

EXECUTIVE COMMITTEE MINUTES

Present: Adenwalla, Buan, Gay, Hanrahan, Latta Konecky, Minter, Purcell, Vakilzadian, Woodman

Absent: Franco Cruz, Fech, Kolbe, Peterson

Date: Tuesday, February 25, 2020

Location: 203 Alexander Building

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 (*Hanrahan*)

Hanrahan called the meeting to order at 2:33 p.m.

2.0 Conducting Research with Foreign Entities (Professor Hoyt, Research Integrity Officer & Institutional Official)

Hoyt reported that he was asked to visit with the Executive Committee because of concerns and complaints from faculty members regarding foreign research collaborations. He stated that in 2018 the federal government began increased efforts to look at foreign influences in a variety of ways here in the U.S. He noted that initially there was concern regarding national security, intellectual property, and Department of Defense research, but recently there has been an evolution and the list has been expanded. He stated that NSF, NIH, and the Department of Education are now putting out sets of advisory concerns regarding international research partnerships and collaborations.

Hoyt reported that the Federal Judiciary system is taking more action on violations of non-disclosure or conflict of interest and conflict of commitment of research with international partners or collaborations. He noted that there are professors around the country who have signed contracts with international partners that they did not report, and some of these professors have been fired. Following the meeting Hoyt provided a document summarizing this overview of federal responses.

Hoyt stated that the University wants to get ahead of any possible concerns so ORED is working on identifying faculty members who have not reported research they are doing with an international partner. In advance of the meeting, he provided an overview of UNL support for foreign research collaborations and areas of concern with respect to foreign influence. He pointed out that Board of Regents Bylaw 3.4.5 states: Specific approval of the Board is required before any members of the full-time professional staff: (a) May be retained to provide professional services outside the University to an individual person, client, company, firm or governmental agency over a time period lasting more than two years; (b) May accept professional employment requiring more than an average of two days per month during the period of his or her full-time University employment.

Hoyt stated that Sara Frizzell, Director of Research Compliance Services, is conducting workshops and training on what faculty need to report on their disclosure forms. He noted that the NU grant module on outside activity reporting has been updated this past summer to specifically ask about external foreign activities to assist researchers in fully disclosing their external research support. He pointed out in some cases the collaboration is simple, but there could be cases where a contract with the foreign entity has been signed and it has not been disclosed to the University. He stated that ORED is working with the faculty to ensure that they are not in violation of the Bylaws and is working to protect the faculty member by ensuring any disclosures to federal funding agencies are correct.

Adenwalla asked if these cases only involve talent programs such as the Thousand Talents program with China. Hoyt stated that other countries besides China have talent programs. Woodman pointed out that visas are required for anyone from another country to work in the U.S., and the University would have to sign-off on the visa. He asked if this would help identify individuals who are on a talent program. Hoyt reported that the University found that some faculty have invited visiting scholars from other countries to campus to do research. Depending on the source and type of funding for visiting scholars, this may or may not be a concern. He noted that the EVC's office is working on laying out new policies pertaining to visiting faculty members. He stated there are no problems if a faculty member or department sponsors a guest speaker.

Hoyt reported that if a visiting professor comes to work at the University on a contract the first thing that is checked is to see if the individual is from a restricted country. He pointed out that the challenge is that some visiting faculty come here on a voluntary basis and are self-paid, and do not disclose that they are getting paid from another source. He noted that in these cases only the department is aware that these people are on campus. He stated that some of these individuals are voluntary post docs. Hoyt pointed out that he does not think anything nefarious is going on at the University, but faculty are in violation if they have not adhered to UNL and Regents Bylaws on disclosure and reporting requirements relating to international research partnerships and collaborations.

Adenwalla asked if there is a process for having visiting scholars come to campus. Hoyt stated that the University needs to do a better job of tracking people who are here, and the reason(s) why they are on campus. He noted that currently only departments know when a visiting scholar or voluntary post doc is here.

Hanrahan asked what a talent program is. Hoyt stated that talent programs can come from any country and individuals participating in the program receive compensation by the foreign state in exchange for the transfer of knowledge and expertise. He stated that the individuals involved are usually on a three-year contract. He pointed out that the Regents Bylaws state that any contract for over two years needs to be reported. He stated that China's Thousand Talent program wants their contracted person to be co-authored on research papers and to have China listed first under institutions on the paper.

