Present: M. Bacon, N. Bacon, Casas, Cast-Brede, Chen, Chmidling, Harden, Harder, Hill, Holley, Huq, Lewis, Mahoney, Means, Meglich, Mei, Morris, O’Neil, Parnell, Petrow, Prisbell, Ritter, Scherer, Siy, P. Smith, R. Smith, Sobel, Sollars, Stack, Stergiou, Surface, Tiller Wileman

Excused: Beard, Bragg, Kwak, Mitchell, Williams

Presentation: NU President J.B. Milliken

I. The Meeting was called to Order at 2:38 p.m.

II. The Minutes of September 11, 2013, were approved as submitted.

III. Officers’ Reports

A. President’s Report: Senator M. Bacon reported

1. Executive Committee and Administration (EC&A) met September 18, 2013.
   Faculty Senate resolutions 4105-4113 were reported. The Faculty Senate also
   expressed interest in status of BOR consideration of future of engineering within
   the UN system. The Chancellor is working with UNL to provide a joint proposal.
   The Board of Regents meets Friday, September 20, 2013.

2. Board of Regents met September 20, 2013.
   Of particular interest to UNO were the PKI Response Plan submitted by
   Chancellors Perlman and Christensen, the Financial Aid report, and the Global
   Engagement report all submitted via the Academic Affairs Committee chaired by
   Regent Whitehouse. During the formal meeting of the Board approval of the
   revised budget for the university and community project on the Center Street
   campus was approved.
   During the June BOR meeting the UN-L and UNO chancellors were directed
   to prepare a revised plan for the Peter Kiewit Institute, located on UNO’s Pacific
   Street campus and housing UNO’s College of Information Science and
   Technology and UN-L’s College of Engineering programs, including Computer
   and Electronics Engineering (CEEN) a program unique to the Omaha campus.
   The revised plan calls for a revamped governing structure for PKI with some
   interim needs assessments and metrics provided by the Omaha Chamber of
   Commerce. The revised plan is in three parts – the plan itself, the College of
   Engineering Strategic Plan and the College of IS&T Strategic Plan. The second of
   these documents does include the integration of CEEN into UN-L’s Department
   of Electrical Engineering although Chancellor Perlman was at pains to assure the
   BOR that the CEEN curriculum would continue to be offered in Omaha. There is
   more to the PKI Response Plan than meets the eye (President’s Personal Observations
submitted by President Bacon:

Concerning the Revised Plan for the Peter Kiewit Institute, Senator W Meredith Bacon would offer the following personal observations.

1. The controversy which was generated surrounding PKI was the result of UN-L’s rebranding itself a Big Ten university (ref. Freeman Report);
2. For whatever reason, the rebranding required vertical integration of all NU engineering programs, including CEEN which was to be “merged” into EE regardless of curricular, pedagogical, and programmatic differences;
3. Initially at least, such a “merger” was seen as an enrollment advantage for UN-L and plans to physically transport CEEN students to Lincoln were mentioned by Dean Wei;
4. Only after UNO administrators, students, faculty, Omaha businesses as well as some NU Regents voiced concerns about the way in which Chancellor Perlman and Dean Wei were pursuing the rebranding did the BOR require the Chancellors to reach a compromise on PKI, not on the engineering implications of UN-L’s rebranding;
5. During the entire process, up until the last few weeks, the administration of UN-L was uncompromising, uncordial and often arrogant in the way it treated those at UNO who wished to resolve the PKI issue which UN-L had created;
6. In the Revised Plan, the College of Engineering makes extravagant promises to support engineering education in Omaha, costing millions of dollars over a prolonged period of time and its delivery on those promises should be carefully monitored by the Board of Regents;
7. As was amply attested by speakers from Omaha during the Public Comment period, there is a discernible difference between educational cultures at UN-L and UNO, one that is often mentioned by transfer students from UN-L to UNO, in that faculty at UNO are student-centered and fully engaged in students’ success and that faculty-student relationships must not fall victim to any merger of CEEN into EE, for the sake of rebranding; and,
8. I remain skeptical of the second part of the Revised plan, the College of Engineering Strategic Plan, for two reasons: first, the impact on Omaha students was neither ascertained nor considered and, second, the promises made for engineering education in Omaha are extravagant and, without significant reallocation and/or external funding, are improbable at best and were thus not likely made in good faith.)

Passionate opposition to that UN-L College of Engineering Strategic Plan’s intention of merging CEEN into EE was voiced by Prof. Bing Chen, CEEN students Trenton Evans and Timothy Struble-Larson, and Omaha entrepreneur John Smith. Regent Daub was the single regent who expressed doubts and gave the plan two years to produce results before he would once again examine the possibility of an independent Omaha college of engineering. I was also allowed, thanks to Regent Daub, to express my doubts about the plan.

(BoR Resolution follows:

Resolution of the Board of Regents on the Peter Kiewit Institute
September 20, 2013

Whereas, the University of Nebraska is the state’s only public research university with responsibility for education, research and outreach across Nebraska; and
Whereas, the university has set forth a number of strategic goals relating to high quality education, research that matters to Nebraska, outreach to Nebraska business and development of a talented workforce; and
Whereas, since 1995 pursuant to wide agreement and a decision by the Board of Regents, education, research and outreach in information science and technology and engineering in Omaha have been delivered through the Peter Kiewit Institute, and innovative collaboration between two campuses and the UNO College of Information Science and Technology and the UNL College of Engineering; and
Whereas, since 1995, the Peter Kiewit Institute has enjoyed much success, including significantly increased enrollments, growth in research, and widely successful relationships with business and industry; and
Whereas, in response to questions about current and future needs for education, research and outreach in Omaha and the role of the Peter Kiewit Institute, the Academic Affairs Committee of the Board of Regents spent months reviewing the development and progress of PKI and its capacity for meeting future needs in Omaha and Nebraska, receiving input from a wide range of internal and external stakeholders; and
Whereas, a recent external study conducted for the Board by distinguished national leaders in engineering and information technology confirmed that PKI has enjoyed significant
success to date and very high, although in some cases unrealized potential, and made some specific recommendations for achieving future success; and

