

UNL FACULTY SENATE MEETING MINUTES
October 4, 2022
Presidents Deb Minter, Kelli Kopocis, and Steve Kolbe, Presiding
Nebraska Union, Regency Suite and Zoom Meeting

1.0 Call to Order

President Minter called the meeting to order at 2:34 p.m.

2.0 Announcements

No announcements were made.

3.0 Approval of September 6, 2022 Minutes

President Minter asked if there were any revisions to the minutes. Hearing none she asked for a motion to approve the minutes. Professor Peterson, Agricultural Economics, moved to approve the minutes and Professor Tschetter, History, seconded the motion which was then approved by the Faculty Senate.

4.0 Committee Reports

4.1 Academic Standards Committee (Director Kerr)

Director Kerr, Associate Registrar, reported that the Academic Standards Committee meets to review appeals from undergraduate students who have been dismissed from UNL due to their poor academic performance. She stated that during the past year there were 20 committee meetings but noted that only three faculty members at a time meet to review the appeals and either she or Associate Dean Watts, Undergraduate Education and Student Success, meet with the committee to help facilitate the meetings. She reported that 557 students were dismissed, and 103 students appealed to the Committee. She noted that 56, or 54%, of the appeals were approved by the Committee and 47 were denied. She stated that one student appealed to the Executive Vice Chancellor who approved the appeal. She reported that one student who was dismissed from CASNR appealed to the VC of IANR who then approved the appeal.

Director Kerr stated that 52.43% of the appeals were approved by both the Academic Standards Committee and the colleges, but 23.30% of the appeals approved by the colleges were denied by the Committee. She noted that only 1.94% appeals were denied by the college but approved by the Academic Standards Committee, and 22.33% of appeals were denied by both the Committee and the colleges.

Professor Eklund, Glenn Korff School of Music, asked if approval and denial mean the same thing at the college level and the Academic Standards Committee level. Director Kerr noted that the colleges just make a recommendation on an appeal, but it is the Committee that approves or denies an appeal. She pointed out that if an appeal is denied, a student must sit out for two terms before they can be readmitted.

President Minter asked if the Academic Standards Committee is seeing any trends post Covid or do the numbers look similar over the past five years. Director Kerr stated that there was a slight increase during the pandemic with 12.3% of students who were dismissed being reinstated, but the standard is about 9-10% of students who appealed are reinstated to the University. She pointed out that once students are reinstated, they usually meet the standard GPA, although last fall about 60% of the students reinstated did not meet the 2.0 GPA, but she does not know if this is a trend or a one-time event. Associate Dean Watts noted that in general, the cases that come forward to the Academic Standards Committee are quite unique for each student and the Committee does look at each case individually and weighs the evidence that students provide. He stated that there does not appear to be anything out of the norm over the last year or two.

5.0 Chancellor Green

Chancellor Green stated that he appreciated being able to speak to the Faculty Senate while in Washington, D.C. He noted that this has been a difficult week for our campus community with the tragic car accident that occurred which took the lives of six people, including four that had ties to UNL. He stated that Nicholas Bisesi was a senior in the College of Journalism and Mass Communications and his sister is a sophomore here at UNL, Cassie Brenner was a recent graduate from the College of Journalism and Mass Communications, Octavias Farr was a former student, and Ben Lenagh was a recent graduate. Chancellor Green expressed his condolences and stated that our thoughts and prayers are with the families and friends of the victims. He reported that the other tragedy was the forest fire in Halsey that destroyed the Nebraska State 4-H Camp site which is a huge loss to the 4-H program in the state, as well as the loss of most of the Nebraska National Forest that was originally designed and planted by UNL's Charles Bessey.

Chancellor Green noted that we had a great homecoming week, and he presented the State of Our University address and distributed service awards during the week. He stated that at the State of Our University Address he made a strong effort in talking about the value of higher education as well as celebrating the successes we have with our graduation rates and how our research expenditures continued to be at record levels during the pandemic. He stated that homecoming was a celebration of the many good things happening at the university.

Chancellor Green reported that a level of building is taking place on campus that hasn't been seen before and since he last spoke to the Senate on September 6, there have been major dedications of completed construction: the design studios in the College of Architecture, the reopening of the completely renovated Schmid Law Library, the opening of Carolyn Pope Edwards Hall, and the renaming of the Human Sciences Building on East Campus to the Gwendolyn A. Newkirk Human Sciences Building.

