

## EXECUTIVE COMMITTEE MINUTES

**Present:** Bender, Guevara, Joeckel, Konecky, Nickerson, Rinkevich, Ruchala, Rudy, Sollars, Steffen, Woodman, Wysocki

**Absent:** Purcell

**Date:** Wednesday, October 29, 2014

**Location:** Faculty Senate Office

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

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### 1.0 Call to Order

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

### 2.0 Professor Hawks, Chair of the Intercollegiate Athletics Committee

Nickerson stated that the Executive Committee is seeking to learn what the IAC is doing. He noted that while at the CIC Faculty Governance Leadership Conference he and Bender became aware of problems that exist at some of the other Big Ten schools in regards to Athletics. Hawks stated that one of the things that makes our IAC different from other universities is that we have Athletics people serving on the IAC as ex-officio members, as well as the Faculty Athletics Representative (FAR), and they attend the monthly meetings. He pointed out that the work of the IAC is very intensive. He noted that the Faculty Senate should feel that they have a connection with the IAC besides the annual report that is given to the Senate in January and any issues that arise that the Senate feels the IAC should address should be brought to the attention of the IAC.

Nickerson asked what the ratio of faculty members is on the IAC. Hawks reported that there are seven faculty members, three ASUN members, one of whom is on an intercollegiate athletic team, the Faculty Athletics Representative, the Director of Athletics, and the Senior Associate Athletic Director/Senior Women's Administrator. He pointed out that one of the differences with our IAC is that we do not have alumni representatives on the IAC. He stated that the President of the Student Athletic Advisory Committee serves in place of one of the ASUN members if needed. He reported that attendance at the meetings is very good. Woodman asks who sets the agenda for the meetings. Hawks stated that there is usually a running table of agenda items, but the chair sets the agenda. Griffin noted that the chair is always a faculty member.

Hawks stated that one of the questions from the Executive Committee is what UNL does with student-athletes that do not fit the academic profile for admission. He pointed out that they are not admitted any differently from other students. Nickerson noted that the Committee recently met with Dean Cervený who explained that Admissions has an ad hoc committee that evaluates students who may be lacking a requirement and each case is looked at individually. Hawks stated that the main regulation for the Athletics

department is to make sure we are in compliance with NCAA progress-toward-degree requirements for athletic eligibility and progress toward graduation. He noted that the academic progress rate is based on a minimum GPA that counts toward the semester and this directly relates to a student-athlete's eligibility. He pointed out that this is monitored closely by the NCAA.

Nickerson noted that some schools have to have an average GPA for student-athletes and he asked what it is for UNL. Hawks reported that the average GPA for student-athletes at UNL is 3.1437. He stated that the academic progress rate is crucial and right now all sports are operating above a 95% rate, but this can fluctuate because students can come and go during the semester. He stated that if a school is in the top 10 of the Big Ten it ranks in the top percentage nationally of universities in terms of academics.

Bender asked if a student athlete is still counted as a Nebraska player with the academic progress rate if they transfer to another school or if they don't finish their degree. Hawks stated that they would still be counted as a Nebraska player. He noted that the bottom line is that the NCAA rule applies when the student's eligibility begins. Joeckel asked how long the NCAA rule applies. Hawks stated that he believes it is for six years.

Hawks noted that the Executive Committee is interested in knowing what steps have been done to help student-athletes on campus. He pointed out that this question could be answered best by the Committee meeting with Senior Associate Athletic Director Leblanc and touring the facilities to see what academic support services are available. He provided the Committee with a summary of the academic support program and the services that are provided.

Woodman asked what percentage of universities offer tutoring services outside of an Athletics department and whether there are benefits to offering the services through Athletics. Hawks stated that he does not know the percentage of schools that have tutoring services for student-athletes, but the larger schools have incorporated it into Athletics because it can be a helpful recruiting tool. He pointed out that in 2006-07 the IAC's Academic Support Services Subcommittee wrote a report assessing the integration of academic support services into university academic affairs. He noted that the athletic academic counselors understand the demands and specifics of the sport for the student-athlete and the counselor works to help the student-athlete to maintain the balance of doing well academically while participating in sports. He pointed out that we have a really good program for helping the students here, and the universities of the Big Ten are working together to model programs to help the student-athletes to achieve their best academically.

Joeckel asked what is the typical intra-model of oversight in the Big Ten in terms of academic support and how we compare. Hawks noted that Senior Associate Athletic Director Leblanc oversees the program which has 14 full-time staff members and approximately 100 tutors. He pointed out that the Faculty Athletics Representative, Professor Potuto, participates in training the tutors and is actively involved in the tutoring program.

