

EXECUTIVE COMMITTEE MINUTES

Present: Adenwalla, Buan, Fech, Franco Cruz, Gay, Hanrahan, Kolbe, Latta Konecky, Minter, Peterson, Purcell, Vakilzadian, Woodman

Absent:

Date: Tuesday, April 21, 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 (*Hanrahan*)

Hanrahan called the meeting to order at 2:31 p.m.

2.0 VC Barker and AVC Friday

Hanrahan stated that the Executive Committee wanted to speak with VC Barker and AVC Friday to see how the Faculty Senate can help develop a campus culture that is more proactive and inviting to diversity and inclusion. He noted that the Faculty Senate would be voting next Tuesday to establish the Faculty Senate Committee on Diversity and Inclusion.

VC Barker thanked the Executive Committee for inviting him back to meet again. He reported that this first year since the creation of the Office of Diversity and Inclusion has been primarily dedicated to getting organized. He noted that the Council on Inclusive Excellence and Diversity was formed, as well as the Diversity Engagement Team. He reported that the Council represents institutional leadership from colleges and primary units, including administrators whose responsibilities include diversity and inclusion, and representatives from key institutional groups. It is designed to serve as a communications channel between and across units and the Office of Diversity and Inclusion. He noted that the Diversity Engagement Team acts as an advisory group to him, and the Team checks to see that we are not duplicating our diversity and inclusion efforts. VC Barker also noted that CIED members are currently undergoing diversity strategy planning on unit-levels. ODI will map all plans towards our diversity matrix. AVC Friday provided a link in the meeting chat box to the Council on Inclusive Excellence and Diversity at <https://diversity.unl.edu/council-inclusive-excellence-and-diversity-cied> and the Diversity Engagement Team at <https://diversity.unl.edu/diversity-engagement-team>. He stated that the Office is working on developing a learning community, which would be open to anyone who wants to be a part of professional learning and development conversations on diversity and inclusion.

VC Barker reported that the Office is also reviewing how it can work with the Center for Transformative Teaching, the Faculty Senate, and other groups on campus. AVC Friday provided a link in the meeting chat box to a faculty resource webpage developed by the Office of Diversity and Inclusion in collaboration with the Center for Transformative

Teaching at <https://diversity.unl.edu/covid-19-response>. He stated that the Office is also looking at how it provides education and support for search committees, and how the University supports all students in their understanding of diversity and inclusion and students from underrepresented populations.

VC Barker noted that the Office of Diversity and Inclusion is becoming the central support office for diversity and inclusion and programs and has shifted offices and roles centrally to ODI to better support the size of the campus. This includes OASIS, the Director of Faculty Diversity, and is currently in the process of shifting the Director of Staff Diversity and Inclusion. He stated that the goal is to make the Office the central place for people to go to for help and support on any matters relating to diversity and inclusion.

VC Barker stated that one of the things he would like to work on with the Faculty Senate is in regards to curriculum. He noted that we need to get a better sense of the diversity learning outcomes and assessing to what extent our students are leaving UNL knowledgeable about diversity and inclusion concepts and principles.

VC Barker stated that recruitment and retention are important issues that need to be addressed. In terms of faculty diversification, particularly on race and gender, the campus does not collect much data. He noted that the University has remained stagnate - UNL recruits faculty of color at the same rate we lose faculty. VC Barker noted (during inaugural State of Diversity) that retaining underrepresented faculty members is an area his office is working to make greater impact, noting "this is an area we see the most opportunity." The Office is interested in assessing the overall climate on campus for faculty members. He suggested that this could be something that could be done collaboratively with the Faculty Senate.

VC Barker pointed out that promotion and tenure is another issue that the Office of Diversity and Inclusion and the Faculty Senate could work on collaboratively. He stated that one thing that needs to be considered is how people's experiences are valued in the promotion and tenure process, and reported that he could share some best practices from other institutions regarding promotion and tenure.

