

EXECUTIVE COMMITTEE MINUTES

Present: Anaya, Irmak, LaCost, Lindquist, Nickerson, Purdum, Rinkevich, Schubert, Shea, Struthers, Wysocki

Absent: Varner

Date: Wednesday, September 14, 2011

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.

1.0 Call to Order

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

2.0 Announcements

2.1 Meeting with Professor Byrant, Chair of Academic Planning Committee

Griffin reported that the Executive Committee will be meeting with Professor Bryant to discuss faculty governance on October 12.

3.0 Approval of 9/7/11 Minutes

Anaya moved approval of the minutes as revised. Wysocki second the motion. Motion approved.

4.0 Unfinished Business

4.1 Suspension of Pay Procedure – Meeting with Professor Peterson

LaCost reported that she met with Professor Peterson, Chair of the Academic Rights and Responsibilities Committee, to discuss including language into the ARRC procedures relating to suspension of pay for a person not being considered for dismissal. She noted that Professor Peterson suggested changing the title of the section in the ARRC procedures that would apply to circumstances of suspension from responsibilities and suspension of pay. She suggested drafting language to be included in the ARRC procedures and sharing this with the Chancellor to see if the language addresses the constraints he was seeking. Shea pointed out that the Executive Committee needs to carefully review any draft procedure on suspension of pay.

Purdum noted that the Senate is already considering changes to the ARRC procedures. Lindquist pointed out that the Senate votes to approve revisions to the ARRC procedures next month. He believes that a suspension of pay procedure can only be written into the ARRC procedures, but it would not be appropriate to try and incorporate any proposed changes into the revisions that will be voted on next month. Purdum pointed out that circumstances requiring suspension of pay hardly ever occur.

Purdum asked if an employee breaches a contract by not performing their duties, aren't they subject to being fired. She noted that tenure cannot protect someone if they are not doing their job. Irmak pointed out that tenure does provide considerable protection. He asked if a department head can walk into a faculty member's office and tell them that they are going to have to teach a course. Purdum stated that the faculty member and the department head are supposed to negotiate apportionment of duties, but the head has the prerogative of saying that particular courses need to be taught in a department. Lindquist stated that a department head could ask a faculty member to teach a course but if the professor did not agree, BOR Bylaw 4.3 could be invoked.

Schubert pointed out that the teaching roles of faculty members are so diverse. He wondered who defines what the teaching load is for individual faculty members and what is the cut off to suspend pay. Lindquist stated that this should be defined in the college bylaws. Schubert suggested that a college committee should make this definition.

Purdum stated that writing a policy to deal with suspension of pay seems to be a legal matter. Lindquist stated that the BOR Bylaws does not include language to address the issue of suspension of pay. He suggested that the Chancellor wants to propose some language that could be included in the Regents Bylaw to address this issue.

Irmak asked where the Chancellor believes he has the power to suspend someone's pay. Lindquist stated that the Regents Bylaws state that an employee cannot be paid if they are not performing their work. He pointed out that Attorney Mary Kay Hansen stated that there is no state law that says this, yet the Chancellor has stated that there is such a state law, if so, we should ask him where it is in the Nebraska statutes.

Shea stated that he believes that every action and policy should be supported by a bylaw or written policy. If no bylaw or written policy is found then the administrator needs to be questioned. He noted that the Chancellor seems to be saying that there may not be adequate procedures in place to protect faculty members in cases of suspension of pay. Purdum asked who determines when a faculty member is not doing their job.

Shea state that the Executive Committee needs to take a position about a suspension of pay procedure. Irmak noted that the Executive Committee has the opportunity to craft language now that would protect faculty members. Schubert pointed out that we cannot develop a procedure that voids the protection of tenure. LaCost noted that if a faculty member is up for dismissal, pay cannot be suspended while Academic Freedom & Tenure A procedures are pending.

