EXECUTIVE COMMITTEE MINUTES

Present: Belli, Dawes, Fech, Hanrahan, Latta Konecky, Lee, Leiter, Peterson, Purcell, Rudy, Woodman

Absent: Adenwalla

Date: Tuesday, December 12, 2017

Location: 201 Canfield Administration

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 (Purcell)
Purcell called the meeting to order at 2:31 p.m.

2.0 Chancellor Green/Executive Vice Chancellor Plowman/Vice Chancellor Boehm
2.1 Next Steps following Foundation for Individual Rights in Education (FIRE) Letter
Chancellor Green noted that he received a letter from FIRE on Friday regarding the August 25th incident on campus and the University’s handling of the situation in regards to Lecturer Lawton. He reported that the basic request of the letter is that the University change its decision regarding Lawton teaching a course by December 22. He stated that he is working with legal counsel to write a response and he will share as much information with FIRE as is legally allowed.

Leiter noted that there was a recent article in the Omaha World Herald about State Senators Halloran and Erdman’s plan to introduce a bill to the State Legislature that would require colleges and universities within the state to uphold free-speech rights and show neutrality in protecting freedom of expression. Chancellor Green stated that he did not have the opportunity to read the article yet, but he was aware of the Senators’ plan. Rudy reported that at the recent CIC faculty leadership conference this fall the issue of free speech and academic freedom was raised and in particular the Wisconsin free speech legislation was discussed. He stated that a prominent law professor from one of the Big Ten universities reported that Wisconsin’s legislation would not have a chance of getting through the judiciary appeals process.

Belli stated that the Lincoln Journal Star published an article regarding AAUP’s request to have a site visit on campus and asked what the administration’s response has been. Chancellor Green stated that there was an initial letter from AAUP and the administration responded to the letter with the appropriate amount of information that we could legally share, but the AAUP disagreed with the information and requested a visit in January. He stated that he will respond to AAUP’s request for an on campus visit later this week. He noted that the letter felt that improper processes occurred on campus and that the AAUP
could choose to sanction the campus. Lee pointed out that sanctioning is a threat to administrators, particularly if an administrator is seeking to move to another job.

Chancellor Green stated that he is aware that the Executive Committee met recently with President Bounds and had a deeper discussion about the issue.

2.2 Concern of punitive versus remedial action for instructors accused of misconduct
Belli reported that Professor Billesbach commented at the Faculty Senate meeting that when he served on the Student Conduct Board efforts focused to remediate first before taking punitive action in cases of student violations. He noted that there was strong support from the Senate that this form of action should be taken for Lecturer Lawton. Chancellor Green stated that consideration would be given to remedial action if it was believed that it would be helpful, but with this particular case it was felt that it would not work.

2.3 Possible academic program cut and additional $360,000 cut to Teaching, Learning & Teacher Education
EVC Plowman reported that she spoke with the Interim Dean of CEHS about this issue. She noted that every college has identified possible program cuts to help deal with the budget and the department in question has a program that could be cut. She stated that for the last three months she and the deans have first began to look at an analysis of programs considering programs that have less than 30 undergraduates enrolled, how many credit hours the courses produced, and the proportion of faculty members to students. She noted that the deans identified programs that would be less painful to cut, if program cuts are needed, to deal with the budget problems. She pointed out that a program within TLTE has low enrollments and students continue to leave the program.

EVC Plowman stated that the process to identify possible program cuts is based on data and conversations with the dean. She stated that it is up to the deans to decide if they want to speak to their departments about the possible cuts. She noted that the deans could use the data to show the departments that they need to make improvements to possibly prevent being cut.

Woodman pointed out that the Chancellor spoke to the Academic Planning Committee on December 6th and said that the information pertaining to proposed programmatic cuts was not to be released. Executive Vice Chancellor Plowman stated that she wants the deans to talk about efficiencies within their colleges, particularly in regards to the ratio of faculty to students. She pointed out that there are departments that really need more faculty members and other departments that have a lot of faculty, but not enough students. She stated that if any tenured faculty member would be impacted by a program cut, the university is obligated to try and find them a position elsewhere in the university. She noted that untenured faculty members would be cut first. Lee pointed out that a question that needs to be considered with programmatic cuts is whether certain courses need to be offered versus eliminating a major.
Rudy reported that TLTE uses a lot of lecturers and with soft money drying up, he asked if the department would have difficulty in delivering their curriculum. Executive Vice Chancellor Plowman stated that questions that need to be considered are whether the department can be re-conceptualized and are there more efficient ways of delivering the program.

