

**UNL FACULTY SENATE MEETING MINUTES**  
**September 5, 2023**  
**Presidents Kelli Kopocis, Pete Eklund, and Deb Minter, Presiding**  
**Zoom Meeting**

**1.0 Call to Order**

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

**2.0 Announcements**

**2.1 Presentation on Safeguarding Academic Freedom**

President Kopocis reported that there will be a presentation on September 26 from 12:00-1:00 by Professor Niehaus, Department of Educational Administration, on Safeguarding Academic Freedom: Exploring the Potential and Limitations of Faculty Unions. Check Nebraska Today for location.

**3.0 Chancellor Bennett**

President Kopocis reported that the Chancellor was unable to attend the meeting due to illness.

**4.0 Approval of May 2, 2023 Minutes**

President Kopocis asked if there were any revisions to the minutes. Hearing none she asked for a motion to approve. Professor Peterson, Agricultural Economics moved for approval. Motion seconded by Professor Vakilzadian, Electrical and Computer Engineering and then approved by the Faculty Senate.

**5.0 Unfinished Business**

**5.1 Motion to Revise the Academic Rights and Responsibilities Procedures**

Professor Peterson reported that during the May 2<sup>nd</sup> meeting, the Academic Rights and Responsibilities Committee (ARRC) introduced planned revisions to the ARRC procedures, and they are now being formally introduced to the Faculty Senate. He noted that the revisions are a product of experiences that the ARRC and the special hearing committees have experienced.

Professor Peterson stated that some of the revisions are needed housecleaning changes while others are to clarify some language, particularly with sexual misconduct cases which must go to the Office of Institutional Equity and Compliance first. He stated that another change is to decrease the number of faculty members on special hearing committees. He noted that the faculty members are drawn from the Academic Rights and Responsibilities Panel which consists of 36 faculty members, but the ARRC tries not to have a faculty member serve more than once a year on a special hearing committee. He noted that the change could possibly make scheduling meetings easier.

Professor Peterson reported that it has been noted that in cases of Academic Freedom and Tenure-B, which is initiated by the administration and seeks the termination of a faculty member, there is no correspondence from Central Administration on the Board of Regents' final decision on a case. He stated that the proposed revision would require the Board of Regents or Central Administration to provide correspondence regarding the final decision to the complainant and to the Coordinator of Faculty Governance.

Professor Peterson stated that with Academic Freedom and Tenure-A cases a faculty member is filing a complaint that their academic freedom has been violated. At the special hearings, he noted that administrators would appear with an attorney from the University's General Counsel office, but the faculty member would have to hire an attorney if they wished to have legal representation. He stated that the response from the administration is that because a complaint was made against the university, therefore the General Counsel attorney is present to defend the administrator. He pointed out that this is highly unequal noting that the faculty member could have an academic

advisor, but the academic advisor typically does not have any legal training.

Professor Shrader, College of Journalism and Mass Communications, asked if there is a process or procedure that would look to see if an administrator's complaint against a faculty member is based on a personal issue. Professor Peterson reported that there are numerous complaints made by one person against another and usually efforts are made by the ARRC to have these people go through mediation and that the Ombuds do their best to try and resolve these problems. He pointed out that for a case to go to a special hearing committee there must be a violation of some kind of bylaw or policy and the complainant must identify what and how standards were violated. Professor Shrader asked how the decision is made for a case to go to a special hearing committee. Professor Peterson stated that the ARRC reviews the complaints to see if it fits the parameters of the ARRC procedures and efforts are tried to solve a case in an informal manner, but some cases ultimately require a special hearing committee.

Professor Peterson pointed out that an ARRC special hearing case is not a legal proceeding, it is an internal process, and the Board of Regents Bylaws state that the faculty governance agency of each campus is to create committees to deal with cases of grievance, professional misconduct, and academic freedom. He noted that the members of the hearing committees are all elected faculty members and after hearing the evidence from both sides, they write a report with recommendations on actions that should be taken. This report then goes to the Chancellor and in some cases goes to the Board of Regents. Past President Kolbe pointed out that a faculty member still has the option of suing the university after the special hearing case is concluded.

Professor Peterson stated that the issue of attorneys is complicated and noted that AVC Walker believes that no attorneys should be involved in the process. However, he pointed out that in the AFT cases the procedures state that people can hire an attorney at their own expense. Professor Turkman, College of Architecture, asked if there has been an attempt before to change the language pertaining to lawyers. Professor Peterson stated that to his knowledge it has not been tried before. He noted that the issue arose because of a few special hearing cases where university lawyers were provided to administrators. Professor Turkman asked if the outcome of the special hearing is impacted by the faculty member not having a lawyer. Professor Peterson reported that in one case the faculty member withdrew the complaint, in another case the lawyer provided some advice that was useful in finding a resolution to the case.

Professor Peterson stated that Professor Lewis, Teaching, Learning and Teacher Education, is currently co-chairing the ARRC and she will be chair next year. He pointed out that the Faculty Senate will vote on the resolution at the October 3 meeting.

## **6.0 New Business**

### **6.1 Motion to Revise the Guidelines for Faculty Evaluation**

President Kopocis reported that the Guidelines for the Evaluation of Faculty were last revised in 2001 and needed to be updated and revised. She stated that in December of 2021 AVC Walker, AVC Bischoff, and then Faculty Senate President Kolbe charged a committee of 15 faculty members to review and propose revisions to the Guidelines. She noted that the Senate Executive Committee reviewed the proposed revisions this past May and the Dean's Council reviewed it in early August. Some additional revisions were made and reviewed once again by the Senate Executive Committee which is now forwarding the Guidelines to the Faculty Senate for consideration.

