

## EXECUTIVE COMMITTEE MINUTES

**Present:** Bender, Guevara, Joeckel, Nickerson, Reisbig, Rinkevich, Ruchala, Schubert, Sollars, Woodman, Wysocki, Zoubek

**Absent:** Anaya

**Date:** Wednesday, January 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

Guevara called the meeting to order at 3:02 p.m.

### 2.0 Chancellor Perlman/VC Green

#### 2.1 Not Here, Not Now, Not Ever Policy

Chancellor Perlman reported that the policy is a response to some of the incidents that occurred last semester on campus, most of which related to racial incidents although not entirely. He noted that there seems to be a rash of these incidents occurring around the country. He pointed out that these are suggested efforts to be made by the Office of Student Affairs, Academic Affairs and IANR to re-energize our climate with respect to diversity. He noted that the list outlined in UNL Today (<http://news.unl.edu/newsrooms/unltoday/article/chancellor-outlines-new-proposals-to-strengthen-campus-climate/>) is not an exclusive list but provides a starting point for what can be done to improve the campus climate. He reported that there have been healthy conversations with representatives of minority faculty about these proposals and he thinks they can help to make some improvements on campus that we could and should address.

Nickerson asked if there is anything the Faculty Senate could do to help with what is being proposed. Chancellor Perlman noted that having the Faculty Senate support the proposals would be helpful. He pointed out that some people wanted everyone to take sensitivity training, but in his conversations with faculty of color most seemed to agree with him that this was not the way to move things forward. He stated that the campus is considering using a bias reporting software program, TIPSPrevention, where people can report incidents, although he noted that there might be some issues and concerns about it. He stated that we might go forward with the use of this system in a very limited way and try it out for a year to see how it functions. He pointed out that we already have a bias reporting center on campus which is located in the Women's Center. He stated that it is not as visible as the TIPSPrevention program, but it has responded to issues in a very constructive way and seems to be working well.

Guevara stated that the intent of TIPS Prevention is very good but the question is how extensively the information will be used. He pointed out that the information can be used for so many things, some of which could negatively impact people. Chancellor Perlman stated that typically there would be an icon on the website that would allow a member of the campus community, or the public at large, to report an incident. The incidents can be categorized and can range from racially or gender-biased statements or incidents surrounding behavior that might represent a danger to the community to a report of a burned out light bulb. He pointed out that the basic reports out of Virginia Tech and Northern Illinois universities all say that while some people knew of small incidents that occurred with the individuals who went on a shooting spree across the campus, there was no mechanism in place that could put together all of these incidents to indicate there was a problem that could have allowed for some interventions that may have prevented the tragedies. He stated that the incidents would be reported to a designated team who could assess the incidents. He pointed out that we have a Threat Assessment Partnership in place that reviews threats. He stated that current procedures all focus on reporting to the police, but a lot of people may be reluctant to report to the police thinking that the incident is not necessarily of a criminal nature. He reported that there would be different teams for the different categories.

Guevara asked if reporting an incident would be kept anonymous. Chancellor Perlman stated that the person reporting the incident would have that option. He noted that a person could request that someone report back to them on what action has been taken to address the incident.

Woodman asked if there would be an annual report given about the incidents that are reported. Chancellor Perlman stated that a report would be given but in a sensitive way. Only numbers of the incidents would be reported, not any identifiers. He stated that as a teacher the program could be helpful. He stated that he would want to see if a pattern emerged on how people responded to what he was teaching. He noted that the risk of false reporting does exist but the evidence suggests that false reports are not a serious problem with the program. He pointed out that there is some evidence that suggests that the number of racial incidents goes down when people are aware that they can be reported for their actions. Sollars asked if there would be any repercussions on reporting these incidents from the federal government. Chancellor Perlman stated that the campus is already set up to provide these reports.

Guevara stated that cyber bullying is a concern these days and this can occur whether the person is using equipment on campus or off campus. Chancellor Perlman stated that cyber bullying is a concern that could be addressed if the TIPS Prevention system indicated this was occurring.

Schubert asked whether this program would be part of the Conflict of Interest Policy or an academic freedom issue. He asked what will be the first reaction when an incident is recorded. Chancellor Perlman stated that there will be two layers. He stated that a team would get the report and if a pattern emerged than action will be taken. If it is associated with academic issues involving the faculty someone from Academic Affairs and IANR

would need to be on the team. He pointed out that the incident report would be separate and distinct from someone's personnel files and if an incident is not verified it would not be part of an employee's file.

## **2.2 Academic Freedom Issue at University of Kansas**

Guevara noted that the Board of Regents at the University of Kansas passed a ruling that they could fire a tenured faculty member for saying something that negatively impacts the mission of the university. Chancellor Perlman stated that he is aware of the situation in Kansas but said that our Board is not considering anything like it. He pointed out that many things regarding academic freedom are already covered at the university.

