

EXECUTIVE COMMITTEE MINUTES

Present: Alloway, Bradford, Fech, Flowers, Hachtmann, LaCost, Ledder, Lindquist, Moeller, Prochaska Cue, Rapkin, Zimmers

Absent: Bolin

Date: Wednesday, November 28, 2007

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

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

2.0 Chancellor Perlman/SVCAA Couture

2.1 12-Month Calendar

Bradford noted that the Chancellor mentioned the idea of the university operating on a 12-month calendar. He asked how serious the considerations are on this. Chancellor Perlman stated that UNO is serious about the calendar but there are no serious discussions at UNL about it. He pointed out that he only wanted to alert the Senate about this so it can explore some formal thinking on the subject in case it moves along at Central Administration.

Ledder pointed out that a 12-month calendar does not add up right if the breaks are included. Chancellor Perlman noted that other universities have a 12-month calendar. Ledder stated to accommodate the breaks in this kind of calendar the semester would have to be shortened. Chancellor Perlman stated that this could be a possibility.

Bradford reported that President Milliken indicated in a recent meeting that UNO could possibly try the 12 month calendar out without affecting the other campuses. Chancellor Perlman noted that a potential problem with this is that some instructors teach at both UNO and UNL and some students attend classes on both campuses.

Bradford asked if there were any real plans to implement the 12-month calendar in the near future. Chancellor Perlman stated that there are no plans but he wanted the faculty to consider such a calendar.

2.2 New Dean of Students Position

Bradford stated that it came to the attention of the Executive Committee that Dr. Hecker, formerly the Director of Student Judicial Affairs, has now become Dean of Students. Alloway stated that a colleague of his brought this concern to his attention. He pointed

out that there are some concerns that there seems to be a proliferation of Deans on campus.

Chancellor Perlman apologized for not bringing this change to the attention of the Executive Committee earlier. He noted that this was not a new hire but rather a rearrangement of the functions within Vice Chancellor Franco's office. He stated that he believed that office was too flat and he was amenable to trying to get some depth into the Office of Student Affairs.

Chancellor Perlman stated that another change in an administrator's position is coming up. He noted that the UNL Bylaws state that there is a Dean of Graduate Studies but currently Vice Chancellor Paul is serving both as a Vice Chancellor and also Dean of Graduate Studies. Chancellor Perlman stated that Vice Chancellor Paul's responsibilities have grown so much with research that it necessitates the two positions be separated. Rather than hiring someone new, the idea is to make Executive Associate Dean Weissinger the Dean of Graduate Studies.

Chancellor Perlman noted that this change will require a dual reporting system. The Dean of Graduate Studies will have to report to both the Vice Chancellor for Research and the Senior Vice Chancellor for Academic Affairs. He stated that there are two ways for handling this change. The first is to amend the UNL Bylaws to reflect the dual reporting system but the problem with this is that it will take a long time to do because it requires the Senate reviewing it for 90 days and then ASUN reviewing it for 60 days. He stated that his preference would be to simply remove all of the reporting information out of the Bylaws but preserve the rest of the information on Graduate Studies. He pointed out that this will provide more flexibility in how the reporting system is handled within the system. He asked how the Committee felt about this proposed change. Ledder stated that he agrees with the Chancellor's preference because putting language in that is specific does not allow flexibility for changes that could occur in the future.

Bradford asked if the proposed changes would have an impact on other parts of the Bylaws. Chancellor Perlman does not think so but he will have this checked out.

Bradford stated that he agrees with removing the language of reporting from the Bylaws but it should be made clear to the person who is Dean of Graduate Studies that there is a dual reporting system. Chancellor Perlman agreed and stated that he will send a copy of the changes to the Senate Executive Committee.

2.3 Budget – Energy Costs?

Alloway noted that last year the Chancellor had indicated that part of the energy costs were not going to be covered and it was possible the university might have to ask the Legislature for help in covering these costs. He asked what the status is of the energy costs.

Chancellor Perlman stated that there was a deficit one year but this year there was a significant increase in the budget to cover energy costs. He stated that he thinks the

university will be fine this year. He noted that UNL has some long term contracts that will hedge against significant increases in energy costs.

