

UNL FACULTY SENATE MEETING MINUTES
City Campus Union, Auditorium
January 13, 2015
Presidents Nickerson, Bender and Guevara, Presiding

1.0 Call to Order

President Nickerson called the meeting to order at 2:34 pm.

2.0 Announcements

2.1 Passing of Professor Karen Lee, Communication Studies

President Nickerson reported that in December Professor Lee passed away after a long battle with cancer. He noted that she served for several terms as the Senator representing Communication Studies. He stated that she was also a member of AAUP, taught 14 different undergraduate courses and 5 difference graduate courses. He noted that she is being succeeded by her husband Professor Ronald Lee as Senator.

2.2 James A. Lake Academic Freedom Award and Faculty Senate Elections

President Nickerson reported that nomination materials for the James A. Lake Academic Freedom Award need to be submitted by Friday, March 13. He noted that information on the award and the procedures can be found on the Senate website at <http://www.unl.edu/facultysenate/james-lake-academic-freedom-award>.

President Nickerson stated that elections to the Faculty Senate Executive Committee will take place at the April 28 meeting. He noted that a President-Elect, Secretary, and at least two Executive Committee members will need to be elected. He stated that anyone interested in running for any of these positions should let Coordinator Griffin or any of the Executive Committee know. He pointed out that biographical information on the candidates needs to be submitted in early April.

3.0 Approval of December 2, 2014 Minutes

Professor Vakilzadian, Electrical Engineering, moved for approval of the minutes. The motion was seconded by Professor Rinkevich, Classics & Religious Studies. The motion was approved.

4.0 Committee Reports

4.1 Teaching Council Report (Associate Vice Chancellor Goodburn)

Associate VC Goodburn reported that the Teaching Council mainly reviews candidates for various teaching awards. These include the Annis Chaikin Sorensen Award, the OTICA, and UDTA awards. The Council also reviewed and recommended proposals for the Kelly Fund grant competition. She stated that the Council co-sponsored, with the UNL Parents' Association, the UNL Parent Certificates of Recognition Award ceremony in January, 2014.

Professor Vakilzadian asked what the requirements are for the awards. Associate VC Goodburn reported that the Sorenson award is for outstanding teaching and research in the humanities. The OTICA is for outstanding teaching and instructional creativity award and is presented by Central Administration. The UDTA is the University-wide Departmental Teaching Award also presented by Central Administration. She noted that the Kelley Fund is administered through Varner Hall and the funding helps provide money for teaching practices, especially those prioritizing a focus on online courses and interdisciplinary university-wide courses.

Professor Vakilzadian asked if the nominations for these awards come from the unit or the college. Associate VC Goodburn stated that nominations can be generated by anyone willing to write a letter of nomination, whether it be a student, colleague, or a department chair. Professor Adams, Plant Pathology, asked if there is a list of the award recipients available. Associate VC Goodburn stated that the campus awards can be found on the Academic Affairs website <http://svcaa.unl.edu/honors-development/awards>.

Associate VC Goodburn stated that the deadline dates for submitting nominations for these awards is typically at the end of January. She noted that new this year is the academic advising award which recognizes people across the campus who have done exceptional work in advising students.

4.2 University Curriculum Committee Report (Professor DeFusco)

Professor DeFusco reported that the UCC has been very busy this past year, mostly taking care of ACE related business. He stated that the biggest change in the last year has been getting input from the Senate representative, Professor Peterson, who attended the meetings, even though he is not a voting member. He

pointed out that Professor Peterson has a lot of experience and was involved with the development of the ACE program and the other UCC members certainly listened to concerns he raised about some of the base activities of the Committee. He noted that one of the issues is that the UCC voting is done online so the non-voting members of the UCC feel disenfranchised from the Committee. He stated that anyone wanting to attend a UCC meeting is welcomed.

Professor DeFusco reported that changes have been made to the ACE recertification process. The questions for recertification have been streamlined and clarified and the UCC has tried to minimize the student work that is needed for documentation. He pointed out that Professor Peterson and President Nickerson have provided input to the Committee making the members think about how not to over burden the faculty. He noted that President Nickerson reported accurately in the Senate President's newsletter that there have been positive moves in the collection of data for recertification and how it is used. He stated that if anyone still has concerns they should take it to a UCC member and noted that each college has a representative on the UCC.