2.4 Update on the Restructuring of Life Sciences

Purcell noted that she received an email from a faculty member who wanted to know whether the idea to restructure the life sciences was to increase competitiveness, to be more effective in research, or if the effort to reorganize was tied to the budget problems. Chancellor Green noted that he made the decision to pull back on the Life Sciences restructuring. He noted that there was a process to define the taskforce and a resolution was reached on how the taskforce should be structured. He said that two co-chairs were identified for the taskforce, but the efforts became sidetracked with the freedom of speech issue and the budget situation. He pointed out that he did not feel like we had the bandwidth on campus to deal with the restructuring efforts given what has been occurring on campus. He noted that he has spoken with the co-chairs about it and yesterday he spoke with the incoming director of the School of Biological Sciences about the restructuring idea. He stated that we did not want to have a discussion on the restructuring if we are not in a good, productive, and resourceful place to do it. He pointed out that the restructuring is on hold for the time being, but with the additional budget cuts off the table for now, the campus might want to look into the restructuring in the upcoming year.

Vice Chancellor Boehm noted that when discussions began on whether to continue the life sciences restructuring he wrote up a list of 15 other things that needed to be worked on and the life sciences restructuring came in as 16. He pointed out that a lot is going on both at East and City campus that impacts the university and the budget cuts were going to impact many people. He stated that there are important conversations that need to take place about the life sciences, but after he and Executive Vice Chancellor Plowman spoke with the two co-chairs it became clear that there are a number of cultural differences that need to be addressed and currently it might be difficult for certain sectors of the life sciences to sit down and have the needed discussions at this current time.

Chancellor Green stated that he appreciates the questions raised by the faculty member in the email message, but the timing is not right. He noted that the new director of the School of Biological Sciences has some ideas on how to address the restructuring of the life sciences so it might be more feasible to begin the restructuring efforts in about six months.

Vakilzadian asked if there has been any effort to combing the departments of Electrical and Computing Engineering with Computer Science and Engineering. Executive Vice Chancellor Plowman stated that there have been no moves on her part to combine the programs. She noted that she will be talking with Interim Dean Perez later.
Woodman reported that the Academic Program Review of the Chemistry department recommended that the department be merged with Biochemistry.

Chancellor Green pointed out that discussions such as merging departments or restructuring the life sciences are not about budget and budget cuts. It is about what the best ways are for programs to be delivered and whether we are optimized to do this. He pointed out that it is unlikely that any conversation would result in the saving of money, and in fact, would probably require more resources. He noted that rarely are savings found when units are merged.

2.5 Gender Pay Inequity for Extension Educators - January 1/July 1, 2018

Purcell asked Vice Chancellor Boehm if Extension Educators receiving equity increases will be notified on January 1 and whether those with a significant increase will not receive the full amount of their equity raise until July. Vice Chancellor Boehm noted that there is a university rule that if a salary increase is over 10% it has to get the Chancellor’s approval. If the increase is over 20% it needs the President’s approval. He pointed out that he wants to thank the Faculty Compensation Advisory Committee and the Senate Executive Committee for identifying the inequities. He reported that 57 Extension Educators will receive an equity increase, and 16 of these increases will need approval from the Chancellor. He stated that there might be 3 or 4 who could get more than 20%, but caution is being taken regarding giving the full increase at one time because of the recent attention the Legislature has given to Extension. He noted that these 3 or 4 people might receive salary adjustments in two phases. Purcell asked if those people not receiving their full equity increase will receive back pay from January 1. Vice Chancellor Boehm stated that back pay would not be able to be provided.

Vice Chancellor Boehm reported that he has spoken with Dean Hibberd about the differences in salaries for the 4-H Extension Educators as compared to other Extension Educators. He noted that there is a difference of $3500 between 4-H Extension Educators and other Extension Educators and this discrepancy goes beyond gender. He stated that $190,000 is being used to adjust 4-H Extension Educators’ salaries, but he thinks it will take longer to completely bring their salaries up to parity. He noted that IANR will now look at comparative data for Extension Educators each year to ensure that the disparity does not occur again.

Lee asked if the university could be subject to a lawsuit for back pay. Vice Chancellor Boehm stated that he does not know the answer to this question. He pointed out that we live in a world of inequity, and some 4-H Extension Educators made the choice to come to Nebraska rather than go to another university, even though they would have been paid more elsewhere.

