

EXECUTIVE COMMITTEE MINUTES

Present: Billesbach, Buan, Dam, Dawes, Eklund, Franco Cruz, Gay, Hanrahan, Kolbe, Krehbiel, Minter, Weissling, Woodman

Absent:

Date: Tuesday, October 20, 2020

Location: Zoom meeting

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 (*Buan*)

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

2.0 VC Bellows, AVC King, and AVC McDowell

2.1 Supporting a Culture of Inclusive Excellence

Buan reported that the Executive Committee has been contacted by numerous faculty members inquiring about how the university responds to Student Code of Conduct violations. She asked how these incidents are investigated, when decisions are made, and what kinds of sanctions are enforced. She noted that the faculty are also especially concerned with the question of bias and how we can work together as a community to send the message that these violations are not welcome here. She pointed out that we need to be as welcoming a place as we can be.

VC Bellows stated that the conduct process is laid out in the Student Code of Conduct, but she understands that there are faculty, staff, and students who don't understand why some information about a violation cannot be shared with the campus.

VC Bellows reported that tips on student violations are received from a variety of sources: email, phone calls, TIPS and these notices can be anonymous, although anonymous tips are more difficult to pursue. She stated that when a complaint is received it is assigned to a Conduct Officer who begins an investigation which includes first contacting the person that submitted the complaint. An informal meeting is then called, and the evidence is collected and revised to see if there is a basis for the allegation. If it is determined that there is reason to believe that a violation has occurred one of two options can be taken: an administrative resolution is made where the student accepts the responsibility of the violation and is then sanctioned, or if the student feels they are wrongly accused and they do not accept the resolution which will result in the case being considered by the Student Conduct Board. She pointed out that with ongoing investigations information cannot be shared due to privacy and student record confidentiality laws, however, broad information that does not identify an individual can be shared.

Billesbach asked what the timeline is for investigating violations. VC Bellows stated that there were some issues in the past with having investigations conducted in a timely fashion, but now there is a certain timeframe for investigations to be completed. AVC King stated that when an investigation needs to be conducted there is a 20- or 30-day time frame, but if a student needs to be expelled it can occur within 3-5 days.

AVC King noted that there is some confusion about the Student Code of Conduct but quick information can be found at <https://studentconduct.unl.edu/> which should help people understand the Code and the process of dealing with violations. She reported that the Office of Student Affairs seeks to educate the students and have them understand what their rights are and what they are expected to do to correct their behavior and to make restitution. She pointed out that some of the sanctions can include the student being charged an administrative fee, having to make restitution should they damage someone's property, or being placed on University probation which can be severe.

AVC McDowell reported that the Office of Fraternity and Sorority Life is not involved in the conduct process. Misconduct reports are sent to the Student Conduct and Community Standards Office. He noted that several years ago the Greek Vitality Plan was created which is a strategic plan to make UNL the best campus in the country for Greek life. He reported that several initiatives were developed to help students in the Greek system to become exemplary scholars and leaders who work in service to others. The initiatives are: Community Initiatives, Scholarship Initiatives, Leadership Initiatives, and Service Initiatives and there is a plan to include diversity and inclusion education. He pointed out that each Greek community will need to be accredited in the future to maintain their standing with the University.

Woodman stated that in looking at the pictures of the Greek house members there appears to be almost no diversity. He asked what the goals are to increase diversity in the houses in the next five to ten years. AVC McDowell reported that many Greek organizations were originally created to maintain exclusivity. He stated that we have four Greek Councils including the Multicultural Greek Council and efforts are being made to provide seminars to learn more about this Council as well as the National Pan-Hellenic Council which serves as the governing body for the historically African American Greek-lettered sororities and fraternities. He stated that efforts are being made to reach out to diverse students.

