

## 2019-2020 Faculty Senate Agenda

Wednesday, October 9, 2019, 2p.m.  
Community Engagement Center 230/231

**Members:** Adidam, Anderson, Barone, Brownlee, Cast-Brede, Chen, Davidson, DeSanti, Escayg, Garcia, Hale, Helm, Huq, Kelly, Kilinc, King, Lee, Logsdon, Maher, Nero, Ostler, Paine, Podariu, Qureshi, Randall, Rech, Rogers, Schoenbeck, Shaw, Sim, Siy, Surface, Volkman, Wessling, Woody, Zhong

**Excused:** Nelson

- I. **Official Call to Order:** President Hale
- II. **Presentation and Approval of Minutes:** September 11, 2019 (Agenda Attachments – pgs. 1-11)
- III. **Officers' Reports**
  - a. **President's Report:** Senator Hale

September 30, 2019  
Dear Colleagues,

I hope this note finds you well. This month's update from Faculty Senate is intended to be thematic. It is the first of several deep dives into areas of focus the senate is working on. This month's theme focuses on actions the senate is taking to make UNO systemically more respectful of your time as faculty. Mindful of irony, I will keep my comments as short and to the point as possible, without loss of context.

### Context and Challenges

In my time as president and across my time as a UNO Faculty member, I have had the pleasure to serve our students, staff, and community on various committees around our campus.

Observations I've made over this time, in conversations with you, is that we, as a campus, 1) have a lot of committees with sometimes unclear, overlapping, and/or vestigial charges, 2) place unnecessary structural/procedural inhibitors on effective and efficient faculty shared governance, and 3) don't always do a great job of communicating the numerous outcomes of faculty service that positively impact our campus and community.

To keep this discussion focused, I will examine each of these observations point-by-point for clarity and talk about the concrete actions senate is taking on to address the associated problems.

### Problem number 1: Clarity of governance structure and purpose

First, we have a lot of campus committees. Funny enough, no one I've met on campus can come up with a definitive, fully enumerated, list of campus committees.

Each year, Faculty Senate - as the representational group that embodies the voice of faculty in shared governance - is tasked with identifying faculty to serve on campus committees. For the past 20+ years, or so I am told, we've been sending out the "yellow sheet" once a year to solicit volunteers for committees. The yellow sheet is a piece of paper with the list of committees senate knows about. The list is kept up-to-date as best as possible, considering that the committees we are matching faculty to do not have administratively mandated direct reporting relationships to the senate. The sheet we send out doesn't include committee descriptions, charges, or expected time commitments because, in many cases the senate doesn't always have access to this information.

This is what I will label "problem number 1: clarity of governance structure and purpose." A component of the problem is that historically units on campus have created committees outside of a

process. Without a central registry, committees are often spun-up, spun down, or re-tasked with different charges.

To address this issue, the Faculty Senate has asked Chancellor Gold to work with the business units and vice chancellors on campus to create lists of committees operated from their offices. We've asked that the list includes details such as name, description/charge, composition, membership criteria, and frequency and duration of meeting times. In our September executive officer and administration meeting (EO&A), Chancellor Gold reported that he had already tasked the units as requested and that we would be beginning to receive reports from them on this question.

We will be compiling this data into a repository and creating tools for the senate to keep it up-to-date in the future in partnership with administration that needs and requests faculty service across their domain areas.

#### Problem number 2: Structural / procedural hurdles to service

The second observation relates to how we go about our committee business and the types of processes and techniques we make use of to ensure time is used effectively.

In a recent 2015 TED talk, Tony Fadell, a famous product designer from Apple who created the iPod, talks about effective design as the art of "noticing small problems," recognizing habituation that acclimates people to a kind of non-optimal normalcy, and re-thinking inefficient solutions for improvement. He says "it doesn't matter what you're doing, if you take a step back and look at all the boxes [ in a process], maybe there's a way to remove one or combine one to make that process much simpler."

This idea very much resonated for me in my observations of shared governance processes. We should strive to reduce the minutiae, because over time each small inefficiency adds up to a large one. Going back to the yellow sheet example: Why collect faculty interest yearly via a paper sheet when we could digitize this? If we digitize this, why not maintain interests year-to-year and let faculty just update them if they change? If we maintain interests, why not also make it easier for senate to manage and keep track of committee membership? Why should we not connect this membership management system to the repository of committee details - so interested faculty can make more informed decisions about service commitments? At the end of this thought process, even this one change could result in hundreds of hours of time saved.

This discussion of improvement also resonates when I think of how we use our meeting time and how we archive the product of our labor. A committee meeting that is one hour long but that uses its time effectively might be both more constructive and less time consuming than a longer, less effective meeting. It is also beneficial for committees to document their efforts so that later committees don't constantly duplicate or reinvent the wheel.

These are the kinds of questions the senate is asking and working through right now. We are creating a web application to replace the interest survey. We are also thinking about institutional processes that can be improved to make it easier for faculty across campus to serve.

#### Problem number 3: Communications and transparency

A clear hurdle to effective shared governance is participation. Faculty who feel their time is used productively and in a way that produces results for their students, colleagues, campus, and/or community are more likely to find service meaningful - and thereby more likely to serve in the future.

The senate, and campus-level committees, could do a lot better at communicating our mission and the results we achieve through action. This very letter, started by my recent predecessors, is a concrete action undertaken with this intent.

The letter, while hopefully helpful, is not enough. Another action senate is taking in this area is to completely overhaul its web presence to better a) communicate its mission, b) clarify procedures and processes faculty can make use of for issue resolution and representation, c) act as a one-stop-shop for faculty governance information, and d) to report the outcomes of its actions.

We hope to make further announcements as this overhaul proceeds. I would like to give a shout-out to our new Faculty Senate Coordinator Lisa Daubman for her efforts in this space.

#### Other updates

Finally, to ensure you stay up-to-date with happenings around campus, I have aggregated relevant knowledge senate is aware of below.

I will start on a positive note by saying thank you to those that attended the sessions with Virginia Valian. I found her forum, and faculty workshops on diversity and inclusion on campus to be very engaging and insightful. Also, I was happy to see many of you at the Octoberfest event sponsored by Staff Advisory Council and Faculty Senate.

Chancellor Gold, at our recent EO&A meeting, mentioned that the NU President Search is proceeding forward. He reported, in response to questions raised at the recent listening sessions, that there is a diverse pool of candidates and that he expected the so-called “airport interviews” to start soon. In response to senate inquiries regarding the state of the graduate student healthcare status at the NU system level, Chancellor Gold said that central administration has set up a new committee to explore actionable pathways to address costs. The committee is exploring self-insurance or requiring all graduate student participation as potential options for mitigating the increasing plan costs currently being covered by one-time stopgap funding. Chancellor Gold has appointed several faculty members to this committee with expertise in this area.

SVC Kopp reported to the senate that the College of Business Dean search is ongoing and is working towards identification of a candidate short list. The candidates are expected to be announced soon. He also reported, as was sent out to the campus, on the search for the Vice Chancellor of Inclusion. Four candidates will participate in on-campus interviews later in October and November. There is also a new search for an Assistant Vice Chancellor of Curriculum and Programs to better clarify and structure the Academic Affairs office. Finally, as an update to the big ideas signature program proposal process, SVC Kopp reports that pre-proposals were submitted on Oct. 1. Final proposals are due Nov. 25th and are expected to be evaluated by January 6th.

Best Wishes,

Matt Hale, UNO Faculty Senate President 2019-2020

**b. Secretary/Treasurer Report: Senator Davidson**

1. EO&A: Meeting was held September 18, 2019 at 2pm in EAB200. Attendees: Batton, Davidson, Ewald, Gold, Kopp, Pettid, Qureshi, Smith-Howell, Toman

**1. Chancellor Gold Updates**

- a. Fall semester enrollment data indicates UNO is down 1.8%. Non-resident, transfer and international students are up. There is an approximate \$185-200,000 deficit. UNO has an increase in credit hours per students which helps

make up some of the loss from enrollment. Engagement of staff, faculty, and counselors is imperative.

- b. There is an approximately 20-million-dollar loss because of bottle-neck courses.
- c. NU President Search – There is a diverse pool of candidates and the committee is moving forward with approximately a quarter of the candidates.

**2. SVC Kopp Updates**

- a. College of Business Dean search is ongoing. The committee has selected a short list. 4 qualified candidates will be announced soon.
- b. There is a search for Vice Chancellor of Inclusion. 4 candidates will participate in on campus interviews in later part of October/beginning of November.
- c. These is a search for an Assistant Vice Chancellor of Curriculum & Programs currently underway.
- d. Big Ideas pre-proposals will be collected on Oct. 1, Nov. 25 final proposals will be selected, and evaluation of those final proposals will be done by January 6 so selected proposals can move forward.

**3. Faculty Senate Updates**

- a. Faculty Senate acknowledged support for policy regarding “Naming of facilities & organizational units”.
- b. Faculty Senate acknowledged support of the development of faculty survey on the University of Nebraska acquisition of Crossroads Mall to be sent out to all faculty.
- c. Resolutions were acknowledged.
- d. Campus governance overhaul initiative including (1) Updating campus committee list – charge, composition, reporting structure; (2) Faculty interest surveying and committee matchmaking app; and (3) Faculty Senate website revisions and improved communications. Chancellor Gold recommends that we also get a list of system-wide initiatives/committees.
- e. Non-tenure-track faculty advancement ladder was discussed, and it was suggested a study be done of other universities to see what they are doing.
- f. Retiring faculty information sheet is being created and it was suggested to include Gina Toman in this discussion.
- g. Graduate & International student health insurance - Central administration committee has been set up. Two choices are being discussed: to require it of all students or become self-insured.

**2019-2020 Resolution Action Table  
(Action Pending and Current Resolutions)**

<b>Res.#</b>	<b>Date Senate Passed</b>	<b>Title</b>	<b>Admin Accept</b>	<b>Sent for Senate Action</b>	<b>Denied/Deferred/In Progress</b>	<b>Final Action/Resolved</b>
4384	9/4/2019	Resignation & Replacement of Shelly Cooper	9/18/2019			Acknowledged
4385	9/4/2019	GD Committee Replacement	9/18/2019			Acknowledged

4386	9/11/2019	Faculty Grievance Committee	9/18/2019			Acknowledged
4387	9/11/2019	Professional Conduct Committee	9/18/2019			Acknowledged
4388	9/11/2019	UNO Athletics Committee	9/18/2019			Acknowledged
4389	9/4/2019	UCRCA Replacement	9/18/2019			Acknowledged
<b>CARRIED FORWARD</b>						

2. Treasurer’s Report: September 2019 (Agenda Attachment – pg. 12)

**IV. Executive Council:** Senator Surface

**V. Standing Committee Reports**

**a. Committee on Academic & Curricular Affairs:** Senator Woody

9/25/19, 2pm, TAC Leslie Room; Attendance: Nelson, Randall, Siy, Wessling, Woody

**1. Plagiarism**

A memorandum on academic integrity (e.g., evaluation form, plagiarism) was received from Trent Fredericksen. Concern was expressed about how data from student evaluations of faculty was being used. There will be follow-up on this matter, and a report to the FacSen is anticipated.

**2. Teaching Evaluation Form**

The committee also discussed that it does at times feel as if the response rates are used as one of the dimensions of faculty evaluation. Anecdotes were shared about individual experiences and frustration. Siy will draft a memo for the next meeting.

