



Brownsville, Edinburg, Harlingen

**2022-2023 Faculty Senate Meeting Minutes**  
**Tuesday, April 11, 2023, 3pm – 5pm CST Via Zoom**

**Senators Present**

Khalid Aada, Jair Aguilar, Antonio Aguirre, Stephanie Alvarez, Andrew Anabila, Sonja Arredondo, George Atisa, Roseann Bacha-Garza, Grant Benham, Ben Brown, Lucia Carreon-Martinez, Mircea Chipara, Joel Chirinos, George Diaz, Louis Falk, Fuat Firat, Christopher Gabler, Christine Gerin, James Gleason, Sergey Grigorian, Federico Guerra, Jonathan Guist, Tekla Hawkins, Marcela Hebbard, Jose Esteban Hernandez, Kip Austin Hinton, Krista Jobson, Pauline Jojo, Ulku Karabulut, Hale Kaynak, Megan Keniry, Marisa Palacios Knox, Sanjeev Kumar, Dean Kyne, Kye-Hwan Lee, Karin Lewis, Qinyu Liao, Michael Machiorlatti, Salma Mahmood, Pedro Martinez, Randall Monty, Nancy Nadeau, Rafael Otero, Cynthia Paccacerqua, Nilanjana Paul, Diana Paz, Emmy Perez, Monika Rabarison, Genaro Ramirez-Correa, Padmanabahn Rengasamy, Jack Ruelas, Jeannean Ryman, Miguel Salazar, Manuel Saldivar, Clarissa Salinas, Andrea Schwarzbach, Hooman Tabatabai-Mir, Eloisa Tamez, Owen Temby, Mohammed Uddin, Jorge Vidal, Vejoya Viren, Aaron Wilson, Christian Zuniga

**Senators Absent**

Narayan Bhat, Jeong Kim, Hansheng Lei, Gladys Maestre, Robert Magee, Theresa Mata-Pistokache, Gerardo Munoz-Monaco, Riccardo Pizzinato, Dana Shackelford, Ahmed Touhami, Paul Valadez, Sarah Williams-Blangero, Yingchen Yang

**Guests**

Reginald Adiele, Gasser Ali, Janna Arney, Bruno Arthur, Robert Allen, Pauli Badenhorst, Rebecca Coberly, Maggie Cronn, Amy Cummins, Jonathan Dominguez, Esi Elliot, Miryam Espinosa, Veronica Gonzalez, James Jupp, Dania Ochoa, Marlene Orta, Engil Pereira, Rachel Rayburn, Maria Luisa Trinidad

- I. Meeting Called to Order at 3:02pm**
- II. Report of FS Parliamentarian – Senator Falk**
  - a. Reminder of Roberts Rules of Order
- III. Report of FS Secretary – Senator Guist**
  - a. Approval of February minutes
    - i. Motion to approve: Falk; 2<sup>nd</sup>: Lewis
    - ii. Passed by acclamation
  - b. Approval of March minutes

- i. Motion to approve: Gabler; 2<sup>nd</sup>: Falk
- ii. Passed by acclamation

#### **IV. Old Business**

##### **a. ADM 00-000 Non-Tenure Track Policy**

###### **i. Comments**

- 1. Senator Lewis: Professors of Practice seem to be missing – we do have people in these titles.
  - a. Senator Vidal: The most recent version of the policy does include these titles.
- 2. Senator Zuniga: The document seems to focus on annual review. It is not clear how it relates to promotion.
  - a. Senator Vidal: The document does address both as it relates to timelines. Specific criteria for promotion is determined by each department and should be contained in each department's policy.

###### **ii. Motion to approve the policy and move forward: Senator Vidal; 2<sup>nd</sup>: Lewis**

- 1. Motion approved: 34 in favor; 1 against; 8 abstain.

