

EXECUTIVE COMMITTEE MINUTES

Present: Baesu, Bearnese, Boudreau, Eklund, Kolbe, Latta Konecky, Lott, Minter, Paul, Weissling, Zuckerman

Absent: Kopocis, Krehbiel, Paul

Date: Tuesday, April 18, 2023

Location: Nebraska Union, Big Ten Conference Room

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 (*Minter*)

Minter called the meeting to order at 2:33 p.m.

2.0 Announcements

3.0 Approval of April 11, 2023 Minutes

Minter asked if there were any further revisions to the minutes. Hearing none she asked for a motion to approve the minutes. Weissling moved, and Latta Konecky seconded to approve the minutes. The Executive Committee then voted to approve the minutes.

4.0 Chancellor Green

4.1 Budget Planning

4.1.A. In his BOR address, President Carter discussed a structural deficit for the University system of approximately \$31 million. What do you think will happen if there is not a tuition increase to help generate revenue?

Chancellor Green noted that if there is not a tuition increase UNL will have a larger deficit than we anticipated. He pointed out that President Carter understands the importance and the need for a change in the tuition rate and has voiced this to the Board of Regents. President Carter pointed out in the last Board of Regents meeting that there needs to be discussion on whether having a zero-tuition increase is sustainable.

Minter asked if UNMC's shortfall rolls into the university budget. Chancellor Green pointed out that the University system receives the total state-aided budget and there is a structural deficit for the system for the next two years which will be distributed to the campuses based on their share of the budget. He noted that UNL's share of the deficit is just under half of the full amount. He stated that UNMC, UNO, and UNK split the other half of the deficit, although he does not know exactly what the budget situation is for the other campuses. Minter asked if the hospital side of UNMC has a budget separate from the university side. Chancellor Green stated that it is separate, and it is through Nebraska Medicine.

Eklund asked if it is too early to ask about fall enrollments. Chancellor Green noted that the APC is currently addressing the \$10.8 million shortfall. He noted that we still have a \$12 million shortfall, but we have very conservatively estimated that it should be covered through enrollment, if there is a tuition increase. He pointed out that it is not only tuition revenue that impacts our budget. He stated that while LB 384 provided funds for us to replace or renovate old buildings on campus, it also required us to pay 2% toward deferred maintenance funding each year.

4.2 With legislation being considered to allow people to carry a concealed weapon without a permit, will UNL still ban guns from campus? If so, is there any way to enforce this policy?

Chancellor Green stated that it is likely the bill allowing people to carry a concealed weapon without a permit will pass in the Legislature, but he needs to speak with General Counsel to see how this would impact the campuses, although he thinks we might fall under the same guidance as public schools. He stated that he will find out the answer to this question and get back to the Executive Committee about it.

4.3 We are concerned that the current legislative environment (the concealed weapon bill is only one example) has an impact on recruiting and retaining faculty.

Chancellor Green stated that there are concerns in regard to the political climate around a number of issues affecting faculty, staff, and student recruitment and retention.

4.4 Who is responsible for UNL's marketing and is there a way to market our research mission and UNL better?

Chancellor Green stated that for the most part, University Communications handles most of our marketing, although we have used some outside marketing experts on occasions. He pointed out that it is not atypical for large R-1 universities to do their own marketing although many do work with large ad agencies and public relations firms. He noted that we do employ some outside counsel in recruiting students.

Chancellor Green pointed out that a lot of marketing takes place that people are not aware of with most people seeing Nebraska Today which is heavily focused on research being conducted at UNL. He noted that we work on communicating our research work all of the time and that people would be amazed to see how much marketing universities do through printed materials. He noted that we do this as well, sending out promos to our colleague universities, pointing out that higher education cross-communications are a way to keep our rankings up. He reported that he recently attended a meeting with the other Big Ten schools and there was discussion of the Big 10 Network using more of the airtime for promoting research stories at the Big Ten universities.

4.5 What is your perspective of shared governance in the future?

Chancellor Green stated that in his seven years as Chancellor and his previous years as Vice Chancellor of IANR he believes that shared governance is healthier now because people are focusing on more important issues. He stated that he hopes that shared governance will continue to be a central tenant of the fabric at UNL.

Baesu asked what advice the Chancellor would have for the Executive Committee as we move forward. Chancellor Green noted that the campus will have a new leader and he encouraged the Executive Committee to work proactively to develop a productive and positive relationship with the new administration. He pointed out that the new Chancellor will have their own opinion about shared governance but there is a strong history of it here at UNL.

Eklund stated that it seems that universities have gone from being a true academic setting to more of a business setting with students and parents wanting more of an input on what is being taught. Chancellor Green stated that there are some trends to support this idea but some of the trends are still more local rather than national. He reported that what is occurring more nationally is the unionization of faculty, staff, and graduate students. He noted that there is a movement afoot nationally for graduate students to unionize which is shifting the dynamics about how employments rights are managed across the employment of the academy and universities are watching this carefully.

4.6 Should there be some standards in how positions get described and how apportionments are made so there is not such a difference across the campus?