Whereas, the Board and the President charged the two chancellors with administrative responsibility for the constituent colleges in PKI, UNO Chancellor Christensen and UNL Chancellor Perlman, with leading the development of a plan to address the key challenges identified by the Academic Affairs Committee; and

Whereas, working with the UNO and UNL senior vice chancellors, the deans of the two constituent colleges and the PKI executive director, the chancellors have developed aggressive and ambitious plans to fulfill the potential of PKI in the years ahead; and

Whereas, integrated strategic planning and increased collaboration, dramatic growth in faculty hires, enrollment and research expenditures, improvement of graduation and retention rates, enhanced industry engagement, and investment in a single, strong College of Engineering with a significantly larger presence in Omaha will be a key element of PKI reaching its full potential; and

Whereas, the university is partnering with the Greater Omaha Chamber of Commerce to, among other things, assess the workforce needs of metropolitan businesses, which will inform future planning and metrics based on data and constituent feedback; and

Whereas, the Board of Regents remains strongly supportive of and fully committed to the success of PKI and intends to regularly monitor the institute’s performance to ensure appropriate benchmarks are established and met, and to require annual reports on performance and plans from the cognizant chancellors;

Now, therefore, be it resolved that upon the recommendation of the Academic Affairs Committee, the Board of Regents of the University of Nebraska:

1. Accepts the plans of the university’s academic leadership to move PKI forward to the next level of accomplishment to provide the education, research, and outreach that meet the engineering and information science and technology needs of Omaha and Nebraska,

2. Commits to support efforts of administration and faculty to meet these important goals and to providing the oversight and governance appropriate to ensure success, and

3. Directs that a new, integrated plan for PKI, advancing the goals and objectives of the campus plans and setting forth metrics reflecting commitments and goals in the campus plans including investments, faculty hiring, program development and enrollment goals, be submitted to the Academic Affairs Committee by December 31, 2013, for the Committee’s review and any recommendations to the Board.

The one thing that disturbed me as well as Chancellor Christensen and Vice Chancellor Reed during the financial aid report was that Pete Lippens from the Provost’s office presented inaccurate and significantly low figures for enrollment increases at UNO. Chancellor Christensen, with a quick phone call back to Omaha, corrected the mistake. Is this what we should expect from central administrators?

UNO was ably represented by International Studies major Shelby Andersen-Holt who recently participated in an exchange program at Ataturk University during the Global Engagement Report.

3. Senate President met with the Chancellor September 30, 2013.
We discussed briefly the issues raised by the Garcetti case with my reporting that the UN-L and UNK Senate presidents appear to favor some change in the Regents bylaws to reflect the California precedent. We also discussed the PKI revised plan presented at the last BOR meeting. I related my conversations with Omaha Engineering students and their discomfort about differences in educational culture and CEEN/EE curricula and he shared his discussions with parents of Engineering students.

4. Deans Forum Summary: As of October 1, 2013, it has been updated to June 6, 2013. http://www.unomaha.edu/aandsaffairs/inside/deansforum.php

5. Written Acknowledgements for Resolutions:
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<tr>
<th>Res.#</th>
<th>Date Senate Passed</th>
<th>Title</th>
<th>Admin Accept</th>
<th>Sent for Senate Action</th>
<th>Denied</th>
<th>Deferred</th>
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<tr>
<td>4113</td>
<td>9/11/13</td>
<td>UNO Professional Conduct Committee</td>
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<td>4112</td>
<td>9/11/13</td>
<td>Faculty Grievance Committee</td>
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<td>4111</td>
<td>9/11/13</td>
<td>Academic Freedom &amp; Tenure Committee</td>
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<td>Replacement on University Committee on Research &amp; Creative Activity (UCRCA)</td>
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<td>Appreciation for Dr. Harold M. Maurer, M.D.</td>
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<td>4106</td>
<td>8/21/13</td>
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<td>8/21/13</td>
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<td>3079</td>
<td>3/9/11</td>
<td>Shared Governance</td>
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<td>4/15/11</td>
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<tr>
<td>3073</td>
<td>1/12/11</td>
<td>Employee Plus One Benefits</td>
<td>1/25/11</td>
<td>1/24/11</td>
<td></td>
<td></td>
<td></td>
<td>This is a university issue, not a campus issue. The senate can choose to forward to Varner Hall for further action or consideration.</td>
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<tr>
<td>3033</td>
<td>5/12/10</td>
<td>Instruction on the Ethical Use of Print and Online Sources in Academic Papers</td>
<td>5/27/10</td>
<td>X*</td>
<td></td>
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<td>*Chancellor acknowledges that the subject matter is primarily an Academic</td>
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Not supported. Chancellor’s Comment: “While I continue to be an advocate for shared governance, I will not support 3079, as I am unable to support any resolution which defines the role and responsibilities of the University’s governing board, the office of the chancellor, or other administrator, which is outside the purview of the Faculty Senate.”
### Faculty Senate Agenda – 11/13/13

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<thead>
<tr>
<th>Number</th>
<th>Date</th>
<th>Activity</th>
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<tr>
<td>3013</td>
<td>3/10/10</td>
<td>Recommended Plagiarism Policy X*</td>
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<td>-Returned to Faculty Senate for additional language consideration as discussed at the 3/17 meeting with administration.</td>
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<td>-Relative to the minor language changes on 3013 (Plagiarism), the chancellor indicates that he would like Academic Affairs to share the policy with the academic deans at an upcoming meeting.</td>
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<td>3/18/10</td>
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<tr>
<td>3079</td>
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<td>UCRCA Funding X*</td>
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<td>3073</td>
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<td>2944</td>
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*3079 (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 4/15/11: Not supported. Chancellor’s Comment: “While I continue to be an advocate for shared governance, I will not support 3079, as I am unable to support any resolution which defines the role and responsibilities of the University’s governing board, the office of the chancellor, or other administrator, which is outside the purview of the Faculty Senate.”)