Gay asked if VC Barker could point to a specific example of how the faculty could improve diversity excellence. VC Barker stated that a good place to start is to have conversations about how diversity and inclusion fit into the curriculum, and how to create opportunities for faculty to get the resources and support they need to teach diversity and inclusion. He stated that he wants to have a great relationship with the Senate because he relies on the Senate to bring forth issues of concern such as civility, recruiting, and retention. Peterson pointed out that curriculum is peculiar here because the colleges see the curriculum as their property, and can be protective of their courses. He suggested that it would be good for the Office of Diversity and Inclusion to work more directly with Professor Sollars, Director of Undergraduate Education, and the colleges. VC Barker stated that he appreciated the suggestion, and noted that he would still like to work closely with the Senate.

Woodman questioned whether there would be baseline measurements of metrics so we could see if efforts are making improvements. VC Barker stated that attrition data for faculty hiring is now being done, and there are conversations about gathering data on climate. He noted that this could possibly be done through an actual climate and assessment survey which he would want the Senate to be engaged and connected with. He also noted a climate and assessment survey would need to involve constituents across the institution, reflecting as many members as possible. He reported that there is no data on who is engaged in diversity education, but conversations are occurring about how to do this.

Woodman noted that Professor Lee, Communication Studies, was chair of the Senate's Ad Hoc Committee on Diversity and Inclusion, and that Committee did a climate survey which identified some disturbing information. He stated that it would be good to see if there have been any improvements since that survey was conducted. He pointed out that while we have been good on recruiting out-of-state students, our retention rate with these students is low, and it would be good to have some baseline information about them. VC Barker pointed out that Professor Lee is on the Diversity Council, and he is hoping that we can do some focus groups as a follow up to a climate survey, which could be compared to findings from Lee's focus groups. As a data set on retention, he reported that he has been working with AVC Goodburn who collects and analyzes student data on equity. He stated that graduation rates and enrollment numbers are other metrics that we have, and we will see how these metrics compare to aims set forth in the 2025 Strategic Plan.

Purcell asked if the Office of Diversity and Inclusion was addressing the climate on both East and City campus. VC Barker stated absolutely. He reported that he hopes to gather data on a consensual basis from both campuses, as well as Extension. He noted that there would be relevant questions according to where people are located.

Buan suggested that, in terms of diversity and education training for faculty and staff, if materials could be included as part of the hiring and training process that could help educate people. She pointed out that training is currently not a requirement of employees, but it would certainly help if it was required. VC Barker reported that there have been discussions with AVC Walker about including diversity education in the new faculty orientation. He stated that there has also been discussion about including it in staff training as well. He pointed out that there are different perspectives about what diversity and inclusion mean, and he has been going to some department meetings to have discussions about the topic. Buan said she thinks it is important to have multiple touch points with diversity and inclusion, and suggested that it could be weaved throughout our policies. VC Barker stated that he hopes these kinds of conversations, including intellectual diversity, are occurring in departments and colleges.

Buan reported that it is critical to discuss the promotion and tenure issue for underrepresented faculty members. She pointed out that faculty members who speak up about diversity issues in regards to promotion and tenure are often viewed as a trouble

maker which can influence the promotion and tenure decision. She stated that faculty members should not be penalized for being an advocate. VC Barker stated that the promotion and tenure issue is probably one of the most significant topics he has dealt with in the past. He noted that the promotion and tenure process has been designed to follow a rubric to make everything fair and equitable, but in reality faculty members have different experiences that should be taken into consideration. He stated that the question is how to design a process that allows us to address these issues. He noted that he wants to work with the Senate to see if a process can be developed that will work for all faculty members.

Gay asked if VC Barker can provide an example of what kinds of issues relating to promotion and tenure that he has dealt with. VC Barker stated that one issue that some faculty of color and those in underrepresented groups often face is that students seek them out to talk to them more often than they do other faculty members. He noted this issue has been researched in recent years and many underrepresented faculty members perform what has been called “invisible work.” An example of this would be women in the STEM fields who often have more students seeking them out for consultation rather than their male counterparts. They often provide an unofficial advising role for students. He noted that in faculty course evaluations, people of color and women are often evaluated lower, particularly if the students in a course are predominantly male or white. He stated that the EVC Office has been exploring teaching evaluations, which would include how evaluations could be biased. He suggested that in the promotion and tenure process faculty members could be asked if they have had any bias in their teaching and learning experiences. Gay noted that with course evaluations there is not only the question of whether the instructor treats students with respect, but there is also the question about whether the students treat the instructor with respect. This could provide useful data. Adenwalla stated that the onerous should not be put on the faculty member, and people in the department reading about the bias issue could put some people on the defensive. VC Barker stated that this is a fair observation, but bias is an experience, and the key is to make sure the process recognizes this in a way that is constructive and does not create greater stress for the faculty member going up for tenure and promotion. He suggested that the dean or department chair would be required to ask the faculty members if they have experienced bias within the department as part of the conversation, but not as a “question” to be addressed through the faculty’s portfolio.