## **2.3 Interim President and Search Efforts**

Chancellor Perlman reported that the Board will probably be naming an interim President sometime soon. He noted that the search effort and the appointing of an interim President are all the responsibility of the Board. He stated that the last search committee for a President had 18 members on it which was very large and he is not sure whether the Board wants to have that large of a search committee again. He noted that the procedures and rules regarding the search can all be found in the Board of Regents Bylaws and Policies. He pointed out that the Board will have the final decision on who becomes the next President.

## **2.4 Proposed PKI Integration Plan**

Chancellor Perlman reported that the Board of Regents seemed to be in favor of the plan presented to them last Friday and UNL and UNO are moving forward with it. He noted the plan is very ambitious but the efforts can help elevate the College of Engineering. He stated that there is some resource issues associated with the plan but he hopes the enthusiasm that has been displayed for it will help generate funding. He stated that the one bone of contention continues to be the merger of the Computer & Electronics Engineering department with Electrical Engineering. He stated that Regent Daub is supportive of the plan although there are still UNO faculty members who oppose it. He noted that Guevara's statement made to the Board was just the right tone and was not inflammatory. He reported that we are committed to the merger and he and others think the plan is right for both Lincoln and Omaha.

## **2.5 Update on Revising UNL Bylaws**

Chancellor Perlman stated that he has not had the opportunity to work on revising the Bylaws but if the Executive Committee wants to propose changes it certainly can do so. Nickerson stated that the Executive Committee would like to see some clarity about academic freedom in the Bylaws. Chancellor Perlman stated that his goal is just to clean some things up and get rid of redundant information but the Executive Committee is certainly welcome to make other suggested changes.

## **2.6 Changes in Procedures for Accommodating Students with Disabilities**

Woodman reported that there seems to be an increase in the number of students who need to have special accommodations made for them. Chancellor Perlman acknowledged that this was the case and that there has been some space issues but he believes this is being

resolved in the Student Union. He stated that he believes progress is being made but VCSA Franco should have more information about it.

## **2.7 Phase II of IANR Faculty Hires**

VC Green reported that the Institute is almost done with Phase I and there are only seven more open faculty positions that need to be filled and work is currently progressing on these positions. He stated that the process for prioritizing the next wave of hiring will begin in July and the hope is for the Institute to be in a position by 2016 to begin making another 20 faculty hires. He noted that not all of these positions will be new some will be replacement and transition positions. He reported that the new hires have been very impressive and he and others are very pleased.

## **2.8 Search Effort for New Head of Veterinary & Biomedical Sciences**

VC Green stated that Professor Hardin announced his desire to step back into the faculty and although efforts were made to talk him out of this, it was his decision to step down as department head. He reported that there is currently an interim department head and a search committee was formed just this past week. He stated that the search is taking place immediately. He noted that a national search will be conducted and the hope is to have someone in place by the beginning of the fall semester. He stated that he wants this to be an aggressive search. He understands that the previous search, which resulted in the hire of Professor Hardin, was a very lengthy process but the department and the program is much different now in that it is firmly in place and in a very healthy state. He stated that he thinks it is quite an attractive position. He reported that there are no targeted candidates for the position.

## **2.9 Clarification on Possible Tax on Revolving Accounts**

Chancellor Perlman reported that unfortunately he has to begin the process for budget reductions and reallocations. He noted that over the course of the last semester the senior administrative team has worked hard to try to deal with the budget deficit we are facing which includes \$2.3 million of a budget cut that we floated last year. He stated that there are other campus deficits that we cannot float any longer. He stated that he thinks there are some ideas on how to approach the cut and some of these ideas will require that the Academic Planning Committee be involved. He stated that he is holding a meeting on Monday to set out the details as to why we are in the circumstances that we are in and the Executive Committee, along with the APC, ASUN, Deans and Directors will be invited to attend the meeting. He stated that he hopes to be able to avoid going back to the colleges and asking them to identify programmatic cuts, but the cuts will not come without some pain.

Chancellor Perlman pointed out that taxing some revolving accounts could be one way to get some of the resources that are needed to deal with the budget cuts. He noted that auxiliary units might be taxed but we need to see the impacts that a tax would have on these units before any decisions can be made.

Chancellor Perlman noted that the procedures state that the APC is entitled to respond to the budget framework that will be laid out and there is a time frame for interaction with

the deans and Vice Chancellors. He reported that he is firm on some of the proposals but other proposals need to be worked out and he is struggling with them, one of which is having a tax on the revolving accounts.

