

Texas Tech University Faculty Senate Meeting # 306, May 12, 2011

The Faculty Senate met on Wednesday, May 12, 2011 in the Senate Room of the Student Union Building, with **Faculty Senate President Richard Meek** presiding.

Senators in attendance were: Farmer, Kvashny, Kucera, Davis, Louden, Perl, Biglaiser, Boros, Drager, Held, McFadden, Mosher, Nathan, Rice, Stodden, Surlis, Bremer, Pasewark, Ritchey, Hendricks, Janisch, Bayne, Darwish, Helm, Costica Bradatan, Leslie, Blum, Collier, Fowler, Gilliam, Spallholz, Kelleher, Callender, Heinz, Syma, Bradley, Chambers, Duffy, Meek and CM Smith. Senators excused were: Mills, Ajlouni, Hill, Cristina Bradatan, Borshuk, Cox, Durband, Fallwell, Harter, Lodhi, Rahnama, Schmidt, Crews, Awal, Lakhani, Matis, Wang, Sharp, Ross, Dodds, McArthur, Whitfield, Ajlouni, Chansky, Tate and Wood.

I. Call to Order:

Richard Meek, Faculty Senate President, called the meeting to order at 3:21 PM.

II. Recognition of Guests:

Faculty Senate President Meek recognized our guests: From the Provost office: Provost Bob Smith, Valerie Paton and Gary Elbow. Today's speakers, University President Guy Bailey; Taylor Eighmy, VP of Research; Dr. Michael San Francisco and Dr. Alice Young; also Sue Jones from Official Publications. Other visitors were Sally Post, Reagan Hales, Heather Morris, Katy Henderson and Dusty Delano from OVPR; and Dr. Kathleen Harris and Matt McGowan from the AJ. Also in attendance were Professors Steve Buchheit, Monte Monroe and Fernando Valle three of next year's Faculty Senators and Sandy River, Faculty Senate Parliamentarian.

III. Approval of Minutes:

Faculty Senate President Meek called for any corrections or changes to the minutes of meeting #305 held on April 13, 2011 minutes were approved with corrections made by our Parliamentarian, Sandy River.

IV. Speaker: President Meek Introduced University President Dr. Guy Bailey.

President Bailey provided a legislative update on the Texas House and Senate hearings from spring:

President Bailey discussed how there are two versions of the state budget at present. The Senate version probably is kinder to universities. It involves about a 6% cut for higher education. Special items are cut 25%. In the House version, cuts are closer to 10% for Higher Ed and 25% for special items. If not resolved in committee they may go into special session. We are likely looking at 25% cut for special items (such as museum, Vietnam Center, some things in Ag, etc.) We are possibly looking at a cut between 6 –10% in our formula funding. It is important to remember that these cuts are on top of the 7 ½ % reductions we've had so far this year. Many of these were administrative cuts (about 35% of the cuts we've made already). The other cuts have been in limiting new hires, limiting to critical hires. All added up it comes to about \$30 million in appropriation. We have just had limited layoffs; most of the layoffs were in Administrative positions.

NRUF funds – Tier 1 funds: The numbers we reported last year met the required standards. We are on track for this year. This could be a 9 million dollars pay out for us. The argument in the

Senate is whether or not to release these funds unless all seven of the universities to which it would apply agree on the distribution of the funds. At this time, six agree. University of Houston disagrees. Hopefully this will work out.

The silver lining: at the last session, the State of Texas put nearly 8% into higher education. The bad news – we saw less than 2% in our budget; we were the second poorest performing of research institutions. But, this session, we're the second best performing.

Question-Senator Lance Drager: Our governor and TX Public Policy Foundation seem to be at war on higher ed.

Dr. Bailey-There has been a lot of commotion. There were seven solutions the Public Policy Foundation proposed. We haven't experienced the same pressure that Texas A&M and University of Texas have. Some of the proposals are things we are already doing – separating teaching and research budgets. Some of the others include bonuses for teaching. You understand the issues there. We haven't had a lot of pressure one way or the other.

University of Texas Board of Regents is meeting. It will be interesting to see what happens there. One thing we could do is better inform the public about research and scholarships that are available for students as a state university.

Question-Senator Lance Drager: We could try and do a better job of informing the public about the benefits of research and scholarship that happens at the University.