Professor DeFusco stated that the UCC has chosen not to rewrite any of the governing documents of the ACE program although at some point they may need to be cleaned up to reflect changes to personnel on campus. He stated that new processes and protocols can be viewed on the ACE website (<http://ace.unl.edu/>).

Professor DeFusco reported that during one meeting about duplication of courses a member voted no. The UCC then discussed the course and wanted reassurance that all units had been talked to and agreed with the change in the course. He pointed out that even "no" votes are taken seriously by the UCC, in part because they prompt discussion. He noted that all UCC members need to be aware that they can vote no on any proposed courses, and he is hopeful they will attend the meeting to explain why they voted no on a course.

Professor DeFusco reported that the UCC is conducting the five-year review of the ACE program and by the end of this year the entire program will have been reviewed. President Nickerson asked who will accomplish the overall review of the ACE program, will it be entirely done by the UCC ACE Subcommittee or will it include the Senate. Professor DeFusco stated that there has not been any discussion on it yet, but he can see many people being involved in the overall review. He noted that any concerns of the Senate could certainly be made through the Senate's liaison.

Professor Vakilzadian asked if the colleges will be getting involved with the evaluation of the ACE program. Professor DeFusco stated that the overall assessment has not been developed yet. He noted that some colleges are larger and have more ACE courses than others and there needs to be consideration of how they can contribute in the evaluation of all of their ACE courses. He stated that he imagines that the colleges will need to be involved at some level. Professor Vakilzadian suggested that each college have a subcommittee to assess the ACE courses for their college. Professor DeFusco stated that this was a good idea because the information from the subcommittee could filter up to the UCC. He pointed out that the university-wide assessment program will want to be involved.

Professor Woodman, School of Biological Sciences, asked how the ACE program has changed from the previous ES/IS program. He noted that the ES/IS program started with great enthusiasm but eventually became obsolete. Professor DeFusco reported that when a course is approved for ACE it has a five year term, after which it is evaluated to see if it is still needed. He noted that the ACE website also provides information so people can see what other departments are doing with the ACE program. He pointed out that there was no way to remove ES/IS courses, but there is a mechanism to remove ACE courses. He said that he thinks the ACE program is much better because the campus has the opportunity to change the program either at the five-year evaluation or before when courses go for recertification. He stated that there are mechanisms in place to update courses and believes that this benefits the students who can review exactly what the course is trying to accomplish.

5.0 Unfinished Business

No unfinished business was discussed.

6.0 New Business

6.1 Open Mic Discussion – Report on TIPS Prevention by Associate to the Chancellor Nunez and Assistant Vice Chancellor Currin

President Nickerson noted that the Senate Executive Committee has been discussing and providing input into the decision to procure TIPS and how to implement the program and felt that Associate to the Chancellor Nunez and Assistant VC Currin should provide an update to the Senate. He pointed out that Past President Guevara has been serving on a committee overseeing TIPS as the Senate liaison.

Associate to the Chancellor Nunez reported that TIPS was implemented last year after some incidents occurred on campus, and the Chancellor wanted to have a system that would help improve the overall campus culture. As a result a steering team was created consisting of Past President Guevara, VC Franco, Chief Yardley, Assistant VC Currin, and himself and during the summer the steering team looked at programs that would allow people to report incidents of concern. He noted that the search was narrowed down to two vendors with TIPS being selected.

Associate to the Chancellor Nunez reported that TIPS is driven by the incidents categories and these categories were selected after looking at the best practices at other universities. He stated that there are seven categories, including one that is called "acts of kindness." He stated that the TIPS program was implemented in August 2014 and there is a link to it in a footnote on every UNL webpage.

Associate to the Chancellor Nunez pointed out that TIPS is not a 911 reporting system where immediate action is needed. Clicking on the TIPS link will take a person to another site where they would select the type of incident they want to report. A small team reviews the incidents that are reported and action is taken usually within a day. He stated that if there is a criminal nature to an incident it will be reported to the University Police.

