

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

DOCUMENTS AND PROCEEDINGS OF THE GENERAL FACULTY

SUMMARY MINUTES OF THE FACULTY SENATE MEETING Of April 4, 2024

The regular monthly meeting of the Faculty Senate for the 2023-2024 academic year was held April 4, 2024 at 3:30 p.m. via Zoom (online meeting) with Dr. René Zenteno, Chair of the Faculty Senate, presiding.

I. Call to order and taking of attendance.

Present: René Zenteno, Alexis Godet, Chris Packham, Mike Baumann, Sonya Aleman, Mary Dixson, Ginny Garcia-Alexander, Andrew Lloyd, George Perry, Victor Villarreal, John Alexander, David Beheshti, Cristian Botez, Curtis Brewer, Xun Chen, Neil Debbage, Glenn Dietrich, Jimi Francis, Zaid Haddad, Marcus Hamilton, Lauren Hoffman, Jie Huang, Michael Karcher, Kim Kline, Huy Le, Jusung Lee, Ashwin Malshe, Alex Mejia, Valeria Meiller, Jeff Prevost, John Quarles, Rica Ramirez, Lauren Riojas-Fitzpatrick, Devon Romero, Humberto Saenz, Susan Thomas, Marie Tillyer, Jelena Todić, Armando Trujillo, Zijun Wang, David Weber and Catalina Zarate

Absent: John Alexander, August (Gus) Allo, Edwin Barea-Rodriguez (excused), Mark Bayer (excused), James Chambers, Victor DeOliveira, Kirsten Gardner, Kimberly Garza, Dmitry Gokhman, Harry Millwater, Branco Ponomariov, Kirk Schanze, and Valerie Sponsel (excused)

Guests: Heather Shipley, Jason King, Katie Meersman, Kelly Nash, Saugata Datta, Debra Peña, Deepa Chandrasekaran, Patricia Sánchez, Sakiko Oyama, Mark Appleford, Johanna Hunziker, Debra Del Toro, Mamie Frank, Ximena Grau, and Debbie Howard Rappaport

Total members present: 42 Total members absent: 13

II. Consent Agenda

- Approval of Minutes – March 7, 2024 Faculty Senate Meeting
- Graduate Council item – approved at the April 2, 2024 meeting
 - Graduate Certificate in Public History
 - Graduate Council Executive Committee (September 2024-May 2025)
 - Chair – Dr. Zachary Tonzetich (Chemistry)
 - Secretary – Dr. Gabriela Romero Uribe (Chemical Engineering/Biomedical Engineering)

The Minutes of the Faculty Senate and the Graduate Council items were approved.

Dr. Zenteno welcomed Dr. Heather Shipley, Interim Provost and Executive Vice President for Academic Affairs to the Faculty Senate.

III. Reports

A. Academic Affairs Update – Heather Shipley, Interim Provost and Executive Vice President for Academic Affairs; *presentation uploaded to Faculty Senate SharePoint site and [website](#)*

Dr. Shipley provided an update on the recent Academic Affairs Insights focusing on Career-Ready Roadrunners. Recent data from a collaboration between UT System and [Steppingblocks](#) shows over the past three years the average salary of all UTSA graduates is \$65,082. Those earning master’s degree have earned an average salary over the past three years of \$75,018 and those students earning doctoral degrees is \$94,536. In addition, the data indicates that 90% of UTSA students who graduated in the last three years stay and work in Texas.

Dr. Shipley highlighted the Staff and Faculty Compensation Study and practices emails which were sent out earlier this week. The University will conduct a Staff and FTT compensation study (email from April 1, 2024), which will review compensation levels for staff and FTT, including national peer and aspiring market trends. For the tenure-tenure-track faculty, the university utilizes CUPA dashboards to analyze market trends.

Dr. Shipley outlined the timeline for the staff study which begins in April and should be completed in late November 2024. The faculty review will occur during the same timeframe, but may not take as long due to the volume of job titles at the staff level versus those at the FTT level. The university has approximately 1,500 unique job titles at the staff level which will be reviewed. The university/People Excellence has engaged WTW, a consulting firm, to assist in this review, look at the market trends, analyze the data, and prioritize the information to be able to adjust compensation based on the study.