Chancellor Perlman pointed out that it is always discouraging to go through the budget cutting process and he hopes it does not interfere with the momentum that has been occurring on campus. He noted that there are some things that have to be dealt with now so they do not interfere with opportunities in the future. He reported that the central campus has funded a considerable amount of these reductions in the recent past but it is having increasing difficulty in helping the colleges with such things as retention and start-ups.

Sollars noted that there is a lot of misinformation and rumors circling around campus about the tax on revolving accounts and is creating a lot of unease in units. She suggested that providing some clarity to the campus about what is going to happen will help to quell some of the concerns. Chancellor Perlman pointed out that he is not going to articulate on Monday as to where the possible sources are that can be used to help deal with the budget situation. He noted that there is always a period of time where suggestions can be made on how the campus can deal with the budget cuts. Sollars stated that even giving a status update will be very helpful to the campus.

### **2.10 Upcoming Issues**

Chancellor Perlman stated that there are some bills in the legislature that could have some impacts on the university but nothing at this time that seriously impacts us.

## **3.0 Announcements**

### **3.1 Desire to Learn Presentation**

Woodman announced that the Desire to Learn presentation will be held on Friday, January 31 at 8:30 in Burnett Hall room 115. He pointed out that the difference between the Canvas program and Blackboard is quite amazing. He stated that Canvas looks quite easy to use and suggested that faculty members check out the video of the presentation at <https://learningspaces.unl.edu/lms>. Bender asked whether Woodman thought Canvas was better. Woodman stated that he did like it more than Blackboard because it operated more intuitively and seemed easier to use. He noted that there will always be some learning curve with a new system but he didn't think it would be a steep curve with Canvas. He reported that some faculty members have suggested using Moodle but this would require hiring staff members who can manage and operate the program on campus.

### **3.2 Non-Tenure Track Faculty Forum**

Woodman reported that on Friday, March 7 at 2:00 – 3:30 there will be a forum for non-tenure track faculty members at the City Campus Union, Auditorium. He stated that further information will be sent out about the forum.

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

Joeckel moved for approval of the minutes. The motion was seconded by Wysocki. The motion was approved.

## **6.0 New Business**

### **6.1 Report on Board of Regents Meeting**

Guevara stated that Chancellor Perlman and Chancellor Christensen of UNO gave presentations on the integration of the PKI which was well received by the Regents. He stated that the Board was very encouraging and complimentary on the presentation.

Guevara reported that three faculty members from UNO spoke requesting that the Board consider creating a UNO College of Engineering which would be independent of UNL's College of Engineering. He noted that he made a statement to the Board stating that he respects UNO's desire to create a college on their campus and that they are looking out for their own interest, but the UNL faculty members and their interests need to be respected as well. He pointed out that there are still some internal issues that need to get addressed with the PKI integration plan.

Joeckel asked how many faculty members from UNO came down to attend the meeting after the UNO Faculty Senate hired a bus to bring people down. Guevara stated that there were about a dozen people there. Sollars pointed out that not all of them were faculty members, several were students and there were also industry people in attendance.

Schubert asked if the Board had it on their agenda to discuss the creation of a UNO College of Engineering. Nickerson reported that the Board accepted the report from Chancellors Perlman and Christensen but there was no specific agenda item addressing a separate College of Engineering.

Guevara stated that the program statement for renovating Manter Hall was on the agenda and approved. Nickerson stated that the School of Biological Sciences is very pleased to hear this because the renovations will allow the department to grow.

Nickerson stated that he was surprised that the Board decided to put the Breslow Ice Rink on hold.

### **6.2 TIPSPrevention Program**

Guevara reported that he attended a presentation on the TIPSPrevention Program which provided details of the software program. He noted that access can be given to everyone or just students, faculty, and staff but each time there is a complaint about someone a file is opened. He stated that one of his main concerns is whether faculty members have a right to defend themselves against the allegations that are made. He noted that a faculty member has the right to see what is in his/her file and to provide a rebuttal. He pointed out that people can say all kinds of things about a person on social media but the university doesn't have to look at these. He stated that a team will look at the complaints to see if there is a pattern of behavior that indicates that some action needs to be taken, again without the person knowing about it. He indicated when it comes to faculty, this is very disturbing.

Schubert questioned how faculty members and students would be protected from false claims. Ruchala noted that the Chancellor said that a person being accused should be able to make a response. Schubert asked how the administration can prove that the information obtained from this program is not being used for or against a faculty member. Joeckel stated that there definitely needs to be oversight on this issue. Guevara stated that the program should have very limited use and that when it is regarding faculty it should only apply to work issues. He noted that in the presentation it was claimed that the program has been able to prevent some suicides at some institutions, but he questioned about the cases that are not caught and wondered if this could create a liability for the university. Woodman questioned how much information is needed before action can be taken.