Assistant VC Currin reported that a quick overview shows that about 57 incidents have been reported since the program was implemented, five of these could not be acted on due to lack of information. He stated that some of the incidents reported involved unsafe lighting in a stairway, the need to trim the bushes in front of the parking garages so pedestrians are more visible, and hacking of an email address which was reported to the UNL police and resolved with the help of Information Technologies and Services. He noted that a number of acts of kindness from faculty, staff, and students have been reported.

Assistant VC Currin reported that incidents are funneled to the appropriate office for action with a 24-hour turn around and confidentiality being key issues. He pointed out that the TIPS program is a work in progress and he thinks the steering committee may want to make some changes to improve the program. He noted that the idea is to promote TIPS at the beginning of every semester and an email message will be sent out to students making them aware of the system.

Professor Lee, Communication Studies, noted that 57 incidents were reported and asked if there is any idea of how many wouldn't have been reported if it wasn't for TIPS. Assistant VC Currin pointed out that it isn't possible to provide an exact number, but he believes that the majority of the incidents would not have been reported if it wasn't for TIPS. He stated that many people would not know who to report an incident to if it wasn't for TIPS. Associate to the Chancellor Nunez noted that previous processes for making complaints still exist and can be used.

Professor Lee asked if there is any way to talk with someone if they report an incident anonymously. Assistant VC Currin stated that a person can only be contacted if they provided their contact information. Associate to the Chancellor Nunez noted that there have been some incidents where he wished more information was provided because they would like to act on the report.

Professor Vakilzadian suggested that a category on tolerance for ethnic and religious groups be added. Associate to the Chancellor Nunez stated that this point is well taken and there have been some conversations about elongating or expanding the list of categories. He noted that some consistency in the way the data is coming forward is being observed and TIPS appears to be working quite well right now. He stated that the reports are not overwhelming the system and ¼ of them are reports of acts of kindness. Professor Vakilzadian pointed out that tolerance for ethnic and religious groups could be improved through publicity of the TIPS program. Associate to the Chancellor Nunez stated that right now the idea is to let people know that TIPS is out there for use. He reported that several stories about the program have been written in UNL Today and every student receives information about the program during new student orientation.

Professor Purcell, Southeast Research and Extension, noted that Associate to the Chancellor Nunez mentioned that the TIPS program is campus based, but it is on all county extension websites as well. Associate to the Chancellor Nunez stated that the system is a university system and the charge from the Chancellor is to assure that everyone involved with the campus experiences a good campus climate, wherever it is. He stated that he is not sure how else it can be expanded to others outside of the university system. He noted that some external people have made incident reports.

President Elect Bender stated that the Senate Executive Committee raised concerns regarding the retention of the incidents and whether a complaint against a faculty or staff member could follow them forever. Assistant VC Currin stated that this issue has not been fully discussed yet. He noted that the incident reports reside in Awareity's website, the company that produced the TIPS program. He pointed out that selected individuals from UNL have access to the information on the website. He stated that there have been discussions about looking at trends over a period of time, but the idea is to synthesize the data from the incidents reported. Associate to the Chancellor Nunez stated that we want to be careful not to purge data that could be useful, but the committee is sensitive to the personnel issues involved. He noted that most of the conversations about TIPS has been about the policies and procedures.

President Elect Bender asked how a credible complaint against a faculty member would be handled. Associate to the Chancellor Nunez stated that there are two contacts, depending on which campus the faculty member is from, Associate VC Perez and Associate VC Yoder and then to the department chair. He pointed out that the same process that exists now to deal with complaints would be followed. Past President Guevara asked if a faculty member would have a chance to reply to an accusation. Associate to the Chancellor Nunez stated that the question is how will it be handled by the department should a pattern evolve. He noted that there is not a system in place yet to determine patterns of behavior through TIPS. He pointed out that these are very complicated issues all relating to personnel matters. He stated that Human Resources procedures must be followed. He stated that TIPS is a system that allows people to make a report to make others aware that incidents are occurring.

Professor Woodman asked what happens to the incidents on acts of kindness and whether the people are notified. Associate to the Chancellor Nunez stated that Director Lauerman of University Communications and Assistant to the VC for External Relations Brown on East Campus are notified and they inform the supervisor of the person who received an act of kindness report.

Professor Lee asked if we have to use the TIPS acronym. Associate to the Chancellor Nunez stated that we do because TIPS is part of the branding of the system and owned by Awareity.

