

## EXECUTIVE COMMITTEE MINUTES

**Present:** Guevara, LaCost, Nickerson, Reisbig, Rinkevich, Schubert, Woodman, Wysocki, Zoubek

**Absent:** Anaya, Bender, Purdum, Ruchala

**Date:** Wednesday, April 17, 2013

**Location:** 201 Canfield Administration Building

**Note:** These are not verbatim minutes. They are a summary of the discussions at the Executive Committee meeting as corrected by those participating.

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### 1.0 Call to Order

Schubert called the meeting to order at 3:01 p.m.

### 2.0 Chancellor Perlman/VC Green/SVCAA Weissinger

#### 2.1 Status of Defining Faculty Members

Nickerson noted that the Chancellor confirmed at the April 2 Faculty Senate meeting that departments in UNL can define a faculty member as long as the definition specifies or restricts the purposes for which that definition will be used. SVCAA Weissinger stated that she thinks the Bylaws are clear in regards to the definition of faculty members. She noted that the Bylaws allow the limitation of the rights of non-tenure track faculty if compelling reasons exist. She pointed out that it was common to limit decisions about hiring, retaining, tenuring and promoting tenure-track faculty members to votes of only the tenure track faculty. Wysocki noted that there are no conferring tracks in the Bylaws for lecturers and senior lecturers. SVCAA Weissinger stated that it is her understanding that the concerns being raised are in regards to voting rights. She reported that the Chancellor's Office, Academic Affairs, and IANR have a consistent reading of the Bylaws in regards to these rights, but if the Executive Committee feels that its conclusion is different than it should state the reasons.

Nickerson stated that the Executive Committee found that there are portions of the Regents Bylaws that seem to be conflicting or ambiguous and that this is the reason why the Committee is seeking to get clarification from the General Counsel's Office on the definition of a faculty member. Schubert noted that he thinks it is difficult to get a clear answer on this issue because the Bylaws define faculty by a rank that no longer exists. He pointed out that the rank of academic/administrative staff as written in the Bylaws includes all persons holding the academic rank of assistant instructor and above or formally approved equivalent ranks, but it is not clear what those equivalent ranks are. SVCAA Weissinger stated that the Regents have done explanations of equivalent ranks.

SVCAA Weissinger stated that she does not understand the problem that the Executive Committee is trying to solve and she knows of no concerns that have been raised to her office.

Nickerson stated that the Executive Committee's intent was to see how professors of practice were being treated across the campus. He noted that the Committee was befuddled by the definition of whether faculty members were anyone who teaches a course or is classified in the academic/administrative category. He stated that the goal is to try to get more uniform treatment of non-tenure track faculty members across the campus. He said that responses to the Executive Committee's survey showed that some non-tenure track faculty members were expected to have a full research load as well as teach and some had to teach seven courses per semester. Chancellor Perlman asked what the definition of a faculty member has to do with the issue. Schubert stated that the Committee was trying to determine if non-tenure track faculty members have any voting rights. Chancellor Perlman pointed out that the Regents Bylaws has three categories of employees and people have to fit into one of these categories, but the categories do not define who has voting rights. Schubert stated that the Bylaws give all of the rights of the academic life in the colleges to the faculty, but there are faculty members that are not being allowed to vote on issues in their department that they are involved with. He noted that faculty members fit into the academic/administrative category in the Regents Bylaws yet some faculty members do not want to provide rights to all faculty members.

SVCAA Weissinger stated that the campus has had a very consistent approach to the reading of the Bylaws in regards to the definition of a faculty member. She suggested that the Executive Committee read deeply the Bylaws and put them together and see if the Committee's conclusion about this issue is different than the administrations. She stated that there is no lack of consistency within the Bylaws on how the campus determines who is a faculty member and who gets to vote on what issues. She pointed out that if the Executive Committee disagrees with this they should engage the faculty more broadly. Schubert asked if she was referring to the UNL or Regents Bylaws. Chancellor Perlman pointed out that all of the bylaws, including college bylaws, have to be approved by the Board of Regents. SVCAA Weissinger stated that you have to look at several of the Bylaws in aggregate to reach a conclusion about who is a faculty member who gets to vote and under what circumstances people get to vote. She pointed out that within the broad guidance of the Bylaws these are local matters that belong to the faculty within a given unit.

