

EXECUTIVE COMMITTEE MINUTES

Present: Bender, Guevara, Joeckel, Konecky, Nickerson, Purcell, Rinkevich, Ruchala, Rudy, Sollars, Woodman

Absent: Steffen, Wysocki

Date: Wednesday, December 3, 2014

Location: 201 Canfield Administration Building

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

Nickerson called the meeting to order at 3:05 p.m.

2.0 Chancellor Perlman/VC Green/SVCAA Weissinger

2.1 Progress of the IANR Resource Optimization Task Force

- Infrastructure of Southeast R & E and Northeast R & E

VC Green stated that in July he received an initial report from the IANR Resource Optimization Task Force which was charged to look into the infrastructure across Nebraska, primarily in regards to land use, to see whether we are optimally invested to meet our needs now and in the long-term. He noted that IANR manages approximately 40,000 acres in Nebraska. He stated that other charges to the Task Force were to look at how to effectively manage the Institute's technology/media needs; whether we are optimally resourced with the districts across the state in terms of administrative structure; and to review the management structure of IANR upper administration.

VC Green stated that from the July report a recommendation was received to look at eastern Nebraska to see whether the Northeast Research and Extension Center and the Agricultural Research and Development Center at Mead could be restructured and whether we have more land than is needed. He noted that, in particular, land at Mead, Haskell, and near Virginia, NE, where there is a cattle research station, are being reviewed. He stated that he has asked the Task Force to work on an implementation plan to look at the financial and personnel components of the Northeast and Southeast research and extension districts to see if it would be beneficial to create an Eastern district, similar to the West Central and the Panhandle districts. He noted that the Task Force report did not recommend any changes to the western sectors and felt that the districts there were generally optimally resourced.

Nickerson asked if consideration is being given to the huge increase in the price of the lands being looked at by the Task Force. VC Green stated that the Task Force is considering how much land we need for our research and extension programs. He noted that if we have more than we need, it may be appropriate to sell some of the land. For instance, the land at Mead has been in the Institute's portfolio since the 1940's and the

structure of it is largely how it was since 1950. The question is whether we really need all of the 9,600 acres on this site. He pointed out that the farm land can be worth approximately \$12,000 - \$14,000 per acre today. He noted that a decision has been made to sell the Virginia property as it is now excess to our research and extension needs. He pointed out that there are two sections to this property, one which has not been farmed and is considered native prairie land. He stated that the Institute is seeking ways that will allow this land can be put back into the private domain while retaining the donor's wish to keep the land as native prairie.

VC Green stated that he has asked the group working on a proposed implementation plan (including financial and management models) to complete it by the end of this month. Following his receipt of the report, he will be evaluating if and how to move forward, including seeking internal and external feedback on the proposals.

2.2 Update on East Campus Housing

Chancellor Perlman reported that the Board of Regents approved the construction of East Campus housing which will hopefully be ready by June 2017. He noted that one of the Regents asked whether it would be possible to retain Burr, Fedde, and the Cather Pound dorms and use them for less expensive housing. However, a careful study was conducted to see if this could be done but it was determined that it would not be financially feasible.

VC Green stated that he is very pleased that the plans to provide new housing on East Campus is moving forward. He noted that he recently read about the history of East Campus and the residents and learned that Burr and Fedde were not built until the early 1950's, before that time there were no resident students on the campus. He noted that the new residence hall will house 370 students and will hopefully be ready by fall of 2017.

2.3 Update on 5% Assessment on Revolving Accounts

VC Green reported that the results of the assessment will not be reviewed until later this year. He noted that each account that asked for exemption from the assessment has been reviewed. He stated that it is estimated that \$500,000 - \$600,000 in revenue will be obtained from the assessment and this money will go back into deferred maintenance. He pointed out that the process will be transparent.

Nickerson asked if the assessment has always been identified as needed for deferred maintenance. VC Green stated that it was stated, but the process to identify the greatest need for maintenance has not yet been determined. He noted that initially his administrative team thought that there would be approximately \$1.4 million for use, but this figure was based on all auxiliary accounts being assessed the 5% based on data from FY 2012. He stated that once some of these accounts were exempted and the market data was considered it was determined that the revenue would not be near the original perceived total. He stated that he is pleased with the way the process has turned out and how transparent it has been. Purcell noted that the assessment has been done quarterly. VC Green pointed out that the money initially goes through VC Jackson's office but then transferred to the Institute.

Purcell noted that one of the accounts in her office must be used for the purchase and sale of UNL publications. She noted that when UNL publications are sold the customer is charged the UNL price and the 5.5% state sales tax and the local city sales tax if any, and now in addition the account is being hit with the 5% assessment which is not passed on to the customer, but is coming out of the account regardless. This would be true for all 83 extension offices through the state. VC Green stated that this needs to be brought to the attention of Assistant Vice Chancellor Bassford.

