

## EXECUTIVE COMMITTEE MINUTES

**Present:** Bender, Guevara, LaCost, Nickerson, Purdum, Reisbig, Rinkevich, Ruchala, Schubert, Woodman

**Absent:** Anaya, Wysocki, Zoubek

**Date:** Wednesday, January 23, 2013

**Location:** 201 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.

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### 1.0 Call to Order

Schubert called the meeting to order at 3:02 p.m.

### 2.0 Chancellor Perlman

#### 2.1 Educating the Campus on Safety and Security Procedures

Schubert reported that faculty members brought up the topic about educating the campus concerning procedures to take should a shooting occur on campus. He noted that some colleges are having members of the Campus Police give a presentation about security and safety issues.

Chancellor Perlman noted that there have been several campus-wide presentations on safety and security in the past, although he does not know whether any have been conducted this academic year. He stated that Chief Yardley and the Crisis Management team are very willing to come speak to any groups on campus. He stated that he will ask Chief Yardley and VC Jackson if there are plans to have these discussions again.

Guevara stated that the last emergency drill that was conducted at Oldfather Hall was more of a drill for first responders, not about what safety measures people should take. Chancellor Perlman acknowledged that this was a drill more for the administration and how crisis situations are to be handled.

Ruchala pointed out that CBA had a very good presentation on safety and security measures just recently. She stated that it was well attended and nicely done. Chancellor Perlman stated that members of the Crisis Management Team are willing to come to any facility to conduct a presentation which is probably a more effective way of providing the information. Professor Bender asked if the presentations include the residence halls. Chancellor Perlman stated that he believes it does since this is an obvious concern these days. After the meeting the Chancellor provided the Faculty Senate President with the following information regarding this issue:

As compiled by Chief Yardley, UNLPD's initiatives are noted below.

- Provides education/training on request from departments or individuals on safety issues. In 2011, UNLPD provided 80 presentations to approximately 3,000 persons (including faculty, staff, and students).
- Provides presentations each semester in the Unions, open to everyone, on situational awareness and other topics. These are posted on Today@UNL.
- UNLPD has information posted on its website, police.unl.edu, for:
  - Procedures for persons to use in emergency situations
  - Faculty to use in addressing their classes on emergency procedures
  - Video “Shots Fired” broken into viewable 3 minute clips of what to do in an active shooter situation
- UNLPD works with departments and facilities developing building plans for emergencies.

## **2.2 Assigned Role of CIO Askren**

Schubert stated that the purpose of this question is to better understand what the assigned role of the CIO is, how the CIO fits in with administration and what the linkage is with the faculty.

Chancellor Perlman stated that the charge of the CIO is to control all information technology services on campus. He noted that the role of the Information Technologies and Services Committee is up to the Faculty Senate, but if the Executive Committee feels that there is a gap in communications between the ITSC and the CIO they should discuss it with him. He pointed out that he is aware of a couple of issues of concern for the faculty. He stated that the primary thrust of CIO Askren’s work is to have a strong influence in the direction of information technologies and services on campus. CIO Askren is trying to find the right balance between centralizing and distributing these services. He pointed out that much of what the CIO has pursued since his arrival are the recommendations made by the ITSC which included the recommendation that the campus needed a CIO.

Chancellor Perlman recognized that KACE is a troubling issue for faculty and while it is a sensible program, it was not handled in a good way and CIO Askren acknowledges this. He stated that KACE can help provide better service, but if it is not properly explained it could cause some anxieties. He stated that ITSC is a general committee that shares with the CIO what is happening with information technologies and services on campus. He pointed out that Professor Brooks, the former chair of the ITSC, was the person who told him that we needed to hire a CIO and that we need to make changes on campus with information services and technologies.

Schubert stated that he thinks some questions arose because the CIO is a fairly new position and it is not clear with the ITSC exactly what the role of the CIO is. He stated that the Executive Committee is working with the ITSC because there are some issues that need to be resolved. Chancellor Perlman stated that Kent Hendrickson had effectively served as a CIO previous to the actual creation of the CIO position. Once the position was created it was elevated to a senior administrative position. He felt that with information services being so essential to the campus, the CIO needed to report directly

to the Chancellor, but the actual duties have not really been expanded. Nickerson asked when the recommendation was made to hire a CIO. Chancellor Perlman stated that it was probably four or five years ago.

Woodman noted that he serves on the ITSC and the faculty has concerns with KACE because it has the strong capacity of regulating what programs are on people's computers. He stated that the purchase of KACE was never even discussed with the ITSC. The program was purchased and then the campus was told that it was going to be used. He pointed out that the ITSC is a committee that the CIO should consult with about information services since any decisions directly impact the faculty. Chancellor Perlman stated that he and CIO Askren recognize the concern and have tried to address it.

