Present: M. Bacon, Kelly, Melanson, Rech, Richter-Egger, P. Smith, R. Smith, Winter, Woody

Presentation: Mark Goldsberry, Director, Records & Registration, and Randy Sell, Director, Financial Aid (Grading Deadlines) “Submitting Grades Late Effects Financial Aid”

I. The meeting was called to order by Vice President Winter at 2:40 p.m.

II. The Minutes of March 6, 2013, were approved as written.

III. Officers’ Reports

A. President’s Report: Senator P. Smith reported:

1. The Board of Regents Meeting met March 15, 2013.

   Legislative Update
   Speaker of the Legislature Greg Adams gave a brief update of the current legislative session. Senator Adams suggested that the budget guides the framework for legislative decisions, and is therefore one of the most important issues. Education and Medicaid are also important issues for this legislature. He discussed the strengths and limitations of term limits. Senator Adams also stressed that serving as a legislator has time commitments that most don’t realize, and educating the community on the time commitment and its impact on a legislator’s personal income is important. Senator Adams stated that the Affordability Compact is the goal, but reaching it is still in doubt. However, education remains a high priority.

   Business Affairs Committee
   a. Chris Kabourek, Assistant VP/Director of Budget & Planning presented a University of Nebraska budget update. Approximately two-thirds of the budget includes restricted, designated, or self-supporting items, while one-third is unrestricted which supports teaching and general university operations. Staffing trends, compensation peer comparisons, preliminary 2014 salary increases, and 2014-15 University budget requests were reviewed. A timeline outlining the budget process was presented, with the Board of Regents to consider the 2013-14 budget and tuition rates to be considered on June 7.

   b. Chancellor Christensen, Athletic Director Trev Alberts, Vice Chancellor Bill Conley, and Vice President and General Counsel lead a discussion related to the new arena proposal for the UNO campus. A project description and purpose and objectives were presented. Objectives include providing a campus home for UNO Athletics, ensuring practice ice time, enhancing student life experiences, enabling long-term financial stability for UNO Athletics, assisting the UNO enrollment growth plan, promoting the UNO
brand, and providing positive fan experiences. Opportunities for the arena to be a plus for the community were also shared. The presentation included a review of the site, the proposed budget and funding model, timeline for completion, and the consistency of this project with the University of Nebraska Strategic Goals and UNO’s strategic plan.

**Academic Affairs Committee**

a. A research update was presented by UNMC and UNL University representatives. UNL’s research and economic development growth initiative was presented and discussed. Strategies for continued research growth and samples of major research initiatives were presented. And updates on the Athletics-Academics Research Collaboration, key areas to seek increased research funding, the Nebraska Innovation Campus, and strategic investments in new faculty were provided. The UNMC research goals were presented which highlighted strategic research planning areas. The presentation also included a focus on agricultural health and safety. The Office of the Provost presented information on NU research awards. Key points included that NU researchers are highly competitive, NU researchers have leveraged the State’s investment in research infrastructure, and there is uncertainty about the future of federal research funding.

b. The impact of Sequestration on Federal Research was presented by Craig Munier, Office of Scholarships and Financial Aid, UNL. Sequestration is an across-the-board cutting mechanism, designed to reduce the federal deficit, scheduled to occur over the next 10 years, and designed to achieve $85 billion in cuts over that time. This initiative will impact federal student financial aid with an estimated 5.1% decrease in the first year, will have an impact on TEACH grants, and will impact Military Tuition assistance. If sequestration continues beyond one year Pell Grants would be reduced, college Bound Nebraska could be impacted, and would result in further campus-based aid.

2. **President’s Meeting with Chancellor** took place on March 19, 2013.

a. Discussed Resolution President Milliken’s visit to the Faculty Senate, focusing especially on the affordability compact. We also discussed the need for the university to set performance indicators from a university-wide and specific campus perspective. Performance indicators were initially set with considerable input from faculty and must continue to include faculty in addressing these indicators.

b. The Chancellor reviewed the UNO arena proposal. He discussed funding, timelines, and the importance of the arena as a community enhancement. Enhanced student engagement, opportunities for student employment, and opportunities for community organizations to use the facility were addressed.

c. We discussed the importance of the Faculty Senate to be at the center of discussions and actions related to the use of MOOCs and other distance and online delivery of instruction initiatives. The Chancellor agreed with the idea of forming an ad hoc committee to address these issues.

d. The Senate president’s term of office was also discussed. I shared with the Chancellor the issues that other campuses have had in filling the position of the president.

