Wednesday, August 19, 2015, Mahoney State Park


Excused: Adams, Carlson, Chao, Clinkinbeard

Absent: Ford, Ostler

I. The meeting was called to order at 9:02 a.m. by President Woody. All senators introduced themselves, etc. Parliamentarian James Carroll gave some explanations of Robert’s Rules of Order as they pertain to Senate meetings.

The meeting recessed for the Senators to break out into groupings of colleges to get to know each other and to elect or ask for volunteers to be College Liaisons:

A&S: Paul Landow
CBA: tbd
CFAM: Amy Morris
CPACS: Nancy Kelley Gillespie
ED: Phil Nordness
IS&T: Harvey Siy
LIB: Bob Nash
EXT: Bing Chen

II. The Minutes of May 13, June 3 (EC&C), and July 1 (EC&C), 2015 were approved as submitted.

III. Officers’ Reports

A. President’s Report: Senator Woody had meetings for the following:

1. NU Calendar Meeting: 8/13/15 (agenda attachment – pgs. 50-51)
   - The major issue was nine weeks (not eight) before a semester break.
   - No support for delaying the start of the academic year.
   - No accommodation of religious Holidays.

2. Meeting w/Faculty Senate Presidents
   - Views about seeking a seat (probably non-voting) on the Board of Regents for a faculty member from each campus.
• “Adjuncts” issue continues to be on front burner.
• A wish for considering the idea of each college being able to set its own tuition rate.

B. Vice President’s Report: Senator Grams reported:

At the August 7, 2015 NU Board of Regents meeting, the Board approved the new Early Childhood Inclusive major in UNO's College of Education, approved the purchase agreement for 104 West Watershed acres adjacent to the University of Nebraska at Omaha’s Glacier Creek Preserve, and approved the Program Statement for and expenditures related to the University of Nebraska at Omaha parking project on the Pacific Street Campus. The Regents also passed a resolution strongly encouraging all students, faculty, and staff to engage in new training related to Title IX.

C. Secretary-Treasurer’s Report: Senator Eesley reported:

1. EC&A Report: No Meeting/No Report

<table>
<thead>
<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>
<th>In Progress</th>
<th>Final Action/Resolved</th>
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<tbody>
<tr>
<td>4210</td>
<td>7/1/15</td>
<td>Appreciation for UNO AVC for Information Systems John Fiene</td>
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<td>4188</td>
<td>3/11/15</td>
<td>Revise and Separate Alcohol and Illicit Drugs Policies</td>
<td>3/18/15</td>
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<td>TO BE FOLLOWED UP</td>
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<tr>
<td>4185</td>
<td>2/11/15</td>
<td>Regarding Establishing Clear and Communicable Policies for Emeritus Status</td>
<td>2/18/15</td>
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<td></td>
<td></td>
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<td>Acknowledged</td>
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<tr>
<td>4074</td>
<td>2/13/13</td>
<td>Criminal Background Checks at UNO</td>
<td></td>
<td>2/18/13</td>
<td></td>
<td></td>
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<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</td>
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Determine Contractual Implications of Background Check Policy (w/participation of bargaining unit and Central Admin.)

7/11/12

9/6/12

The chancellor acknowledges receipt of the resolution and has provided the legal opinion requested.*

(UNO Faculty Senate is not satisfied with this response.)

*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.

*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 is 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 exempted 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


IV. Executive Committee Report:

Senator Grams moved the following for the committee. It passed and Senator Nash was welcomed as the Chair of the Rules Committee.

RESOLUTION 4210, 8/19/15: Rules Committee Chair

WHEREAS the Rules Committee is still without a chairperson from within the committee membership;
BE IT RESOLVED that Robert Nash be moved from the Educational Resources & Services to the Rules Committee, and Nancy Kelley Gillespie will be moved from the Rules Committee to Educational Resources & Services;

AND BE IT ALSO RESOLVED that Robert Nash, a new Senator and former Rules chairperson, has agreed to be appointed by President Woody as the 2015-2016 Rules Committee Chairperson.

The meeting recessed at 11:15 a.m. for a presentation by NU President Hank Bounds, and a break for lunch at 12:15 p.m.

The meeting resumed at 1:15 p.m.

V. Other Faculty Senate Committee Reports

A. Ad Hoc Survey Group (both Faculty & Student) Still Ongoing: Past President Scherer gave a 10 minute explanation of the summary.