Chancellor Green noted that the University of Nebraska Foundation Comprehensive Campaign will be going public soon and pointed out that we have raised a record \$755 million in private funding in the last few years. He stated that we still have work to do to raise more funding to meet the university's goal, but we have a very good start, and he is anticipating a banner year ahead.

Chancellor Green stated that while we are on track in many areas with the N2025 plan, there are a few areas that may need to be recalibrated due to the impacts of the pandemic. He stated that reconsideration for some specific targets of the aims of the plan will occur during this academic year.

Chancellor Green pointed out that there will be tremendous emphasis on enrollment this academic year given that our enrollment has dropped the last three years, noting that UNL's total enrollment is the lowest since 2009. He stated that much of the decrease in enrollment is due to our high graduation rates the last few years noting that while the size of the freshman class has been consistent over the past few years, it has not increased to offset the number of students who graduated. He reported that he is planning to out across the state over the winter months to tell the story of the University and to recruit students.

Chancellor Green noted that President Minter had referenced the Future of Work Taskforce and he stated that the Taskforce delivered its report to him late this summer. He stated that the Taskforce addressed the future of work relative to staff and made recommendations. He reported that he will be talking about the report and implementation of the recommendations in the coming months.

Chancellor Green noted that we are quickly approaching the mid-term of the semester and he is very pleased that it has been a relatively smooth semester.

Professor Schubert, Computer and Electrical Engineering, thanked the Chancellor for his

presentation of the State of Our University but asked what faculty can do to have changes made to the travel policy. He noted that having to use the university's contracted travel agency can cost more because oftentimes faculty can find cheaper rates elsewhere. Also, if a faculty member encounters difficulties while traveling the travel agency does little to help. President Minter asked what the Faculty Senate can do to advocate a different solution to the travel problem pointing out that there are frequent complaints regarding travel.

Chancellor Green stated that he has also had his own experiences with the travel policy and believes that a review of our travel policies and vendor contracts is warranted. He noted that he will be attending a NU Presidents Council retreat with President Carter next Monday and he intends to raise this issue.

Professor Zincenko, Economics, pointed out that there are some concerns with the long winter break because of its impacts on research grants. He noted that faculty working on their research over the break want to charge their grant for the work but because the winter semester doesn't start until January 18, they are considered off contract and cannot receive funding. He asked if anything can be done about this. Chancellor Green stated that he understands that including the January winterim session, and also the summer pre-session, can impact research but he will need to look into this to see if anything can be done to address this concern.

6.0 Unfinished Business

No unfinished business was discussed.

7.0 New Business

7.1 Election of Executive Committee Member to Replace Professor Billesbach

President Minter reported that Professor Billesbach, Biological Systems Engineering, recently retired and an election needs to be held to replace him on the Executive Committee. She noted that Professor Latta Konecky, University Libraries, has been nominated and she asked if there were any nominations from the floor. Hearing none, she stated that she would entertain a motion to approve Professor Latta Konecky by acclamation. Professor Lott, Nebraska Extension, moved to approve. Motion seconded by Professor Weissling, Special Education and Communication Disorders, and approved by the Faculty Senate.

7.2 Motion to Approve Proposed Changes to the Procedures to be Invoked for Significant Budget Reallocation and Reductions

President Minter noted that the motion was being presented for consideration and would be voted on at the November 1 meeting. She reported that during the 2020 budget reductions the Academic Planning Committee noticed that improvements could be made to clarify and modernize the Procedures and to reflect the role of the Staff Senate on the APC during significant budget cuts. As a result, members of the APC worked on cleaning up the Procedures. She stated that the Executive Committee voted to approve sending the proposed revisions to the full Senate for approval. Professor Tschetter, who also serves as the chair of the APC, noted that Professor Bloom and a few other members of the APC worked hard on revising the language. President Minter pointed out that the Senate would vote next month only on the proposed revisions.

7.3 Resolution in Support of Staff Senate

President Minter reported that the Executive Committee is presenting a resolution to support the newly created Staff Senate. She noted that Nebraska Today has had several news announcements about the Staff Senate and nominations are now being taken for Staff Senators. She pointed out that creating the Staff Senate is in alignment with the N2025 aim of "everyone and every interaction matters" and provides the Staff with a voice to the administration, especially during major decision-making times that would significantly impact the staff.

