EXECUTIVE COMMITTEE MINUTES

Present: Adenwalla, Belli, Fech, Hanrahan, Latta Konecky, Lee, Leiter, Peterson, Purcell, Rudy, Vakilzadian

Absent: Dawes, Woodman

Date: Tuesday, March 27, 2018

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.

1.0 Call (Purcell)

Purcell called the meeting to order at 2:30 p.m.

2.0 Chancellor Green/VC Boehm

2.1 Academic Freedom Coalition of Nebraska (AFCON) Statement Regarding NU Freedom of Expression Policy

Chancellor Green noted that AFCON has written a statement expressing concern about NU’s Freedom of Expression policy passed by the Board of Regents in January. He stated that both Emeriti Professor David Moshman of AFCON and Danielle Conrad of Nebraska ACLU spoke at the January Board meeting. He stated that ACLU’s concern is with the draft facilities use plan and AFCON’s concerns are about civility speech and the facilities use plan. He reported that AFCON has written a letter to the Board of Regents asking for the Board to review the policy, but he does not know what the Board’s response will be to this request.

Chancellor Green stated that the deadline for suggesting revisions to the draft UNL facilities use plans is mid-April. He stated that AFCON feels that the plan is too restrictive, although the plan is essentially the same that the campus has been following except that the new draft provides more definition about public forum spaces. He pointed out that it is his understanding that AFCON did not agree with the existing policy. He stated that he plans on having his cabinet review the plan. Purcell noted that she sent the draft facilities use plan to the Faculty Senate and indicated that responses need to be made to her by Thursday, April 12.

Lee asked if the Law College has vetted the Freedom of Expression policy. Chancellor Green stated that the constitutional law professors in the Law College have reviewed the policy and the facilities use plan. He noted that Interim VC of Business & Finance Bill Nunez is managing the facilities use plan and he is getting input from the Law College and other groups about the plan.

Lee pointed out that the Regent’s policy did not follow the Foundation for Individual Rights in Education (FIRE) policy very closely. Chancellor Green stated that AFCON
would agree. He noted that the Regent’s policy references FIRE, but not to the extent that AFCON felt should be included in the policy.

2.2 UNL’s Smoking Ban - How Effective? City Campus? East Campus?
Chancellor Green stated that he does not know how effective the policy has been and he has still seen a few people smoking on campus. He reported that Facilities has staged ashtrays on the perimeter of campus and most people have responded positively and are slowly adapting to the change. Purcell asked if chewing tobacco was allowed on campus. Chancellor Green stated that it is also banned.

2.3 Extension Evaluations
Purcell reported that she has heard that there are inconsistencies with how the annual evaluations of Extension Educators are being handled in at least four of the five extension districts. She noted that in one district Extension Educators do not know who they are being evaluated by because it is being done by a panel of people. She stated that one goal is to get consistency among the districts in how evaluations are conducted.

VC Boehm stated that he was not completely aware of what has been occurring, but he will speak with Dean Hibberd to learn more about it. He stated that it is his understanding that the District Director would evaluate individual Extension Educators and if there are any discrepancies in an evaluation rating that it would be reviewed. He stated that he thinks one of the problems is that evaluations are treated differently depending on which district an Extension Educator is in. He noted the Dean Hibberd has mentioned about having an overall committee, but he received a lot of pushback on this idea. He reported that he plans on having a conversation to see whether there needs to be an Institute-wide promotion and tenure committee that is faculty led, and the natural step would be to have a similar process for Extension Educators. He pointed out that this process would not be Center driven.

VC Boehm reported that ENREC will have a new director starting on April 1 and a position description is going out for the Metro District Director position which is currently filled with an interim.

Fech noted that he serves on the promotion and tenure committee for the Southeast and Metro districts and he has real concern for new Extension Educators. He stated that it is important for them to stay on track with their career development and to be able to put together a good personnel file. VC Boehm pointed out that we need the best minds along with the best practices for the Extension system. He noted that up until January, only department heads, the Deans, and VCs were meeting regularly, but Dean Clutter sent a note out yesterday to all Center heads convening a similar group for a meeting next month. He stated that there will also be another group of unit leaders that will be brought together at least twice a year. He pointed out that there is no real connection between academic departments and Extension and there is an opportunity for us to improve the communications. He noted that it may take some time to get everything in place, but he appreciates the constructive criticism.
2.4 Extension Merit Raises
Purcell reported that she has been told that this year Extension personnel will receive a flat amount of increase rather than a percentage and asked if this is consistent with other campus faculty. Adenwalla and Hanrahan pointed out that their departments decided on an absolute value increase several years ago.