**3. Calea**

Motion for Faculty and Personnel Welfare Committee to take on Calea for UNO. *No discussion. Motion passes.*

**4. A&S Interdisciplinary Program**

There was discussion, albeit with minimal information, about (1) the forthcoming A&S interdisciplinary program and (2) the need for a report on the progress for accreditation of the UNO law enforcement program.

**5. A description of a proposed Center for Biomedical Informatics Research and Innovation (CBIRI) was received. It was agreed that representatives for the Center would be requested to attend the next meeting of the ACAC.**

**b. Committee on Educational Resources & Services:** Senator Schoenbeck

9/25/19; Present: M. Davidson, J. Lee, J. Surface, M. Schoenbeck, J. Shaw, A. Zhong

**Paul Beck Memorial Scholarship**

Jean Phillips of Financial Support and Scholarships met with the committee to explain changes accompanying the incorporation of the Paul Beck Memorial Scholarship application process within MavLink.

1. It would no longer be necessary to solicit applications; rather, scholarship applicants with appropriate profiles would be prompted to apply for the Paul Beck Scholarship. Criteria used to determine which profiles are appropriate can be edited if there is a need to update the application criteria.
2. Features within MavLink will provide additional information that might be useful in choosing award recipients. The degree of financial need may be estimated through a combination of FAFSA-reported Federal Financial Need and the numbers and amounts of other awards and scholarships already received. Settings within MavLink will allow the inclusion of applicants whose citizenship status is “other,” and who, as a consequence, do not have a FAFSA Financial Need score.
3. Faculty letters in support of applicants will be solicited and submitted directly through MavLink.
4. Filter functions within MavLink will permit the awarding committee to apply criteria for ranking applicants.

Marlina Davidson has updated the Scholarship application instructions to match the process as it will occur within MavLink.

**c. Committee on Faculty Personnel & Welfare:** Senator Garcia

Senators García, Huq, Helm, and Sim met on September 25 at 11:30; senators Rogers and Kilinc were excused.

We hosted Dr. Gina Toman, Dr. Batton, and Dr. Hein. The FW&P Committee has been trying to address accessibility to all information pertaining to faculty (guidelines, policies, resources, etc.) on UNO’s website. Specifically, we felt the information was dispersed and difficult to find. This issue has been part of FW&P since 2016-2017.

Our conversation brought to light the following:

1. There has been a major website update since FW&P inquiry started. At the moment, information relevant to faculty is accessed through:
  - a. “Academics” tab; and then “Academic Affairs”; and then “Faculty Support”, which houses tabs for Faculty Senate, Center for Faculty Excellence, Faculty Development Fellowships, RPT, Faculty credentials Qualification, Faculty Workload Policy, Collective Bargaining Agreement, AAUP.
  - b. “Center for Faculty Excellence” tab will direct the user to “Faculty Resources” tab, allowing access to New Faculty, UNO Faculty Resources, Chairs & Directors, Incident Reporting, Digital Systems, Firefly, ITS Technical Support, Qualtrics.
  - c. On the footer of the UNO homepage, under “Popular Services and Resources” there’s an additional link to “Center for Faculty Excellence”.
  - d. Part of the Information can also be accessed through My unomaha, under the “For Faculty and Staff” rubric (Center for Faculty Excellence, Policies, Benefits, Campus Safety, Faculty Senate, and a few others).

So, although the information seems to have been partially consolidated and it’s fairly simple to navigate, it is still not visible enough and easy to access. As a user, it still feels you can’t find all there is to know in just one place.

FW&P would like to see a tab “Faculty Life” on the UNO homepage, which would allow easy and direct access to all of the above, and maybe more (if we think of recruitment and retention purposes, especially of diverse faculty, there should be further information to be developed –about the area, faculty life, etc.). The fact that such a tab is missing but others like Student Life, Athletics, and Alumni

have been included, speaks volumes –faculty concerns are secondary; we are important but “less so” than other constituents.

FW&P would like to discuss within the FS the possibility of submitting a Recommendation that the UNO Webpage be changed to include a “Faculty” tab. If the recommendation passes, it would reach the Executive Council; then the Meeting with the Chancellor; and next the Web Governance.

We also brainstormed a few options, that would provide additional paths to access Faculty Support information if a Faculty tab was not be added to the UNO homepage. Dr. Hien and Batton took down notes about them.

*Further Discussion: Senator Garcia is working on a resolution to bring to the upcoming Faculty Senate Meeting, as new business, regarding relocating a Faculty Resource Link to the top of the unomaha.edu webpage.*

**d. Committee on Goals & Directions: Senator Ostler**

**Attending Senators:** Chen, King, Logsdon, Ostler

**Absent:** Kelly (Excused), Maher (Excused)

**Report on AGENDA Items 9-25-2019:**

**1. Ongoing/Pending Items**

- a. *Non-Response Sexual Assault:* The committee reviewed and discussed possible resources both within and external to the university. In particular, we made plans to meet face-to-face with Campus Security and the Behavioral Review Team (BRT) here at UNO to learn how to better leverage current resources. One of the community resources that we will be contacting is the Women’s Center for Advancement (WCA) to gain additional insight on developing extended partnerships and overcoming barriers to reporting assault incidences. Because “Non-Response” of assault victims is at the center of this issue, we are currently focusing our information gathering on the centralization and communication of available options both here at UNO and within the community. While the goal is to reduce the incidents of assault, we hope to provide timely information to victims to encourage reporting in a secure and trusted manner, and the immediate start to healthy recovery. At the next meeting of Goals and Directions, we will present our findings and begin to form action items.
- b. *Adjunct Instructor (Instructor, Lecturer, Prof. of Practice) Policy:* The committee is currently reviewing a document from Vice Chancellor Kopp’s office that overviews existing policy for Adjunct Instructors (in temporary contract positions) and Instructors, Lecturers and Professors of Practice (in annual contract positions) and options for establishing rank and promotion for various levels of instructors. It was noted that we will need to carefully consider changes to any existing policy because of our responsibilities in Collective Bargaining as part of the AAUP process. Eventually we will need to present any changes to an AAUP representative. Any agreed upon changes will need to be part of the entire collective bargaining package rather than considered independently. The Goals and Directions committee will be hosting a small panel of adjunct instructors to gather additional information and perspectives to help us in the action phase of this item.

**1. New Items**

- a. As the university is in the process of Priority Program Identification, the Goals and Directions Committee believes we should engaged as early as possible in this process as it is at the core of our responsibilities as the Goals and Directions Committee. We believe the Faculty Senate should have more information and greater engagement in this process.

This item will be discussed in detail at the October Goals and Directions Committee meeting

e. **Professional Development:** Senator Cast-Brede Senator Cast-Brede (Senator DeSanti was present in Senator Cast-Brede's place.)

a. **Graduate Assistant Insurance Plan**

1. Met with Tara White and Amy Forsythe, UNO Insurance Enrollment Specialists who work with the student insurance enrollment. Plan is with UnitedHealthCare, covers health, dental, and prescription drug coverage.
2. 2018-2019 had a high loss ratio due to increased number of claims
3. Premium rates increased 18%
4. Students' out of pocket stayed the same (\$2,200)

b. **Graduate Assistants Contract includes credit to help with insurance**

1. 79% credit paid for by the department
2. 21% paid by students (\$278.38 for fall; \$375.83 for spring/summer)
3. Grad assistants have the option to enroll or decline
4. International grad assistants must enroll

c. **Possible actions to address increasing rates**

d. Kevin Harford (Central Administration, VP for Business & Finance) has hired consulting firm Gallagher to review the plan for possible solutions

1. Looking to increase enrollment in the student plan to manage rates.
2. Possible options to increase enrollment
  - a. Improved communication with students. Many do not realize that there is a student insurance plan.
3. Make all full-time students enroll. They can decline if they have proof of other insurance. UNMC already automatically enrolls students in insurance plan.

e. **Next step:** What peer institutions were considered? Meet with Kevin Harford regarding solutions.

f. **Committee on Committees:** Senator Qureshi

a. **RESOLUTION 4390: Academic Freedom & Tenure Committee**

Motion from Committee on Committees. In accordance with Article VIII.B.1 of the Faculty Senate Bylaws, the ballot distributed to all faculty for election to the Academic Freedom and Tenure Committee shall include the following nominees:

1. two tenured faculty members to be elected from the following four nominees to serve three-year terms from October 16, 2019, through October 19, 2022, to replace Anne Fruhling (IS&T) and Janice Rech (A&S), whose terms will expire,

Matt Germonprez (IS&T) (71 For)

Robin Gandhi (IS&T) (108 For)

Carol Ebdon (CPACS) (141 For – Elected)

Chris Allen (CFAM) (151 For – Elected)

2. one tenured faculty member to be elected from the following two nominees to serve a one-year term from October 16, 2019, through October 21, 2020, to replace Laura Grams (A&S), who will be on sabbatical for the academic year 2019-2020,

Lisa Scherer (A&S) (139 For – Elected)

Adrian Duran (CFAM) (103 For)

3. and one untenured faculty member to be elected from the following two nominees to serve a three-year term from October 16, 2019, through October 19, 2022, to replace Vivien Marmelat (HPER), whose term will expire

Tenace Kwaku Setor (IS&T) (67 For)

**Miriam Kuhn (ED) (174 For – Elected)**

#### **VI. Other Faculty Senate Committees**

- a. **Faculty Senate Budget Advisory Committee Report:** Ebdon, Eesley, Hall
- b. **Ad hoc UNO-UNMC Faculty-to-Faculty Communication & Collaboration Committee:** Senator Kelly  
Per Senator Kelly, No Report.

#### **VII. Non-Senate Committee Reports**

Senator Qureshi report from the September 20th AAUP Meeting.

1. Non-tenure Track Ladder
  - a. Non-tenure faculty promotions will utilize the faculty contract over the Board of Regents contract.
2. Senator Qureshi invited Senator Ostler to speak at the next AAUP Meeting.
3. Merit Pay
  - a. A survey is being conducted to other universities.
  - b. Limited funds are made available for merit pay.

#### **VIII. Unfinished Business**

#### **IX. For the Good of the Order**

#### **X. New Business**

- a. **Policies Under Review** (agenda attachment – pg. 13-15)  
**Royalty Distribution Policy** - [https://www.unomaha.edu/news/2019/09/proposed-new-policy-royalty-and-equity-distribution.php?utm\\_medium=email&utm\\_source=newsletter&utm\\_campaign=mavdaily&utm\\_content=today](https://www.unomaha.edu/news/2019/09/proposed-new-policy-royalty-and-equity-distribution.php?utm_medium=email&utm_source=newsletter&utm_campaign=mavdaily&utm_content=today)
- b. **Censure Bylaw Changes** (agenda attachment – pg. 16-28)

#### **XI. Announcements**

##### **a. Information about CISCO Cyber Defense Clinic & Threat Hunting Workshop**

1. Attached (<https://training.unl.edu>) is the flyer for National Cybersecurity Awareness Month. You'll see the CISCO events are listed and people are free to register now on the site, anyone in the University of Nebraska system can use it and register for events.)

**XII. Adjourn**

Schedule for 2019-2020		
EC Meetings (Usually 1 <sup>st</sup> Wed. of month)	Faculty Senate Meetings (Usually 2 <sup>nd</sup> Wed. of month)	EO&A Meetings (Usually 3 <sup>rd</sup> Wed. of month)
June 5	June	June 19
July 10	July	July 17
August 7	August 21, 2019 Retreat/ <i>Classes begin 8/26/19</i>	No meeting
September 4	September 11	September 18
October 2	October 9	October 16
November 6	November 13	November 20
December 4	December 11 <i>Prep Week/Commencement 12/20</i>	December 18
January 8, 2020/ <i>Semester Begins 1/13/20</i>	January 15	January 22
February 5	February 12	February 19
March 4	March 11/ <i>Spring Break 3/22-29</i>	March 18
April 1	April 8	April 15

# Attachments

## 2019-2020 Faculty Senate Minutes

Wednesday, September 11, 2019, 2p.m.