Professor Schubert, Electrical and Computer Engineering, questioned what the mission is of the Staff Senate and noted that finances are already going towards staff because their numbers continue

to increase and are much larger than the faculty. He pointed out that there is no provision in the Board of Regents Bylaws for a staff senate.

President Minter stated that she believes the Staff Senate is being created to carry forward the concerns of the staff which, to name a few, include the impacts of budget reductions on staff members, the centralization of their work, the relocation of staff members into business centers, the collective working conditions for staff, safety on campus and overall well-being concerns. She stated that the figures she has seen have shown a decrease in office/service staff positions, but associated faculty positions have increased by 13%. Professor Weissling proposed getting some official numbers of faculty and staff. She noted that the number of students being processed in 1992 was significantly lower than the number of students we have now, and more staff were needed because of the growth of UNL.

Professor Fech, Nebraska Extension, asked if the Staff Senate would be replacing UNOPA and UAAD. Coordinator Griffin stated that it is her understanding that the Staff Senate would replace UNOPA and UAAD and pointed out that UAAD has already suspended operation.

A new Senator asked for clarification about the proposed revisions to the Procedures to be Invoked for Significant Budget Reallocations and Reductions and the resolution to support the Staff Senate. President Minter stated that the Academic Planning Committee, which is a separate, independent Committee that is defined in the UNL Bylaws, must follow the process outlined in the Procedures to be Invoked for Significant Budget Reallocations and Reductions during times of significant budget reductions. These Procedures, and any revisions to them, must be approved by the Academic Planning Committee, the Faculty Senate, ASUN, and the Chancellor.

President Minter stated that in regard to the Staff Senate, the Executive Committee has spoken with the Exploratory Committee and with Dr. Joann Ross, who is now the Staff Senate Coordinator, about the Staff Senate. She noted that one of the discussions can be found in the Executive Committee minutes (<https://www.unl.edu/facultysenate/exec/22Sept20mins.pdf>). Griffin stated that there is a Staff Senate website which provides more information <https://staffsenate.unl.edu/>.

Professor Schubert stated that he encourages everyone to read the Regents Bylaws because, unlike the Faculty Senate which has a clear charge, there is no provision for a Staff Senate. He stated that the Board of Regents would have to allow the formation of a Staff Senate. Associate to the Chancellor Zeleny noted that the faculty have property rights, whereas the staff do not which is a reason why a faculty governing agency is defined in the Bylaws. He pointed out that the Staff Senate would be just for UNL, just as the N2025 plan is just for UNL and not a university-wide plan. He stated that the Staff Senate is to provide a voice for the staff to allow them to weigh in on matters that impact the staff, and it is just an advisory group. Professor Schubert stated that the problem might be calling it a Senate. Associate to the Chancellor Zeleny reported that the other Big Ten universities have them listed as Staff Senate.

Professor Weissling pointed out that the resolution is just in support of the Staff Senate and noted that the Faculty Senate does not have the authority to approve or disapprove the formation of the Staff Senate. Professor Turkman, College of Architecture, stated that she believes it is important for the Faculty Senate to support the formation of the Staff Senate. Past President Kolbe stated that approving the resolution may help support those staff members who are elected to serve on the Staff Senate because some of them may get resistance from their supervisors who may not want them to participate. President Minter pointed out that the resolution is from the Executive Committee and the Faculty Senate can revise it if it would like.

Professor Shen, Durham School of Architectural Engineering & Construction, asked for clarification on what it means to be a Staff Senator and what the rights and responsibilities are of the Staff Senate. President Minter noted that the Staff Senate website would provide more detailed information but basically Staff Senators would carry forward the staff's view on issues such as

working conditions, working environments, and would serve as an advisory to campus leaders. Associate to the Chancellor Zeleny pointed out that as a Senate, the staff could collectively advocate for the work that they are doing. Past President Kolbe noted that the staff bear a large part of budget cuts, and they are looking to have a more collective voice so they can present their concerns. President Minter pointed out that the work environment and conditions of the staff can impact the work of the faculty.