Woodman asked what would stop a scholar from going to another university if they are found to be in violation of a university's regulations. Hoyt stated that any visa matters would be processed by ISSO and the individual's visa would probably be ceased or terminated, requiring them to leave the country.

Adenwalla noted that a presentation was given in her department on the topic of reporting international research partnerships and collaborations and what must be reported. However, there seemed to be some confusion regarding financial reporting and what exactly needs to be reported. She pointed out that if the guidelines are fuzzy than it makes it more difficult for faculty members to know what they need to report. Hoyt stated that the University is primarily interested in faculty that have signed contracts where the faculty member is getting some form of compensation, and that have not been reported to the University. He stated that he does think our internal reporting form should be updated, and commented that it is currently being revised.

Adenwalla asked how the individuals who are here voluntarily are doing harm to the university. Hoyt pointed out that the reason these individuals are here was not properly documented. He noted that the University is interested in terminating talent program funding. He stated that there can still be foreign visitors, but they cannot be associated with a talent program. He noted that it can be difficult to identify these people sometimes because their payments from the talent program go into the individual's bank account which is in the country where the program originates.

Hanrahan asked what would happen if a volunteer post doc is working on a grant funded by an agency like NSF. Hoyt stated that the guidance currently is that if you have a federal grant and a volunteer working on it, you need to report it, regardless of who that person is funded by. Woodman asked if this applies to any federal grant. Hoyt stated that it does, and anybody working voluntarily in a faculty member's research lab, including U.S. citizens, should be reported. He reported that Sponsored Programs will be putting out new guidelines and should include information on this subject. He noted that if you have volunteers that are not working on a grant, they do not need to be reported assuming that they have no access to the grant materials.

Hanrahan asked what should be done in a case where you sponsored a person to take a class, but that person is married to someone who it turns out is on one of these talent programs. Hoyt stated that if the person is just taking a class, and not working on a federal grant, they would not need to be reported. He stated that, if we do find that individuals are supported by a talent program related to federal funding, reports should be made to ORED administration, then he will contact the faculty member to let them know what actions will be taken, and VC Wilhelm will write the letter informing the government. Hanrahan noted that faculty need to make sure they have the form filled out. Hoyt pointed out that the University's Interest and Outside Activity Form must be filed for any professional work done for an outside company or agency, regardless of whether they are a national or foreign entity. The form can be completed through NUgrant at <https://nugrant.unl.edu/system/login>.

Adenwalla asked what is considered a conflict of commitment. Hoyt stated that an example would be getting paid to do University work during the summer, but also getting paid by another entity during the time the individual was getting paid by the University.

Vakilzadian asked if faculty have to disclose that they received an honorarium if they give a presentation at another university in a different country. Hoyt stated that it is a Regents Bylaw requirement that the honorarium be reported. Vakilzadian asked if the faculty member would have to disclose the paper. Hoyt stated that any research to be presented in a flagged country would have been screened. Vakilzadian asked if a faculty member has to disclose to the University that they are going to present a paper. Hoyt stated that if it is financed by a foreign institution than the Board requires that it is reported. Hanrahan asked if a faculty member receives an honorarium for giving is reimbursed for airfare because they gave a presentation at a foreign university if this would need to be reported. Hoyt stated that it should be included on the Outside Activity Form. Adenwalla asked if the same applies for domestic travel. Hoyt stated that the Regents Bylaws exclude the necessity of reporting if the funding is from a U.S. university, but if it is a company, then it should be reported.

Hoyt stated that if faculty members have any doubt about when they need to report something, they should err on the side of caution and just report.

3.0 Parental Leave Policy (Associate VC Walker and Professor Hassler)

Walker pointed out that our current parental leave policy is confusing, and getting time off is often left to the discretion of the department chair. She noted that changing the policy will require the Regents' approval, and she wanted to work with the Executive Committee make sure that when a proposal is eventually created that the Committee and the Senate will support it.

Walker stated that the Chancellor's Commission on the Status of Women had some data on other institution's parental leave policy, and Hassler has been doing further research looking into the parental leave policy at the other Big Ten universities. She pointed out that our policy very much makes us an outlier in what it covers in comparison to the other Big Ten schools.