2.4 UNL-RIAA Agreement

Bradford asked since when does Vice President Lechner make contracts for UNL. Chancellor Perlman stated that he checked his email and noticed that there was an email message sent to him back in May regarding the contract and he agreed that the contract should be signed.

Chancellor Perlman stated that the contract is a preservation agreement which means that if the RIAA sends a notice of infringement and subpoena then the IP address in question will be kept for six months. He noted that currently UNL only keeps IP addresses for 30 days. He stated that some of the people in Information Services thought we should keep IP addresses for six months but he did not approve this.

Chancellor Perlman stated that RIAA has agreed to not file a lawsuit against any student unless they offer a settlement agreement. He pointed out that the University of Wisconsin took the position that it was not going forward with settlement agreements and some of the students were very angered about this because it did not give them the option of resolving the problem before it went to court.

Bradford stated that he has a problem with the whole process. He stated that he is starting to see reports that courts are unwilling to grant a case because the RIAA does not have enough information to pursue one. He pointed out that the RIAA is only going after a small percentage of students who do not agree to settle. He stated that he is concerned that students are settling without getting proper legal counsel and that RIAA would not have a strong case. He noted that he finds it troubling that the RIAA is strong arming students where there may not be any liability. He stated that ASUN is concerned about this issue as well. He pointed out that many students cannot afford legal counsel.

Chancellor Perlman stated that he does not like someone suing our students but he pointed out that some of the students are breaking the law. He stated that the question is whether having the possibility of a settlement for a certain amount of money less intimidating than a lawsuit where the sum of money owed could be much higher. He stated that he is not sure what the answer is to this question.

Chancellor Perlman stated that in relation to this issue is the concern that the government might pass legislation regarding scholarship funds not being available if a university does not allow file sharing.

Ledder stated that it is hard to believe that UNL is the top school in music piracy. He wondered why UNL is being targeted by the RIAA more than other universities. Chancellor Perlman stated that he does not know if this is a factor but he pointed out that as a law professor he has a history of fighting the music industry by trying to get certain legislation passed.

Bradford asked if the university's rotating IP number system could be a factor. Chancellor Perlman stated that this is unlikely because it is a fairly standard practice.

Bradford stated that another thing that concerns him with the signing of the agreement is the confidentiality of it. He noted that the students of ASUN had to file a Freedom of Information Act in order to get a copy of the agreement. Chancellor Perlman stated that he agreed that the process was not handled well. He noted that the administration is working with ASUN to make students aware of the consequences of downloading music illegally. Alloway pointed out that more than likely the reason that this is such an issue is because sales of CD's are down 5%.

2.5 Evaluation of Dean Kean

See 3.1 under Announcements.

2.6 Parking Advisory Committee

Chancellor Perlman stated that Vice Chancellor Jackson was sent a message signed by the Chair of the Parking Advisory Committee asking that the Chancellor appoint two people to the committee rather than just one. He noted that the Parking Advisory Committee is suggesting that one of the Chancellor's appointees be either a managerial/professional person or a staff person. He pointed out that the Committee is an important advisory committee.

Ledder noted that almost half of the members on the Committee are students. Chancellor Perlman stated that he is not sure of the reasoning for increasing the membership of the committee.

Moeller suggested that the Committee on Committees, whose responsibility is to review and monitor committees on campus, review the suggestion.

2.7 Parking

Bradford asked if the Chancellor had any opinions on differential parking rates which are being considered by the Parking Advisory Committee. Chancellor Perlman stated that he has thought about it and is against it.

Moeller stated that one rationale for supporting the differential rates is that the staff members are an integral part of the university and the high parking rates really hits them hard because of their lower salaries.

Chancellor Perlman pointed out that by saying he is against the differential fees does not mean he has his heels dug in about it but as a general abstract proposition he is against it. He noted that the price of bread is the same regardless and medical expenses are not done on income. He stated that if the proposition is described in the context of a university where you have differential salaries it might be different.

Moeller suggested that differential parking rates could be considered more in terms of a benefit. Chancellor Perlman stated that there could be some advantages to doing this. He

pointed out that if parking was given for free it would be a non-taxable benefit. He stated that currently parking fees are taken out of an employee's paycheck before taxes.