## **2.2 Faculty Involvement and Input at the Board of Regents Meeting**

Schubert noted that his personal experience as President has taught him more about how the university works and he is impressed with the efficiency of the Board and how it works, but faculty in general have very little input to the Board. He pointed out that there are student regents who can vote on issues although their vote is not counted. He asked why there can't be a faculty regent member and asked how the faculty can get input into the decision making process at the Regents level.

Chancellor Perlman noted that this is not the first time that this issue has been discussed. He reported that when student regents were first put on the Board there was an effort by the faculty to be included, although this effort was not successful. He stated that in fairness, the four Faculty Senate presidents have opportunities to make comments at Board meetings. He pointed out that increasingly a lot of the work of the Board is being

done by the Regents committees, but he is not sure whether a faculty member could be put on any of these committees. He noted that it might be in the Board's constitution that this cannot be done. VC Green pointed out that he has noticed in attending the Board meetings that more vocal comments have been made from the faculty bench at the meetings. He stated that it is fair to say that the UNO Senate President has been quite vocal at times. Schubert said he was aware that the Senate can say something but he feels there is often a lack of background information provided to the Regents on faculty issues. LaCost noted that if a faculty member had the opportunity to sit in on some of the committee meetings it might eliminate the need for questions to get raised at the Board meetings. She stated that she sees the value of getting faculty input, but she is not sure how this could be accomplished. Chancellor Perlman stated that he does not know if this is an issue that would be resisted by the Board.

### **2.3 Status of Plans for Visitor Housing on East Campus**

VC Green reported that the previous structures on Holdrege Street east of Valentino's have been removed. He reported that negotiations are on-going with the building owner to see if IANR can have one floor of the unit. He stated that the floor would hold 13 one-bedroom efficiency units. He pointed out that these rooms would be turn keys and not operated like a hotel. He stated that access to the unit would be through a rotating key lock and an access code would be needed for entry.

VC Green stated that data gathered by IANR showed that it could at least break even on what IANR has to pay for hotel rooms each year by leasing the 13 units. He noted that the data showed that on an average basis each unit would be occupied at least three nights during the week. He reported that he hoped negotiations would be concluded by next month.

SVCAA Weissinger asked if maintenance and cleaning of these units would be outsourced. VC Green stated that these services would be outsourced but the floor would not be manned. He pointed out that the owner is agreeing to a one year lease so if it shouldn't work out, IANR will not have a long-term commitment.

Schubert asked when the units will be available. VC Green reported that if all goes as planned the units could be available in November. Schubert asked if the campus will be notified when the units are available. VC Green stated that it will, but not until the contract has been signed. Woodman asked if all visitors to campus can use it or whether East Campus visitors will have first priority. VC Green stated that East Campus visitors will have first priority, but available dates will be open to the rest of the campus.

Chancellor Perlman reported that there is very little enthusiasm from the deans to support visiting housing on city campus. Schubert asked what the deans are basing their decisions on. SVCAA Weissinger stated that the deans were asked if they could financially help to support the units to lessen the back stop risks for Academic Affairs. She pointed out that it would be Academic Affairs and IANR administration that would have to subsidize any losses. She pointed out that the deans do not have any resources to help backstop any potential losses from leasing the units. VC Green noted that IANR's

situation is different because so many faculty members from other parts of the state need to come to campus on occasion and the Institute has to pay for their hotel rooms.

Schubert reported that the survey conducted by the Executive Committee showed a substantial amount of visiting housing is needed and even if you divided the number between East and City campus there is still a significant need. SVCAA Weissinger asked where the funding would come from to lease the units. Schubert pointed out that the demand for housing should be adequate to pay for the leases.

