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Faculty Senate Minutes November 2020

UNO Faculty Senate

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**2020-2021 Faculty Senate
Minutes
Wednesday, November 11, 2020
Zoom**

I. Official Call to Order: President Ostler at 2:13 p.m.

II. Minutes of October 14, 2020 were approved as distributed

III. Officers' Reports

1. President's Report: Senator Ostler

- A. COVID-19 is picking up steam again and we are seeing more examples of “Pandemic Fatigue” across campus from students, faculty, and staff. More people on campus are not wearing masks or observing basic Social Distancing measures, which of course increases the likelihood of exposure on a broader scale. Incidents on the UNO campus remain relatively low. In fact, UNO is currently one of the safest campuses in the country. To keep us this way, please be diligent in reminding colleagues and classes to be attentive to the pandemic trends and that “good fortune follows good habits.”
- B. Bylaws change... Earlier this year, the initial proposal on the BOR Bylaws change to Administrative Leave or Termination was rejected by UNL Administration. Nicole Buan, the UNL Faculty Senate President said, “Since that time, the UNL Faculty Senate has been working closely with NU General Counsel and UNL Administration to draft language that the faculty and Administration can jointly support. After many months of negotiation, we have developed the attached proposed language that is both consistent with employment law and protects academic freedom. Care was taken to ensure the language is consistent with faculty governance proceedings on each campus. We have already received assurance that our Chancellor and NU President Carter support the document. However, in order to submit the changes for BOR for approval we would again need ratification by UNK, UNMC, and UNO.”
- C. I've been asked several times about classes going on after Thanksgiving. If a syllabus statement was made indicating that online only would be the delivery mode after Thanksgiving, faculty may proceed with that method. Otherwise, classes should continue in their current form unless messaging comes from academic affairs recommending a modification of instruction modality. We are watching carefully the trends which, at a national level, are setting new records of infection and spread. Much of this is due to state governments trying to find a balance between jumpstarting the economy and keeping people safe. In many states, governors have rolled back directed health measures, particularly for businesses such as bars and restaurants. Much of the resurgence is credited to these changes in public behavior. The risks will be elevated during the holidays so we asked about a line in the sand... i.e. at what point is the decision made to go completely

online. The chancellor noted that the point at which Contact Tracing becomes ineffective is the trigger for more aggressive action to be initiated. **IF** that is to occur, we may need to switch to online only so they continue to monitor closely the PRAM data. Many other universities across the country have already made the decision to be online only. As of now, the next semester at UNO will continue in a de-densified form that is roughly congruent to our current campus operations unless directed otherwise.

- D.** UNO Faculty Senate Bylaws Amendment Committee has met to suggest language for an addition to our bylaws that will allow the continuation of electronic meetings as long as the Pandemic threat remains significant. In late June, Governor Rickett’s provision allowing electronic meetings expired. Our current meeting modality is “Technically” out of compliance, although the spirit of the meetings including written form of resolutions, fully deliberative meetings, voting and private balloting, etc. are all met. Since then, we have been working to create language that would allow us to meet electronically.

2. Secretary’s Report on EO&A Meeting: Senator Surface

A. Chancellor Gold & SVC Kopp Updates:

- 1.** Committee on Academic Resources and Services has requested an update on distribution of Indirect Costs generated from external funding. Specifically, they understand that each college functions differently and has different needs and expectations as they incorporate F&A into their respective budgets; however, they have noted transparency and communication about how this is decided could be improved. The Senate is hoping for more information about how colleges make decisions about F&A distribution and if they would be willing to share those protocols.
- 2.** I’ve been asked by the other Faculty Senate Presidents if UNO has done any formal data collection on the progress we are making in the context of the pandemic. This is an attempt to measure how effective summer planning was and if modifications to those plans are necessary to improve conditions for spring. What is being looked at and what planning modifications, if any, are in the works?
 - A.** At the present time there are still too many unknowns to predict the summer plans
- 3.** Chancellor Gold shared the most recent COVID data, including Governor Ricketts rolling back some of the directed health measures involving bars and restaurants. Dr. Gold indicates that the virus is going to get worse before it gets better. At the time of the meeting, there were 200 positive cases reported on campus. The administration is considering the mandatory use of the mobile app—1-Check for all persons who come to campus. Dr. Gold expressed concern brought to him by Dr. Meza regarding seeing people on the UNO campus not social distancing and without

masks

VC Kopp indicated that the Spring semester would continue as planned with the same levels of de-densification on campus.

