
Guest Speaker: Dr. Sacha Kopp, Senior Vice Chancellor for Academic Affairs
Topic: Big Ideas Proposal

I. Official Call to Order: President Hale
II. Presentation and Approval of Minutes: November 13, 2019 (Agenda Attachment – pgs. 1-9)
III. Officers’ Reports
   A. President’s Report: Senator Hale
      - To Senators, I will like to communicate the following updates:
        o The anonymous feedback mechanism regarding the new NU President generated over 200+ pages of feedback from faculty and staff. It was all shared with the BoR. The board selected Ted Carter last Thursday as the next NU President with one no vote from Regent Elizabeth O’Conner. Her objection was related to salary concerns.
        o UNO students have access that faculty, writ-large, be aware of the context of the hateful speech we heard about last month and the context of DACA court cases at the national level. I would invite senate to consider, contemplate, and provide feedback to me regarding an idea discussed at our latest EO&A meeting regarding the potential for a campus-wide training module around free speech in the classroom and faculty support for students on these difficult issues.
        o The ad-hoc committee for faculty advancement has completed its initial work and will be sharing it later in today’s agenda in the form of two resolutions and proposed policies.
      - This month’s report to campus will focus on:
        o known issues and efforts by the senate to address non-tenure track faculty career progression. It will overview short- and long-term solutions,
        o the same updates shared above, and
        o outcomes of today’s agenda – including the resolutions stated herein (if they pass).
   B. Secretary/Treasurer Report: Senator Davidson
   Attendees: Davidson, Ewald, Gold, Hale, Kelly, Kopp, Ostler, Qureshi, Smith-Howell, Surface, Toman
   Chancellor Gold & SVC Kopp
      - Chancellor Gold and SVP Kopp were invited to a student gathering after the Elmwood incident and both asked faculty to be sensitive towards what’s happening external to our campus.
      - Asst. Vice Chancellor for Inclusion – Recordings of each candidate's UNO forum visit are included with their bios and will remain online through 5 p.m. on Wednesday, Nov. 27.

New Business:
IV. Executive Council: Senator Surface

A. Resolution of support for the Board of Regents Censure Bylaw revisions

WHEREAS Cases of censure and emergency suspension have arisen recently on the University of Nebraska, Lincoln campus;

WHEREAS The UNL Faculty Senate has formed an Ad Hoc Committee to address AAUP Censure formally within the Board of Regents Bylaws;

WHEREAS The UNL Faculty Senate Ad Hoc Committee has developed a series of changes it believes will clarify and ensconce a fair and just process for faculty as it relates to censure and emergency suspension;

WHEREAS The UNO Faculty Senate has received the list of proposed changes and reviewed them;

WHEREAS The UNO Faculty Senate has contacted the UNO AAUP chapter for their feedback and opinion on the proposed changes;

WHEREAS The UNO AAUP chapter, chaired by President Robert (Bob) Ottemann, has reviewed the proposed changes among the UNO AAUP executive committee and the union attorney;

AND WHEREAS The UNO AAUP has stated, via their President, that they are in favor of the proposed changes in the attached bylaws revision proposal;

BE IT RESOLVED that the UNO Faculty Senate does hereby support the adoption of the proposed board of regents bylaws revisions as stated in the attached proposal from the UNL Faculty Senate Ad Hoc Committee on Addressing the AAUP Censure.

(BOR Recommended Bylaw Changes - agenda attachment – pgs. 14-26)

B. Resolution requesting revisions to Board of Regents NU Presidential Hiring Process

WHEREAS UNO Faculty and Staff are important constituencies of the NU System President;

WHEREAS The UNO Faculty Senate President co-authored the attached letter, on May 21, 2019, with the other campus Faculty Senates (UNL, UNMC, UNK) requesting representational faculty participation in the presidential search process;

WHEREAS The Board of Regents requested nominees from the UNO Faculty Senate for appointment to the Presidential Search Advisory Committee, but upon creating the committee on June 28, 2019 did not select any of the UNO Faculty Senate's nominees to be on the committee;

WHEREAS The Board of Regents only appointed one UNO Faculty member (Associate Dean of CPACs Theresa Barron-McKeagney) to the Presidential Search Advisory Committee;

