

**Faculty Senate of the University of Texas at El Paso  
Minutes of the Online Faculty Senate Meeting of September 8, 2020**

Meeting was held via Zoom link: <https://utep-edu.zoom.us/j/84384131639?pwd=SOVNOHByQXQOU3M1SHZkWnZlZROQT09>

Meeting ID: 843 8413 1639

Passcode: 210898

### **I. Call to Order**

Faculty Senate President Gina Núñez-Mchiri called the meeting to order at 3:01 p.m.

### **II. Determination of a Quorum**

A quorum being present online, motion to seat the alternates approved unanimously.

### **III. Consent Agenda**

Núñez reminded senators that the minutes of the July meeting of the senate had been posted for some time. Minutes were shown on the screen and Núñez recapped key points such as the mask wearing policy. The motion was made (Warak) and seconded (Leyva) to accept the minutes as posted. The motion passed unanimously.

### **IV. Announcements**

Núñez addressed the senate briefly to state that her priority this year would be for UTEP to navigate the perils of the pandemic with patience, care, and collegial support. She asked for faculty to offer support to one another and to seek academic resources on campus to help them navigate online teaching.

Núñez recognized Provost John Wiebe to make several announcements. First, the provost addressed an issue recently raised about “ownership” of the classes being presented online. Some anxiety has arisen around this issue and the provost hoped to clarify the matter and ease that anxiety. The main issue involves course ownership as “intellectual property,” an issue addressed in the UTEP Handbook of Operating Procedures, itself reflecting UT System/Regents’ Rules. Technically, the university and a faculty member jointly own the intellectual property embodied in a course created for online instruction, but (importantly) the university does not exert any ownership claim over the course contents except in a rare exception: if a faculty member departs suddenly and students would be unable to progress in their program without a specific course, the university can make use of its claim to the course for one year.

Some faculty have been asked to sign contracts mentioning this issue of ownership. To the Provost’s knowledge, these contracts have only been required for courses created when the Center for Instructional Design has been asked to help create a faculty member’s online course. The rationale for such contracts is to maximize the way UTEP’s CID’s resources are used (to allow for or promote sharing materials created) and, secondarily, to protect UTEP’s investment of resources in developing these courses. The provost is dissatisfied with the current accretion of wording in these contracts, which may cause anxiety in a faculty member and might inadvertently create barriers for a faculty member who might avail her-

or himself of the chance to develop an online course with CID's help. That language will be reviewed and improved. The provost would like to make it clear in these contracts that materials a faculty member develops would only be shared if the faculty member wanted to allow them to be shared. And the University's concern about protecting its investment would occur only in the context of a case where a faculty member used the expensive resources of CID to develop a course and then attempted to profit from the course by selling it to a competitor.

The Provost is aware that some faculty may fear that an online course could somehow be used to replace the faculty member who developed it. But the Provost assured the Senate that the administration has no interest in (and is not facing financial pressure to) replace faculty in this way. In fact, the university's status as a "Carnegie Research One" institution and its accreditation would be imperiled by greater reliance on part-time faculty. The university is currently at work to develop new structures to support non-tenure track faculty and would thus not have an interest in appropriating online courses to replace faculty.

Provost Wiebe then turned to the issue of the spring 2021 schedule and briefly outlined some lessons learned from the development of the fall 2020 schedule. The most important of these was that when courses are offered as asynchronous, they should not schedule requirement sessions for students, since many students may be enrolled in a mix of synchronous and asynchronous courses and will be unable to participate in an otherwise asynchronous course that belatedly requires students to participate at a specific time. If faculty will be teaching synchronously, the dates and times of the courses are to be noted in the spring schedule.

Provost Wiebe addressed the university's COVID-19 testing program and urged everyone who comes to campus to sign the consent form and to participate in the University's testing program, and encourage students to do the same. He reminded us that if a person has any symptoms associated with coronavirus, that person should NOT come to campus.

Finally, Wiebe mentioned that the ongoing effort to create a coherent, regularized policy of faculty titles for non-tenure track faculty is nearing completion after several years' effort. The policy should be sent to the next meeting of the Faculty Executive Council and then brought to the next senate meeting for a vote.