### **2.3 Chancellor's View of the Contract with the Governor on Freezing Tuition Rates**

Chancellor Perlman stated that he is very much in favor of the contract although admitted that, like anything, there could be some risks. He noted that the university budget has been flat for the last five years or so and compared to other universities this is a good thing, but it is not helpful in advancing the university which is essential to the economy of the state. He stated that over the five years there have been moderate tuition increases but each of these years we have had to reallocate \$2 - \$4 million within our budget. He stated that the question is how you break out of this cycle. He pointed out that there is growing public concern about having access to higher education. The contract is a creative way to address the public's concern and still advance the university by providing the university with a budget that will allow it to make progress.

Chancellor Perlman reported that the figures in the Governor's budget that was agreed to looked at what was needed in the university budget. He thinks the budget calls for a salary increase for university employees, but it also allows the university to keep the books in balance so we do not have to deal with any major budget reallocations. He stated that beyond salary increases there will be no difference in priorities on how the budget will be used and he is hoping that there will be no need to prioritize the budget in any negative way.

Chancellor Perlman reported that special fees are a sensitive issue. He pointed out that we want to keep the costs of education as low as possible. At the same time, there are fees that are really a reflection of the special costs that are associated with some courses. He stated that there are conversations going on about this issue, but he knows that President Milliken wants us to have a strong justification for increasing special fees, although he is not totally opposed to it in appropriate cases.

LaCost asked if there might be any perceived conflict to the tuition freeze proposal given the recent announcement to increase room rates. Chancellor Perlman stated that we will have to see what kind of reaction the Board of Regents provides. He pointed out that there are legitimate needs that require the increase in rates. He noted that the money that comes into Housing is not the same money that goes into the university operating budget.

We are able to keep tuition flat if the Legislature provides us with more state support. There is no intention to provide state support for housing.

Woodman asked if the legislature seems to be in favor of the Governor's contract. Chancellor Perlman stated that there seems to be positive reactions to it so far. He noted that 1% of increase in state funding is equivalent to a 3% increase in tuition rates.

Nickerson asked if the budget increase might help the enrollment figures. Chancellor Perlman pointed out that the agreement only affects in-state students. He stated that it will be up to the Board of Regents to decide what will happen with non-resident tuition rates. He noted that the non-resident rates are three times higher than in-state tuition rates and this is a higher percentage of increase compared to many other schools. He pointed out that the growth in enrollment will be from non-resident students. He reported that some programs are contractually based and he does not know if the contract will apply to these programs.

#### **2.4 How can the Senate be more involved in shared governance, particularly with ad hoc committees created by the Administration?**

Schubert noted that this is a complex question but the Executive Committee is trying to find ways to improve shared governance, particularly with ad hoc committees, so situations like the KACE issue can be avoided. He pointed out that there might be faculty members on ad hoc committees but these faculty members often don't report back to other faculty members like Senate members do. He stated that there is concern that if administrators create an ad hoc committee they get to handpick the members they want on it. This does not necessarily imply wrong doing, but the Senate would like to have a voice in decisions that affect the campus.

Chancellor Perlman stated that part of the issue is that he might have a difference on the definition of shared governance. He agrees with the core of it, but at the edges it can be a little fuzzy. He stated that it is clear that the faculty controls the curriculum and are involved at very high levels of participation in the assessment of the talent of the faculty, in defining academic rules with respect to academic integrity of the university, defining admission standards, determining the grading scale, and other core academic concerns. He stated that at the other end of the spectrum in regards to administrative functions, it may be helpful to have faculty input but these functions are not faculty issues and he does not have to get the faculty advice on everything he does. He stated that he thinks there are a range of questions where it is important for the administration to select faculty, not based on their electability to the Senate, but on their particular expertise. For instance, there is a committee looking at MOOC courses. He stated that it is important for us to understand the issues surrounding MOOC courses and we need to see what some of the questions concerning MOOC courses are and he created a committee of people who have expertise in this area. He pointed out that if any policy were to be created, it would need to get the consent of the faculty because the curriculum is clearly the faculty's responsibility. He stated that he might be overly sensitive or culturally aligned to try to avoid as much bureaucracy as possible so decisions can be made. He stated that any recommendations that affect the community as a whole he brings to the Senate. He

pointed out that shared governance is a complex issue, the Master Plan being a perfect example of this. Purdum stated that it might be easier to get broader involvement of the Senate on policies if a Senate member was a member of the ad hoc committee that developed the policy. Chancellor Perlman stated that the implications for MOOC courses and what the alternatives are is something that everyone is perplexed about.

