

## EXECUTIVE COMMITTEE MINUTES

**Present:** Bolin, Fech, Franti, Flowers, Konecky, LaCost, Lindquist, McCollough, Schubert, Stock

**Absent:** Prochaska-Cue, Rapkin, Shea

**Date:** February 17, 2010

**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.

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### **1.0 Call to Order**

Fech called the meeting to order at 3:04 p.m.

### **2.0 Announcements**

#### **2.1 Letter of Appreciation**

Fech reported that he received a letter from Douglas Zatechka, Director, Housing Administration, stating how very appreciative he is for being awarded the Pound Howard Award. Fech noted that the award will be formally presented to Zatechka at the Honors Convocations ceremony in mid-April.

### **3.0 Minutes of 2/10/10**

Flowers reported that he compressed the section on the Academic Honesty Committee report because those reading the original minutes may not be able to make sense of the discussion without seeing the report. He noted that there was discussion during the meeting which eventually resulted in a motion to make modifications to the Student Code of Conduct. He stated that the intention is to have the Executive Committee discuss further changes to number eight of the Code at a later date.

Schubert opposed the change stating that there is no reason to restrict what was said during the meeting. McCollough agreed that clarification on the issue is needed because it is unclear what motion was passed.

Schubert stated that he is generally opposed to the idea of compressing the discussion and felt that the compressed version did not reflect the concerns that were expressed during the meeting. He stated that it was his understanding that whatever is discussed and reviewed in the meeting is available for the faculty to read. He suggested that when documents are discussed the faculty should be able to see that document.

Fech asked if Schubert opposed some specific statements that were removed in the compression. Schubert noted that the original minutes attributed comments to individuals.

Flowers agreed that some of the comments should be included. He pointed out that some people reading the minutes may not be able to follow the stream of thought and this was his reasoning for compressing the discussion. He suggested restricting the minutes to the action that was taken at the meeting.

Fech suggested that Schubert identify what he feels is missing in the compressed version so that these statements remain in the minutes.

Schubert asked if documents that are discussed are required to be made public. Griffin pointed out that many of the documents that are discussed are in a draft stage and subject to be changed.

#### **4.0 Unfinished Business**

##### **4.1 Legal Review for Research Misconduct Policy**

Fech noted that a motion was made at the Senate meeting to have legal counsel review the policy. Stock noted that Senator Rinkevich, Classics & Religious Studies, provided him with documentation showing that there is very little difference in the legal definitions of the words shall and will.

Konecky noted that the ad hoc committee is working on revising the document but will not be able to meet until the Friday before the Senate meeting.

Lindquist stated that the ad hoc committee went through the document and made some changes recommended by Emeritus Professor McShane. He noted that a couple of sticking points still remain. The more difficult changes are those made in the motion presented by Professor Chouinard where the respondent would have the opportunity to review and rebut witness testimony. He pointed out that the way the policy is currently written, the respondent would not have the opportunity to review such testimony until they receive a copy of the draft final report. He stated that the document is currently with University Counsel to see how this can be handled and still be in compliance with federal regulations.

Franti asked if the federal requirements stated that the respondent cannot see the evidence until a report has been written. Lindquist pointed out that the procedures in the policy are a fact finding mission that is looking for evidence of research misconduct. He noted that it is not a court of law and faculty members would have the option of filing a lawsuit after the investigation. He stated that the respondent does have the opportunity to respond to the report before it is finalized.

Fech asked how important it is to be able to refute witness testimony. Lindquist stated that the problem is that refuting witnesses and evidence could create a situation of going back and forth between the respondent and the witness and would jeopardize compliance with the time limit for conducting the investigation.

Fech stated that he really appreciates all of the work that has been done by the ad hoc committee on this document. Lindquist noted that the ad hoc committee is meeting at the end of the February so a vote on the document will probably have to be put off until April because it will not be ready for the Senate by the March meeting.

Lindquist reported that the Board of Regents did not vote on the revised university-wide conflict of interest policy because one of the Regents wanted to add some language to the policy. He pointed out that the UNL conflict of interest policy will be the next major policy that needs to be revised.