Professor Gailey, English, suggested that becoming unionized might better serve the staff. She noted that there are many pre-existing unions, and the staff can self-unionize. She noted that Nebraska is a right-to-work state and members of a union would not be required to pay union fees. She pointed out that being unionized could lead to better compensation for the staff which could offset the cost of any union fees if there are any. Associate to the Chancellor Zeleny stated that he believes the Exploratory Committee for a Staff Senate discussed the possibility of a union but decided against going that route.

Professor Powers, Chemistry, asked what powers the Staff Senate would have and what impacts it could have. President Minter pointed out that the same could be asked of the Faculty Senate and the Academic Planning Committee which both make recommendations to the Chancellor on a variety of issues.

7.4 Open Mic

Professor Schleck, English, asked what motivated the changes in the EM 16 policy in regard to the privacy standards and what are now its boundaries and limits. She questioned under whose authority faculty data would be inspected and what notice would they be given when an inspection is to occur or has already silently occurred, and where can this information be found in writing. Also, she stated the policy applies to personal devices such as laptops and cell phones and a person must present the device for inspection by the University when the University is investigating an incident. However, incident is not defined, and as it is currently written in the policy, the University can audit all personal devices if there is an incident. She asked if the administration has addressed these concerns and whether the new software has been installed on university computers.

President Minter reported that beginning January 1, 2023, newly-purchased University devices will have endpoint management installed on them, but we need to get further clarification about personal devices and pointed out that there continues to be significant concern about EM 16. She noted that Varner Hall has a website on the timelines for the implementation of the policies (<https://its.nebraska.edu/policies-processes/responsible-use-of-university-computers-and-information-systems/implementation-timeline>).

Professor Schubert reported that his department met with members from ITS and it was a very contentious meeting with approximately 20 faculty members with expertise in cybersecurity and computers present. He noted that the main point is that a system is being created that is set up for failure and a breach on one computer could jeopardize everyone's computer that is on the university system.

Professor Gailey, English, pointed out that the EM 16 policy now states that the university "retains the right to review files, email, and data for compliance with policy and its business purposes." She questioned how the University would ensure that confidential and sensitive data, including data bound by ethical and legal commitments, will be protected from surveillance. She stated that there is no clarity on what would prompt an investigation and questioned who has the authority to declare an investigation. She noted that during a meeting with the English department, CIO Tuttle alluded that a FOIA request would generate an investigation. She pointed out that the Nebraska open record law has not changed, and people have always been required to produce documents that the open record law applies to, but the language in EM 16 now can open investigations on personal devices. She noted that many employees need to use their private phone or computer to do their job.

Professor VanderPlas, Statistics, noted that her department also has serious concerns about EM 16 and its implementation. She pointed out that there are a number of extremely broad phrases in the memorandum which could reasonably be interpreted to cover situations that fall within normal computer use. Additionally, there are clauses within the memorandum that excuse the university from liability for IT-related breaches while simultaneously allowing punishment of a user who unintentionally violates one of the clauses in EM 16. Something as simple as adjusting a network cable while trying to figure out why a computer is not connecting to the network could be construed to be a modification of endpoint equipment without proper authorization which is a violation of the policy. She stated that EM 16 is so broad that it is useless.

Past President Kolbe suggested that the Faculty Senate should reach out to the sister campuses to see if they have similar concerns and if they should work together to bring the concerns to the Board of Regents.

Professor Schleck encouraged the Executive Committee when it meets with President Carter in a couple of weeks, to ask what the rationale is behind the policy change. She suggested asking if there is a way to address the security issue while still respecting the privacy issue. She pointed out that faculty were left out of the discussion and faculty with expertise in computer security should have been included in the discussions.

Professor Schubert reported that during his department meeting with CIO Tuttle the faculty were told that the reason for the change has to do with insurance issues because there is a potential breach of the system. He noted that with the proposed changes there would be a single-point breakdown system and if a single password would get lost, all of the university computers would be at risk. He stated that once the endpoint management system is put on your university or personal devices, the university has the ability to look at every document.

President Minter thanked everyone for bringing their concerns forward and stated that the Executive Committee would continue to work with the administration to try and address these concerns.

The meeting was adjourned at 4:20 p.m. The next meeting of the Faculty Senate will be held on Tuesday, November 1, 2022, at 2:30 p.m. in the East Campus Union, Great Plains Room A and by Zoom. The minutes are respectfully submitted by Karen Griffin, Coordinator, and Signe Boudreau, Secretary.