

**Texas Tech University
Minutes -- # 213 Faculty Senate
February 14, 2001**

The Faculty Senate met on Wednesday, February 14, 2001 in the Senate Room in the University Center with President Charlotte Dunham presiding. Senators present were Elam, Kieth, Thorvilson, Giaccardo, Donahue, Drager, Hartwell, Held, Lee, Lewis, Lodhi, Lucas, Meek, Perez, Reeves, Schaller, Weinberg, Boal, Hein, Malone, Hartmeister, Thomas, Lakhani, Mann, Norville, Zhang, Blum, Khan, Cochran, Bradley, Cardenas-Garcia, Carr, Cooper, Marbley, Smith, Willis-Aarnio, Becker and Trost. Senators excused from the meeting were Iber, Murray. Unexcused Senators were Buelinckx, Tuman, Walker, Reeder, Spallholz, and Swafford.

- I. **Call to Order** was announced by President Charlotte Dunham at 3:20 pm.
- II. **Recognition of Guests:** Provost John Burns, Vice Provost Jim Brink, Assistant Provost Liz Hall, Director of Technology, Transfer and Intellectual Property Walter Haeussler, Parliamentarian Brian McGee and various media representatives.
- III. **Approval of Minutes** for meeting # 212, January 10, 2001, were approved as mailed.
- IV. **Resolution**

Senator Cochran introduced a resolution mourning the death and expressing its condolences to the family of Dr. Douglas G. Birdsall, Associate Dean of Libraries. The resolution read in full:

WHEREAS the Texas Tech University community suffered a great loss by the untimely death of Dr. Douglas G. Birdsall, Associate Dean of Libraries, and

WHEREAS Dr. Birdsall served Texas Tech University for 11 years, giving invaluable aid to the University libraries as they embraced new digital information resources, and serving on many University committees including the International Affairs Council, the Distance Learning Council, the Research Council, and the Advisory Council on Teaching, Learning, and Technology, and

WHEREAS Dr. Birdsall's influence and contributions will be felt by the University community for many years to come as a result of the key role he played in the University Library renovation and construction project, enabling the Library to better serve the University faculty, students, and staff, and

WHEREAS Dr. Birdsall donated his time to Lubbock area charities, including the South Plains Food Bank and Habitat for Humanity, now therefore

BE IT RESOLVED by the Texas Tech University Faculty Senate that the Senate mourns the death of Dr. Douglas G. Birdsall and that the Senate express its condolences to the family of Dr. Birdsall and that the Senate express its comfort and support to the faculty and staff of the University Libraries and to the members of the University community, and

BE IT FURTHER RESOLVED that the Texas Tech University Faculty Senate adopt this measure by a standing vote, followed by a moment of silence in tribute to the memory of Dr. Douglas G. Birdsall, Associate Dean of Libraries, Texas Tech University.

V. **Remarks from Invited Guests:**

5. Director of Technology, Transfer and Intellectual Property Walter Haeussler

Following the Senate's invitation to address the draft version of a new intellectual property rights policy for the Texas Tech University System (essentially revising O.P. 74.04), Dr. Haeussler responded point-by-point to a report prepared by the Faculty Senate Committee B. Corresponding to the four primary points raised by Committee B, Dr. Haeussler agreed that the new system-wide policy should include an Intellectual Property Committee (as does the current version of O.P. 74.04), and that the majority of the members on the committee should be members of the faculty from TTU and the Health Sciences Center.

Responding to concerns over copyright ownership of certain course materials, Dr. Haeussler noted that a new policy governing distance learning is being prepared that should cover potential conflicts in ownership between faculty and the institution. Finally, Dr. Haeussler addressed concerns of royalty distribution (see Attachment A of Committee B's report) by agreeing that he is willing to change the faculty member's share from 30% to 40% for the "intermediate" level of generated royalties under the new policy (\$100,001 - \$500,000). However, he insisted that he would recommend that the faculty member's share of royalties remain at 30% for amounts in the highest level (more than \$500,001).

Following Dr. Haeussler's prepared remarks, he responded to a small number of questions from the Senate. Among other things he highlighted the high cost of securing patents, the importance of encouraging economic development, and the relationship between faculty start-up companies and large private corporations.

VI. **Old Business:** There was no old business.

VII. **New Business:**

1. Study Committee B. On behalf of Study Committee B, Committee Chair Cochran acknowledged Dr. Haeussler's responsiveness to the committee's questions and concerns about the draft version of the intellectual property rights policy noted above. Senator Cochran suggested that his committee will wait to the next iteration of revisions in the draft policy, then will likely submit a resolution to the Senate to be sent to the administration. In the meantime, he urged faculty to continue monitoring the policy revision and implementation process. Senator Lucas inquired as to whether the new policy will be applied retroactively. He was assured that the administration's intent is to implement the new policy in a prospective fashion only.

