them approved as submitted.

III. COMMUNICATION WITH THE PRESIDENT.

Gregory L. Fenves (President) welcomed Faculty Council to the first meeting of the new semester. He noted that the Texas legislative session had begun and that the "base budgets...introduced by the House and the Senate are essentially what we requested in our...appropriation request." UT Austin will be watching for policy conversations and bills from the legislature involving issues such as sexual assault and free speech. UT Austin is being sued "on [the] matter" of free speech, but President Fenves asserted that "we feel we have a very strong case to show that the University of Texas at Austin upholds the principles of the First Amendment and freedom of speech."

He said that Dennis Bonnen was elected Speaker of the House, Chris Turner was appointed Chair of the Higher Education Committee in the House, and Brandon Creighton was appointed Chair of the Senate Committee on Higher Education. He also shared the news that UT Austin had recently won the Sugar Bowl.

President Fenves addressed the question submitted by Ian McEntee (Student Government Representative): "Is the University planning to comment on the proposed Title IX alterations before the deadline on Wednesday? If so, what are the comments?" President Fenves told the Council that UT Austin's response to the proposed changes had been generated by a working group composed of Krista Anderson (Associate Vice President, Title IX Coordinator), Legal Affairs, the Division of Student Affairs, and other stakeholders. This response was submitted to UT System, which "is submitting their comments on behalf of the entire system."

President Fenves explained the context of Title IX efforts at the University by referring to the UT Austin findings of the 2015 CLASE (Cultivating Learning and Safe Environments) report.¹ The report found that:

¹ <https://utexas.app.box.com/v/utaustinclasesurveyreport>

- Thirty-three percent of respondents alleged faculty or staff perpetrated sexual harassment
- Forty-two percent of respondents alleged student-perpetrated sexual harassment
- Thirty-four percent of respondents alleged unwanted sexual contact
- Sixty-eight percent of respondents did not tell anyone about the alleged incident
- Of the victims who disclosed the incident, six percent “told a school official”
- Victims perceived the school to be less likely to support the person making the report than non-victims
- Victims perceived the school less likely to take a report seriously than non-victims

President Fenves said that the proposed changes to Title IX would “dramatically reduce reporting” for “two major reasons”:

1. The change “essentially eliminates...mandatory reporting”
2. The change will “require live cross-examination”

In addition to contributing to the comments from UT System, UT Austin also works with the AAU (American Association of Universities), which has “very forcefully responded” to the Department of Education and Congress concerning the proposed changes.

When President Fenves opened the floor for questions, Martha Hilley (Professor, Butler School of Music) asked whether UT Austin’s comments would be identified as coming from our institution. President Fenves deferred to Jessica Sentz (Assistant Vice President for Legal Affairs), who said that they are unaware of any plans from UT System to “go into granularity as to who said what.”

President Fenves thanked the Council, and Chair Charlotte Canning (Professor, Theatre and Dance) thanked President Fenves for addressing the meeting.

IV. REPORT OF THE CHAIR.

Chair Canning followed Secretary Friedman in reminding members that Faculty Council would meet in SAC 2.302 for the February 18 and March 11 meetings.

Chair Canning reported that she met with Brent Iverson (Dean, Undergraduate Studies) concerning fields of study and with the Compliance Committee about Title IX issues and campus safety.

She announced that nominations for General Faculty Standing Committees are open through February 1 and urged Council members to encourage colleagues to offer themselves for committee service. She also encouraged members to follow the legislative session and to be aware of the upcoming joint meeting of the UT Austin and Texas A&M faculty councils. Finally, she reiterated her call to committee chairs to, quickly reserve any needed time to present at a Faculty Council spring meeting.

V. REPORT OF THE CHAIR ELECT

Chair Elect Brian L. Evans (Professor, Electrical and Computer Engineering) encouraged any chairs, deans, or professors with a concern about post-tenure reviews, annual evaluations, mid-probationary reviews or other cases to reach out to the Committee of Counsel on Academic Freedom and Responsibility.

He noted that fields of study are “an ongoing issue.”

Chair Elect Evans reminded the council that the Texas Council of Faculty Senates will meet February 15 and 16. Orange and Maroon Legislative Day, a collaboration with Texas A&M’s Academic Senate through the Texas A&M Alumni Association and the Texas Exes Alumni Association to visit the state capitol, is from 12:00PM to 5:00PM on February 5. The day will begin with lunch and a briefing and will then break out into small groups meeting with legislators. Five members of Texas A&M Faculty Senate will be attending, and UT Austin faculty can register online. The joint meeting with the Texas A&M Faculty Senate will be held on March 4. Attendees include: the President and Provost of UT Austin, the Provost of Texas A&M, members of the Higher Education Coordinating Board, and various state legislators, including Donna Howard, Gina Hinojosa, and Dawn Buckingham.

He asked Council members to nominate individuals for the General Faculty Standing Committees by February 1 and reminded everyone that the second round will begin February 11.

VI. UNFINISHED BUSINESS—None.**VII. REPORTS OF THE GENERAL FACULTY, COLLEGES, SCHOOLS, AND COMMITTEES—None.****VIII. NEW BUSINESS.****A. Well-Being in Learning Environments.**

Althea Woodruff (Project Coordinator, UHS and CMHC; Lecturer, Educational Psychology) said the Well-being in Learning Environments project is funded by the Hogg Foundation for Mental Health through the Counseling and Mental Health Center (CMHS).

The project was created to address several issues at UT Austin. Demand for CMHS services increased seventy-seven percent from 2009-10 to 2017-18. Additionally, according to a Gallup poll, seventeen percent of UT Austin alumni said that they had professors who cared about them as a person, and nineteen percent said they had a mentor who encouraged them to pursue their goals and dreams. While these percentages are better than the national averages, Dr. Woodruff said it's possible to improve them. Finally, preventing mental health issues is more efficient and more effective than providing intervention only after a problem has surfaced.