##### **b. ADM 06-401 Academic Titles revised.**

###### **i. Comments:**

- 1. Professor of Practice not listed in this document.
  - a. Maggie Cronn: The policy has been updated to include Professor of Practice
- 2. Senator Falk: Is there a path from Lecturer III to Senior Lecturer
  - a. Maggie Cronn: This policy mirrors Regents Rules which does not indicate Lecturer I, II, III to be a ladder to Senior Lecturer. However, since this is what we have been doing, we will continue doing so.

###### **ii. Motion to approve and move forward with the addition of Professor of Practice: Senator Lewis; 2<sup>nd</sup>: Senator Vidal**

- 1. Motion approved: 43 in favor; 2 against; 3 abstain.

##### **c. ADM 06-503, 504 Appendix E w/ guest Maggie Cronn, Academic Program Manager**

###### **i. Comments:**

- 1. Senator Falk: Is this kind of default policy if a department doesn't have their own?
  - a. Maggie Cronn: Essentially yes but every department should have policies that abide by these policies and then some. In the case of a small department that may not be able to meet these criteria, they can develop their own, but it must be formalized and approved by the Dean and the Provost.
- 2. Senator Palacios-Knox: Section I.a.ii: "Reviews must be reviewed by..." – this seems to contradict I.a.iv
  - a. Maggie Cronn: Some of this is due to the difference between a title and a rank. For example, tenured faculty can review all title categories in accordance with I.a.ii. There is

also a goal to not provide a hierarchy for all of the NTT ranks.

3. Senator Tabatabai-Mir: Regarding salary differences between TT & NTT – what changes between ranks, etc.?
    - a. Maggie Cronn: Salaries are determined by discipline and take into account market forces and other things. For TT there are set increases. Assistant to Associate is \$6,000 and Associate to Full is \$10,000.
  4. Senator Tamez: You mentioned that salaries differ across disciplines. Does that mean in the School of Nursing a Clinical Professor in the School of Nursing would make less a Clinical Professor in the School of Medicine or Engineering, for example? Does that mean that it is different?
    - a. Maggie Cronn: It can be, yes. When we went through the salary adjustment exercise in Summer 2021 each college had a task force that established ranges for all tenure track titles, and this was also based on market specifically. We need to be sure colleges are continually looking at market rates as they are changing and adjusting every couple of years or so.
    - b. Senator Tamez: Nursing salaries are far below market rates.
      - i. Maggie Cronn: You would need to reach out to your Dean to see how the ranges were determined for your college.
  5. Senator Kumar: When talking about rank and who evaluates who, when we do annual evaluations, this is not necessarily a tenure evaluation, so would rank apply as to who evaluates who for annual evaluation when not for promotion:
    - a. Maggie Cronn: The appendix does differentiate between annual review & action years, but committee make-up guidelines apply to both types of review. If a department wanted to deviate from that that would be something they would need to specify in their department guidelines.
- ii. Motion to approve and move forward: Senator Lewis; 2<sup>nd</sup>: Tabatabai-Mir
    1. Motion approved: 35 in favor; 1 against; 12 abstain.
- d. ADM 06-701 Organized Research Units
    - i. Comments
      1. Senator Gabler: for SEEMS we haven't had an opportunity to have discussion on this so we would say we are not ready to move forward on this.
      2. Senator Paccacerqua: Can President Hinton explain this policy a little? What constitutes a research unit? What types of questions might we need to raise with our departments?
        - a. President Hinton: The idea is that we are formally organizing what these special research units look like. Right now, there are all kinds of units that are doing their

own thing so the goal is to look at what they have in common, what makes the function and then encode that into a policy that can become guidance for the creation of new research units. One example is the Center for Gravitational Wave Astronomy. Units like these are not academic departments but the people in the unit work for academic departments and also collaborate closely with relevant deans and chairs. But not all centers are attached to only one department or even to one college or school. This is not intended to be something that is going to restrict or hurt existing units. This is laying out the guidelines so that we can help people create new ones.

