

EXECUTIVE COMMITTEE MINUTES

Present: Anaya, Bender, Guevara, Joeckel, Nickerson, Rinkevich, Ruchala, Schubert, Sollars, Woodman

Absent: Reisbig, Wysocki, Zoubek

Date: Wednesday, February 12, 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.

1.0 Call to Order

Guevara called the meeting to order at 3:00 p.m.

2.0 Announcements

2.1 Announcement on Merger of Hixson Lied College of Fine and Performing Arts and the College of Architecture

Nickerson noted that some faculty members, including Faculty Senate and Academic Planning Committee members have been encouraging these kinds of cost saving mergers for several years. Guevara stated that he has not heard of any complaints from those faculty members being affected by the merger. Woodman wondered, in the interest of shared governance why the Senate was not informed. Guevara noted that the merger does affect more than one college and under the bylaws the Senate should have been notified.

3.0 Approval of 2/5/14 Minutes

Rinkevich moved for approval of the minutes as revised. The motion was seconded by Nickerson. The motion was approved.

4.0 Unfinished Business

4.1 LB 1018

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Guevara thanked Bender for testifying against LB 1018 in front of the legislature's Government, Military and Veterans Affairs Committee on behalf of the Faculty Senate Executive Committee. Bender noted that he sent out an email message to the Executive Committee informing them that the state Government, Military and Veterans Affairs Committee would be voting on whether to forward the bill to the floor of the legislature. He reported that he sent an email message directly to Senator Avery about the issue and suggested that other Committee members do the same. Guevara noted that a faculty member in his department, on behalf of several other faculty members, contacted Senator Avery to express their concerns.

Bender pointed out that it can be difficult for state senators to say no to the Regents when the Regents say they need to have LB 1018 for the good of the university. However, he thinks Alan Peterson has been an effective lobbyist for the media over the years and is vocal about the issue. Nickerson noted that the editorials in the newspapers have been unanimous in their opposition to the bill. Guevara stated that it is very disappointing that the Board has the desire to increase secrecy and to avoid the existing state laws that guarantee open searches. Joeckel pointed out that it is very disheartening to think that anyone against the bill is considered an obstructionist.

Guevara noted that several Executive Committee members have proposed that the Senate have a vote on LB 1018. He pointed out that the Committee needs to make this proposal to bring it to the Senate. Joeckel moved to have the Senate put the issue up for a vote to oppose LB 1018. Bender seconded the motion. He stated that he was not sure when the legislature would vote on the bill should the Government, Military and Veterans Affairs Committee vote to send it to the floor of the legislature. Nickerson pointed out that due to the uncertainty of the state committee's decision the vote of the Faculty Senate could be considered as an emergency. Guevara stated that he thinks the message would be stronger if the Senate deliberated the motion at the March 4th Senate meeting. Woodman suggested that the Executive Committee wait to see how the Government, Military and Veterans Affairs Committee votes on LB 1018.

Joeckel proposed that a stronger statement be made by the Senate. He noted that the Senate should declare that it endorses more openness in searches. Nickerson suggested that the motion state that the current search policies should be continued. Guevara asked Joeckel if he would accept this as a friendly amendment. Joeckel stated that he would accept it but he wants to reiterate the openness of searches. Nickerson suggested that the wording be finalized at next week's meeting.

Schubert asked what the probability is that LB 1018 will be voted on by the legislature before the March 4 Senate meeting. Ruchala noted that the legislative session does not end until mid-April. Woodman asked who at the legislature coordinates the legislative calendar. Bender pointed out that unless it is considered a priority bill, LB 1018 would come up in sequence with other bills.

Guevara noted that the Faculty Senate rules state that the Executive Committee, at its next regularly scheduled meeting, can call for an electronic vote of the Senate with a deadline date of five business days. He noted that the Committee could approve a resolution that could be modified next week if the legislature does not vote immediately on the bill. He stated that his preference would be to have the Senate debate a motion at the March 4 meeting. Ruchala noted that at the February 4 Senate meeting Bender introduced a motion to oppose LB 1018 so it is already on the agenda for the March meeting. Guevara pointed out that the motion will need to be amended because it calls for the Faculty Senate President, or his designee, to testify on behalf of the Senate before the legislative committee and testimonies are no longer being heard..