Minter noted that the Executive Committee has made a long effort to get some routinization of service apportionments in the hopes that this would provide better support of service work done by a faculty member. She stated that it seems like colleges have their own tradition about service and the Board of Regents Bylaws says that it rests at the university level. She pointed out that service work is not equally valued across the campus, and there are some faculty members who are actively involved with service work while some units have no representation on committees. She stated that not valuing service work impacts shared governance.

Minter stated that the Executive Committee has pushed for a minimum apportionment for service based on title, or alternatively getting service apportionments adjusted for faculty members who serve on committees. She suggested having a letter sent on behalf of the Chancellor or the appropriate Vice Chancellor to the faculty member's chair stating that the faculty member is serving on a particular committee and their service apportionment should be adjusted accordingly.

Chancellor Green suggested that there should be some kind of rubric that would be consistent with responsibility and have that applied for people who participate in shared governance roles. Minter suggested that there be a minimum apportion by title and rank. Kolbe stated that there should be a minimum of 5% service apportionment for all faculty members. He stated that having a minimum service apportionment is tied to participation in shared governance and if people are expected to participate in shared governance this should be recognized and valued in their evaluations.

4.7 When are the changes with using Concur that you previously mentioned going to occur?

Chancellor Green stated that hopefully improvements will be coming soon.

5.0 Unfinished Business

5.1 Update on Ad Hoc EM 16 Committee

Minter reported that she will be expanding the number of members on the Ad Hoc Committee and will hopefully be able to find someone willing to chair the committee.

6.0 New Business

6.1 Discussion on New Descriptors for Probation Levels

Minter reported that AVC Goodburn and Associate Dean Watts, Undergraduate Education and Student Success, wanted to make the Faculty Senate aware of the new descriptors for probation levels. She noted that a committee conducted research on academic probation to see if our procedures needed to be revised to help students regain their academic standard because it appears that some students do not realize that the term probation is a serious matter. She pointed out that the grade point requirement to avoid probation remains the same. She noted that currently we use probation level 1 and 2 when students are notified of academic probation but the committee that conducted the research suggested terms such as academic warning or academic difficulty, or if taking into account the existing two levels of probation, academic warning and final warning, academic difficulty and significant academic difficulty, or academic notice and critical academic notice could be used.

Weissling stated that she thinks the solution will not have much impact on student retention rates if there are not the resources available to help the students. Latta Konecky said that she thinks the current language could be part of the problem because it does not make students aware of the academic danger they are currently facing. Eklund suggested using “pre-dismissal” as a means to make students realize the seriousness of academic probation.

Minter stated that she has no reservations about the shift in the language, but she hopes the campus will focus on other challenges that students face such as financial stress and mental health. Latta Konecky noted that many students need to work but this can impact how well they do in their courses. She stated that academic and financial resources and support are needed.

6.2 Revisions to Academic Rights & Responsibilities Committee Procedures

Minter reported that ARRC Co-Chair Professor Peterson forwarded the proposed revisions and noted that there are three primary changes: to reduce the number of members on the special hearing committees from six to five; to clarify the delivery of administrative responses on the final report; and to clarify the retention of legal counsel, which will probably be the most contentious of the proposed revisions. She noted that currently the university provides an administrator with legal counsel should a complaint be made against them, but a faculty member would have to obtain legal counsel outside of the university and is responsible for paying the lawyer. She stated that ARRC feels it is unfair to have two parties, both with employment relationship to the university, with

only one being provided legal counsel. She stated that the Chancellor has pointed out that the university does not have the same obligation to the complainant, who is usually a faculty member, as it does to the administrator because the administrator's action is in accordance with his/her responsibilities.

Zuckerman questioned why the university cannot set up a fund for legal representation for a faculty member so both parties would have legal representation. Latta Konecky suggested that at least some funding could be provided if it wasn't possible to pay the fees entirely for the faculty member.

Minter stated that she sides with the ARRC's feeling that the current procedures create an unlevel playing field. Baesu pointed out that the university has a legal responsibility to protect its employees who are acting in the university's interests. Kolbe stated that he disagrees with the ARRC pointing out that it would be strange for a company to provide legal counsel against itself.

Weissling noted that the special hearing committee process is an internal procedure and not a legal procedure, rather it is more like arbitration. She asked if a person could file a lawsuit after the special hearing committee process. Minter stated that a faculty member could file a lawsuit against the university. Weissling questioned why either party needs to have a lawyer if it is not a legal case. Latta Konecky noted that currently both parties involved can have an advisor and this could be a faculty advisor or a legal advisor. Zuckerman stated that there should be no lawyers involved during the special hearing committee meetings.

Minter stated that she would contact Professor Peterson to let him know of the Executive Committee's suggestion that no lawyer, other than the ARRC's lawyer who is there to protect the process, be present during the special hearing. This would ensure a more equitable hearing.

The Executive Committee agreed that the proposed revisions should be given to the Faculty Senate at the May 2 hearing, but only to provide them with information for them to consider. Minter pointed out that a formal motion would need to be made during the fall semester.

The meeting was adjourned at 4:37 p.m. The next meeting of the Executive Committee will be on Tuesday, April 28, 2023, at 2:30 pm. The meeting will be held in the Nebraska Union, Big Ten Conference Room. The minutes are respectfully submitted by Karen Griffin, Coordinator and Signe Boudreau, Secretary.