Alumni are stepping up and carrying that message. Our local supporters are also helpful. The great misunderstanding occurs when the public doesn't see the difference in revenue streams and how they work, how we are held accountable. We need to demonstrate how we hold ourselves accountable. Also, people need to understand that those different types of revenue can't be mixed. As people begin to understand that, they become more satisfied.

Question-Senator Daniel Nathan: The \$30 million in cuts that you referred to earlier, was that in this year's reductions? Not in the coming ones?

Dr. Bailey-It is in both. It is an approximate figure. And our enrollment increases help cushion us from that as well.

Question-Senator Todd Chambers: Any more thought on what healthcare costs might do to us this coming fall?

Dr. Bailey-We may have to pay more portion out of pocket than have previously. It is a big concern for us. We are looking at ways to try to ameliorate that right now. Until we know what our state appropriation will be, we don't know what our tuition will be. So until this is decided and I have more specifics, it is difficult to make solid plans. We will be going over this throughout the summer. Especially our employees/staff are cognizant of what might happen.

Question-Senator Julian Spallholz: What about renewal of parking. Are there no set fees? No raises but parking fees are going up? Is this going up? What about the parking garage across from the stadium?

Dr. Bailey-It will likely go up, an average of about a dollar a month and less for students. That has been set in the last couple of days. Part of the reason for delay is that we had to put in additional 300-400 parking spaces. The garage doesn't produce enough revenue, so we are and have been looking at solutions. We don't own the parking garage across from the stadium. We lease spaces out of that, but don't own it. Over time, it will be a big asset to us, but it may have been built a bit premature. One of our biggest worries regarding growth is parking availability. There may be ways in the future to work that out solutions are being worked on right now.

Question-Senator Julian Spallholz: Looking ahead for faculty, are we looking at any raises or no raises for the fall?

Dr. Bailey-Starting in the fall, probably not. But we are looking at doing something. We will do everything we can to come up with something. One of the things that keeps our ranking where it is, is that our faculty salaries are way behind. We are well aware of that. Same thing is true for staff.

Question-Senator Elizabeth Louden: How will we be able to recoup those faculty lines or continue on our growth to deal with thousands of students?

Dr. Bailey-Asking that the university consider that faculty hiring be put first, with direct support next. In our cuts we don't want to do things that interfere with students' time; we want them to be able to graduate in four years. The University has tried to minimize the impact of cuts on our students. We've tried to err on the side of being conservative rather than lay somebody off. We are still waiting on the state budget. As we know those things, hiring will be more of a priority for faculty and direct support. We do have a lot of people on overload. Our board understands that.

Question-Senator Sam Bradley: Always erring on the side of caution, there might be some chance at the end of the day that there would be some dollars left over. Speculating that possibility might happen, would that be put forward?

Dr. Bailey-No, it would not. If things are better than we think, we will have some flexibility with what we can do. We have put ourselves in a position to be less impacted in this economy. There are many other states that don't have it as good as we do. If we can muddle through next couple years, it will be better. We are trying to make sure there are better lines of communication from the Faculty Senate back to the faculty.

Question-Senator Jeffrey Mosher: Does the University College generate much revenue?

Dr. Bailey-It has been operating in the red, but that is improving. One thing that is helping is the Texas Tech Independent School District. We have hundreds of Brazilian students. There is an attempt to move it down below the high school level. It will be very profitable. It will more than pay for itself.

Question-Senator Julian Spallholz: One more question. What about Athletics? Is Athletics profitable?

Dr. Bailey-Athletics is profitable and will be paying some money back. We just signed a \$90 million a year contract, and the secondary rights will be \$20 million a year. We've already taken \$2 million back, and we are looking at taking more. Our goal is for Athletics to pay the University back.

Question-Senator Julian Spallholz: Primarily football TV rights?

Dr. Bailey-Yes and basketball. What drives revenue is football. We're pretty optimistic that they will be in good shape financially. The new athletic director is superb and has good vision. Sports Business named him as one of the top executives under 40.

Speaker-Dr. Taylor Eighmy, Vice President of Research:

I'm glad to be here. There are two programs coming out of my office that I want you all to hear about. One of them is Responsible Conduct in Research, which is something that Dr. Alice Young will be talking about. She is a faculty member in Psychology and is also the Associate VP for Research Integrity. Dr. Michael San Francisco is also an Associate VP in my office. He will be talking about the Trans-disciplinary Scholarship Academy. Dr. Kathleen Harris, many of you know; she directs our office, Dr. Kitty Harrison is my financial person, Ms Sally Post and her folks now report to me, and she has moved over to the research office.