Lee asked if the university is publicly admitting that there has been gender inequity for Extension Educators. Vice Chancellor Boehm pointed out that there are some gender based inequities, but there are other types of inequities too. Rudy noted that Dean Hibberd called it an inequity issue. Vice Chancellor Boehm stated that this is true because there were also men whose salaries needed to be adjusted. He stated that for
longer term employees, 30-45 year employees, their records need to be examined to see if there are any performance base inequities. He noted that merit increases are supposed to fix these kinds of inequities. He pointed out that in reviewing long time employees with higher salaries the records showed that they exceeded expectations in their evaluations.

Vice Chancellor Boehm noted that Assistant Vice Chancellor Jeff Bassford will be drafting the letter that will go out to those Extension Educators who are receiving equity increases and he believes that the letter will identify the rule for getting the Chancellor’s and President’s approval for significant pay increases.

2.6 Clarification on the Proposed Changes to the University Budget Model
Rudy noted that President Bounds had stated that the numbers reported by former Chancellor Perlman in his op ed piece to the Omaha World Herald were incorrect. He asked if the Chancellor has the correct figures. Chancellor Green reported that he will be writing an op ed piece soon that deals with the fairness question that former Chancellor Perlman raised. He noted that President Bounds addressed this at the Board of Regents meeting on December 5th. He pointed out that the new budget model is being implemented over time to address the inequities that have occurred for a longer period of time. He stated that the Chancellors have agreed that there are inequities in the current budget model which disadvantage UNO and UNK.

Purcell said it makes sense to have UNL receive a larger portion since it is the flagship campus. Chancellor Green pointed out that even if you consider UNL as being the flagship campus and UNMC’s uniqueness, there is still inequity with the budget model and it has built up over the past 20 plus years. He stated that the budget remodeling is an attempt to normalize the budget. He stated that the revenue aspect of the budget needs to be paid attention to, in part, because the tuition has not been evaluated to match the level of instruction. He pointed out that he is not happy that we are losing some funding to address this issue, but noted that our tuition was not put into the budget model. He said that a question to consider is whether our tuition model is right. Woodman asked if the Chancellor is suggesting that we should have higher tuition in some areas. Chancellor Green noted that the cost of delivering some courses is much higher than others. Peterson pointed out that when tuition is raised too much it negatively impacts our enrollment.

2.7 Update on Search for Vice Chancellor of Business and Finance
Chancellor Green reported that unfortunately the search was not successful. He stated that the individual we were trying to hire decided to stay at his institution. He pointed out that he does have a contingency plan in place until we can find the right person for the position. He said that he will announce the contingency plan soon.

2.8 Update on Search for Vice Chancellor of Student Affairs, Vice Chancellor Research and Economic Development, Dean of Graduate Studies, Dean of the College of Education and Human Sciences
Executive Vice Chancellor Plowman reported that the search for the Vice Chancellor of Student Affairs will be organized in late summer and it will be a national search. She
stated that airport interviews will be conducted for 11 candidates for the Vice Chancellor of Research and Economic Development. She reported that a search for the Dean of Graduate Studies will start before the end of May and it will be a national search.

Executive Vice Chancellor Plowman stated that the College of Education and Human Sciences dean search committee will be organized in late August and the search for the dean of the College of Engineering will begin this spring.

2.9 Update on Honors College Director
Executive Vice Chancellor Plowman reported that there will be an internal search for the director of the Honors program and applications are due by January 8. She noted that the plan is to have candidates identified by the end of January.

2.10 Update on Restructuring of Student Affairs
Executive Vice Chancellor Plowman stated that Students Affairs is moving to a different structure. She reported that there will no longer be a Dean of Students. She noted that previously there was the Vice Chancellor and then a number of other people, but there will now be three Assistant Vice Chancellor roles. She stated that Student Conduct Officers will be hired to assist with student conduct issues. She noted that the Student Code of Conduct is being revised. She stated that there will be a Director of Student Concerns who will work with CAPS and will work on other student wellbeing issues. She said that a search for an Associate Vice Chancellor of Operations and Chief of Staff is in process and this person would be responsible for centralizing the auxiliary units.

2.10.A. What is the backlog of judicial student cases?
Executive Vice Chancellor Plowman reported that there were 800 student judicial cases in backlog when Interim Vice Chancellor Bellows took over, but the number of cases is now down to 20 in large part due to assistance from Assistant to the Chancellor Tami Strickman, Office of Institutional Equity and Compliance.