Community Engagement Center 230/231

**Present:** Adidam, Anderson, Barone, Brownlee, Cast-Brede, Davidson, DeSanti, Escayg, Garcia, Hale, Helm, Kelly, Kilinc, King, Logsdon, Maher, Nero, Ostler, Paine, Podariu, Qureshi, Randall, Schoenbeck, Shaw, Siy, Surface, Volkman, Wessling, Zhong

**Excused:** Huq, Nelson, Rech

**Absent:** Lee, Rogers, Sharif-Kashani, Sim, Woody

- I. **The meeting was Called to Order** by President Hale at 2:04 p.m.
- II. **The Minutes** of August 21, 2019 were approved as submitted.
- III. **Officers' Reports**
  - a. **President's Report:** Senator Hale

August 31, 2019

Dear Colleagues,

Welcome back to a new academic year at UNO. I am excited to see our students return to campus.

UNO Faculty Senate continues to be active in representing you as part of our commitment to shared governance on campus. At our Fall retreat, we heard from Chancellor Gold and Senior Vice Chancellor Sacha Kopp about the state of our university and in regard to new and existing initiatives on campus focused on strategic and continuous campus improvements. We also heard from NU Vice President for IT and CIO Bret Blackman, and Director of Public Safety Charlotte Evans in regard to IT and public safety issues on campus. I've highlighted a few salient points that emerged from those discussions below.

The University's fiscal position is better than the past few years  
Chancellor Gold updated faculty senate on the specifics of the budget. Enrollment is very slightly down, but the number of credit hours taken on campus is up. This, combined with a 2.7% state appropriation increase and a 2.75% tuition rate increase, has given UNO some budgetary breathing room compared to prior years. That said, enrollment and retention remain a key focus for the coming years.

Strategic Planning: Moving the University in the right direction

UNO has been actively strategic planning over the past several years and recent efforts have been crystallized into 4 primary strategic goals: student centeredness, academic excellence, community engagement, and institutional quality. Chancellor Gold is fond of quoting, Eisenhower as saying "I have always found that plans are useless, but planning is indispensable." The quote captures the high-level discussion faculty senate had with the Chancellor. He highlighted on-going efforts by the Strategic Planning Steering Committee as key steps in making the campus better, while noting that plans are not created to be filed away, but instead to be acted upon. The most salient strategic focal points include improving student retention, identifying signature areas of academic excellence to build upon, and staff and faculty climate improvements. I've summarized Chancellor Gold's points as

well as my own observations, as a member of the Strategic Planning Steering Committee, on each of these initiatives below.

#### Strategic Planning: The Completion Imperative

The first goal of the UNO Strategic Plan is “student centeredness, and in particular the “Completion Imperative” which seeks to improve student retention and degree completion. Last month, on August 14, committees comprised of faculty and staff presented their recommendations to the Strategic Planning Steering Committee after a year of work. Following these recommendations, Senior Vice Chancellor of Academic Affairs Sacha Kopp presented a plan to Chancellor Gold and the Chancellor’s cabinet to fund these as pilot projects over three years. He is taking a data-oriented approach to allocate those funds in ways that best break down known barriers that intercede in student degree completion and retention. Based on prior data collected at UNO, we know that close to 50% of incoming first-time students are struggling to decide-on and select an academic program of study. These students have a much lower likelihood to complete a degree at UNO. Following the recommendations of the Completion Imperative task forces, the following funding priorities were identified:

First, professional academic advising. Having advising staff that can assist students as they navigate early college enrollment has been shown to be a key factor in retention. The SVC’s office will be providing new FTE funding for academic advisors in ACDC and the colleges where advising ratios are less optimal.

Second, a proposal from the College of Arts and Sciences to immediately integrate undeclared students in a major, called “Interdisciplinary Studies.” The new major immediately connects students to faculty and gives students an academic identity when they are undecided while helping to expose and connect them to the different degree options from all of the colleges at UNO.

Third, a new “summer bridge program” will be funded by academic affairs to help students make the transition from high school to college. This program will focus on preparing incoming students with academic risk indicators with the skills they need to succeed.

Fourth, the Office of Academic Affairs will fund online development of key courses in the general education curriculum which have been barriers to timely completion of degrees.

SVC Kopp says that as these initiatives come online his office will be taking a close look at metrics of success to determine if these efforts are making an impact on retention.

Lastly, related to the completion imperative, Vice Chancellor for Student Success Dan Ship mentioned that his office is examining university fees and tuition to explore the possibility of providing transparent inclusive tuition prices that make it easier for students to identify cost. His office is also examining alternative tuition pay models that can help students stay enrolled.

#### Strategic Planning: Signature academic programs

Another new effort focuses on goals 2 and 3 in the UNO strategic plan seeks to establish so-called “signature academic programs” at UNO. Using the NU “big ideas” initiatives as a model, SVC Kopp and Academic Affairs have announced to Faculty Senate that they will be creating a UNO Campus level big ideas initiative to identify 4-5 programs on campus as areas for strategic growth and as areas

of campus identify. The process proposed will solicit proposals from faculty, departments, and deans from across the campus. Proposals should emphasize cross-college collaboration, partnerships with key external university institutional partners and community organizations, and where possible demonstrable potential to realize external funding. SVC Kopp emailed the campus community the outline of this process earlier this month; all are encouraged to participate in this process.

#### Strategic Planning: Staff and Faculty Climate improvements

Thank you once again to those that participated in the RESPECT survey. Chancellor Gold told the Faculty Senate that the data from the survey is being used to improve faculty and staff climate. Key issues identified in the survey related to compensation, workload assignment, and sense of presence. I am happy to announce that our colleagues in the Staff Advisory Council have worked with Chancellor Gold to create a staff professional development program. Faculty Senate is also working on several faculty areas of concern including the state of parking on campus, making our service and governance structures leaner and more effective, and on ensuring our faculty and staff have advancement ladders. On this last point, we have begun conversations about how we can ensure non-tenure track faculty, such as Instructors and Lecturers, have reward and advancement opportunities at UNO commensurate with their careers of service at UNO. We anticipate further discussions with AAUP and senior administration about career advancement.

#### Outcomes of Faculty Senate Actions

This summer has been very active for senate. Over the summer, the Senate work resulted in several major achievements. First, UMR has substantially increased mental health provider reimbursement rates. Thanks once again to Past President Chris Kelly and Chancellor Gold for their leadership in this matter. Second, the Faculty Senate Goals and Directions Subcommittee, chaired by Senator Elliott Ostler, worked over the summer with outgoing Chair Bradley Bereitschaft to submit a grant in partnership with UNO to bring solar panels and renewable energy to the UNO Campus. The commitment to green energy options on campus is one that Faculty Senate continues to explore and advocate for. Third, I am happy to announce that the Reclaim Hosting Service for faculty web pages is now online. Those interested in establishing a faculty web page using reclaim should be able to contact your college IT representative for more details. Jaci Lindberg, Director of Digital Learning, and Bret Blackman (Vice President for IT and CIO) have been very helpful in this process to bring Reclaim to UNO. Fourth, the Faculty Senate Committee on Committees, chaired by Senator Sajda Qureshi, is working hard to streamline faculty governance on campus by improving senate connections to campus committees and by reducing bureaucracy. Finally, UNO hosted a series of listening sessions regarding the hiring of the next UN President all day September 4th. Members of the Board of Regents and the Presidential Search Advisory Committee were on-hand to hear faculty, staff, and student feedback during the Faculty Senate sponsored session. Thank you to those that were able to attend.

Best Wishes,  
Matt Hale, UNO Faculty Senate President 2019-2020

- b. Secretary/Treasurer Report: Senator Davidson**
  - 1. EO&A: No meeting was scheduled for August 2019.

2019-2020 Resolution Action Table (Action Pending & Current Resolutions)						
Res.#	Date Senate Passed	Title	Admin Accept	Sent for Senate Action	Denied/Deferred/In Progress	Final Action/Resolved
4382	8/21/2019	Committee on Committees Replacements	9/3/2019			Acknowledged
4383	8/21/2019	2 <sup>nd</sup> Chair Election of Elliott Ostler	9/3/2019			Acknowledged
<b>TO BE FOLLOWED UP</b>						
<b>CARRIED FORWARD</b>						

2. Treasurer’s Report: Senator Davidson gave the August 2019 Budget Report.

IV. **Executive Council:** Senator Surface moved the completion of the following resolution for the committee. Resolution passed.

a. **Completion of RESOLUTION 4384, 9/4/19:** Resignation and Replacement of Shelly Cooper, CFAM Senator

Whereas the Executive Council has accepted the resignation of CFAM Senator Shelly Cooper and the college has designated Jodeane Brownlee, CFAM according to Faculty Senate bylaws to fill the remainder of that term to May 13, 2021, the Faculty Senate welcomes Senator Brownlee and hereby appoints her to the Professional Development Committee for the remainder of the 2019-2020 Senate.

Senator Surface moved the completion of the following resolution for the committee. Resolution passed.

b. **RESOLUTION 4385, 9/4/19: BE IT RESOLVED** as Hamid Sharif-Kashani is on sabbatical for Fall 2019, the following faculty member will temporarily serve in his place on the Goals and Directions Committee (08/01/19 – 1/8/20):

Bing Chen.

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V. **Standing Committee Reports**

a. **Committee on Academic & Curricular Affairs:** Senator Woody

**PENDING**

**1. Plagiarism**

Senator Qureshi asked if anyone knew of any institutional support in keeping track of student plagiarism cases. Phil Covington, AVC for Student Success, was mentioned. Plagiarism was also noted in the recent Academic Integrity Policy.

(9/12/18: This was assigned to the Academic & Curricular Affairs Committee.)

We are still awaiting data and or policy information from Dr. Regina Toman related to grade changes. We have reached out to Dr. Phil Covington on the administrative implementation of the policy.

## **2. Student Evaluation Responses**

Since student evaluation of instruction moved from paper forms done in class to on-line, the response rate has been so low the data may not be a valid indication of what the form purports to determine. In some cases, the response rate itself has been improperly used in faculty evaluation; especially small sections may use no evaluation. The form itself may be part of the problem, relating to those who submit it as customers rather than learners.

Senator Huq would like to see Evaluation response increased. Hank Robinson will speak to the Professional Development Committee and there will be more to report then. Some questions are: What are the evaluations being used for? Is it cost effective? What information do students have about the evaluations?

(On 10/10/18: The task of consideration of the current student evaluation was accepted by the A&CA Committee.)

We had some discussion of this issue as well as the data we are waiting on with respect to how students view the timeliness of feedback. The committee was provided with the relevant section from the Board of Regents Bylaws (5.1.2):

Students can contribute significantly to the evaluation of instruction. The faculty has the obligation to solicit students' evaluation of their educational efforts and to make changes in accordance with their best judgment. To assist the faculty in the task of providing the best possible education, students should express their reactions and opinions about the character and relevancy of the instruction to the department or college involved. Each college or school should establish a standing procedure through which student evaluations can be expressed. We discussed the efforts led by Steve Bullock that led to the revamp of the SET form, number of years ago. The committee shared their own experiences from their colleges where it appears that they have some latitude with respect to defining the form of the evaluation process but there was also an acknowledgment that this was a herculean task and that might explain why there has been little activity yet with respect to making changes.