Rudy asked if student-athletes can switch their major to a different academic program without interfering with their academic progress. Hawks stated that a change like this can affect their eligibility to play and this is a reason why there are a lot of student-athletes with undeclared majors. He noted that the NCAA requires that the student-athlete must choose a major by their fifth semester. He pointed out that this is not true for regular students. He reported that the student-athletes are educated about the rules. He noted that eligibility is not just about grades, there is pressure for them to graduate and they can't just take easy courses. Joeckel asked how many student-athletes are undeclared.

Hawks provided information on the breakdown of student-athletes and their majors. He reported that in 2012-13 the IAC's Academic Support Services Subcommittee did an analysis of student-athlete course enrollment patterns in online and independent study courses and found that there is a trend for student-athletes to take online courses because they provide them with flexibility with their schedules. He stated that out of 603 student-athletes, only 2 were taking independent study courses. Bender asked if there is any oversight to see if there is a large number of student-athletes taking any particular courses. Hawks stated that a report is run after each registration term and the number of student-athletes are looked at for each course and whether there is any tendency showing they gravitate to a particular course and instructor. He pointed out that the report would alert Sr. Athletic Director Leblanc immediately if a trend was found. Nickerson asked what percentage of student-athletes in a class would catch the academic support program's attention. Hawks stated that 25% would be the approximate percentage. He noted that Professor Potuto instigated that practice of reviewing the number of student-athletes in classes several years ago.

Hawks reported that 64 student-athletes are listed as being undeclared, which is not that large. He pointed out that some degree programs are difficult, and the time demand for some programs, such as Architecture, make it difficult for student-athletes to be in the program. Woodman asked if there are student-athletes whose academic goals have been compromised because of their athletic schedules, thus preventing them from getting the best of an UNL education. Hawks stated that he did not think so. He thinks that many student-athletes take summer courses because they do not interfere with their sports schedule. He noted that the student-athletes will overload a semester outside of when they compete so they do not run into conflicts with their schedule.

Woodman asked if coaches excuse a student from practice so they can meet course demands. Hawks stated that this occurs frequently. He noted that Sr. Associate Athletic Director Leblanc will work with the coaches to try to accommodate the demands of a sport with the demand of academics, but academics trumps sports. He pointed out that the IAC hear of a lot of stories that never make the press, like a team refusing to play a televised night contest because of concerns that it will interfere with their courses that day. He stated that UNL is blessed with coaches that really respect the academic integrity of the university which contributes to our nation-leading Academic All-Americans.

Woodman asked how an academic merit scholarship for a student-athlete counts and whether it is counted towards the number of scholarships given out to student-athletes. Hawks stated that the NCAA regulates these issues with Compliance Rules. It is not something the Athletics Department dictates. Woodman mentioned that he had a student-athlete who had to drop his Regents' Scholarship in order to allow another recruit to get an athletic scholarship, but this had happened many years ago. Rudy stated that academic scholarships used to be counted towards the university.

Hawks reported that the Registrar's Office would catch it if a faculty member is over accommodating student-athletes. He noted that there is an extensive conflict of interest policy regulating student-athletes from enrolling in classes where the teaching or grading is done by someone with an association with the Athletic department or an Athletic department staff member. Joeckel asked how the oversight is conducted. Hawks reported that very extensive filing procedures are filed every semester to make sure there are no issues with teaching and grades for student-athletes.

Nickerson asked Hawks how long he has served on the IAC. Hawks reported that this is his second year on the IAC. He noted that he has a unique perspective because he was a student-athlete here and also served as a volunteer coach.

Rudy asked if Hawks was aware whether any academic actions were taken as a result of the N. Carolina case. Nickerson stated that he believes four or five people at UNC were fired. Rudy stated that he believes there was some fall out with the department chair as well. Rudy asked if there is a mechanism in place should any problems be spotted at UNL. Hawks stated that the Faculty Athletics Representative and the IAC would be notified.

Hawks reported that tutor training is an extensive six-hour, face-to-face training process and they must follow the rules as outlined in the tutor manual. He stated that the tutors are aware that we have to be in academic compliance with the NCAA. He pointed out that on the recommendation of Professor Potuto, the IAC will be assessing the tutoring program again to ensure that our procedures and policies are in compliance with NCAA and academic integrity. He stated that the tutors are a mix of students and part-time people in the community and the staff. Hawks pointed out that the NCAA has rules regarding how tutors can be paid and once again the conflict of interest policy needs to be considered. Woodman noted that someone teaching a course cannot also serve as a tutor according to NCAA rules.

Hawks replied, in answer to the Executive Committee's question of whether student-athletes are guaranteed to retain their scholarship if there is an injury, the NCAA allows for medical ineligibility. He noted that Professor Potuto would be able to address the issue in greater detail. Nickerson stated that from what he has heard it sounds like the five major conferences want the full-term scholarship. Hawks pointed out that our Athletics department is working on improving the scholarship benefits for athletes who have medical issues.