There was time for some questions after Wiebe's presentation. John Moya (Engineering) mentioned a previous effort to develop and sell online course content and that it foundered over the issue of "editorial control." Given Wiebe's explanation of the current situation, is there a way to guarantee "editorial control" over online content that may be shared by a faculty member. Wiebe responded that this issue has not come up but he speculated that if there were material developed at UTEP that would be sold to others, the specifics of editorial control could be part of any negotiation in a contract to be sold. Moya also mentioned that a significant issue in scheduling occurred when a course time was listed as "TBD." Núñez and Wiebe said, be sure not to schedule courses TBD if synchronous activity is anticipated.

Fleck asked whether faculty should be reluctant to use the resources of UTEP's COVID testing program. Wiebe said no, there should be no hesitation about the cost, since it's

already covered in the university budget. Some statistical issues may further govern who is asked to take a COVID test. Starting next week, a randomized sampling strategy will be used to invite people who have consented to take a COVID test.

Next, Núñez wanted to acknowledge the service of the senate's past-president, Sandor Dorgo with a plaque that recognizes his dedication and commitment. Dorgo accepted these expressions of gratitude and wished Núñez luck in her new role.

Then Núñez gave several updates. The campus COVID-19 testing program should definitely be used by all members of the UTEP community who are teaching on campus this fall. She encourages faculty to inform their students to also get tested if they will be present on campus. Also, the UT System's Faculty Advisory Committee has drafted a letter to the Regents to ask that post-tenure review be suspended in the current epidemic context. If the FAC receives a reply, she will communicate it to the Senate.

## **V. Committee Matters**

A. Núñez introduced the current membership of the Faculty Executive Committee.

B. Duarte (Health Sciences), on behalf of the Committee on Committees, presented a slate of new members to committees. This slate was approved without objection.

Duval (Science) presented a proposal from the Undergraduate Curriculum Committee for modifications to the program for Forensic Science. The proposal was approved by UGCC, the modifications were posted to the senate website. This proposal was approved by the senate without objection.

C. Tillman (Education) reported that in his role as VP of the Senate, he would be convening a meeting of all the chairs of senate committees on Monday September 14 to ask committees to outline their goals for this year and to try to address some duplication and streamlining. Genna (Liberal Arts) asked that the senate website be regularly updated with current committee membership and Núñez said that the site is regularly updated but that there has been a bit of flux with the start of the academic year as members rotate on and off committees.

## **VI. Presentations**

A. Cigdem Sirin made a presentation on behalf of the Center for Faculty Leadership and Development. So many faculty were suddenly required to teach online and the CFLD has developed resources to assist. The SOL (Support for Online Learning) will provide a series of 30-minute webinars on a wide variety of topics. Grab-N-Go is another initiative of very brief descriptions of tools for online learning. These materials, as well as information about the faculty who joined UTEP this year and the presentations that were made to orient them can all be found on the CFLD website.

B. Steve Crites offered a brief overview of where things stand from the Recovery Task Force's perspective. He thanked faculty for their work in helping with the recovery and had three requests: (1) encourage students and other faculty to participate in the campus COVID-19 testing program, (2) communicate to others in department the importance of

submitting the spring schedule Sep. 18, and (3) encourage peers and students to use the COVID screening app prior to coming to campus.

Antonio Romero made a presentation about Travel and the UTEP community. As of September 1, it is possible for UTEP community members to travel. The Travel Office will have a virtual workshop, with representatives from Southwest Airlines, about the precautions being taken by the airlines around travel during the epidemic. These will take place on 9/17 and 9/23 from 2:00-3:00. Genna (Liberal Arts) asked about refunds for travel that was cancelled during the epidemic. Romero said that Anthony Travel is keeping track of these tickets and working to get refunds for members of the UTEP community. It is important for individuals to get in touch with Anthony Travel about this issue.

Marc Cox made a presentation on behalf of the upcoming State Employee Charitable Campaign. Many at UTEP are fortunate to have a stable income during these difficult times; there are many organizations helping individuals who are not so lucky. He hopes to raise UTEP's participation in this campaign so that twenty-five percent of the individuals at UTEP make at least some, small contribution.

President Wilson added her thanks to all members of the UTEP community for their efforts to make things go as smoothly as they can in our present circumstances.

#### **VII. Adjournment**

The meeting adjourned at 4:27 p.m. Genna (move); Contreras-Sapien (second)

**Next Faculty Senate Meeting: October 13, 2020 via Zoom**