The committee also discussed that it does at times feel as if the response rates are used as one of the dimensions of faculty evaluation. Anecdotes were shared about individual experiences and frustration.

## **b. Committee on Educational Resources & Services: Senator Schoenbeck**

### **1. Paul Beck Memorial Scholarship**

- a. Given the low number of applications received by the initial deadline in the Spring of 2019 (prompting an extension of the deadline), we considered ways to increase the visibility of the award to potential applicants. It was noted that many scholarships applications are submitted and processed through MavLink; it was proposed that the Paul Beck Memorial Scholarship be added to MavLink with the hope that more qualified students would apply. Some modifications to the description of the scholarship have been proposed to reduce the number on non-qualified applicants. The committee is waiting for input from the Office of Financial Support and Scholarships regarding how to proceed.

- b. The committee proposed a rubric for the evaluation of scholarship applicants that, it is hoped, reflects the spirit of the scholarship, balancing academic performance and financial need with the goal of increasing student degree completion.
- c. **Committee on Faculty Personnel & Welfare: Senator Garcia**
  - 1. **August 28, 2019 Meeting**
    - a. Senators García and Huq (Chair and Vice-Chair of the Committee) met on August 28 at 2:00; senators Helm and Kilinc were excused. Due to Senators Rogers and Sim’s teaching schedules, this Committee will be meeting hereafter at 11:30 am on the last Wednesday of the month. Dr. Gina Toman was scheduled to come join us to discuss how to improve website accessibility of Faculty/Staff safety, policies, procedures and guidelines. Although she’d confirmed attendance a few days prior, she put the meeting off during Wednesday morning, but contacted Dr. Batton and Dr. Hein ton the Committee’s behalf to join us in our September meeting. Senators García and Huq briefly discussed: (1) a peer institution’s Faculty/Staff website which could be used as a model for the change we are seeking; (2) FW issues collected by Sen. García and which will be brought to the attention of the Committee when there’s quorum.

#### New Item

#### **2. Addressing Challenges Faced by Faculty**

#### PENDING

#### **3. Faculty/Staff Safety Process**

10/2017 cont.: Dr. Gina Toman has been named Faculty Human Resources Officer and Assistant to the Senior Vice Chancellor. She begins her new role on October 11.

We are interested in the administration developing a website similar to the Student Safety Website.

Note: We felt that the following site makes a good model:

<http://academicpersonnel.unc.edu/faculty-policies-procedures-guidelines/>

We expect Gina Toman will be help us address the request that there be a flow-chart that will help faculty understand and negotiate the many resources that are available:

Ombudsperson, EAP person, counseling, BRT, etc. What information is confidential, etc. This “flowchart” may manifest itself in the form of the website mentioned above.

(3/4/18 Info: Academic Affairs is doing a big website development.)

#### **4. Accessibility to Classroom IT Equipment**

(3/7/18): EC&C sent this item was to the ER&S Committee.

(8/15/18: ER&S moved to have this item sent to FP&W as this seems to be ergonomics.)

(11/7/18: EC&C more fully defined this item to how to direct our future efforts in trying to understand the design process for all Colleges and how faculty can be involved in this process. Are ADA directives followed, etc.?)

(4/3/19: EC&C agreed this was not a personal issue, but a Resource Issue, such as computer control/access areas in some classrooms are too low for all to access.)

(4/3/19: EC&C said this was more a resource issue, not a personal issue.)

#### **d. Committee on Goals & Directions: Senator Ostler**

#### **1. August 28, 2019 Meeting**

Attending Senators: Kelly, King, Logsdon, Maher, Ostler

Absent: Sharif-Kashani (Excused)

### PENDING

- a. Solar power project grant proposal to the Nebraska Environmental Trust is nearing completion and will be submitted prior to 9-15-2019. Request amount is still being decided but is currently at approximately \$300,000 not including university matching funds.
- b. The 2015/16 project on Faculty Senate liaisons to University Committees and digital repository of reports was briefly discussed. Senator Ostler will provide status from previous efforts of the Committee on Goals and Directions at the next G&D meeting (9-25-19)

### NEW

- c. The committee identified a series of actionable items (projects) for the 2019-2020 AY and prioritized the top two items as new focus areas; those being, actions on non-response sexual assault, and suggestions for policies concerning Adjunct Instructors; and separately, identifying and centralizing policies for Instructors, Lecturers, and Professors of Practice.
    1. Item 1 – non-response sexual assault justification: As the safety and well-being is a critical aspect of the university's part in the community, and necessary for the recruitment, retention, and development of students toward responsible citizenship; we believe that providing a safe and non-threatening environment for continued safety, health, and healing needs to be a priority for all staff, faculty, and administrative members of our university community.
    2. Item 2 – Adjunct Instructor (Instructor, Lecturer, Prof. of Practice) Policy justification: As critical individuals for the instructional offerings of the University of Nebraska at Omaha, we have concluded that clarification of existing policy needs to be shared beyond individual department policies. Additionally, a central point of information as to existing policies on conditions, advantages, and growth opportunities for these valued instructors is warranted based on the university's reliance on this category of faculty member.
  - d. The committee members are now engaged in data collection for both items to explore the existing university policy, existing repositories of data, and current resources so that actionable goals can be identified and pursued.
  - e. Parking
    1. It is difficult for faculty to get from north campus to south campus (PKI) in a timely way.
    2. Campus parking situations are making travel between the two more difficult and changes are being made without faculty consultation that are impacting faculty abilities to do their jobs.
- e. **Professional Development:** Senator Cast-Brede
1. **Committee did not meet in August 2019 – no report to give.**

### PENDING

- 2. Creation of an Easily Found List of What Retiring Faculty Need to Know for Retirement
  - a. (4/11/18: Sent to PD Committee.)  
(11/14/18: Planned action steps: HR will look at the creation of a list for those planning retirement.)  
(5/1/19: This was put on the next EO&A agenda)
- 3. Insurance for Graduate Assistants
  - a. Committee is following-up on specific details of the insurance plan.

f. **Committee on Committees:** Senator Qureshi moved the following resolutions (F.1. a-c), ballot to be sent to all faculty, for the Committee. It passed.

**1. Academic Freedom & Tenure Committee**

Motion from Committee on Committees. In accordance with Article VIII.B.1 of the Faculty Senate Bylaws, the ballot distributed to all faculty for election to the Academic Freedom and Tenure Committee shall include the following nominees:

- a. two tenured faculty members to be elected from the following four nominees to serve three-year terms from October 16, 2019, through October 19, 2022, to replace Anne Fruhling (IS&T) and Janice Rech (A&S), whose terms will expire,

Matt Germonprez (IS&T)

Robin Gandhi (IS&T)

Carol Ebdon (CPACS)

Chris Allen (CFAM)

- b. one tenured faculty member to be elected from the following two nominees to serve a one-year term from October 16, 2019, through October 21, 2020, to replace Laura Grams (A&S), who will be on sabbatical for the academic year 2019-2020,

Lisa Scherer (A&S)

Adrian Duran (CFAM)

- c. and one untenured faculty member to be elected from the following two nominees to serve a three-year term from October 16, 2019, through October 19, 2022, to replace Vivien Marmelat (HPER), whose term will expire

Tenace Kwaku Setor (IS&T)

Miriam Kuhn (ED)

After tallying the ballots, Senator Qureshi moved the following resolution for the Committee. It passed.

**2. Resolution 4386, 9/11/19: Faculty Grievance Committee:**

- a. Motion from Committee on Committees. In accordance with Article VIII.B.2 of its bylaws, the UNO Faculty Senate has elected from these two nominees brought by the Committee on Committees, both at rank of professor, the following faculty member to serve a three-year term from September 17, 2019, to September 21, 2022, as a member of the Faculty Grievance Committee, replacing Carol Ebdon (Public Administration, CBA), whose term has expired.

Victor Winter (IS&T) (13 For)

Ana Carballal (A&S) (15 For) ELECTED

- b. Furthermore, the Faculty Senate has elected from these two nominees brought by the Committee on Committees, both at rank of associate professor, the following

faculty member to serve a three-year term from September 17, 2019, to September 21, 2022, as a member of the Faculty Grievance Committee, replacing Amy Morris (Art & Art History, CFAM), whose term has expired.

Lisa Scherer (A&S) (16 For) ELECTED  
Samantha Clinkinbeard (CPACS) (12 For)

- c. Furthermore, the Faculty Senate has elected from these two nominees brought by the Committee on Committees, the following faculty member to serve a one-year term from September 17, 2019, to September 15, 2020, as a member of the Faculty Grievance Committee, replacing Yanhui Zhao, (Marketing and Entrepreneurship, CBA), whose term has expired.

Dario Gherzi (IS&T) (9 For)  
Michelle Black (A&S) (19 For) ELECTED

### **3. Election of Representative from the Faculty Personnel and Welfare Committee:**

- a. Furthermore, the Faculty Senate has elected from these two nominees, both current members of the Faculty Senate Faculty Personnel and Welfare Standing Committee, the following faculty member to serve a one-year term from September 17, 2019, to September 15, 2020, as an member of the Faculty Grievance Committee, replacing Claudia Garcia (Foreign Languages, A&S), whose term has expired.

David Helm (A&S) (23 For) ELECTED  
Ramazan Kilinic (A&S) (4 For)

*There is no resignation replacement previously identified. The shorter term is the result of a prior partial-term replacement for one seat. Continuing members of the committee are class of 2020 member Donna Dufner (IS&QA, IS&T), and class of 2021 members James Shaw (Library) class of 2021, and Travis Adams (A&S).*

After tallying the ballots, Senator Qureshi moved the following resolution for the Committee. It passed.

### **4. Resolution 4387, 9/11/19: Professional Conduct Committee**

- a. In accordance with Article VIII.B.3 of its bylaws, the UNO Faculty Senate has elected by ballot vote from the two nominees brought by the Committee on Committees, both tenured faculty ranked assistant professor or above, the following faculty member to serve a three-year term from September 17, 2019, to September 21, 2022, as a member of the Professional Conduct Committee, replacing Daniel Kissinger (ED), whose term expires as he becomes an alternate. The newly elected member will also serve a following three-year term September 21, 2022, to September 17, 2025, as an alternate, available should the need arise in a particular case.

Jay Irwin (A&S) (22 For) ELECTED  
Burch Kealey (CBA) (6 For)

- b. Furthermore the Faculty Senate has elected from these nominees brought by the Committee on Committees, both tenured faculty ranked assistant professor or above, the following faculty member to serve a three-year term from September 17, 2019, to September 21, 2022, as an alternate, replacing Juan Casas (A&S), who has assumed the role of Associate Dean for Graduate Studies.

Nancy Kelley (CPACS) (11 For)  
Rami Arav (A&S) (17 For) ELECTED

Senator Qureshi moved the following resolution for the Committee. It passed.

**5. Complete RESOLUTION 4388, 9/11/19: UNO Athletics Committee**

**BE IT RESOLVED** that the following name go forward as an alternate One of the two faculty senate members be appointed to the UNO Athletics Committee for the 2019-2020 academic year:

Marlina Davidson to replace Jamie Wagner.

Senator Qureshi moved the following resolution for the Committee. It passed.

**6. RESOLUTION 4389, 9/11/19: UCRCA (University Committee on Research & Creative Activity)**

**BE IT RESOLVED** that the following name go forward as a three-year appointment, from 08/1/19 through 07/31/22, to replace a member who is completing is a replacement rep for COE UCRCA (University Committee on Research & Creative Activity):

Kerry-Ann Escayg (COE), ( Matthew Heesch)

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**PENDING**

**7. Involvement in Policies (such as IT)**

The Senate recommended that it have some involvement in policy making, as in IT Policies. They would like to investigate, engage with people who make policies, like IT, and get that information back to the Senate as quickly as possible. The policies should be technology neutral.