Dr. Woodruff said that the project began with about twenty faculty members and three colleges/departments (the College of Pharmacy, the College of Liberal Arts, and the Department of Electrical and Computer Engineering). The project now involves about forty faculty members and may soon include the McCombs School of Business. According to Dr. Woodruff, the goal of the project is to support faculty to “work on a community model and help faculty think about how they can work on wellness in their classrooms and other learning environments.” So far, the project has created a student survey to evaluate the impact of the project on mental health across time, interviewed faculty and students, performed faculty observations, and created a guidebook and a website² with faculty resources.

With the support of the project, faculty have started implementing various wellness strategies including:

- Teaching yoga classes
- Creating a course focused on wellness, gratitude, and growth
- Having informal conversations with students for two hours each week to
- Using cooperative learning in the classroom
- Creating opportunities for building social connectedness
- Planning to attend a wellness conference at the end of the spring 2019 semester
- Taking classes to the Blanton for mindfulness activities
- Handing out gratitude journals (supplied by CMHS)

B. Report on how UTPD is addressing Sexual Assault on Campus.

David Carter (Chief of the UT Police Department) said he was inspired to reexamine how UT Austin handled sexual assault investigations after a case from his early months as Chief was dismissed in a criminal trial. In the past, UTPD deployed “generalist” investigators who typically handled property theft, break-ins, and other non-violent crimes. Chief Carter said that serious crimes of violence demanded that UTPD “do things somewhat differently.” Those differences involve acknowledging that “police don’t always have a good reputation with crime victims, especially sexual assault victims,” and that the trauma experienced by victims demands trauma-informed investigations. Traumatized individuals might act in unanticipated ways and might have difficulty relaying information to police. To address these issues, Chief Carter established a new classification of UTPD investigator and appointed a female detective to become the “first specialist in sexual assault investigations.” She received special training for the position. Since then, a second detective has been trained as a sexual assault specialist.

Chief Carter emphasized that Title IX investigations and UTPD sexual assault investigations are completely independent. Authority for Title IX comes from the Department of Education while UTPD derives its authority from the penal code. The Title IX process requires a

² <https://cmhc.utexas.edu/wellbeing/index.html>

“preponderance of evidence” that indicates the incident was “more likely than not” to have occurred, while a UTPD sexual assault investigation requires “proof beyond a reasonable doubt, a much higher level of proof.” This difference stems from the possible outcome of each process: the determination of guilt in a Title IX case could result in “a loss of property interest...you may not be able to attend school here or something along those lines.” Guilt in a criminal investigation could result in loss of liberty.

Chief Carter affirmed that victims who come to UTPD to report a sexual assault are “in the driver’s seat...always.” UTPD “will not force anybody to do anything that they don’t want to do,” and will uphold the principle that victims decide whether or not a case goes forward (within the statute of limitations). Chief Carter said that he sits on Travis County District Attorney Margaret Moore’s executive committee ISAT (Interagency Sexual Assault Team). This cooperative team examines cases for insights into how investigations can be improved. Such participation demonstrates that he is “committed to staying engaged in this process.”

When he opened the floor for questions, Christen Smith (Associate Professor, African and African Diaspora Studies, and Anthropology) asked for more details about training given to patrol officers who encounter victims and whether UTPD handles rape kits. Chief Carter responded that trauma-informed policing “goes throughout the department,” so first response officers do receive training to deal with victims. UTPD does handle rape kits occasionally. Those kits are sent directly to the Department of Public Safety and do not go through the city’s crime lab. UT Austin health services can also perform rape kits if victims do not want to go to UTPD.

Lorenzo Sadun (Professor, Mathematics) said that he thinks he is receiving more safety alerts lately and asked whether that could be due to more events happening, more events being reported, or a change in policy about what information is sent out to the public. Chief Carter said that UTPD follows the Clery Act which mandates that the University is responsible for sending out a message when a crime of violence has just occurred or when there is an ongoing threat to campus. UTPD sends out text alerts instead of emails or social media announcements when “there is something specific I’m asking each of you to do...to protect your own life or help us.”

C. Orange and Maroon Legislative Day.

Jay Dyer (Deputy to the President for Government Relations) said that the legislative session, which began in January, was “off to a really positive start.” Governor Greg Abbot and Lieutenant Governor Dan Patrick were both reelected in November, and Dennis Bonnen had been elected Speaker of the House. Mr. Dyer said that those three individuals have “a strong commitment to K-12 school finance reform” and are also committed to “tinkering with the way we do property taxes.” This shared commitment among these three legislators, according to Mr. Dyer, means that “there’s no shortage of miracles that can take place in that building.” He echoed the President in expressing pleasure that the base budgets introduced are “very, very close.”

He reminded the Council that Orange and Maroon Legislative Day is February 5; it will involve a lunch and, later, a reception at 800 Congress. He said that UT Austin faculty have an important perspective to share with the legislators involving “the benefit that we are bringing to the people of this state and to the people of this country.”

IX. ANNOUNCEMENTS AND COMMENTS

- A. The February 18 and March 11 Faculty Council meetings will be held in SAC 2.302.
- B. Nominations for the General Faculty Standing Committees are open January 14 through February 1.
- C. Nominations for election to the Faculty Council are open February 11 through March 1.
- D. Orange and Maroon Legislative Day is February 5.
- E. Joint Meeting of UT and Texas A&M Faculty Council is March 4.

X. QUESTIONS TO THE CHAIR—None.

XI. ADJOURNMENT

Chair Canning adjourned the meeting at 3:28 PM.

Distributed through the Faculty Council website <https://facultycouncil.utexas.edu/> on February 4, 2019.