Woodman asked if VC Barker has dealt with a mandate at previous institutions that required an administrator to look at and address biases for a faculty member. VC Barker stated that it was done more abstractly at other institutions, but suggested that there could be room for UNL to do it more concretely. He stated that the question is how we build in accountability measures in the promotion and tenure process while maintaining some flexibility. Woodman stated that this would probably be applicable in a narrow place in the promotion and tenure process and for those people that are in the middle of their career.

Buan pointed out that what needs to be taken into consideration is Nebraska’s law that pertains to biases. She stated that defining metrics and comparable benchmarks are

needed, but it will be difficult to boil down the promotion and tenure process to simple metrics. She stated that the proof is in the numbers and we need to collect the correct metrics now. VC Barker agreed, and noted that pulling the metrics together now and having the right interventions is really important. He noted that in relation to this is that we need to identify where there could be critical issues. He pointed out that some universities have done some surveying of faculty to identify key areas where little progress has been made, and he stated that he hopes that he can have more conversations about this with the Senate.

Gay noted that a way to recruit prominent underrepresented faculty members is to offer a generous start-up package, and the administration needs to prove that they really support diversity by providing the funds for these start-up packages. He asked if the Office of Diversity and Inclusion could press this issue with the senior administrators. VC Barker stated that there have been conversations on how we can recruit and compete for top talent that would bring real diversity to campus. VC Barker also noted his office has been actively engaged in providing faculty recruitment support this past year, including the work of the Director of Faculty Diversity. He stated that he hopes the Senate could help in this effort, but we need to be thoughtful in how we do it given the state parameters.

Adenwalla noted that biases often occur in small incidents, but they accumulate over time and can be far more damaging than just one particular incident because they wear a person down which can impact a person's productivity. Woodman agreed, and he stated that the bigger issue is that there needs to be accountability at the administrative level so that problems with biases are addressed. VC Barker stated that there needs to be professional development training for those people in administrative roles who make decisions. He noted that the training then allows these administrators to become better at identifying and addressing issues. VC Barker noted that he is working with his colleagues in senior level positions to develop professional development opportunities while consulting on initiatives. He stated that we need to determine how we can build communities and similar groups that provide spaces for faculty to come together, and we need to determine how we help faculty who are experiencing bias. He pointed out that we need to create an environment that allows faculty to be supported which would help with our retention. He noted that we have gaps in these areas that we need to address.

Purcell asked if VC Barker is working with Associate to the President Stancia Jenkins, and does he feel that there has been greater impact due to the collaboration. VC Barker reported that he has routine meetings with Associate to the President Jenkins, and not only addresses specific diversity and inclusion issues for UNL, but for the University system as well. AVC Friday provided Zoom a link to the NU System Diversity Officer's Collaborative, a committee comprised of diversity liaisons across the NU system led by AVC Jenkins: <https://nebraska.edu/offices-policies/diversity-access-inclusion/committees>.

Buan asked Franco Cruz if, as Ombudsman, he has seen people of color more often. Franco Cruz reported that he does not think he and Professor Kostelnik, the other

Ombudsperson, have seen enough people to provide this kind of data. He stated that the issue was not specifically addressed in the training workshops he attended, but it would be something that should probably be considered.

Hanrahan asked VC Barker how he sees the Senate Diversity and Inclusion Committee interfacing with the existing diversity committees. VC Barker stated the Committee can identify key initiatives and projects that pertain to faculty experience, development and representation. He noted that he can see the Senate Committee leading the effort in faculty related areas and working with his office on diversity and inclusion projects. He stated that he hopes that some of the members of the Senate Committee will have connection to other already existing committees.

Hanrahan thanked VC Barker and AVC Friday for coming and stated that the Executive Committee hopes to meet with them again. VC Barker stated that if there are issues that arise that he hopes people will not hesitate to reach out to the Office of Diversity and Inclusion. AVC Friday provided contact information in Zoom meeting chat box for all participants with email: diversity@unl.edu and web contact form: <https://diversity.unl.edu/contact-office-diversity-and-inclusion>.

