Wednesday, September 9, 2015, 2 p.m., CEC 230


Excused: Clinkinbeard, Dick

Absent: Ford, Morris, Ostler

Presentation: AVC Deb Smith-Howell discussed the campus process for reviewing new courses programs, etc., which is to primarily review and make recommendations to the Sr. VC and Chancellor who must “sponsor” the campus proposals to the President/Provost. There are multiple campus reviews by both faculty and administrators. What we want to do is establish the roles/responsibilities of each group so that we can have effective as well as efficient review. She felt the meeting with Academic & Curricular Affairs, last month, was very productive and perhaps we could build on that to draft guidelines for everyone involved in the process.

I. The Meeting was called to Order by President Woody at 2:12 p.m.

II. The Minutes of August 19, 2015, were approved as written.

III. Officers’ Reports

A. President’s Report: Senator Woody reported

1. Meeting w/Chancellor: August 26, 2015

The following were discussed:

- The possibility of a faculty and/or staff (non-voting) member on the Board of Regents. The Chancellor had reservations about finding any advocate on the Board of Regents. It was suggested that one (single) letter be sent to President Bounds signed by the four Faculty Senate Presidents. He could not identify any source that would likely support the idea, and the matter would have to be handled by the NU System’s office.

- Developing the relationship with Metro Community College. There have been numerous academic meetings between both MCC and UNO. The issue will be raised again at the next EC&A meeting. Their intention is to move forward on this institutional relationship.

- Recruiting students from families experiencing poverty. For the Chancellor, this is a high priority project, which is being handled by AVCs Dan Shipp and Jonathan Benjamin-Alvarado.

- The subject of a timeline for progress on Adjuncts and Professors of Practice
has been moved to Varner Hall to work on. Information was provided by UNO to Susan Fritz, Interim Executive Vice President and Provost. She will handle this and report directly to the Board of Regents.

- Facilitating processing of new programs, degrees, and units. The Chancellor agreed that this was part of Shared Governance. The push back is through the faculty/units/departments, not SVC BJ Reed or AVC Smith-Howell. The proposed timeline is allow 4-6 weeks from AVC Smith-Howell to Faculty Senate and back.

- Staying informed about forthcoming administrative decisions, such as new administrative hires, new Program Specialist in OA&SA, etc. This is on the Chancellor’s list to bring up in the next EC&A meeting.

2. Other Meetings

- **SAC President Teonne Wright:** The two presidents discussed how each organization can help the other, among other things.

- **HR Director, Cecil Hicks:** Concerned about adjunct issue, and background checks are being done for all new hires.

B. Secretary-Treasurer’s Report: Senator Eesley

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>
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<td>8/19/15</td>
<td>AAUP Exec. Comm.</td>
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<td>4212</td>
<td>8/19/15</td>
<td>Campus Committees (a-b)</td>
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<td>4211</td>
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<td>Rules Committee Chair</td>
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<td>4210</td>
<td>7/1/15</td>
<td>Appreciation for UNO AVC for Information Systems John Fiene</td>
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<td>4194-A</td>
<td>4/8/15</td>
<td>Language on Reporting Sexual Misconduct Proposed for All-Campus Use in Syllabi</td>
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<td>4194-B</td>
<td>4/8/15</td>
<td>Language for Title IX Responsibilities for UNO Faculty</td>
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**TO BE FOLLOWED UP**

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<tr>
<td>4188</td>
<td>3/11/15</td>
<td>Revise and Separate Alcohol and Illicit Drugs Policies</td>
<td>3/18/15</td>
<td>Chancellor supports &amp; will write a response</td>
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<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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### Faculty Senate Agenda Attachments – 10/14/15 - Page 3

<table>
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<tr>
<th>Resolution</th>
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<tr>
<td>4074</td>
<td>2/13/13</td>
<td>CARRIED FORWARD</td>
<td></td>
<td>2/18/13</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>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></td>
<td>9/6/12</td>
<td>The chancellor acknowledges receipt of the resolution and has provided the legal opinion requested.*</td>
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</table>

*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.)*

*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 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
2. Treasurer’s Report: Senator Eesley submitted the August 2015 Budget report.