Chancellor Perlman pointed out that the more people you have on committees, the less effective they can be. Purdum noted that it is possible that someone from the Senate is already on the committee, but the Executive Committee does not know this. She stated that it would be helpful to see the committee membership. Chancellor Perlman stated that this would not be a problem. LaCost noted that SVCAA Weissinger stated that she would share what the ad hoc committee on MOOC courses has found out, but the Executive Committee has not heard anything yet. Purdum pointed out that if faculty members know who serve on ad hoc committees they would know who to contact to engage in discussions. She noted that members of the Innovation Campus Steering Committee were announced publicly and early so people could contact them directly with ideas. She stated that these types of communication would be helpful. Chancellor Perlman stated that the administration will try to do a better job of relaying this information to the campus. Nickerson pointed out that the Senate might be able to help identify people to serve on some of these committees.

## **2.5 Upcoming Issues**

Chancellor Perlman reported that he spent most of his day with Sasaki on the Campus Master Plan. He noted that he alerted the Senate early on that this was going to be a very important and provocative exercise and it is turning out to be that way. He stated that he is very excited about the direction of the Master Plan, and if it was up to him and he had the funding, he would do it tomorrow. He noted that there will be some issues that will require discussions, but people need to keep in mind not only the interesting design of a new building but how it functions in the broader setting of the university. He stated that how people transport themselves around the campus and the different vistas from various locations also need to be considered as well as how landscaping fits into the overall plan. He noted that there are many aspects that need to be considered and one thing that has been learned is that we need to develop a broader process with greater involvement.

Chancellor Perlman stated that a pretty controversial issue is the idea to open the 14 Street corridor to bus traffic. He noted that this has some positive consequences but not without some concerns. Another controversial issue is to turn the loop by Memorial Stadium into a mall area. Other ideas are to construct buildings around Love Library and to make changes to east campus and to realign open spaces that may result in the tearing down of some trees. He stated that there will be upcoming discussions, but the plan is to ultimately go to the Board of Regents with the plan by June.

Ruchala stated that related to the Master Plan is transportation. She asked to what extent the university is engaged with the city on urban development and transportation issues. She pointed out that some creative ways to get to campus need to be considered and she asked if the Master Plan will produce new corridors for travel. Chancellor Perlman stated

that StarTran does not like the 14<sup>th</sup> Street plan because it is not two-way traffic lane, but this will not impact his decision. He reported that the 12<sup>th</sup> Street corridor will become the arts corridor, the 14<sup>th</sup> Street would be the community engagement corridor, 16<sup>th</sup> Street becomes a two-way street, and 17<sup>th</sup> Street will be closed and become a pedestrian mall. He stated that other considerations are how to link the Haymarket and the arena with the campus and Innovation Campus connections are also being looked at. He pointed out that the current bus route skirts the edges of the campus so many people do not use it, but he thinks if there is a bus coming down 14<sup>th</sup> Street people might use it more. Ruchala agreed and stated that connections going out to other parts of the city should be considered in terms of faculty/staff travel. She stated that plans that deal with connecting the campus with the rest of the community would be helpful. Chancellor Perlman stated that the plan calls for removing some core surface campus parking, but it also calls for the construction of a parking garage near the core of the campus.

Chancellor Perlman reported that we are seeing some positive results in terms of recruiting. He pointed out that there are a lot of opportunities emerging in the international arena which has some positives and negatives. He noted that international students pay larger fees to attend the university and there is a mixture of English skills in the classroom which the faculty members bear the burden of, but he does not think we can ignore the international opportunities to recruit students. He stated that the English as a Second Language program is being totally reorganized and he thinks it will work much better. He noted that there are great opportunities for faculty and student exchanges with China, India, and Turkey and he hopes people will take advantage of these opportunities.

Chancellor Perlman reported that there are no major legislative issues beyond the budget that concerns us right now, but this doesn't mean that something might arise. He stated that it is clearly in our interest to pay attention to the Governor's proposed tax reforms.

Chancellor Perlman reported that we are still working on the Student Health Center. He noted that it is not ready to go to the Board for approval. He stated that we need to make sure that the students will be well served and Bryan wants to make sure they get what they need. He stated that the new Health Center will be built just south of the Beadle Center rather than by the old Textron building. He noted that this site is a good location to build a small facility because only a two or three story building can be put on the site due to the greenhouses.

