

## EXECUTIVE COMMITTEE MINUTES

**Present:** Bearnes, Boudreau, Bouma, Dawes, Eklund, Kopocis, Lott, Minter, Shrader, Tschetter, Vakilzadian, Zuckerman

**Absent:** Baesu

**Date:** Tuesday, February 27, 2024

**Location:** 201 Canfield Administration Building

**Note:** These are not verbatim minutes. They are a summary of the discussions at the Executive Committee meeting as corrected by those participating.

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### 1.0 Call (*Kopocis*)

Kopocis called the meeting to order at 2:30 p.m.

### 2.0 Chancellor Bennett/EVC Ankersen

Chancellor Bennett stated that he is looking forward to the March 5<sup>th</sup> Faculty Senate meeting where a presentation on the importance of UNL rejoining the AAU will be made. He stated that the presentation follows up on the question that Professor VanderPlas made at an earlier Senate meeting. He noted that Robert Berdahl, Senior Advisor to Academic Analytics and former President of the AAU, will be speaking to the Senate along with several other colleagues from Academic Analytics. He pointed out that the presentation will only focus on the benefits of joining the AAU. A plan for how we will achieve admittance will be developed later.

#### 2.1 In light of the recent Title IX lawsuit against the university involving a former UNL student athlete and the fact that Athletics now reports to the system President, would UNL's Office of Equity and Compliance be responsible for taking action on similar incidents involving UNL student athletes?

Chancellor Bennett reported that all indications are that the processes that we have normally followed with our Office of Institutional Equity and Compliance when an incident occurs with a student-athlete will still be followed, particularly with this incident since it occurred prior to UNL Athletics being turned over to the President.

#### 2.2 When will the search for the Vice Chancellor of the Office of Research and Economic Development begin?

Chancellor Bennett noted that he just recently had a conversation about the search, and he hopes to launch the search before the end of the term, although it may possibly be launched in March. He stated that he is still working to determine whether it should be an in-house search or whether a search consultant will be used. He pointed out that Interim VC Jones is doing a wonderful job and has stated that she will stay on as much as she can until the new VC assumes the role. He stated that he would like to have someone in place by the end of the summer if possible. He stated that if anyone knows of someone

who would be interested in the position, they should encourage that person to make an application or be nominated, pointing out that we do need to comply with the rules for conducting a search.

### **2.3 Do you know what the timeline is for the President's search?**

Chancellor Bennett stated that he has not been made aware of what is occurring with the President's search other than the search committee has completed its work and it is now in the hands of the Board of Regents. He noted that the questions about the budget will be impacted by who the President will be, and he has pressed to the Regents how important it is to get the position filled. He stated that he has not heard about the budget reductions or when the deadlines will be from the system's office, and he is concerned with the timing because UNL has a lengthy process for dealing with budget reductions.

Shrader stated that it is baffling that we are not getting any information on further budget reductions when the Interim President was the Vice President of Business and Finance. He pointed out that we have been dealing with budget reductions for a long time and there is an exhaustion level amongst the faculty who are constantly asking what our budget reduction figures will be. Tschetter noted that the frustration from colleagues about the budget situation is overwhelming and the anxiety is gutting the campus. Shrader stated that the lack of information creates a question of who is leading the university.

Zuckerman stated that it has been reported numerous times that the system level deficit is \$58 million and asked if we can be proactive over the summer to be ready to deal with further reductions. Chancellor Bennett reported that he has spoken with Central Administration and said that the campus needs to deal with the reductions before we start losing people. Tschetter and Zuckerman stated that we are already losing people as some faculty members and staff have either left the university or started looking for employment elsewhere.

Chancellor Bennett stated that he has raised the issue of budget reductions to many people, including potential donors on his fundraising trip to Arizona and California. He noted that a recurrent theme that he is hearing is that we need to address under performing programs, and with regard to the budget numbers, the CCPE threshold metrics need to be considered. He stated that doing work in anticipation of the possible budget reduction numbers puts him in conflict with the prescribed process of the Academic Planning Committee. He noted that he has tried to work in an innovative way by giving full control over the budget reductions to the APC so they can develop a metric that the Committee would use to determine where reductions should be made, but the APC reminded him that it is his job to bring the proposed cuts to the Committee for consideration. He stated that as a result of the APC's unwillingness to propose budget reductions he had to default to the process that was used prior to his arrival noting that former Chancellor Green provided him with a document that outlined recommendations for the \$12 million in budget reductions.