IV. Executive Committee: Senator Grams moved the following for the committee. It passed.

A. RESOLUTION 4214, 9/9/15: Faculty Senate College Liaisons

WHEREAS the following practices initiated during the 2014-2015 Academic Year have been found useful,

BE IT RESOLVED that the Faculty Senate endorses and supports their continuation:

At least one faculty senator will be appointed to serve as the College Liaison with the Faculty Senate and in that capacity will connect their college with the Senate by emailing to colleagues monthly notices of relevant Senate information, conferring with their college Dean and attending college-wide meetings to maintain currency, being accessible to colleagues who wish to express opinions or concerns (e.g., post on college web site a photo and contact information); and informing the Senate of relevant events or concerns in their college;

At least one faculty member of each university committee will be formally designated as a Liaison with the Faculty Senate and as such will regularly report to the Rules Committee of the Faculty Senate information about the activities and deliberations of the committee.

V. Standing Committee Reports

A. Committee on Academic and Curricular Affairs: Senator Kreiling reported the committee met with Associate Vice Chancellor Deb Smith-Howell to discuss the roles and expectations of the AC&A committee in the program development process on Thursday, Aug 27th.

Committee Members Present: Bernstein, Dick, Grams, Kreiling, Miller, Parnell.

For UNO administration, the roles of the AC&A committee involve looking at proposals conceptually and holistically for clarity and understanding, to determine the overall fit of the proposal for UNO as a whole, the need/demand of the program, and if the proposal represents the voice of the faculty (faculty involvement).

Time constraints and expectations of efficient turnaround times by the AC&A committee were also discussed. An explanation of the timeline and overall review process was presented to the AC&A committee so that we might better understand where the Faculty Senate approval falls in the sequence of events. One suggestion agreed upon by the AC&A committee was to ask for a representative/advocate involved in authoring the proposal and/or Associate Vice Chancellor Smith-Howell to be present at the AC&A committee meeting where said proposal will be discussed.
B. Committee on Educational Resources and Services: Senator Nordness noted that this committee will meet with Anne Heimann, Disability Support Specialist, Services for Students with Disabilities, on September 30, 2015.

C. Committee on Faculty Personnel and Welfare: Senator Gershovich reported the committee will meet on September 23, 2015, with Joe Kaminski, Senior Director for Wellness, Campus Recreation, and discuss fees for faculty to use the facilities. They will also work with the Survey issues.

D. Committee on Goals and Directions: Senator Carlson reported at the last meeting those Present: Patti Carlson, Lyn Holley, John Noble, (Beth Ritter participated via email). Absent/No response: Elliott Ostler.

COMMITTEE MEETINGS: Goals and Directions Committee meetings will be held monthly on the last Friday that UNO is open, at Noon in Roskens Hall

COMMITTEE MEMBERS:
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 this committee.

Current members are: Patti Carlson (CPACS-2017), Lyn Holley(CPACS-2016), John Nobel (COE-2016), Elliott Ostler(COE-2017), and Beth Ritter(A&S,2016.

COMMITTEE VICE CHAIR: Patti Carlson will serve.

COMMITTEE ACTION TARGETS:
The mandate for the committee per our bylaws includes “matters which pertain to” the following areas of focus which are divided among committee members as areas of focus for monitoring and facilitating progress toward the strategic goals of UNO and the Faculty Senate (which includes 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 Committee)

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 Patti Carlson (University Facilities Planning, and Sustainability Committees)

5. Academic implications of budgets and finance Beth Ritter (G&D member of Academic Affairs)
6. Student Affairs and Athletics … John Noble (University Athletics and Student Affairs Committees)

*to be assigned as/if issues are brought to the Senate.

Monitoring University Committees includes contacting chairs to ensure that a Faculty Senate Liaison has been identified and has been advised of obligations re reporting to the Faculty Senate.

E. Committee on Professional Development: Senator Sollars noted that the committee will continue to discuss the Adjunct issue at its next meeting.

