

EXECUTIVE COMMITTEE MINUTES

Present: Baesu, Bearnese, Billesbach, Eklund, Gay, Herstein, Kolbe, Krehbiel, Minter, Weissling, Woodman, Zuckerman

Absent: Buan

Date: Tuesday, February 22, 2022

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 (*Kolbe*)

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

2.0 Announcements

2.1 Covid Weekly Report

Kolbe reported that last week 3,588 Covid tests were conducted with a positivity rate of 2.06%. He stated that the random mitigation tests had a positivity rate of 1.9% and noted that staff had the worse positivity rate with 3.3% and faculty members had a 1.45% positivity rate while the student rate was in the middle. He stated that, as of today, only 536 tests have been conducted for this week.

Eklund asked what percentage of students are still wearing masks now that the mask mandate has been lifted. Gay noted that he requires his students to be masked because it is a lab class where there is close contact. Woodman noted that labs are considered a category 1 class, so everyone is masked in his lab courses. He stated that a student made a request in his large lecture class for people to wear masks and he sent the request to the Dean's office in Arts and Sciences and received a reply within 3-4 hours. Minter stated that in her class masks are not required but out of the 25 people, everyone had a mask on. Weissling reported that about 75% of her class complied with wearing a mask. Eklund stated that in his class with 50 students about 30% were masked and in a class of 70 students about 25% were masked. However, he pointed out that Westbrook Music Building has very large classrooms and a strong ventilation system. Kolbe reported that he has 20 students in each class, and he sent the policy out to them reminding them that they could make a request to have everyone wear a mask but to his knowledge no one has and approximately 50% of his students choose to wear a mask. Kolbe stated that he would contact AVC Goodburn to ask what faculty members can do if people are not complying.

Woodman questioned whether a faculty member can tell a class that a request was made and approved for continued mask wearing in a classroom. Kolbe pointed out that that faculty members of students still have the option of asking for masks to be worn in a classroom. He noted that violation of the mask wearing in these classes should be

reported to the department. Minter reported that her department developed a strategy for dealing with a student who is non-complaint. She noted that the faculty member or graduate teaching assistant would immediately notify the department vice chair, but she has not heard of any students pushing back on wearing a mask. She pointed out that it is a question of communal well-being and noted that chairs should be ready to deal with students who are non-compliant. Billesbach pointed out that previously a class could be dismissed if someone was not compliant, but this option is no longer available. Woodman stated that the policy is toothless if there is no way to enforce mask wearing the classroom if it is required.

3.0 Approval of February 15, 2022 Minutes

Kolbe asked if there were any revisions to the minutes. Hearing none he asked for a motion to approve them. Minter moved and Woodman seconded the motion and the Executive Committee the minutes.

4.0 Unfinished Business

4.1 Professional Code of Conduct

Weissling asked if there is a current Code of Conduct in place. Minter reported that the Faculty Senate has a [Professional Ethics Statement](#) that was approved in 2016. She noted that with the Code, the goal was to create an aspirational statement of ground rules for faculty and to provide information on resources available to faculty such as the Academic Rights & Responsibilities Committee.

Kolbe asked when Minter envisions the Code would be finished. Minter noted that a good draft has been developed but edits to the draft are needed to be compliant with the recently revised Board of Regents Bylaws. She reported that the draft was shared with various groups, including the Academic Rights & Responsibilities Committee, AVC Walker, and ORED for review to see if there were any conflicts of interest. She pointed out that for the document to be relevant, it needs to reflect standards that are already in practice. She noted that the document was put on hold due to the pandemic and approval of revisions to the Board of Regents Bylaws.

Billesbach pointed out that the Code applies to administrators as well as faculty and asked if it would require approval beyond the Faculty Senate. Minter stated that the committee that developed the Code wanted an umbrella approach. She noted that the Code has language pertaining to bullying and ethical treatment of colleagues and the committee had wanted all campus community members (including those in supervisory roles like administrators) to be similarly accountable. She stated that the principles at the center of the proposed Code are derived from the AAUP.