On 2/13/19 the Senate passed this to the Rules Committee.)

**NEW**

**8. Develop automated forms, surveys, and reporting mechanism for faculty to vote for and view committees.**

**VI. Other Faculty Senate Committees**

- a. **Faculty Senate Budget Advisory Committee Report:** Ebdon, Eesley, Hall
- b. **Ad hoc UNO-UNMC Faculty-to-Faculty Communication & Collaboration Committee:** Senator Kelly
  - 1.No meeting, no report.

**VII. Non-Senate Committee Reports**

**VIII. Unfinished Business**

**IX. For the Good of the Order**

**X. New Business**

- a. **Policies Under Review - <https://www.unomaha.edu/campus-policies/policies-under-review.php>**
  - 1.Naming of Facilities & Organizational Units

Faculty Senate voted on approval of policy. Motion passes.

Motion to support Faculty Survey (3 Questions) on University of Nebraska acquisition of Crossroads Mall to be emailed to all faculty. Motion passes.

**XI. The meeting adjourned at 3:06 pm with announcements.**

September 30, 2019

Dear Colleagues,

I hope this note finds you well. This month's update from Faculty Senate is intended to be thematic. It is the first of several deep dives into areas of focus the senate is working on. This month's theme focuses on actions the senate is taking to make UNO systemically more respectful of your time as faculty. Mindful of irony, I will keep my comments as short and to the point as possible, without loss of context.

### **Context and Challenges**

In my time as president and across my time as a UNO Faculty member, I have had the pleasure to serve our students, staff, and community on various committees around our campus.

Observations I've made over this time, in conversations with you, is that we, as a campus, 1) have a lot of committees with sometimes unclear, overlapping, and/or vestigial charges, 2) place unnecessary structural/procedural inhibitors on effective and efficient faculty shared governance, and 3) don't always do a great job of communicating the numerous outcomes of faculty service that positively impact our campus and community.

To keep this discussion focused, I will examine each of these observations point-by-point for clarity and talk about the concrete actions senate is taking on to address the associated problems.

### **Problem number 1: Clarity of governance structure and purpose**

First, we have a lot of campus committees. Funny enough, no one I've met on campus can come up with a definitive, fully enumerated, list of campus committees.

Each year, Faculty Senate - as the representational group that embodies the voice of faculty in shared governance - is tasked with identifying faculty to serve on campus committees. For the past 20+ years, or so I am told, we've been sending out the "yellow sheet" once a year to solicit volunteers for committees. The yellow sheet is a piece of paper with the list of committees senate knows about. The list is kept up-to-date as best as possible, considering that the committees we are matching faculty to do not have administratively mandated direct reporting relationships to the senate. The sheet we send out doesn't include committee descriptions, charges, or expected time commitments because, in many cases the senate doesn't always have access to this information.

This is what I will label "problem number 1: clarity of governance structure and purpose." A component of the problem is that historically units on campus have created committees outside of a process. Without a central registry, committees are often spun-up, spun down, or re-tasked with different charges.

To address this issue, the Faculty Senate has asked Chancellor Gold to work with the business units and vice chancellors on campus to create lists of committees operated from their offices. We've asked that the list includes details such as name, description/charge, composition, membership criteria, and frequency and duration of meeting times. In our September executive officer and administration meeting (EO&A), Chancellor Gold reported that he had already tasked the units as requested and that we would be beginning to receive reports from them on this question.

We will be compiling this data into a repository and creating tools for the senate to keep it up-to-date in the future in partnership with administration that needs and requests faculty service across their domain areas.

### **Problem number 2: Structural / procedural hurdles to service**

The second observation relates to how we go about our committee business and the types of processes and techniques we make use of to ensure time is used effectively.

In a recent 2015 TED talk, Tony Fadell, a famous product designer from Apple who created the iPod, talks about effective design as the art of “noticing small problems,” recognizing habituation that acclimates people to a kind of non-optimal normalcy, and re-thinking inefficient solutions for improvement. He says “it doesn’t matter what you’re doing, if you take a step back and look at all the boxes [ in a process], maybe there's a way to remove one or combine one to make that process much simpler.”

This idea very much resonated for me in my observations of shared governance processes. We should strive to reduce the minutiae, because over time each small inefficiency adds up to a large one. Going back to the yellow sheet example: Why collect faculty interest yearly via a paper sheet when we could digitize this? If we digitize this, why not maintain interests year-to-year and let faculty just update them if they change? If we maintain interests, why not also make it easier for senate to manage and keep track of committee membership? Why should we not connect this membership management system to the repository of committee details - so interested faculty can make more informed decisions about service commitments? At the end of this thought process, even this one change could result in hundreds of hours of time saved.

This discussion of improvement also resonates when I think of how we use our meeting time and how we archive the product of our labor. A committee meeting that is one hour long but that uses its time effectively might be both more constructive and less time consuming than a longer, less effective meeting. It is also beneficial for committees to document their efforts so that later committees don’t constantly duplicate or reinvent the wheel.

These are the kinds of questions the senate is asking and working through right now. We are creating a web application to replace the interest survey. We are also thinking about institutional processes that can be improved to make it easier for faculty across campus to serve.

### **Problem number 3: Communications and transparency**

A clear hurdle to effective shared governance is participation. Faculty who feel their time is used productively and in a way that produces results for their students, colleagues, campus, and/or community are more likely to find service meaningful - and thereby more likely to serve in the future.

The senate, and campus-level committees, could do a lot better at communicating our mission and the results we achieve through action. This very letter, started by my recent predecessors, is a concrete action undertaken with this intent.

The letter, while hopefully helpful, is not enough. Another action senate is taking in this area is to completely overhaul its web presence to better a) communicate its mission, b) clarify procedures and

processes faculty can make use of for issue resolution and representation, c) act as a one-stop-shop for faculty governance information, and d) to report the outcomes of its actions.

We hope to make further announcements as this overhaul proceeds. I would like to give a shout-out to our new Faculty Senate Coordinator Lisa Daubman for her efforts in this space.

### **Other updates**

Finally, to ensure you stay up-to-date with happenings around campus, I have aggregated relevant knowledge senate is aware of below.

I will start on a positive note by saying thank you to those that attended the sessions with Virginia Valian. I found her forum, and faculty workshops on diversity and inclusion on campus to be very engaging and insightful. Also, I was happy to see many of you at the Octoberfest event sponsored by Staff Advisory Council and Faculty Senate.

Chancellor Gold, at our recent EO&A meeting, mentioned that the NU President Search is proceeding forward. He reported, in response to questions raised at the recent listening sessions, that there is a diverse pool of candidates and that he expected the so-called “airport interviews” to start soon. In response to senate inquiries regarding the state of the graduate student healthcare status at the NU system level, Chancellor Gold said that central administration has set up a new committee to explore actionable pathways to address costs. The committee is exploring self-insurance or requiring all graduate student participation as potential options for mitigating the increasing plan costs currently being covered by one-time stopgap funding. Chancellor Gold has appointed several faculty members to this committee with expertise in this area.

SVC Kopp reported to the senate that the College of Business Dean search is ongoing and is working towards identification of a candidate short list. The candidates are expected to be announced soon. He also reported, as was sent out to the campus, on the search for the Vice Chancellor of Inclusion. Four candidates will participate in on-campus interviews later in October and November. There is also a new search for an Assistant Vice Chancellor of Curriculum and Programs to better clarify and structure the Academic Affairs office. Finally, as an update to the big ideas signature program proposal process, SVC Kopp reports that pre-proposals were submitted on Oct. 1. Final proposals are due Nov. 25th and are expected to be evaluated by January 6th.

Best Wishes,  
Matt Hale, UNO Faculty Senate President 2019-2020

**Faculty Senate of the University of Nebraska at Omaha Operating Budget September 2019**

Expenses Paid:	By Month	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	YTD
521100 Postage		0.00	15.70	6.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22.60
521200 Communications		26.00	26.00	26.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	78.00
521500 Print & Copies		39.17	29.84	39.17	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	108.18
521800 Dues/Subscriptions/Fees		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
521700 Engraving		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
524200/900 Rent Conf Fac		0.00	350.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	350.00
<b>520000 (Op. Exp./Serv.) Total</b>		<b>65.17</b>	<b>421.54</b>	<b>72.07</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>558.78</b>
5311//5314/531900 Office Supplies		64.66	42.89	85.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	193.33
531300 Catering		0.00	1,990.99	156.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,147.09
<b>530000 (Op. Supplies) Total</b>		<b>64.66</b>	<b>2,033.88</b>	<b>241.88</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,340.42</b>
541100/500 Lodging/Fees		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
541400 Mileage:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>540000 (Travel Expense) Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Non-Personnel Services</b>		<b>129.83</b>	<b>2,455.42</b>	<b>313.95</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,899.20</b>
<b>Year To Date:</b>														
	<b>Budget</b>	<b>Spent</b>	<b>Pending</b>	<b>Balance</b>	<b>Bal.</b>	<b>%</b>	<b>Comments</b>							
520000 Operations	2,000	559	0	1,441	72%									
530000 Supplies	3,285	2,340	0	945	29%									
52000 & 530000	5,285	2,899	0	2,386	45%									
540000 Travel	775	0	0	775	100%									
<b>Total Non-Pers. Services</b>	<b>6,060</b>	<b>2,899</b>	<b>0</b>	<b>3,161</b>	<b>52%</b>									



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## Royalty and Equity Distribution Policy

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### Scope

This policy applies to members of the faculty and staff of the University of Nebraska at Omaha (UNO) or other inventors who use University personnel, property, facilities or other University of Nebraska (University) resources, and whose invention or discovery falls under [Board of Regent's Policy 4.4.2](#), as well as their respective academic/administrative units.

### Policy Statement

The Board of Regents of the University of Nebraska encourages the commercialization of inventions and discoveries arising from research activities of the University, and when appropriate, the pursuit of patents or other intellectual property protection, as a method of bringing recognition and remuneration to the University's inventors and to the University itself. Pursuant to the Board's Bylaws, every invention or discovery by members of the faculty and staff that results from the performance of duties within the scope of their University employment, or from the use of University personnel, property, facilities, or other resources, except where such use is minimal, is solely owned by the University, provided that the inventor or inventors shall have a share of no less than one-third (1/3) of the net proceeds received by the University resulting from licensing or sale of University owned intellectual property rights associated with such invention or discovery. Board of Regents Policy 4.4.2 states that the remaining non-inventor two-thirds (2/3) is allocated pursuant to a separate distribution policy established by each University campus.

In order to best utilize non-inventor proceeds and to serve the objectives of the Regents Policy, UNO shall allocate non-inventor proceeds on a case-by-case basis as determined by the Committee for Proceed Distribution (the "Committee"). Those academic/administrative units having a connection to the proceeds at issue shall be invited to participate in the Committee's decision, and to provide the Committee with information addressing their support of the underlying technology. The Committee will take into account the support offered by those academic/administrative units to determine what, if any, of the proceeds should be distributed to the academic/administrative units of the inventors.

### Reason for Policy

Pursuant to RP-4.4.2 Board of Regents' Patent and Technology Transfer Policy, UNO is responsible for allocating non-inventor technology transfer proceeds according to its individual campus policy.