2.11 Issues on the Horizon
Chancellor Green reported that the loop road project in front of the stadium is beginning and will continue until the end of next summer. He stated that the implosion of the Cather Pound dorms is scheduled for Friday, December 22. He noted that the construction of the new Student Health Center is ahead of schedule and that the Burr Fedde dorms on East Campus have now been demolished.

Chancellor Green stated that there is a growing concern for mental health issues among the student age population. He noted that there has been a real escalation across the country of mental health challenges amongst university students and the campus will need to invest resources to help address this problem. Woodman asked if faculty can get training to help identify students who are having problems. Executive Vice Chancellor Plowman stated that Student Affairs is purchasing a video that can help identify a protocol for faculty members to use that would teach faculty members what are considered signs of instability and what can be done to help the student.
3.0 Graduate Student Assembly Executive Committee Members (Karen Da Silva, Daniel Clausen, Julia Reilly, Brandy Judkins)

Purcell welcomed the graduate students and noted that the Senate Executive Committee recently met with the ASUN Executive Committee and felt that it should also meet with the Graduate Student Assembly (GSA) Executive Committee to address concerns.

Da Silva stated that a real concern for graduate students is in regards to free speech and academic freedom. She noted that the GSA wants to know whether a policy or statement has been formulated which would provide clarification for graduate students regarding the issue of free speech/academic freedom. Purcell reported that Central Administration has created a draft freedom of expression statement that is currently being reviewed by the faculty and administrators of the four campuses. She stated that she does not know what the final statement will be and any additional comments need to be sent to her so she can submit them to Varner Hall because the statement will be presented to the Board of Regents at the January meeting. Da Silva reported that the GSA sent a letter to the administration requesting that there be policies to protect graduate students. Woodman asked if the GSA received a response to the letter. Da Silva stated that she just received a letter from Chancellor Green which provided several links about student conduct, but after reviewing the documents she did not find anything relating specifically to graduate students.

Da Silva stated that there is a gap in communication with the graduate students when policies are formulated affecting them. She stated that the GSA has been working with Interim Dean of Graduate Studies Tim Carr on writing a Graduate and Professional Student Bill of Rights which they will present to the Chancellor once completed. Belli suggested that the GSA share the draft document with the Senate Executive Committee.

Da Silva pointed out that graduate students are concerned about what happened with the August 25 incident. Peterson asked if they have specific concerns about treatment as graduate students and/or as GTAs, or possible threats to their academic freedom. Da Silva stated that they are concerned with all of these aspects as well as the impacts on their professional development. Reilly noted that there does not seem to be clarity on the governance structure for how graduate students should be treated. Judkins stated that there is really not a clear delineation for due process and it is confusing for graduate students who are also employed by the university. Belli pointed out that Lecturers are considered part of the faculty and so they are covered by the Board of Regents Bylaws.

Judkins reported that the GSA has been working on developing a Bill of Rights since last spring and while consideration is still being given to the language of the document, one of the goals is to have more information pertaining to protection and responsibilities. Peterson asked if the GSA wants the Bill of Rights to sit at the UNL level or with the Board of Regents. Da Silva stated that they are working with Interim Dean Carr to see if the Executive Graduate Council needs to approve the Bill of Rights. She noted that the university lawyers are working with the GSA on the Bill of Rights document to make sure that it does not conflict with any university policy. Lee asked if the GSA was working off a model bill of rights. Da Silva stated that the GSA reviewed all of the Big
Ten universities’ bill of rights. She reported that a draft of the document can be viewed at https://www.unl.edu/gsa/2017-2018/Bill%20of%20Rights%20GSA%20Official%20Document.pdf.

Judkins noted that the Bill of Rights was divided into four sections: Academic Rights, Rights Regarding Information and Privacy, Rights Regarding Professional Development, and Freedom from Discrimination and Adverse Conduct. Included in these sections is the right for graduate students to be informed in advance of changes to their health insurance policy and the right to be included in decision making pertaining to their wellbeing. Woodman pointed out that these sections seem very general and asked how the Bill would help the graduate students. Reilly stated that many graduate students do not know what their rights are, and some of them, particularly the international students, do not understand if they are accused of doing something wrong or if they are a victim of discrimination. Da Silva stated that the GSA wants to make sure that graduate students have some protections that are clearly defined in a document.

