

UNL FACULTY SENATE MEETING MINUTES
City Campus Union, Auditorium
February 4, 2014
Presidents Guevara, Nickerson and Schubert, Presiding

1.0 Call to Order

President Guevara called the meeting to order at 2:35 p.m.

2.0 Announcements

2.1 Donation from the Nebraska Cooperative Extension Association

President Guevara reported that Professor Purcell, Southeast Research & Extension Center, was unable to attend today's meeting due to the weather.

2.1 Forum for Non-Tenure Track Faculty Members

President Guevara reported that a forum, hosted by the Faculty Senate and the Academic Planning Committee, intends to provide information for non-tenure track faculty members regarding their rights, issues of academic freedom in the absence of tenure, reappointment issues as well as some other information will be held on March 7 from 2:00 – 3:30 in the City Campus Union, Auditorium. He noted that the forum is in response to a survey that was conducted by the Faculty Senate.

3.0 Approval of January 14, 2014 Minutes

President Guevara stated that due to the lack of a quorum the minutes could not be voted on until the March 4 Senate meeting.

4.0 Committee Reports

4.1 Convocations Committee Report (Professor White)

Professor White reported that the Convocations Committee reviewed approximately 15 proposals for the spring 2014 semester, 12 of which were funded. Another nine proposals were distributed in the fall of 2013. He stated that the Convocations Committee has streamlined the review process and a ranking system has been adopted to assist the Committee in making decisions.

Professor White reported that the Convocations Committee wants to cooperate more directly with the Research Council on their funding for visiting scholars to eliminate overlap between the two committees. He noted that the Convocations Committee will be meeting again in April to decide on applications for the fall 2014 semester.

4.2 Honorary Degrees Committee (Professor Wolfe)

Professor Wolfe reported that the Honorary Degrees Committee is responsible for actively soliciting nominations for honorary degrees and nominations for the Pound Howard Award. She stated that the Committee met twice during the fall and forwarded one nomination to the Faculty Senate for an honorary degree.

Professor Wolfe stated that the Honorary Degrees Committee met in January to hear presentations to support nominations for the Pound Howard Award. She noted that the Committee received four nominations on exceptional candidates and one nominee was selected to forward to the Faculty Senate today for the Senate to vote on. She stated that the Committee reviewed the candidates' files on Blackboard this year which was a great improvement for the Committee members. President Elect Nickerson asked whether the Honorary Degrees Committee was required to narrow down the candidates to just one. Professor Wolfe stated that there is no requirement that there can only be one nominee presented to the Faculty Senate for the Pound Howard Award. President Elect Nickerson noted that when he was on the Honorary Degrees Committee the members' interpretation was that only one candidate could be put forward for the Award. Professor Wolfe stated that there is no requirement that only one person can receive the award in a given year. She pointed out there are times when it is difficult to pick only one nominee because their fields were so very different yet each of the candidates provided excellent service to the university.

Professor Weissling asked for further information about the Pound Howard Award. Professor Wolfe stated that the award is given to an individual who demonstrates outstanding, excellent, career achievements. She noted that these achievements can be in teaching, service, research or administration and the award represents

acknowledgement of overall career achievement. President Elect Nickerson stated that the recipient is someone closely associated with the university that has done something stellar in their career.

5.0 Pound Howard Award Ballot

Coordinator Griffin noted that since there is not a quorum at the meeting she will send an email message to the Senate asking the members to vote on the Pound Howard Award. She noted that the award will be presented to the individual at the Honors Convocations Ceremony and the process for getting the award ready needs to begin in February.

6.0 Unfinished Business

6.1 Motion to Approve the Policy on the Acceptable Use of Software Systems Management and Deployment Tools

President Guevara pointed out that the motion cannot be voted on due to the lack of a quorum. He stated that the motion will be voted on at the March 4 meeting.

6.2 Motion to Revise the Intercollegiate Athletics Syllabus

President Guevara pointed out that the motion cannot be voted on due to the lack of a quorum. He stated that the motion will be voted on at the March 4 meeting.

7.0 New Business

7.1 Motion to Approve the Ballot for Elections to the Academic Planning Committee, Academic Rights & Responsibilities Committee, and the Academic Rights & Responsibilities Panel

President Guevara reported that the ballot was being presented by the Committee on Committees. He noted that the ballot is to elect faculty members to the three committees identified and will be voted on at the next meeting.

