

## EXECUTIVE COMMITTEE MINUTES

**Present:** Fech, Franti, Konecky, Hachtmann, Konecky, Lindquist, Prochaska-Cue, Rapkin, Zimmers

**Absent:** Bradford, LaCost, Ledder, McCollough, Schubert

**Date:** Wednesday, January 7, 2009

**Location:** Faculty Senate Office, 420 University Terrace

**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

Prochaska-Cue called the meeting to order at 3:03 p.m.

### 2.0 Professor Craig Eckhardt, Chair of Academic Planning Committee

Eckhardt reported that when he addressed the Senate he mentioned that when he assumed the chair of APC again he did not want to go through the experiences of the budget cutting process that occurred in 2003. As a result the APC long range planning subcommittee was asked to start working on problems associated with possible budget cuts. He stated that as things have now developed he determined that it would be wise to have a joint effort of the APC, Faculty Senate, administration and other stakeholders to work on the budget so we could possibly avoid the difficulties we experienced last time regarding cutting programs and relieving people with tenure.

Eckhardt pointed out that there is a present protocol that needs to be followed and the Chancellor does not seem inclined to change anything in that protocol. He noted that the university stated in the past that it would try to comply with AAUP guidelines regarding removal of tenured faculty, but that it does not legally subscribe to them. He stated that, largely in agreement with the Chancellor, he did not think the entire Procedures on Budget Reductions and Allocations document needs revision but it might be warranted to re-examine some portions of it. He stated that the problem he sees is with the definition of programs, particularly with parts IV.E.1 c and e of the relevant section of the Procedures and Budget Reductions and Allocations document. These parts could be interpreted to single out individuals for termination; there should be no vagueness in this regard. It was never clear why some people were retained and others let go in some of the programs that were cut in 2003.

Eckhardt reported that the long-range subcommittee has been looking at budget reduction procedures and considering alternatives that could be pursued in the event of budget cuts. He stated that the subcommittee has been thinking about what role academic program reviews might play in terms of assessing budget cuts. He noted that it is unclear how much of a role, if any, the academic program reviews played in the 2003 cuts. He pointed

out that defensible arguments were made that the Museum program was an outstanding program, yet it was cut.

Eckhardt stated that the APC subcommittee is quite open to any kind of structure for a joint committee. He pointed out that members could come from the Senate or anyone in the university - whomever the Senate wants to nominate. He pointed out it is his intent to make this a common effort and to be helpful in avoiding problems that may arise and produce controversy.

Franti asked what APC's viewpoint is on vertical cuts. Eckhardt replied that, while it has not been formally discussed, his impression is that it is pretty much in agreement with the Chancellor. He noted that death by a thousand cuts is not a wise way to go. He pointed out that the question is how deep the cuts will be. He stated that if the cuts aren't too severe, horizontal cuts or like budget-reduction actions (e.g. use of less power) might be an option, but if they are severe, then there will be no alternative than to make vertical cuts.

Franti pointed out that some departments might not be completely bad and should not be entirely eliminated. He suggested that some departments could have some sections cut without eliminating the entire department. Eckhardt agreed and pointed out that this is the reason to carefully define programs and subprograms and that programs (subprograms) could be parts of departments. He noted that most departments cannot exist without core areas.

Zimmers asked what was defined as a program in the 2003 cuts. Eckhardt stated that the problem is that the definition of an academic program is extremely broad and inclusive and, he thought, made it too broad a sword since it placed every academic activity within its ambit, but basically it states that any entity that has a collection of academic interests is a program. The relevant wording of the parts of concern in the document is: anything that "...offers a degree, a certificate, a major, a minor, a credential, a diploma or continuing education units" or which "...is a distinct academic option or track within a larger unit." This only refers to academic programs.

Fech noted that in the 2003 cuts it was baffling to understand why some programs such as the Health & Human Performance program were cut. Eckhardt stated that satisfactory explanations why certain programs were cut and others were not were not always available. He stated that the APC would feel more comfortable if potential difficulties are cleared up before any cuts are made.

Rapkin asked what the priorities for refinements are beyond the definition of programs. Eckhardt stated that he is not sure as he has not discussed this with the subcommittee yet. He noted that academic program reviews are being considered for use, but certain parts of the university, like professional schools, do not undergo an academic program review. He stated that he is not sure how the professional accreditation committees' evaluations would work into a procedure that would use APRs.

Eckhardt reported that there have been suggestions of furloughs, but it is not clear how this might be instituted and what would be the most equitable way of doing it. He pointed out that there are no documents or procedures of which he is aware that deal with this particular issue.

Rapkin asked if the objective is to change the academic review process so in the future it could be used to assist in budget cuts or is the APC using completed academic program reviews now. Eckhardt replied that future academic program reviews will not help with the current situation. He pointed out that what you usually find is that the academic program review committees will clearly identify exceptional programs and ones that are in deep trouble. The greatest number of programs are in the middle and more difficult to rank. He stated that the academic program reviews might be able to identify enough programs in great difficulty and that could help with budget cuts. The APC subcommittee is not involved with using the reviews, but only is investigating if they could be of use in a budget reduction process. Lindquist pointed out that a department such as English could not be cut even if it had a poor academic program review. Eckhardt agreed that this would apply to some departments because of their centrality. However, subprograms of a central department could be cut.