### Procedures

## Committee Membership

Members of the Committee shall be the Vice Chancellor for Business, Finance and Business Development, the Associate Vice Chancellor for Research and Creative Activity, the Senior Vice Chancellor of Academic Affairs, the Patent Administrator, and one member at large to be appointed for a term and in a manner determined by the Faculty Senate Executive Council (not to exceed a 3 year term). The Committee shall meet as needed to carry out the function of RP-4.4.2, Section 5(b), and such meeting(s) shall be held within ninety (90) days after the license or sale of a University invention or discovery that results in a distribution covered by this Policy.

## Committee Responsibilities

### 1. Expenses and Net Proceeds

- a. Following and applying the Technology Commercialization Services Agreement, effective July 1, 2017 (and any duly executed subsequent agreements) between UNO and UNeMed Corporation (formerly doing business as UNMC Tech).
- b. Reviewing the legal fees and other technology transfer expenses associated with each source of proceeds. Regents' Policy requires that such expenses be reimbursed before any proceed distributions are made.
- c. Reviewing, as needed, non-inventor proceed allocations between University campuses and/or general proceed allocations with third parties.

### 2. Distribution of Net Proceeds to Inventors

- a. Ensuring that with respect to proceeds covered by Regents' Policies, one third of all net proceeds received by the University is distributed to the inventors.
  - i. When a single source of proceeds involves multiple University of Nebraska inventors, inventors should coordinate with UNeMed to file a written agreement delineating the division of proceeds between all inventors. Multiple inventor proceeds received but not adequately covered by a written inventor agreement will be distributed equally between all University of Nebraska inventors.
  - ii. When a single source of proceeds involves inventors outside the University of Nebraska system, University inventors should coordinate with UNeMed Corporation to file a written agreement delineating the division of proceeds between all inventors. If no agreement is filed, the parties' contract, MOU, or other agreement will determine each inventors' rights. If the inventors' distribution rights are not covered by a written agreement, proceeds will be distributed equally between all inventors, in accordance with this Policy and the Board of Regents Patent and Technology Transfer Policy RP-4.4.2.
- b. In some highly meritorious cases, a given inventor may be found to have earned a share of the proceeds that exceeds the general recommendation of one-third; however in no case will a distribution be made to an inventor that exceeds the recommended one-third until the University of Nebraska and/or UNeMed Corporation has recovered all of its costs, and an appropriate continuing share has been determined for the University. Such decisions are to be considered highly exceptional and will require the approval of the President upon recommendation of the Chancellor. The President shall report such exceptions to the Board of Regents.

### 3. Distribution of Net Proceeds to Non-inventors

- a. Examining sources of net non-inventor proceeds covered by the Board of Regents' Patent and Technology Transfer Policy and determining what proportion, if any, should be distributed to inventors' academic/administrative units. This determination shall be in keeping with each unit's level of support and commitment to technology development. Academic/administrative units found to be without significant contribution to technology development may be excluded from receiving proceeds.
  - i. Deans or Directors of the academic/administrative units employing faculty or other persons responsible for creating intellectual property from which net proceeds are generated shall be given notice of Committee meetings and provided the opportunity to present information representing significant support

of UNO technology development. Ordinary support consisting of only the usual salary, space, and equipment afforded to faculty shall not be considered significant. Information intended to be representative of significant support to technology development shall be substantiated through documentation, interviews with inventors, or other appropriate means. The Committee shall refrain from deciding non-inventor proceed allocations until all interested principals have been given reasonable opportunity to participate.

- b. Earmarking net proceeds as may be distributed to the Office of Research and Creative Activity and/or other administrative units to be used for investing in promising research areas, research beneficial to technology development, and related research administration activity. Allocating any net non-inventor proceeds to UNO accounts for use in furthering translational research or otherwise furthering the objectives of technology and economic development. This includes those net non-inventor proceeds not distributed to academic/administrative units.

#### 4. Other Responsibilities

- a. Performing other responsibilities within the scope of RP- 4.4.2, Section 5(b).

#### **Related Information**

- UNO/UNMC Tech: Technology Commercialization Services Agreement, effective July 1, 2017 (and any duly executed, subsequent agreements between UNO and UNMC Tech and/or UNeMed)
- [Contact UNeMed Corporation](#)
- [University of Nebraska Board of Regents Policies](#)

#### **History**

New draft policy.

# UNL Faculty Senate Ad Hoc Committee

## Addressing the AAUP Censure

Recommended Board of Regents Bylaw Changes

### Summary of Changes

#### Section 4.6

The committee is proposing a minor wording change to limit the sources to be used in faculty evaluation.

#### Section 4.7

This section is a completely new section to the Bylaws. The purpose of this section is to define sanctions, suspensions (emergency and non-emergency), suspensions that are terminations, and terminations. It also points the reader to the appropriate process for dealing with each of the situations, such as filing a grievance, initiating a professional conduct complaint, or termination proceedings.

#### Section 4.8

This section is a completely new section to the Bylaws. The purpose of this section is to explain the appropriate process for dealing with Emergency Suspensions. Essentially, Emergency Suspensions can be immediate but no longer than 90 calendar days. If a mutual settlement cannot be reached between the professional staff member and the administrative officer, then the chair of an informal faculty committee (on UNL's campus this would be the ARRC) must be contacted by the administrative officer prior to or within two calendar days of an emergency suspension to review each of the following, as applicable: a briefing from the appropriate threat assessments review team, claims of serious disruptions to University operations, and/or suspension through end of contract. The committee is to be notified by the administrative officer if the contract will expire within 90 calendar days. Finally, the committee is charged with either validating the emergency suspension or rejecting it, in which latter case the administration should pursue the suspension through a formal hearing. The principles found in this section originate from section 5 of the AAUP's "Recommended Institutional Regulations on Academic Freedom and Tenure".

#### Sections 4.9 and 4.10

There are no changes to these sections other than sectional references.

#### Sections 4.11 and 4.12

These sections are essentially not changed with the exception of clarifying that Faculty Practice Appointments are separate from Faculty Research Appointments, and updating sectional references. This would also require a change to 4.4.8 not included in these recommendations.

#### Sections 4.13 through 4.16

There are no changes to these sections other than sectional references.

#### Section 4.17

This section deals with the Academic Freedom and Tenure Committee. On the UNL campus this is the Academic Rights and Responsibilities Committee (ARRC). The committee is recommending that all professional conduct complaints be processed by the AFT Committee. Changes to this section

incorporate the portions of the original professional conduct language (now subsection b), as well as AAUP recommended procedures for processing suspensions. References from the original AFT section of the bylaws pertaining to the Board of Regents were moved under subsection c that deals specifically with termination. Now all complaints for misconduct, suspension, and termination will follow the same basic procedure with extra procedures incorporating the Board in the case of termination. In all cases, the complainant bears the burden of proof.

Section 4.18 and 4.19

This section has no changes.

## Recommended Bylaw Changes

**4.6 Evaluation of Faculty Performance: Procedure.** Each major administrative unit, or appropriate subdivision thereof as stated in Section 4.5 (Standards for Promotion, Continuous Appointment, and Salary Adjustment) of these *Bylaws*, shall establish procedures for gathering relevant information from all appropriate sources, including student evaluations and peer judgments, as part of an annual review of faculty performance in relation to the standards established under Section 4.5. Individual faculty members shall have the opportunity to submit materials deemed relevant to their remuneration and status as a part of the annual review, or as such information becomes available. When appropriate, the judgment of others in each faculty member's specialized field of competence may be included in a review. Faculty members shall have access to all material submitted for their evaluation and the opportunity to respond in writing. The annual review shall be considered in determining merit salary adjustments, promotions, and for awarding Continuous Appointment. The results of the review will be communicated to the individual faculty member.

## 4.7 Sanctions, Suspensions, and/or Termination of a Professional Staff Member: Definition.

4.7.1 Suspension. Any involuntary removal of a member of the professional staff from some or all of said member's duties constitutes a suspension. A suspension through the end of a contract or one that is indefinite is a termination. If a suspension is imposed, salary will continue during any period of suspension and an assignment to other duties shall not diminish a professional staff member's salary.

(1) Emergency Suspension. A suspension resulting from an immediate and clear threat of physical harm or serious disruption to University operations is an emergency suspension. Assessments of harm should be made by the appropriate academic unit's threat assessment team. Emergency suspensions may occur immediately, and can last no longer than 90 calendar days. After 90 calendar days the member of the professional staff must be reinstated, unless formal proceedings have been filed against the professional staff member as specified in section 4.17 (Academic Freedom and Tenure Committee) of these *Bylaws* or a second review of the committee specified in 4.8 (2) (Procedures for Emergency Suspension of a Professional Staff Member) of these *Bylaws* has determined that harm or disruption still remains, in which case the suspension may continue pending the conclusion of those proceedings.

(2) Non-Emergency Suspension. All suspensions that are not classifiable as Emergency Suspensions are Non-Emergency Suspensions. Non-emergency suspensions may occur only as a result of formal proceedings as specified in section 4.17 (Academic Freedom and Tenure Committee) of these Bylaws.

4.7.2 Other Major Sanctions. Major sanctions other than suspension include but are not limited to demotion or salary reduction. The appropriate administrative officer will notify said professional staff member of the basis of the proposed major sanction and provide said member with an opportunity to persuade the administration that the proposed major sanction should not be imposed. The administration must use the procedures under section 4.17 (Academic Freedom and Tenure Committee) of these Bylaws to impose a major sanction on a professional staff member.

4.7.3 Other Sanctions. If the administration determines that the conduct of a professional staff member justifies imposition of a lesser sanction, such as a written reprimand, the administration will notify said professional staff member of the basis of the proposed sanction and provide said member with an opportunity to persuade the administration that the proposed sanction should be rescinded or not imposed. If the proposed sanction is imposed, then said professional staff member can file a complaint using procedures under sections 4.16 (Grievance Committee) or 4.17 (Academic Freedom and Tenure Committee) of these Bylaws.

4.7.4 Termination. An appointment of a Professional Staff Member may be terminated prior to the expiration of the stated term, if applicable, only for adequate cause, in which case procedures in section 4.17 (Academic Freedom and Tenure Committee) of these Bylaws must be followed; retirement for disability; bona fide discontinuance of a program or department; or extraordinary circumstances because of financial exigency.

4.8 Procedures for Emergency Suspension of a Professional Staff Member. Before the imposition of an emergency suspension upon a professional staff member may occur, the following shall take place:

(1) Where possible, discussions between the professional staff member and appropriate administrative officer looking toward a mutual settlement; if no mutual settlement is attained, then;

(2) An informal inquiry by the duly elected faculty committee whose membership is separate from the committee outlined under section 4.17 (Academic Freedom and Tenure Committee) of these bylaws.

Prior to or within two calendar days of an emergency suspension of a professional staff member, the administrative officer shall notify the chair of the appropriate elected faculty committee.

An emergency suspension may result from an immediate and clear threat of either physical harm or serious disruption to University operations. The faculty committee must accept the decision made by the threat assessment team of the appropriate academic unit as to whether an immediate and clear threat of physical harm exists. The faculty committee is charged to evaluate any claim made by an administrative officer

regarding the presence or possibility of serious disruption to university operations by the professional staff member. The committee shall ensure that less stringent action has been considered, protect against claims of arbitrary or capricious action, and ensure that the faculty member has been informed of their right to due process. The committee must decide within 10 business days after being notified of the imposed suspension whether to validate the emergency suspension or to rule that the suspension be pursued as a non-emergency suspension as referenced in section 4.7.1 (2) (Non-Emergency Suspension) of these *Bylaws*. Failure to rule on the emergency suspension within the stipulated timeframe will result in the justification for needing an emergency suspension being deemed valid. In the event that the administrative officer's decision to continue an emergency suspension is at variance with the recommendations of the committee, the administrative officer shall detail the reasons in a written opinion, and copies shall be provided to the parties concerned and the committee.