Regarding Instructional modes after Thanksgiving Holiday: Some faculty have asked if they are **required** to conduct classes remotely after Thanksgiving given that the initial intent was to keep students from having to travel twice during the holidays.

B. Faculty Senate Issues/Updates:

1. J-term/Calendar work with SGUNO continues. Sr.VC Kopp and Student Govt. President Moore plan to meet with the Academic and Curricular Affairs Committee to discuss possible calendar dates and answer faculty questions about academic and financial viability.
2. A question has come up in the Senate under New Business, regarding student fees. The questions are coming from students who signed up for courses with the intent to be physically in class but are apparently paying some kind of Distance Education fee.

2020-2021 Resolution Action Table								
(Action Pending and Current Resolutions/Written Replies)								
Res.#	Date Senate Passed	Title	Admin Accept	Sent for Senate Action	Denied	Deferred	In Progress	Final Action/Resolved
4419	9/10/2020	Faculty Grievance Committee to replace Donna Dufner (retired)						Resolved
4420	9/10/2020	Professional Conduct Committee to replace Harmon Maher whose term has expired.						Resolved
4421	9/10/2020	Academic Freedom and Tenure ballot for distribution to full-time UNO faculty, which is to elect two tenured faculty members						Resolved
TO BE FOLLOWED UP								
CARRIED FORWARD								
4422		Faculty Advancement Resolution						

IV. Standing Committee Reports

A. Committee on Academic and Curricular Affairs: Senator Wessling

1. J-term and Proposed 2021-2022 Academic Calendar

We met Oct. 28th with SVC Kopp and Mr. Jabin Moore as our guests. Prior to our meeting each committee member sent an email to our respective college faculty, requesting any questions regarding the J-term and/or adjustments to the academic calendar that we may be able to ask on their behalf. SVC Kopp and Mr. Moore spent an hour listening to concerns and answering faculty questions. With more questions to ask, but not enough time to get them answered, we are compiling the questions that remain into 'themes' to send to SVC Kopp to answer as he has time.

Once we have his responses, we are going to:

- A. create a FAQ's document to distribute to faculty campus wide. We will then ask faculty if they would be willing to endorse moving forward with a J-term
- B. continue to research other universities and colleges that offer an interim session or J-Term to gain a better perspective on the types of course offerings that an interim session would allow
- C. reach out the UNL's Faculty Senate to see which courses are being offered in their J-term since they are beginning a J-term this academic year, but nothing can be easily found on their website
- D. Have a faculty decision as to whether or not they will support implementation of a J-Term to SVC Kopp before the semester ends

2. Attendance Policy

Academic Affairs has not provided a draft of an attendance policy for us to examine. Some research into attendance policies at other universities was started. We do not feel it is our committee's responsibility to draft policy for the University, but to provide faculty input.

B. Committee on Educational Resources & Services: Senator Stacy

1. Facilities and Administration (F&A) Issues

- A. Jeanne Surface attended the Executive Committee with the Chancellor and Senior Vice Chancellor and reported that there have not been any updates regarding F&A since March of this year. The ER and S Committee will resume discussions on F&A at the net meeting.

2. Paul Beck Memorial Scholarship

- A. James Shaw reported that the announcement about availability of the scholarship will be announced in February and the ER&S Committee will be responsible for the announcement. Financial need will be a primary criterion for awarding the scholarship.
- B. Paul Beck was a popular Professor of History from the 1950 to 1975.
- C. Donations may be made to the scholarship fund at:

<https://commerce.cashnet.com/UNOCW?itemcode=CW-PBECK>

3. Student Fees

- A. The Committee discussed the recent news stories with regards to concerns by students about fees. The Omaha World Herald story was presented for review. One of the primary concerns by the students seems to be transparency. The ER&S Committee will invite Cathy Pettid to attend the next committee meeting to provide current information on the topic.

Senator Krause informed the senate that UNL's J-term is only temporary and was created due to Covid.

C. Faculty Personnel & Welfare Committee: Senator Helm

We continue to work on developing a flow chart that will provide easy and informed access to university resources available to faculty seeking a resolution to a conflict.