#### **4.2 Class Times for East and City Campus**

Fech reported that he received an email from an east campus faculty member who was frustrated with students having to leave class early in order to make it to their city campus class on time. The faculty member asked if the class scheduled could be worked out between the campuses.

Konecky questioned what the history is behind this problem and when problems started to arise. Fech stated that his guess is that the problem started with the advent of longer classes.

Lindquist wondered if the problem was the class schedules or not enough bus shuttles between the campuses. McCollough noted that the buses between the campuses are extremely crowded and that transportation could be an issue. She reported that students have stated problems with the routes being changed and drop off points being much further away.

McCollough questioned whether this was a problem for MWF classes or just TR classes or both? Stock wondered if this is a long standing problem and if other professors were experiencing the same difficulties. He noted that previously the norm for classes was to have them on MWF but there has been a shift more to TR classes.

Fech stated that he will ask the faculty member these questions.

Griffin pointed out that there is a high demand for classroom space on campus and classes are scheduled back to back to accommodate all of the courses that need to be taught and it would be difficult to change class times. She noted that there are some faculty members who will only teach courses on specific days and specific times which add to the difficulty of scheduling classes.

#### **4.3 Academic Honesty Committee Report**

Flowers noted that the Academic Honesty Committee (AHC) suggested the campus create a team to review and deal with issues of academic honesty. He asked if a motion by the Senate is needed to create the team. Griffin stated that a motion could be made by the Senate but it would be helpful if a syllabus was written outlining responsibilities of the team and who will participate on it.

Flowers stated that he will draft a motion calling for participation from Interim Graduate Dean Espy, Vice Chancellor Franco, Interim SVCAA Weissinger, and Dean Hecker. He stated that he will contact them about a meeting to discuss the issue.

Franti stated that before a motion is brought to the Senate he would like clarification about the issue. He noted that the report from the AHC gave little information and he is unsure what the problem is on campus, if creating this team is the only solution to the problem and why is it the only solution. He asked if the problem has to do with the culture of the institution or that we don't have a decent Code for the students. He stated that it seems like the culture has to be changed first. He suggested that a change to the Code of Conduct come from the students rather than the faculty. He pointed out that we do not want to just create another faculty committee that is not worthwhile.

Flowers stated that the AHC looked at what other universities have done to deal with the issue of academic dishonesty but he does not think the Committee had a uniform view on the issue. He noted that other institutions do not have just one person dealing with possible violations of academic dishonesty and a wider body is needed to deal with it, particularly since more issues are coming up from the Graduate College. He reported that the AHC also played a role in suggesting a need for clarifying the Student Code of Conduct. He pointed out that there is a real unawareness on campus of what procedures currently exist to deal with the issue. He stated that the campus needs a better structure to deal with these kinds of issues.

Fech noted that Flowers will take the lead on drafting a document to address the issue. Flowers stated that he will do this in consultation with the administrators mentioned previously and with the Executive Committee.

Franti noted that plagiarism is one problem and asked if it is a greater problem than five or ten years ago. Flowers stated yes, and that it is different because technology has changed things substantially. Franti asked if a new structure is needed to deal with the problem. Flowers said yes because the current system does not deal with graduate student problems. Franti asked if there was no structure in place to deal with graduate issues. Flowers stated that it is not spelled out well and there are some conflicts.

Konecky stated that her past experience is that students are not aware of what constitutes plagiarism and that students perceive that they can use anything on the web any way that they want. She noted that the students seem to think that if it is on the web it is considered public domain.

Flowers stated that things have really changed in regards to academic honesty and the current structure is not adequate to deal with the issue.

## **5.0 Chancellor Perlman**

### **5.1 Update on Deans Searches**

Chancellor Perlman stated that hopefully there will be a series of announcements over the next few days regarding the deans' searches. He stated that he believes we will be successful with all of the searches and that there has been a lot of enthusiasm for the candidates that have been selected. He stated that Interim SVCAA Weissinger did an extraordinary job of getting the campus motivated for all of the interviews.

Chancellor Perlman reported that the search for the VC of IANR is moving along well and there is a good pool of candidates. He stated that airport interviews will be conducted soon and the goal is to have on campus interviews in April.