*3073 (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 1/24/11: This is a university issue, not a campus issue. The senate can choose to forward to Varner Hall for further action or consideration.)

*3033 (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 5/27/10: “While he is supportive of Res. 3033, he acknowledges that the subject matter is primarily an Academic Affairs issue and has asked Vice Chancellor Hynes to respond as appropriate.”)

*3013 (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 3/11/10) “The chancellor said the first resolution” (3013) “needs to be considered by Terry” (Hynes) . . . ) (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 4/21/10: Relative to the minor language changes on 3013 (Plagiarism), the chancellor indicates that he would like Academic Affairs to share the policy with the academic deans at an upcoming meeting.)

*3013 (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 3/11/10) “The chancellor said the first resolution” (3013) “needs to be considered by Terry” (Hynes) . . . ) (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 4/21/10: Relative to the minor language changes on 3013 (Plagiarism), the chancellor indicates that he would like Academic Affairs to share the policy with the academic deans at an upcoming meeting.)

*2944 (From the EC & Admin Mtg 1/21/09: The Chancellor supports the concept in Resolution 2944 on funding an UCRCA budget line but opined we wouldn’t get it during the years of budgetary problems.) (6/10/09 Nancy Castilow wrote for Chanc. Christensen: “One clarification related to Res. 2944, dealing with ongoing support of the UCRCA budget. I said that I was open to the concept and supportive of continued funding of the UCRCA budget, albeit we would need to review its funding during times of budget constraints, as we do with other such programs. The decision to fund and how much to fund remains the purview of the Office of Academic Affairs. I did not opine that the UCRCA budget line would automatically see no funding during years of budgetary problems.”)

**B. Treasurer’s Report:** Senator Holley gave the May 2012 Budget Report.

**IV. Executive Committee:** Senator Surface moved the two resolutions for the committee, Resolution 4114 and 4117:

**A. RESOLUTION 4114, 10/9/13: Condolences to Walter Scott, Jr. and the Singer and Scott Children:**

WHEREAS, Suzanne Scott was an outstanding philanthropist whose leadership and charity benefited many Omaha institutions serving the public good; and
WHEREAS, Suzanne and Walter Scott have personified visionary leadership for Nebraska which places the University of Nebraska at the center of the state’s economic and cultural future; and

WHEREAS, the University of Nebraska at Omaha, its students, faculty and staff, have been among the most generously endowed by the Scotts’ enduring dedication to the educational enterprise; and

WHEREAS, Mrs. Scott’s legacy at the University of Nebraska at Omaha is ongoing and a perpetual reminder of what constitutes visionary leadership and stewardship,

THEREFORE BE IT RESOLVED, that the Faculty Senate of the University of Nebraska at Omaha extends its heartfelt condolences to Walter Scott, Jr. and the Singer and Scott children.

Passed unanimously.

B. Resolutions regarding Engineering

Senator Tiller moved, and Senator N. Bacon seconded, a motion to remove the last phrase in the eleventh paragraph of what became Resolution 4117. The motion passed. Senator Scherer moved and Senator R. Smith seconded, a motion to move the resolution back to the Executive Committee. That motion was withdrawn when Senator Wileman and Senator Tiller moved to table the motion in order to look at a motion from New Business, which became Resolution 4116.

Senator Hill moved, and Senator Holley seconded, a motion to bring what became Resolution 4116 to floor. Senator N. Bacon moved the changes as seen in the amendment. Resolution 4116 passed unanimously as amended.

EMERGENCY RESOLUTION 4116, 10/9/13: Halt Merger of UNO CEEN Department to UNL EE Department

WHEREAS: The Department of Computer and Electronics Engineering (CEEN), with Bachelor of Science degrees in computer engineering and electronics engineering, have been has provided important academic offerings at UNO since the 1990s;

AND WHEREAS the program, founded as having evolved from Electronics Engineering Technology (EET) which was founded in has been at UNO since 1968;

AND WHEREAS: CEEN and EET graduates have for more than four decades made lasting and significant contributions to Omaha’s major metropolitan industrial, business, and manufacturing organizations;

AND WHEREAS: All of the top 50 major metropolitan cities in the country except Omaha, NE have Colleges of Engineering that are administered by that city’s university;

AND WHEREAS: the degree programs in The Computer Engineering Bachelor’s Degree program and the Electronics Engineering Bachelor’s Degree
program contributes to the metropolitan urban grant mission of UNO by directly providing graduates who can uniquely serve this metropolitan city and region;

AND WHEREAS: The the UNO-based CEEN department faculty have a commitment to directly serve and impact Omaha’s major metropolitan industrial, business, and manufacturing organizations by providing highly qualified graduates for these entities;

AND WHEREAS: A any academic program that is to have success with its students and major employers entities must be present and not remote from their students and employers major consumer entities;

AND WHEREAS: There is a proposal that to eliminates the free standing Omaha-based Department of Computer and Electronics Engineering, merging it into the Electrical Engineering Department in Lincoln, Nebraska NE, thus and eliminating the leadership of the UNO department chairperson leadership thinking that this action will somehow benefit both Omaha and Lincoln campus programs in Computer, Electronics and Computer Engineering;

THEREFORE, BE IT RESOLVED: That the Faculty Senate at UNO requests a halt to this action until all relevant stakeholders (UNO CEEN students, Bachelor’s Degree program CEEN graduates, and Omaha’s major metropolitan industrial, business, and manufacturing organizations) have had an opportunity to present to University leadership and members of the Board of Regents their assertions views on of the importance and need to keep the of keeping a freestanding CEEN department in Omaha, Nebraska NE, at the Peter Kiewit Institute as a free standing department.