3. **EC&A met March 20, 2013, with just President P. Smith, Chancellor Christensen, and SVC Reed attending. They discussed the issue of Shared Governance.** And SVC Reed will look into the surprise cost of the Campus Employee Directory.

4. **Deans Forum Summary**: As of April 1, 2013, it has been updated to February 7,
5. Written Acknowledgements for Resolutions:
On March 25, 2013, Chancellor John Christensen sent this e-mail regarding
Resolutions 4076-4078:
Yes I approve all of these and choose Tammie Kennedy for Position B on the
Student Publications Committee.

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<tr>
<th>Res. #</th>
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<tr>
<td>4078</td>
<td>3/13/13</td>
<td>Replacement on Excellence in Teaching Award Committee</td>
<td>3/25/13</td>
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<td>Chancellor Approves</td>
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<td>4077</td>
<td>3/13/13</td>
<td>Student Publications Committee, Position B</td>
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<td>Chancellor Approves and chooses Tammie Kennedy</td>
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<td>4076</td>
<td>3/13/13</td>
<td>Commendation</td>
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<td>Chancellor Approves</td>
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<tr>
<td>4074</td>
<td>2/13/13</td>
<td>Criminal Background Checks at UNO</td>
<td>2/18/13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Not supported. As with Resolution 4073, which I opposed, in part, because of its reference to all NU campuses, I also believe this to be a safety issue for which we have legal and fiduciary responsibility. In summary, the absence of some form of background checks for persons employed on campus seems in opposition to best practices.</td>
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<tr>
<td>4073</td>
<td>1/16/13</td>
<td>Amended Resolution 4054 on Criminal Background Checks</td>
<td>1/23/13</td>
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<td>The Chancellor cannot support and would like to discuss this resolution at today’s Faculty Senate Exec. Committee / Administration meeting.</td>
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<tr>
<td>4054</td>
<td>7/11/12</td>
<td>Determine Contractual Implications of Background Check Policy (w/participation of bargaining unit and Central Admin.)</td>
<td>9/6/12</td>
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<td>The chancellor acknowledges receipt of the resolution and has provided the legal opinion requested.* Chancellor cannot support this resolution.</td>
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<td>3079</td>
<td>3/9/11</td>
<td>Shared Governance</td>
<td>4/15/11</td>
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<td></td>
<td>Not supported. Chancellor’s Comment: “While I continue to be an</td>
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http://www.unomaha.edu/aandsaffairs/inside/deansforum.php
4074 (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 2/18/13): Not supported. As with Resolution 4073, which I opposed, in part, because of its reference to all NU campuses, I also believe this to be a safety issue for which we have legal and fiduciary responsibility. In summary, the absence of some form of background checks for persons employed on campus seems in opposition to best practices.)

*4073 (From Chancellor Christensen via Nancy Castilow in an e-mail sent on 1/23/13): The Chancellor cannot support and would like to discuss this resolution at today’s Faculty Senate Exec. Committee/Administration meeting.

*4054 (Legal Opinion): From: John C. Hewitt [mailto:jhewitt@clinewilliams.com]; Sent: Tuesday, July 17, 2012 9:11 PM; To: Ed Wimes; Subject: Background Checks.

Ed,

In a response to my email of July 14, you have indicated that at this time you anticipate that the “background check” at the University of Nebraska at Omaha will consist of the University reviewing public records (i.e., sex offender registry, criminal convictions, etc.) for applicants for employment. Based on the foregoing you have inquired whether such an approach would constitute a mandatory subject of bargaining.

The simple answer is that the University could, in my opinion, proceed to implement such an approach for applicants without any discussions. The obligation to bargain in good faith concerning mandatory subjects is generally limited to the current employees of an employer. There generally no obligation to negotiate concerning prospective employees. Star Tribune, 295 NLRB 543 (1989).

If there remains any discussion about expanding such an approach to current employees, then the answer becomes more complicated. Nevertheless, I do not believe that the University would be required to bargain over the decision to review public records at its own cost and expense. As I indicated previously, this decision would likely be within the employer’s managerial discretion. However, I also believe that the University would be required to bargain over the “effects” of such a decision; such as (a) whether any information in a person’s criminal record would remain confidential; (b) whether certain employees would be exonerated based upon length of exemplary work records; (c) the appeal rights of employees who claim that they have been incorrectly identified of having been convicted of a particular crime or who believe there are extenuating circumstances that would exclude their disqualification; and (d) the categories of offenses that would result in automatically exclusion from employment.