3.0 Additional Revisions to Student Code of Conduct (ASUN President Roni Miller)

Hanrahan asked Miller if she could provide some insight into what the students are thinking regarding the proposed changes made by Central Administration to the Student Code of Conduct, which had been approved last year by ASUN and the Faculty Senate.

Miller noted that Central Administration provided its recommended changes to the ASUN in December and the ASUN responded by providing a list of changes they would like to see to the Code. She reported that Central Administration included the majority of the changes, except for three important ones which pertain to alcohol, on or off campus; allowance of evidence; and the ability to retain legal counsel at misconduct hearings. She noted that there will be an ASUN Town Hall meeting with AVC Johnson to discuss Central Administration's revisions on Wednesday, April 22nd, and the ASUN will then vote on whether to accept the revisions on April 29th.

Hanrahan asked what the specific concerns were regarding the evidence. Miller pointed out that the Code does not state that conduct hearings can be recorded, and does not clarify what evidence is permissible, or not permissible, in criminal proceedings. She noted that this is standard procedure with state and federal law. She reported that the proposed revisions approved by ASUN and the Senate previously included language that students could have legal representation at hearings, but this was removed by Central Administration.

Hanrahan asked if the students were concerned that the Code would apply to off-campus activity as well. Miller stated that it was a concern, but AVC Johnson's explanation helped to address the concerns. Buan asked if the students are concerned that student athletes are more scrutinized by the public than other students. Miller stated that this is entirely possible, but student athletes don't interact with Conduct Officers as much as

they would have to interact with the Athletics department. Buan questioned whether student athletes are governed by the Student Code of Conduct. Miller stated that they are, but they have to also adhere to the Athletics department policies which can be even more restrictive than the Code. Fech noted that there is an extra layer of policies that must be adhered to by student athletes which the average student does not have to comply with.

Hanrahan thanked Miller for attending the meeting and asked if she would be in attendance for the Faculty Senate meeting to address questions that Senators may have with the Code. Miller stated that she would be in attendance.

4.0 Announcements

Hanrahan reported that he and Buan met with the Chancellor yesterday and discussed the University's budget which will certainly be impacted by the COVID-19 crisis. Peterson asked if the plan is still to rollout the new budget model. Hanrahan stated that he believes that the implementation of the incentive-based budget model is still on schedule, which is concerning since there are departments that do not have robust enrollment and rely heavily on state appropriations funding.

Hanrahan stated that the free tuition will be handled as remissions by the campuses, and these will be in addition to the campus' already existing remissions. Purcell reported that Chancellor Green spoke during Extension's "Chat with Chuck" program and the Chancellor was very enthusiastic about the free tuition offer, and indicated that the Foundation has been receiving contributions to support the program.

Fech noted that of concern during the program was that UNL would have to deal with \$40 million of the budget shortfall for the University. He stated that the question was raised whether faculty members being promoted would get a raise, but he noted that the Chancellor would not make a commitment at this time. Hanrahan asked if there was any discussion regarding Lecturers and contracted faculty members and the budget situation. Purcell stated that this issue was not raised in the discussion. She noted that the Chancellor made the point that the University needed to have a certain amount of cash on hand, and that it is not known what the impacts the virus will have on the state revenues. Fech pointed out that several years ago we had a mid-year rescission and this could happen again.

Vakilzadian asked what would happen to searches that are in progress, but no offer has been made. Hanrahan stated that those searches where an offer has been made should be fine, but individual units would need to decide whether to proceed with searches where the offer has not been made, and there will be no new searches.

Minter stated that she is concerned about graduate education and remissions. She stated that the case may need to be made of how important graduate education is to our research and teaching missions. Buan pointed out that she raised the issue with the Chancellor and learned that of the \$100 million UNL pays in tuition remission, only \$27 million is for

undergraduate remissions. She stated she believes the Chancellor understands the need and importance of graduate education and the impacts it has on cutting edge research.