Passed Unanimously (30 for, 0 against)

The Senate then returned to what became Resolution 4117 as amended, which then passed. Senator R. Smith moved, and Senator Scherer seconded, to have the minutes reflect that Resolution 4117 was passed unanimously.

RESOLUTION 4117, 10/9/13: Support for UNO College of Engineering

WHEREAS UNL engineering programs at the UNO campus consist of architectural engineering, construction engineering, and construction management in the Durham School of Architectural Engineering and Construction; computer engineering, electronics engineering, and telecommunications engineering in the Department of Computer and Electronic Engineering (CEEN); and Civil Engineering, whose department is split between the UNL and UNO campuses and headquartered at the UNL campus, thus constituting a sizable core for an independent engineering college;

AND WHEREAS the Langenberg Report, commissioned by the Board of Regents in October 1993 and completed in March 1994, stated among other things that “the accelerating pace of technology development today demands that a working engineer engage in near-perpetual continuing education…, [and] that continuing education must be conveniently available near the engineer’s work site and/or home, [and that] without ready access to continuing education opportunities in engineering, Omaha’s new businesses will find it difficult if not
impossible to recruit and retain top-flight engineering personnel;”

AND WHEREAS the report’s principal conclusion was that “the state of Nebraska and University of Nebraska system should initiate a deliberate and carefully planned process leading to the establishment of an independent college of engineering at the University of Nebraska at Omaha;”

AND WHEREAS the report stated that a new engineering college should not be duplicative of the UNL college, but should emphasize educational needs that are particularly germane to the Omaha metropolitan area, but that it should have “full-fledged undergraduate baccalaureate programs in a few basic areas, such as mechanical, computer/telecommunications, and civil/environmental engineering, as well as graduate programs at the master’s level and a diverse array of continuing education offerings, [and] all of its programs should be adapted to the special needs of a student body that will include a high proportion of working adults who need access to courses and faculty at non-traditional times and places;”

AND WHEREAS the authors of the Langenberg Report thought that an independent college of engineering at UNO could be established within 5-6 years;

AND WHEREAS the report of the Engineering Task Force, written in November 1994, subsequent to the Langenberg Report, recommended that an independent college of engineering should have as its basic components both the bachelor’s and master’s degrees in electrical and computer engineering, mechanical engineering, civil and construction engineering, and industrial and manufacturing engineering;

AND WHEREAS the Engineering Task Force also specified certain prerequisites for establishing such a college that included student enrollment, faculty hires, physical facilities, and academic programs that have already been established or which can be established in the 3-5 years necessary to establish the college;

AND WHEREAS in a letter dated June 15, 1995, then-President Dennis Smith, although not then supportive of a new college, stated that “neither I nor the Board of Regents has foreclosed the idea of a separate, independent college of engineering in Omaha. The engineering task force indicated several impediments to creating a new engineering college now. In my view, the most significant of these is student demand. For an accreditable college, the task force said that at least 300 full-time equivalent students are needed in the core engineering programs. A total of 87 were enrolled at the time of the task force report. I advised the Board of Regents in my recommendations last December that should the growth of engineering in the future justify a new college, I would reconsider my recommendation;”

AND WHEREAS enrollment in the College of Engineering Omaha programs is currently at 794, as reported by UNL enrollment statistics;

AND WHEREAS the current situation wherein the civil engineering department, which is divided between the UNL and UNO campuses, is described as dysfunctional by the Academic Program Review Team report, dated November 2008, thereby providing less than optimal services to the engineering community
AND WHEREAS the Director of the Peter Kiewit Institute is afforded a high level of access to the UNO chancellor (as manifested by his inclusion in the Chancellor’s Cabinet) but only poor access to the UNL chancellor, as expected by the manifestation of the eternal human condition of self-aggrandizement;

AND WHEREAS the CEEN department, currently scheduled to merge with the Department of Electrical Engineering located at UNL, will probably meet the fate of the civil engineering department and fall into dysfunction, being split between two campuses, consequently providing poor service to the engineering-based businesses and students in Omaha;

AND WHEREAS the Omaha metropolitan area is unique among the communities of this state, in as much as it possesses an inordinate number of the engineering concerns located within the borders of this state;

THEREFORE, BE IT RESOLVED, that the UNO Faculty Senate hereby strongly urges the University of Nebraska Board of Regents to initiate a process whereby a separate and independent college of engineering be established on the UNO campus by fall 2018, in accordance with the specifications of the reports referenced herein.

Passed Unanimously (by voice vote)

V. Standing Committee Reports


1. Discussed SAP program with Sheri Croghan, associate director of Financial Aid.
2. Federal, state, and institutional aid policy requirements are set by the U.S. Department of Education, but do not include merit-based scholarships or private grants; regulations are from Title IV of Higher Education Act of 1965.
3. Good academic standing is defined as a 2.00 grade-point average and completion of 67% of total credit hours attempted; must have D or higher; failing (F), withdrawal (W), audit (AU), unsatisfactory (U), incomplete (I), in progress (IP), no report (NR), or no credit (NC) are unsuccessful completion.
4. About 1400 out of 14k students are in SAP program, Satisfactory Academic Progress, due to failure to meet federal criteria.
5. About 850 appeal, to which three outcomes pertain:
   - appeal denied.
   - SAP probation if correction can be accomplished within one semester.
   - SAP academic plan in which individual plan proposed to meet eligibility criteria.
6. Students may appeal up to three times; which policy is set by UNO.
7. Communication with students in SAP is by e-mail.
8. Audit three times each year after each semester.
9. No coordination currently exists between the financial aid office and the colleges or departments.
10. Registration holds may be useful tool to ensure advising occurs when a student
is in the SAP program.