Professor Joeckel, School of Natural Resources, asked if a complaint against an administrator would be followed up with the same intent as a complaint about a faculty or staff member. Associate to the Chancellor Nunez and Assistant VC Currin both said absolutely. They said the information would be sent to the right people who could address the situation. Professor Joeckel asked how many of the incident reports involved faculty members. Assistant VC Currin stated that maybe two involved faculty. Professor Schwadel, Sociology, asked how many of the reported incidents were of acts of kindness. Assistant VC Currin stated that 10-15 out of the 57 incidents were acts of kindness reports.

Professor Vakilzadian asked if the incident reporting is doing anything to prevent negative incidents from occurring on campus. Assistant VC Currin pointed out that this is part of the ongoing process. He noted that there are offices on campus that are trying to be proactive. He stated that looking at the trends of the incidents will show where we need to have some publicity and take some measures to make improvements. Associate to the Chancellor Nunez reported that a diversity council is going to be formed that will look at the totality of diversity on campus. He pointed out that TIPS provides a mechanism to help us make the campus culture better than it is today.

6.2 Report on Reaccreditation Process – Professor Joeckel and Professor Rudy

President Nickerson reported that there are five subcommittees working on the reaccreditation process and the goal is to have a Senate member be a part of each of these subcommittees. He noted that Executive Committee members serve on four of the subcommittees: Professor Rudy, President Elect Bender, Professor Sollars, and Professor Joeckel. He stated that Professors Rudy and Joeckel will inform the Senate on the current status of the reaccreditation process.

Professor Rudy reported that on January 7 about 100 faculty, staff, and administrators met on Innovation Campus to hear and discuss the overview of the reaccreditation process and the actual steps that the subcommittees will be going through. He noted that those in attendance were split into five groups with each group focusing on a specific area. He reported that five subcommittees will be submitting reports to the SVCAA who will edit them for the final campus report which will only need to be 100 pages. He noted that within the 100 pages may be links to PDFs with additional information.

Professor Rudy stated that the five subcommittees will work on core components: 1) University's Mission; 2) Integrity: Ethical and Responsible Conduct; 3) Teaching & Learning: Quality, Resources, and Support; 4)

Teaching and Learning: Evaluation and Improvement; 5) Resources, Planning and Institutional Effectiveness. He noted that the campus has to make the claim that we meet the standards of the Higher Learning Commission and to do so we have to provide supporting evidence to support our claims. He stated that the biggest area will deal with teaching and learning. He noted that the five groups will be working independently but will need to submit a preliminary report by May. He reported that faculty, staff, and students will be asked to review the draft report and he encouraged everyone to respond to it. He noted that the final report will be submitted to the HLC in the spring of 2016.

Professor Rudy stated that with the campus review, faculty involvement will become much greater and the final step of the process will be a two-day visitation to the campus by an HLC accreditation team. He stated that the visitation team will want to meet with the Faculty Senate and the Executive Committee. He noted that there is a feeling that whoever is next elected as President Elect will need to be up to speed with what is going on with the reaccreditation process because when that person becomes President they will need to be actively involved.

Professor Rudy stated that the campus as a whole will not be too involved until the preliminary report comes out in September. He noted that at that point the entire campus community will need to become involved in the process. He stated that there will be online surveys, focus groups, and visits with the Senate and the Executive Committee. He noted that the intent is to involve the faculty to see if we can make changes to have a more positive learning environment for the students.

Professor Rudy stated that information about the reaccreditation can be found on the web at <http://svcaa.unl.edu/accreditation/reaffirm-2016>.

Professor Joeckel wanted to emphasize that the members of the five groups have been told that they are ambassadors for the reaccreditation process, and although this new reaccreditation process is somewhat experimental, it offers us a good opportunity. He noted that being involved in the preliminary meetings he was encouraged to hear about all of the things the campus is doing well and he believes we are off to a good start. Professor Rudy pointed out that we are being given significant time to put a concerted effort into the reaccreditation process which will allow us to have time to change university policy to meet specific criteria of the reaccreditation if needed.