Chancellor Perlman reported that the question that was posed to the deans was in association with the 19<sup>th</sup> and R street housing/parking garage that is being built. He noted that the deans were asked whether we should allocate two or four of the apartment units for visiting faculty, but he did not receive a positive response. Schubert stated that this is surprising and wondered whether the deans are aware of just how many visitors come to campus each year. He pointed out that if you look at the data collected from the survey it indicates that four units should be filled almost all of the time. Guevara noted that the deans were probably concerned about the financial risk and who will bear the responsibility for it. As of now, departments pay for hotel rooms of visiting faculty.

Chancellor Perlman pointed out that the question is whether there would be greater savings from having on campus housing versus paying for a hotel room. He noted that hotel rooms would be paid for only when needed whereas the apartment units would require year round lease payments. He stated that IANR is different because they know on a consistent basis the amount of rooms that are needed.

Nickerson asked if the university will have claim to any of the apartments in the 19<sup>th</sup> and R street building. Chancellor Perlman stated that no apartments will be leased. Schubert pointed out that the data indicates that on an average day, twelve visiting faculty members are on campus. SVCAA Weissinger stated that this need is highly cyclical. Schubert disagreed. SVCAA Weissinger noted that the cost per night may or may not compare with Lincoln hotels which are easily accessible.

Woodman asked what the cost of a lease would be for one of the units at 19<sup>th</sup> and R streets. Chancellor Perlman stated that he does not have the exact figure but remembers that they are costly. SVCAA Weissinger pointed out that the campus would have to accept certain kinds of liabilities if any of the units were leased. She stated that she did not understand the problem that the Executive Committee is trying to solve since there are many hotels close to campus. Schubert stated that the initial reason was to find more affordable housing, particularly for visiting faculty members who are here for a lengthy time. He pointed out that UNL Housing doesn't have any adequate rooms for visiting professors.

Chancellor Perlman stated that it would make more sense to have visiting faculty housing closer to a campus union or a faculty club. He pointed out that most visitors would probably want to stay in a hotel where they have close access to restaurants and other amenities.

SVCAA Weissinger stated that longer stays is when visiting faculty housing is really needed. VC Green noted that City campus has access to downtown Lincoln for housing but East Campus does not have any facilities in the immediate area around campus.

SVCAA Weissinger stated that the other principle is that the campus does not want to get into any business that is not part of our core mission an example of this is the effort to get the health center privatized. She noted that the entrepreneurial sector might have better solutions to this problem.

#### **2.4 Lack of Coordination between UNL Spring Break and LPS Spring Break**

Chancellor Perlman noted that some facts are hard to change. He reported that the university has a system-wide calendar which is consistent across all four campuses and is set for ten years. This is due to the fact that students can study on multiple campuses and faculty members sometimes can teach on different campuses. He pointed out that LPS does not have the same calendar as Omaha, Kearney, or other schools. He noted that two years ago Dean Poser worked very hard and managed to get a slight change in the university calendar so we would be consistent with LPS. He stated that it worked for one year, but it locked the UNL calendar into place and then LPS changed their calendar so that their semesters are completed before the winter break and changing the dates of their spring break.

#### **2.5 Formula for Paying Faculty Members for Teaching Summer Sessions Courses**

Woodman stated that he has been hearing that the formula for paying faculty members for teaching summer courses is being changed. SVCAA Weissinger reported that no changes have been made and there are no discussions about making any changes. She stated that instructors will still receive 2.8% per student credit hour.

LaCost stated that she was informed that there will be changes to summer pay. SVCAA Weissinger stated that this is inaccurate information. She noted that about a year ago the tiny Summer Sessions Office was taken out of the summer session process. She noted that not once has this discussion come up in Academic Affairs and wondered if the rumors are occurring in the colleges.