Schubert stated that the Executive Committee could decide to do an emergency motion to conduct an electronic vote with a five day deadline. He noted that the previous motion was stopped due to the technicality of not having a five day deadline period, but this should not stop the opposing of LB 1018 because it is still a pressing and emerging issue. Guevara stated that due to the deadline technicality issue a new motion is needed. He stated that he will declare this as an emergency motion and ask for an electronic vote of the Senate. He suggested that language be included that the electronic vote will be triggered pending the results of the voting by the Government, Military, and Veterans Affairs Committee. Joeckel asked what the logic is for making the vote conditional. Guevara stated that if the legislative committee does not approve the bill it will allow the motion to come before the Senate at the March 4 meeting where debate can more easily occur. Joeckel noted that enough Senators voted on the emergency motion last week that provides evidence that the vast majority of the Senators oppose LB 1018. Sollars pointed out that Guevara recalled the vote so therefore it does not stand.

Joeckel amended his original motion and proposed a motion that the Faculty Senate opposes LB 1018 and furthermore endorses open searches as currently constituted by state law. Guevara declared the motion as an emergency motion. Ruchala seconded the emergency motion. The motion was approved. Note: all of the above discussion occurred before it was known that the Government, Military, and Veteran Affairs Committee had declined to forward LB 1018.

Schubert stated that he did not understand the reason why an email vote would be considered less strong than a vote at the Senate meeting. He asked if the Senate accepts these two different means of collecting votes as having different values. Guevara stated that the votes don't have different values, but when people have the opportunity to debate at a meeting they can express their opinions which could have some influence on how people vote. Woodman noted that having the press report could provide some additional weight to a vote. Ruchala pointed out that at a meeting senators can hear both sides of an issue, but she is not sure whether this occurs when there is an email vote. Schubert stated that legally speaking the voting mechanism should be of equal value. He stated that the votes need to be recorded as producing equal value outcomes.

4.2 Update on TIPSPrevention

Guevara noted that the minutes of January 29 state the concerns that the Executive Committee has with the TIPSPrevention program and he will be forwarding these to the Chancellor. He noted that some of the concerns are: explanations need to be provided as to who will administer the program, what guarantees there will be to insure that a file cannot be used against promotion and salary increases; policies regarding the use of information that is gathered need to be created, inclusion of a member from the Academic Rights & Responsibilities Committee in reviewing files on faculty members. Woodman suggested that there be a potential expiration date on the complaints. Joeckel asked that Guevara share the list of concerns with the Executive Committee.

Woodman questioned whether the goal of the TIPSPrevention program is to be educational or punitive. Guevara stated that the program is about victimization.

Nickerson pointed out that the overall point is to have a program that is protective and that there is a mechanism in place to accumulate warning signs. Guevara noted that if any of the complaints are of a criminal nature the police will be involved. Ruchala pointed out that there are clear procedures regarding what is considered illegal behavior.

Guevara stated that the program is a router to funnel complaints. He noted that particular incidents reported would go to a particular group overseeing the files. He pointed out that the Chancellor has not articulated the procedures yet on how the complaints will be dealt with.

Woodman asked where cyber bullying should be reported. Anaya stated that this should be reported to the police.

4.3 Report on Presentation of Canvas, Desire to Learn, and Blackboard

Woodman reported that three different companies gave presentations and provided some financially related statements on their LSM systems. He noted that it was difficult to interpret some of the financial presentations because there is a difference in cost between locally hosted systems versus cloud-based systems. He stated that both Canvas and Desire to Learn were very good and while there could be some issues encountered when transferring over files from Blackboard, both of these companies have dealt with these issues many times before at other universities.

Woodman stated that one of the things discovered with the presentations is that the university is three versions behind in Blackboard. He noted that upgrades are done twice a year but new features are tested locally before being released to the university community at large, imposing a delay on getting the latest features.

Woodman stated that the members of the Information Technologies and Services Committee are all very impressed with the two new systems, although it was somewhat difficult to compare them with Blackboard since we are not using the current version of it. He reported that financially he believes Canvas is the least expensive, but the true cost of the program could not be determined until the contract is finalized. He noted that the ITSC is meeting on Friday and will formulate what the next step will be in the process. He suggested that the next step might be to formulate some piloting of the programs so some faculty members can test them out.