11. Plan to discuss SAP with college advisors at October committee meeting.

B. Committee on Faculty Personnel and Welfare: Senator Wileman reported the committee met September 25, 2013. Members present were Stanley Wileman, Paul Williams, Marshall Prisbell, Matthew Harden, and Lisa Scherer. Absent: Bing Chen. The summary of the last committee meeting (during the retreat on August 21, 2013) was approved with a minor correction.

1. Several issues related to parking were discussed. It was concluded that it would be beneficial to discuss these with one or more individuals involved with the establishment (and perhaps the administration) of parking policies and rules at the several campuses, either inviting them to a committee meeting or arranging for one or more members of the committee to meet with them. During the meeting we decided to invite Bill Conley to meet with our committee. The four issues to be considered are these:
   a. Lack of an adequate number of handicapped parking spaces in the lot east of Arts & Sciences Hall.
   b. The need for perhaps 2 or 3 short-term parking spaces near the library (i.e. perhaps 30-minutes for returning and picking up books and other library materials)
   c. The apparent unfairness of charging part-time faculty (adjuncts) the same parking fee as full-time faculty. One suggested solution was to provide these individuals with N parking passes per semester, where N is the number of days they teach (perhaps for an appropriate fee).
   d. The apparent unfairness of denying surface parking on the Dodge Street campus to individuals who pay additional fees for parking structure access.

2. The committee discussed issues of potential interest to faculty arising from the decision in the Garcetti case. It was suggested that one action that may be appropriate is to ensure all faculty are informed of the findings of the case. It was also recommended that we work toward having a clear policy that explicitly protects faculty first amendment rights in their role as faculty rather than restricting these rights to their role as citizens. Perhaps the AAUP would be the most effective group for dealing with circumstances like those in Garcetti. Then the UNO agreement would take precedence over the findings in Garcetti; that is, they would not apply to UNO faculty since there is an existing policy or procedure dealing with the situation. The committee recommends sending this item to the AAUP (along with highlighted sections in the Garcetti documents of particular interest to university faculty) to see if a specific policy or procedure can be established as part of the agreement between the AAUP and the University; the existence of such would then effectively negate the Garcetti findings for UNO faculty.

3. Another issue that suggests unfair treatment is the claim that individuals who work in HPER facilities are allowed to use those facilities without paying the fees charged to other individuals (specifically faculty in this context). A reported remark from one of these individuals was that other buildings/departments have resources that their faculty can use without fees; computers were specifically mentioned. This issue was added to the committee’s inventory for consideration.

4. The committee agreed to add a query concerning policies and procedures related to emeritus status to its inventory of issues. The Board of Regents Policies (RP-4.2.6) do not give detailed advice on these policies and procedures, saying that “emeritus status is given in recognition of substantial service rendered to the University in the field of teaching, research and service and to facilitate retired
faculty to continue their research and to provide advice and the benefits of their expertise to colleagues and students.” There is also a suggestion that a minimum of ten years employment with the University is presumed. However, the criteria and mechanisms for nominating a faculty member for emeritus status are not clear. For example, it is not clear whether faculty members can nominate themselves, if members of one’s department are the only sources of a nomination, if faculty members need to be a full professor, if faculty members have to be excellent in research or whether excellence in teaching or service are other routes to nomination.

5. The committee had a spirited discussion about workload credit for various activities, including specific concerns that there is (or will be) little workload credit for faculty activities like the supervision of student honors activities and undergraduate research, which cannot be used for FUSE projects. It was suggested that the fundamental issue was the lack of recognition (in workload credit) for service activities and non-classroom teaching of undergraduates. The phrase that the committee felt characterized the issue was “workload equity.”

6. It was indicated that there are apparently no well-known or clearly communicated policies and procedures concerning maternity leave. In particular it was indicated that the administration of maternity leave varies significantly across campus in practice. Thus a clearly stated policy easily accessed by faculty is necessary. The committee’s expectation is that there should be explicit, written, and widely-distributed policies on this and other “family-friendly benefits to faculty.” Toward this end, the overarching problem is the lack of a faculty handbook – clearly named “Faculty Handbook” – that clearly articulates all policies in one place.

7. Several other issues are of interest to the committee (some of these have been previously identified):
   a. The recommendation that there be at least two doors in each classroom to facilitate exit in emergency situations
   b. The need and potential for a designated faculty lounge in each building in which faculty could decompress and socialize with other faculty. The faculty study area in the library is similar, but isn’t conveniently located for all faculty.
   c. The potential for paying new faculty at the end of August in their first year for the work done in August.

C. Committee on Goals and Directions: Senator Huq reported the committee met September 25, 2013. All members and one guest were present.
   - Committee members will identify issues that will be addressed this semester.
   - Bing Chen was invited to the meeting to share information about Engineering at UNO. Several documents were shared with the committee members.
   - The Committee discussed the issue at length and will develop a resolution to be presented to the Faculty Senate at the October meeting.

