

EXECUTIVE COMMITTEE MINUTES

Present: Fech, Flowers, Konecky, LaCost, Lindquist, Rapkin, Shea, Stock

Absent: Bolin, Franti, McCollough, Prochaska-Cue, Schubert

Date: Wednesday, November 11, 2009

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

Fech called the meeting to order at 3:03 p.m.

2.0 Announcements

2.1 December 8th Senate Meeting

Fech announced that Associate Vice Chancellor Espy, Office of Research, and Professor Boden, Co-Chair of the Academic Rights & Responsibilities Committee, will be attending the December 8th Senate meeting to address any questions about the Research Misconduct Policy.

2.2 Academic Freedom Recommendations

Fech reported that the Academic Rights & Responsibilities Committee will be reviewing the academic freedom recommendations. He noted that the ARRC will report back to him on the meeting.

3.0 Minutes of 11/4/09

Shea asked for clarification on several comments made in the minutes. Fech stated that further information will be provided to clarify the comments.

4.0 Unfinished Business

4.1 Research Misconduct Policy

Lindquist reported that he received a message from Emeritus Professor McShane about revisions to the recently distributed draft of the Research Misconduct Policy. Lindquist noted that most of the revisions are minor. The Committee discussed how best to present the newly revised draft to the Senate. Fech stated that he would contact Professor Chouinard, Parliamentarian for the Senate about the correct procedure for handling the changed document.

Shea suggested that the newly revised policy be sent out with highlights to indicate where changes have been made and it should be sent out quickly so the senators have a chance to read it. Konecky asked if the changes are worth making. Lindquist stated that, from what he has seen so far, the changes make the document read better.

4.2 Professor Scalora to Meet with Executive Committee and Senate

Fech noted that Flowers spoke with Professor Scalora, a member of the Threat Assessment Group, about meeting with the Executive Committee and speaking to the Senate. Flowers reported that Professor Scalora and Chief Yardley have agreed to meet with the Executive Committee first and then the Senate in January.

Flowers noted that Professor Scalora is interested in learning about college protocols in dealing with situations similar to that of the Ayers' situation. He stated that Professor Scalora is also interested in what someone would do immediately in times of emergency, such as if gunshots were heard down the hall while teaching a class.

Lindquist noted that Professor Scalora wrote in an email to the Chancellor the day after the cancellation of Ayers' visit suggesting that recorders should be used to record future threatening phone calls. He noted that Professor Scalora might have some good ideas on the kind of efforts that can be implemented to ensure the safety of the campus.

Fech noted that one of the academic freedom recommendations suggests training for the staff in dealing with hostile phone calls. Rapkin pointed out that the ad hoc committee was surprised to learn of the extent to which staff members were overwhelmed with angry phone calls during the Ayers' incident. Lindquist suggested that a quick press release could be issued addressing the situation and information can be provided to the faculty and staff about how they should respond.

4.3 Academic Freedom Recommendations

Fech reported that he met with Interim Dean Berens, College of Journalism & Mass Communications, about the college having a protocol in place to deal with the cancellation of guest speakers. He stated that Dean Berens was very supportive and receptive to the idea and the College has developed a short policy.

Fech reported that he met with Dean Oliva, Hixson-Lied College of Fine & Performing Arts, who was also receptive and willing to have a college protocol created. This will not be done until the College's Steering Committee meets again. Fech reported that he will be meeting with Dean Kostelnik, College of Education & Human Sciences, and Dean Manderscheid, College of Arts & Sciences, in December to discuss the issue. He noted that he will be speaking at the Deans and Directors Council in December about it as well.

Rapkin asked if interest in the idea of having a conference on academic freedom is fading. Fech stated that he thinks the effort is on considering other ways of educating people on academic freedom. He stated that we need to explore what will work best: lecture series, conference? He reported that there was not strong support at the IANR luncheon for having a conference. Lindquist stated that there was strong support for the idea of educating people about academic freedom but no one was interested in organizing an event.

Fech wondered whether a group of previous James A. Lake Award winners would work on organizing an event. He pointed out that a series of lectures might be more easily accomplished and more successful. He suggested asking the Senate to come up with a proposal.

Shea stated that the issue of academic freedom is a high priority for some people but he believes many others do not see it as an issue. He pointed out that if there is no interest in working on developing an event than this could indicate that people aren't that interested. Rapkin noted that in disciplines where there is little controversy about the work being done there is probably little concern for academic freedom, but in those disciplines where the work is more controversial, there is probably a greater concern for academic freedom.