1. Conversation with Sarah Weil, Director of Title IX

- A. Sarah presented a full picture of the Title IX office and its function on the UNO campus. Topics covered were:

1. **Description of Title IX** - UNO is responsible for responding to allegations of sexual misconduct to immediately stop the harassment, remedy its affects, and prevent its recurrence
2. **Reporting Options** - Administrative and/or police report; reports can be anonymous.
3. **Who is Protected under Title IX** - UNO faculty, staff, and students.
4. **Services provided by Title IX** - Counseling references (multiple options), investigations, hearing
5. **Hearing** - Both parties present cases in front of a judicial committee. Parties may provide advocates and legal support
6. **Outcome** - Committee will generate a report that will be forwarded to concerned parties' supervisors

Sarah invited all members of UNO faculty to participate in 1hour title IX training for faculty and instructors offered through the Center for Faculty Excellence. The link for Faculty/Instructor training can be found here: [Title IX Training](#)

The next session is November 6th from 2:00 - 3:30

2. Continuing discussion on UNO resources available to faculty seeking a resolution to a conflict

- A. Current List of UNO Resources under consideration for the Flow Chart:

1. **Ombuds Services** - Connie Schaffer (interviewed 9/20)
2. **Professional Conduct Committee** - Information available via Senate Website
3. **Faculty Grievance Committee** - Information available via Senate Website
4. **Title IX** - Sarah Weil (interviewed 10/20)
5. **ADA** - Americans with Disabilities
6. **Title VII** - Affirmative Action, Equal Opportunity
7. **Human Resources** - Aileen Warren (interviewed 10/29, Laura

Wakefield interviewing 11/20)

8. AAUP Mediation –

9. Academic Affairs - Candace Batton

B. Current List of UNO Resources considered but not appropriate for the Flow Chart:

1. Behavioral Review Team

2. Environmental Safety

3. Public Safety

3. We discussed the difficulty locating the Human Resources Grievance procedures from their website and the discrepancy between the name of the procedures, *Grievance Procedures for Non-Academic Staff*, and the description within the "Scope" section of the document which appears to include "Academic Staff"
4. We discussed the need for appropriate professional representation based on race and gender within each resource.
5. We discussed and reviewed the parameters and design of the first draft of the flow chart.
 - A. Within each UNO resource the chart will provide:
 1. Name of UNO unit
 2. Contact person
 3. Scope of complaints
 4. Process
 5. Outcome
6. Recognizing that many of the UNO resources' functions overlap, we discussed the need for a visual (*Zen Chart*) that clarified the similarities and dissimilarities. The director of Ombuds Services is collaborating with our project and will be a vital part of sorting out some of this information.
7. Our next meeting is November 23rd at 11:30. Laura Wakefield will be joining us to talk about HR.

D. Committee on Goals and Directions: Senator Schulz

1. Discussed the laddering proposal for Instructors
 - A. Reviewed the discussion and vote taken at the last meeting of the Faculty Senate
 - B. No action items at this time
2. Adjunct Support
 - A. Reviewed a draft of a proposal to increase support for Part-Time Instructors
 - B. Discussed suggestions about establishing an Office of Liaison to Part-Time Instructors
 - C. Identified benefits of centralized representation and oversight of Part-Time Instructors
 - D. Discussed challenges and gaps in support experienced by Part-Time Instructors
 - E. Identified several areas of increased support
 1. Parking, technology, fees for the wellness center, conflict resolution

- F. Action item: Review and update draft
- 3. Sustainability
 - A. Senator Maher provided an update from Kristina Hughes
 - B. Action item: Identify an opportunity for the Faculty Senate to support a specific initiative on sustainability

E. Professional Development: Senator Rech

1. Lack of awareness of a standard maternity leave for faculty among academic units.
2. Revisited an item from the 19-20 committee regarding the sexual misconduct policy. Will ask for clarification on the policy and the protection that is afforded faculty.
3. Request facility planning to involve faculty in DSC be involved in renovation plans. (Goals & Directions Committee has been asked to address this.)
4. In 19-20 the committee discussed a children in the workplace policy. The committee will explore options available for sick childcare for employees, as well as emergency childcare.

Vice-Chancellor Kopp informed Senator Rech that Vanessa Warren in the Academic Affairs office is also working on childcare options for faculty and the committee is encouraged to contact her.