VI. Non-Senate Committee Reports

A. Mav-Rec Wellness Advisory Committee: Instr. Jessica Baldwin wrote the committee met August 7, 2015. Summary of key issues discussed:
- Corporate cycling challenge- Sunday August 16, forms due by August 7 at 12pm
- Campus will go tobacco free as of September 2016
  - Three focus groups will be held for students, faculty, and staff starting fall of 2015 to help with transition
- Corporate Cup Run/Walk- Sunday September 13, to sign up go to:
  https://secure3.convio.net/ala/site/TRR/General/ALAUM_Upper_Midwest/561996963?pg=utype&fr_id=12930
  - Campus closed Sunday September 13 until Noon due to Corporate Cup Run/Walk. HPER will open at Noon that day.
- Glo Run- Friday September 18, sign up coming soon to Wellness Webpage
- Health and Wellness Fair- Thursday November 5 in HPER Gym from 8:30am-12:30pm
- Wellness Wall of Fame- to nominate a candidate for the wellness wall of fame:
  1. Log in to MavSync with NetID
  2. Under the Featured heading, click on Wellness Center
  3. Click on Forms
  4. Scroll down to Wellness Wall of Fame Nomination Form

The meeting was recessed at 1:40 p.m. for the standing committees to break out and discuss their goals for the coming year.

The meeting resumed at 2:15 p.m. with New Business and committee reports.
VII. New Business

Before the standing committees reported on their breakout sessions, the CFAM senators, whose college meeting was all morning on the UNO campus, introduced themselves, and Amy Morris volunteered to be the CFAM/Faculty Senate Liaison.

There was also a short conversation about attendance and participation at all Senate and Standing Committee meetings, and how the Faculty Senate Bylaws address attendance in Article III, Section 1 and 2.

The standing committees then reported on their breakout sessions.

A. Committee on Academic and Curricular Affairs: Senator Kreiling reported the committee plans to meet on the 4th Wednesday of each from 2-3:30 p.m.

Goals:
1. Determine the specific roles and purposes of the A&CA Committee with regards to the responsibilities listed in the bylaws.
2. Determine our role in approval of programs/degrees/departments.
   • Specifically seek clarification from AVC Deb Smith-Howell and Faculty Senate President Bob Woody that allows us to expedite the review process.
3. Establish a process that allows us to expeditiously review all proposals reviewed by the A&CA.

B. Committee on Educational Resources and Services: Senator Nordness reported the committee will meet at 2:30 p.m. on the last Wednesday of each month. The first meeting will be September 30, 2015.

Agenda for the year:
1. Disability Accommodations
2. Meet with Library Dean regarding open access journals search engine terminology.
   • What do students need from Tech Support? (Are there student groups who can address this?)
3. Need for technology (e.g., website) to better connect faculty and students with industry. Re: Career Center.
4. Classroom Technology Concerns
   • Design of smart rooms
     - Technology (updated)
     - Set-up in classrooms (e.g. lighting, placement)
   • Who oversees?
     - HELP Desk?
     - University IT Dept.?

C. Committee on Faculty Personnel and Welfare: Senator Gershovich reported that present in the meeting were all members of the committee, except for Senator Chao who was absent from the retreat. Past President Scherer also joined our meeting.

We agreed in principle to meet every last Wednesday of each month (with the exception of November and December), between 2:30-4:30 PM. However, we may alter those dates and/or times depending on the availability of members. Thus, the October meeting may move to the third Wednesday since one or two members won't be able to attend on the fourth Wednesday. Likewise, we may change the starting time of meetings in Spring 2016 to 4 PM.
The next FP&W committee meeting will take place on September 23, 2:30, in ASH 202.

At the focus of our first meeting today we discussed ideas for topics we'd like to focus on. At Senator Scherer's suggestion, we started reviewing the 2014 Survey of UNO Full-Time Faculty Members in order to identify areas of concern that may merit further investigation. We'll continue to study the results of the survey prior to our next meeting. Meanwhile, several issues came up as possible topics of examination:

- Cost of using HPER Wellness Center by non-HPER affiliated faculty
- Educational quality of UNO's Early Childhood Care Center
- Status of full-time non-tenure faculty
- Salary compression as a source of potential friction among faculty
- Issues related to workload and compensation.

Naturally, this list of topics may be changed with developments during the year.

D. Committee on Goals and Directions: Senator Holley reported

Goals and Directions Committee Membership:

Members Carrol Mitchell (College of Education) and Darryl Lewis (College of Business) have retired from UNO. John Noble (College of Education) has joined the Committee. When the new Faculty Senator from College of Business has been identified, they will serve on our committee. Current members are: Patti Carlson (CPACS-2017), Lyn Holley(CPACS-2016), John Noble (COE-2016), Elliott Ostler(COE-2017), and Beth Ritter(A&S, 2016).