2.4 Restructuring of EdMedia

VC Green reported that the restructuring of EdMedia is already occurring and beginning January 1, 14 FTEs will be retained, but there will be a reduction of another 14 FTEs. He noted that 3 FTEs will be added back as new positions. He stated that fortunately several of the employees in the reduction-in-force have found positions elsewhere already and UNL is providing as much assistance as possible to them in the transition period.

Woodman asked if the Institute is required to give the employees losing their jobs preference for positions within the Institute. VC Green stated that the Institute is not required, but these employees have been identified and have been given help in finding positions.

VC Green pointed out that the restructuring of EdMedia is a big transition for the Institute. He stated that the services provided by the eliminated positions are now being centralized within the university as a whole and IANR is working more closely with Information Technology Services and University Communications. He stated that so far the transition has gone well, and the planning is in place for needs to be met.

2.5 Faculty Concerns over Pellini Buyout Package

Chancellor Perlman pointed out that paying a coach the remainder of his/her salary as defined in their contract is standard practice nationally for college sports. Extended contracts are essential because if a coach does not have at least a 4 year or 5 year contract, other coaches tell recruits they can't count on that coach to be there very long. He noted that if former Coach Pellini, or any of the assistant coaches, become employed elsewhere that the amount of their new salaries will be deducted from the buyout money that UNL has to pay them. He stated that all of the money involved comes from Athletics and does not involve any state funds allotted for academics.

2.6 Status of Revising Documents Pertaining to Extension Educators' Memberships on Outside Boards

VC Green noted that the issue first surfaced back in February when two of our extension educators were on the board of the Nebraska Sustainable Agriculture Society, one of whom was an elected officer. He pointed out that the extension educators have been identified by the Society as university extension agents. A conflict of interest arose when the Society wanted to bring in a guest speaker from the Humane Society of the U.S. whose organizational agenda is contrary to state of the science and practice as supported by research of the university. As a result, Dean Hibberd asked these extension educators to step off the board because of the perceived conflict of interest.

VC Green noted that the university has clear policies in regards to faculty members with extension appointment doing consulting work for a Nebraska entity, because they are already getting paid to do this kind of work by the state. He pointed out that there are no policies that prevent an extension faculty member from serving on a board or society as a public citizen, but they should not be serving as a representative of the university. Even if one tries to separate themselves from their university role, there could be some conflicts of interest, particularly in local communities where extension educators serve.

Nickerson stated that he thought there would be a compromise for the involved individuals if they served on the Society on a personal basis, not as a representative of Nebraska Extension. VC Green stated that this is possible, but the individuals need to determine in each case whether serving on a board will potentially present a conflict of interest from which they cannot isolate their Nebraska Extension role. Purcell reported that when she spoke with one of the individuals involved she was informed that the individual was serving on the Society's board on her own personal time. The person just reported it as outside community service on her Activity Insight report. VC Green pointed out once again that the conflict arose because the Society was referring to the extension educators as representing UNL Extension. He noted that he has to recuse himself whenever anything comes up involving the university a number of boards on which he serves, even though he has been approved to serve on the board. He stated that as employees of the university we have to determine whether we can separate ourselves in making decisions that could be considered a conflict of interest. He noted that this is very difficult to do when the board is in the state and as an extension faculty member your remit is the State of Nebraska, or a given local area of the state.

Joeckel stated that the VC's comments shed more light on the situation. He asked if the crux of the matter is in the misrepresentation of the capacity of the people by the Society itself, not the individuals. VC Green stated that if a given board does not consider the individuals as representing the university, or reference them publicly in this way, that should be acceptable. That was not perceived to be the case in the earlier situation causing the concern. Joeckel asked if the people were encouraged to rejoin as individuals. VC Green stated that he informed Dean Hibberd that people should be able to serve as individuals. Joeckel asked if VC Green could tell these people this information directly. VC Green stated that he will do this. Joeckel asked if employees could report their service on the Activity Insight report if they took it upon themselves as a public citizen to serve. VC Green stated that they could do this. He pointed out that this discussion shows what a very complex position extension educators have because they serve the community and work for the university. Their job is to translate the university's research to the greater public, and they cannot be involved with outside activities as an extension educator that conflicts with the university's research.

Nickerson stated that he gathers that the actual document and policy regarding this issue is not a standing policy and is in the process of being written. He noted that his last message from Dean Hibberd is that the draft policy is going directly from him to the university lawyers. He stated that he would like to see it before it goes to the lawyers.