7.2 Motion to Approve Revised Student Code of Conduct (Special Assistant to the Chancellor Giesecke and External Vice President Story, ASUN)

President Guevara reported that the motion was being presented by the Executive Committee. He asked the Senate to read and review the revised Code and be prepared to vote on it at the March 4 Senate meeting. He noted that the Senate will need to approve the changes and will then be forwarded to the Chancellor for his approval and finally to the Board of Regents. He pointed out that ASUN has already approved the changes.

Special Assistant Giesecke stated that the revised Code is based on a national model which was published in the Journal of College and University Law. She reported that the current Student Code of Conduct was originally adopted in 1968 and has had very few minor additions and revisions since then. She noted that the new proposed Code is much clearer, more up to date, and less legalistic. She stated that the academic dishonesty section is based on recommendations made in a report from the Ad Hoc Academic Dishonesty Committee in 2010. She stated that also included in the document are processes required by the federal government, particularly in regards to harassment.

External VP Story stated that ASUN had hoped to revise the Code about five years ago but was not successful. He noted that this year the revised Code was taken to legal student services for them to review it and ASUN approved the new Code about two weeks ago. He stated that he hopes the Senate will approve the document next month.

Professor Grange, Theater Arts, asked if there has been any discussion about submitting the Code to an organization such as the AAUP or ACLU to get their opinion. He pointed out that there are indications that we are moving away from supporting free speech and it might be helpful to get their opinions on the Code. Special Assistant Giesecke pointed out that academic freedom is written into the university bylaws. She stated that the Code has not been submitted outside of the university although the General Counsel's office has reviewed it. She noted that protection of freedom of speech is within the Code and there was discussion about it with the committee that worked on the revisions. President Elect Nickerson stated that the Executive Committee did not discuss this issue. Professor Grange asked if the Executive Committee is not interested in guaranteeing freedom of speech. President Elect Nickerson stated that the Executive Committee is aware that freedom of speech and academic freedom are already protected in the university bylaws. Special Assistant Giesecke pointed out that academic freedom is extremely well written in our bylaws and provides us with protection that some other universities do not have. She noted that the Regents will have the final approval on the changes to the Student Code of Conduct.

Special Assistant Giesecke stated that the main goal of revising the Student Code of Conduct was to update it

particularly the area dealing with sexual allegations. She noted that we needed to bring the Code up to federal requirements and the revisions now coincide with the requirements.

7.3 Executive Director Dan Duncan, Nebraska Innovation Campus Update

Executive Director Duncan reported that the 25 year strategic plan for Nebraska Innovation Campus (NIC) was not finished until April 2012. The NIC, once completed should provide 2 million square feet of space and the hope is to build out about 80,000 square feet per year until the Campus is completed. He stated that although NIC is owned by the Board of Regents it has a separate Board of Directors and is a not for profit organization. He reported that the NIC Board, comprised of university personnel and outside business people, meets quarterly. He noted that since this is a start-up organization it is pretty lean although an additional position is being created that will be funded by outside sources.

Executive Director Duncan stated that in 2009 the university hired consultants to look at whether having a research park was feasible. He noted that the consultants looked at Nebraska's economy and the excellence of the university and reported that a research park focusing on food, fuel, and water would be viable and would provide the university opportunities to make a difference in these areas. He stated that the university having some expertise with wind and solar power will also be helpful. He pointed out that the Water for Food Institute will play an important role with NIC.

Executive Director Duncan stated the NIC will allow city and east campuses to grow together and there will be improved bus services with new routes that will tie in NIC. He reported that 14th street will eventually be made into a pedestrian route that will connect city campus and NIC. He pointed out that start-up companies in the Haymarket area will also need easy access to NIC.

Executive Director Duncan noted that the research model on young professionals shows a shift in these people wanting to live, play, and work in a downtown location. He pointed out that this is already starting to develop in downtown Lincoln with the construction of condominiums and apartments. He stated that the way NIC develops and partners with the city will be crucial to the success of NIC.

Executive Director Duncan reported that the campus master plan has morphed and soccer and tennis courts are now being considered for part of NIC. He noted that buildings cannot be constructed on the area for these athletic fields because of the flood zone. He pointed out that the university owns the Ice Box but the Lincoln Stars hockey team has a lease that will run through 2031. He stated that some efforts will be made to bring some of the NIC land out of the flood plain and considerations are being made on how the land could be used.