Dr. Shipley outlined the changes to the faculty promotion practices which were included in an email sent to faculty on Tuesday, April 2, 2024:

- TT/T Faculty: who are successfully reviewed and approved for P&T will receive a 10% salary increase or \$5,000 (for assistant to associate professor) / \$7,000 (for associate to full professor), whichever is greater;
- Tenured Faculty: \$3,000 for meeting expectations or higher for CPE;
- Established FTT promotion minimums:

Rank	Increase*
Lecturer to Senior Lecturer	\$2,000 or 5%
Senior to Assistant	\$3,000 or 5%
Assistant to Associate	\$4,000 or 5%
Associate to Full	\$5,000 or 5%

*whichever is greater

Dr. Shipley mentioned the changes were taken from the analysis and recommendations from the ad hoc committee this past academic year that included Deans, Chairs, faculty and members of the Faculty Senate. The Ad Hoc committee reviewed information from aspiring and peer institutions to develop their recommendations. The committee also reviewed and established FTT promotion minimums as those amounts were inconsistent across the colleges. Dr. Shipley stated the changes will go into effect Fall 2025. She mentioned faculty receiving promotion and tenure or CPE in Fall 2025 would see the new rates due to the budget cycle and where the university is currently at with the different evaluation periods.

Question – Will these changes be in addition to merit?

Answer – Dr. Shipley confirmed that the promotion and tenure, CPE and FTT promotion amounts are in addition to any merit process. She further stated that the merit process and the market retention analysis are separate mechanisms.

Question – Now that we have salary surveys separately for the different levels, do we anticipate those being propagated out through the recruitment materials? It would be helpful to have graduate salary information on the website to assist with recruiting students to our programs.

Answer – Dr. Shipley agreed this information is a great source of data the university now has to showcase and use to help recruiting students for graduate programs.

Question – What was the previous salary increase for CPE or is this the first time it is being implemented?

Answer – Dr. Shipley acknowledged in the past the university did not offer an increase for CPE reviews. She indicated the motivation for implementing the increase was around that faculty have three promotion times – assistant, associate and full, so depending on other activities and merit increases, adding the CPE increase allows for another mechanism for salary changes. She further stated that UTSA is the first UT System institution and possibly the first State institution in Texas to offer an increase following a CPE review.

Dr. Shipley provided an update on the [Campus Experience Task Force](#) which was launched in Fall 2023 during the university's strategic plan refresh process. The task force includes faculty, staff and students. The goal is to identify best practices that promote an exceptional campus experience, develop flexible work arrangement guidance, and optimize academic course and program modality. The following working groups were formed by the task force:

- Wellbeing & Community
- Flexible Work Playbook
- Academic Experience
- Value Proposition

Dr. Shipley highlighted the recommendation on Course Offerings from the Academic Experience working group:

- Offer core & high-demand courses in multiple modalities, as appropriate

The Planned Actions from the recommendation include:

- Continue to offer courses in multiple modalities, (e.g. asynchronous, online, synchronous, hybrid, face-to-face, etc.);
- Remove “online hybrid” modality beginning Spring 2025

Dr. Shipley stated the working group reviewed the data regarding the online hybrid modality and noticed that less than 1% of courses are being taught using this particular modality. The online hybrid was a modality that was implemented during the pandemic, mainly for lab courses, and is no longer needed or utilized. Dr. Shipley stated that 78% of courses are face-to-face or hybrid.

Advising enhancements recommendation from the Academic Experience working group:

- Hold a regular meeting between academic advising and departments to get timely updates on course offerings, catalog changes, and input on course sequencing.

The Planned Action from the recommendation include:

- Leverage the Associate Deans Council on Undergraduate Studies to facilitate communication among Advising, Departments and College Curriculum Committees.

Communication and Collaboration recommendations from the Academic Experience working group:

- Improve the onboarding experiences for the students through an online orientation;
- Host more info sessions by different academic units (e.g. library, student success centers) to make students aware of available resources;
- Host events to connect faculty and students to foster good relationships beyond the classroom.

The Planned Action from the recommendations include:

- Leverage the Ruby Tuesday group, which is a group of vice provosts who meet weekly to strategically review areas around student success to identify communication improvements related to existing resources (e.g., First-Year Journey Working Group).

Question – What is the difference between hybrid and online hybrid courses?