Bender pointed out that the Executive Committee should have the opportunity to review the document. Ruchala stated that it would make sense for the Executive Committee to see it before the lawyers because they have to review a document in its entirety to make sure that it is in compliance. SVCAA Weissinger noted that there is a broader principle involved with the creation of a document. She pointed out that the first fidelity is to the faculty that are governed by a policy, or a change in policy, and she is trying to vet what role the Senate plays in vetting the policy for Extension. Nickerson stated that the Senate wants to make sure that the rights of extension faculty members are protected. SVCAA Weissinger suggested that the extension educators get the opportunity to vet the document.

Bender asked if there is a parallel policy for non-IANR faculty members. SVCAA Weissinger pointed out that there is the Conflict of Interest policy that covers all employees. Most of it deals with fiscal, intellectual property, and outside activity.

Ruchala questioned the conflict of interest policy's role in situations where a faculty member is involved in outside activity where there is no financial contract, but the faculty member's personal beliefs are opposed to the university's beliefs. She asked whether extension educators' roles are any more complicated than regular faculty roles. She noted that her research at the university may have led her to form opinions that are contrary to the position the university may take. She asked why it is the role of the extension educator to only translate the university's research versus all of the research that they might have read about. She noted that if they have the right to broadly disseminate the research they might regularly have some differences of opinion. VC Green pointed out that extension educators are charged with cumulative evidence in an area, and their principal mission is to translate everything about the current state of understanding of a subject matter to the public. Ruchala asked if the extension educators are able to differentiate the research and give their personal opinion. VC Green stated that people do this all of the time. Ruchala stated that she does not see any problem with extension educators making a distinction between their personal views and the university's view. VC Green pointed out that the science related to animal agriculture is very clear, area which made the situation with the extension educators very difficult and created the conflict of interest.

Joeckel stated that the specific points that have been in dispute might shed light on the issue at large. VC Green noted that ultimately the CEO of the HSUS was unable to make it to Nebraska to speak. The problem is that HSUS has a stated goal of eliminating animal agriculture whereas the University does critically important research in this area supporting animal agriculture – Nebraska's single largest economic industry. Joeckel asked how many faculty members in IANR are involved in animal agriculture. VC Green reported that there are approximately 1,975 faculty and staff members in IANR and estimated that at least half are involved in work related to animal agriculture. He pointed out that the Nebraska Sustainable Agriculture Society does a lot of good and very worthwhile things that university research and education efforts support, particularly with economic development through additional agriculture and food product market stratification (e.g. local foods and community supported agriculture). He noted that

extension educators can regularly contribute to the Society's programs and impacts, but to have a person serving on an elected board where decisions are made that can be in conflict with the university, and the person is representing the university, is where a conflict of interest can occur.

2.7 Should Faculty Members Inform Colleagues of Availability of Faculty Short-term Apartments in the former Valentino's Complex?

Nickerson reported that a notice was received that the suites available in the former Valentino's Complex on Holdrege Street are open and ready for occupancy. He asked if this information can be distributed to the faculty as a whole. VC Green stated that the 13 rooms just came on line earlier this fall and have not been fully utilized yet, although their use is picking up as people in IANR become more aware of their availability. He noted that Assistant VC Bassford's office manages the facility. He noted that until his office gets a sense of how full the suites will be from IANR demand, he does not think it should be promoted because he does not want Assistant VC Bassford's office to have to choose who can use the rooms. For more information about the rooms people should go to: <http://ianrhome.unl.edu/apartments>. He stated that he should have information in the spring as to how the rooms are being occupied. He noted that at this point we should at a minimum break even on the project financially.

Nickerson asked if there might be any more housing for campus to use when the second building in the former Valentino's complex is finished. VC Green reported that the second building is now under construction and will be a mirror image of the currently completed complex. The top two floors of the second complex will be identical to the 26 units in the first complex and will be available for public leasing. He pointed out that if the first 13 rooms are successful in the current configuration, there could be greater demand for additional rooms. Nickerson asked if we are committed beyond the 13 units. VC Green stated that we are only locked into a one-year lease on the first 13 units to allow us a chance to evaluate the demand and use. If we determine need for more (or less) units, we will address that at the end of the first year.

2.8 Possible Change to UNL Logo (since UNMC's logo has changed to Nebraska Medicine and Extension is now Nebraska Extension)?

Chancellor Perlman reported that if you look at the recruiting materials, the logo used is always Nebraska, not UNL. He noted that within the university system we are UNL, but most publications just say Nebraska and that is how we are recognized outside of the state and we will see this evolve overtime in all of our publications. SVCAA Weissinger pointed out that the campus is embracing the word Nebraska more consistently.

Joeckel asked if logos for departments and programs at UNL will be revisited. VC Green pointed out that there is a new communications tool box and the N logo is much easier to use. SVCAA Weissinger noted that the days of individual faculty members, departments, or programs to design their own logo are gone.