Darryl Lewis had been identified as Committee Vice Chair, so a new Vice Chair is needed. The Vice-Chair acts as Chair in the absence of the Chair. Please let me know asap if you would be interested in becoming the Vice Chair.

Goals and Directions Committee Meetings:

If there is no objection, Goals and Directions Committee meetings will be held monthly on the last Friday that UNO is open, at 2pm on the East side of Campus (Arts and Sciences Hall, Roskens or Kayser). Please let me know asap is that (still) works for you.

Goals and Directions Committee Action Targets:

The mandate for the committee per our bylaws includes “matters which pertain to” the following areas of focus which can be divided among committee members as areas of focus for monitoring and facilitating progress toward strategic goals of UNO and the Faculty Senate (interpreted as monitoring university and special committees in these areas:

1. Future and development of the university  Lyn Holley (G&D member of UNO Strategic Planning Com, also follow up with Faculty Senate ad hoc Strategic Plan Writing Comm.)
2. Public image of the university and Community acceptance of higher education … TBA
3. Development of grant and endowment policies*  
4. Planning and utilization of campus facilities  TBA
5. Academic implications of budgets and finance Beth Ritter (G&D member of Academic Affairs)
6. Student Affairs and Athletics … John Noble  
*to be assigned as/if issues are brought to the Senate.

E. Committee on Professional Development: Senator Sollars reported

Topics we will be pursuing:
We will continue to look into the adjunct issue based on the survey from Spring 2015;
1. Professional development for online instructional design;
2. Examine archival data on issues relevant to Professional Development.

F. Committee on Rules: Senator Nash moved the following two resolutions for the committee. They both passed.

RESOLUTION 4212, 8/19/15: Campus Committees (a-b):

BE IT RESOLVED, that the following be appointed to Campus Committees as designated:

a. Academic Planning Council (APC)

BE IT RESOLVED, that the following names go forward as the Faculty Senate's representatives to the Academic Planning Council from the Committee on Academic and Curricular Affairs and the committee on Goals and Directions each for a one-year term from 05/13/15, through 05/11/16:

Laura Grams, from Committee on Academic and Curricular Affairs
Beth Ritter, from Committee on Goals & Directions.

b. Strategic Planning Steering Committee

BE IT RESOLVED, that one member of the 2015-2016 Faculty Senate Goals & Directions committee will be appointed to the Strategic Planning Steering Committee for a one-year term from 05/13/15, through 05/11/16:

Lyn Holley.

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RESOLUTION 4213, 8/19/15: AAUP Executive Committee (American Assoc. of University Professors)

BE IT RESOLVED, that the senate president appoints the following senator, who is also an AAUP member, as the senate representative for a one year appointment from 05/13/15 through 05/11/16, to the UNO Chapter of AAUP: to replace Avery Mazur, whose term has expired:

Griff Elder.

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Senator Nash also reported that committee members will work on filling the following committees by next week’s Rules Committee meeting. Suggestions from the Spring 2015 Survey are included:

Rene Erlandson leaving UNO (term: 8/1/14-7/31/17)
(Suggestions: Kent Blansett, Jeremy Johnson, Brett A. Leonard, Michael Matthews, Amy Schindler, Benny Smith, Bob Woody)

2. UCAT (University Committee for the Advancement of Teaching)
From College of Education to replace Sara Myers (term: 7/1/15-6/30/15)
(Suggestions: Shari DeVeney, Anastasia Kyvelidou, Michael Messerole, Adam Rosen)

3. UCRCA (University Committee on Research & Creative Activity)
Jukka Savolainen, CPACS, is leaving UNO (term: 8/1/15-7/31/18)
Matthew Harden, CFAM, is leaving UNO (term: 08/01/13 - 07/31/16)
(Suggestions: No one from CPACS asked to be considered for this committee).

4. Judicial Committee
To replace Candice Batton, who is moving to OASA. (term: 8/1/15-7/31/15)
(Suggestions: Kent Blansett, Victoria Lentfer, Michael Matthews, Michael McDonald, Amanda Randall, Clyde Richards, Bart Vargas)

5. Assessment Committee

RESOLUTION: Appointment to Assessment Committee

BE IT RESOLVED, that Senator _____________ be appointed to the Assessment Committee for a one or two year term as a representative for the Faculty Senate.