Professor Archer, School of Natural Resources, asked if the Regents and/or the Nebraska Legislature has anything to do with the reaccreditation process. He pointed out that they have jurisdiction in regards to resources that might address issues that could arise with the process. Professor Rudy stated that there are administrators from both City and East Campus involved in the process, but he has not heard that any of the Regents would participate. Associate to the Chancellor Nunez stated that there is no involvement from the Regents in the process. Reaccreditation is campus specific although governance is a component of the last section of the process. He noted that the Regents will be aware of the process but will not have direct involvement.

6.3 Guidance for Extension Professionals Serving on Boards – Draft Document

President Nickerson reported that the draft document was created after the Lincoln Journal Star published a letter to the editor concerning two Extension faculty members who were asked to resign from boards they were members of because their positions on the boards created a conflict of interest with the work they do for the university. He stated that this has created discussions and questions regarding the possible violation of academic freedom of Extension professionals. He noted that he has had discussion with VC Green and Dean Hibberd about the document and the Executive Committee is reviewing the document in detail, but felt that it should hear from the Senators, particularly the Extension Senators. He stated that VC Green has said that Extension professionals can serve on boards on their own personal time or in an ex-officio capacity. He reported that there is a general conflict of interest policy in the Board of Regents Bylaws that all faculty have to follow. He stated that the document is intended to provide guidelines and encourage Extension professionals to have a good conversation with their supervisor before they assume a position on a board where there could be a conflict of interest. He stated that the question is whether the guidelines infringe on academic freedom.

Professor Joeckel reported that at the pre-Senate meeting luncheon held for Senators from IANR the general gist of the meeting was that these guidelines should apply to all faculty members, not just Extension. Professor Shea, School of Natural Resources, stated that one of the concerns is how Board service might be interpreted. He noted that there is a difference in serving in a professional capacity and a personal capacity and the reality is that regardless of how you present yourself in serving on a board, your professional capacity is easily identified. He pointed out that it could be difficult to differentiate between the different kinds of

service and a faculty member's connection with the university. He noted that many faculty members serve on boards and who is to say what boards are acceptable or not.

Professor Joeckel stated that he believes it is very important for university personnel to serve on boards and he doesn't want the matter reduced to a supervisor giving approval to serve on a board. He pointed out that there are always lots of gray areas in these kinds of situations, and he is open to interpretation as long as the discourse on it is clear and open in a public manner.

Professor Steffen, School of Veterinary & Biomedical Sciences, reported that he reviewed the Board of Regents policy first and it clearly shows where some things might conflict with your service at the university. He noted that any outside activity that you are involved in as a representative of the university that would interfere or conflict with your paid responsibilities at the university would be considered a conflict of interest. He stated that it is reasonable for faculty members to notify the university if you are serving on boards on your own personal time and he thinks the document can be revised to make it a good document. He pointed out that there should be a grievance process that a faculty member can resort to if there is a disagreement about which boards a person is allowed to serve on.

Professor Weissling, Special Education and Communication Disorders, pointed out that it is not always clear whether you are an official member of an organization and it is confusing to know when you should record an outside activity on your yearly activity report. President Nickerson stated that how a person self identifies with an organization should determine if a person is an official member. He noted that being a member of the Nebraska Sustainable Agriculture Society, strictly as a citizen and not representing the university, should be okay. Professor Weissling stated that it is not clear whether these types of activities should be recorded on your Activity Insight report.

Professor Shea stated that service on any board by a faculty member could be construed as an endorsement of the organization regardless of what that organization might be, even if it is on a board of a private company. He stated that organizations and companies may use a faculty member's membership on the board as an endorsement. He noted that there are different kinds of boards, some are clearly advisory and are not the same as an executive board which most times has been created to support the interest or promote the organization. He noted that it does not really matter if you identify yourself as a person of the university because even if a faculty member says they are serving as a private citizen, knowing you are a faculty member of the university could come into play. Professor Steffen pointed out that faculty members still have personal freedom rights and academic freedom rights and should be able to serve on boards outside of the university.

Professor Adams, Plant Pathology, suggested having a disclaimer which would apply to an individual. He stated that the controversy that recently arose over serving on boards is because an organization chose to bring in a controversial person whose opinions are against university research and work. He stated that the concern is that one political faction might see another university faction as trying to present themselves as supporting someone's views who are contrary to the work of the university. President Nickerson pointed out that he assumed that a faculty member might get a warning from a supervisor that there is a potential conflict of interest in such cases, but not forbidden to be a member of an organization.

