

EXECUTIVE COMMITTEE MINUTES

Present: Anaya, Bender, Guevara, Nickerson, Reisbig, Rinkevich, Ruchala, Schubert, Sollars, Woodman

Absent: Joeckel, Wysocki, Zoubek

Date: Wednesday, August 21, 2013

Location: Faculty Senate Office

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

1.0 Call to Order

Guevara called the meeting to order at 3:00 p.m.

2.0 Announcements

2.1 Report on Malware Infection

Woodman reported that a computer in the Athletics Department became infected with a Bitcoin malware which is an underground program that is used to harness distributed computers' processing power to facilitate for-hire computing tasks. Information Services discovered that the compromised host machine was communicating and spreading the Bitcoin malware to other machines connected to the UNL domain and a large number of computers may have been impacted. He reported that 40 public computers in the Libraries were affected, but the malware has been removed from these machines.

Woodman stated that IS determined that the malware installation was not the result of a malicious or dishonest employee activity. The system administrator's credentials that were compromised from the infection were disabled and new credentials and password was issued. The port to the infected host machine was shut off and the compromised host machine was removed from the network and computer logs. He stated that he was told by IS that the problem has been resolved and that the public computers are not able to spread the infection.

Woodman pointed out that if anyone's computer starts performing slowly they should contact the Help Desk at 472-3970.

Guevara noted that one of the fears with KACE is that computer infections like these could spread more easily through the university computer system.

2.2 Update on Search Committee for Dean of Arts & Sciences

Guevara reported that he sent SVCAA Weissinger the Executive Committee's recommendations for possible search committee members. Woodman asked if the list of members has been made public yet. Guevara stated that SVCAA Weissinger is still working on establishing the committee but that the members should be announced soon.

2.3 CIC Faculty Leadership Conference in October

Guevara reported that he and Woodman will be attending the CIC Faculty Leadership Conference at Purdue University in October.

3.0 Approval of 8/7/13 Minutes

Rinkevich moved for approval of the 8/7/13 minutes as revised. Nickerson seconded the motion. The motion was approved.

4.0 Unfinished Business

4.1 Update on Student Code of Conduct Changes

Guevara reported he was contacted by VC Franco who said that he will be chairing a committee to work on the Student Code of Conduct. Guevara stated that he informed VC Franco that Bender and Reisbig have agreed to represent the Faculty Senate on the Committee. He noted that it is his impression that the effort will be moving along soon.

Sollars recommended that the committee review the UNK Student Code of Conduct. She noted that it is written well, very clear and it was recently approved by the Board of Regents. Woodman asked whether the Board would ever object to portions of the Code. Schubert stated that the Board could if there were parts of the Code that contradicted state law or was a violation of the University Bylaws.

Reisbig asked whether UNL can receive permission to adapt UNK's Code to UNL. Griffin suggested that Deputy General Counsel Wiltse, who worked with UNK on its Code, should be able to provide advice on this issue.

Woodman asked if there are any portions of the Code that deals specifically with graduate students. He pointed out that graduate students have a different relationship with the university than undergraduate students. Guevara stated that he will suggest to VC Franco that a graduate student be included on the committee. Woodman suggested that a student from the Law College would also be helpful.

5.0 New Business

5.1 Draft Executive Committee Goals for the Faculty Senate

The Executive Committee worked on revising the Senate goals for the 2013-2014 year.

5.2 Protected Speech of Faculty Members

Guevara reported that he received a letter from Frank Edler, President of the Academic Freedom Coalition of Nebraska, urging the Faculty Senate to petition Central Administration and the Board of Regents to revise the Regents Bylaws to protect the right on an individual to speak out critically about the administration. He stated that Edler pointed out in his letter that the Supreme Court has left open the possibility that faculty speech critical of an administration may not be protected by the First Amendment. As a result the University of California's Board of Regents recently approved an amendment of Regents Policy 7401 guaranteeing the freedom to speak out on institutional governance.

Nickerson stated that he would like to see exactly what the University of California's amendment is to determine whether we should support it here at the University. Ruchala suggested that this might be a good topic to discuss at the CIC meeting.

Guevara asked if the Executive Committee wants to pursue this issue. The Committee agreed. Guevara suggested asking the Chancellor about the issue since he is a lawyer. Reisbig asked for an example of when this might apply. She questioned what is in our Bylaws that would allow an administrator to dismiss someone for critical comments that were made of the administration. Ruchala pointed out that faculty members should be able to speak out on issues they are concerned about and if you believe in shared governance, faculty members should be able to speak out freely and voice their concerns. Guevara stated that the consequences that could occur for speaking out are the real concern. He noted that the idea is to protect faculty members who may be openly critical of an administrator. Reisbig pointed out non-tenure track faculty members would be really vulnerable in these cases. Sollars stated that as currently stated in our Bylaws academic freedom does not protect someone if they made critical comments about the administration. She questioned whether we would be seen as asking for special protection. Guevara noted that if someone is using their expertise to object to something that an administrator is doing, this would fall under academic freedom. Nickerson stated that a faculty member using their expertise to advise the administration describes what the Executive Committee is trying to do with the administration.

Sollars stated that she will check out what the University of California is doing on this issue and will report back to the Executive Committee.