Also on behalf of Study Committee B, Committee Chair Cochran submitted a resolution expressing concern over the University's allocation of Higher Education Assistance Funds (HEAF) for construction and construction-related expenditures. The resolution read:

WHEREAS the Texas State Legislature created and the voters of Texas approved the Higher Education Assistance Fund (HEAF) in 1984 as a counterpart to the Permanent University Fund (PUF) for the betterment of state institutions of higher education such as Texas Tech University that do not benefit from PUF, and

WHEREAS faculty members at Texas Tech University depend on HEAF funding for purchases of equipment, library materials, and other resources needed to support teaching and research, and

WHEREAS the Texas Tech University administration has allocated more HEAF

funds in FY 2001 for building construction and construction-related expenditures than to academic expenditures, now therefore

BE IT RESOLVED by the Texas Tech University Faculty Senate that the Senate views with concern the allocations of a majority of HEAF funds for construction and construction-related expenditures and recommends that the University administration give higher priority to academic expenditures.

The resolution passed unanimously. Following adoption, Senator Held asked Provost Burns about ongoing faculty searches. Provost Burns assured that Senate that the university is not in the midst of a hiring freeze, and he shares the Senate's concern in garnering increased funds for the hiring of additional faculty.

2. Study Committee A. On behalf of Study Committee A, Committee Chair Weinberg provided a brief report on the committee's investigation of the viability of reestablishing a Faculty Club. After examining the results from a 1997 faculty survey, it was the consensus of the committee that only slight interest exists at TTU for such an enterprise. However, after discussion involving several senators and such topics as location, niceness, current interest and willingness to provide support via dues assessments, President Dunham stated that she would establish an ad hoc committee to investigate the Faculty club in greater detail.

Senator Weinberg also provided Study Committee A's report on term limits for deans and chairs. After mentioning a year-old survey of faculty that generated a 27% response rate and in which 57% of the respondents indicated a preference for term limits on departmental chairs, Senator Weinberg noted that the committee discussed various pros and cons associated with imposing term limits. In light of its discussion, Study Committee A declined to make a formal term limits-related recommendation to the Senate.

In response, various senators raised questions and made statements about the "life expectancy" data for current deans and chairs, the motivations driving those who favor term limits, the need for an official "no confidence" process and O.P. for removing administrators, the nature of 360-degree review, and the importance of faculty input in conducting annual evaluations for all administrators. In light of the discussion, President Dunham indicated that she would solicit prospective members for an ad hoc committee to investigate the issue of administrator term limits more fully.

3. Faculty Status and Welfare Committee. Committee Chair Reeves provided the Senate with a brief background about the Staff Senate's Resolution 00.01 and the creation of a TTU child care center. Commending the efforts of the University's Child Care Exploratory Committee and its chair, the Faculty Status and Welfare Committee submitted the following resolution:

The Faculty Status and Welfare Committee moves that:

1. Commend the Staff Senate for initiating the formation of the Child Care Exploratory Committee;
2. Commend Christy Meriwether for extraordinary service to the University community in organizing, coordinating, sustaining and inspiring the work of the Child Care Exploratory Committee; and
3. Support the actions outlined in Staff Senate Resolution 00.01 regarding the establishment of the Texas Tech University Child Care Center.

The resolution passed by unanimous vote.

4. Nominations Committee. On behalf of the Faculty Senate Nominations Committee for next year's

officers, Senator Cochran presented the following slate of nominees (in alphabetical order):

President: Loretta Bradley, James Carr and Marc Giaccardo
Vice President: Scott Hein and David Weinberg
Secretary: Shane Blum

President Dunham invited additional nominations from the floor, but none were proffered. Subsequently, the slate of candidates proposed by the Nominations Committee passed unanimously. President Dunham noted the option of voting for write-in candidates when elections are held in conjunction with the March meeting of the Faculty Senate.

VIII. Announcements:

Senator Held presented a resolution from the Budget Study Committee dated February 14, 2001 concerning the Board of Regents' approval for a new parking garage. Because the Senate could not take action on the resolution due to its not having been circulated prior to the meeting, President Dunham indicated that she would include the resolution on the March agenda.

Vice Provost Brink requested a few minutes to discuss changes in the start date for the spring, 2001 semester. Dr. Brink provided various reasons for the earlier-than-normal start date including the number of non-instructional Mondays during the spring, the Student Senate's resolution requesting more study days before final exams, and the introduction of August commencement ceremonies to commemorate graduation. He also provided a historical handout depicting start dates in prior years. In conjunction with this discussion, Provost Burns commented on the introduction of a bill in the Texas Legislature mandating that colleges and universities not begin classes until after Labor Day each fall.

President Dunham announced that a meeting to provide Faculty Senate input for the University's strategic planning process will be held on February 21, 2001 beginning at 1:30 pm in the Senate offices in McClellan Hall.

President Dunham noted that the Senate will host an open house on February 16, 2001 from 12:00-2:00 pm in the Senate offices.

President Dunham mentioned a survey for faculty about their impressions of the posttenure review process that will be forthcoming as part of a sister institution's grant-funded research project.

President Dunham urged Senators to take along a refrigerator magnet from the TTU Pass Office. The magnets were available on the table in the hallway immediately outside the Senate chambers.

IX. Adjournment: Since there was no other business, President Dunham declared the 213th meeting of the Faculty Senate adjourned at 4:53 pm.

Respectfully submitted
Fred Hartmeister
Secretary, Faculty Senate