ORS – VPR: What are we doing to change it and prepare for the future? Promote scholarship across all disciplines, proposals to NSF and state agencies and private sector, reports prepared in response to what agencies require, things like that. Faculty development, graduate education, undergrad research is a huge endeavor. Research integrity is increasingly important. It is highly regulated, more than many realize. There are probably 50 agencies that govern what we do with sponsored projects that come to the university. This includes standards on how we buy things, executive orders, how we cap administrative rate, etc. There are also guidance and policy on use of human and animal subjects in research, use and export controls, countries we are not allowed to share information with, biohazard regulations, hazardous chemical regulation, worker protection, contract law, patent law, intellectual property law, etc. Especially when regarding National Science Foundation, National Institute of Health, and energy.

Yale University was not doing time and effort certification properly and had not been doing it properly for a while. The OIG and the FBI and the Dept. of Justice invaded Yale University about 4 years ago and took over operation of what is essentially SPAR here, imbedded themselves and conducted a very thorough investigation around everything that Yale had been doing regarding sponsored research. At the end, Yale ended up making an \$8 million settlement payment to the federal government. The Feds were on campus at Yale for about 2 and a half years, and Yale had to spend about \$20 million of their own money to handle the situation.

Our office has been restructured. Michael heads up faculty development and Alice heads up research integrity. We have several interdisciplinary centers that report to me. Katie Henderson is doing a bunch of finance and administration processes. Our present budget for the office is about \$23 million. Most of that money comes in to us and we turn around and give it out to the colleges and faculty for startup of research and things like that. About half of the F&A is used to fund the personnel in the office, they are about 135 people affiliated with the office in terms of

this organizational structure. There are budget strategic initiatives that I get to work on with the Deans, Provost and with the direction of the President.

Few things we've been working on: We have been posting the strategic plan for the office that we are developing:

- Annual award established, at least seven faculty will receive these distinguished awards annually, along with incentives. Example, in past years we've had about 35 faculty with Guggenheim fellowships.
- There is a 5 K faculty incentive built into these awards. We have added 9 new ones. If you have one that is meritorious, bring it to your Dean to bring it forward. There will be more discussion of career awards and processes.

Another thing to be rolled out is an internal scholarship competition for the humanities and sciences. We have been getting feedback on this. The original fund will be about \$300,000 and the size of awards will vary. It may be done annually or spent over the course of the year. We have asked for a Faculty Senate representative to be on that peer review committee. Proposals will be short and sweet. We are very interested in leveraging this and want this to be something that has gravitas associated with it. Is designed to be a scholarly competition and peer based on faculty that don't have external funds available.

We are streamlining and making it easier to find out about funding availabilities. We want designed to be a place for "one stop shopping" for funding opportunities. It is in beta testing right now. It should launch in the next few months.

SOAR: Strategic Opportunities for Advancing Research. 12 faculty from 5 colleges, and the Health Science Center.

We are adding some part time staff to help handle PI work, and the Web site is being redone.

Time and effort certification system has been revamped. We went from a paper system to an online system. We had lot of faculty input about the usability of the new system. There will be monthly reports.

There will be a snapshot on eRaider that will allow us to see the status of any FOP in real time. Believe this will be highly utilitarian for faculty.

There is an undergrad research task force underway, and we working on an entrepreneur program at graduate level. We have been working on a strategic plan for research, with a lot of input. We will be coming to you all for input on what is broken and what needs to be fixed. We wonder whether the Faculty Senate would be willing to create a standing committee for upcoming research. It is only going to become increasingly complicated and would like to see such a committee to assist with this.

Financial conflict of interest is an issue we need to start dealing with and would like a Faculty Senate committee to look at issues that could create conflicts of interest, make rules on it, advise us.

Regarding best practices; this will be important when NIH rules are put into place. Your input would be very welcome.

Please send out a memorandum to Faculty Senators on which issues are mentioned. The review committee will probably be set up in the fall, the other could be set up sooner. We would like this before the NSF committee meets.

Question-Senator Lewis Held: You said some of the intellectual properties rules were going to be changed, what changes do you anticipate?