Woodman asked if there is an ombudsman that students can go to if they are having any difficulties. Reilly stated that currently graduate students would go to Graduate Studies, but students do not have the ability to institute this process. Belli asked if a process is lacking. Judkins pointed out that the process is not clearly outlined for what graduate students should do when issues occur. Peterson noted that the students seem to want to have a procedure in place that provides avenues for recourse. He suggested that Graduate Studies might be able to help identify mechanisms to address issues.

Rudy asked if there is any kind of onboarding or new orientation for graduate students. Clausen stated that attendance at orientation is entirely voluntary. Judkins pointed out that the orientation does not mention Title IX or the Institutional Equity and Compliance Office. Da Silva stated that there is a general document that is distributed, but it is more of a consolidation of ideas intended to help graduate students. She pointed out that there seemed to be a lack of due process for the Lecturer involved in the August 25th incident.

Rudy asked if there is any kind of training for teaching assistants. Judkins stated that it depends on the departments, some are very good while others are not. She stated that sometimes there are several short, 30-minute workshops discussing things like ASUN and finals policies, but most GTAs don’t know about the workshops. Woodman noted that the College of Arts & Sciences has an introduction session and suggested that a session on the proposed Bill of Rights be included. Judkins stated that the GSA hopes that the Bill of Rights becomes part of the documents that graduate students receive when they first enter the university and it would be helpful to have Title IX training.

Peterson noted that a related matter is in regards to academic honesty and integrity. He asked if graduate students have been provided any information regarding plagiarism. He stated that the Faculty Senate had an ad hoc committee looking into academic honesty and integrity issues and the committee argued for the creation of an office that would work on academic honesty and integrity. He reported that just recently the Faculty
Senate approved a new Academic Integrity Committee and members will include one undergraduate selected by ASUN and one graduate student selected by the GSA.

Da Silva stated that Interim Dean Carr is worried about promoting faculty preparation and it is something that the Graduate Council discusses often.

Peterson stated that he believes the Bill of Rights is a great idea. Da Silva noted that the GSA wants to make sure that faculty and graduate students are working together on the similar issues that both groups face.

Woodman asked how many Big Ten universities have graduate student unions. Judkins noted that one of the hurdles to becoming unionized are the international students and possible repercussions for them. She reported that the GSA has had more discussion on the subject, but the campus is about five or ten years away from this occurring. Reilly pointed out that the sudden change in the graduate student health insurance this summer, the free speech issue, and the proposed changes to the tax system are galvanizing graduate students to move towards the direction of being unionized.

Judkins noted that one thing that is occurring which will provide the GSA more opportunities to interact with the administration is the joining of ASUN and the GSA which is currently in transition. She stated that the GSA is really pushing for conversations about grading policies, and how this impacts graduate students.

Lee asked if new graduate students get information from GSA. Da Silva stated that the GSA does have some new student information. Lee asked if the GSA communicates regularly with graduate students. Da Silva and Reilly reported that they are only able to send new graduate students one or two messages a year.

Da Silva stated that the GSA would like to have an advisor from the Graduate Council Office and she is working on trying to get this connection established.

Lee noted that in his department they have two graduate students serving on the department governing body. He asked if this is typical for departments. Judkins noted that some departments do include graduate students on their governing body, but other departments do not have such organization.

4.0 Announcements
4.1 University of South Dakota’s Instate Tuition for Nebraskans
Belli noted that in the Omaha World Herald Op Ed piece written by Rick Ruggles there is reference to the University of South Dakota offering in-state tuition rates for Nebraska students. He pointed out that this should be an agenda item for an upcoming meeting with the administrators.

4.2 Faculty Rights Committee Meeting
Woodman reported that the Faculty Rights Committee recently met with Assistant to the Chancellor Tami Strickman and had a very good and productive conversation with her.
He noted that the need for developing a faculty rights policy on campus is still on the agenda.

5.0 Approval of December 5, 2017 Minutes
Woodman moved for approval of the minutes. Motion seconded by Peterson and approved by the Executive Committee.

6.0 Unfinished Business
No unfinished business was discussed.

7.0 New Business
No new business was discussed.

The meeting was adjourned at 4:33 p.m. The next meeting of the Executive Committee will be on Tuesday, January 9, 2018 at 2:30 pm. The meeting will be held in the City Campus Union, Regency Suite immediately following the Faculty Senate meeting. The minutes are respectfully submitted by Karen Griffin, Coordinator and Joan Latta Konecky, Secretary.