The administrative officer must notify the committee if the professional staff member's contract will expire prior to the 90 day suspension limit. Accordingly, the committee must rule whether the suspension through end of contract is approved or whether formal termination proceedings are warranted.

Should the committee rule that formal proceedings are warranted, then;

(3) The appropriate administrative officer files a complaint under section 4.17 (Academic Freedom and Tenure Committee) of these bylaws, to include a statement of charges, framed with reasonable particularity by the appropriate administrative officer.

#### **4.79 Termination of an Appointment by a Professional Staff Member: Time.**

(1) A member of the professional staff (Section 3.1.1) employed on an academic-year basis may terminate his or her appointment at the end of an academic year, if he or she gives notice at the earliest opportunity and not later than the latest of the following:

(a) May 15, or

(b) Thirty days after receiving notification of the terms and conditions of appointment for the coming academic year.

(2) A member of the professional staff employed on other than an academic-year basis shall give notice at the earliest opportunity and in no case later than the latest of the following:

(a) Four months before the termination date of the appointment, or

(b) Thirty days after receiving notification of the terms and conditions of appointment for another term.

A member of the professional staff may properly request a waiver of the time requirements contained in this Section in case of hardship, or where he or she would otherwise be denied substantial professional advancement or other opportunity, but the member should abide by the decision on his or her request.

**4.7.10 Termination of a "Special Appointment" Prior to Expiration of the Stated Term: Reasons; Rights of the Appointee.** A "Special Appointment" may be terminated prior to the expiration of the stated term, or with less than 90 days' notice by the University if no term is stated, only for adequate cause, retirement for age or disability, bona fide discontinuance of a program or department, or extraordinary circumstances because of financial exigency. The President or Chancellor, as appropriate, shall be empowered to approve appeal and grievance procedures that will insure to staff with respect to termination of their non-faculty special appointments the rights similar to those provided by Section 4.163.2 ([Powers of Faculty Grievance Committee](#)) and 4.147.2 ([Academic Freedom and Tenure Committee: Powers; Rules of Procedure](#)) of these *Bylaws* to staff with respect to termination of faculty appointments.

**History:** Amended, 49 BRUN 300 (16 June 1984)  
Added, 42 BRUN 52-53 (29 July 1978)

**4.118 Termination of an "Appointment for a Specific Term," "Health Professions Faculty Appointment," ~~or~~ "Faculty Practice Appointment," and/or "Faculty Research Appointment" at Expiration of the Stated Term; Rights of the Appointee.** When the University notifies a person holding an Appointment for a Specific Term, Health Professions Faculty Appointment, ~~or~~ a Faculty Practice [Appointment](#), ~~and-or~~ Faculty Research Appointment, that his or her appointment will not be renewed at the expiration of the term stated, the appointee shall:

(a) Have the opportunity to request a reconsideration by any individual or group making a recommendation or decision not to renew such an appointment and to offer evidence for that reconsideration.

(b) Have the right to petition the Grievance Committee, if one is established at his or her major administrative unit pursuant to Section 4.163.1 ([Grievance Committee: Power to Create](#)), and upon such petitioning shall have the rights provided by Section 4.163.2 ([Powers of Faculty Grievance Committee](#)).

**History:** Amended, 73 BRUN 46-48 (9 October 2015)  
Amended, 62 BRUN 14 (28 February 1998)  
Amended, 53 BRUN 150-151 (6 May 1988)

**4.129 Termination of an "Appointment for a Specific Term," "Health Professions Faculty Appointment," ~~or~~ "Faculty Practice Appointment," and/or "Faculty Research Appointment" Prior to Expiration of the Stated Term: Reasons; Rights of the Appointee.** An Appointment for a Specific Term, Health Professions Faculty Appointment, ~~or~~ Faculty Practice [Appointment](#), ~~or and~~ Faculty Research Appointment may be terminated prior to the expiration of its term only for the reasons stated in Section 4.141 ([Termination of a Continuous Appointment: Grounds](#)), and before such termination the appointee shall have the rights specified in Section 4.174.2 ([Academic Freedom and Tenure Committee: Powers; Rules of Procedure](#)).

**History:** Amended, 73 BRUN 46-48 (9 October 2015)  
Amended, 53 BRUN 151 (6 May 1988)

4.130 **Total Period of Service Prior to a "Continuous Appointment."** The total period of full-time service on an Appointment for a Specific Term prior to acquisition of a Continuous Appointment shall not exceed seven years, including all previous tenure-related full-time service with the rank of instructor or higher in all accredited institutions of higher education. For faculty members with three or more years of previous tenure related full-time service with the rank of instructor or higher at accredited institutions of higher education, a written agreement to an initial appointment for an Appointment for a Specific Term will not normally extend the period of service on an Appointment for a Specific Term at the University beyond four years before a Continuous Appointment is acquired, and in no case shall such agreement extend the period of service on an Appointment for a Specific Term at the University beyond seven years before a Continuous Appointment is acquired. The President may provide an adjustment of a faculty member's appointment where full-time service by the faculty member is interrupted by leave of absence due to maternity, disability or family and medical leave. Unless a contrary agreement is reached at the time the leave of absence is granted, time spent on an academic leave of absence shall be included in the period of service. A Continuous Appointment may be granted earlier, but not later, than the time limits specified in this Section. A person who is eligible under Section 4.4.3 ([Continuous Appointment](#)) but not granted a Continuous Appointment in accordance with the time limits in this Section shall be given a Notice of Termination, but such notice shall comply with Section 4.4.2 ([Appointments for a Specific Term](#)).

**History:**  
Amended, 75 BRUN 4 and 13 (25 January 2018)  
Amended, 62 BRUN 14 (28 February 1998)  
Amended, 44 BRUN 137 (15 March 1980)  
Amended, 42 BRUN 53 (29 July 1978)  
Amended, 40 BRUN 3 (20 November 1976)

4.141 **Termination of a Continuous Appointment: Grounds.** A Continuous Appointment may be terminated only for adequate cause, retirement for age or disability, bona fide discontinuance of a program or department, or extraordinary circumstances because of financial exigency. Before any termination for cause may occur, it shall be necessary to submit the matter to the Academic Freedom and Tenure Committee in the manner provided in Section 4.174.2 ([Academic Freedom and Tenure Committee: Powers; Rules of Procedure](#)).

4.152 **Termination of Appointments for Financial Exigency or Because of Discontinuance of a Program or Department: Time.** When any type of appointment is terminated because of financial exigency or discontinuance of a program or department, whether the termination is effective on or before the date stated for termination in the written appointment contract, the University shall give notice of termination as soon as possible, and shall make reasonable efforts to notify persons twelve (12) months prior to the effective date of termination. In such a case the released faculty member's place will not be filled by a replacement within a period of two years unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

4.163 **Grievance Committee.**

4.136.1 **Grievance Committee: Power to Create.** Pursuant to authority granted by these Bylaws, the faculty governing agency of each major administrative unit is empowered to create a Faculty Grievance Committee, which shall have the powers specified in

Section 4.136.2 (Powers of Faculty Grievance Committee), in addition to any other powers granted by the faculty governing agency pursuant to these *Bylaws*.

4.163.2 **Powers of Faculty Grievance Committee.** Any Faculty Grievance Committee established under Section 4.163.1 shall be empowered:

- (a) To consider a complaint filed by any faculty member alleging any grievance;
- (b) To seek to settle the grievance by informal methods of adjustment and settlement, either itself or by using the services of any officer or body directed to settle grievances and disputes by mediation, conciliation, or other informal methods;
- (c) To draft rules of procedure for the orderly and fair handling of grievances by the Committee, which rules shall become effective after notice and hearing when approved or modified by the Board, and, upon approval, shall be effective as a part of the Rules of the Board; and
- (d) To proceed, if informal methods fail to resolve the matter satisfactorily, with further proceedings, to be conducted in accordance with the Rules of Procedure approved by the Board under this Section, and in accordance with the following principles:

(1) If the grievance alleges that inadequate consideration was given to relevant matters by the person or body that took the action or made the decision that led to the grievance, the Grievance Committee shall investigate the facts, and, if convinced that inadequate consideration of the relevant matters occurred, state the facts found and the respects in which the consideration was inadequate. The Committee may order the matter reconsidered by the appropriate person, group or groups, or recommend that other rectifying action be taken. The Grievance Committee shall not substitute its judgment on the merits for that of the person, group, or groups that previously considered the decision.

(2) If the grievance alleges that a discontinuance of a department or program is not bona fide, or that no extraordinary circumstances because of financial exigency exist, the Committee shall investigate and state its factual findings, conclusions, and recommendations in writing, which shall be filed with the Chancellor of the major administrative unit involved, the complainant, and the faculty governing agency.

4.147 **Academic Freedom and Tenure Committee.**

4.147.1 **Academic Freedom and Tenure Committee: Creation.** The faculty governing agency of each major administrative unit shall create an elected faculty Committee on Academic Freedom and Tenure, which shall have the powers specified in these *Bylaws*, and any other powers granted by the faculty governing agency and approved by the Board.

4.174.2 **Academic Freedom and Tenure Committee: Powers; Rules of Procedure.** The Committee established by Section 4.174.1 (Academic Freedom and Tenure Committee: Creation) shall have the following powers and rules of procedure:

(a) The Committee shall consider any complaint filed by any member of the professional staff alleging any procedural or substantive grievance that constitutes an allegation that action taken, or threatened, violates the complainant's academic freedom or academic tenure.

(b) The Committee shall consider any complaint filed against any member of the professional staff alleging professional misconduct. This includes complaints filed by an administrative officer against a member of the professional staff seeking to impose a suspension or other major sanction lesser than termination as defined in section 4.7 (Sanctions, Suspensions, and/or Termination of a Professional Staff Member: Definition) of these Bylaws.

(c) The Committee shall consider any complaint filed against any member of the professional staff faculty seeking to terminate his or her Continuous Appointment, his or her Appointment for a Specific Term prior to the termination date stated in the appointment, or his or her Special Appointment as a faculty member prior to its termination date, or his or her Health Professions Faculty Appointment, or his or her Faculty Practice and Faculty Research Appointment prior to the end of its stated term.

(1) The Board, or the President, shall have the authority to direct that proceedings under this subsection be instituted in the manner herein provided.

(2) Any Chancellor, Dean, director, or department chair, or any Grievance Committee, ~~or Professional Conduct Committee~~ believing that there is reasonable cause to terminate a Continuous Appointment, an Appointment for a Specific Term, Health Professions Faculty Appointment, or a Faculty Practice and Faculty Research Appointment prior to the end of its stated term, shall certify his, her or its conclusion to that effect to the President, who shall determine if the complaint has sufficient merit to warrant investigation.

(i) In cases where the grounds for termination of a Continuous Appointment or an Appointment for a Specific Term are based in whole or in part on questions of professional competence, no such certification shall be made until the tenured members of the faculty member's school, division or department, or college in the absence of smaller units, have been consulted on the issues involving professional competence. Such consultation shall be effected through the appropriate administrator (department chair, school or division director, or dean) calling on fourteen (14) days' notice a meeting of the tenured faculty of the unit for the specific purpose of discussing the faculty member's professional competence. Votes on substantive matters relating to the faculty member's professional competence shall be by secret ballot. The report of such meeting, in the form of approved minutes containing a summary of the matters discussed and the votes taken, shall be forwarded by the administrator to the Chancellor for transmission to the President.

