

EXECUTIVE COMMITTEE MINUTES

Present: Bradford, Fech, Franti, Hachtmann, Jackson, LaCost, Ledder, Lindquist, Prochaska-Cue, Rapkin, Schubert

Absent: McCollough, Zimmers

Date: Wednesday, September 10, 2008

Location: Faculty Senate Office, 420 University Terrace

Note: These are not verbatim minutes. They are a summary of the discussions at the Executive Committee meeting as corrected by those participating.

1.0 Call to Order

Prochaska-Cue called the meeting to order at 3:02 p.m.

2.0 Announcements

2.1 Report on Board of Regents Meeting

Prochaska-Cue stated that previous to the Board of Regents meeting she received a conference call between two of the Regents and the Faculty Senate Presidents at our sister campuses to discuss the large raises that the administrators were going to receive in order to put them at the mid-point of peer institutions for salaries. She noted that there was no mention of faculty salaries.

Prochaska-Cue stated that she thinks most faculty members would agree that the Chancellor and President deserve raises but there are concerns about the faculty salary increases. She pointed out that the two unionized campuses, UNO and UNK, are at the mid point of their peers but UNL and UNMC are not and UNL is the furthest behind in comparison to its peers. Prochaska-Cue reported that there was significant discussion at the Board of Regents meeting regarding faculty salary raises.

Fech asked Prochaska-Cue to enlighten the Committee about the different peer group that was used for salary comparisons for the administrators. Prochaska-Cue stated that the Regents decided to use a different peer group for the administrators rather than using the official peer group. The Regents did not use the official group because the administrators' salaries would be even further behind. She stated that she is concerned that the alternative peer group may be involved when faculty salaries are discussed again.

Bradford noted that the official peer group was determined through a process with an outside consultant. He pointed out that it would be okay to change the official peer group if the same process was conducted but to change it strictly for political reasons would really be problematical. Prochaska-Cue noted that the Regents threw out the outliers when determining the salary increases for the administrators.

Franti reviewed the handout provided at the Board of Regents meeting and stated that the change in the peer groups makes some sense in part because the enrollments at some of the discarded institutions were much higher. He stated that the peer list used for Chancellor Perlman is different from the one used for President Milliken.

Bradford stated that Prochaska-Cue should ask President Milliken if there is anything going on behind the scenes about changing the official peer group.

Ledder stated that there is a clear logic in the changes that they made to the peer list for the administrators. He noted that they removed all of the universities from our official peer list where the Chancellor reports directly to someone higher than a President. There are only three schools in UNL's peer group where the Chancellor reports to the President of a university system and these three were used in the new peer list.

Prochaska-Cue stated that other items discussed at the meeting were a report on women and people of color and merit based and merit-based and need-based financial aid.

2.2 Report on Deans and Directors Meeting

Prochaska-Cue stated that SVCAA Couture reported that the administration is looking into measuring metrics of success. Prochaska-Cue stated that the faculty needs to know what input will be in determining these metrics. Lindquist wondered if these metrics will be a way for administrators to evaluate what departments are not doing well. The Committee agreed to discuss these metrics with SVCAA Couture during the meeting on September 24th.

Prochaska-Cue reported that the state auditor is conducting an audit on rentals of vehicles and anyone with a purchasing card. She noted that the auditor will go to the faculty or staff member who made the charge for explanation.

Prochaska-Cue reported that most faculty and staff are signed up for the UNL Alert system but only 25% of the students are signed up for it. She stated that campus security is trying to increase the number of students registered for the alert system.

Prochaska-Cue reported that campus security is giving a Powerpoint presentation on situational awareness and the protocol that should be used in responding to dangerous situations. Bradford suggested that the presentation be made into an automated Powerpoint presentation that is available on line so people can check into it.

Prochaska-Cue noted that a list of the approved courses for the ACE program was distributed at the meeting and capital construction projects were discussed.

Prochaska-Cue reported that VC Jackson talked about parking. VC Jackson stated in the meeting that in 2005 there were 15,000 parking spaces, in 2006 it went to 16,000 but it is now back down to 15,000. There was also discussion about what lots will be closing in the spring semester. Lindquist stated that we should get a complete accounting of the

money that is being paid for lost parking spaces due to construction and how this money is being used.