Chancellor Perlman reported that a search consultant has been hired to help with the search for the SVCAA. He stated that a search committee will be appointed by April 1<sup>st</sup> but he does not plan on conducting the search this semester. He stated that an announcement of the position will be made which will allow the consultant to look at possible candidates during the summer. He noted that the consultant believes this could put us ahead of other institutions that will be doing traditional searches.

Franti asked what procedure the consultant will follow and whether the consultant would accept nominations. Chancellor Perlman stated that the search will be totally open and that there are plenty of opportunities for nominations. He pointed out that Interim SVCAA Weissinger has stated that she is not interested in the position.

## **5.2 Budget**

Chancellor Perlman stated that he thought some announcements would have been made by now about budget cuts but the SAT is still working on some of them although they are getting close. He noted that some reorganizations required by budget reductions may produce long-term benefits but it will still be difficult in the short-term.

## **5.3 Faculty Attendance at Graduation**

Chancellor Perlman stated that he thinks faculty should attend. Fech noted that the majority of people feel that it is a good thing to do but there are some faculty members who feel it is not their role. He stated that he feels compelled to try to get faculty to attend after being asked by the chair of the Commencement and Honors Convocations Committee for help. He noted that faculty attendance at graduation is better for recruiting students and is symbolic of an engaged faculty. He pointed out that it is an opportunity for new faculty members to meet each other and is an easy service opportunity. He stated that along with a free cap and gown for departments it is an easy service opportunity.

Chancellor Perlman stated that the burden of attending graduation ceremonies has been reduced since the graduate ceremony has been separated from the undergraduate ceremony. He noted that ceremonies are now not as long. He stated that there has been some discussion of marching the faculty in and putting them up above the stage in more comfortable seating, but more faculty would need to attend the ceremony before this occurs. He stated that he is willing to help although he does not want to command attendance by the faculty.

McCullough stated that she hasn't attended because she has heard that it is boring and uncomfortable. Chancellor Perlman stated that if the Commencement and Honors Convocations Committee could get the faculty to sit up and behind the stage it would be better because the faculty could then see the facial expressions on the students when they receive their diploma. He pointed out that this reminds you of why you are here.

Fech asked if the Chancellor would consider having a friendly chat with the deans. Chancellor Perlman stated that he would be happy to do it. He noted that graduation is not the most exciting thing but when you are there you get a really good feeling about the university and realize how close the people and students feel with the university.

#### **5.4 University Health Benefits**

Fech stated that he is trying to arrange a meeting with VP Dietze and the other Faculty Senate Presidents to discuss health care benefits. He stated that discussions would be on having a health savings account versus a health reimbursement account and being able to use health reimbursement money for a longer period of time. He noted that the University-wide Benefits Committee has asked for information regarding how much money is leftover in the health reimbursement account at the end of the year but the information has been continually denied.

Chancellor Perlman stated that if the four campuses have the same concerns it might be beneficial to send the Chancellors a memo about it outlining the specific concerns and questions.

#### **5.5 Innovation Campus Update**

Chancellor Perlman noted that there has been a lot of focus on the campus and the challenges are obvious. He stated that the infrastructure needs to be developed and this will cost approximately \$40 million. He pointed out that most of the dean candidates wanted to know how their colleges would interact with Innovation Campus. He reported that there is a schedule of things to do and he is in the process of getting things internally organized and getting ideas from faculty members. He stated that some things that need to be done are getting the corporation formed and engineering studies completed.

Chancellor Perlman reported that RFP's are out on the historical structures and it is hoped that the best proposals will be to remove these buildings and put them in a safe location. He stated that another RFP is on the metal buildings that exist. He noted that there are 14 of these buildings that can be taken down and used. He reported that another RFP will come out later to see what is left and needs to be demolished.

McCullough asked if Innovation Campus will receive some federal funding. Chancellor Perlman stated that if we can get the agricultural research building we will get federal funding.