Zuckerman noted that it is difficult to have discussion about budget reductions when the campus does not have a vision of what we want to be. She pointed out that the N2025 plan is about to expire, and that people would feel better if the decisions on the budget reductions were more mission driven. She stated that the budget reduction process with the APC has not been transparent and noted that there are other universities that have a more transparent budget governing process. She questioned how we could enact a similar process here.

#### **2.4 What are your plans for working on a new strategy for UNL given that we will more than likely be dealing with further budget reductions?**

Chancellor Bennett reported that on February 15<sup>th</sup> he met with 100 members of UNL to provide them with an update and to suggest that we start thinking about who we are and where we want to go. He noted that he referenced N2025 and believes that the meeting was a launching place to start these discussions. He stated that he welcomes what could be done to make things more transparent, and he wants to work across the campus. He pointed out that some of our existing processes hinder us and that he can only engage with the APC when he initiates the budget reductions. He stated that we need to think about how we can organize ourselves in such a way to begin having these kinds of conversations.

Kopocis pointed out that many discussions in the APC meetings surrounding the budget reductions are off the record. Chancellor Bennett noted that there is a narrow line between sharing information to help keep people informed while doing so without causing anxiety to rise because the information may lead people to think that their positions are in jeopardy. Kopocis stated that the campus has heard from the system office how the deficit will grow for the university, but no information is provided that shows where these deficits are coming from.

Chancellor Bennett reported that we now have data that clearly defines underperforming programs and noted that not every unit on the list would be impacted. He stated that some of these units will be given an opportunity to increase their numbers themselves. Zuckerman asked what the metrics are for defining an underperforming. EVC Ankerson reported that the Coordinating Commission for Postsecondary Education (CCPE), has a set of thresholds. It looks at the average over the last five years of a program focusing on how many degrees have been awarded. For undergraduate programs the threshold is 7, for master's it is 5, and for Ph.D. it is 3. She noted that there is also a student credit hour per faculty member criteria that is considered. She pointed out that this does not mean that subjects are not important, nor that there shouldn't be minors or certificates. Zuckerman stated that there is no way to circumvent what is important to the university and asked if we are going to be a university where liberal arts are beneficial to all of our students or are we going to be turned into a vocational school. Zuckerman questioned how cutting a program within a department would then impact the budget.

Shrader pointed out that the administrators need to help the faculty define where we want to be in the next five years. The Chancellor stated that the majority of the taxpayers he has spoken with say they are happy with eliminating underperforming programs. He

pointed out that the environment is laser focused on a return of investment. EVC Ankerson noted that when the APC begins looking at underperforming programs, they will be looking at lagging and leading indicators, credit hour production, and future demand among other factors.

Kopocis stated we are at an inflection point where the faculty are getting angrier while morale keeps getting lower. Chancellor Bennett heard people speaking passionately at the meeting on February 15 and he believes that people want to be part of the solution. He reported that he has been thinking about putting together a commission to think through how we identify ourselves as a university and how we can move forward. He stated that he wants people to have a voice on campus and noted that we have an uphill battle, but we need to keep the momentum going.

Kopocis reported that she is hearing people say that we need to get back to the basics of teaching. She noted that while some teaching facilities are great, others are in a poor state and need help. She pointed out that making some classes larger in order to reduce budget costs can take a real toll on the instructors and the students. She noted that our students are our best salespeople and if we start diminishing the good experiences, they have in their classrooms we wind up hurting ourselves.

Chancellor Bennett stated that we need to think about the narrative and how our narrative illustrates what we bring to the table. He stated that people are not connecting to our narrative and how we benefit the state. Shrader pointed out that we cannot let external forces write our narrative, we need to write it ourselves. Minter noted that what UNL has done well is engagement and stated that it is frustrating when the CCPE has no place for engagement when looking at metrics. She pointed out that Ethnic Studies may not have a lot of majors, but it does a lot of work in the community and state. She believes we need to get our message out about what we do and how we contribute to the state. Chancellor Bennett stated that we need to have these kinds of discussions and pointed out that we can't afford to have our campus community not working together.

Vakilzadian asked what are UNL's priorities. Chancellor Bennett stated that setting the priorities is great, but it would be reckless for us not to consider the impact of Central Administration.

Kopocis stated that Provost Gold has talked about duplication of programs across the system and asked what work has been done on this. EVC Ankerson reported that the CAOs have been working on the academic array since August. She stated that the data is being cleaned up, and some conversations occurring about potential collaborations. She stated that there needs to be additional work on the university system structural definition to enhance future efforts.

## **2.5 Update on current enrollment figures for Fall semester (EVC Ankerson)**

EVC Ankerson reported that she is feeling positive about first-time freshmen and transfer enrollments but noted that we will have a better understanding of where we are next month. She stated that we will also have a better figure of how many students will be

graduating in May, which impacts our enrollment figures. She reported that the rate of people enrolling and making enrollment deposits is looking good.