Executive Director Duncan stated that the water moved into Salt Creek from the City Water and Waste System is 60 degrees and consideration is being given on how it can be used as a resource for the Central Renewable Energy Center on NIC. He noted that we are working with the city on how we can capture the organic waste from the facility and turn it into a fuel source. He stated that being able to do this could possibly heat and cool 1.8 million square feet of office space on NIC.

Executive Director Duncan stated that Phase II of developing NIC has begun and includes the building of the greenhouse complex in the former 4-H building. He pointed out that eventually the greenhouse can be expanded to 30,000 square feet of space which will provide more laboratories for the Plant Sciences. He stated that there will also be a two-story conference center on NIC which will have excellent audio visual capability and a 400 seat auditorium. He stated that the facility will be able to webcast to anywhere in the world. He noted that the university will own the conference facility but a private developer will own the west side of the building. Past President Schubert noted that the conference facility appears to be the first building that will be operational. He asked who will have access to the building and whether faculty members will be able to use it and at what cost. Executive Director Duncan reported that an agreement is being signed with the Alumni Association to manage the facility. He stated that there will be fee structures for using the facility and there may be a different fee structure for external users. He noted that technical support will be needed for the facility. Past President Schubert asked what the need is for this kind of facility when we already have the Cornhusker Hotel. Executive Director Duncan pointed out that we need to have a conference facility on NIC to attract corporate clients. He stated that having the conference facility on NIC will mean that the corporate clients will not have to build a conference center within their own facility.

Past President Schubert asked if there are already corporate clients. Executive Director Duncan stated that almost any corporation on the Fortune 500 is a target client, and ConAgra is collaborating with the university to expand research at NIC. He noted that NIC is currently competing with the Haymarket area to sign up another large company. Past President Schubert asked what companies find attractive about NIC that will

make them want to set up a facility on the campus. Executive Director Duncan noted that one of the key attractions is the access to faculty and students. He pointed out that companies want to hire our best and brightest students and have access to students at research universities.

Executive Director Duncan reported that the state provided \$25 million for NIC; \$10 million has been used for the conference center and \$10 million has been put into laboratory space. He noted that the NU Foundation has invested in the Central Renewable Energy Center. He reported that \$63 million from private investment has been made for Phase I of NIC.

Executive Director Duncan stated that ConAgra has been very involved in helping UNL create a world class food processing pilot plant on NIC. He stated that this will allow the university to get into areas of research that we are currently not involved in such as sensory science. He noted that Professor Molfese will be working in this area. Research is also being done that completely rethinks the machines that are currently being used to manufacture our food.

Executive Director Duncan stated that the NIC offices will be moving into the conference center building along with NUTech which helps faculty members to connect with businesses and vice versa. He noted that the Water for Food Institute will be moving to NIC and there is a faculty proposal to have a student maker space which would allow students from varied disciplines to interact and brainstorm ideas. This space would provide access to wood working and metal working machines and 3D printers. He stated that faculty, staff, and the public could pay a fee to use the maker space equipment. He pointed out that students seem to want access to this kind of space and it would allow students to meet students from other majors to possibly collaborate on ideas. He stated that the hope is that these collaborations could ignite entrepreneurships.

Executive Director Duncan reported that the Food Science and Technology department will be moving to NIC. He noted that the conveyor system in the greenhouse has the capability to move plants around in the greenhouse and to other areas. He stated that experimental designs like drought can be placed on the plants and the video system will allow researchers to carefully view how the plants respond. He pointed out that only one other campus currently has this capability. President Elect Nickerson asked if there is anticipation that the Food Science department will increase to take advantage of the food processing pilot plant and whether this growth is part of the plan. Executive Director Duncan responded that this is part of the plan and it is believed that the actual footprint of Food Science will grow by 20%. He noted that ConAgra is helping to pay for this activity.

Professor Archer, School of Natural Resources, asked if consideration has been given to what the objectives are to bring faculty members and students together with various commercial operations. He asked if considerations have been given to integrating the building plans with plans for housing or commercial facilities on or around NIC. He pointed out that it might help to attract more students to participate with companies on NIC if there is a community kind of atmosphere. Executive Director Duncan noted that there is an important work-play component to the design of NIC. He reported that the NIC master plan calls for some of the buildings north of the Devaney Center to be condominiums and a hotel. He stated that ideally it would great to have these facilities on the edges of NIC and linking them to the downtown area. He pointed out that a hotel will be needed for the conference facility. He reported that there is the idea of having a first Friday afternoon club that would morph into a first Friday art walk which would allow faculty, staff, and students to show their work. He stated that another idea is to possibly have a conference series in the plaza area of NIC.