D. Committee on Professional Development: Senator Sollars reported the committee met September 25, 2013. Dr. Snyder, the Associate Vice-Chancellor for Research and Creative Activity, per our request joined us for the meeting to discuss different research/creative activity funding mechanisms available to faculty as well as the extent to which they are used (please see the attached slides [agenda attachment – pages 27-37] that we would like to have circulated to the entire faculty senate). Here are some of the highlights that faculty should know:
   - Sponsored programs (SPR) subscribes to GrantForward a web-based platform for identifying potential funders and collaborators. Need to make an appointment to
- SPR hosts periodic grant writing seminars for faculty. In addition they will consider paying for a grant-writing expert to aid with the submission if the submission is large enough (100k or greater) and deemed likely to be competitive.
- The IRB is now hosting monthly educational lectures and has a staff member available on campus twice a month for drop in visits to aid with any IRB related questions (see website for office hour scheduling). It is also worth noting that the cost for establishing a UNO only IRB would be in excess of 250k and he is not convinced it is worth the cost at this point but may be down the road.
- There has been a ten-fold increase in funding for research over the last 3 years and there has been a good return on investment (especially for FIRE grants). Research investments are much higher than what is available at our peer institutions.
- In recent years there has been an increase in grant submissions (in dollars) across campus but general decreases in grant funding. Dr. Snyder believes this is due to cut-backs in federal funding that have impacted institutions almost across the board.
- There is now a dedicated staff member, Tracy Hancock (UNO Innovation Accelerator), who can provide guidance on proposals with a commercialization aspect (especially SBIR proposals) and can help find relevant industry contacts. Dr. Snyder encourages anyone with even an undeveloped idea to reach out for more information.
- UNO is developing a new electronic pre-award grant management system to be called MavGrants. Program will allow for grants to be approved more expeditiously. Signatures can be given remotely. No details given but the expectation is that this will be rolled out sometime in the Spring and that training will be provided.

E. Committee on Rules: Senator Mahoney moved to complete the following resolution with the outcome of the election. It was passed.

1. RESOLUTION 4111, 9/11/13 (completed 10/9/13): Academic Freedom & Tenure Committee (Ballots were sent to all full time faculty. Returned: 253. Unable to be counted: 8 [4 unsigned, 4 late.])

BE IT RESOLVED, that in accordance with Article 6.5.2 of the Faculty Senate Bylaws the following nominees for the Academic Freedom and Tenure Committee are brought forward by the Rules Committee for senate nomination. The ballot will be presented to the UNO Faculty.

Two tenured faculty members will be elected from the following four nominees to serve three-year terms from October 16, 2013, through October 15, 2016, to replace Ann Fruhling and Michael Peterson, whose terms will expire:

- Donna Dufner  
  [for: 126 = elected]
- Robert Nash  
  [for 120 = elected]
- Birud Sindhav  
  [for: 95]
- Robert Smith  
  [for: 113]

And one Non-Tenured Faculty member will be elected from the following two nominees to serve three-year terms from October 16, 2013, through October 15, 2016.
2016, to replace Jay Irwin whose term will expire:

Chin Chung (Joy) Chao  [for: 107]
Ramon Guerra.  [for: 128 = elected]

2. Senator Mahoney also moved the following resolution which passed.

RESOLUTION 4115, 10/9/13: UCAT Replacement:

BE IT RESOLVED that the following name go forward to complete Gwyneth Cliver’s three-year term (July 1, 2013 through June 30, 2016) to the University Committee on the Advancement of Teaching (UCAT):

David Peterson, English, A&S (Humanities).

3. Digital Measures Request for Ad Hoc Committee Member

Senator Cast-Brede is already seated on this committee and volunteered to also be the Faculty Senate representative.

4. Faculty Senate Representative to Assessment Committee:

No one volunteered to be appointed to the Assessment Committee. The Rules Committee will work on this over the next month.

VI. Non-Senate Committee Reports

A. Academic Freedom Coalition of Nebraska (AFCON): Professor Garcia

1. AFCON President Edler sent letters (see below) to presidents of University of Nebraska faculty senates (Lincoln, Omaha, Kearney and UNMC) re recognition of right to internal institutional criticism and action by the University of California Board of Regents approving a regent’s policy to guarantee freedom to speak out on institutional governance. Edler referred to and commented on news articles re faculty speech rights (Michigan State University video, and University of Oregon contract negotiations with academic freedom implications).

   Dr. Rigoberto Guevara
   President of the Faculty Senate
   University of Nebraska at Lincoln
   420 University Terrace, Ste
   202
   Lincoln, NE 68588-0684
   August 19, 2013

   Dr. Guevara,
   As I’m sure you know, the Supreme Court case of Garcetti v. Ceballos has left open the possibility that faculty speech critical of administration may not be protected by the First Amendment. In order to make sure that it is so protected, the University of California Board of Regents has recently approved an amendment of Regents Policy 7401 to guarantee the freedom to speak out on institutional governance. Inside Higher Ed on July 29 had an article about the issue at http://www.insidehighered.com/news/2013/07/29/u-california-board-regents-adopts-new-measure-academic-freedom . Although the University of Nebraska Regents By-Laws protect academic freedom in research and teaching, they do not address the faculty’s right of internal dissent in relation to academic governance. On behalf of AFCON, I urge the Faculty Senate of the University of Nebraska at Lincoln to petition the central administration and

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Regents to revise the Regents By-Laws in order to protect the right to speak out on academic governance.

I am sending a similar letter to the presidents of the faculty senates at UNMC, UNO, and UNK.

Thank you for your consideration.