F. Committee on Rules: Senator Nash reported the Committee met on August 26,
2015. Those present were: Carter, Huq, Landow, Morris, Nash. Absent: Clinkinbeard (maternity leave).

The committee is working to find and confirm candidates for 24 slots on the following 8 committees:

- Academic Freedom and Tenure Committee (6 nominees for 3 positions)
- Assessment Committee (1)
- Faculty Grievance Committee (6 nominees for 3 positions)
- Judicial Committee (1)
- Professional Conduct Committee (6 nominees for 3 positions)
- University Committee on Technology Resources, Services and Planning (1)
- UCAT (University Committee on the Advancement of Teaching) (1)
- UCRCA (University Committee on Research & Creative Activity) (2)

The committee has also been asked to identify a faculty representative for a “True Maverick” task force to be chaired by Philip Covington, Director, Student Conduct and Community Standards.

Stuart Bernstein has agreed to serve as the Faculty Senate’s representative on the Tuition Remission Task Force.

Ziaul Huq announced that he will be on leave during the spring semester of 2016. CBA will need to find a replacement for him (his term expires 2016), who will also take his place on the Rules Committee.

The following resolutions were passed by the committee, bulleted as a consent agenda and written in full below that. (Consent Agenda. By action of the Executive Committee and Cabinet, the following appointments and elections to committees will be presented as a package for a single vote without discussion, though items relate to more than one resolution. A Senator who objects to passage of an item is to ask that the item be removed from this consent agenda, so that it can be discussed and voted on separately.)

- Assessment Committee
- Judicial Committee
- Technology Resources, Services & Planning Committee
- Tuition Remission Task Force
- UCAT (University Committee for the Advancement of Teaching)
- UCRCA (University Committee on Research & Creative Activity)

The Faculty Senate passed the following six resolutions:

1. **RESOLUTION 4215, 9/9/15: Assessment Committee**

   BE IT RESOLVED, that Senator Laura Grams be appointed to the Assessment Committee for a one year term (2015-2016) as a representative for the Faculty Senate.

2. **RESOLUTION 4216, 9/9/15: Judicial Committee**

   BE IT RESOLVED that the following name go forward to replace Candice Batton, who has moved to OASA (term: 8/1/15-7/31/15)

   Julie Boron (to replace Candice Batton).
3. **RESOLUTION 4217, 9/9/15: Technology Resources, Services & Planning Committee**

BE IT RESOLVED that the following name go forward to replace Rene Erlandson, who has left UNO (term: 8/1/14-7/31/17)

   Michael Matthews (to replace Rene Erlandson).

4. **RESOLUTION 4218, 9/9/15: Tuition Remission Task Force**

BE IT RESOLVED that Senator Stu Bernstein be appointed to the Tuition Remission Task Force.

5. **RESOLUTION 4203, 5/13/15: UCAT (University Committee for the Advancement of Teaching) Completed 9/9/15**

BE IT RESOLVED that the following name go forward to the University Committee for the Advancement of Teaching (UCAT) as a three-year appointment, from 07/01/15 through 06/30/18, for the College of Education member completing their term:

   Michael Messerole, ED (to replace Sara Myers).

6. **RESOLUTION 4219, 5/13/15: UCRCA (University Committee on Research & Creative Activity)**

BE IT RESOLVED that the following name go forward to replace Jukka Savolainen (CPACS), who has resigned, to complete his three year-term, from 08/01/15 through 07/31/18:

   Kyle Kercher, CPACS (to replace Jukka Savolainen)

And, that the following name go forward to replace Mathew Harden (CFAM), who has resigned, to complete his three-year term, from 08/01/13 through 07/31/16:

   Jeremy Baguyos, CFAM (to replace Mathew Harden).

The following three resolutions, mandated by the Faculty Senate Bylaws for ballot elections, were passed by the committee:

1. **NOMINATIONS: Academic Freedom & Tenure Committee (for Faculty Senate nomination. The ballot was 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:

Alecia 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.