WHEREAS The four NU faculty senate presidents met with Regents Clare and Pillen on the afternoon of June 28, 2019 to express their discontent regarding the lack of faculty and staff voices on the newly appointed committee and to request the appointment of additional representational faculty;

WHEREAS The UNO Faculty Senate President and members of his Executive Council sent a letter on July 3, 2019 (attached), describing the the lack of faculty and staff voices on the
Presidential Search Advisory Committee and requesting that the Board add representative UNO Faculty to the committee;

**WHEREAS** The Board of Regent's Bylaws provision 2.12 states that the NU Faculty Senates (b) Act as the official voice of the faculty of which it is composed and Advise and consult with ... administrative groups on matters of general concern, which include ... the selection of academic-administrative personnel;

**WHEREAS** The Board of Regents did not follow or act on the response letter, leaving the Presidential Search Advisory Committee with no duly-appointed representative faculty voices from UNO;

**WHEREAS** The Board of Regents provided few mechanisms for faculty to engage in the selection of the NU President;

**AND WHEREAS** There was poor communication and late announcements of on-campus listening sessions and priority candidate forums;

**BE IT RESOLVED** that the UNO Faculty Senate concludes that UNO Faculty were disenfranchised of shared governance in the presidential search process

**AND** the UNO Faculty Senate hereby requests that the Board of Regents be consistent with provision 2.12 of its Bylaws by appointing the UNO Faculty Senate President and at least 2 of their designees to any and all future selection committees relating to key institutional administrative personnel, including, but not limited, to the NU System President.

(Faculty President Email Search - agenda attachment – pg. 27)

(UNO Faculty Senate Letter to Board of Regents - agenda attachment - pgs. 28-29)

(Response to Initial Letter – agenda attachment – pg. 30)

(Response to Later Letter – agenda attachment – pg. 31)

C. Safety practices of students will be discussed at the next EO&A Meeting.

D. Ombuds Interaction with Faculty Senate has been tasked to the FP&W sub-committee.

V. Standing Committee Reports

A. **Committee on Academic & Curricular Affairs:** Senator Woody
   
The meeting was dedicated to Hank Robinson, Director of the Office of Institutional Effectiveness. It was agreed upon that Dr. Robinson will provide the committee with several questions that will facilitate effective communication between the committee and his office.

B. **Committee on Educational Resources & Services:** Senator Schoenbeck
   
The committee did not meet. Some progress was made towards current business.

1. **Donations to the Paul Beck Memorial Scholarship**

   Senator Davidson made inquiries about mechanisms for contributions to the Paul Beck Memorial Scholarship. Debra Cox in Accounting provided the following information:

   The (NU) Foundation only acts as an agent for UNO for fund #9148 at the Foundation; donations (to the Paul Beck Scholarship) cannot be made directly to the Foundation either by check or via their online donation platform.
Paypal or similar platforms are not available.

UNO Accounting can continue to accept checks from donors and deposit them directly into WBS element 47-2350-2018-100. A receipt will not automatically be generated. It is up to the department (Faculty Senate) to acknowledge non-Foundation gifts. A sample letter with necessary IRS information was provided.

There is a website called the UNO Marketplace, through which the Senate may set up a “Storefront” for the Paul Beck Memorial Scholarship Fund to facilitate donations. If a Storefront is created to accept donations, a receipt can be printed out that donors can use as their acknowledgement. A processing fee (typically 2.5-5%) is applied to these transactions. An example of a Storefront through the UNO Marketplace may be viewed at https://commerce.cashnet.com/unocw.

2. Facilities and Administrative Costs Policies

Senator Schoenbeck met with Vice Chancellors Ken Bayles and Sara Myers regarding F&A policies at the University (UNO Campus) level. The following summary was generated from that meeting.

Facilities and administrative costs (“F&A”) are collected at a rate determined by UNO Business and Finance, with the assistance of an outside consultant, and are based on the real costs incurred while conducting research at UNO. These funds are allocated at the Direction of the Senior Vice-Chancellor for Academic Affairs, in conjunction with UNO’s Strategic Plan to campus units. Twenty percent is distributed equally to Academic Affairs, ITS, Criss Library, and ORCA.