Answer – Dr. Shipley explained that hybrid is when the course meets face-to-face on one day and the other day is online. Asynchronous online hybrid is one day asynchronous and the other day is synchronous.

B. UTSA Office of Legal Affairs Update – Mr. Jason King, Associate Vice President of Strategic Risk Management and Chief Legal Officer (***PowerPoint presentation uploaded to Faculty Senate SharePoint site – per Mr. King, the presentation may be shared internally to UTSA colleagues.***)

Mr. King provided an update on speech and political activity due to the increase in questions received surrounding various topics (e.g. SB 17 and SB 18, current political climate, the upcoming election and legislative session, etc.) as the rules can seem complex and individuals do not want to get into trouble if they voice their opinion on these topics.

Mr. King stated in 2022 UT System adopted the Chicago Statement on Free Speech which states:

“The Board of Regents’ adoption of the Chicago Statement on Free Speech underscores The University of Texas System’s long-standing commitment to freedom of speech and expression on our campuses in a manner that promotes open inquiry, provides transparency and upholds the rule of law. We will always value and embrace the debate of competing ideas and principles.”

- Chairman Kevin Eltife

Mr. King commented that a condensed version of the Chicago Statement could read that more speech is better and faculty members are allowed and required to have opinions and engage in debate.

Mr. King provided the statement from the UT System Chancellor, J.B. Milliken, who stated:

“The freedom to openly exchange ideas is essential to learning, and the adoption of the principles of the Chicago Statement on Free Speech will support free and healthy discussion and debate across UT institutions. This freedom is at the core of the college experience and a democratic society and must be protected.”

Mr. King added that UT System has a webpage specifically dedicated to their [commitment to free speech](#), which states in part:

“In a word, the fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most individual members of the UT System community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the UT System community, not for the UT System or the UT institutions, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose....”

Mr. King added that these statements provide the context for allowing one to discuss and/or debate an idea at UTSA, which includes diversity, equity and inclusion.

Mr. King discussed the limitations provided through the Texas Government Code 556.004 which relates to political activity and states that “a state officer or employee may not use official authority or influence...to interfere with or affect the result of an election...or to achieve any other political purpose.” Mr. King stated that this would include using the name or resources of the university.

Mr. King provided guidance regarding campaigns/political activity which can be found in [HOP 2.46 Faculty Rights and Responsibilities](#) and [HOP 4.19 Involvement of the University and University Personnel in Community or Political Affairs](#). Mr. King outlined the basics from both policies:

- University employees cannot use public money, official authority, work time or other state resources (letterhead, email telephones) in support of a campaign or candidate and cannot coerce or restrict lawful contributions to a campaign or candidate.
- Unless expressly authorized by UTSA, university employees cannot lobby elected officials, their offices/staff, and/or political candidates.
- University employees can support or oppose a campaign or candidate on his or her own time and contribute personal funds in his or her private capacity.
- Under [Texas Education Code Section 51.9315\(f\)](#) free speech is specifically protected in the university's common outdoor areas.

Mr. King provided a simplified rubric for political speech:

- If you are inside the classroom and teaching a course, refer to the Chicago Statement, which speaks to academic freedom, exchange of ideas, etc.
- If you are not in your teaching mode – are you attempting to use UTSA's authority or resources? In that environment the employee/faculty member may be using UTSA for a political purpose.
- Consider in what capacity is the individual speaking? Government employee or private citizen.

Question – How can a faculty member distinguish themselves from being an expert in their field and being a private citizen when it comes to political activity/speech? Outsiders may always perceive faculty as representatives of the university and speaking on behalf of the university.

Answer – Mr. King stated the easiest way would be to state up front you are speaking as a private citizen or to state up front your comments are your personal opinion. He further stated that by not clarifying your capacity up front does not indicate any wrongdoing, but there could be analysis that needs to be clarified after the fact.

C. Report of the Chair – Dr. René Zenteno (***presentation uploaded to Faculty Senate SharePoint site and [website](#)***)

Dr. Zenteno provided a brief update:

- Completed all of the meetings between the Faculty Senators and their respective Deans and Interim Provost, Dr. Heather Shipley. Dr. Zenteno stated that the meetings were very productive. One of the outcomes from these meetings is that the Deans are amenable to scheduling meetings with the Faculty Senators in addition to the regular spring meeting. The additional meetings would take place in the fall.