If you would like to discuss further, please do not hesitate to call.

John C. Hewitt; jhewitt@clinewilliams.com; CLINE WILLIAMS WRIGHT JOHNSON & OLDFATHER, L.L.P.; 1125 S. 103rd Street, Suite 600; Omaha, Nebraska 68154; Phone 402.397.1700/Fax 402.397.1806

*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.”

*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. Senator M. Bacon gave the March 2013 Treasurer’s Report.

IV. Standing Committee Reports

A. Committee on Academic and Curricular Affairs: Senator N. Bacon reported:

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<td>Senator N. Bacon reported:</td>
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Executive Committee & Cabinet Minutes - 4/3/13

EC&C Agenda 5/1/13 - Attachments - Page 4
MOOCs

On March 27, Academic and Curricular Affairs had a conversation with Dan Gilbert, Assistant to the SVC, about MOOCs and their implications for UNO. Our discussion was wide-ranging, occasionally raising fundamental questions about teaching, learning, and the essential characteristics of a college course.

We learned that Mary Niemiec of NU Worldwide has been charged with developing a plan for the NU system to respond to the possibilities afforded by MOOCs. At UNO, Dan Gilbert is charged with articulating key principles that will govern our response. He is, therefore, talking to as many groups as possible to get a sense of opinions on campus.

Gilbert distributed several articles and shared information about some developments across the country. The University of Wisconsin is experimenting with a competency-based degree. Colorado State is offering credit for proctored tests that students can take to demonstrate content-area knowledge after completing MOOCs. The state legislature in California has ruled that the California State University system must accept credit for MOOCs from students who are unable to find seats in comparable courses on university campuses.

The business model for MOOCs is mysterious. Gilbert is currently enrolled in a MOOC; he paid $49 for a “signature verification” establishing that he is doing his own work, and for another $49 he can take an exam for credit authorized by the American Council on Education. Some of the most visible MOOC providers are supported by grants. Will they ultimately accept advertising, or sell information about students?

Deadline for Submitting Grades

The committee was asked to consider the recent proposal to narrow the grading window to five days. Since only one member present on 3/27 had attended the senate meeting two weeks earlier, we were not well prepared to discuss this issue. Later (on April 1), Senator Nora Bacon spoke to Registrar Mark Goldsberry and Financial Aid Director Randy Sell to get some details about why the change had been proposed. It became clear that this matter will require discussion between the relevant administrators and the faculty senate, but Goldsberry and Sell are unavailable on April 24, the date of the committee’s only remaining meeting this semester. Instead, Goldsberry and Sell will visit with the executive committee and cabinet on April 3.

B. Committee on Educational Resources and Services: Senator Richter-Egger reported the committee met on Wednesday, March 27th. Jeanne Surface, Patrick O’Neil and I were present. The committee discussed and ranked the tech-fee proposals and sent our ranked top five to Joyce Crockett. Input for the ranking was provided by the 3 attending members and by Robert Smith who sent his by email prior to the meeting. The committee evaluated the proposals independent of other rankings (college, dean, other committees) according to the criteria provided by John Fiene (shown below). I’ve attached the tech-fee proposal summary that also includes the ER&S committee’s ranking. (agenda attachment – page 14)

Following the tech-fee proposal discussion, the committee was reminded that it will need to review Paul Beck scholarship applications and choose a 2013-14 committee chair-person. Please let me know if you have any questions. I am planning to attend the EC&C meeting on April 3rd.

Criteria When Reviewing Proposals:

- Leveraging matching funds (or potential to leverage other funding sources)
- Congruency with the university and college strategic plans
- Innovation
- Breadth of impact, depth of impact
● Collaboration within and between units
● Leveraging existing technologies or facilities
● Suitability of budget for the purpose
● Update to IT Infrastructure
● Funding cannot be used for salaries

C. Committee on Faculty Personnel and Welfare: Senator Melanson reported that the committee was in the process of completing two items:
1. Faculty Background Checks;
2. Long Term Disability Benefits.