Dr. Eighmy-There are many little things that have changed. Some changes were sped up to make it better for the inventor and less of a wait and see. The time frame changed on whether to file a patent or return the idea back to the inventor. Patent law has changed in US. The thing most discussed was the dramatic change in the role of two VPs at Health Science Center and Texas Tech University and the review function surrounding licensing. There is more oversight, more review, more opportunities to look at what is needed. The OP that we have does not presently mirror that.

Question-Senator Julian Spallholz: I don't recall the revised OP that came through the Faculty Senate addressing any of those issues.

Dr. Eighmy-We were looking at a research committee; the academic committee and research committees are distinct. It should've gone to the academic committee and not to the other, as we saw it, but I don't believe it had. Communication was sent to Faculty Senate about a year ago, as reflected in the minutes.

Where are we with the revisions to the OP? The first comments were sent over from Faculty Senate last spring, it has not come back from the Regents. It doesn't make sense for us to modify the OP until the Regents rule.

Question- Senator Julian Spallholz: How much income does the university have from intellectual property licensing fees, royalties, etc.?

Dr. Eighmy-The Office of Technology and Commercialization is at the Chancellor's level. Estimated \$100 – 200,000 thousand per year, but there is no accurate count at this time. The coordinating board keeps track of this and the information can be viewed on their site. Three of the commercialization offices in Texas turn a profit relative to their costs. We are close to breaking even this last year. The number of licensing deals is going up, is a work in progress.

Speaker-Dr. Michael San Francisco; Associate VP for Faculty Development

The Interdisciplinary Scholarship Academy is basically a playground for people to bring their ideas. Mainly it is where people come together from different disciplines and areas, they are not bounded by traditional silos. They are enhanced discovery and vision. The vision for this academy is to set up, serve, and promote different interactions among the scholars in universities. The mission is to engage students in this productivity and to leverage our community intellectually more interactively, and to serve as the catalyst for change.

Basically what National Science Foundation called for was proposals that are profound, creative, and to make substantial contributions to the knowledge base. These are things that take you to the edge of your comfort zone. So what I did was invite a bunch of physicists and we talked, and we discovered that they are not integrated enough to go after a physics frontiers program. What came out of it was this – we use the high performance computing center as an interactive sandbox, so to speak, and get faculty from a variety of different departments. The hope is that in the short term, to come up with ideas, in the mid-term, to submit proposals. It's team building, in preparation for something two or three years down the road. We encourage people to submit proposals and get them submitted to the agencies. We will have guest workshops, participating workshops, etc., beginning with our work in the fall.

Speaker-Dr. Alice Young: Associate VP for Research Integrity

There are areas of research that are highly regulated. Institutional Review Board, Division of Environmental Health & Safety. One I want to mention today is the conflict of interest area. National Institute of Health is planning a revision of their conflict of vendors code. It will force the university to change how our policies on conflict of interest work. Right now, faculty will have to identify areas where their work may conflict with government or others. Now we ask faculty to identify where there might be a conflict of interest. National Institute of Health wants to change it where the faculty member discloses their financial area of interest, and the institution will have to determine if there is a conflict of interest. It is recommended that Faculty Senate begin to think about how we will change our conflict of interest reporting.

Another point is the responsible research and conduct area. In 2010 the University was required to report any work by students on National Science Foundation projects. In order to develop this, Dr. Young met with Primary Investigators of all National Science Foundation funded projects. There have been a lot of well published scandals recently, including a scientific fraud that almost shut down laboratories. These are major concerns about how research is conducted within universities. Right now the requirements only affect National Science Foundation projects. We have built a sort of cafeteria program embracing 3 components: 1- online and face to face safety training. 2 –online modules originally instituted by National Institute of Health. 3- either take a didactic course or courses on responsible conduct in research. This is open for programs that are interested in didactic courses on research, both graduate and undergraduate level. Students do receive credit for this training.

Speaker-Sue Jones, Director of Official Publications:

Material was sent out to you via email. Starting dates of our academic calendar are determined to some extent by our coordinating board. This regulates the next ten years. All state institutes are bound by their calendar, requiring and some changes in our future calendars. Without changes it will make commencement closer to Christmas, causing problems with families wanting to have holidays separated from graduation and exacerbating problems in how grades are processed. Initially the committee was looking at how we could streamline the grading process. We discovered that was too complex. This is what that entails. We must have at least five full days. Therefore, evident it is that we have to move everything up one week, get it away from Christmas. This is done somewhat easily. Start school 3 days earlier, on a Monday.