Ledder noted that there would be less incentive to look for different ways to deal with the cost of parking if the rates were not so high. He pointed out that a portion of the parking fees are used to pay for the shuttle service between city and east campus. He stated that this is really an operations expense and wondered if there was anyway to get this off the back of parking.

Chancellor Perlman asked who would pay for the shuttle. The people who use it? Ledder pointed out that there are many things in the operating budget that the employees and students don't pay for such as energy costs. Chancellor Perlman pointed out that the shuttle bus directly relates to the demand for parking. He noted that if there was not a shuttle system there would probably be a greater demand for parking. He stated that he is not happy with the parking situation and it is unfortunate that people are bearing the cost of 40 years of poor planning. LaCost noted that one of the problems is that the rates have jumped quickly and have increased significantly.

Fech wondered whether the high cost of parking is a disincentive when hiring support staff. He noted that it might hinder attracting the kind of people the university would want. LaCost stated that in her experience it is a factor.

Chancellor Perlman stated that if he could, he would rather make differences in salary adjustments. He stated that it would be difficult to tinker with the rates and yet still manufacture an income to support parking.

3.0 Announcements

3.1 Five Year Evaluation of Dean Kean

Bradford stated that he recently spoke with SVCAA Couture about the upcoming evaluation on Dean Kean. Usually a college committee conducts the evaluation of a Dean but since Dean Kean is the Dean of Undergraduate Studies and not associated with one particular college, SVCAA Couture suggested that the GEAC committee collect the evaluations. Bradford noted that the alternative is to have the Senate Executive Committee collect the evaluations. The Committee had no objections to the GEAC collecting the evaluations.

4.0 Approval of 11/14/07 Minutes

The Committee approved the minutes as amended.

5.0 Unfinished Business

5.1 Motion on COIA Representative

Bradford reported that he drafted a motion for the Committee on how to select a representative to the COIA. He noted that the representative would be elected by a majority of the faculty members on the Intercollegiate Athletics Committee (IAC). He noted that the motion states that the person elected must be a current member of the IAC but can still serve as the representative to COIA if their term on the IAC expires.

Alloway moved that the motion be approved and presented to the Senate at the December 4th meeting. Flowers seconded the motion. Motion approved.

Bradford stated that he will present the motion as an emergency motion because the annual meeting of the COIA is in January.

6.0 New Business

6.1 Violation of Academic Freedom

The Committee discussed an issue raised concerning possible violation of academic freedom of a faculty member.

6.2 Commission on Sustainability

Bradford reported that President Solheim of ASUN contacted him about having the Chancellor appoint a joint committee of faculty members and students to think about sustainability issues at UNL. Bradford reported that the Chancellor stated that he would form a committee if a joint request is made from ASUN and the Senate. Bradford noted that he received notice from Professor Peterson, Agricultural Economics, of a similar committee.

Moeller pointed out that many universities have “green” committees looking into issues of sustainability. She noted that students have made a huge difference on some campuses in regards to this issue.

Bradford pointed out that if a committee was formed some of the members would need to be people from facilities and business and finance. He stated that he is hesitant to create another committee on campus. Rapkin noted that if the campus wants to encourage carpooling and eliminating parking problems it might have sense to have a sustainability committee.

Alloway suggested that President Solheim meet with the Committee to discuss the proposed commission.

6.3 Revisions to Committee on Committee (CoC) Syllabus

Griffin reported that the Committee on Committees reviewed the suggestion made by the Executive Committee to revise its membership. The new syllabus would require only one person being selected from the Senate each year rather than two. The President of the Faculty Senate would appoint the other member. She noted that there would not be a change in the number of people serving on the CoC and there would still be plenty of representatives on the Senate because the length of the terms is three years. The Committee agreed with the changes. A motion to review the CoC syllabus will be made at the January Senate meeting.

6.4 Replacement Representative on the Academic Planning Committee (APC)

Bradford reported that Professor Fowler, a member of the APC, is going on leave for the spring semester and needs to be replaced. He noted that Fowler represents the Business and Social Sciences disciplines. He asked that anyone with suggestions contact him.

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