2.5 UNL’s Response to Flooding Problems in Basement of Westbrook
Hanrahan reported that there has been over an inch of water for over a month now in the organ studio located in the basement of Westbrook. He noted that Facilities has had manual pumps running, installed a sump pump, and have dehumidifiers running continuously, but the problem has not been resolved and there is now real concern for mold growth which would pose a serious health situation. Chancellor Green stated that he will have Interim VC Business & Finance Bill Nunez look into the situation.

2.6 Faculty Salary Increases
Chancellor Green pointed out that the budget has not been resolved yet, but assuming that the Appropriations Committee’s recommendation holds, we would conduct our salary exercise. He stated that the question will be whether salary increases at UNL will be implemented on July 1 or January 1, with the latter being more likely. He stated that the proposed salary increase rate would be 1.75%, and noted that UNL administrators will not receive salary increases which will save the University about $500,000. He stated that if the increase is delayed the exercise for determining salary increases would still occur in June because the increase is based on the merit of work done in the 2017-18 fiscal year.

Vakilzadian asked how much of the 1.75% increase is retained by the administration and the deans and how much actually goes to the department. Chancellor Green stated that no salary dollars are kept in administration. He noted that the raises all go to the colleges where they may hold some funds back. He stated that the only funding that is held back by the administration is for promotion and tenure, and these funds are pulled off the top before it goes to the salary merit pool. Vakilzadian asked if there are any procedures that the colleges must follow in how they handle the merit pool funds. Chancellor Green stated that the colleges determine how they use the funds. He noted that in the past some very small amounts were used by the colleges to retain professors.

Purcell asked if the administrators in Central Administration will get a salary increase. Chancellor Green reported that the decision to not give anyone with an administrative title a salary increase was a UNL decision. He pointed out that this was the first proposal that was considered when he and the other administrators started discussing the budget. He stated that he is not certain what Central Administration’s plans are.

Rudy asked if promotion and tenure raises will be delayed until January. Chancellor Green stated no, that it will occur at the same time as usual.

Lee asked what is occurring with the university’s budget. Chancellor Green noted that for the time being the university is not in the spotlight as the Legislature continues to
debate the Title X amendment the Governor inserted. He stated that he hopes the issue can be resolved and the budget given final approval. If not, a special session of the Legislature could be required.

2.7 Aggressive Recruiting Strategies by Local Competitors and the University’s Response

Hanrahan reported that a colleague of his told him that a recruiter from Creighton University was buying lunches for recruits and making negative comments about UNL at a restaurant just off campus. Chancellor Green pointed out that every college in the nation is fiercely competing for every student. He noted that Kansas State is down 932 students, Missouri is down several thousand students over a period of three years, and Iowa State is trying to hold on to every student it can. He reported that in Nebraska some colleges are deeply remitting their tuition because they are losing students. He noted that Iowa State, KU and other competitors are heavily recruiting in Omaha and Lincoln, but even in this intense recruiting environment our deposits for freshmen students is higher this year than it was at the same time last year.

Adenwalla pointed out UNL should be talking to high school counselors telling them that UNL gives students the best education. Chancellor Green stated that he has spoken to Admissions about this, but there are still some schools in the state that are biased toward universities outside of Nebraska. He noted that some counselors have personal relationships with other colleges and so they may advocate those schools to their students. He reported that he has reached out to administrators at some of our private colleges and they will now be holding a monthly meeting to talk about issues facing higher education and how we present ourselves to students.

Chancellor Green pointed out that our enrollment goal focuses on getting more out-of-state students. Hanrahan noted that our tuition rates for out-of-state students is high and that we do not offer scholarships for students who are in the mid-range of the ACT scores. Chancellor Green stated that our cost of attendance is still lower than every other Big Ten school. He stated that he believes that if our enrollment holds for the fall semester that it is partially due to the extra scholarships funds that have become available with the new $5 million that Athletics is providing to the academic enterprise of UNL as scholarship support for students who are not athletes. He noted that this funding is enabling us to target the ACT student in the mid-range (26-30) where there has been more limited scholarship support. He reported that the scholarships for these mid-range resident Nebraska students is now $1500 a year that is renewable for four years.