Herstein asked if the Big Ten universities have comparable codes. Minter stated that they all do, and the committee first started collecting the different versions but ultimately modeled the code after the University of California system's code. She stated that one of the goals was to state the principles that protect faculty members' rights and to layout when conflicts could occur. She noted that examples of these conflicts are provided but it is not an exhaustive list. She stated that it was important to provide information on due

process for faculty members and she believes a new faculty member could get a good sense of their rights and responsibilities, and also learn some of their due process rights with this document. She noted that it may also be helpful for graduate teaching assistants, although she acknowledged that the Board of Regents do not recognize them as faculty.

The Executive Committee then suggested some revisions and discussed whether a supervisor needs to make an employee aware of their due process rights if they are being reprimanded, fired, or forced to resign. The Committee agreed to review the Code further at its next meeting.

5.0 New Business

5.1 Report on Meeting with EVC Ankerson

Kolbe reported that he recently met with EVC Ankerson and presented the Incentivizing Senators to Serve on the Executive Committee proposal. He noted that she had some reservations about it, but they were the same ones the Executive Committee first had and reported that she wants to review the proposal more carefully. He stated that he is planning to have Minter join him for his other meetings with the EVC so she can begin to develop a working relationship with the EVC.

5.2 Academic Calendar Changes

Kolbe reported that he and Minter will be attending the University-wide Calendar Committee meeting. He stated that the current proposal calls for a 15-week semester with a three-week January pre-session. He noted that to accommodate the January pre-session the spring semester would need to shift to a later start and end date, but he has been adamant in stating that there needs to be a one-week break before the end of the spring semester and the beginning of summer sessions.

Woodman asked what the new summer session would look like. Kolbe stated that this is to be part of the discussion at the upcoming meeting, but he has heard there would be an overlap during the summer, although he does not know the details about it.

Weissling asked when the change would occur. Kolbe stated that it would start with the 2023-2024 academic year. Woodman asked if there are plans to have another January pre-session this coming academic year. Kolbe stated that it would occur in January 2023. Herstein asked if UNO and UNK are involved with the proposed calendar changes. Kolbe stated that there were and UNO, UNK, and UNL have come together to solidify their schedules.

Herstein asked how summer pay would be affected by these changes. Kolbe stated that this would hopefully be addressed at the meeting. He pointed out that faculty on nine-month contracts would retain their contracts.

Woodman asked if a request can be made to map out the exact dates of each semester, including summer sessions, on a calendar so faculty can see what the changes would be. Kolbe stated that he believes this is in development but will ask.

Weissling pointed out that there would be two three-week pre-sessions and asked where the extra FTE would be coming from to cover the courses during these pre-sessions. Kolbe stated that teaching during these sessions would still be considered an overage. Herstein noted that teaching in the January pre-session is less than what an Engineering faculty member would get for teaching in the summer.

Kolbe reported that there is consideration of moving the fall break to the week of Thanksgiving so students would have the entire week off. He noted that this would help with lab class scheduling and UNO and UNK are also interested in this proposal.

5.3 Update on Budget Model Advisory Committee

Gay asked what the status is of the Budget Model Advisory Committee (BMAC). Minter reported that the Committee has agreed on a set of principles for running the budget model but pointed out that, due to the pandemic, this has not been a good year to conduct a shadow run of the budget. She suggested it would be good to have Professor Bloom, Co-Chair of the BMAC, meet with the Executive Committee again to discuss some ideas he has about the budget model.

5.4 Statement Regarding Proposed Bill LB 1077

Kolbe noted that he drafted a statement that would go on the Legislature's written on-line testimony website indicating that the Faculty Senate Executive Committee opposes any legislation that would infringe upon academic freedom in institutions of higher education across Nebraska. He stated that he is working to get the Faculty Senates of our sister campuses to agree on a similar statement. Gay opposed making a statement at this time since it is unlikely that the bill would even advance from the Legislature's Government, Military and Veterans Affairs Committee. He stated that a better time to make a statement would be if the bill were to be forwarded to the floor of the Legislature for consideration.

The Executive Committee proceeded to review and revise the statement. Gay moved that the statement be sent to be recorded on the Legislature's website. Minter seconded the motion. The motion was approved, 11 in favor and 1 against.

The meeting was adjourned at 5:11 p.m. The next meeting of the Executive Committee will be on Tuesday, March 1, 2022, immediately following the Faculty Senate meeting. The meeting will be held by Zoom. The minutes are respectfully submitted by Karen Griffin, Coordinator and Kelli Herstein, Secretary.