Nickerson stated that it was very helpful to have Hawks come in and speak to the Executive Committee. Hawks stated that there is an open invitation for the Executive Committee to put items of concern on the IAC agenda. He suggested that the minutes of the IAC be forwarded on a monthly basis rather than accumulating them for the year and delivering them to the Senate once a year. Nickerson stated that he would like to see the minutes for this year.

Hawks stated that the IAC is faculty run, but input is provided by Athletic Director Eichorst and the other Athletics representatives when needed. He pointed out that it is refreshing to have the perspective of the student-athletes as well. He noted that the student-athletic committee meets twice a month and there is a student-athletic organization in the Big Ten that the officers of our student-athletic committee participate in.

Woodman asked if it is more difficult for a student-athlete to be a great student today because of all the rules and regulations and demands on the student. Hawks stated that he thinks the majority of the student-athletes are great students because of the way we recruit them and the academic support program that we have. He noted that not all of the student-athletes have a 4.0 GPA, but we have a very good reputation for our student-athletes having good academic records.

Woodman asked if the breakdown of student-athletes' majors can be broken down by the sport. Hawks stated that this can be provided.

Hawks reported that the IAC's scheduling oversight committee has met individually with three different coaches about sport schedules and the coaches have been great to work with. He noted that the IAC and the Athletics department has great interaction.

Nickerson thanked Hawks and noted that the information he provided was extremely informative. He stated that the Executive Committee will be in contact to arrange a meeting with Sr. Associate Athletics Director Leblanc, Professor Potuto, and Hawks.

### **3.0 Announcements**

#### **3.1 Non-tenure Track Survey**

Woodman reported that the IRB process has been initiated and the request has been put on the exempt list, but it may be three to four weeks before he gets a response. He noted that because of this the survey will probably not be sent out until early December.

### **4.0 Approval of October 22, 2014 Minutes**

Bender moved for approval of the revised minutes. Rinkevich seconded the motion. The motion was approved.

## **5.0 Unfinished Business**

### **5.1 Final Draft of Student Absence Form**

The Executive Committee reviewed the final draft of the Optional Student Absence form and agreed that it should be sent out to the Senators for their information.

### **5.2 Proposed Title IX Language for Course Syllabi**

Nickerson reported that he has not received further information about this issue and postponed the agenda item.

## **6.0 New Business**

### **6.1 SVCAA Search Committee**

The Executive Committee reviewed names suggested by the Chancellor for the SVCAA Search Committee and made suggestions and recommendations for other members.

### **6.2 Lincoln Journal Star Letter to the Editor**

Nickerson noted that there was a letter to the editor of the Lincoln Journal Star recently pointing out the concerns of two faculty members being told to resign from organizational boards while the VC of IANR was allowed to be on the board of a major corporation. He pointed out that the two faculty members do not want the issue pressed on their behalf, but the question is whether the basic issue of faculty serving on outside organizations should go to the Academic Rights & Responsibilities Committee. Sollars stressed that the people do not want any action taken on their behalf.

Bender stated that the ARRC serves in an advisory role as well as investigating specific complaints that are raised. Consequently, this is an issue that the Executive Committee could charge the ARRC with, to give a recommendation on a policy of a faculty member's right to serve on boards of community organizations. He pointed out that the issue can be considered an academic freedom issue in which the AAUP would be interested too. Steffen noted that an employee of the university should have the right as a citizen to participate in organizations that they are interested in outside of the university.

Woodman suggested that Nickerson contact VC Green to get clarification on the reason for asking the faculty members to resign from the boards. Nickerson stated that he will do this, but he thinks the Executive Committee should simultaneously pursue a definition of the policy from the ARRC.

### **6.3 Process for Granting Tenure to New Faculty Members**

Ruchala reported that the College of Business Administration is hiring at least ten tenured faculty members and she asked if there are procedures dealing specifically with granting tenure to external hires. She pointed out that the Academic Affairs' promotion and tenure procedures apply to internal faculty members. Wysocki noted that he was hired with tenure, but he had to submit the required materials to get tenure. Nickerson pointed out that the materials submitted when a person applies for a senior professor position should be sufficient to review granting tenure. He noted that the promotion and tenure committee needs to consider whether the person being hired is tenurable. He stated that the promotion and tenure committee should vote however they feel is appropriate. He

noted that the candidates should be coming in with the credentials to be qualified for receiving tenure.

The meeting was adjourned at 5:12 p.m. The next meeting of the Executive Committee will be on Wednesday, November 5 at 3:00 pm. The meeting will be held in the Faculty Senate Office. The minutes are respectfully submitted by Karen Griffin, Coordinator and Tad Wysocki, Secretary.