

UNL FACULTY SENATE MEETING MINUTES
September 1, 2020
Presidents Nicole Buan, Steve Kolbe and Kevin Hanrahan, Presiding
Zoom Meeting

1.0 Call to Order

President Buan called the meeting to order at 2:32 p.m.

2.0 Announcements

2.1 Welcome Back

President Buan welcomed the Senate back to the new academic year.

3.0 Chancellor Green

Chancellor Green wanted to thank everyone for their efforts over the summer to get the campus ready to resume classes in the fall semester. He noted that the planning to get us to the point of having in person classes has been extensive, but the first and foremost priority has been the protection of everyone's health. He pointed out that the practices and policies that have been adapted to make the campus as safe as possible have been extensive, and the first week of classes has gone very well.

Chancellor Green reported that the [UNL COVID-19 Dashboard](#) is now available and it includes the number of tests that have been conducted and the number of positive results. He stated that contract tracing is being actively done by the Lincoln/Lancaster County Health Department and it is working well. He pointed out that guidelines and the decision-making process is in place should we need to do any quarantining, but at this time we have not needed to quarantine any areas beyond some of the Greek houses. He noted that he met with student leaders from the Greek houses last night to discuss what improvements in living arrangements and procedures need to be in place in order for the houses to follow the university's policies.

Chancellor Green stated that enrollment appears to be up, and the number of credit hours being taken has increased, although solid numbers will not be released until the six-day census data is available. He reported that our budget has been based upon an estimated net reduction of 9.5% in revenue due to the COVID-19 pandemic, with international enrollment being a particular concern. He pointed out that we do not know yet what the total tuition revenue will be, and there is also some tuition forgiveness with the Nebraska Promise program which will impact our budget, but our overall enrollment is better than we anticipated. He stated that the numbers for incoming freshmen have been good and there is considerable diversity in the freshmen class. He stated that international enrollment was better than we projected but it is still down from our usual enrollment.

Chancellor Green reported that we are planning against a projected state-aided budget deficit totaling above \$38 million over the next three years. He noted that the University did receive CARES Act funding which helped, and the Legislature supported our budget as previously approved for this fiscal year. He pointed out that the University also received \$2 million in new funding for scholarships, particularly in the STEM fields, and UNL will be receiving approximately \$1.3 million for scholarships for new students in the future. He reported that the University will also be receiving additional funding for water research in the Daugherty Water for Food Global Institute.

Chancellor Green stated that the NU system state budget request for the next biennium has anticipated salary increases for FY22 and FY23 as discussed at the Town Hall meetings in July of 1.5% and 3%. He noted that proposed biennial budget holds tuition flat for the next two years, includes the Nebraska Promise program, and has some increases for expenses in health care costs and utilities. He reported that budget reduction proposals were formulated from work across the

campus in May and June and were finalized in early July. He convened, the Academic Planning Committee in mid-July to Invoke the Procedures for Significant Budget Reallocations and Reductions. He stated that the APC approved the budget framework and the recommended Phase 1 budget reductions which were not directly in academic program areas. He reported that the APC will be reviewing the Phase 2 proposed cuts which are related to academic programs. He stated that after the public hearings the APC, per the defined procedures, will provide recommendations to the Chancellor on the proposed budget reductions. He noted that it is expected that the APC will reach its conclusions by November 1. He pointed out that these are the largest budget cuts that the university has undertaken in recent history.

Chancellor Green reported that the hiring freeze instituted across the University in March with the onset of the global pandemic remains in place. He noted that Athletics announced furloughs for 51 of its staff for four months, and there has been a 10% salary reduction for the rest of the employees. He noted that the Lied Center is taking similar steps to deal with the loss of most of its revenue.

Chancellor Green noted that the Faculty Senate approved revisions to the Regents Bylaws in April, but since then there have been conversations with General Counsel and further revisions have been made. He stated that the plan is to bring the additional revisions back to the Senate this fall for approval and hopes that there will be Board approval before the end of the year.

Chancellor Green reported that he has established an advisory committee to lead UNL's Journey for Anti-Racism and Racial Equity and it is being led by: Professor Lory Dance, Sociology and Ethnic Studies; Professor Kwame Dawes, Chancellor's Professor of English; Professor Anna Shavers, Associate Dean for Diversity and Inclusion, Law College; Professor Kara Mitchell Viesca, Teaching, Learning, and Teacher Education; Professor Sergio C. Wals, Political Science and Ethnic Studies; and Colette Yellow Robe, Assistant Director, Non-Cognitive Learning/Leadership in the TRIO Programs. He stated that the co-leaders are reviewing a series of action steps identified by the Chancellor and identifying models to approach the work.