The balance is distributed to the colleges in amounts proportional to the F&A that each college brought in during the previous year. The disposition and disbursement of these funds is at the discretion of the dean of each college, subject to NU system spending guidelines; beyond this, there are no uniform policies regarding disbursement at the college level or lower.

C. Committee on Faculty Personnel & Welfare: Senator Garcia
Committee did not meet, no report.

D. Committee on Goals & Directions: Senator Ostler

Report on AGENDA Items 11-27-2019

1. Ongoing/Pending Items

A. Non-Reported Sexual Assault: The Goals & Directions Committee has investigated and completed the action items related to this topic to the extent of our current abilities. The recommendation to include a Title IX statement on all syllabi was a resolution that passed in 2015. Although the committee acknowledges that this policy is not universally enforced nor does the policy contribute significantly to non-reported sexual assault, we do believe that this issue is one that can progress through greater intentional communication to faculty within departments and among faculty colleagues. Although there is not a specific Resolution being offered at this time, the Committee on Goals and Directions recommends the conscious consideration and open dialog about ideas concerning the safety and welfare of our student body and faculty. The Committee will continue to entertain new recommendations on the issue as they become available.

B. Adjunct Instructor (Instructor, Lecturer, Prof. of Practice) Policy: The Goals and Directions committee has recommended a small ad hoc committee of central administration and Faculty Senate members address the issue of rank, salary, and contract for a number of instruction-based non-tenure track faculty positions. The goal of this committee is to establish uniform communication, and policy where possible, within an evaluated system of promotion for non-tenure track faculty at UNO. The committee has met with central administration and is currently in the process of editing/drafting two interrelated documents, one concerning a
system of promotion and the other concerning options for special faculty designations. The resulting documents will be used as a foundation for a more comprehensive set of ideas that can be submitted as part of the collective bargaining process. Until such time it is appropriate for a more expanded group of faculty to review and edit, the ad hoc committee will continue to work specifically with the Office of Academic Affairs. At this point, the working drafts lack several points that we believe need to be carefully articulated and we are waiting for feedback from Academic Affairs.

C. Solar Feasibility: The G&D Committee reported to Central Administration on the commitment to Renewable Energy on Campus. At this time, no action items are pending; however, the issue will be raised at the next EO&A meeting for additional consideration.

2. New Items: None

E. Professional Development: Senator Cast-Brede
   No report.

F. Committee on Committees: Senator Qureshi
   Committee bins categories:
   1. Academic and curricular affairs
   2. Educational resources and services
   3. Faculty Personnel and Welfare
   4. Goals and Directions
   5. Professional Development
   6. Physical Resources

   Amy will work on putting the committees under these headings. The links are in the previous agenda. Features discussed were: Automatic emailing to submit notes, offer a page to confirm selections and Connect to google forms to keep repository of information.

VI. Other Faculty Senate Committees
A. Faculty Senate Budget Advisory Committee Report: Ebdon, Eesley, and Hall – No report.
B. Ad hoc UNO-UNMC Faculty-to-Faculty Communication and Collaboration Committee: Senator Kelly – No report.
C. Ad hoc Committee on Faculty Advancement

1. Resolution in support of Proposal for Non-tenure Track Faculty Appointments and Progression

   WHEREAS Non-tenure track faculty are a key part of the UNO community;

   WHEREAS It is desirable to communicate opportunities for professional growth to instructors and lecturers at UNO;

   WHEREAS Non-tenure track faculty currently have no advancement and progression opportunities past "Lecturer";

   WHEREAS Auxiliary special appointments are allowed for under section 4.4.1 in the Board of Regent Bylaws;

   WHEREAS The ad-hoc committee on Faculty Advancement and Progression established by the Goals and Directions Committee of Faculty Senate has constructed the attached proposal in
conjunction with the Office of Academic Affairs;

WHEREAS The proposal clarifies terminology and creates a new auxiliary appointment of "Senior Lecturer" to recognize Lecturers with exceptional responsibilities and contributions to UNO;

AND WHEREAS The proposal articulates a process that is inclusive and respectful of faculty shared governance;

BE IT RESOLVED that the UNO Faculty Senate does hereby recommend and endorse the proposal for adoption by the UNO Office of Academic Affairs.