Vakilzadian asked how we compare in our admission standards with the other Big Ten schools. Chancellor Green stated that we have a more open enrollment in order to keep the university accessible to students throughout the state so our ACT required score is lower than the other Big Ten schools. He pointed out that if we give up public access we change the nature of the university.
2.8 FERPA Guidelines
Purcell reported that there is some concern from faculty members that administrators are hiding behind the FERPA rules in regards to answering questions about events that have happened on campus this year. Chancellor Green stated that before he addressed the Senate at the March 6 meeting and spoke about the student who is a white nationalist he had the issue thoroughly reviewed by University Counsel, and he was told in no uncertain terms what he could, and could not say publicly. He stated that his preference is to be as open as possible, but FERPA compliance prevents this in many ways.

Hanrahan noted that the Executive Committee asked to see the video from the Nebraska City Campus Union which showed the confrontation that occurred in August. Chancellor Green stated that an inquiry was made to release the video through a freedom of press request, but legal counsel stated that because the video is there for security purposes, it cannot be released except for criminal investigations.

Hanrahan asked if there has been any recent direction from the Department of Education regarding stricter adherence to the FERPA regulation. Chancellor Green stated that there has been no recent directions and it has been our interpretation of the FERPA law. He pointed out that if a university breaks the regulation, it puts all of the university’s federal funding at jeopardy.

2.9 Instructional Budget Cuts
Adenwalla noted that in her department instructional budget cuts are being made, yet they do not appear to be related to the budget cuts the university is dealing with. She asked what the rationale is for these budget cuts and noted that cutting funds for instructors does not coincide with the Chancellor’s enrollment goals and inhibits programs from growing. She noted that at the heart of the issue is the F & A budget deficit and using temporary instruction funds to cover it. She pointed out that taking the temporary funds inhibits departments from offering more sections of courses that are in high demand.

Chancellor Green stated that this is a college decision. He noted that the College of Arts & Sciences has had a budget deficit in F & A for a number of years and they have been told that they need to resolve it. He pointed out that Dean Francisco should address this issue with the faculty of the college.

Adenwalla pointed out that the distribution of the F & A funds is not evenly distributed. Belli asked if the formula for distribution of F & A funds was still 1/3 for the college. Chancellor Green stated that this is correct. He stated that colleges get 1/3 of the F & A funds generated by their departments and it is up to the college how they use this share.

Adenwalla pointed out that departments are being asked to cover 2/3 of the cost of start-up funds and F & A funds are typically used for this purpose. VC Boehm stated that there needs to be a serious conversation with the new VC for Research and Economic Development about the distribution of F & A funds. He noted that the more indirect funds that are passed to the units leaves the ORED with less funds for leveraging start-up packages. Chancellor Green stated that the colleges decide how to fund start-up packages.
and F & A funds are not the only source of funds for start-ups. He pointed out that every college decides how it allocates its budget.

Chancellor Green stated that this relates to our budget model and the need for us to rethink it. He noted that the centralized budget model being used now has not been refreshed in a long time and it is based on a centralized incremental budget model. He pointed out that there has not been any shift in a long time with the budget, regardless of research grants or enrollment numbers, and the need to revisit the budget model is very important.

2.10 Issues on the Horizon
Chancellor Green reported that the recent federal funding omnibus bill passed by Congress for the current federal fiscal year is reasonably good for increased spending in research in many of the federal agencies.

Chancellor Green stated that the N150 Commission has held its first meeting and a meeting with the taskforces will occur next week. He reported that approximately 165 people will be involved and there will be campus forums during the first week of April.

Chancellor Green stated that he is planning to do a major 150th anniversary address on campus in the beginning of 2019. He asked the Senate to provide feedback on whether he should discontinue the annual State of the University address for this one time in the coming academic year due to the 150th anniversary, and instead go to each college for a visit and university update which would make it a more personal presentation in the fall term. This would be followed by the 150th anniversary address in the early part of the 2019 celebration year.

Chancellor Green noted that we will no longer be holding the Honors Convocation. He pointed out that the faculty awards have been separated and are now in a separate function (The Laurels), and in addition, only about 40% of the students qualifying for honors convocations attended the event. He noted that having an Honors Convocation ceremony put pressure on the parents to come to campus twice in a relatively short-time frame and the Deans have been in favor of hosting their own ceremonies within the college. He noted that he and his wife are planning to host the senior Chancellor’s Scholars students at his home prior to the end of the spring semester and commencement as a new tradition.