Woodman asked if hypothetically an individual dean can make changes to the summer sessions formula. SVCAA Weissinger stated that in our present structure this could not be done. She noted that the administration and deans agreed on a small number of centralized policies regarding summer sessions including compensation. LaCost asked if the formula would change if the campus decides to go to a three semester system. Chancellor Perlman stated that this is not happening at this time but colleges could be talking about it.

SVCAA Weissinger noted that years ago summer sessions had its own office but this was removed to empower colleges and departments to offer their curriculum throughout the year. Otherwise nothing else about summer sessions has changed. She pointed out that

several years ago there was a task force that considered changing the semesters but there was not a lot of consensus and support for making any changes. She stated that the idea is still out there but there is no strong press for it.

## **2.6 KACE Opt In - Incentives/Disincentives**

Woodman noted that the Chancellor mentioned at the April 2 Senate meeting that faculty members could face a financial risk if they do not have KACE on their computers and they are found to have unlicensed software. He asked at what level this ends because some faculty members are responsible for computers in labs that are used by numerous people. He asked if faculty members using their personal computers at work and are on the university network would have to face the same incentives/disincentives. Chancellor Perlman noted that all of the details have not been worked out yet. He stated that open lab computers would have KACE on it, if the campus decides that KACE is the direction we want to go which is not entirely clear yet.

LaCost reported that she just came from the Faculty Compensation Advisory Committee where some of the faculty members were quite vocal in regards to total compensation of faculty members. She stated that it was pointed out in the meeting that a number of faculty members buy their own computers and other equipment to conduct university work. Nickerson noted that he has purchased his own printers and supplies because these are not covered by NSF grants. Chancellor Perlman asked if his unit has centralized printing. Nickerson stated that a centralized printer in his department was removed several years ago. Chancellor Perlman noted that deans and chairs have budgets to manage in their units and they have to make decisions on how best to allocate their resources. He stated that there might be some departments that are so restrained that they have to limit the purchasing of equipment and supplies and other units have tried to create more efficient ways to get the work done. He pointed out that we have gone to centralized copy machines that can print directly from a computer which is cheaper than having a printer on your desktop. He stated that faculty members should be allowed to make their own decision as to whether they want to have cost efficient measures in place or wind up having to pay for some of their supplies themselves.

## **2.7 Developments with Engineering in Omaha**

Chancellor Perlman stated that there is some activity regarding this issue. He reported that there has been a series of presentations to Regent's committees on the direction of the Engineering College and the campus is currently in the mode of explaining this direction. He stated that he thinks it has been generally well received but there is still a narrowly focused group in Omaha that seeks to have a separate Engineering College.

Wysocki pointed out that all of the rumors and news articles about the issue is creating fear among faculty members, staff, and students and he has concerns about how to deal with prospective students who are concerned about the future of the College. Chancellor Perlman noted that there are always downsides to this kind of controversy but he would be greatly surprised if any changes to the program were to occur in Omaha.

## **2.8 Faculty Members Having Difficulties Getting Copies of their Contracts for Teaching X Courses (On-line Courses)**

Guevara reported that there are faculty members, both tenured and non-tenure track faculty members who are teaching X courses as an overload but have not received a copy of their contract. He noted that departments typically don't know how many students will remain in an X course until the end of January. He reported that the number of students determines how much money the college, department, and ultimately the faculty member will receive, but here it is in April and some people still do not know how much salary they will get for teaching the course.

SVCAA Weissinger asked if Guevara has a sense that the lack of a contract is occurring in a delimited number of small departments. Guevara stated that he has heard that it is happening in other departments. He asked what options faculty members have when they agree to do an on-line course but do not have anything in writing about it. He pointed out that this is a disincentive for faculty members to teach X courses. SVCAA Weissinger stated that this situation might be unique to Guevara's college and with his department. She stated that there seems to be a lack of clarity about the notification of compensation for teaching these courses. She pointed out that the initial contract could state that compensation for teaching the course cannot be determined until the class size is finalized. She stated that she will discuss this with the dean of his college.