**2.6 How have summer enrollment numbers been over the past few years? Is the summer precession still needed? (EVC Ankerson)**

EVC Ankerson stated that consideration needs to be given to what has happened in the last few years. She pointed out that the January precession has shortened the summer sessions and this will remain for two more years. She stated that the most robust summer enrollment was in 2019 but since that time enrollment has been down by 10,000 credit hours from the high in 2019. She reported that the summer precession has actually increased by 1,000 credit hours over the high it previously had.

Kopocis asked if we could shift the January precession courses to the summer precession. EVC Ankerson pointed out that different people take the January precession. She stated that the eight-week session suffered the most with the shortened summer, the first five-week session has stayed constant, and the second five-week session enrollment has had a decrease.

**2.7 What are the requirements for a program to add differential tuition given that some programs require individual instruction making them more costly to deliver? (EVC Ankerson)**

EVC Ankerson stated that the last time differential tuition for a college was approved was in 2012 and the justification was the increased cost of instruction and a needed investment in additional resources to provide students with a competitive quality education. She stated that she would forward the guidelines for how a proposal for differential tuition would be judged.

**3.0 Cyber Security Threats (CIO Tuttle and Assistant VP Haugerud)**

CIO Tuttle reported that he spoke with Kopocis recently about high-level cyber security issues that the university is working on and noted that one of the ways the Faculty Senate can help is to communicate with the faculty to make them aware of what is happening. He noted that Executive Memorandum 16 is still a big issue that is being discussed. He reported that the university was made aware a few years ago that the federal government was going to have many changes about required data security measures for places that receive federal funding, and the university is hearing about these requirements, although he believes we will be in a good position to deal with them because of the measures that were taken with EM 16.

AVP Haugerud noted he is responsible for cyber security at the central system level, and he has been in Lincoln since 1988. He reported that some of the compliance concerns happening with the Department of Education pertains to universities taking better care of student data information and our research partners, particularly when they are federally affiliated, want to see a formal assessment of our cyber security. He noted that one of the more difficult parts of the compliance issues is that these formal assessments have a cost associated with them. He stated that a recent assessment pertaining to financial aid was conducted and involved all four of the university's campuses and these assessments must

been done yearly at an approximate cost of \$30,000. He pointed out that all these compliance requirements do not come with any funding although this last year we were able to obtain some grant money that Homeland Security made available through FEMA. He stated that FEMA passed the funding down to the Nebraska Emergency Management Association and the university system partnered with the state colleges and community colleges to get a cyber retainer with a company called Unit 42. He noted that with the retainer we obtained a large pool of retainer hours that can be used for some of the required assessments this year and into next year. He pointed out that we will need to figure out how we are going to continue to meet some of these requirements and compliance issues.

VP Haugerud reported that how we do business has changed noting when Interim President Kabourek put together our first request for bond funding for deferred maintenance it came with a healthy cyber security packet which wanted to know how the university would be able to pay our debtors if we should get hit with a ransom attack. He stated that every time we do business with a sizable vendor it comes with a cyber security questionnaire which is to determine if you can continue to operate as normal if we have any cyber security breaches. He pointed out that we do the same thing with our largest vendors requiring them to sign an addendum that says they have a formal security program that indicates if they should lose our data, they are going to be responsible for any renumeration and fines that might happen as part of the data being released.

CIO Tuttle reported that federal granting agencies want to know how we protect student data, like how well we protect Department of Defense data, and if a university does not have this protection, it would be at risk of not receiving federal financial aid. He stated that from an enterprise system he thinks we are doing well and that we can protect our data at the levels that we need to. He stated that what keeps him up at night is data that ITS is not aware of such as an individual researcher's data on a server that they are running and managing.

Vakilzadian noted that a colleague of his who has a federal grant said that the third party he is working with on his research wants access to the data. He stated that the government is okay with this but asked what kind of cyber protection we have with these kinds of issues. CIO Tuttle stated that the best thing would be for ITS to have a discussion with the faculty member. He stated that the third party might be someone from another university and there are ways that information can be shared while keeping their data secure. He suggested that the faculty member contact himself or AVP Haugerud.