(ii) In cases where the grounds for termination of a UNMC Health Professions Faculty Appointment, or a UNL Faculty Practice and Faculty

Research Appointment are based in whole or in part on questions of professional competence, no such certification shall be made until the faculty holding such a UNMC or UNL appointment who have received at least one promotion in academic rank while holding such an appointment and the tenured members of the faculty member's school, division or department, or college in the absence of small units, have been consulted on the issues involving professional competence. Such consultation shall be effected through the appropriate administrator (department chair, school or division director, or dean) calling on fourteen (14) days' notice a meeting of the eligible consulting faculty of the unit for the specific purpose of discussing the faculty member's professional competence. Votes on substantive matters relating to the faculty member's professional competence shall be by secret ballot. The report of such meeting, in the form of approved minutes containing a summary of the matters discussed and the votes taken, shall be forwarded by the administrator to the Chancellor for transmission to the President.

(3) If the Board or President has determined that an investigation should be made, the President shall employ an attorney to make the investigation and report to the President if he or she believes reasonable cause exists for termination of the appointment. Investigation shall be made in such manner as the attorney so employed determines to be appropriate, but shall not involve a public hearing and shall be conducted on as confidential a basis as possible. The investigator shall prepare a report of the investigation and provide it to the President. The President shall provide a copy of said report to the Chancellor of the administrative unit involved. The report shall be considered a confidential communication. If the report recommends that no basis exists for terminating the appointment, and the Board accepts said report, no further proceedings shall be had with reference to terminating the appointment. If the Board does not accept said report, it may cause such further investigation to be made by such persons and in such manner as it deems appropriate and consistent with these Bylaws. If the report recommends that there is reasonable cause to terminate the appointment, the President or the Board may order the attorney making the report to file a complaint with the Academic Freedom and Tenure Committee, and to take the affirmative with respect to producing evidence to support the complaint.

(4) The Committee shall submit to the Board the complete verbatim account of the hearing and all exhibits filed with the Committee, and report promptly to the Board and the staff member involved the Committee's findings, conclusions, and recommended action that the Committee deems advisable.

(5) The Board has power to make the final decision, but except as herein provided, the Board shall decide upon the basis of the evidence submitted to the Committee and the report of the Committee. Unless clearly erroneous, the findings of fact made by the Committee shall be accepted. The Board shall give the Committee's findings and conclusions due consideration, and shall take into account the fact that the Committee is a representative committee of the faculty and had the opportunity to see and hear the witnesses who testified personally

before the Committee. In the event that the Board's decision is at variance with the recommendations of the Committee, the Board shall detail the reasons in a written opinion, and copies shall be provided to the parties concerned and the Committee. Once the Board has rendered its decision, the matter shall not be subject to further review except by appropriate court proceedings.

(6) The Board on its own motion may receive additional evidence at a public hearing, after notice to interested parties, in any case where the Board in its discretion determines that justice requires such further hearing before the Board. Any person desiring to present additional evidence to the Board may apply to the Board for hearing before the Board. Before any such hearing is granted, showing shall be required that there is additional relevant evidence that has been discovered, or has developed, or which could not be produced at the prior hearing; that the same was not available at the prior hearing and could not have been discovered or produced by reasonable diligence.

(de) The procedure with reference to complaints filed under paragraphs (a), (b), ~~or (c)(b)~~ ~~(1)~~, Section 4.147.2 (Academic Freedom and Tenure Committee: Powers; Rules of Procedure) shall be conducted in accordance with the following principles:

(1) The complaint must be filed with the Committee and copy thereof served upon the person or persons charged in the complaint.

(2) The complaint shall state in concise terms the facts upon which it is based and the relief sought.

(3) The person(s) so charged shall have a period of twenty (20) days from the date of service of the complaint to file an answer in writing to the complaint. Copy of the answer must be served by such person(s) upon the complainant attorney filing the complaint by regular United States mail with sufficient postage attached, properly addressed to said attorneycomplainant, and mailed on or before twenty (20) days after filing the complaint.

(4) The Committee shall set the matter for hearing on as early a date as possible in order to permit the parties to reasonably prepare for the hearing.

(5) The person(s) charged shall be entitled to be represented by counsel at the expense of such person(s).

(6) The person(s) charged shall be entitled to be notified at least ten (10) days in advance of the hearing of the witnesses to be called by the complainant attorney filing the complaint and of documents to be offered in evidence at the hearing; ~~and the attorney conducting the hearing shall be obligated to provide such information within that time.~~ The person(s) charged shall notify the complainant attorney filing the complaint in writing at least five (5) days before the hearing of the witnesses to be called and documents to be offered in evidence at the hearing. No witnesses or documents not so listed shall be heard or received at the hearing, except in cases of surprise, or for the purpose of rebutting oral

testimony of the other party, or for other justifiable cause found to exist by the Committee.

(7) Testimony shall be taken under oath. Every party shall have the right of cross-examination of witnesses who testify and shall have the right to submit rebuttal evidence.

(8) The Committee shall make an audio recording of the hearing. Upon request of any Party, the audio recording shall be transcribed into writing and provided to all of the parties. All exhibits filed with the Committee must also be provided to all parties with a copy of the written transcript. The University shall bear the cost of the transcription service.

(89) The Committee may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. It may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence; provided, that any party may file with the Committee at least three (3) days before the hearing a written request that the rules of evidence followed by the District Courts in the State of Nebraska shall be applicable. If such a written request is filed, the Committee shall notify the parties that the proceedings shall comply with the principles of law with respect to proceedings in the District Courts in Nebraska, and all counsel and parties shall be bound by such rules and standards of ethics and codes of trial conduct as are applied in the District Courts.

(109) In the event any party to the proceedings desires the issuance of a subpoena, such subpoena shall be issued at the direction of the Corporation Secretary, and may be served in the manner provided for subpoenas in the Nebraska Court Rules of Discovery.

~~(de)~~ The Committee shall draft rules or procedures not inconsistent with these Bylaws for the prompt, orderly and fair hearing of all complaints filed with the Committee. Said rules shall be submitted to the Board, and when approved or modified, after notice and hearing, shall constitute a part of the Rules of the Board.

~~(e) The Committee shall submit to the Board the complete verbatim account of the hearing and all exhibits filed with the Committee, and report promptly to the Board and the staff member involved the Committee's findings, conclusions, and recommended action that the Committee deems advisable.~~

~~(f) The Board has power to make the final decision, but except as herein provided, the Board shall decide upon the basis of the evidence submitted to the Committee and the report of the Committee. Unless clearly erroneous, the findings of fact made by the Committee shall be accepted. The Board shall give the Committee's findings and conclusions due consideration, and shall take into account the fact that the Committee is a representative committee of the faculty and had the opportunity to see and hear the witnesses who testified personally before the Committee. In the event that the Board's decision is at variance with the recommendations of the Committee, the Board shall detail the reasons in a written opinion, and copies shall be provided to the parties~~

~~concerned and the Committee. Once the Board has rendered its decision, the matter shall not be subject to further review except by appropriate court proceedings.~~

~~(g) The Board on its own motion may receive additional evidence at a public hearing, after notice to interested parties, in any case where the Board in its discretion determines that justice requires such further hearing before the Board. Any person desiring to present additional evidence to the Board may apply to the Board for hearing before the Board. Before any such hearing is granted, showing shall be required that there is additional relevant evidence that has been discovered, or has developed, or which could not be produced at the prior hearing; that the same was not available at the prior hearing and could not have been discovered or produced by reasonable diligence.~~

~~(hf) In all proceedings before the Committee in which the termination of a Continuous Appointment, the termination of an Appointment for a Specific Term prior to its stated termination date, the termination of a Special Appointment as a faculty member prior to its termination date, or the termination of a Health Professions Faculty Appointment or a Faculty Practice and Faculty Research Appointment prior to its stated termination date are in issue, the burden of proof rests with the University complainant, and will be satisfied by the shall have the burden of proving adequate cause for the termination by the greater weight of the evidence in the record considered as a whole.~~

~~(i) Prior to a decision by the Board, the staff member involved shall not be suspended from his or her duties or assigned other duties unless immediate harm to himself or herself, others or property is threatened by his or her. Salary will continue during any period of suspension and an assignment to other duties shall not diminish a staff member's salary.~~

~~(jg) The Committee shall have power to consider a request filed by any person, board or committee that alleges that a staff member should be subjected to a less severe sanctions less severe than appointment termination, and power to recommend in any case a less severe sanctions less severe than appointment termination where less severe sanctions seem appropriate.~~

**History:** Amended, 73 BRUN 46-48 (9 October 2015)  
Amended, 70 BRUN 47-48 (8 December 2011)  
Amended, 53 BRUN 151-154 (6 May 1988)  
Amended, 53 BRUN 80 (12 December 1987)  
Amended, 49 BRUN 300 (16 June 1984)  
Amended, 42 BRUN 53-54 (29 July 1978)

#### **4.15 Professional Conduct Committee.**

~~4.15.1 Professional Conduct Committee: Power to Create. Pursuant to power granted by these Bylaws, the faculty governing agency of each major administrative unit is empowered to create a Professional Conduct Committee, which shall have the functions and powers specified in Sections 4.15.2 and 4.15.3, in addition to any other power granted by the faculty governing agency to the Committee pursuant to these Bylaws.~~

~~4.15.2 Powers of Professional Conduct Committee. A Professional Conduct Committee shall be empowered:~~

~~(a) To receive complaints from any person charging a member of the professional staff, as defined in Section 3.1.1 of these Bylaws, with professional misconduct.~~

~~(b) To investigate the facts relevant to the charge and to make factual determinations. Said investigation shall include advising the affected party of the charge, hearing his or her response, and considering any evidence produced by such party.~~

~~(c) conclude whether there are reasonable grounds to believe that the person against whom the charge is directed committed acts that amount to professional misconduct.~~

~~(d) To advise the person filing the charge, and any other appropriate person or groups, of the Committee's conclusion and factual findings.~~

~~(e) To recommend to the appropriate University officer, or group, whether action should be taken with respect to the charge, and the nature of such action.~~

~~(f) To recommend sanctions less severe than appointment termination where the Committee judges less severe sanctions appropriate.~~

~~4.15.3 Function of Professional Conduct Committee. The Professional Conduct Committee's function shall be to ascertain facts, to interpret standards of professional conduct applicable to persons engaged in teaching, extension work, research, service, and administration at the University, to apply those standards to the facts, to advise other persons or groups whether a violation of professional conduct has occurred, and to recommend an appropriate sanction, if it concludes a violation has occurred. The Professional Conduct Committee does not have power to impose sanctions, and its findings of fact, interpretations of professional standards, advice, and recommendation are not binding. The Professional Conduct Committee shall not serve as a prosecutor of cases involving alleged violations of professional standards. The Committee acts only in an advisory capacity.~~

4.186 **"Extraordinary Circumstances Because of Financial Exigencies" and "Financial Exigency" Defined.** As used in Chapter IV of these Bylaws the term "extraordinary circumstances because of financial exigencies" or the term "financial exigency" shall mean a bona fide, imminent financial crisis of such magnitude, caused by financial circumstances beyond the control of the Board of Regents, that within a particular major administrative unit (campus) as a whole normal operations cannot be maintained and programs of the major administrative unit must therefore be significantly altered.

**History:** Added, 53 BRUN 80 (12 December 1987)

4.197 **Declaration of a Financial Exigency.** A state of financial exigency may only be found and declared by the Board of Regents upon the recommendation of the President in accordance with policy established by the Board for declaration of a state of financial exigency.

**History:** Added, 53 BRUN 80 (12 December 1987)