Anaya suggested the Executive Committee notify the Chancellor that we are having troubles in developing a procedure because we do not see where he has the right to suspend pay. LaCost stated that she will send the Chancellor an email message stating this.

5.0 New Business

5.1 Report on Board of Regents Meeting

LaCost reported that a presentation was made to the Board on the health care audit. She noted that a 99.5% response rate was generated. She stated that 421 people were removed from the health plan, 198 people were terminated from the health plan due to involuntary insufficient information. She noted that most of the ineligible dependents were children of employees who no longer qualified for coverage. She reported that the cost of the audit was \$107,000 but the university saved \$994,000. Lindquist stated that this amounts to a savings of about \$2,350 per person.

LaCost stated that a report was given on the east stadium expansion and an update on Innovation Campus was provided. She noted that there was an update on the Lincoln West Haymarket arena. She stated that 85% of the contracts for the arena work are with local companies.

LaCost reported that a new director for Online Worldwide has been hired. She stated that there appears to be a push to equalize costs for courses across the units in the system.

LaCost stated that she presented a comment to the Board on the faculty perspective of the change to 120 required credit hours for graduation. She pointed out to the Board that there will be a very small window of opportunity for departments and colleges to determine what courses will be required for graduation since information for the bulletin for fall 2012 will be due this semester. She noted that President Milliken wanted to assure her that the Regents value the work of the faculty.

5.2 Report on Deans and Directors Meeting

LaCost reported that at the Deans and Directors meeting there was discussion about the 120 credit hours and how the administration hopes this will help with retention and graduation rates. She noted that there was discussion about increasing the number of students.

LaCost reported that Assistant to the Chancellor Crump gave a presentation about search committees. It was reported that UNL was audited by the federal government about our searches. In particular, cautions were provided on how search committee members should behave and how the members should not become part of the social group of people being interviewed. She stated that anyone involved with search committees might want to get an update on the search committee training. She noted that a common complaint is that we lag in responding to people about the status of a search.

5.3 Follow up on Senate Meeting

LaCost stated that she sent an email message to the other Faculty Senate Presidents asking if they had the ability to provide input regarding the 120 credit hours. She noted that some of the sister campuses worked on this last spring. She stated that apparently the deans at UNL were made aware of the plans to change the required credit hours.

Nickerson noted that if the Executive Committee was going to work on trying to get a more uniform policy regarding professors of practice we should have information. He stated that he asked Griffin how many Senators are professors of practice. She reported that there are six professors of practice and a lecturer on the Senate. Nickerson suggested that some of these people should be involved if the Executive Committee wants to draft a policy. He wondered what the actual wording was of the resolution that established these positions. Shea noted that Professor Evelyn Jacobson was chair of the committee that worked on creating these positions and Nickerson might want to contact her for this information.

Schubert stated that research professors should be included. Shea stated that if a policy is created it should be for academic faculty. Irmak agreed.

Purdum asked if there was any discussion about procedures to follow up on new faculty priorities and how they are going to proceed with these faculty priorities, particularly replacing those faculty members who retired on VSIP. LaCost noted that her chair indicated that open positions will be retained in their department, at least for this year. Lindquist stated that he has heard that processes for dealing with open positions in IANR will remain essentially the same.

LaCost reported that there was some discussion about summer sessions. Shea noted that the way summer sessions are administered has changed. He noted that the campus is still looking for long term plans as to what is going to be done with summer sessions.

LaCost stated that the Chancellor reported that we need to increase the number of our international students. Griffin asked if the faculty have heard whether there is going to be changes to the International Affairs Office. Schubert stated that he has had difficulties with the IA office. For example, he noted that there are federal regulations in place that make it difficult to provide an honorarium to an international visitor. Irmak pointed out that if UNL is going to be in a similar class as the other Big Ten institutions, international engagement has to be enhanced greatly.

The meeting was adjourned at 4:37 p.m. The next meeting of the Executive Committee will be on Wednesday, September 21, 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.