(Nontenure Track Faculty Appointments and Progression - agenda attachment – pgs. 10-12)

2. Resolution in support of Proposal for Distinguished (Associated) Professor

WHEREAS Some faculty take on exceptional responsibilities and make contributions beyond the typical level factored into workload;

WHEREAS Auxiliary special appointments are allowed for under section 4.4.1 in the Board of Regent Bylaws;

WHEREAS It is desirable to recognize, support, and compensate faculty for significant contributions to the university;

WHEREAS The ad-hoc committee on Faculty Advancement and Progression established by the Goals and Directions Committee of Faculty Senate has constructed the attached proposal in conjunction with the Office of Academic Affairs;

WHEREAS The proposal creates a new auxiliary appointment of "Distinguished (Associated) Professor" to recognize faculty, holding the continuous appointment of Associate Professor or Professor, for their exceptional responsibilities and contributions to UNO;

AND WHEREAS The proposal articulates a process that is inclusive and respectful of faculty shared governance;

BE IT RESOLVED that the UNO Faculty Senate does hereby recommend and endorse the proposal for adoption by the UNO Office of Academic Affairs.

(Distinguished Professor Proposal - agenda attachment – pg. 13)

VII. For the Good of the Order

VIII. New Business

A. President-elect Nominations

B. Presidential feedback from the anonymous link will be requested at the next EO&A Meeting.

C. Systemwide policy recommendations on faculty recruitment, retention, and promotion (agenda attachment – pgs. 32-33)

IX. Announcements
A. Faculty Wellness Series: Stress Management for Busy People

Wednesday, December 18, 2019 11:00am – 12:00pm

Criss Library Faculty Study Commons

Come for a conversation with Dr. Steven Wengel, Assistant Vice Chancellor for Wellness at UNO and UNMC. Steve Wengel, MD, is from Omaha, an NU alum, and a practicing psychiatrist since 1991, specializing in geriatric psychiatry. He treats patients with a broad range of psychiatric conditions, including dementia, depression, and anxiety disorders. He is currently the director of the UNMC Division of Geriatric Psychiatry (agenda attachment – pg. 34)

X. Adjourn

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<td>(Usually 1st Wed. of month)</td>
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<td>December 4</td>
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<td>January 8, 2020/Semester Begins 1/13/20</td>
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Attachments
2019-2020 Faculty Senate
Minutes
Wednesday, November 13, 2019, 2p.m.
Community Engagement Center 230/231


Excused: Adidam, Davidson, Logsdon

Unexcused: Brownlee, Chen, Escayg, Lee, Nelson, Rogers

Speaker: Chancellor Gold spoke to the incident that occurred in the Elmwood Park area the night before. He reiterated that all UNO students are welcome here and intimidation has no place on our campus. Additionally, Dr. Gold would like faculty to submit all feedback to the BOR website using the indicated email address.

Speaker: Dr. Sacha Kopp, Senior Vice Chancellor, spoke on the Big Ideas movement that is currently in progress. They have reviewed ten proposals and want to fund five of them. The proposals can be funded to improve classroom teaching, but they are mainly wanting to fund research. Dr. Kopp is looking into Faculty service and compensation. Currently, fifty equitable faculty searches are taking place. He spoke on the first 100 days report that was emailed out to all faculty and staff. His key areas of focus are faculty development, student completion/achievement, and timely budget decisions.

I. The meeting was Called to Order by President Hale at 2:22 p.m.

II. The Minutes of October 9, 2019 were approved as submitted.

III. Officers’ Reports

A. President’s Report: Senator Hale

November 12, 2019

Dear Colleagues,

I hope this note finds you well. This month’s Faculty Senate President’s Report continues a series of deep dives into particular senate areas of focus. This month’s theme focuses on communication and transparency via web resources. The senate is working actively in this area and we have some good news to share with faculty. With so much happening on campus, I’ve also tried to aggregate and share context regarding other important ongoing NU and UNO initiatives.

Context and Challenges: Web resources for Communication and Transparency

Nowadays I receive at least 40-50 emails a day, compared to the 10-20 before stepping into this role. Many of these additional emails are concerns from faculty about various issues around campus.