CIO Tuttle stated that an ongoing conversation for the last couple of year has been to get some of our security programs on more university-owned devices, but people question whether these security programs will violate their privacy and whether people are going to be examining their emails. He noted that we have security tools that are very powerful but most of them are designed to work in the background to look at the machine data to see if there are any changes that don't make sense. For instance, if a person opens an Adobe attachment but doing so makes a change in the registry entry that would make the computer do something different. He pointed out that this is not normal for a PDF, and it

would trigger a warning that something is wrong, and a message can be sent to the end point user allowing ITS to assist the user in identifying the problem. He pointed out that ITS is primarily looking at machine data, it is not looking at web behavior or email and the tools do not have the ability to just blindly go into a computer and start sifting through a person's computer. He stated that cyber security tools typically require two-party intervention and if someone is contacted by ITS about a risk, it is recorded in a log. He noted that the logs keep track of when the risk occurred and why. He reported that ITS has offered to provide an accountability record for the Faculty Senate's Information and Technologies Committee.

Vakilzadian asked what impacts the budget reductions have had on ITS. AVP Haugerud stated that ITS is trying to fill the gaps created in funding from the budget reductions. Vakilzadian stated that his college had two IT people but one of them has been cut and it now takes longer to get any service on your computer and asked how ITS takes care of these problems when they occur. CIO Tuttle stated that we need to have these kinds of conversations to talk about the need for resources in IT. He pointed out that ITS' staff numbers compared to six years ago are down 72 positions and ITS has had a \$7 million budget cut over the years while IT costs keep escalating. He stated that there is a need to think about what the most important thing is to invest in.

CIO Tuttle met with University Communications to discuss communicating with the faculty and staff to make them aware of the increase in cyber security attacks, phishing scams, and social engineering attacks. People are disguising themselves as professors to get student information and there have even been cases of paychecks being redirected to someone else's account. He stated that if you receive a phishing scam there is a button that you can click on that will automatically notify AVP Haugerud's security team. AVP Haugerud stated that the phishing scam will be pulled back from anyone who it was sent to, and it will be quarantined.

Eklund asked what we are paying in cyber security insurance. AVP Haugerud noted that our insurance has actually decreased a little recently. He noted that when UNMC had its cyber security breach a few years ago we went from a \$25,000 deductible to a \$250,000 deductible during that incident and a year after we went to \$2.5 million. It has now decreased down to \$1 million due to the security measures we now have in place which has resulted in our deductible and our premium decreasing. CIO Tuttle noted that now 95% of our university-owned devices are being managed with our security measures but two years ago it was only 30%. He pointed out that should anyone lose their university-owned computer it can be shut down so the thieves cannot get into it. He stated that the thieves may not want your data, but your computer is an access point that allows them to get into the university system. He stated that ITS will never ask for your user name or password.

Tschetter reported that people are still concerned that all their devices are being monitored by ITS. AVP Haugerud stated that if someone has a network sniffer, such as when the computer science student hacked into MySoft, our cyber security tools identified his VPN allowing him to be arrested. He stated that ITS is interested in being

as transparent as they can with the work that they do for the university. He stated that there is no way we can get into someone's personal device and if Cortex is installed on it, Cortex has access to just the machine data that shows the computer patterns and whether something looks suspicious. CIO Tuttle pointed out that Apple has more access to your personal device if you have an Apple product than the University does. He stated that if any employee of ITS does anything that is amiss, they would lose their job. He stated that ITS does things as best as they can on all different levels to protect your data to the best of their ability.

AVP Haugerud noted that the new requirement for cyber training is available and ITS would like to receive feedback on it. ITS is wondering if it is the appropriate level of training and are there some things that are needed. He noted that having the annual required training has helped make people and the campus more secure. He stated that the goal is to keep the training under 10 minutes.

AVP Haugerud stated that both he and CIO Tuttle are willing to talk to departments or colleges to get feedback to know how computing at the university is impacting you. CIO Tuttle stated that he thinks that there hasn't been a situation that ITS hasn't been able to resolve a problem. He reported that the communications will be coming out probably after spring break and he is speaking with the manager of the Daily Nebraskan to get information out to the campus, plus he is also talking with ASUN about how to get the information out to the students.

#### **4.0 Approval of February 20, 2024 Minutes**

Kopocis asked if there were any further revisions to the minutes. Bouma asked that her name be added as being in attendance. Tschetter moved and Shrader seconded approving the minutes. Motion approved by the Executive Committee.

#### **5.0 Unfinished Business**

No unfinished business was discussed.

#### **6.0 New Business**

No new business was discussed.

The meeting was adjourned at 5:04 p.m. The next meeting of the Executive Committee will be on Tuesday, March 5, 2024, immediately following the Faculty Senate meeting. The meeting will be held in the Nebraska Union, Platte River Room. The minutes are respectfully submitted by Karen Griffin, Coordinator and Signe Boudreau, Secretary.