D. Committee on Goals and Directions: Senator Kelly moved and the EC&C passed the following new resolution to the full Senate next week:

1. RESOLUTION: Revised Shared Governance

WHEREAS, in the tradition of academic freedom, peer review, and shared governance, it is of critical importance that faculty, administrators, and governing boards share a common understanding of shared governance in order to fulfill commitments to the educational mission of the university in seeking, discovering, and disseminating knowledge;

AND WHEREAS, the practice of shared governance is a necessary condition for academic freedom, the mission of the university, and effective peer review whereby peers determine the curriculum and standards that define competence and ethical conduct in the disciplines;

AND WHEREAS, the university's mission of seeking, discovering, and disseminating knowledge can best be achieved through the joint effort of faculty, students, administrators, and governing boards;

THEREFORE, BE IT RESOLVED that the UNO faculty and administration will work toward a commonly acceptable and agreed-upon vision of shared governance, and that it be understood as a system of authority and responsibility in keeping and in compliance with the Bylaws of the Board of Regents of the University of Nebraska which delegate authority in matters academic and educational to the elected representatives of the faculties and in matters administrative and financial to the administrations, with both units understanding that these areas form a symbiotic relationship of interdependency.

AND BE IT FURTHER RESOLVED that the Faculty Senate of the University of Nebraska at Omaha thereby understands that the faculty have been delegated to have primary (but not exclusive) initial authority for decisions in the following areas: the curriculum; procedures of student instruction; standards of student competence; aspects of student life which relate to the educational process; the requirements for degrees offered; research; standards of faculty competence and ethical conduct, including faculty appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal.

E. Committee on Professional Development: Senator Woody reported that on March 27, 2013, there was a meeting of the Faculty Senate’s Professional Development Committee. Regina M. Toman (Assistant Dean of the College of Public Affairs and
Community Services) met with the Committee, focusing on factual information about Massive Open Online Courses (MOOCs). Contrary to any information from other administrative sources, she emphasized that, to date, there have been only "limited conversations about MOOCs," and no MOOC course has been approved or applied within the General Studies Program. She stated that, in the event there is any MOOC-related action in the future, the CPACS Faculty Academic Committee will review and act on the matter. She added that there is no immediate plan to approve MOOC experiences, albeit that the American Council on Education has recommended five MOOCs for academic credit (for more information, see: http://chronicle.com/article/American-Council-on-Education/137155/).

Senator Woody moved the following and the EC&C passed the motion. The resolution will go before the full Senate next week:

At present, standards for MOOCs are undefined and the evaluation component is uncertain; therefore, until these issues are clarified and reviewed through established academic channels, UNO should grant no credit for a MOOC experience.

The Committee respectfully requests that this motion be adopted as a Resolution by the UNO Faculty Senate.

In discussing distance education, Senator Winter pointed out that certain states (e.g., Alabama, Florida, Michigan, and Virginia) are now mandating that high school students complete some online credits (for more information, see: http://www.educationnews.org/online-schools/high-school-online-credits-now-mandatory-in-virginia/).

The next meeting of the Professional Development Committee is scheduled for April 24, 2013.

F. Committee on Rules: Senator Rech reported the Committee met and is sending out requests to faculty to serve on University committees.

V. Non-Senate Committee Reports

A. American Association of University Professors (AAUP): Senator Richter-Egger reported the AAUP has asked if the Faculty Senate would consider a motion regarding bullying in the workplace. The EC&C thought this was already covered by both the AAUP and Professional Conduct Committee.

B. Strategic Planning Steering Committee: Senator M. Bacon reported the Strategic Planning Steering Committee met on March 27 and concentrated on the upcoming Strategic Planning Event on April 3. Presentations on AQIP dashboard indicators, alignment of strategic plans (the NU framework and the UNO Plan), human capital, UNO branding, and budget and sustainability, as well as a report on Senate activity will be included. Vice Chancellor Reed gave the Chancellor’s report and mentioned that the system is aware of and working on various MOOC scenarios, and that, following a Platt Institute recommendation, the formulation of performance indicators for the University be undertaken. The data integration issues in this endeavor are significant and there are differences in thinking between the campuses and the central administration.

C. U-Wide Fringe Benefits Committee: Professor Erickson (Next Meeting: April 25,
2013). It was also announced that if there is anyone on Faculty Senate or elsewhere on campus that has an issue for the committee, please send it to me as soon as possible so that I can get it on the agenda for the April 25th meeting.

