

## EXECUTIVE COMMITTEE MINUTES

**Present:** Anaya, Fech, Franti, Konecky, LaCost, Lindquist, Nickerson, Schubert, Shea, Stock

**Absent:** Berg, Flowers, McCollough

**Date:** Wednesday, April 6, 2011

**Location:** 201 Administration

**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

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

### 2.0 Chancellor Perlman/VC Green

#### 2.1 Budget

Lindquist noted that the Academic Planning Committee (APC) is currently meeting and will probably be discussing the Chancellor's framework for the budget cuts. Chancellor Perlman stated that the APC will probably approve the framework and next Thursday an announcement will be made regarding the specific cuts.

#### 2.2 Update on College of Engineering Dean Search

Lindquist noted that SVCAA Weissinger informed the Executive Committee at their March 16 meeting that an announcement would be made very soon, but to date there has been no announcement. He asked if things were moving in a positive direction and whether there will be a new dean shortly. He stated that faculty members in the College of Engineering received an email message from one of the candidates indicating that he was the top choice. He asked if there has been any change in the candidate being considered for the position.

Nickerson asked the Chancellor how much involvement he had in the interviewing process and decision. He pointed out that the interview with the candidate and the Executive Committee did not go well. Chancellor Perlman stated that he did interview the candidate and the decision was made to go with the candidate because it was felt that he could bring the kind of leadership that is needed to the College of Engineering. He stated that he thinks the expectations for the college will be very high.

#### 2.3 Innovation Campus Update

Schubert stated that his colleagues in Engineering want an update on the status of Innovation Campus. Chancellor Perlman noted that email messages have been sent to faculty members at various times during the planning and construction process asking them to participate. He stated that he has invited the Senate to have a faculty forum on

Innovation Campus so faculty can participate in discussions. Lindquist noted that a forum is planned for the fall.

Nickerson stated that the possible lack of \$25 million from the state sounds worrisome. Chancellor Perlman pointed out that it would be very helpful to have the funding.

#### **2.4 Update on Activities and Short Term Goals (VC Green)**

Lindquist stated that the Executive Committee would like to get an update from VC Green on how things are going for him and to get an update on his activities and goals. VC Green noted that he has stayed in touch with the Senate through the IANR Senator's luncheons. He reported that numerous things are occurring in the Institute. Currently the Institute is in mid-stream of a planning process. He reported that there are 11 teams working on different aspects of the Institute ranging from business practices, research, and academics. He noted that the idea is to make the Institute a more efficient and effective organization. He reported that a hard look is being taken at administrative bureaucracy and the administrative structure of the Institute with the idea of eliminating inefficiencies. He stated that a final report is due from the deans in August.

VC Green stated that some of the teams are far along in the process but other teams have some distance to go before their task is completed. He reported that he is very encouraged by some of the ideas and recommendations that are being made.

VC Green stated that the Institute is in the middle of some very important searches. He noted that the Dean of the Agricultural Research Division has been an open position for almost two years. He reported that four deans are being interviewed for the position beginning on April 13. He stated that he is excited about the candidates and pointed out that there was a great response to the recruiting of a new dean.

VC Green reported that another critical search is the Executive Director of the Water for Food Institute. He stated that this search is at the airport interview stage and there are currently eight candidates.

VC Green stated that the Institute is having a lot of success with obtaining external grants. He reported that the Institute is about to receive its largest federal grant ever. He noted that he is very concerned with events that are occurring in Washington, DC with the federal government and the budget because it could have significant impact on funding for the Institute.

VC Green noted that the Water for Food Conference will be May 1 – 4. He reported that the conference will draw people from around the world. He stated that the university is sorting through the numerous international opportunities that are coming in for the Water for Food Institute.

VC Green reported that he continues to be very glad that he came to the University.

## **2.5 Disparities in the Role of Faculty in Hiring, Promotion & Tenure Reappointment, and Evaluations**

Shea noted that there is a growing concern among some faculty members in how we operate across UNL. He pointed out that there have been discussions on how to make city and east campus more seamless and to bring the colleges closer together. He reported that in discussions with faculty members from different colleges it has become apparent that there is considerable disparity in the roles of the faculty in hiring decisions, promotion and tenure decisions, faculty reappointments, and in the annual evaluation process. He noted that in some areas faculty members have a lot of input in the hiring decisions, but in other departments they play a very small part, particularly in IANR. He stated that he thinks many faculty members feel it is important to resolve some of these issues if the two campuses are to work in a more seamless fashion. He suggested that the administrators look into how these processes are being handled in the different colleges and departments.