Professor Grange asked what is meant by a building needing to be built out. Executive Director Duncan stated that this is when the developer builds the four-inch shell of a building with perhaps some drywall and insulation, but it is up to the tenants that sign the lease to complete the building as they want.

Past President Schubert stated that he works with students in interdisciplinary fields and is trying to introduce them to different things, but it is difficult just trying to get the students to go across the street to another building never mind out to NIC. He believed that students will miss the open atmosphere of city and east campus and that the business people at NIC will want to protect their own areas. He asked what the plan is to get the students integrated with NIC. Executive Director Duncan pointed out that the companies want to have students work with them through internships. He noted that the Food Science classes will be held on NIC beginning in 2015. Past President Schubert asked if there is an education plan for NIC. Executive Director Duncan stated that the plan is to have classes held on NIC.

Past President Schubert asked how students will get to NIC. Executive Director Duncan pointed out that NIC is really not that far away from either campus. He stated that with robust public transportation access will be

easier. He stated that he thinks it is time for the campus to think about getting a business that offers the share bike system.

Executive Director Duncan reported that the Maker Club would be holding its first meeting tomorrow night. He noted that Professor Farritor, Mechanical Engineering, is organizing the meeting and there is a wealth of retired business people around the Lincoln area that want to get involved and create opportunities for students.

Professor Weissling stated that it would be helpful to give examples of universities that have been successful in creating these kinds of campuses. Executive Director Duncan stated that Stanford University has been successful as well as the Research Triangle Park in North Carolina. He noted that there are several similar campuses associated with MIT and Harvard in the Boston area that have worked well. Professor Weissling asked if these all started out as university projects. Executive Director Duncan stated that nearly all of them began as university projects either by providing the land or by starting the campus in conjunction with the state. He noted that some of these research parks have had 40-50 years of experience.

Professor Clark noted that Boston is a very compact city with a subway system and good bus system which is why it is possible to get a lot of students congregating around the universities. He asked what the plans are to establish the centers of attraction that will give the project momentum. Executive Director Duncan stated that these are on the agenda. He noted that right now efforts are to get buildings constructed and the agreements between the private companies and the university signed are consuming a lot of time. He stated that ideally he would like to eventually see a monorail established that would provide access between east, NIC, and city campus. He pointed out that with 7,000 – 8,000 people working on the three campuses we will need to move people easily, efficiently, and cheaply. President Elect Nickerson suggested initiating discussions with Kawasaki about establishing a pilot plant on NIC for their subway cars and creating a possible monorail system. Executive Director Duncan stated that this idea has come up but there has been no direct communication with Kawasaki yet. Professor Schwabel, Sociology, pointed out that since living in Lincoln he has only seen transportation services in the city get cut. He asked what makes Executive Director Duncan think this will change. Executive Director Duncan stated that it will have to be changed to address the demand that will come from people working on NIC and students attending classes there. He pointed out that more students today are waiting to get driver's licenses later, are living on campus, or moving down into the central core of downtown so they don't have to commute. He stated that he hopes that all of this will create the driving force to provide better transportation.

Past President Schubert stated that the senior faculty members in his department have doubts about NIC because of the failure of the old tech park the university partnered with. He noted that the tech park was essentially occupied by companies. Executive Director Duncan stated that there was not a lot of support from the university so it was poorly funded, and a little too far away from campus. He stated that some good companies were started there. He pointed out that with NIC there is a requirement that every company that builds on NIC has some tie into the university above and beyond just internships for students. Joint research needs to be conducted. He stated that moving Food Science out to NIC will immediately create some critical mass and companies that come in will be doing this as well. He stated that he hopes to be able to announce the names of these companies in the near future. He stated that he thinks the plans for NIC are in place to make it successful. He noted that the two initial buildings, the 4-H building and Companion Building will give the campus a core to start building around.

7.4 Motion to Oppose LB 1018

President Guevara stated that Professor Bender, Journalism, wants to introduce an emergency motion for the Senate to oppose LB 1018. He stated that since there is no quorum he will ask the Executive Committee in its regularly scheduled meeting tomorrow to solicit votes by email on the motion.