Minter reported that she works with many graduate teaching assistants and sometimes they encounter students with problematic behavior. She asked what GTAs could do. AVC King stated that GTAs should report any problematic behavior and either the Student Conduct and Community Standards Office will investigate it, or if there is a Title IX violation, Institutional Equity and Compliance (IEC) will investigate the incident. She stated that her office will always investigate an incident and will work with the different offices if the incident should not fall under their purview, and sometimes the UNL Police will be involved as well.

Dawes stated that it is not clear where racial epithets fall under the Student Code of Conduct and she asked where someone should report these cases. AVC King agreed that Section 7H in the Code seems to address more severe violations and in some cases the violations fall under several different sections of the Code. Dawes asked if this section of the Code needs to be reviewed for possible revisions given the heightened racial environment these days. AVC King stated that she appreciates the point and those that have carefully reviewed the Code would say that the Code can be used to cover cases even if they are not deemed severe violations.

Billesbach noted that when violations occur that garner public attention the process of investigating seems to be very lengthy, and the results of the investigation are not reported. He pointed out that this can damage the University's reputation with the public and asked if something can be done to correct this. AVC King stated that many of the Greek houses are involved in events to benefit the community but they don't want to be viewed as being performative and they want to show that they genuinely believe in what they are doing. VC Bellows stated that she is hesitant about addressing investigations publicly, as privacy laws and confidentiality of student records prevent the university from disclosing specific details about a specific report and its resolution. She pointed out differences between racial bias incidents and political bias incidents can be difficult to distinguish given the multitude of political views on campus. Also, some bias incidents may not meet the definition of a hate crime or a conduct violation. Nonetheless, all reports are taken seriously, reviewed carefully and addressed promptly. She stated that students vandalizing property would be investigated but during the conduct process Student Affairs cannot discuss the investigation. She pointed out that if a student organization violates the Code the decision as to what information, if any, regarding an investigation will be released on a case-by-case evaluation of the records generated by any particular investigation. She noted that information shared depends on the circumstances of the incident and those are unique to each investigation.

VC Bellows reported that the Student Code of Conduct does not address hate speech and in most cases it is a climate issue. She stated that if this happens it is brought to the attention of the Office of Diversity and Inclusion and she has had discussion with VC Barker about bias incidents and discrimination. She noted that it is difficult to address hate speech when the laws and rules protect freedom of speech. The challenge is helping students understand the impact of their language or action. AVC King pointed out that teaching people about how they can address these issues is important and the units in Students Affairs are looking at plans to promote peace and civility. VC Bellows reported that one strategy is to have a faculty or staff person serve as a chapter adviser to some of the Greek houses. She noted that an effective way to help students understand their roles and responsibilities on campus is to engage faculty and staff with expertise in teaching a class on leadership and citizenship.

Woodman reported that he teaches large classes, and he submits a report when he finds a student is cheating and this requires a significant amount of work for him, but he is never informed of the outcome. He also stated the some faculty who have spoken with him about this issue state that there is no point in reporting cheating since there is no action

taken by Student Affairs and that it is a waste of time doing so. VC Bellows acknowledged that this is an issue and one that Student Conduct and Community Standards is trying to address. She stated that it would be helpful if Student Conduct and Community Standards could work with the Faculty Senate to find a solution to the problem. Woodman pointed out that the faculty member just needs to have some acknowledgement that the person has been disciplined and it is not necessary for the faculty member to know the details of the discipline. VC King stated that she will look to see how the other Big Ten schools handle reporting of academic dishonesty. Gay stated that he would like to hear that academic integrity is the number one priority for the Office of Student Affairs.

Billesbach noted that the Office of Student Affairs has limited resources and asked if Student Conduct and Community Standards can prioritize violations. AVC King reported that in fairness to the students Student Conduct and Community Standards deals with violations in the order they come in. She pointed out that academic honesty is of the utmost importance to the Conduct Office. Woodman stated that if students know the University is taking academic honesty seriously the students will be less likely to cheat. He suggested that there be an annual article in the DN to provide data on the number of cases and the kind of outcomes for violations of academic honesty. Billesbach stated that Kansas State has done a good job of publishing incidents of academic dishonesty and discloses what the punishments were for the violation. VC Bellows suggested that it would be a good idea to have an article about academic dishonesty before finals week. She noted that having ASUN President Roni Miller speak to the students has been effective.