Woodman reported that last summer the amount of tax levy on X courses was increased by the Dean in his college. He pointed out that the tax was changed without any notification to faculty members directly and people did not know until April how much they will get paid for a course even though the dean received the money in February. He stated that there is a lack of clarity about how the taxes on these courses are being used and what rationale is being used to justify their increase.

Chancellor Perlman stated that he is not against faculty members being paid for working overtime, but tuition from the X courses is not added to the campus' overall tuition income. He understands that the X courses create capacity for some courses with high enrollments, but if an X course was turned into a course that would attract students who aren't otherwise registered at the University and would create new tuition for the campus. Guevara stated that this was tried but he was told that this wouldn't be allowed. Chancellor Perlman said to let him know if any faculty member runs into this kind of situation. Woodman stated that some X courses were created to meet student demand due to inadequate space in campus courses.

## **3.0 Announcements**

No announcements were made.

## **4.0 Approval of 4/3/13 Minutes**

Rinkevich moved for approval of the minutes as revised. Zoubek seconded the motion. LaCost asked that the statement she made regarding summer session pay being changed be revised due to the comments made by SVCAA Weissinger at today's meetings. The revised minutes were approved.

## **5.0 Unfinished Business**

No unfinished business was discussed.

## **6.0 New Business**

### **6.1 April 23 Senate Meeting**

Schubert encouraged the Executive Committee members to read the draft KACE policy and be prepared to discuss it at the meeting.

Griffin reported that Nickerson will not be able to run for one of the Executive Committee member spots should he not win as President-Elect because he just completed a three term as an Executive Committee member and the syllabus does not allow successive terms.

### **6.2 Comments on Today's Meeting**

Schubert stated that he was dissatisfied with discussion about the definition of a faculty member that just took place with SVCAA Weissinger. Nickerson stated that he was pleased with the Chancellor's response to his question at the April 2 Senate meeting about the definition of a faculty member and that the departments can define a faculty member if they specify or restrict the purposes for which that definition will be used. He stated that he thought the Chancellor said that the Faculty Senate could make this definition. Members of the Executive Committee pointed out that they do not think the Chancellor stated that the Senate could define faculty members that it was up to the departments and colleges.

Schubert stated that he will look at the UNL Bylaws carefully, as suggested by SVCAA Weissinger, to see if it clarifies who has voting rights and he will report back to the Executive Committee. He pointed out that the uneven treatment of non-tenure track faculty members is dissatisfying and he believes that there are still some structural issues in departments that need to be addressed. Nickerson suggested that this would be a good discussion to have over the summer.

Guevara stated that trying to tell departments who has voting rights is going to anger a lot of faculty members. He pointed out that departments and colleges are very independent in many ways and they do not want to be told what to do on certain issues. Schubert pointed out that the Senate represents all faculty members.

LaCost noted that universities are rapidly changing and are hiring many different kinds of faculty members, but the institution's bylaws do not keep up with these changes. She pointed out that the Senate is at least initiating a discussion regarding the uneven treatment of faculty members across the campus.

Zoubek stated that extension faculty members are not tenure-track yet they have representation on the Senate Executive Committee and other committees. He wondered if there are examples of people being treated unfairly that could be identified. Schubert



pointed out that the question is how to identify groups of faculty members without revealing their identities.

Schubert stated that he was disappointed about the visiting housing on City Campus. He noted that in previous discussions the Chancellor seemed to be supportive of the idea. Guevara pointed out that the deans do not invite people to campus, it is the departments and he was surprised that they were asked to provide input on the housing. Wysocki noted that the deans were being asked to help support the housing financially if it is needed. Reisbig stated that the discussion has not been a complete loss because East Campus will have housing and hopefully that can be a model that will one day be followed on City Campus. Nickerson pointed out that the administration probably did a cost/benefit analysis and felt that the risk was too great with the housing.

The meeting was adjourned at 5:00 p.m. The next meeting of the Executive Committee will be on Wednesday, April 24 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.