2.3 Request from Friendship Force

Prochaska-Cue stated that the Senate Executive Committee has had a request from Friendship Force, a community-based organization that arranges exchanges with different countries, to have a group of administrators and faculty members visiting from Tajikstan attend one of the Executive Committee meetings. The date being considered is October 22nd. The Committee agreed that this would be fine. Prochaska-Cue noted that the Committee is meeting with the administrators that day and she will check with them to see if they have any objections.

3.0 Approval of 9/3/08 Minutes

The Committee approved the minutes as amended.

4.0 Unfinished Business

4.1 Information Technology Survey

The Committee began working on the survey. A suggestion by a faculty member was made to have a trial-loan period for considering some kinds of new equipment. Bradford stated that he would like to see a response referring to strong support of local control of distributive computing. Jackson noted that local control can be maintained without having an actual piece of equipment on a desk or even within a department. Ledder wondered whether local control is possible for departments that don't have a lot of resources. Bradford stated that departments could cooperate through a coordinated system.

The Committee then discussed the email system. Ledder pointed out that his department has its own email system which it controls. Bradford stated that he is considering not using the university email system and using something like gmail instead. Jackson reported that there are people on campus who are aware of the problems with LotusNotes. He pointed out that there is potential for savings when the email system is centralized. Franti asked if gmail is more individually or locally controlled. Bradford stated that it is individually controlled.

Jackson stated that he believes one of the major priorities of Information Services should be to develop a network structure that would deliver very high bandwidth into each office. He also stated that there would be value in having 2nd or 3rd tier technical support within Information Services. He stated that what is missing with Information Services is the upper level support structure. He noted that many local units have a local tech person but there should be a place where these tech people can go for further technical assistance.

Jackson suggested that department servers could be located in a central place. This would allow the equipment to be in controlled climate conditions. Ledder asked if the hardware is in a central location would departments continue to have a department

internet address or would it be just a folder. Jackson stated that the department would maintain its internet address.

The Committee will work further on the survey at the next meeting.

4.2 Affirmative Action Initiative Discussion at October Senate Meeting

Ledder stated that he didn't think there would be much of an effect if the initiative passes. Bradford stated that he can foresee statistical evidence being used in lawsuits.

Fech asked how the initiative would affect scholarships. Bradford stated that it would definitely have an impact on scholarships. They could no longer be limited only to people in the groups listed in the initiative, nor could status in one of those groups be a consideration in awarding them. He noted that someone could bring an action for an injunction to keep the university from giving scholarships out to certain individuals based on specific criteria.

Fech noted that the initiative lists five criteria but noted that sexual orientation is not listed. Bradford stated that the initiative states only race, sex, color, ethnicity, or national origin as the criteria. Fech asked if scholarships that specify someone must be from a particular part of the state would become illegal. Bradford stated that the initiative would not affect this type of scholarship.

Schubert asked how other states treat their diversity issues. Bradford noted that California and Michigan have affirmative action bans and they have had to comply with the law. LaCost stated that she has spoken with people in California at other institutions and they are getting things done that they did before, but they just might have to do things a little differently.

Ledder wondered whether it was clear that the university wouldn't be able to have scholarships for specific groups of people. He noted, as an example, that just because a certain amount of money is set aside for women doesn't mean that more women than men will get scholarships to the university. Bradford reported that he believes some scholarships have already been changed so they aren't limited to only people in a certain class.

Fech asked about private versus public funding of scholarships. Bradford stated that scholarships administered through the foundation would probably be affected by the initiative.

Fech asked if the initiative will have any kind of impact on student groups on campus. Ledder noted that this can be resolved by allowing people from outside the specific group to be a member of the group.

Franti asked why sex is considered the only bona fide qualification in the initiative. Bradford stated that it may be due to the fact that there are some things where gender differences are important, such as locker-room attendants.

The Committee agreed to invite a person from each side of the issue to come and speak at the October meeting. The Committee agreed that each of these people have no more than 10 minutes to speak and that there will be a question and answer period following.

Prochaska-Cue asked if the Executive Committee wanted to draft a resolution prior to the Senate meeting. Ledder suggested that the Committee not have a resolution. Griffin pointed out that Rapkin feels that the Committee should come up with a well crafted resolution. Prochaska-Cue noted that Rapkin indicated he would draft a resolution. Discussion will continue at the next meeting.

The Committee will address the issue further at its next meeting.