3. Senator Alvarez: Is there an actual definition of Organized Research Unit in this policy? It would be a good idea to have a list of what units fall under this policy right now since there seems to be a differentiation between different types of centers. There seem to be research centers and academic centers or educational centers so understanding that distinction is important when looking at this.
  - a. President Hinton: This is one reason the word centers was not relied on in this document because we do have centers that are not research centers.
4. Senator Grigorian: One of the implications of this is how the indirect costs are distributed. So, if a grant is attached to this organized research unit, this impacts how that is distributed. I would also agree we need more time to look at this policy.
- ii. Motion to table to allow more time for review: Senator Grigorian; 2<sup>nd</sup>: Senator Perez
  1. Motion tabled by unanimous consent.
- e. ADM 07-304 Institutional Base Salary
  - i. Comments:
    1. Senator Paccacerqua: I don't understand the significance of this policy. What are the implications?
      - a. President Hinton: Some employees are paid through sponsored programs, and this has to do with how money is allocated.
      - b. Senator Paccacerqua: Can we please have somebody come explain this policy to us?
        - i. President Hinton: Yes, we will do that.
    2. Senator Gabler: This deals with indirect cost recovery which in turn affects everybody.
  - ii. Motion to table and invite somebody to explain this policy in more detail: Senator Gabler; 2<sup>nd</sup>: Senator Paccacerqua
    1. Motion tabled by unanimous consent.

## V. Committee Reports

- a. Technology Enhanced Education Oversight Committee (TEEOC), Randall Monty & Robert Allen, IT
  - i. Robert Allen: Texas SB 445 Texas Risk and Authorization Management Program (RAMP)
    - 1. This requires all cloud-based software providers to be certified by Texas RAMP or Federal RAMP in order for us to use their product. For example: Zoom for Government is certified. Zoom for Education is not. We are working with Zoom to do this but if they are unwilling, we may have to stop using Zoom.
    - 2. Reach out to Robert Allen for guidance or questions about this issue.
  - ii. Questions
    - 1. Senator Lee: Experience getting this certification was not easy and was very time consuming.
      - a. Robert Allen: please contact me directly so that we can address your concerns.

**VI. Report of the Faculty Senate President-Elect – Cynthia Paccacerqua**

- a. No report – will email info if anything to share.

**VII. Guest Presentations**

- a. Janna Arney, Executive Vice President & Provost
- b. Veronica Gonzalez, Associate Vice President for Government & Community Relations
  - i. Update on Legislation:
    - 1. Veronica Gonzalez: Things are starting to move fast.
      - a. SB 16 (CRT): A lot of questions asked of bill author in committee and on senate floor regarding what's allowed and not allowed. He is saying it is not meant to stifle free speech and academic freedom in any way. Subjects can be taught, and a professor can even express an opinion. What this prohibits is forcing a student to take on a certain belief or agree/disagree with something. For example: a student would have to believe something to get a certain grade in the class. An amendment is being discussed to set up some kind of complaint mechanism. Remember, there are two chambers. Whatever happens here – the process needs to start all over again in the House
      - b. SB 17 (DEI): Seemed harsh when it came out, but it looks like it is starting to get watered down. A substitute bill for SB 17 is being offered that has to do with hiring and says hiring can't be based on race, sex, color, or ethnicity except as required by federal law. Other more restrictive language has been taken out. What has been added is that a state

auditor can audit an institution and if found not to be in compliance could lose state funding.