2. RESOLUTION 4220, 9/9/15: Faculty Grievance Committee (ballot election by the senate.)

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 (12)
David Carter (15)(elected)

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 Harbour (17) (elected)
Ann Luther; (10)

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:

Joy Chao (15) (elected)
3. **RESOLUTION 4221, 9/9/15: UNO Professional Conduct Committee (ballot election by the senate)**

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 two representatives must be elected by ballot vote to serve three-year terms 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:

- Scott Glasser (14) (elected)
- Guoqiang Lu (13)
- Lotfollah Najjar (9)
- Robert Ottemann (18) (elected)

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:

- Maria Arbelaez (8)
- Henry D’Souza. (19) (elected)

**VI. Other Faculty Senate Committee Reports**

A. Ad Hoc Survey Group (both Faculty & Student) - Ongoing: Past President Scherer reported that the survey is in the dissemination stage, and feedback will be through a “road show.”

**VII. Non-Senate Committee Reports**
A. **AAUP:** Senator Elder reported the AAUP Executive Committee met on September 4, 2015. The meeting began with a report from Jim Pappas, the UNO AAUP Lobbyist at the Nebraska Legislature. He discussed what he perceived to be trends in the legislature. If anyone is interested, ask me. This was followed by a discussion of the language used in the appointment letters for 3 year contract. For details, ask me.

Two things that I learned and personally found interesting (and so you might too!): (1) First year membership in the AAUP is $1.00 per month. So if you have never been a member, you should sign up for one year. No requirement that you need to be a member for a second year at the regular rate. (2) The AAUP provides $2,000 bridge loans to incoming faculty. Remember how difficult your first month was at UNO, when you didn't get a paycheck? This is something to bear in mind when we hire!

B. **Facilities:** Senator Sollars reported this committee could not find a common time to meet in September, so now the members are looking at meeting in October.

VIII. **Old Business**

A. **Title IX** video/training for faculty/staff has been announced and will begin toward the end of September 2015. AVC Jonathan Benjamin-Alvarado was asked to send a report to Vice President Grams regarding this training.

IX. **New Business**

A. **Gen Ed for Assessment:** President Woody assigned Senator Grams to investigate communication between the Faculty Senate and this committee.

B. **Incidents on Campus:** Senator Sollars asked about training to be prepared for incidents on campus, not incidents already in progress. AVC Jonathan Benjamin-Alvarado will check into this and report back.

C. **Campus Safety:** UNO has no armed Police Force, which seems to be unusual for a campus this size and location. President Woody asked that this be sent to the EC&C for some sort of action.

X. **The meeting adjourned** at 3:15 p.m. with announcements.

XI. **Announcements**

A. **EC&A Mtg:** Wednesday, September 16, 2015, EAB 200
B. **EC&C Mtg.:** Wednesday, October 7, 2015, 2 p.m., ASH 196
C. **Faculty Senate Mtg:** Wednesday, October 14, 2015, CPACS 132-D
   2 p.m. Speaker: UNO Communications (Brett Blackman & Jason Buzzell)

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<tr>
<td><strong>EC&amp;C Meetings</strong></td>
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<tr>
<td>(Usually 1st Wednesday of month)</td>
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<tr>
<td>June 3</td>
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*Faculty Senate Minutes – 9/9/15*
*Faculty Senate Agenda Attachments – 10/14/15 - Page 10*
<table>
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<td>*August 12</td>
<td>August 19, 2015 (Retreat) (3rd Wednesday)</td>
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<td>(Classes begin 8/24/15)</td>
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<tr>
<td>September 2</td>
<td>September 9 (CEC 230)</td>
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<td>October 7</td>
<td>October 14 (CPACS 132-D)</td>
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<td>November 4</td>
<td>November 11 (CEC 230)</td>
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<td>January 6th (Semester begins 1/11/16)</td>
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<td>February 3</td>
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<td>March 2</td>
<td>March 9 (Spring Break 3/20-3/27/16) (CEC 231?)</td>
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<td>April 6</td>
<td>April 13 (CEC 231)</td>
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<td>May 4 (Finals Week)</td>
<td>May 11 (Commencement 5/6 &amp; 5/7/16) (CEC 231)</td>
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