Sincerely,

Frank Edler
President
Academic Freedom Coalition of Nebraska

2. Preparations for AFCON Annual Meeting on September 28; ReLeah Lent as keynote speaker.

3. Per Parker’s initiative, proposal to start planning a Summit for Student Expression Bill.

B. Academic Planning Council (APC): On 10/3/13 Paul Barnes e-mailed that the following reviews will be taking place this year for:

- Black Studies
- Neuroscience
- Information Assurance
- Biology
- Bioinformatics
- Computer Science
- Information Technology
- Latino/Latin Studies
- International Studies

….and possible IT Innovations (we are awaiting direction from Varner).

C. American Association of University Professors (AAUP): Senator N. Bacon reported at the AAUP EC meeting on Friday, September 6, 2013, and again in some subsequent conversations, faculty have observed that it's unclear how retiring faculty qualify for emeritus status. The regents’ policy manual describes the responsibilities & privileges of emeritus faculty but doesn't clarify the circumstances under which the status is conferred or denied. In the absence of explicit criteria, the decision to deny somebody emeritus status can seem (and, in fact, can BE) capricious. I am, therefore, requesting that the senate take up the issue of defining criteria for emeritus status. It's been suggested that we begin by discovering how emeritus status is conferred at our peer institutions.

September 20, 2013

In “meet and confer” conversations between AAUP officers and campus administrators, the following issues were discussed:

- The short (5-day) leave granted to new fathers – no resolution
- The current health insurance policy’s failure to cover breast pumps – no immediate resolution, but it is expected that the policy will change in January, 2015 when the Affordable Health Care Act is fully implemented.
- Overloads – Administrators monitor overloads to be sure that nobody exceeds the limit outlined in the 1999 Executive Memo #19 (overload pay can’t exceed 20% of annual salary).
- Shared information about overloads – The AAUP requested that the salary roster supplied to AAUP officers include information about overload pay (teaching extra classes, stipends for teaching in the Thompson Learning Community, payment for developing online courses, etc.) Administrators declined to provide this information. The AAUP will seek legal advice about the union’s right to
information about compensation of bargaining unit members.

- Workload policy – Administrators requested a review of the workload policy, last updated in 1991. The policy is posted on the Academic Affairs webpage.

The Executive Committee also discussed two special requests, one involving an equity adjustment for a faculty member whose salary is out of step with others in the department, the other involving re-assignment from a lecturer appointment to a tenure-line position. The committee voted to deny these requests. However, the issue of salary compression is open for further discussion. In bargaining sessions, the regents have repeatedly refused to make equity adjustments for underpaid faculty as a class. The union resists granting raises to individuals at the discretion of deans. As long as the stalemate persists, faculty who are paid significantly less than their colleagues have no recourse but to look for positions elsewhere. The AAUP executive committee will work on a new proposal for equity adjustments to bring to contract negotiations in 2014.

As part of its membership drive, the union is hosting **Happy Hour at the Brazen Head on Friday, September 27, at 4:00**. All full-time faculty are invited.

AAUP members are encouraged to attend the **fall dinner at the Field Club on Friday, November 8 at 6:00**.

**D. Educational Policy Advisory Committee (EPAC)** met September 13, 2013. Members present: Rami Arav, John Erickson, Sherrie Wilson, Richard Stacy, Dhundy Bastola, Nora Hillyer, Kerry Beldin and Associate Vice Chancellor Deborah Smith-Howell presided.

**Course Syllabi:**
The following new Course(s) were approved pending minor edits:
1. BSAD 3600 Business Ethics, 3 hours
2. SPED 3114 American Sign Language V Lab, 1 hour
3. TED 4120 Reading & Writing in Elementary Content Areas, 3 hours
4. SOC 4200 Sociology of the Body, 3 hours

The following revised course(s) was approved:
1. PSCI 3680 Government and Politics of Latin America, 3 hours

The following new course(s) were approved:
1. SOC 8050 Seminar on Teaching: Pedagogical Theory and Practice, 3 hours
2. JOUR 4200 Visual Communication and Culture Capstone, 3 hours
3. CSCI 4460 Natural Language Understanding, 3 hours

The following new course(s) was returned: needs to have cross-listing added and reviewed at the Graduate College level
1. SOC 4170 Sociology of Fatherhood, 3 hours

No action was taken on the following course(s):
1. MILS 1030: Foundations of Officetship and Basic Leadership, 2 hours

**E. U-Wide Fringe Benefits Committee:** Professor Erickson reported the meeting was held September 26, 2013 **September 26, 2013.**

**Notes:**

**Affordable Care Act (ACA) Implementation Issues**
Employer shared responsibility is an important part of the ACA implementation plan. Implementation of some provisions of ACA was delayed until 2015. This gives all NU campuses more time to plan. For NU, this does not greatly affect the majority of its employees who work more than 30 hours per week, since provision of full health coverage generally happens at that workload. However, it will significantly impact NU regarding employees who work less than 0.5 FTE. The campuses have a generally clear way to handle employees who work 30 or more hours. The problem involves people who work less than 0.5 FTE. These include student workers, adjunct faculty and graduate assistants. The difficulties
with determining actual work hours of these classes of employees was included in the April 2013 report, and will not be covered here again. However, these issues will almost certainly be raised again in the next year on all NU campuses.

**Health Insurance Marketplace Notice**

Employers are required to inform employees of the new Health Insurance Marketplace Coverage via a notice sent to each employee. The deadline for employers to send the notice to employees is October 1, 2013. However, the (Federal) government is still “tweaking” the wording of the announcement so most employers including NU have delayed sending the notice. Notices will be sent to regular full time and part time employees, meaning that anyone who works in any capacity on any campus will get a copy. NU will send more than 27,000 notices to employees who are employed in the system. The summary will not be mailed, but will be emailed, and there will be links to the full document. 500 notices have to be sent through standard mail because those employees do not have an email listed in the SAP system. The notice will not go to retirees or COBRA covered employees.