Eklund asked whether the students understand what is expected of them as members of the campus community and whether there have been communications to the students about how to act responsibly, particularly after the upcoming elections, but also to let them know that they are protected by freedom of speech. VC Bellows reported that the Chancellor will be sending out an email relating to the pandemic and end of semester expectations it will emphasize that no larger gatherings will be allowed on campus. There will also be a list of expectations around behaviors and consequences, but no specific information about responsible behavior after the election has been formulated yet, although the Office has planned a number of events to correspond with the Peace and Civility initiative. She stated that the Next@Nebraska newsletter which is sent to all students on Sunday evenings will address student behavior expectations.

VC Bellows pointed out that the Office of Student Affairs only receives less than 1% of its budget from state funds. She reported that the primary funding comes from Housing, Dining, student fees, and grants. Weissling stated that if the Senate Executive Committee could help to advocate for more resources to help the Office of Student Affairs to let the members know and the Executive Committee could help with the Greek Life Vitality and the peace and civility efforts. Buan stated that the Executive Committee would be happy to help reinforce the issues.

3.0 Announcements

3.1 Faculty Senate Diversity Inclusion Committee

Buan reported that the Senate Diversity and Inclusion Committee submitted a report to her stating that the Committee is focusing on faculty compensation and promotion and tenure issues this year. She noted that she referred the Committee to work with the Faculty Compensation and Advisory Committee on these topics.

4.0 Approval of October 13, 2020 Minutes

Buan asked if there were any further revisions to the October 13th minutes. Hearing none she asked for approval of the minutes. The Executive Committee approved the minutes.

5.0 BOR Bylaws Section 4.4.5 County Employees of the Cooperative Extension Service of the University of Nebraska-Lincoln (VC Boehm, Professor Fech, Associate to the Chancellor Zeleny, Interim Dean Varner) (4:15)

VC Boehm reported that Nebraska Extension is funded by federal and state appropriations and \$9.5M of in-kind county-based support. These local dollars are critical and provide funding for facilities, utilities, operating, and staff that directly support the success of Nebraska Extension's Educators and their local programming efforts.

VC Boehm stated that the scope and details of Nebraska Extension's engagement with each county government is detailed in a jointly developed Interlocal Agreement (ILA). For the past 3 years, Nebraska Extension has been working with NU Legal to develop a more contemporary template for these ILA's. The ILA for Douglas and Sarpy Counties – which uses a combined ILA – was selected as the first ILA to be revised as county officials conveyed that they will not authorize the hiring of any Extension Assistants or support staff without an updated ILA. Negotiations with county representatives have been fruitful and we are finally on the verge of finalizing the Douglas-Sarpy ILA. During final review, however, NU Legal flagged several concerns and inaccuracies with the language in BOR Bylaw 4.4.5. and recommended that it be revised before finalizing the Douglas-Sarpy ILA. Any further delays in finalizing the Douglas-Sarpy ILA jeopardizes critical local support – both now and into the future. He therefore requested that the Faculty Senate consider, as an emergency motion, the proposed revisions to the language in Section 4.4.5 of the Board of Regents Bylaws at its meeting on November 3.

Fech stated that the main problem is that frequently in the Extension offices a university employee, the Extension Educator or Specialist, is supervising a county employee and this can cause confusion and occasionally contention. He noted that the local agreements have not been updated for some time and the current policy is old and antiquated and approving the changes would solidify the agreements and allow for them to be updated.

Krehbiel asked if the changes would affect the county assistants that are funded by the university. VC Boehm noted that there is a small number of these individuals and they would be clearly identified in the interlocal agreements and supervised by an Extension Educator. Krehbiel asked whether an extension assistant funded by a grant is considered a UNL employee. Interim Dean Varner stated that this would depend on whether the grant was accepted and administered by the county but typically the funding would go to the university.