Professor Bender moved "that the Faculty Senate go on the record as opposing LB 1018 currently before the Nebraska Legislature on the grounds that the bill, if passed, would prevent the public and the faculty of this university from having any effective voice in the process of selecting university presidents, chancellors or vice president. Furthermore, the President of the Faculty Senate, or his designee, is authorized to testify on behalf of the Senate before the Legislature's Government, Military and Veterans Affairs Committee in opposition to LB 1018." Professors Grange and Schwabel seconded the motion.

President Guevara noted that the Board of Regents endorsed LB 1018 saying that it is a good thing, but the faculty will not be able to have input into key administrative positions at the university. President Elect Nickerson pointed out that the Board thinks higher caliber applicants will apply for the position of president, chancellor, or vice president if their names are kept out of the public because it would not jeopardize their

current position. He stated that the measure would need to be balanced against the existing freedom of information act. He pointed out that the faculty would not find out who the finalist is until the last minute.

Professor Sollars, Veterinary & Biomedical Sciences, stated that this issue was discussed at the IANR luncheon. She stated that the thought was that the Big Ten is moving into this same direction. She noted that there was discussion that the headhunters are encouraging the privacy because they believe better candidates will come forward. She reported that she asked if there was any hard data to support this idea but was told that no one knows if any data exists.

Professor Bender pointed out that we are asking someone to come here to be president of a public institution that is funded by the public and is accountable to the public, yet the Board wants a secret process in selecting this individual. He asked if we would really want someone as president if they cannot handle having their name out in public. President Guevara noted that the position of president is one of the highest paying jobs in the state and the public has a right to know who is applying for the job. Past President Schubert questioned if there was something wrong with the current process that would require a change. He wondered why this process would need to be changed now when it has been working successfully for a long time.

Professor Clark pointed out that if the process is closed and non-transparent until a finalist is selected it could raise doubt about the selection process. He stated that the lack of transparency cannot do anything but create an aura of mystery and speculation. He asked if the other campuses have addressed this issue and what they think about it. President Guevara stated that there is very little time but he will inquire whether the other campuses object to LB 1018. He pointed out that past experience has shown that the other campuses tend to let UNL take the lead on issues. Professor Sollars noted that it is her understanding that the bill has been in the works for year but came up suddenly due to President Milliken's recent resignation. President Elect Nickerson stated that Regent Hawks defended the idea because he thinks it would help get a larger applicant pool. He stated that he would like to see the Senate President, or his designee, present a position to the legislature. President Guevara stated that the public would not know if the applicant pool would be bigger because that kind of information would not be available any longer if LB 1018 were to pass.

Professor Ruchala, School of Accountancy, noted that the university is not a corporation and suggests that laws that make the university's governing structure less open is a trend to creating a corporate university. She stated that the faculty needs to stand and say that this is a process that is not right for a public university. President Guevara pointed out that if the bill were to pass it would impact the selection of the next chancellor as well.

Professor LaCost, Educational Administration, asked if there are any indications or initiatives that suggest that the public is interested in this bill. President Guevara stated that the major newspapers and media services have all come out against it. Professor Bender stated that Alan Peterson, an attorney will be arguing against the bill for Media of Nebraska Services and Common Cause is opposed as well. He noted that there are other groups that are also in opposition to the bill.

Professor Grange stated that he believes the impetus behind the bill comes from the administration and is totally related to the corporate collectivist approach and that this needs to be exposed. He pointed out that you really only know if a search has been successful after someone has served in a position three or four years later. Professor Steffen, Veterinary & Biomedical Sciences, stated that evidence is needed to show that we don't get qualified candidates with the current process.

Professor Schubert questioned how it can be insured that the search process had other candidates and that a person was not specifically selected for one of these administrative positions. He questioned how the Board would prove that they have considered all of the applicants that have applied.

Professor Peterson, Agricultural Economics, stated that he remembers going through the process when President Milliken was hired. He noted that we did get to see who the candidates were but ultimately it is the Board of Regents' decision to hire, but at least the faculty can have participation in the process.

The meeting was adjourned at 4:03 p.m. The next meeting of the Faculty Senate will be held on Tuesday, March 4, 2014, 2:30 p.m. in the East Campus Union, Arbor Suite. The minutes are respectfully submitted by Karen Griffin, Coordinator, and Toni Anaya, Secretary.