5.3 Changes to the UCARE Program

Guevara reported that a faculty member contacted the Senate Office regarding concerns about changes being made to the UCARE program. Schubert stated that he has a UCARE student and has not been made aware of these changes. He noted that Associate VC Goodburn's email response to the faculty member states that the program has been changed in such a way that they are removing the UCARE student from their close relationship with a faculty member. He pointed out that students will no longer be funded through the department but instead will be getting paid directly from Academic Affairs. He noted that an email message sent out by Jane Schneider from Accounting/Payroll about the changes states "this perspective shift recognizes the collaborative interaction between the research mentor and the student, where the student is engaged in a scholarly project or problem as opposed to working on a faculty member's research project. The UCARE program is a student-initiated research endeavor for which neither the faculty mentor nor UNL receive a benefit." He pointed out that UCARE has called for research team proposals and have added \$400 to each student's funding in order to purchase research supplies. He stated that this will not work.

Woodman asked how a faculty member can continue to buy some supplies for the research project. Nickerson pointed out that many faculty mentors use their own grant

money to purchase supplies for the UCARE student's project because of the cost of the supplies. He stated that if the administrators press this point some faculty members will not be willing to participate in UCARE.

Schubert noted that there is also the question of how students can purchase items. He pointed out that they do not have access to e-shop or a purchasing card. They may not even know what they need for a research project. He stated that the UCARE system was working very well and asked why fix something that isn't broken. He noted that faculty members were not attempting to get additional funds for their research through UCARE and the faculty member had to sign off on the UCARE student's time sheet to show that the student was working on the project. He stated that the faculty member was the advisor, but with the new system the ultimate advisor is the UCARE office. He stated that he is concerned that if the student feels he/she has two bosses he does not think the new system will work well. He pointed out that he has had a number of undergraduate students involved in UCARE and the tradition has been that many of them have stayed on to become graduate students. He is concerned that this may not happen with this new system. Nickerson noted that Laura Damuth used to oversee the UCARE program, but she is no longer doing this and he wondered if this was the reason for the change.

Guevara suggested that the Executive Committee ask Associate VC Goodburn to meet with the Committee to discuss the changes.

Sollars noted that previously the UCARE students had to apply for the additional \$400 for supplies but that now they will automatically receive it. She asked if this is the major change. Schubert stated that he was previously not aware of the funds for supplies. He stated that as a faculty mentor he never received notification about this change and he has concerns that the students will suffer the most because they will not have the direct contact with faculty members.

Schubert noted that he was on the committee for a new beverage provider and the money from the contract with the provider was to be used to support undergraduate research experience, this was when UCARE was created. The money was not to go to departments for paying for supplies for the research. He stated that the contract needs to be reviewed to see if we are following it. He stated that he feels with these changes that the program has lost attraction for him to participate.

Guevara questioned why the changes were made. Schubert wondered if the control of the funds has anything to do with a way to get money into underfunded departments. He pointed out that many students probably do not even purchase supplies for their research project leaving money that could potentially be used for other UCARE students.

Nickerson wondered if the change could have anything to do with insuring students who work in a laboratory. Schubert stated that he thinks this coverage is under the UCARE agreement. He stated that technically little change occurs for the student but in reality what changes is the relation between the faculty member and the student. He noted that there are always more students wanting to participate than there are faculty members. He

stated that the focus of the program is to find high quality students that can perform well and will hopefully become graduate students.

Nickerson noted that the faculty members involved with UCARE are interested in undergraduate research as well and find it exciting and great to work in the program. He asked if this is going to change since students are now being asked to form groups to devise their own research project. He pointed out that this is idealistic, but does not think it will work well.

Schubert stated that he recalled that during the beverage contract renewal process it was asked whether or not the donation would be repeated or amended or whether they would eventually run out. He stated that he recalls someone wanting the Pepsi Endowment funds to expire and the possibility of the UCARE program being eliminated if this was to happen.

Reisbig pointed out that there are some supplies that only a faculty member can purchase because a license is required. Woodman noted that similarly there are regulations in labs that must be followed which students would not be able to do if they conducted independent research projects. He pointed out that by isolating them in this way we are encouraging mediocrity out of necessity. Schubert stated that faculty members probably provide 98% of the funds needed for equipment that is required for the research. He questioned why changes would be made given the past success of the program.

Schubert wondered if faculty members were involved in making these changes. He pointed out that UCARE is a program that occurs across the campus and the Faculty Senate should have been contacted since the Regents Bylaws state that the Senate is to act on all academic matters that affects the colleges.

Sollars suggested that the change may be to make the funding for supplies better known to the faculty and the department. Schubert stated that the changes seem to want to make the students more intellectually independent, but he does not think this is going to work. He stated that previously a faculty member would work with a student on a one-to-one supervisory basis. He stated that the faculty member would sign the time sheet and the department signed a contract with the student. Now this is not a part of the department because the student is being paid elsewhere. Sollars wondered whether some departments may have been using the \$400 to purchase supplies not related to the UCARE project and this could be the reason for the change.

The Executive Committee agreed to invite Associate VC Goodburn to a meeting to discuss the issue.

5.4 Innovation Campus Article

Nickerson reported that there was an article recently on Innovation Campus which stated that the growth rate 25 years from now calls for 7,000 people living and working on Innovation Campus. He stated that he has concerns that Innovation Campus could siphon off research in a different direction than the university wants to do. He stated that he

would like to discuss this with the Chancellor when the Executive Committee meets with him.

The meeting was adjourned at 4:42 p.m. The next meeting of the Executive Committee will be on Wednesday, August 28 at 3:00 pm. The meeting will be held in 201 Administration Building. The minutes are respectfully submitted by Karen Griffin, Coordinator and Toni Anaya, Secretary.