Weissling moved to present the proposed changes to the Faculty Senate at the November 3rd meeting as an emergency motion. Dam seconded the motion, and the motion was approved by the Executive Committee.

6.0 Unfinished Business

6.1 Update on Proposed Changes to Regents Bylaws

Buan reported that it was suggested that the Chancellor, EVC Spiller, AVC Walker, and Associate General Counsel Hoefer be invited to the November 3rd Senate meeting when the proposed revisions to the Regents Bylaws will be considered by the Senate. She noted that she also invited Deborah Huryta, ADA/504 Compliance Officer and AVC Jake Johnson to the meeting but she has only heard back from the Chancellor that he would be in attendance.

6.2 Fall Faculty Survey

Buan stated that she met with CIO Tuttle to see if a faculty survey could be conducted with Qualtrics. She noted that CIO Tuttle is looking into it. She asked if there were any additional questions or changes to the survey that she sent out. Minter asked what the goal of the survey is. Buan stated that it is to get feedback from the faculty regarding how well they think things worked during this fall semester. She pointed out that the responses could help provide information so adjustments could be made for the spring semester.

Woodman stated that there is confusing information about working after the semester ends at Thanksgiving and whether teaching faculty have obligations during December and January before the spring semester begins. Kolbe pointed out that if faculty are on a nine-month appointment they are expected to work until the regular winter break and return to work once the break is over. Buan stated that faculty are expected to continue conducting their research and preparing for their spring courses. Woodman asked about instructors and lecturers who only teach courses. Buan stated that the contracts are written the same this year as previous years and for the same length of time. She noted that employees are expected to conduct work activity even if it is not directly teaching.

7.0 New Business

7.1 Report on BTAA Faculty Governance Leadership Conference

Buan reported that the Conference was held virtually over two days and there were seven speakers who spoke on topics including the University of Iowa's Response to COVID-19; academic freedom and administrative leave policies; electronic voting; Title IX policies at the University of Illinois; and the diversity, equity and inclusion commission at Penn State. She stated the conference was well attended people from all 14 Big Ten universities were represented. She reported that Chancellor Green and VC Boehm both spoke at the conference.

Buan stated that there was good discussion about shared governance. Kolbe noted that some of the larger institutions have figured out how to give more agency to their non-

tenure track faculty members and one thought that was repeatedly made was that the employees, faculty and staff, are stronger when they work together.

Buan reported that there is interest in Faculty Senate leaders meeting bimonthly via Zoom which could help leverage each other across the conference and would provide the faculty with a much larger voice. She stated that the rotation list for when the universities will host the conference needed to be voted on and Rutgers was designated as the next host.

7.2 Spring Open Task Force- 1 person

Buan reported that administration is forming a spring COVID-19 taskforce and she was asked to provide the name of a faculty member to serve on it. She noted that this taskforce will be smaller and will only meet once a month. She stated that the taskforce will check to see how things are progressing and determine whether any adjustments need to be made.

7.3 Iowa suspension of Diversity Training

Buan noted that an Executive Order has come from the white House stating that federal agencies are to suspend diversity training, but the question is whether this applies to universities. She reported that General Counsel is looking at the order to determine whether it applies to the University.

Minter stated that VC Barker is reviewing the situation and has notified the Council on Inclusive Excellence and Diversity. She reported that the effective date is November 21, but VC Barker wants to keep the diversity effort moving forward and is encouraging people to continue with their programs. She stated that anyone who has questions should contact the Office of Diversity and Inclusiveness.

The Executive Committee agreed to put the item on the agenda for Chancellor Green.

The meeting was adjourned at 5:10 p.m. The next meeting of the Executive Committee will be on Tuesday, October 27, 2020 at 2:30 pm. The meeting will be conducted via Zoom. The minutes are respectfully submitted by Karen Griffin, Coordinator and Lorna Dawes, Secretary.