McCullough asked what the chances are of property taxes being raised. Chancellor Perlman stated that he did not know of any politician who would be willing to run on

raising taxes. He pointed out that the Haymarket Arena is backstopped by property taxes in order to get a favorable interest rate but it is unlikely they will be used for the arena. He noted that the Qwest Center and the Haymarket Arena are different because the Arena would not have a conference center attached. He pointed out that the Qwest Center arena is making money but the conference center is not. He stated that any hotels downtown would be privately financed. He stated that he believes the Arena is critical for the university to help recruit students and faculty from out of state because it makes Lincoln a more attractive place.

## **6.0 New Business**

### **6.1 Research Council Resolution on Digital Commons Institutional Repository**

Fech stated that the Research Council would like help in getting the existence of the repository published and the belief is that the Senate can help by endorsing the Research Council's resolution.

Konecky pointed out that the repository is the second largest in the country with 39,000 publications. She stated that faculty members just need to send Paul Royster, Coordinator, University Libraries, their vita and he and his staff will do the work of getting publications into the repository.

Bolin pointed out that having articles in the repository allows faculty members to see how many times their articles have been downloaded.

Schubert asked if there are any problems with copyright infringements. Konecky stated that Royster's office has contacts with the publishers and all of the posted articles are valid.

Schubert asked how they get articles into the repository. Bolin stated that if the articles cannot be obtained electronically they will be scanned. Konecky pointed out that emeritus professors are also putting some articles into the repository. Bolin stated that faculty members should just contact Royster ([proyster2@unl.edu](mailto:proyster2@unl.edu)) if they want their articles in the repository.

Franti noted that extension papers are on the web for only five years and are not to be available to the public after that time. He asked if these papers are available in the repository. Bolin stated that there are some things in the repository that are firewalled and would not be available to the public. Konecky suggested that Franti check with Royster about the extension papers.

McCullough asked about people downloading published articles and printing them for students. She noted that the author would not be given any money although the article is being used. Konecky stated that all that needs to be done is to point the students to the website where the article is available.

Schubert stated that he never had the digital commons explained before and noted that his college has its own website with all of the faculty members' publications and these are

available to members of the website. He stated that previously members used to have access to some of these articles until publishers went in and blocked them. He asked if the repository would interfere with these copyrights. Konecky stated that Royster knows which publishers will not allow papers to be published. Bolin pointed out that some publishers allow an author's version which is slightly different from the finished product.

Lindquist noted that recently journals are giving authors the opportunity to pay a much larger amount of money to have their articles be open access. He asked if this is worth doing. Bolin stated that she believes in open access and is appalled that authors are being charged by publishers, although she is not sure who should assume the cost. She pointed out that if a grant provides for the cost it would be okay but is uncomfortable with an author having to pay.

Fech noted that the Committee has a request to support the Research Council's resolution. He asked if the Committee wanted to endorse it or would University Communications be a better place to send out a press release.

Flowers moved that we present the Research Council's resolution to the Senate for endorsement. The motion was seconded by McCollough. The motion was approved.

## **6.2 Lunch with President Milliken**

Fech reported that the Senate Presidents met President Milliken for lunch. He stated that the President wanted to know where the campuses are heading. Fech noted that it was a good discussion. He stated that there was also discussion about the dean candidates and Innovation Campus.

## **6.3 Report on the Deans and Directors Meeting**

Fech stated that it was announced at the meeting that March 10<sup>th</sup> will begin online enrollment with the new system. He stated that converting student records to the new student information system is the biggest problem being encountered at this time.

Fech reported that telecommunications billing for departments is going web based sometime between March and July.

Fech stated that UAAD gave an update and noted that 55 out of 80 members cannot attend meetings because they did not have the time to meet which is holding the organization down.

Fech reported that the Big Event is scheduled for April 10<sup>th</sup>. He noted that this is a community service effort by members of the campus and ASUN is looking for faculty members to volunteer.

## **6.4 Recyclemania**

Fech reported that the campus is involved in a 10 week competition among 500 campuses to recycle as much material as possible. He noted that UNL ranks 150. He stated that

residence halls are the primary target for increasing recycling but plans are to get the Greek houses as well.

The meeting was adjourned at 5:00 p.m. The next meeting of the Executive Committee will be on Wednesday, February 24 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.