Kolbe asked if there was any discussion regarding fall classes. He noted that many faculty members are scared right now for teaching in person classes in the fall. Hanrahan stated that he believes the University will follow the county, state, and federal guidelines, but he suspects social distancing will still dictate how classes are conducted. Woodman stated that there is a sense of urgency to making the decision about fall classes. Buan pointed out that the University has to follow the guidelines which are being doled out by the Health Department, and things are changing daily because of the virus.

5.0 Approval of April 14, 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

6.1 Update on Grade Appeals Policy Decision

Hanrahan reported that AVC Walker confirmed that the decision to expedite the appeals process would not be sent to students, and is meant for the faculty and college administrators. Woodman asked if the administration was going to acknowledge that students could not use the change to remote access teaching as a reason for the grade appeal. Hanrahan stated that AVC Walker pointed out that the change is not a legitimate reason and would not apply to grade appeals.

Hanrahan stated that AVC Walker has requested that the Senate Executive Committee vote quickly so the change can be put in place. Buan asked if the statement has been removed asking faculty to volunteer their time over the summer months. Hanrahan stated that he would check to see that this statement has been removed and would inform the Committee about it. He stated he would then have the Executive Committee vote by email.

Hanrahan stated that he plans on sending the Senators an email notice explaining that the quick, temporary changes to academic policies have gone through actual faculty governance procedures with the Executive Committee, and the reason the full Faculty Senate was not involved was due to the urgency for making the changes.

6.2 AAUP Bylaws Changes

Hanrahan reported that there is a new draft of the proposed changes to the AAUP Bylaws which the Chancellor is supportive of and he is working to get the changes through to the Board of Regents. He stated that the three faculty members who worked on revising the recommendations made by General Counsel are satisfied with the proposed revisions.

Hanrahan asked if there is a motion to present the changes to the Faculty Senate on April 28th. He pointed out that the revisions will need to come forward as an emergency motion. Buan stated that she was concerned that the emergency motion would be seen as the Executive Committee trying to rush the document through. She suggested that the

Senators need to hear what the thought process was for making the changes. Hanrahan stated that he would send an email to the Senators explaining the work that has been done with the proposed Bylaw changes.

Woodman stated that he supports moving the proposed AAUP changes to the Bylaws as an emergency motion to the Senate. Motion seconded by Peterson, and approved by the Executive Committee.

7.0 New Business

7.1 Letter to Chancellor Green on Reasons for Changes to General Counsel's Revisions

Hanrahan noted that he, Professor Schleck, and Professor Falci, wrote a letter to the Chancellor indicating their frustration with the lack of shared governance with trying to revise the Bylaws. He asked the Executive Committee to endorse sending the letter to the Chancellor, pointing out that the sentiment of the letter relates to the shared governance process. Peterson moved that the letter be endorsed. Vakilzadian seconded the motion. After discussion on the letter, the question was called by Fech and seconded by Peterson. The Executive Committee approved the question being called. Motion was approved six in favor and four against.

7.2 Continuing Problems with Follett Bookstore

Woodman reported that he is still having problems with contacting someone with Follett Bookstore about changing textbooks for a summer course. He noted that he spoke with a University employee who deals with inclusive access who indicated they were having similar problems. Hanrahan stated that he sent VC Nunez an email about the problem, but suggested that Woodman raise the issue with the Chancellor at the Senate meeting.

7.3 Executive Committee Terms Ending

Hanrahan noted that this was the last Executive Committee meeting for him as President, and pointed out that it was the last meeting for Purcell, Peterson, Fech, Vakilzadian, Latta Konecky, and Adenwalla. He thanked everyone for their guidance and support over the past 18 months, and stated that he appreciates all of the work the Executive Committee has done. He noted that they will be missed and wishes everyone the best. Vakilzadian stated that he really enjoyed his time on the Committee, and although it was a tough year, he appreciated all of the communication by the Executive Committee, and particularly Hanrahan who kept everyone informed. Kolbe thanked the Committee and stated that he learned a great deal from all of the members of the Committee. Purcell thanked the Committee and encouraged them to continue to do good work.

The meeting was adjourned at 4:58 p.m. The next meeting of the Executive Committee will be on Tuesday, April 28, 2020, immediately following the Faculty Senate meeting. The meeting will be conducted via Zoom. The minutes are respectfully submitted by Karen Griffin, Coordinator and Joan Latta Konecky, Secretary.