Professor Van Den Berg, Economics, stated that faculty members should have the freedom to advocate for things they believe in. He stated that it would be very disturbing for the university to have the right to say that a faculty member cannot join an organization which the faculty member strongly believes in. President Nickerson stated that this is the reason why the Senate is getting involved in this issue. He noted that the intent of revising the document is to protect academic freedom in a reasonable fashion.

Professor Reisbig, Child, Youth, & Family Studies, stated that there should be two points of clarification. One is when the policy would apply: when you are representing yourself as a person versus when you are serving in an official capacity for the university. President Nickerson added who makes that decision. Professor Reisbig stated that the other needed clarification is the process of disclosure. What is the recommended process? She noted that listing it on your reporting form only occurs once a year and this is viewed just once a year. President Nickerson asked that anyone with additional concrete suggestions should send them to a member of the Executive Committee or Coordinator Griffin.

Professor Adams stated that he believes that having a disclaimer statement would help clarify the situation. He noted that companies or organizations should put a disclaimer statement next to a faculty member's name. Otherwise there could be legal concerns in some cases. President Nickerson asked whether the disclaimer would be used when there are any communications from the Board. Professor Adams stated that every

organization that someone from UNL is involved with should provide a disclaimer and every time the faculty member's name is written in print the disclaimer could be used.

Professor Steffen asked the Senators to review the document and let the Executive Committee know if they have other suggestions. He stated that he will try to incorporate a link to our Academic Rights & Responsibilities Committee procedures into the document so faculty members are aware that they can file a grievance should they feel that their academic rights are being violated.

Professor Shea noted that the Executive Committee is going to discuss the document tomorrow and prepare a response. He asked if the response could be sent to all Senators and allow a brief time for them to submit comments. President Nickerson stated that the Executive Committee might make suggested changes and act on them a week later. Professor Shea stated that one concern he has is about discussing serving on a board with your supervisor. President Nickerson pointed out that this is not in the document, but Dean Hibberd mentioned that he hopes this would happen after the document has been reviewed. Professor Shea stated that people without tenure can become vulnerable in situations where their employment is dependent on a supervisors recommendations on what organizations they can serve on, even if they serve on their own time. President Nickerson agreed and stated that this was the reason the Executive Committee took up the issue.

Professor Adams stated that he does not like the idea of a faculty member needing to go to a supervisor to see if they can serve in an organization. He noted that there has been a shift at the university, particularly in extension, in the direction and operation of what is being emphasized. He stated that older faculty members might be unwilling to go to supervisors. Professor Van Den Berg stated that the whole discussion reminds him of the issue at the University of Kansas, that a faculty member can be terminated if they don't act at all times with the interests of the university. He pointed out that the Senate needs to speak firmly on this issue because if we lose academic freedom rights, what is left.

Professor Vakilzadian asked if faculty members can serve on boards if approved by a unit. President Nickerson stated that the Regents Bylaws state that faculty members can only work two days per month as a consultant and get paid by an outside organization. Professor Steffen pointed out that there is an approval process that needs to be followed if a faculty member is working with an outside organization and has a time conflict with their job at the university or you get paid by the outside organization. He stated that the problem with the recent case is that the university is trying to control what a faculty member can do on a board because of political reasons. Professor Vakilzadian stated that the university is not liable for what a person does in their own personal time. He pointed out that this involves all of the faculty, not just extension. Professor Adams stated that there has to be a protection mechanism because it only takes one politician to complain to a university administrator and pressure could come down on a faculty member that could damage their career. Professor Steffen pointed out that if there was a known approval process they would be protected. President Nickerson noted that the overall premise from VC Green is that faculty members could be on a board as an independent citizen but what kind of protection this provides, he is not sure.

The meeting was adjourned at 4:17 p.m. The next meeting of the Faculty Senate will be held on Tuesday, February 3, 2015, at 2:30 p.m. in the East Campus Union, Arbor Suite. The minutes are respectfully submitted by Karen Griffin, Coordinator, and Tad Wysocki, Secretary.