F. Committee on Committees: Senator Anderson

1. Accepted the resignation of Patrice Proulx from the UCRCA. She intends to submit a proposal but UCRCA rules say that committee members may not submit proposals.
 - A. We are looking for a replacement for this A&S Humanities spot.
2. Assigned out committees by the “buckets” among the members of the CoC to contact
 - A. Academic & Curricular Affairs Committees (5 total) – AMY
 - B. Educational Resources & Services Committees (4 total) – SONG
 - C. Faculty Personnel & Welfare Committees (7 total) – LISA
 - D. Goals & Direction Committees (7 total) – DERRICK N.
 - E. Professional Development Committees (1 total) – SONG
3. We are working between our internal database (cHarmony) and the Faculty Senate Involvement webpage to make sure we have the correct committee member lists and so that each committee can be sure to elect a chair if there is not one already. Some committees are not/have not been meeting because there is no elected chair.

V. Other Faculty Senate Committees

A. Ad hoc Committee on Faculty Advancement: Senator Ostler

1. Vote on new language for the Non-tenure track Faculty Advancement proposal

WHEREAS the Faculty Senate ad hoc Committee on Faculty Advancement has met with instructional faculty (instructors and lecturers), spoken with cognizant campus officials, and examined other institutional models of ladder advancement

WHEREAS the committee has identified a need for continued instructional faculty advancement through career laddering

WHEREAS the committee has constructed a model of advancement to meet this need and provided the attached Instructional Faculty Promotion/Rank System Proposal

WHEREAS the Faculty Senate has reviewed the proposal and finds that it would improve the careers of instructional faculty and help retain talented educators on the UNO campus

BE IT RESOLVED that the UNO Faculty Senate does hereby present the Proposal to the colleges and university for consideration and possible implementation.

Senator Qureshi took control of the meeting to allow Senator Ostler to present the new language of the proposal.

The motion to approve the proposal passed.

Senator Ostler took back control of the meeting.

B. Ad hoc Committee on Teaching Evaluation: Senator Surface

VI. Non-Senate Committee Report(s)

VII. Unfinished Business

A. Election of a Second Standing Committee chair as an Executive Officer

Senator Stacy was nominated and accepted the position of Second Standing Committee Chair

VIII. For the Good of the Order

A. UNO Faculty Senate President being selected at the December Meeting

IX. New Business

A. Invitation for reviews

1. Invitation for reviews of the Attached DEAI University of California Document to be forwarded to President Ostler. Former UNO FS President Kelly has asked that we review this document as part of a vetting process for possible new DEAI activities and initiatives on this campus

B. Proposed Bylaw Change for Administrative Leave and Termination of faculty

1. We need to make sure UNO FS votes on whether to ratify... Nicole Buan UNL Faculty Senate wrote, "UNL Faculty Senate has been working closely with NU General Counsel and UNL Administration to draft language that the faculty and Administration can jointly support. After many months of negotiation we have developed the attached

proposed language that is both consistent with employment law and protects academic freedom. Care was taken to ensure the language is consistent with faculty governance proceedings on each campus. We have already received assurance that our Chancellor and NU President Carter support the document. However, in order to submit the changes for BOR for approval we would again need ratification by UNK, UNMC, and UNO.”

2. **WHEREAS** a change to the University of Nebraska Board of Regents Bylaws requires the ratification of said changes by the Faculty Senates of all four campuses, and **WHEREAS** the UNL Faculty Senate has worked with NU General Counsel and the NU Administration to frame new Bylaws Language as follows:

- Previous proposed changes to sections 3.4.4 and 4.6-4.12 are retained.
- Section 4.13 Provides a new section that defines Administrative Leave of Absence
- Section 4.15.2b Provides due process for defined-term faculty through end of contract
- Section 4.15.2i Requires a process for evaluating the need for immediate suspension
- 4.16.2b Removes investigatory hearing by the Committee
- 4.16.2f Allows the Committee to recommend a wider variety of sanctions
- 4.16.2h New section that clarifies that Faculty cannot be relieved of or assigned other duties until the sanction is warranted
- 4.16.3 Adds original Bylaws language back, new language ensures that Administrators cannot be continually tried by the Faculty Committee

BE IT RESOLVED that the Faculty Senate of the University of Nebraska at Omaha does hereby ratify the recommended Board of Regents Bylaw changes to the Sections stated above and as represented by the UNL Faculty Senate.

Resolution passed with 24 votes in favor.

X. Adjourn at 3:29 p.m.