D. Report of the Secretary of the General Faculty – Dr. Chris Packham – no report

E. Committee Reports

Academic Freedom, Evaluation and Merit Committee –
Dr. Ginny Garcia Alexander, no report

Budget Committee – Dr. Mary Dixson, no report

Graduate Council Chair – Dr. Victor Villarreal, no report

University Curriculum Committee – Dr. Andy Lloyd

Dr. Lloyd presented the report by the University Curriculum Committee who reviewed three (3) concentrations. Each proposal was reviewed and unanimously approved. Three members were unable to respond to the proposals and there was one abstention.

- B.S. – Kinesiology – adding a concentration in Strength & Conditioning
- B.A. – Equity & Education – 4-8 Language/Reading/Social Studies – adding a concentration in Bilingual Supplemental certification
- B.A. – Equity & Education – 4-8 Math/Science – adding a concentration in Bilingual supplemental certification

The University Curriculum Report serves as the motion to approve the three concentrations. Dr. Zaid Haddad seconded the motion. There being no further discussion, and no objections, the motion was approved and the three (3) proposals were approved by unanimous consent.

Dr. Lloyd presented the report by the University Curriculum Committee who reviewed the 2024-2026 Undergraduate Catalog. Dr. Lloyd stated the committee noticed a few minor typos which were taken care of with the Associate Registrar, Ms. Johanna Hunziker. Each college was reviewed and unanimously approved. Two members were unable to respond.

The University Curriculum Report serves as the motion to approve the Undergraduate Catalog. Dr. Mary Dixon seconded the motion. There being no further discussion, and no objections, the motion was approved and the 2024-2026 Undergraduate Catalog was approved by unanimous consent.

HOP Committee – Dr. Sonya Alemán

Dr. Zenteno provided a brief overview of SB18 which was approved by the legislature last year and thanked Drs. Sonya Alemán, Marcus Hamilton and Marie Tillyer for serving on the university committee who are reviewing the policy which will be adopted into UTSA's HOP policies. Dr. Zenteno mentioned that the Faculty Senate will need to vote on the recommendations at the May 2, 2024 meeting. He also stated that among the UT System institutions, UTSA's Faculty Senate is one of the few that is working with its leadership to review and develop procedures. He stated most of the institutions are utilizing their legal offices to write the procedures and then submitting the recommendations to their respective Faculty Senates for review and comments.

Dr. Alemán provided an update which is being submitted to the Faculty Senate and has been formulated as a policy document of how summary dismissal would operate at UTSA. The document has modifications from the Model Policy that was provided by UT System. Dr. Alemán stated the committee felt it was important to emphasize the policy being presented is a recommendation for the

summary dismissal process at UTSA and not an endorsement of SB 18, which has already been decided upon by the legislature and cannot be amended. In addition, following this meeting, a separate email will be sent from Dr. Zenteno which will contain the documents to share with each Faculty Senator's respective colleagues in their departments/schools. The recommendations will need to be voted on at the next Faculty Senate meeting which occurs on May 2, 2024. Dr. Alemán further stated that the UTSA policy must be approved by UT System and without an approved UTSA process, UT System will utilize the Model Policy.

Dr. Alemán described the changes the committee implemented from the start of the process:

- Once a decision has been made or a behavior has been identified which leads to pursuing a disciplinary action of good cause, which already exists in the UTSA procedures/HOP, or summary dismissal, the President will prepare a memo.
 - The memo should include why the summary dismissal was selected instead of the good cause process.
 - The memo should include how frequency, severity, and intentionality of behavior creates one of the following three points, which are part of the original legislative language and cannot be altered:
 - Creates a serious safety threat to students, faculty, staff, or members of the public;
 - Creates a significant threat to national security; or
 - Creates a significant adverse impact on the operation of the institution.

Dr. Alemán noted that the previous bullet points activate the summary dismissal process, but the committee requested a paper trail for the benefit of the faculty member.

- The language in the Model Policy indicated the first contact point between the faculty member and the Provost is referred to as a “hearing opportunity” and the working group is requesting the language change to “meeting opportunity” to better reflect the nature of the meeting.
- As part of the appeal process, the Model Policy had a special constructed hearing panel once a decision had been made and a faculty member was terminated. The working group is requesting to utilize the existing hearing panel and pool structure which currently exists in [HOP 2.36](#) rather than creating a new structure. This allows sufficient faculty representation on the panel and oversight mechanism for how the pool is constructed.
- The working group also added a timeline table to provide clarity about the timeliness of the process (90-day window). The reason behind the change was due to the back-pay provision if a faculty member was reinstated to their position. Faculty are only eligible for back-pay up to 90-days.