VC Green stated that he has picked up on some of these issues. He asked if there is a feeling that there is a different standard to which the faculty is being held for evaluation across the campus. Shea stated that he does not think there is a difference in the standards, but there is significant difference in the processes. He pointed out that in some departments faculty members provide considerable input in processes such as faculty evaluation, however, in other departments the unit administrator does the entire evaluation of the faculty members. He stated that he is aware of a number of situations where the promotion and tenure committees recommended reappointment but the unit administrator went against the vote of the committee and the final decision by higher administration went with the unit head rather than the promotion and tenure committee.

VC Green reported that one of the teams in the Institute is looking at the evaluation process and hiring and promotion practices. He stated that he has pointed out to the teams that he wants a very thorough look at how evaluations are done and how much faculty time is being invested in them. Shea stated that he is very happy to hear this because there is such disparity in how evaluations are conducted from unit to unit.

Nickerson asked if the goal might be to have a similar process across the entire campus. Chancellor Perlman noted that this is not one of his goals. Shea stated that he thinks it is important to resolve these disparities because it could influence how the faculty interacts and works together as one institution.

Nickerson noted that he served as the APC's outside representative on academic reviews for departments and learned that the promotion and tenure process was an arbitrary process and junior faculty members were very leery of and concerned with the people in charge of promotion and tenure and the tenure process. He stated that significant improvement is needed and he recalls the consultants on the

life sciences initiative called for uniformity of processes. He pointed out that this is a serious problem that he hopes the team will address.

Shea noted that he has often heard the administrators talk about the role of the faculty in the university and statements have been made that decisions are made by the faculty in the unit. He stated that in some units it may be true, but in some units that is not the case. He stated that we are all UNL faculty and should have similar roles in campus processes.

Chancellor Perlman stated that he does not know how a fair review of a faculty member can be done without faculty input. He noted that hiring and promotion and tenure decisions are based on peer reviews, but it is uniform across the campus that an administrator can stop a decision made by a promotion and tenure committee. He pointed out that this might be done in cases where there is a downward sloping trajectory in the department. He stated that it would trouble him more if there were processes that weren't open, particularly those processes that do not take into account merit of scholarship. He noted that there are some departments that come out of a tradition where all faculty members have involvement in various processes, but this might not be applicable for all departments. He stated that the effort should focus on whether the right type of merit judgments are being made and whether there is an openness of faculty input, however each department has its own culture and he does not feel he should interfere with it.

Fech stated that his unit has been talking about what is being left out on evaluations and how the unit can strategize to find a creative way to include work or service that is not currently being included in evaluations.

VC Green reported that this is the first time he has observed the reviewing and promotion and tenure process and it has been an eye opening experience. He stated that there is quite a variation in how promotion and tenure files are presented. He noted that there might be a standard for performance level but each department handles it differently.

Shea stated that the key point that the Chancellor made is that there should be some threshold for peer engagement or faculty involvement in the process. He stated that the Executive Committee is not talking about every unit having to do everything the same way, but rather what is the appropriate level of engagement in each of these processes.

### **3.0 Announcements**

#### **3.1 Academic Dismissal Forms**

As a point of information LaCost reported that she has been contacted by Assistant Director Jennifer Nelson about possible changes being made to the academic dismissal form. She stated that members of the Academic Standards Committee and others are working together to revise the form. The new form would include a standard list of

reasons for the dismissal. She indicated that the Senate will have an opportunity to review the form once a new draft is complete.

#### **4.0 Minutes of 3/30/11**

The minutes were approved with revisions.

#### **5.0 Unfinished Business**

##### **5.1 Health Care Audit**

Schubert stated that no one seems to know where the initiative to conduct the health care audit is coming from. Lindquist stated that Central Administration called for the audit and it is being conducted by institutions and private businesses across the country as a way to possibly find some savings. LaCost stated that she and Fech calculated that with 45 ineligible people identified during the amnesty period, the savings to date would be \$112,000 a year for UNL.

LaCost noted that there is a time cost associated with the audit. An employee with children 19-26 years of age who are employed part or full time will have to provide an affidavit to verify that the child cannot obtain health insurance through their employer. She pointed out that this is additional work for faculty and staff members. Franti stated that the information could be provided once a year when people have to sign up for NUFlex.

Schubert stated that the university has the facility to do the work of the audit and the required documentation could be kept within the university. Lindquist pointed out that Chapman and Kelly has much more experience in conducting these kinds of audit. Franti pointed out that people can take copies of the required documentation, block out all information that is not required, and write on it that the document is not for official use. He noted that this would help protect information.