- c. SB 18 (Tenure): Original bill also very harsh. Talked about eliminating tenure. Was going to be substituted in committee but that didn't happen. Was voted out of committee as is but now it is being said that it will be substituted on the floor of the senate. This substitute does away with the language eliminating tenure. What it does do is focus on reasons tenure can be revoked and the due process that must be followed for revoking tenure. Also added that it is the Chancellor that must approve/revoke Tenure. Suspected that this part will be removed because no chancellor wants to be involved in those decisions.

ii. Questions:

1. President Hinton: Classes like English/rhetoric/law/philosophy etc. often use assignments that involve asking a student to defend a given position. The student doesn't have to believe in what they are being asked to defend but the exercise involves defending a position. How would this be viewed under SB 16?
  - a. Veronica Gonzalez: as long as a student is graded upon how well they make the argument and not whether or not they believe or agree with the argument, it would be okay.
2. President Hinton: Would this bill effect our Center for Diversity, Equity, and Inclusion?
  - a. Janna Arney: This center is a support center for students and has nothing to do with hiring which is the real focus of this legislation.
3. Senator Firat: When talking about SB16 you said students cannot be graded badly because of their beliefs. As an example, some people don't believe the Holocaust existed. If I ask about the dates of the Holocaust and a student answers, they don't believe in it, and I grade them to be incorrect and the student files a complaint...
  - a. Veronica Gonzalez: Slavery & the Holocaust were brought up as examples. These are facts. Just because someone may not believe in it, teaching facts cannot be cause for a student complaint.
4. Senator Alvarez: Faculty and departments seem to already be censoring themselves because of this proposed legislation which is concerning. And it seems that some courses that are centered on diversity, equity, and inclusion such as courses in Mexican American studies could be impacted. Can you give guidance on this?
  - a. Veronica Gonzalez: Courses like Mexican American studies, etc. would not be affected. Regarding self-censorship, yes this is having a chilling effect on some. 99.9% of faculty have the best of intentions toward

students. For now, continue to teach your students. If/when these bills are passed, we will need to look and see what adjustments may need to be made.

5. Senator Gabler: Worried that grading will be used as the leverage needed to file complaints and equating that to imposing a professor's beliefs on students. This is punishing faculty for their beliefs that are based in research. Concerned that THECB is going to be flooded with complaints and they and universities are not going to want to deal with the volume of complaints and will resort to leaning on professors to walk back their beliefs. The impact on how we operate that could be brought on by a threat of a loss of state funding is highly concerning.
6. Senator Orta: In psychology we use to evaluate performance in general psychology students as part of a state requirement has a question related to corporal punishment so students are given articles to read showing the impact this has on parenting, etc. and there have been students (that obviously did not read anything) gave argument that they were spanked and turned out just fine. This feels like it could be construed as a social belief that we are imposing on them.
7. Dr. Arney: I think we need to back away from the idea that what you are teaching and what you are asking students to learn is forcing them to learn something. Nothing that we are currently doing gives us any indication that this applies to what we are doing today. As to the very specific examples you are giving, we don't actually know at this point because none of this has concluded, but an example like you're giving that is supported by all of the research you are giving to students would not be something that would be prohibited.

c. Jonathan Dominguez, President – Student Government Association

- i. SGA has a goal to form a bridge between SGA and Faculty Senate and would like to share some things they have been working on.
  1. Course Availability: Parking at Edinburg Campus – started with a survey to collect data to support parking needs; Incentivization of Students. The idea behind incentivization is to incentivize academic excellence. SGA wants to organize a social event for students that exhibit academic excellence.
- ii. Questions/Comments:
  1. Senator Firat: these efforts are very much appreciated as the faculty goal is to make sure students' experiences are fruitful. Please share these initiatives with the FSEC so we can look at how we can help.
  2. Senator Vidal: Thank you for this. We want to be as supportive as we can. Why are you presenting the idea of the "President's Ball" to us?

- a. Mr. Dominguez: It is in the interest of keeping you informed of what the SGA is working on.
  - 3. Senator Paccacerqua: Agree that we don't interact well (Faculty Senate, Staff Senate, SGA) and we need to improve communication.

**VIII. Executive Session**

- a. President Hinton calls to move the meeting to Executive Session for Faculty Senators only. Senators move to a Zoom break-out room for Executive Session.

**IX. Executive Session Ends**

- a. Motion to adjourn: Nadeau; 2<sup>nd</sup>: Senator Tabatabai-Mir
- b. Meeting adjourned at 5:48pm