A part of the notice informs current employees enrolled in or covered by a plan in place that there is nothing new the employee needs to do. There will be other health insurance options available, but the (employee) costs to opt out could be double or at least significantly higher, so it is unlikely that many employees will do this.

**Flexible Spending Account Implementation**

The project was implemented using Wage Works as the (outsourcing) provider. The system went live on June 5, 2013, and seems to be working well so far. Benefits administrators on the 4 campuses will probably receive more questions in November/December, during the NuFlex enrollment period, and March, near the annual submittal deadline. Feedback seems very positive up to this point from all campuses. A few minor bugs were noted on the technical side, but no big issues have been reported.

**COBRA Outsourcing**

The provider Wage Works was selected as the outsourcing partner. The project has begun, and a March 2014 go live date is projected at this point.

**Comprehensive Wellness Program**

NU has been working for 3 to 4 months on development and deployment of a comprehensive wellness program. A steering committee composed of all campuses’ wellness directors is helping with the project. A RFP was issued on September 4th, and responses were due on September 25th. There were 6 companies that submitted proposals. The 6 will present to NU and the committee on October 29-30. The list will be narrowed to 3 companies, and then the committee will have a final selection from among the remaining 3 companies. Options for the program include biometric screening, data collection, reporting, and others (several modules at additional costs can be added). At this point we do not know what costs will be, and whether or how much the employees will have to contribute to it.

**Retirement Plan Revenue Credit**

Fidelity and TIAA-CREF are required to return (excess) administration fees to the NU program and employee accounts. Employees will receive the refunds directly into their accounts. The refunds will be allocated based on participant’s account balance. The TIAA-CREF portion refunded to the NU system is $1.9 million, but when averaged over all participants (including retirees) the refund will be a much smaller amount. $100 is the average, although a newly hired employee might receive only $2 or $3, while a long time employee might receive closer to the average of $100. The Fidelity portion is roughly $200,000, divided among 8,500 participants. Communications will be sent when the refund actually happens.

**NUFlex 2014**

**ANNUAL NU FLEX SCHEDULE**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>September 26</td>
<td>Update Universitywide Benefits Committee of benefit plan changes</td>
</tr>
<tr>
<td>October 1</td>
<td>Approve January 1st health insurance (medical and dental) employee and employer</td>
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<td>contribution and benefit plan changes</td>
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<tr>
<td>October 14</td>
<td>Update campus administrators with the final health insurance contribution increases</td>
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<td>and benefit plan changes</td>
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Medical Insurance
- Every employee will receive a new medical ID card, because of ACA, early in early January 2014 (do not know whether dependents’ name will be on card)
- Smart phone application from Blue Cross. It will allow employees to administer their own benefits plan and wellness.
- There were a number of small contract changes. More substantial changes will occur once ACA is fully implemented
- NU is a grandfathered program (we are one of 2 grandfathered plans in BCBS). This means that costs have not significantly increased this year, and may not in 2014, but when the full ACA is implemented in 2015, there may be significant additional costs (which tend to be passed along to employees).

Prescription Drug Plan
- Change to formulary management strategy program – expand to include 27 new drugs
- Requires prior approval for using brand-named drugs
- The changes include several new types of specialty drugs; HIV, HA, HB, HC, immune suppressors…. Employees will receive many of these via mail order.

Vision Care Insurance
- Premiums will increase 2% in January 2014. This is caused by compliance with ACA, and requires employers to submit fees to the government as part of the cost sharing plan. This means that the costs are shared with employees.

Life Insurance
- Proof of insurability will be done electronically again for employees wanting to add or modify life insurance. Assurance (the provider) has done a lot of work fixing software errors, and (hopefully) it will be easier to administer and use this year.

Flexible Spending Account Plan
- The FSA annual limit is supposed to increase but delays in government release of guidelines have made it unclear as to when this will happen and how much the limits will increase.

Campus Representative Input
UNL questioned whether NU had considered MSA (medical savings accounts). These are high deductible health plans, and generally attract younger and/or healthier people who are less likely
to have health related insurance claims. That leaves the others who may have more health related
insurance claims in plans that reflect those increased costs. Employees could go to banks (some
do this now) and set up their own MSA. Wells Fargo manages one for example. The ACA may
impact this so NU will probably hold off for now from getting too involved.

Other notes:
The federal government recently passed a law stating that any married couple can file joint tax
returns. This is specifically aimed at same-sex marriages that are performed in some states and
recognized or not in various other states. The problem for Nebraska is that the State Income tax
form (and one would suppose the underlying laws) does not allow those classes of married
couples to file jointly. It leads to an administrative problem whereby a couple could legally file a
Federal 1040 jointly but not a State of Nebraska form. Since the data from the Federal 1040 is
used to calculate returns for the Nebraska form, this leads to the problem and conflict. The tax
committee is examining the issue…

Next Meeting – April 2014

Other Committees:

A. **University Committee on the Advancement of Teaching (UCAT):** Prof. Stanton
reported at our September UCAT meeting we did the following:
- Discussed the UCAT potential featured speaker briefly. Will discuss Dr. JoAnne
  Owens-Nauslar more next meeting.
- Revised the UCAT travel grants for use of applicants to include link to conference
  website and provide more information on the proposed travel budget.
- Reviewed and awarded two faculty travel grants.

VII. The meeting adjourned at 3:56 p.m. with announcements

VIII. Announcements

A. **EC&A Mtg:** Wednesday, October 16, 2013, 2 p.m., EAB 200, Chancellor’s
   Conference Room

B. **EC&C Mtg:** Wednesday, November 6, 2013, 2 p.m., ASH 196

C. **Faculty Senate Mtg:** Wednesday, November 13, 2013, 2 p.m., MBSC Chancellors
   Room