4.3 Office of Research's Policy for Responding to Allegations of Research Misconduct

Jackson reported that he spoke with Dan Vasgird, Research Compliance Director, who stated that it is his understanding that in 2005 the federal government found UNL's procedures for handling research misconduct were inadequate. Jackson stated that he assumes that if the procedures had not been corrected the university could lose federal funding. Vasgird was assigned to work and develop a policy that would meet federal guidelines and requirements. He pointed out that the Research Office's policy fundamentally charges the Vice Chancellor to do the investigation, make a decision, and employ sanctions in cases of misconduct.

Bradford noted that when the policy was developed a footnote was inserted into the Academic Rights & Responsibilities Committee (ARRC) procedures for Professional Misconduct-B regarding the Office of Research policy. He pointed out that the Research policy states that there will be an inquiry and an investigation but does not state what happens after this. He stated that once the Research office investigation is complete the ARRC procedures should be invoked and it is the ARRC hearing committee that should make a recommendation on what sanctions to take.

Lindquist pointed out that the Regents Bylaws clearly states that only the Faculty Senate Committee is allowed to do any kind of investigation of misconduct. Jackson stated that it is the Research Office's perspective that they are supposed to do administrative actions including termination of institutional employment. Bradford pointed out that only the Board of Regents has the authority to terminate a faculty member. Jackson noted that the federal government has formally approved the Research policy and if changes are made to it then the government would need to approve them.

Bradford stated that he thinks the Research Policy can fit with the ARRC procedures. Lindquist stated that some kind of recommendation needs to be made in order to rectify the problem. Ledder pointed out that administrators sometimes obtain input from faculty appointed by the administration, but that the faculty are really represented only if committees are chosen by the faculty.

Fech suggested that a flow chart showing the steps of the procedures might be helpful. Jackson stated that he thinks some things should be removed from the Research policy and that a flowchart would be helpful. Bradford stated that under the existing rules we can interpret that the Research procedures be followed but if there are any sanctions then the ARRC's Professional Conduct-B procedures must be invoked.

LaCost asked if a flowchart could be easily used to explain to departments the procedures that would be used if there is a case of professional misconduct. Ledder stated that a flowchart won't address specific violations of conduct it would just show the flow of the process.

Schubert stated that this is a serious issue that needs to be addressed if people are going to feel comfortable to do research. He stated that there needs to be some kind of protection for researchers and one person should not be making the final decision. Instead it should be a faculty committee selected by the faculty.

Prochaska-Cue stated that the Executive Committee should draft a statement and raise it with the Chancellor and VC of Research. If need be, it will be taken to the Senate.

5.0 New Business

5.1 Review of Senate Meeting

Prochaska-Cue noted that the issue of substitutes and proxy voting was raised during the meeting. She asked the Committee if a change was needed to the Rules of the Senate about proxies. Bradford pointed out that Roberts Rules of Orders addresses proxies. Lindquist pointed out that we need to know if the person making and seconding a motion is a Senator. Jackson suggested that substitutes be required to have a different colored nametag. That would indicate that they were observing for their department. Bradford suggested that the President make a statement about this as well at the beginning of each Senate meeting.

5.2 Research Council Members Needed

The Committee suggested names for people for the Research Council.

5.3 9 month Faculty Appointments and Vacation and Sick Leave Time

Prochaska-Cue stated that she was contacted by Zimmers about a faculty member who feels that it is unfair that 9 month faculty members not to receive the same amount of vacation and sick leave pay. Lindquist pointed out that this is primarily an issue in IANR because some faculty members have both percentage appointments (e.g. 80% research/20% teaching) and an academic year appointment. He stated that most 9 month appointments are 80% research and they are not allowed to take summers off. He pointed out that it seems more people are being hired on 9 month appointments.

Franti asked if the faculty member with a 9 month appointment agreed to this. He pointed out that the person could have argued for a 12 month appointment at the time of hiring if they wanted vacation and sick leave.

Ledder stated that he thinks the issue should only be considered if vacation and sick leave time were given to faculty members on 9 month appointments at other institutions.

Prochaska-Cue asked if this is an issue that should be given to the IANR Liaison Committee. Lindquist stated that they are the more appropriate group to look into this.

The meeting was adjourned at 5:10 p.m. The next meeting of the Executive Committee will be on Wednesday, September 17th at 3:00 pm. The meeting will be held in Faculty Senate Office. The minutes are respectfully submitted by Karen Griffin, Coordinator and David Rapkin, Secretary.