President Kopocis pointed out that one of the major changes in the Guidelines is that the mandatory processes for promotion and tenure have been combined and are now clearer. Another change is the inclusion of the post-tenure review process, faculty who are promotable but are not tenure-track have been defined as "specialized faculty," and language about going up for early tenure has been revised.

President Kopocis thanked Professor Kolbe for pushing through for revising the document.

Professor Gorman, Classics and Religious Studies, asked how feedback from the Senators' colleagues could be transmitted. Coordinator Griffin stated that suggested changes should be sent to her. President Kopocis noted that the Guidelines have been reviewed by General Counsel. She stated that Senators can share the Guidelines with the faculty in their department and all comments should be filtered through the Senators and then back to the Executive Committee.

## **6.2 Presentation of the Louise Pound-George Howard Distinguished Career Award to Professor Emeritus Alli Moeller**

President Kopocis noted that the Louise Pound-George Howard Distinguished Career Award was established in 1990 to recognize individuals with a distinguished career of service to the University of Nebraska. The award is conferred to a person who made exceptional contributions during their career through teaching, research, public service, administration, or a combination of these factors and reflects a long-standing commitment to the University. She stated that this year's award recipient is Dr. Ali Moeller, Emerita Professor of Teaching, Learning, and Teacher Education.

President Kopocis stated that Dr. Moeller first came to UNL to teach in 1972 and stayed 8 years before teaching in the Omaha Public Schools for 11 years, and then returning to UNL to teach for 32 years, totaling 51 years in education. She was recognized in 1997 with the Edith S. Greer Distinguished Professorship. Dr. Moeller's national and international leadership and scholarship was extensive having been President of several national teaching associations and has received numerous awards in her field of expertise. She has presented keynote speeches in other countries and has been invited to multiple university campuses in the United States to present her work.

President Kopocis reported that Dr. Moeller served on nearly every university and college committee at UNL, having served as chair of the Academic Rights and Responsibilities Committee, the Women's Commission, and was also President of the UNL Academic Senate in 2006-07.

President Kopocis presented the award to Dr. Moeller. Below is Dr. Moeller's speech after receiving the award.

I am truly humbled to be named the recipient of the Louise Pound and George Howard Distinguished Career Award. This is officially my fifth day of what typically one calls "retirement", however I refer to this phase as becoming a "free agent"—that is, I now work for free and have the agency to say no or yes to that which comes my way. Having served 8 years in the Modern Languages department for 8 years, 11 years in urban schools, and 33 years in the College of Education & Human Sciences, it has been a career that has provided an incredible sense of purpose and fulfillment. My vocation was indeed my avocation. The joy of seeing my learners moving from uuuhhh to ohhh to ahhh as they internalize new concepts and gain new skills, is the best gig in the world. I want to thank those who made this journey alongside me—Karen Griffin, the oracle of the Faculty Senate, and as we all know is not only the archives of the Faculty Senate, but also our guiding light. Wes Peterson, what would have been done without your unbelievable detailed, in depth knowledge of procedures, ByLaws, and all things Faculty Senate. You were by my side as I served on the Faculty Senate Board, and later as President, and as chair of ARRC during a very trying and tumultuous time on our campus. Thank you to Loukia Sarroub and Wes Peterson for shepherding the nomination process.

As I reflect on my life and career, the words of James Baldwin capture my own thoughts—he states "The longer I live . . . I learn that love . . . is the work of mirroring and magnifying each other's light. Gentle work. Steadfast work. Life-saving work in those moments when life and shame and sorrow occlude our own light from our view, but there

is still a clear-eyed loving person to beam it back. In our best moments, we are that person for another.

Before we start the celebration I would also like to leave you with an important message- No doubt you have been following what has happened in the last month on the West Virginia campus as President Gee eliminated the entire world language department, numerous other humanities content areas, and Math and Engineering graduate programs, resulting in 169 full time faculty (16% of total faculty) losing their positions (9% of majors eliminated) affecting 32 programs. This is particularly poignant for me as I am slated to be the keynote speaker for the West Virginia Foreign Language Teachers Association (WVFLTA) on the West Virginia University campus in October 2023. What does one say and how does one motivate a group of colleagues when their livelihood and profession have recently been eliminated and cancelled? What has happened in WV serves as the canary in the coal mine—a warning of what is to come in other institutions of higher education, including our own. It is a call to arms for the faculty to become strong advocates for their disciplines, recruitment of students, and take an active role in preparing self-studies, program reviews, and accreditation reports. Documenting the impact of our teaching, service, and scholarship on our students, institution, and the community will speak volumes about the invaluable contributions made to the quality of life for our citizens locally and nationally. We can begin by serving actively on Faculty Senate committees, attending Board of Regents meetings, making transparent and accessible to the public the good work that is being done in ways that speaks to the public. Having served the last three years on both the International Travel Committee and the Endowed Professorship Committee, I have seen first-hand the faculty talent on this campus-- and it is nothing short of awe inspiring. But faculty must use their voice and claim a seat at the table, or what is happening in West Virginia University may well happen elsewhere, including on our own campus. Let's protect the rights of our citizens to benefit from a liberal arts education that prepares our students for local, national, and global leadership and citizenship that offers a quality of life for all. In the words of Samwise Gamgee: "There's some good in this world, Mr. Frodo, and it's worth fighting for."

A reception honoring Dr. Moeller was held immediately following the meeting.

The meeting was adjourned at 3:15 p.m. The next meeting of the Faculty Senate will be held on Tuesday, October 3, 2023, at 2:30 p.m. via Zoom. The minutes are respectfully submitted by Karen Griffin, Coordinator, and Signe Boudreau, Secretary.