6. RESOLUTION: Academic Freedom & Tenure Committee
(for Faculty Senate nomination. The ballot will be mailed to the UNO Faculty. Results will be announced at October 2015 Senate meeting.)

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.

One tenured faculty member will be elected from the following two nominees to serve a three-year term from October 16, 2015, through October 15, 2018, to replace Vincent Woolf, whose term will expire:

Gwyneth Cliver
Rami Arav.

And one Non-Tenured Faculty member will be elected from the following two nominees to serve three-year terms from October 16, 2015, through October 15, 2018, to replace Arturo Miranda, whose term will expire:

Alicia Anderson
Adam Rosen.
And, due to Ramon Guerra’s being awarded tenure, one Non-Tenured Faculty member will be elected from the following two nominees to complete his three-year term from October 16, 2013, through October 15, 2016:

Arturo Miranda
Anastasia Kyvelidou.

7. RESOLUTION 9/15: Faculty Grievance Committee

BE IT RESOLVED that in accordance with the Faculty Senate of the University of Nebraska at Omaha Bylaws, Article VI.5.1, Faculty Grievance Committee, the following faculty members are brought forward by the Rules Committee for ballot election by the senate.

One full Professor will be elected from the following two nominees to replace David Carter, whose term will expire, for a three-year term from September 16, 2015, through September 15, 2018:

David Helm
David Carter;

One Assistant Professor will be elected from the following two nominees to replace Chin Chung (Joy) Choa, whose term will expire, for a three-year term from September 16, 2015, through September 15, 2018:

Jennifer Harbor
Ann Luther;

And one member of the Faculty Senate Faculty Personnel and Welfare Committee will be elected from the following two nominees to replace Avery Mazor, whose term will expire, as the Faculty Personnel and Welfare Committee representative for a one-year term from September 16, 2015, through September 15, 2016:

_________________________________
_________________________________.

8. RESOLUTION, 9/15: UNO Professional Conduct Committee

BE IT RESOLVED, that in accordance with the Faculty Senate of the University of Nebraska at Omaha Bylaws, Article VI.5.3, Professional Conduct Committee, the following faculty members are brought forward by the Rules Committee for ballot election by the senate.

BE IT RESOLVED, that one representative must be elected by ballot vote to serve a three-year term from September 16, 2015, through September 15, 2018, to replace outgoing members, John Erickson and Art Diamond, whose terms will expire. In accordance with Section 1.1 of the University of Nebraska at Omaha Professional Conduct Committee's Rules and Procedures, the following four nominees ( all tenured faculty ranked assistant professor or above) are brought
forward by the Committee on Rules for ballot election by the full senate as follows:

Guoqing Lu

The newly elected representatives will also serve as alternates for three-years from September 16, 2018, through September 15, 2021.
Melissa Berke will continue serving as alternate (replacing Joe Bertinetti) for three-years, from September 16, 2014, through September 15, 2017, per Resolution 4011.

AND

BE IT RESOLVED, that one representative must be elected by ballot vote to complete the last year of a three-year term as alternate through September 15, 2016, to replace Shereen Bingham, who has resigned from the committee. In accordance with Section 1.1 of the University of Nebraska at Omaha Professional Conduct Committee's Rules and Procedures, the following two nominees (all tenured faculty ranked assistant professor or above) are brought forward by the Committee on Rules for ballot election by the full senate as follows:

VIII. The meeting adjourned at 2:10 p.m. with announcements:

A. Standing Committee Meetings: 8/26/15, time/place to be set by each committee
B. EC&C Mtg: Wednesday, September 2, 2015, 2 p.m., ASH 196
C. Faculty Senate Mtg: Wednesday, September 9, 2015, 2 p.m., CEC 230

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<thead>
<tr>
<th>Schedule for 2015-2016</th>
<th>EC&amp;C Meetings (Usually 1st Wednesday of month)</th>
<th>Faculty Senate Meetings (Usually 2nd Wednesday of month)</th>
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<tr>
<td>June 3</td>
<td>June</td>
<td>January 13</td>
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<tr>
<td>July 1</td>
<td>July</td>
<td>February 10</td>
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<tr>
<td>*August 12</td>
<td>August 19, 2015 (Retreat) (3rd Wednesday)</td>
<td>March 9 (Spring Break 3/20-3/27/16)</td>
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<td>September 2</td>
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<td>April 13</td>
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<td>December 2</td>
<td>December 9 (Prep Week)</td>
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<td>January 6th (Semester begins 1/11/16)</td>
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<tr>
<td>May 4</td>
<td>(Finals Week)</td>
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