Chancellor Green reported that the Title IX Collaborative on Sexual Misconduct initiated last year will be submitting a report to him soon.

Chancellor Green noted that the COVID-19 pandemic has impacted Athletics and the Big Ten conference had challenging decisions to make regarding whether sport competitions should occur. He reported that the Presidents and Chancellors have had numerous meetings and discussions on the issue, and while UNL felt that we could play safely this fall, it was not the consensus of the Big Ten universities. He pointed out that not having sports this fall, or the entire academic year, has significant ramifications for every university. He stated that there continues to be discussions about having competition and there is the possibility that some sports could compete this fall, but decisions need to be made on how to do it safely to ensure everyone is protected. He pointed out that we are the only institution in the Big Ten whose Athletic Department is totally self-supporting, and in fact, Athletics provided the campus with \$27 million last year to support the academic program of the University. With the anticipated major disruption of athletics revenue, this will undoubtedly add significantly to the financial pressures in this current fiscal year.

Chancellor Green pointed out that even in the midst of the pandemic and the social injustice that has been occurring he believes our relationship as the state's flagship University and our relationship with the Legislature and government leaders has markedly improved in the past year. He noted that many of our campus projects have continued and are on track for completion, and there was the recent announcement of the new hotel at NIC. He stated that the best news is that we are meeting our mission even under these difficult situations.

Professor Zhu, Supply Chain Management, noted that President Carter spoke in August about faculty salaries for UNL and UNMC and asked for clarification about the proposed increases. Chancellor Green stated that President Carter's five-year strategy mirrors UNL's N2025 strategic

plan, and President Carter did state that UNL faculty salaries lag their peers by approximately 6%. He noted that the President stated that we would not increase faculty or administrative positions until we address our salary gaps, and during the budget process there is a funding line for strategic priorities with \$10 million being set aside per year at the NU system level, partly for faculty salary adjustments at UNL and UNMC.

Professor Adenwalla, Physics and Astronomy, asked why there is not more COVID-19 testing being conducted and asked if there is a plan to increase testing of the campus community. Chancellor Green pointed out that we are following the recommendations of the Lincoln/Lancaster County Health Department which does not recommend testing across the board on campus. He stated that the campus decided to provide testing on campus through Test Nebraska, whether a person was potentially exposed or has concerns with symptoms. He noted that we have ramped up testing and will continue to do so, and we are considering whether we think there should be some level of surveillance testing. He reported that we are prepared to do this if it is needed and the LLCHD recommends it. Professor Adenwalla asked what would trigger the increase in testing. Chancellor Green replied that clear evidence of community spread would be the trigger.

Professor Woodman, School of Biological Sciences, noted that courses are being delivered in several different formats since the pandemic hit Nebraska and he asked if evaluations of faculty members this year will be recognized in an upcoming year since there will be no merit increases. Chancellor Green responded that there has been discussion on how the interruptions of this year need to be considered and accounted for when evaluations are conducted for both faculty and staff, particularly when salary increases are once again available.

Chancellor Green wanted to point out that the help of the Faculty Senate, and particularly the Faculty Senate Executive Committee, has been so helpful in dealing with the challenges this year, and he noted that it has been great to work so collaboratively with faculty governance.

4.0 Approval of April 28, 2020 Minutes

President Buan asked if there were any revisions to the minutes. Hearing none she asked for approval of the minutes. The minutes were approved by the Faculty Senate.

5.0 Committee Reports

5.1 Executive Committee Summer Report (President Buan)

President Buan reported that the Faculty Senate Executive Committee met ten times during the summer including four times with the Chancellor and EVC Spiller, three times with VC Boehm, and met with AVC Walker, CTT Director Monk, IAC Committee members Professors Blankley, Wilkins, Fuess, and Potuto, Associate to the Chancellor Zeleny, Professor Swearer, members of the General Counsel, Provost Fritz, and Professor Falci. Numerous discussions on COVID-19 and its impacts on the University were held including temporary changes to academic policies, modifying the semester calendar, face coverings policy, the lawsuit against the NCAA by female student-athletes, the work of the Title IX Collaborative, and further proposed revisions to the Regents Bylaws.

President Buan wanted to draw attention to the attendance and engagement policy that the Executive Committee and administration worked on together. She stated that this policy reinforces that students can attend a course remotely whenever possible. She noted that we want to be as flexible as possible to address the needs and concerns of people as we deal with the COVID-19 pandemic.