One observation I’ve made during this time is that many issues I hear of boil down to a lack of available information. In particular, this often takes one of the following forms: a) Faculty don’t have what they need to go about their business - be that teaching, research, or service; b) Faculty have questions about university policies or strategic decisions because insufficient information is available to them; and/or c) Faculty feel disenfranchised if a policy affects them and they don’t perceive that they were consulted, through shared governance, before decisions were made as to its adoption.

To help address and allay these problems, Faculty Senate is actively focused on improving campus policy-making processes more consistently, including shared governance. We’ve also focused on modifying web resources, like the UNO public-facing website, to help faculty get the information they need.
need, when they need it and to more clearly articulate the outcomes of shared governance. In the report that follows, I will summarize particular senate achievements and remaining work to be done.

**Initiative 1: Web overhaul**

To help with information distribution and communication around shared governance matters, the Faculty Senate has entirely restructured its website. We are also working with campus Digital Communications Executive Committee (which I am a member of) to add a “Faculty and Staff Life” feature to the main UNO website. This request asks that UNO aggregate useful HR, community, and other links together for existing faculty. It also seeks to build a profile of community details, attractions, and quality of life for prospective faculty.

In regard to the Faculty Senate website overhaul, we have, so far, created a number of helpful resource pages that enable faculty to get information about the university and shared governance. The following provides a list of pages faculty should be advised of.

Membership and contacts for Faculty Senate - including the Standing Committees. Contact me or the chair of the committee you are liaising with if you have campus-level committee minutes you want to communicate. [https://www.unomaha.edu/faculty-senate/](https://www.unomaha.edu/faculty-senate/)

A page for all committees on campus, that includes information about their charges and current membership. [https://www.unomaha.edu/faculty-senate/committees/index.php](https://www.unomaha.edu/faculty-senate/committees/index.php).

Meeting dates, minutes, and Agendas of the Faculty Senate: [https://www.unomaha.edu/faculty-senate/additional-information/meetings-and-minutes.php](https://www.unomaha.edu/faculty-senate/additional-information/meetings-and-minutes.php).

All senate resolutions, listed by year. Future work will make these more easily searchable. [https://www.unomaha.edu/faculty-senate/additional-information/resolutions.php](https://www.unomaha.edu/faculty-senate/additional-information/resolutions.php).


Future work on the website will integrate the committee matchmaking and tracking app that the Senate is working on. We will also continue to work with administration and the Digital Communications Executive Committee to build out UNO site-wide features that support faculty. Our efforts in the web overhaul initiative target all of the issues (a, b, and c) as identified in the context.

**Initiative 2: Committee Liaisons**

As I reported last month, Faculty Senate is overhauling how campus-level committees are formed and maintained to better match faculty into committee roles and keep track of committee details and membership over time. Rather than discuss committee formation in detail in this space, I want to talk more about the changes we’ve made in the senate to ensure that committee outcomes are clearly communicated to faculty across campus.

This effort, what I have labeled “committee liaisons” is an effort to gather committee outcomes from across campus and aggregate them under the senate. The Faculty Senate has 6 standing subcommittees: Academic and Curricular Affairs, the Committee on Committees, Educational Resources and Services, Faculty Personnel and Welfare, Goals and Directions, and Professional Development. Each of these subcommittees has specific charges that divide up and partition the senate’s business into bins. Senate has modified its bylaws to make each of the subcommittees a liaison to related campus-level committees. Our goal is to have every campus-level committee not
under the purview of senate (i.e. those established by a business unit, administrator, or academic affairs) provide minutes to the Faculty Senate so that senate can distribute the outcomes and follow-up on issues as needed. Our standing committees will be working with faculty on campus-level committees to facilitate this liaison relationship. At the end of the day, our goal is not to increase bureaucracy - but rather to ensure that the important work happening on campus-level committees gets reported and promulgated to the faculty they serve.

We have already started this effort with the Campus Policy Committee. With this group, the senate now has a formal approval role before a policy is adopted by the campus. This provides faculty with more opportunity to provide feedback before adoption. We believe this effort will help address point b) and c) as I outlined the issues in the context section above and act as a model for interactions with other campus committees.