Reisbig stated that one issue she has heard about the Health Center is that some physicians and the lead pharmacist have resigned and no new physicians can be hired. She asked what will happen in the time period from now until Bryan takes over. Chancellor Perlman stated that there have been some resignations which were expected. He stated that there is some caution in hiring new people in part because when comparisons were made with other health centers we were over staffed. He stated that his inclination is to wait to see if we get into any difficulties. He pointed out that he has not issued an edict saying that no one can be hired for the Health Center and acknowledged that this is an awkward transition period. He noted that with a bigger

health care system preparations can be made for peak periods when more staff may be needed and Bryan has a much more diverse and broader access to moving resources around.

Chancellor Perlman reported that the 18<sup>th</sup> & R Street parking complex is moving through the city and it looks like we are in good shape. He reminded the Executive Committee that if it is conducting a survey on visiting professor housing that he needs to get information from it quickly because the designing phase of the building will be happening soon. Schubert stated that he will have the figures soon because the survey is being closed next week.

#### **4.0 Approval of 1/16/13 Minutes**

Rinkevich moved for approval of the minutes as revised. The motion was seconded by Ruchala. The minutes were approved.

#### **5.0 Unfinished Business**

##### **5.1 Possible Guidelines for Non-Tenure Track Faculty Members' Rights**

Schubert reported that he prepared a PowerPoint presentation summarizing the discussion so far. He stated that the issue seems to be becoming broader and affects most of the campus. He noted that how non-tenure track faculty members are treated in departments is very diverse around the campus, some units include all faculty members yet others are very exclusive. He pointed out that the Senate is an overarching governing body and includes all faculty members.

Schubert reported that in the Board of Regents Bylaws, Section 2.9 it states that the college bylaws shall be adopted by the faculty in the college: "Those persons with rank of assistant professor and above, or equivalent ranks, shall constitute the voting members of a college faculty, unless other persons are specifically included in a particular college by action of these voting members." Guevara asked how the Board defines equivalent ranks. Schubert reported that in the Board's Bylaws Section 3.1.1.1 "**Academic-Administrative Staff**. This subcategory includes all faculty and such administrative officers as the Board may designate. The faculty of the University of Nebraska includes all persons holding the academic rank of assistant instructor and above, or formally approved equivalent ranks."

Schubert stated that reasons given against non-tenure track faculty members voting is that this will undermine tenure and with tenure becoming weak, it would undermine the academic freedom of tenured faculty members. He stated that the positive side is that the exclusion of non-tenure track faculty members is a direct violation of the academic freedom principles as secured for all faculty members in the Regents' Bylaws. He pointed out that no one can remove tenure except the Board of Regents.

Guevara pointed out that tenure is not just for continuous employment. It provides protection for faculty members to conduct their research and prevents them from being manipulated by administrators for teaching and research purposes. He stated that the tenured/tenure-track faculty members are responsible for the curriculum and in many

departments are the ones responsible for the long term planning of their respective units, such as program reviews, APRs, curriculum upgrades, etc. Non full-time faculty members do not actively participate. He noted that the Bylaws are vague and everyone knows that in many departments part-time lecturers are told what to teach, they cannot choose because they have a very short appointment, a semester or a year and must cover the teaching needs at hand. They are not of the same rank.

Nickerson stated that he would like to see clarification on what ranks are considered equivalent faculty members. The Executive Committee had a vigorous discussion about who is considered an equivalent faculty member and decided to consult with General Counsel on it.

Purdum pointed out that if college and department bylaws are not in alignment with the Board of Regents Bylaws it is the Senate's job to address the issue.

Ruchala moved that the Executive Committee wait until it has heard back from the General Counsel on what ranks are considered equivalent faculty members before moving forward on suggesting guidelines for the rights of non-tenure track faculty members. The motion was seconded by Guevara. The motion was approved.

## **5.2 Suggestions on Student Bereavement Policy**

Schubert noted that a couple of suggestions to revise the motion on the student bereavement policy were received and distributed to the Executive Committee. Guevara stated that he did not think the suggestions adequately protect the students and he moved that the motion put forth to the Senate not be changed. Bender seconded the motion. The motion was approved.

Ruchala stated that Schubert should report to the Senate that the Executive Committee reapproved the original motion to the Senate after reviewing the suggestions that were received. Reisbig suggested explaining to the Senate why the Executive Committee decided not to go with the suggestions.

## **6.0 New Business**

No new business was discussed.

The meeting was adjourned at 4:57 p.m. The next meeting of the Executive Committee will be on Wednesday, January 30 at 3:00 pm. The meeting will be held in the Faculty Senate Office. The minutes are respectfully submitted by Karen Griffin, Coordinator and David Woodman, Secretary.