Rudy pointed out that we need to get a coherent message out that includes our branding and marketing and he asked who coordinates this. Chancellor Green reported that a new communications leader has been hired and this person will be the point person for branding.

Adenwalla asked what is happening with the reorganization plans for the life sciences and the merging of the computer science and engineering faculty are discussing a new potential organizational structure for the program - potentially as a School of Computing the College of Engineering. Chancellor Green stated that EVC Plowman and the
computer science faculty are still discussing a proposal to merge the programs. He stated that reorganization of the life sciences is on hold and that this is a discussion that needs to be considered in the strategic planning process. He noted that there was a faculty led task force developed in fall of 2017 initially identified to be charged with consideration of the reorganization of the life sciences across UNL, but he felt that it was not the right time to launch a task force given the state budget uncertainty coupled with the upcoming strategic planning process (now underway as the N150 Commission). This may be revisited in the future depending on how the strategic plan emerges.

3.0 Announcements

3.1 Conversation with Director of Procurement Services Maggie Witt
Purcell reported that she spoke with Director Witt on March 16th regarding the planned walk-throughs to colleges and departments to assess the printer situation. She stated that Witt said the earliest these visits could occur would be in May. Faculty will be asked to join these planned walk-throughs. Data needs to be validated and correct before changes can occur. She noted that Canon is the approved supplier for UNL, UNO, and UNK, but the UNMC has a different supplier. She reported that Witt is planning on having a listening session for faculty with Canon.

Adenwalla pointed out that changes have already occurred with procurement because some supplies are now only being shipped one day a week. Purcell stated that she believes that faculty members will be asked to serve on the Procurement BRT, similar to how faculty members are now serving on the Travel BRT.

3.2 Vacant Senate Seat Proposal
Purcell suggested that the Senate consider a proposal to allow a faculty member in a college to fill a vacant Senate seat from another department. She noted that the Marketing department in the College of Business has not had a representative in many years. Adenwalla pointed out that this could spur interest for faculty members serving on the Senate. Griffin noted that this proposal would change the Senate Bylaws and will require not only Senate approval, but Board of Regents approval because it is part of the UNL Bylaws.

4.0 Approval of March 13, 2018 Minutes
Peterson moved for approval of the revised minutes and seconded by Fech. The motion was approved by the Executive Committee along with two abstentions.

5.0 Unfinished Business

5.1 Proposed Amendments to Class Attendance Policy
The Executive Committee reviewed the proposed amendments to the Class Attendance Policy made by faculty members after the March 6 Senate meeting. Purcell noted that the Senate is scheduled to vote on the motion at the April 3 meeting. Hanrahan pointed out that Lee and Peterson, the first and seconder of the motion, would need to accept the amendments to the class attendance policy first. If accepted, the Senate will then need to vote on the motion.
5.2 Campus Climate Poster Statement with Proposed Amendment
Purcell reported that the campus climate poster, with the amendment made at the March 6 meeting, will be sent to the Senate and voted on at the April 3 meeting.

6.0 New Business
6.1 Draft UNL Proposal on the Facilities and Grounds Use Policy
Purcell noted that she sent the proposal to the Senate and asked them to discuss it with their colleagues. She stated that comments need to be sent to her by Thursday, April 12.

6.2 ARRC Proposed Procedures Revisions
Peterson reported that he has worked on revising the ARRC procedures, including adding non-tenure track faculty members to the Academic Rights & Responsibilities Panel, but the proposed revisions are still under review by Attorney Mary Kay Hanson who works with the special hearing committees that work on ARRC complaints. He suggested that the Executive Committee review the proposed revisions over the summer so it can go to the Senate in the fall.

Rudy noted that EVC Plowman and VC Boehm have proposed reinstituting an ombudsperson. Purcell stated that the proposal is to have two ombudspersons, one female and one male and that faculty members could go to whoever they feel most comfortable with. She stated that the ombudspersons would be faculty members who would have a .50 FTE as an ombudsperson. Peterson noted that Attorney Hanson believes that the ARRC has been handling too many cases that could be handled with an ombudsperson. Rudy reported that there is an academic development program for ombudspersons.

The meeting was adjourned at 4:37 p.m. The next meeting of the Executive Committee will be on Tuesday, April 3, 2018 immediately following the Faculty Senate meeting. The meeting will be held in the East Campus Union, Great Plains Room. The minutes are respectfully submitted by Karen Griffin, Coordinator and Joan Latta Konecky, Secretary.