**Initiative 3: Websites for faculty**

One issue we have heard loud and clear from many faculty is the need for faculty websites. Faculty-built webpages were once a feature of the UNO website, but were taken away due to information security concerns a few years ago. As I have reported in prior president reports, we have been collaborating with Jaci Lindberg, Jason Buzzell, and Bret Blackman to bring back a website feature for faculty. I am happy to announce that the solution identified, a service called Reclaim hosting, launched a beta test in October and is now fully available for all faculty on campus. Reclaim allows faculty to host custom designed web pages or use one of its several website building tools (e.g. Wordpress) to create a web presence for themselves. If you are a faculty member that wishes to have a personal web page - for research, teaching, service, lab announcements, or other purposes - you may create your page now. To access the new service, visit: [https://unomaha.community/](https://unomaha.community/)


**Other updates**

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


Initial reception by faculty at UNO has been mixed. Faculty Senate will be discussing this topic at our next meeting. The Board of Regents invites faculty to submit their comments and feedback to presidentsearch@nebraska.edu.

The Office of Academic Affairs is moving forward with a Big Ideas process, in conjunction with the recommendations from the Strategic Planning Steering Committee, related to developing and maturing key areas to distinguish UNO academically and through scholarly and creative activities. Last month (Oct. 16), 10 themes were identified by the deans of all colleges on campus to move forward in the big ideas process. The Deans presented their ideas to the Strategic Planning Steering Committee on Oct. 18th. SVC Kopp will meet with Faculty Senate on November 13th to review the ideas and gather initial feedback. Full proposals are due December 2nd. Full proposals will be reviewed with the senate at our December 13th meeting and communicated to the campus at the December strategic forum.
Ideas will be selected and vetted for feasibility in early January ahead of an announcement with a selection of 4-5 of the 10 ideas set for January 31st.

University of Nebraska debt has been refinanced to make the best of low interest rates. The refinance included $433 million in existing bonds and resulted in a savings in reduction of debt payments by nearly $14 million. It also makes way for future savings in deferred maintenance projects and other capital improvements through a $50 million internal lending program.

The UNO Faculty Senate Professional Development Committee is investigating changes to the Graduate Student Health Insurance plan. An NU-level committee was formed to examine the health care offerings for Graduate Students. We will be following this committee carefully and advocating for Graduate Students and Faculty at UNO.

Next month I will continue the series of deep dives into senate areas of focus. The theme will be recognition of non-tenure track faculty.

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

B. Secretary/Treasurer Report: Senator Davidson (Senator Hale presented in Senator Davidson’s absence.)

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

1. Chancellor Gold Updates
   a. Refinanced debt for University of Nebraska. For more information, you can refer to the Lincoln Journal Star article.
   b. Early Retirement email was sent out to all faculty on the Lincoln, Kearney and Omaha campuses.

2. Non-Resolution Faculty Senate Updates
   a. Be on the lookout for an Injury & Illness Prevention Policy, Safety Policy, Driving Policy, and Winter Weather Policy that are being updated or newly created.
   b. Ladder Rank System – Discussion of a next step and for Faculty Senate to propose an aspirational plan. At that point Academic Affairs could then work with AAUP and collective bargaining. It was suggested we create an ad hoc committee to work on this endeavor.

3. Resolution Updates
   a. Addition of Faculty Life Tab on UNO Website: Discussion of sharing information with Digital Executive Committee and working on the addition of the tab.
   b. Chancellor’s Sustainability Committee: Matt Hale

4. New & Other Business
   a. Review of UNL proposal for BoR bylaws revisions.
   b. Expanding of retirement plan options – CBO, consultant engaged. Availability of mutual fund options within the available 401k programs (TIAA/Fidelity)

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2019-2020 Resolution Action Table
(Action Pending and Current Resolutions)
IV. Executive Council: Senator Davidson – No report.

V. Standing Committee Reports

A. Committee on Academic & Curricular Affairs: Senator Woody

At the meeting on October 30, 2019, the Academic and Curricular Affairs Committee considered a memorandum (prepared by Harvey Sly) on the Teaching Evaluation Form. It was agreed that T. Hank Robinson should be invited to attend the November meeting for further discussion. A plagiarism summary (prepared by Liz Wessling) was considered and will be distributed. The interdisciplinary program within the College of Arts and Sciences was discussed, with a presentation by Tammie Kennedy.