Schubert pointed out that when the Conflict of Interest Committee was created for the campus to adhere to federal regulations regarding federally funded research the Faculty Senate made sure that a representative from the Senate Executive Committee be included and the Academic Rights and Responsibilities Committee chair be notified in order to provide assistance to the faculty member involved. He stated that the same thing should happen with this program if a faculty member is accused of any wrongdoing.

Guevara stated that he did not like the program and felt that there was too much of a sense of big brother watching. He pointed out that he is not against having a system in place that makes it easy for someone to report incidents and he thinks the intent of the program is good but there are many risks associated with it. Schubert stated that people can go through the Campus Police on line to report incidents.

Joeckel asked if the Executive Committee feels it should make some kind of a statement to watch what happens with this program. Woodman suggested that the Committee needs to wait to see what they are actually going to do with the program.

Nickerson asked where the idea stems from to have such a program. Guevara stated that it comes from the Not Here, Not Now, Not Ever efforts. He noted that the Chancellor has to respond and do something about the incidents that occurred on campus this past fall semester. He stated that he believes that having this kind of a program is an effort to make access to reporting incidents easier and to generate a report to see if any patterns are occurring on campus. Joeckel suggested that the Chancellor might want to hear some of the faculty members' concerns over the use of this program.

Guevara stated that the program can be found at <http://www.awareity.com/>. Nickerson noted that the Chancellor stated that bias reporting can be done through the Women's Center website and wondered if this reporting system can address the issue. Woodman wondered how the Women's Center handles any incidents reported.

Guevara stated that one of his concerns is the overseeing group that can view the centralized information. He pointed out that faculty could be half of the complaints received. Woodman stated that a person should have the right to confront your accuser. Griffin noted that this could cause further problems for people who may be sexually

harassed or worse, especially if the accused is someone that the accuser has to report to or has some kind of authority. Schubert stated that he did not like the atmosphere the TIPSPrevention program creates. Joeckel said that he does not think there is any sinister intent here to use the program.

Ruchala pointed out that it might be good to have a central reporting location. She stated that she was unaware of the bias reporting at the Women's Center and thinks many others may not be aware of it. She stated that it would be good to have a central place to report cases of harassment or other issues. She noted that having a campus website could allow people to report various incidents that may occur on campus. She suggested that the Executive Committee come up with a list of concerns about having such a site and identify the possible limitations and problems that could occur so that such a reporting system could function better. She noted that the idea of having a representative from the Academic Rights & Responsibilities Committee and the Senate Executive Committee on a review committee and part of the process is a good one. She pointed out that if we had a university ombudsperson it would be easier to have a reporting structure. Reisbig noted that the bias reporting online through the Women's Center seems to already have a defined framework. Woodman stated that it would be good to get a report on the data that has been gathered through the Women's Center. Schubert stated that the information that is gathered through such a reporting system needs to be addressed regardless of whether a committee looks at the information or who is on it.

Bender asked if the software program is just limited to information on bias or discrimination. Guevara stated that the categories can be anything from racial discrimination to reporting a burned out light bulb. He noted that the Chancellor wants five categories listed and basically it is just a router for dealing with complaints. Ruchala stated that she would hope that departments and colleges would deal with an issue if one arises.

Schubert stated that he is concerned with who is reading the information that is obtained from the program. Ruchala pointed out that there needs to be a policy on the use of the information gathered. Schubert stated that a policy needs to be written and in place before the program can be put into place. Joeckel stated that proper procedures and protocols need to be in place to insure that everyone is protected.

Guevara reported that the Chancellor has not made the decision yet to purchase the software. He stated that it is important that the Executive Committee explain its concerns and protects the faculty. Nickerson moved that Guevara approach the Chancellor to tell him about the Committee's concerns on the software and to let him know that the Committee would very much like to be involved in how this program is implemented. Schubert seconded the motion.

Bender made the friendly amendment that the Academic Rights & Responsibilities Committee be involved in reviewing the program and the implementation and procedures since it reviews and acts on academic matters. Nickerson accepted the friendly amendment. Joeckel asked if ASUN should be part of the process as well. Guevara

stated that the Executive Committee only looks out for the interest of the faculty and ASUN should make a separate motion. Ruchala stated that she would like to see the Executive Committee develop a list of concerns before approaching the Chancellor to make sure that all of the concerns are addressed. Nickerson stated that the concerns should be recorded in the minutes, based on the comments already made. The motion was approved.

Ruchala suggested that Guevara contact ASUN to make them aware of the program because this might be an issue they want to pay attention to. Wysocki pointed out that this affects staff as well and UNOPA and UAAD should also be made aware.

The meeting was adjourned at 4:44 p.m. The next meeting of the Executive Committee will be on Wednesday, February 5, 2014 at 3:00 pm. The meeting will be held in the Faculty Senate Office. The minutes are respectfully submitted by Karen Griffin, Coordinator and Toni Anaya, Secretary.