Rapkin floated the idea of changing the responsibilities of the Academic Freedom Award Committee (AFA) to include arranging a lecture series. He questioned what it means when the Academic Freedom Award is not given for several years due to lack of nominations. LaCost suggested that the AFA should create awareness about the award earlier in the year so people have a chance to think about it. Griffin stated that a call for nominations is sent out to all faculty members in January. Included in the call is information about academic freedom, the James A. Lake Award, and the procedures for nominating someone. Fech stated that he will make an announcement at the December Senate meeting about the James A. Lake Award.

Fech stated that it appears that having a lecture on academic freedom would be more beneficial. Konecky suggested that it could be done once a year, timed closely to the Academic Freedom Award. She noted that having a lecture would raise awareness about the issue on campus. She stated that someone could be invited each year to speak about it. She pointed out that a lecture would fit better into people's schedules than a conference.

Rapkin noted that the Chancellor has tentatively agreed to support either a conference or lecture. Konecky stated that the lecture should be open to the public. Lindquist stated that he liked the idea of having a lecture associated with the EN Thompson forum.

Stock stated that he thinks colleagues are apathetic in how much you can talk about the subject. He suggested that if there were a series of lectures that speakers be chosen who would provide different aspects on the issue.

LaCost noted that there is a lot of information on-line about academic freedom and suggested checking the web to see what is going on with the issue. She suggested asking AAUP members if they might be interested in working on arranging a lecture.

4.4 Pay for Distance Education Courses

LaCost reported that she is working on putting an outline together for the Committee on the materials provided from Central Administration on the NU Online Worldwide

program. She stated that she is going through all of the material and so far has not found anything that is a major concern for the faculty.

Rapkin asked if there was any discussion about other universities where distance education programs have failed. LaCost stated that there is no information in the material about this, the materials look at universities similar to ours.

Fech stated that he has a concern about the university making the decision on who teaches the course. LaCost stated that documents on the university's intellectual property rights need to be reviewed. She understands that the distinction of who owns a course is made clear in the intellectual property policy.

Rapkin wondered if there has ever been a case where a professor leaves the university and has been prevented by this intellectual property provision from taking with her and using elsewhere a course that she developed here. Konecky stated that there is nothing to prevent an instructor from going elsewhere and regenerating a course they developed, but it would probably need to be in a different design.

LaCost stated that she will consult with Professor Uerling in her department who has a lot of information on intellectual property rights.

5.0 New Business

5.1 Smoking Policy

Lindquist asked what happened to the smoking policy item that was on previous agendas. Fech stated that after talking with the ASUN representative on this committee, he thought it would be easier if he joined it. He noted that the committee is just gathering information about people's opinion regarding smoking on campus. He reported that he will follow up with the ASUN person leading this effort.

5.2 Invite Major Ford to Speak to the Senate

Fech asked if the Committee feels that Major Ford, Military Science, should speak to the Senate regarding the proposed changes to the student absence policy. The Committee felt that it was not necessary to have Major Ford speak to the Senate but suggested inviting him to attend the meeting. If any questions are raised he could address them at that time.

5.3 Military Absences and Distance Education

Fech noted that Prochaska-Cue asked him to raise this issue. He asked if the curriculum presentation of distance education requires a separate student absence policy. Konecky pointed out that the standing student absence policy supports distance education as well. She noted that the policy makes the student responsible for having a conversation with their instructor if they will be absent, regardless of where they are located. She stated that the policy gives dual protection for both the student and faculty member,

5.4 Naval ROTC Unit Membership

Fech stated that ROTC has received orders asking that they interact more with faculty on campuses and CDR Kevin Wesely is requesting membership in the Senate. Rapkin asked

if he is eligible. Griffin reported that a number of years ago the Senate withdrew ROTC as a district because most of the instructors teaching in ROTC are there for only three years. She pointed out that UNL Bylaws states that equivalent rank faculty members on special appointments must have three successive years of employment at .50 FTE in order to be a member of the academic assembly. She stated that the question is how ROTC instructors are defined.

Konecky suggested that a member of ROTC could be a liaison to the Senate. Fech stated that they could have a representative similar to UAAD, UNOPA, and ASUN. Lindquist noted that they would certainly be welcomed to attend the meetings but if they don't meet the criteria for being part of the academic assembly then they could not have voting rights.

Flowers suggested asking the Chancellor or SVCAA Couture for clarification on how the ROTC people are classified.

The meeting was adjourned at 4:50 p.m. The next meeting of the Executive Committee will be on Wednesday, November 18 at 3:00 pm. The meeting will be held in the Faculty Senate Office, 420 University Terrace. The minutes are respectfully submitted by Karen Griffin, Coordinator and David Rapkin, Secretary.