(Course Evaluation Memo - agenda attachment – pgs. 13-14)
(Memo to Faculty Senate Members – agenda attachment – pgs. 15-16)

Further Discussion – Senator Woody would like feedback regarding plagiarism to be sent to him before the December 20th sub-committee meeting.)

B. Committee on Educational Resources & Services: Senator Schoenbeck

Disbursement of Facilities and Administration

The ER&S Committee was asked if it would look into established F&A disbursement policies/practices across UNO, specifically with respect to the following questions:

1. How is F&A for grants handled when it is collected? How is the 46.5% split up?
2. Is F&A handled consistently on campus, e.g. from college to college?
3. If not, why not? Is there any good rationale around the current process or is purely ad-hoc and/or up to the unit heads at each level, e.g. the deans, department chairs, etc.?
4. If it is inconsistent, is it possible for faculty senate to work to ensure consistency?

A limited amount of information is available through the UNO website. As a starting point, the ER&S committee will reach out to the Office of Sponsored Programs to ask for guidance in putting together an initial summary of how F&A is disbursed. If specific questions remain after the posting of the initial report, the committee will pursue the issue further.

Paul Beck Memorial Scholarship contributions

A suggestion was put forth to the ER&S committee that it would be appropriate to use UNO college-level meetings as opportunities to receive contributions for the Paul Beck Memorial Scholarship. An alternative proposal was put forth during the meeting: the employment of an online function (for example, PayPal) for receiving contributions. In this way it may contributions could be solicited via the campus-wide e-mail system, and givers could be credited for their charitable contributions. The committee will look into the feasibility of this approach.

C. Committee on Faculty Personnel & Welfare: Senator Garcia

CALEA: We have contacted Charlotte Evans requesting an update on the CALEA Accreditation process. Most recent information accessible through UNO website dates back to 2015-16 AY (far from being able to submit application at that time)
Charlotte Evans explains the following:
CALEA, like all other accrediting bodies, only awards accreditation to those applicants who are already meeting the gold standard in their profession. Assuming they really are ready, the process takes three years. During this time, they hold themselves, then CALEA follows suit by holding the agency under the proverbial microscope to prove they really do meet that gold standard.

In UNO's case, the department simply was not ready. The application for accreditation was signed prior to my arrival in June, 2015, but once I had a chance to review the needs of the department, I alerted my superiors that accreditation was not a realistic goal as UNO Security (as it was known at the time) would not be able to meet any standard that would be expected of them. Policies, procedures, training, and most all other documentation necessary to be accredited simply did not yet exist, meaning we were starting from scratch.

I shared with my superiors that it would take years of heavy lifting and the topic should be revisited in 5-7 years. Since that time, UNODPS has maintained contact with CALEA and we strive to ensure we build processes within Public Safety that will meet the standard when the times comes.

Most recently, we have experience the addition of UNMC Security to our fold, creating the UNO/UNMC Department of Public Safety. Although this is a very positive move for both campuses, it has forced another setback in our timeline to consider accreditation, but I do believe the wait will be worth it.

TRAVEL POLICY: Per diem and Payments
The Travel Policy establishes no per diem. It doesn’t look like any changes are likely to be introduced to make meal re-imbursements any easier, except for the Concur App which allows to take pictures of receipts and upload them from phone. What exactly should FP&W explore?

Further Discussion: Senator Garcia would like any further comments about the per diem and payments to be sent directly to her.

D. Committee on Goals & Directions: Senator Ostler
A. Ongoing/Pending Items

1. Non-Reported Sexual Assault: Charlotte Russell from the Office of Equity, Access and Diversity was a guest speaker at our meeting and answered a number of questions and provided valuable information related to the University’s responsibilities under Title IX and described the Reporting/Assistance structure for violations of Title IX. Committee members also gathered information from representatives for the local Women’s Center for Advancement and the Police Department. At this point, more discussion and deliberation will be valuable but we have identified some preliminary potential action items related to the Issue and are keeping notes on our data collection efforts.

a. Non-response Sexual Assault is more appropriately referred to as Non-Reported Sexual Assault. The terms are often used interchangeably in discussions but actually have different meanings within the formal legal reporting process.

b. University systems and protocol are already in place for making Formal Complaints by alleged victims, and for assistance to victims without the necessity of reporting. Ms. Russell made it clear that the university has a legal obligation to both the alleged victims and to those who have been formally accused which demands that no “sides” be taken. However, because of the serious nature of the incidences of sexual assault, the university does provide the structure for immediate action assistance. Some of the University offices affiliated with this networked response process are the Behavioral Response Team, The Advocates Program, the Gender and Sexuality Resource Center, the Women’s Resource Center, and Campus Security.