Purcell reported that there is a Faculty Compensation Advisory Committee meeting on March 5th, and suggested that Walker and Hassler attend the meeting since the FCAC looks at benefits for faculty members. She noted that the parental leave policy might be something that the FCAC can help with. Walker stated that she will not be able to attend, but asked if Hassler could, and suggested that preliminary data could be shared with the FCAC.

Walker asked whether the Executive Committee wanted a committee created to work on a new parental leave policy. Hanrahan stated that he does not think there would be much opposition to having a better parental leave policy. Latta Konecky suggested that the Executive Committee could offer feedback when a proposal is developed, rather than forming a committee.

Hanrahan asked if the policy would apply to both faculty and staff. Walker stated that it is her opinion that the policies for both faculty and staff need updating, but that it's not clear at this time whether they will be updated in the same way. She noted that currently the existing policy is considered a medical maternity leave and it is deducted from accrued sick and/or vacation leave. She stated that the University considers eight weeks for pre-partum and postpartum care recovery normal. For fathers, up to five days of parental leave may be granted.

Walker pointed out that most of our peers offer a parental leave benefit which is equal for the mother, father, and even foster parents and does not require the use of sick leave or vacation time. She stated that employees are typically eligible after a year of employment for the parental leave benefit. Woodman asked if the proposed benefit would apply only to full-time employees. Walker stated that this data will need to be obtained from our peer institutions.

Latta Konecky noted that the parental leave policy is a retention and recruitment issue, and she is aware of a faculty member who left the University because he could not take more than five days of parental leave. Walker agreed that this is a retention and recruitment issue. Buan noted that there are some universities that provide some funds to help with adoption fees and this is another way UNL could have more competitive benefits.

Vakilzadian asked if parent is defined in the policy. Walker stated that the parental leave policy applies to both parents, while the medical maternity leave applies only to the mother. Buan noted that a new parental leave policy should be gender neutral.

Buan suggested the Executive Committee can provide feedback periodically as the proposed parental leave policy is being drafted.

4.0 Announcements

4.1 Fox World Travel Issues

Hanrahan reported that he was contacted by a faculty member who has had problems with being charged by Fox World Travel an additional fee of \$200 to an airline ticket, and then another \$10 fee for sending a message inquiring about the \$200 fee. He stated that this is being investigated by Travel Services.

4.2 President's Strategic Transition Team Meeting

Hanrahan reported that the Team met again and President Carter stated that he wants a printed document released at his investiture on April 17th. He stated that the document will identify what the University system will be focusing on.

Hanrahan stated that he is on the compensation sub-team and he met with VP Kabourek and discussed ideas such as providing a housing stipend for new faculty members, increased child care, and development of an off-campus housing facility for graduate students.

Woodman asked if there is still talk about increasing enrollment. Hanrahan reported that no specific numbers were discussed, but the ratio was discussed and the need to get more out-of-state students. He noted that the suggested ratio was 70/30 and the 30% could be a combination of international students and out-of-state students.

4.3 Report on Professional Code of Conduct Committee

Minter asked if there are any existing sexual relations policy besides the Regents policy. Hanrahan pointed out that there is an existing policy which is out on the web, but it is difficult to locate. Woodman suggested that there needs to be a centralized place on the University website for current university documents to reside.

5.0 Approval of February 11, 2020 Minutes

Hanrahan asked if there were any further revisions to the minutes. Hearing none, he asked for approval of the minutes. The minutes were approved, with one abstention.

6.0 Unfinished Business

No unfinished business was discussed.

7.0 New Business

7.1 March 3 Senate Meeting

The Executive Committee discussed the agenda for the upcoming Senate meeting.

7.2 NSSE Survey Results - How Can the Senate Help Make Improvements

Hanrahan reported that he put the documents from Associate VC Goodburn on the NSSE results in Box for the Executive Committee to review. He asked the Committee to consider areas the Senate could help with to make improvements. He noted that we scored low on the effective teaching metric and asked the Committee to consider how we can address this. Agenda item will be discussed at the next meeting.

The meeting was adjourned at 4:23 p.m. The next meeting of the Executive Committee will be on Tuesday, March 3, 2020 immediately following the Faculty Senate meeting. The meeting will be held in the City Campus Union, Regency Suite. The minutes are respectfully submitted by Karen Griffin, Coordinator and Joan Latta Konecky, Secretary.