2.9 Upcoming Issues

VC Green reported that IANR is moving forward with the next phase of hiring. He stated that in total there will be 34 hires, half of them will be new positions while the other half will be to replace positions vacated by those who have left the university. Nickerson asked if the plan is to have these positions filled by August 2015. VC Green noted that he just released 27 of the positions, which will hopefully be filled by the end of 2015, and the additional three will be filled once a new director of virology is in place. He pointed out that the remaining four positions are in the university budget request and are associated with the Rural Futures Institute. Those will be recruited after the funding is finalized from the upcoming state biennium budget discussions.

SVCAA Weissinger stated that she has not been able to meet with the Executive Committee much this year due to scheduling conflicts between the APC and the Executive Committee. She noted that she is a voting member of the APC and there have been a number of agenda items that required a vote. She suggested that the Executive Committee and the APC try to resolve the scheduling conflict between the two committees.

SVCAA Weissinger reported that the decision on her part to return to the faculty has been a very planned and positive decision on her part. She pointed out that when she accepted the position she told the Chancellor that she would serve for three years, and then she wanted to spend the last part of her career as a faculty member conducting research. She stated that it is very difficult to know when and how to leave a leadership position, but there has been significant pull to get back in her department which now has many new assistant professors. She stated that she is excited to be returning to a department that is re-imagining itself and she feels she can learn a lot from the new assistant professors. She noted that it occurred to her over the last few months that the key to leaving a job is when the organization is at its peak and she feels the Academic Affairs enterprise is at this point.

SVCAA Weissinger reported that the search committee for a new SVCAA is great and that VC Green is chairing it. She feels that the campus and the SVCAA position is in a very different place than it was four years ago and she is confident that someone with high energy and optimism can be attracted to the position, although she acknowledged that it will not be an easy change for the campus. VC Green reported that the search process has begun and the committee has met with the search firm and hopes to be well into the market during the spring semester. Nickerson noted that he is a member of the search committee and he has been asked to suggest suitable applicants for the position and encouraged others to do the same.

3.0 Announcements

3.1 TIPS Prevention Meeting

Guevara reported that 55-59 reports have been made to TIPS since it was initiated and the nature of the reports vary widely, from complaints that the health care benefits are not treating people equally to reports that cannot be acted upon because of limited information. He stated that three reports involving faculty members were made and the

faculty involved have been notified through existing channels. He noted that one of the reports was serious, but all have been resolved. He stated that another separate report, not involving a faculty member, was made by a student regarding stalking and the police got involved to handle the incident.

Guevara reported that the team monitoring TIPS have come up with some issues that they feel need to be resolved, one of which is the need to have accessibility to handle reports through their smartphone so the reports can be dealt with quickly. Other issues are modifying some of the language on the home page and some people feel that the link hides too quickly. He noted that only two people have access to the information, Associate to the Chancellor Nunez and Assistant Vice Chancellor Currin.

Woodman stated that there is concern about whether a report becomes part of an employee's record. Guevara pointed out that the reports do not go into a personnel file. He noted that Associate to the Chancellor Nunez has made it clear that proper procedures will be followed whenever a faculty member is involved, although this is not in writing. Woodman asked if a report will be kept in the TIPS system. Guevara stated that it can be expunged, but this is an issue that the Executive Committee needs to monitor.

Nickerson asked if the system is worth the cost. Guevara pointed out that the stalking incident reported through TIPS is a good example of why the program is worth the money, although it is not that expensive. He noted that for most people the program is worth it because it can solve problems that may not have been raised before.

3.2 Academic Scheduling and Policies Advisory Group

Sollars stated that the ASPC met this morning and she will report on it next week.

4.0 Approval of November 19, 2014 Minutes

Joeckel moved for approval of the minutes as revised. Purcell seconded the motion. The motion was approved.

5.0 Unfinished Business

5.1 ARRC Response to Conflict of Interest Policies

Nickerson noted that some of this issue was discussed in 2.6 above but the Executive Committee will have further discussion next week.

6.0 New Business

6.1 Discussion questions for Presidential Candidates

Nickerson asked the Executive Committee members to think about pertinent questions before the presentations of the next candidates for President.

6.2 Plans for Meeting with Dennis Leblanc, Jo Potuto, Jeff Hawks, and Dave Putensen

Nickerson asked the Executive Committee what other topics they would like Athletics to address. Woodman stated that they should bring a copy of the tutoring document that they provide to faculty members because there are concerns with it. The Executive

Committee would also like Professor Potuto to discuss what she does as UNL's Faculty Athletic Representative and what issues are trending with NCAA. Rudy stated that he has additional questions that he will forward to Griffin.

The meeting was adjourned at 4:58 p.m. The next meeting of the Executive Committee will be on Wednesday, December 10 at 3:00 pm. The meeting will be held in the Athletics Department Offices. The minutes are respectfully submitted by Karen Griffin, Coordinator and Tad Wysocki, Secretary.