Prochaska-Cue noted that the Chancellor stated that possible budget cuts would be identified after the first of the year. She stated that a joint committee could be reviewing the procedures while the campus is going through the process of cuts.

Eckhardt reported that the Chancellor spoke to the APC before the holidays and his impression was that if, initially, any cuts would be fairly mild they might be more horizontal in character (e.g. savings in power) than vertical. The Chancellor was clear that the university would continue to move forward and cuts would be made with the intent to protect the university's quality. He stated that what concerns him is what the legislature will do for next year. Eckhardt stated that depending on what happens, the budget cuts could be significant. He stated that some of the economic stimulus plans for the country could help significantly, but his feeling is that we should still proceed with clarifying some of the procedures as much as possible to avoid the controversies that arose in 2003.

Prochaska-Cue asked if it would be wise to form a joint committee as soon as possible. Eckhardt suggested so. Fech asked if the joint committee should consist of the members of the APC's long range planning subcommittee and whoever the Senate wants. Eckhardt suggested inviting some people from administration as well. He pointed out that we want to be on as good terms with all parties as possible. He stated that the idea is not to revamp the entire reduction-in-force procedures at this time but only to identify those items that might need clarification or refinement such that any budget cuts can be as free of controversy as possible. He suggested that, after the budget cuts, the administration, academic and student Senates, representative staff organs and the APC might want to really examine the entire document once again.

Prochaska-Cue asked how many people from the Senate should be on the joint committee. Eckhardt noted that the APC long range planning subcommittee is four people: Professors John Bender, Jeff Keown, and Shelley Fuller; and Dwayne Ball who also serves as a representative from the Graduate College. He suggested that there be two or three people from the Senate. He noted that the long range planning subcommittee has done a lot of spade work and has disks on the budget. He stated that he believes the APC is in a little better position than the last time when the APC basically had no detailed prior information to help it make independent assessments regarding budgetary recommendations.

Eckhardt stated that any idea of what to cut is being kept very confidential by the Chancellor and Eckhardt believes the Chancellor has excellent reason to do so. He noted that the APC's role is more to help establish guidelines on how to make budget-cutting decisions, but its role is not to recommend specifically what to cut. He stated that for the APC or the Senate to get involved in the specific recommendations would be unfortunate.

Prochaska-Cue noted that Professor Bender is chair-elect of the APC. Eckhardt stated that this is correct and that the APC was set up so that the chair of the APC long range planning committee would become chair of the APC the following year.

Prochaska-Cue suggested that the Senate representatives for the joint committee be from colleges other than those already represented on the APC long range planning committee. Fech suggested including a representative from the Emeriti Association. Eckhardt agreed. Rapkin pointed out that this member should be an ex-officio member.

Prochaska-Cue stated that she hopes to have names for the joint committee by early next week

### **3.0 Announcements**

#### **3.1 Meeting with Chief Owen Yardley**

The Committee agreed to set up a meeting with Chief Yardley to see what actions have been taken against those people who made threats because of the invitation made to Dr. Ayers. Griffin stated that she will contact Chief Yardley to arrange a meeting.

#### **3.2 Meeting of the Ad Hoc Committee on Research Misconduct Policy**

Lindquist reported that the ad hoc committee met. He noted that Professor Pat Shea is serving on the committee as the Academic Rights & Responsibilities Committee representative. He stated that there are issues with the ARRC's Procedures for Professional Misconduct (PC-B) because it does not fit with a true investigation. He noted that the committee will separate into two groups -- the faculty members and the administrative members -- to look at the research policy and make suggested revisions. The committee will then try to merge the revisions together. He reported that the committee will be meeting again at the end of January.

#### **4.0 Approval of 12/10/08 Minutes**

Zimmers moved and Franti seconded approval of the minutes as amended. The minutes were approved as amended.

#### **5.0 Unfinished Business**

##### **5.1 Draft Proposal on Best Practices for Recruiting and Retaining a Diverse Faculty**

Fech questioned whether the draft proposal is an ad hoc diversity plan since the two previous plans failed. Rapkin stated that he believes the proposal is a response to the Advisory Board's recommendations and a response to the Nebraska Civil Rights Initiative that was passed in November.

Prochaska-Cue suggested that the Committee review Franti's comments on the proposal and discuss it at next week's meeting.

##### **5.2 Faculty Salary Survey**

Item postponed until next week.

#### **6.0 New Business**

##### **6.1 UNL Lactation Policy**

Prochaska-Cue reported that UNL has created a draft policy for a lactation support program. She noted that the draft policy will be presented to the Senate at the January meeting. She stated that door hangers will be given to provide privacy for those women needing it.

The meeting was adjourned at 4:40 p.m. The next meeting of the Executive Committee will be on Wednesday, January 14th at 3:00 pm. The meeting will be held in the Faculty Senate Office. The minutes are respectfully submitted by Karen Griffin, Coordinator and David Rapkin, Secretary.