Guevara reported that the newest version of Blackboard has the most features but he thinks that many of the faculty members at UNL only use certain features of the program and these features can be done much easier on Desire to Learn. He stated that he hopes that the university does what is best for the faculty in terms of providing an LSM system. Woodman stated that some of the features of the products are very changeable but the ability to do things in Desire to Learn is far ahead of Blackboard. He noted that Desire to Learn has an excellent calendar system.

Nickerson asked if there are any estimates on how much the university would save by switching over to one of the other products. Woodman stated that CIO Askren has repeatedly said that he wants the best product for the faculty and cost is the last concern.

Griffin asked when a new system would possibly be purchased. Woodman reported that the contract with Blackboard ends in 2015. He noted that some piloting could begin over the summer if the university decides to dig deeper into the possibility of changing over to a new LMS. He stated that Desire to Learn claims that it took a very short time to transition Penn State over to their program and that the PSU system offers a huge number of courses, many times that offered by the NU system. Sollars noted that many schools, including several of the Big Ten universities, are using Desire to Learn.

Guevara thanked Woodman for being involved and reporting back to the Executive Committee. He noted that not many faculty members showed up for the sessions he attended. Woodman pointed out that the presentations can be viewed at <https://learningspaces.unl.edu/lms>.

Bender asked if there will be another opportunity for faculty members to take a look at the programs if it gets down to a choice between two of the programs. Woodman stated that this has not been determined yet. Guevara noted that CIO Askren has pursued faculty input on these programs. He stated that he would like to have CIO Askren address the Senate again if the process moves forward. Joeckel suggested that the issue of changing programs be put on departmental meeting agendas to maximize faculty input.

5.0 New Business

5.1 Possible Revisions to Senate Rules

Guevara noted that the current rules do not allow the Executive Committee or the Senate to act on things expeditiously and he does not think the current rules provides enough flexibility, particularly since the Senate and Executive Committee do not get information in a timely manner. He noted that the specification of requiring five business days for a deadline date in particular needs to be addressed.

Guevara stated that there is nothing in the rules that states that the Executive Committee can vote electronically and having this ability would be helpful at times. He pointed out that this is not an effort to convert all motions to electronic votes and he still thinks that having open discussions on issues is important. He stated that a change in the rules would allow the Executive Committee, and subsequently the Senate, to make a decision when a bona fide emergency exists.

Joeckel stated that he is in favor of shortening the response time but senators still need some time to consider issues carefully. He suggested that there be a two day deadline date. Ruchala stated that she would prefer a three day deadline. Schubert stated that the Senate definitely needs to weigh in on this issue, but it is obvious that the Senate needs to react more quickly on some issues. Nickerson stated that there could be times when the Executive Committee or the Senate needs to respond within 24 hours. Ruchala pointed out that the regular Senate is not on call. She stated that if the President of the Senate

could call an emergency meeting of the Executive Committee within two days' notice it would allow the Executive Committee to act rather than having to wait until its regularly scheduled meeting thus eliminating at least five days of the process. Schubert pointed out that it could be difficult to get a quorum on two days' notice and suggested allowing the use of Skype or Facetime to conduct business. Guevara stated that he would first like to tackle allowing the Executive Committee to vote on emergencies electronically. He pointed out that the only error with the recent electronic vote was in not allowing a five day deadline period and the reason for this was because testimony at the legislature was going to occur the next day. He stated that he wants to have the Executive Committee formulate changes to the rules and then the Senate would need to vote on the changes.

Guevara stated that he will present the Executive Committee with the wording for the proposed changes next week and the Committee can then work on refining the language.

5.2 Agenda Items for SVCAA Weissinger and VC Green

The Executive Committee identified the following agenda items for its meeting next week with SVCAA Weissinger and VC Green:

- Efficient Use of Classrooms
- Update on Dean of Arts & Sciences Search
- Merger of the College of Architecture and Fine and Performing Arts
- Senate and APC's Forum for Non-tenure Track Faculty Members
 - Data on all full time, non-tenure track faculty members
- CYT Plans
- Online Course Tuition Plans
- LB 1018
- Upcoming Issues

The meeting was adjourned at 4:53 p.m. The next meeting of the Executive Committee will be on Wednesday, February 19 at 3:00 pm. The meeting will be held in 201 Canfield Administration. The minutes are respectfully submitted by Karen Griffin, Coordinator and Toni Anaya, Secretary.