##### **5.2 ARRC Recommendation on Draft Suspension of Pay Policy**

Lindquist reminded the Executive Committee that one year ago, the Chancellor asked the Committee to develop a policy on when UNL could suspend the pay of a faculty member for not performing their duties. Lindquist deemed such a policy to be the responsibility of the ARRC and asked them to develop a policy. He reported that when the ARRC discussed the issue they recommended that the Executive Committee suggest to the Chancellor that the faculty is unable to draft a policy because creating such a policy would support suspension of pay in some circumstances, thus diminishing faculty rights and protections. Lindquist asked if the Executive Committee wants to accept the ARRC's recommendation or to work on drafting a policy.

Shea suggested that the Regents Bylaws needs to be carefully reviewed to determine whether it addresses all the possible reasons for suspending a faculty member's salary. If it is found that a policy is needed, then the Executive Committee should cooperate with the Chancellor to create a policy. He pointed out that we need to avoid arbitrary kinds of decisions involving policies affecting the faculty.

Schubert asked if there are any other cases other than the recent one where a faculty member refused to do his work. Konecky stated that there have been other cases and it took many months to resolve the issue. She pointed out that we want to protect the faculty as much as possible and a carefully written policy could do this.

Schubert asked what the circumstances would be for suspending a faculty member's salary. He noted that he does not think we can create a policy and he does not want anything to do with someone getting their pay cut. Lindquist and LaCost disagreed that a policy could not be written. Schubert pointed out that suspension of pay is contrary to tenure. He stated that tenure is the top line of protection for faculty members and suspending a faculty member's salary is against the idea of tenure. Nickerson noted that if a policy is created there needs to be exceptions for faculty members who cannot perform their duties because of serious illness or apportionment issues.

Anaya stated that she does not think that faculty members should be able to hide behind the mantel of tenure if they are not doing their job, but there needs to be a balance. She stated that suspending someone's pay should not be taken lightly and there would have to be serious documentation and reasons for doing it.

Schubert asked how tenure can be revoked in a matter of days. Lindquist pointed out that if a faculty member breaks state or federal law swift action can be taken. He reported that there is a state law that says that a state employee cannot get paid for duties not performed and if a faculty member does not perform their duties, this law could apply.

Lindquist stated that associated with this issue is Bylaw 4.3 which addresses apportionment. He noted that there is no language in Bylaw 4.3 which prohibits an administrator from changing a faculty member's apportionment of duties at the last minute resulting in an additional workload for the faculty member and not all of the colleges have set up a committee to address issues of disagreement with apportionment of duties.

Nickerson asked if a suspension of pay policy could be viewed as providing coverage for the administration to suspend a tenured faculty member's salary. Shea noted that the policy would cover all faculty members, not just tenured faculty members.

Lindquist asked the Executive Committee if it wants to address the issue of apportionment. He noted that apportionment should be clear cut for faculty members but this is not always the case. He stated that having a new policy would be helpful. Nickerson pointed out that confusion with apportionment of duties is frequently seen with split appointments. Shea stated that the Institute has position descriptions that are signed by the faculty member and the relevant administrators. He pointed out that this should be done across the campus because it protects both the faculty member and the administration. He noted that faculty members can go to the administrator and have their job description updated if needed. He stated that the real key is to make sure that everyone knows their apportionment and responsibilities. Stock noted that in his department a faculty member's apportionment of duties can be renegotiated through the

personnel committee. Franti pointed out that we don't necessarily want a policy of rewriting someone's job description each year because it wouldn't be practical.

## **6.0 New Business**

### **6.1 Recommendations on Faculty Issues**

Lindquist noted that there are a number of new administrators on campus: two new Vice Chancellors and three, soon to be four, new deans. He suggested that it would be a good opportunity for the Executive Committee to develop a list of faculty issues and recommendations for the new administrators on such topics as the faculty role in hiring and recruiting, promotion and tenure decisions, reappointments, apportionment of duties, and merit pay.

Franti asked if the list should be vetted with the full Senate. Lindquist noted that the Executive Committee represents the Senate when it is not in session but it would be helpful to hear from Senators about these issues.

Franti suggested that the Executive Committee could check to see how the Faculty Senates operate in the Big Ten. He wondered if the Faculty Senates play a larger role at the other schools of the Big Ten. Schubert suggested that members of the Executive Committee could speak to their colleagues at some of the Big Ten schools to get their perspective. Lindquist noted that there will be a meeting of the Faculty Senates of the Big Ten universities this October. He suggested that we might want to send several members of the Executive Committee to the meeting.

The meeting was adjourned at 5:07 p.m. The next meeting of the Executive Committee will be on Wednesday, April 20, 2011 at 3:00 pm. The meeting will be held in the Faculty Senate Office. The minutes are respectfully submitted by Karen Griffin, Coordinator and Pat Shea, Secretary.