Dr. Alemán provided the following recommendations from the HOP Committee who reviewed the document:

- Clarify language regarding back pay if faculty are reinstated and whether there is any leeway on the President's part following a decision. The HOP Committee was unclear as to whether or not a faculty member is eligible to receive back pay;
- The policy be integrated and adopted into the HOP. This would allow the utmost oversight of the process and ensure more consistency across the institution on how the process is implemented;
- The HOP Committee noted that the Faculty Senate is supposed to play a role in the selection of the Standing Pool outlined in HOP 2.36. The committee wants to ensure the process for the selection of the standing pool is transparent and the list is made available to the Faculty Senate.
- Emphasize the role of the Faculty Senate participating in upper administration searches such as Chief Academic Officer and President since they are key decision-makers at the university.
- Recommend a report of how often the process of good cause or summary dismissal is being used at UTSA.

Question – How soon do we need to provide the feedback if the Faculty Senate is going to be prepared to vote on the document at the May 2, 2024 meeting?

Answer – Dr. Zenteno and Dr. Alemán agreed feedback would need to be received by April 19, 2024. Comments/feedback should be submitted to Dr. Alemán in order for the HOP committee to filter the comments.

Question – Will this policy be embedded in the HOP or will this be a new university policy outside of that document?

Answer – Dr. Zenteno stated the idea is to discuss and then approve the policy document, which will then be incorporated into the HOP.

Question – Where can we find the Model Policy that was shared by UT System? Also, where can we find the document with the modifications?

Answer – Dr. Zenteno stated these documents will be shared with the Faculty Senate in an email by tomorrow, April 5, 2024. The email will come from him.

Dr. Alemán stated that during the working group sessions it became clear they could not modify or tailor any of the language that moved a case from good cause to summary dismissal. Their focus changed to finding clarification in the process and adding protections for the faculty, which they found with adding the memo up front in the process and clarifying the hearing panel process at the end.

Question – Is this policy only applicable to tenured/tenure-track faculty? Or, does it apply to fixed-term or 9-month, multi-year contracts?

Answer – Dr. Zenteno stated termination for good cause does apply to these faculty members. Most of the changes apply to faculty with tenure, but our understanding is that this policy applies to all faculty.

Question – Please confirm that we are asking the faculty in our departments to review the model policy along with the modifications and through the lens that we are unable to modify the legislative language; the faculty in our departments are

to review the “process” and provide feedback on anything that seems opaque, is that correct?

Answer – Dr. Alemán indicated that would be where the faculty should place their focus – on the process. Dr. Zenteno added that whatever is recommended is subject to the approval by UT System.

Question – What happens if UT System does not accept the changes UTSA submits?

Answer – Dr. Kelly Nash stated that she would discuss it with Dr. Shipley, but her understanding is that UT System would review the changes and provide feedback. Dr. Zenteno added that if all of the changes are accepted by UT System, the process would move to the normal UTSA HOP review/approval process.

Comment – It may be helpful to convey to our colleagues that the committee was not tasked with developing the policy at UTSA. The Model Policy was provided by UT System. The committee was to modify certain aspects or how decisions are recorded at critical stages of the process in order to protect faculty which included having a decision process which could be tracked to assist with the appeal process. In the case of the summary dismissal track, it was not equivalent to the good cause track. The summary dismissal track is to be used in exceptional circumstances and need to be recorded through a written document.

Research Committee

Dr. Alex Godet stated that the committee recently met with Dr. JoAnn Browning, Interim Vice President for UTSA Research. They discussed research operations are improving but more needs to happen to get that area where it needs to be. The committee offered recommendations in the area of research support for faculty. The committee will meet again with Dr. Browning and will have more to report at the next meeting.

IV. **Unfinished Business – None**

V. **New Business – None**

VI. **Adjournment:**

There being no further business, a motion was made by Dr. Alex Godet and seconded by Dr. Mary Dixon; the meeting concluded at 5:00 p.m.