5.2 Academic Rights & Responsibilities Committee (Professor Falci)

As the outgoing chair of the ARRC Professor Falci wanted to recognize the members of the Committee: Professor Wes Peterson, Professor Joe Weber, Professor Leslie Delserone, and Professor William Grange. She stated that faculty members can contact the Committee if they have a grievance or other concern relating to their academic freedom, condition of employment, or

professional conduct. She stated that a faculty member would first talk to the chair of the ARRC to talk about potential remedies, but the faculty member can send a formal complaint which the Committee then reviews to see if it should go to a special hearing committee of the ARRC. She pointed out that there is a good chance that the ARRC will also take on the new responsibility of faculty oversight when a faculty member is put on administrative leave and is relieved from some of their duties. She noted that this would not occur until the Board of Regents Bylaws are changed.

Professor Falci reported that one formal complaint process was processed this year, and another is in the final stages of completion. She stated that there were nine informal contacts with the Chair of people seeking advice. She stated that in cases of research misconduct the faculty member is entitled to have an ARRC Observer present throughout the inquiry and investigation which is conducted by the Office of Research and Economic Development. She stated that two ARRC Observers were assigned, but none of the cases went forward to an investigation. She pointed out that the ARRC chair serves and participates as a voting member of the Conflict of Interest in Research Committee.

Professor Falci noted that the Faculty Senate approved several changes to the ARRC procedures, but the proposed changes have not gone before the Board of Regents yet for approval, and should there be any additional changes, they would need to be approved by the Senate before they could be forwarded for further approval.

Professor Falci stated that it is important for the ARRC to watch out for violations of academic freedom and to ensure that faculty members have due process, particularly for non-tenure track faculty members. She stated that the Committee is looking at the newly approved revisions to the University's Title IX policy and investigating whether there is any faculty oversight if a faculty member is charged with a Title IX violation.

6.0 Unfinished Business

6.1 Update on Proposed Revisions to Regents Bylaws

Past President Hanrahan reported that over the past six years the Faculty Senate proposed three changes to the Board of Regents Bylaws: to increase the length of the termination notice for Extension Educators; update the ARRC procedures; and to address involuntary suspension of faculty members. He noted that rather than putting forth each change separately, the administration felt it would be better to put forward all three of the changes at the same time. He stated that an Ad Hoc Committee to Address the AAUP Censure was formed and worked for nearly a year to propose changes to the Regents Bylaws, and the Senate leadership worked with the other four campuses to approve the proposed revisions. He pointed out that in March 2020 the General Counsel Office suggested some revisions which were approved by the Faculty Senate in April 2020. He stated that over the summer further proposed changes were suggested by General Counsel which resulted in members of the Ad Hoc Committee and members of the General Counsel working to come to an agreement on the proposed changes. He stated that an agreement has now been reached and the new proposed changes will come to the Senate in October for approval. He wanted to thank the Chancellor and President Carter for their commitment to stand behind the faculty and pointed out that these changes strengthen academic freedom on this campus.

Professor Weissling, Special Education and Communication Disorders, asked if the faculty compromised too much with the proposed changes. Past President Hanrahan stated that he did not think so and noted that the changes are essentially what was proposed before. He pointed out that there are some changes regarding mental health, but he thinks the provisions that are being offered are responsible. Professor Falci noted that the Ad Hoc Committee crafted language that addressed the members' concerns and overall believes there were a lot of positive changes for the faculty in the revisions. Professor Woodman noted that the Faculty Senate should look carefully at the proposed revisions to ensure that the ad hoc committee did the best job that they could.

Past President Hanrahan stated that the proposed changes do provide a process for the

administration to put faculty members on leave, but there are specific conditions that must be met such as a review by the faculty and a time limit on the extent of the leave. He stated that if the suspension would extend beyond a faculty member's contract it would be considered a termination and administration would have to prove the reason for ending the contract. He pointed out that the changes are necessary to protect non-tenure track faculty members who can often be reluctant to raise issues. Professor Woodman stated that he believes the changes will help us get off the AAUP censure list. Past President Hanrahan reported that in conversations with the national AAUP office, we are well on our way to getting removed from the censure list, but it will not be final until the AAUP's Committee A votes on it. Professor Falci noted that AAUP will need to come back to campus before the vote would occur.

President Buan thanked Past President Hanrahan and all of the members of the Ad Hoc Committee for all of their hard work.

7.0 New Business

7.1 Open Mic

There was no discussion for the Open Mic session.

The meeting was adjourned at 3:51 p.m. The next meeting of the Faculty Senate will be held on Tuesday, October 6, 2020, at 2:30 p.m. via Zoom. The minutes are respectfully submitted by Karen Griffin, Coordinator, and Lorna Dawes, Secretary.