Faculty would report for duty on Wednesday. What about fall break? We did have a student government person on the committee who didn't have any problem with this. As they saw how close it was to Christmas for the next 3-4 years. Were aware something had to be done and were in agreement to move the decision to the Provost office. Finals will be in the first weekend of December. This will conflict for the next three years with the Carol of Lights. Options to consider: 1 – final exams continue as they are, move calendar as discussed and continue as is the same days we have now. The Provost must approve any extracurricular activity that occurs during finals, including the turning out of the lights. We don't see how can do that with Carol of Lights. Option 2 – finals would be reduced to 120 minutes instead of 150 min., which means we'd finish in 4 days, and no finals on Saturdays, this is the option that SGA approved. Research into showed that 8 of 12 universities in the Big 12 have finals that last 120 minutes, so they are agreeable to this. A request was made that a Faculty Senate recommendation for one of the options by end of September or early October.

Objection raised by Senator Lance Drager: for those on 9 months contracts this will effectively mean faculty work for 9 ½ months with only 9 months in pay, in making this change.

For now let's put this on hold. (The third option was not mentioned on the recording).

V. Old Business: University Councils/Committee & Liaison Reports-

OP Report from Senator Lewis Held-Faculty Status and Welfare Committee-

For the record there are 1015 eligible voting faculty 372 actually registered to vote on the OP revision. Of the 372, 338 voted in favor and 34 voted against. The understanding of my committee is that the two documents (OP's) would go forward unaltered with no changes. Regarding any changes subsequently proposed our committee would like to be asked to be notified and have those changes come back to the Faculty Senate for review.

VI. New Business:

Resolution to honor Dr. Donald R. Haragan

Whereas

Emeritus President Dr. Donald Haragan has served Texas Tech University in multiple offices since he joined us in 1969.

And Whereas

His service as Professor, Chair, Dean, Provost, President, and Interim Chancellor has been marked by honor, loyalty, and steadfast dedication to our teaching and research missions.

And Whereas

He founded many of our cherished institutions, including our Honors College, our Teaching, Learning, & Technology Center, our radio station KOHM, and our satellite campus in Seville.

Therefore, be it resolved that

We, the members of the TTU Faculty Senate, hereby express our abiding respect and heartfelt gratitude to our esteemed colleague and wish Don a happy and contented retirement.

Resolution to honor Dr. Donald Haragan was called for vote. Motion carried unanimously.

An appreciation plaque was presented to Senator Lewis Held for his outstanding service to faculty of Texas Tech University for all of his hard work this past year as chair of the Faculty Status and Welfare Committee.

Vice Provost- Valarie Paton-As time was running short Dr. Paton briefly spoke about Digital Measures, the changes and when things have to be posted. She would like to have the Faculty Senate assign a committee to work with Digital Measures. Her office will not go forward without faculty representatives.

Dr. Alice Young was asked to come back when the Faculty Senate meets in the Fall.

VII. Announcements:

Faculty Senate Secretary-Michael Farmer-We need an Ad Hoc committee of 8 faculty, with a minimum of 5 who will be here during the summer to deal with Faculty Senate issues.

Faculty Senate President Richard Meek- a reminder that the Faculty Senate office is funded by the Provost's office. As part of their commitment to transparency and shared governance they have funded two of the FS officers to help encourage faculty to serve. It seems for the last two years many problems are a matter of communication, not only from the top down but from the bottom up. Communication from bottom up is exacerbated by "a climate of fear". Some of us are "afraid" to present information or opinions from lower department levels, yet really good decision making on the upper level depend on information from all of us. Anonymous concerns may be vetted through the Faculty Senate, and we wish to encourage faculty to use this outlet. If you have one or two colleagues that have a rant or point of view that they want brought forward, encourage them to bring it to the Faculty Senate by using one of the addressed envelopes dispersed this afternoon. They may be sent anonymously through the campus mail or simply deposited in the Faculty Senate mailbox outside the office at 126 Doak Hall.

Thanks for keeping this ethical and being of service, to all our Faculty Senators and others.

The meeting closed with the official passing of gavel from **President Richard Meek** to incoming **Senate President Daniel Nathan**.

VIII. Adjournment:

A motion was made from Lewis Held to adjourn. It passed by Voice acclamation at 5:24PM.

Submitted by Faculty Senate Secretary-Dr. Michael Farmer-2010-2011.