Other Committee Reports

A. University Committee for the Advancement of Teaching (UCAT): Prof. Bloom

At our March 29th UCAT meeting we did the following:

- Reviewed five faculty travel grants and awarded three.
- Reviewed twelve curriculum development grants, rejected two, tabled two and awarded eight.
- The committee will be reviewing the tabled grants as well as any additional travel grants at our April meeting. We have limited funds, so we will probably only be awarding two to three grants total at that meeting. We will also be electing a chair and discussing procedure for the 2013-2014 academic year.

B. UCRCA Minutes: February 15, 2013

Present: Julie Delkamiller, GJ de Vreede (Chair), Karen Falconer al-Hindi, Ann Fruhling, Victoria Kennel (student representative), John McCarty, Lotfollah Najjar, Barb Simcoe, Peter Szto, Ex Officio: Scott Snyder, Beth White
Not able to Attend: Lisa Knopp, Wei Wang Roe, Mary Laura Farnham (Ex Officio)

Present: Julie Delkamiller, GJ de Vreede (Chair), Karen Falconer al-Hindi, Ann Fruhling, Victoria Kennel (student representative), John McCarty, Lotfollah Najjar, Barb Simcoe, Peter Szto, Ex Officio: Scott Snyder, Beth White
Not able to Attend: Lisa Knopp, Wei Wang Roe, Mary Laura Farnham (Ex Officio)

1. Minutes from January 11, 2013 meeting were approved as submitted.
2. Review of Proposals:
   Faculty Full Proposals
   Funded (13); Not Funded (8)
   The following faculty proposals were recommended for funding:
   - Bradley Bereitschaft, 2013-14-F $5,000
   - Lisabeth Buchelt, 2013-15-F $2,500
   - Ana Carballal, 2013-16-F $4,500
   - Christine Cutucache, 2013-17-F $4,250
   - Shari DeVeney, 2013-20-F $5,000
   - Tomas Helikar, 2013-22-F $5,000
   - Jay Irwin, 2013-23-F $5,000
   - Sofia Jawed-Wessel, 2013-24-F $5,000
   - Ramazan Kilinc, 2013-26-F $5,000
   - Jodi Kreiling, 2013-27-F $5,000
   - Jukka Savolainen, 2013-29-F $5,000
   - Robert Todd, 2013-30-F $5,000
   - Miles Waggener, 2013-31-F $4,845

Student Proposals
Funded (5); Not Funded (3)
The following graduate student proposals were recommended for funding:
- Rosemary Arrah, 2013-26-SG $500
- Michelle Biodrowski, 2013-27-SG $500
• Xin Shao, 2013-31-SG $500
• Kristin VanWyngaarden, 2013-32-SG $500
• Heather Wills, 2013-33-SG $500

3. Discussion
   Committee discussed possibility of adding language to guidelines re: funding of
textbook projects

C. University Committee on Technology Resources, Services & Planning: Senator
   Woody reported the committee met April 3, 2013 and parcelled out $300,000 in
   Technology Fees for technology hardware and software. There were varied proposals
   and almost every college got something.

VI. New Business

A. AFCON Dues: $120 per Organization per Year due now (Continue’?). The EC&C
   asked the Faculty Senate Coordinator to contact Professor Linda Parker, 2012-2013
   representative to AFCON, for any reports she may have. The Coordinator was also
   asked to forward any minutes she could find from AFCON meetings. She forwarded
   the AFCON website to all EC&C members:
   http://www.academicfreedomingnebraska.org/index.html
   The decision will be made at the May 1, 2013 meeting.

B. The Standing Committee Year End Report form was distributed and explained to
   committee chairperson. It is due at the May 1, 2013, EC&C meeting.

VIII. The meeting adjourned at 4:20 p.m. with announcements.

IX. Announcements
   A. Faculty Senate Mtg: Wednesday, April 10, 2013, 2 p.m., MBSC Chancellors Room
   B. EC&A Mtg.: Wednesday, April 17, 2013, 2 p.m., EAB 200, Chancellor’s Conference
      Room
   C. Faculty/Staff Awards Dinner: Wednesday, April 24, 2013 (6:30 Social, 7:15
      Dinner) Alumni Center
   D. EC&C Mtg: Wednesday, May 1, 2013, 2 p.m., ASH 196
   E. Faculty Senate Mtg: Wednesday, May 8, 2013, MBSC Chancellors Rm.
   F. Faculty Senate Retreat: Daylong Event, August 21, 2013