Faculty Senate Minutes 11/13/2019
Faculty Senate Agenda Attachment – 12/11/2019 Pg.6
c. The G&D Committee brought up possible action items for the Faculty Senate related to this issue:
   1. Suggesting the inclusion of a formal Title IX Statement on Course Syllabi, similar to the plagiarism statement.
   2. Faculty Senate connecting better to the existing assistance system by providing a liaison for the Faculty Conduct Board.
   3. Raising awareness of Title IX being “…used as a weapon” against gender equity efforts.

2. Adjunct Instructor (Instructor, Lecturer, Prof. of Practice) Policy:
   a. The Goals and Directions committee is recommending that a limited ad hoc committee of central administration and faculty members address the issue of rank, salary, and contract for non-tenure track faculty. The goal of this committee would be to establish uniform communication, and policy where possible, within an evaluated system of promotion for non-tenure track faculty at UNO. This would include both contract and pay advancement offered within our collective bargaining process.

3. Solar Feasibility: Given that a formal Solar Feasibility Study has been conducted by Dr. Bing Chen and that a Proof of Concept grant has been submitted to the Nebraska Environmental Trust. The G&D Committee intends to follow up with Central Administration on the commitment to Renewable Energy on Campus.

B. New Items: New items have been tabled.

Further Discussion – The committee is expecting to hear more about the Solar Panels in February 2020. Senator Ostler did propose an ad hoc committee pertaining to the Ladder Rank System.

E. Professional Development: Senator Cast-Brede

Current plan has a platinum metal level ACA rating.

Timeline – Student insurance plan needs to be ready by May to serve UNMC students

- This year, a 26 member committee has been formed with representatives from numerous stakeholders on each campus including students and faculty members. Dr. Juan Casas and Student Regent Aya Yousuf are representing UNO.
- Deadline for next year’s plan is mid-March 2020.

Background – System-wide fully-insured plan began in 2014-2015 with Blue Cross Blue Shield (BCBS). In 2017-2018, BCBS proposed premiums increased 55%, so NU switched to UHC through the Midwestern Education Compact.

Challenges – Since 2014-2015, premiums have increased approximately 13% each year. Current rates are not the highest premiums but are getting there.

- In 2018-2019, UHC proposal was a 16% increase. To lower that, NU switched from a third-party handling enrollment and waiver processes to UHC conducting them in-house which lowered increase to 10%
- In 2019-2020, UHC proposal was a 26% increase. To help keep the increase down, NU absorbed out of pocket increase by covering $32 per students (one year solution, costs the university approximately $179,000 – without this the plan would have dropped to a ACA rating of gold). Also, instituted more restrictive waiver policy for international students and increased pharmacy co-pay.
- Pharmacy costs up 19%
- Loss ratio over 100% for the last two years.

Participation
• 5600 (including 300 dependents)
• 2018-2019 saw a drop of 600 participants
• International students using off-short UHC plan. Expect a 100-150 increase in international student enrollments this year.

Consultant – Gallagher Risk Management Services has been hired to review plan and submit recommendations around mid-November. Gallagher will conduct benchmark comparison with peer institutions (Big 10 plus others), look at current processes and demographics, compare rates with marketplace, and conduct a SWOT analysis.

F. Committee on Committees: Senator Qureshi
Matt Hale offered us a description of the use cases of the Committee matching app or “cHarmony” to match faculty interests with committee vacancies. His demo of the prototype was very well received by the committee and will now be integrated with the survey. See below:

Matt’ app: http://charmony.mlhale.com/#/manage
Derrick’s Survey Link: https://unomaha.az1.qualtrics.com/jfe/form/SV_2t0N2MCgjgd4Dlx

The next steps for this committee are as follows:

Step 1: The interests bins need to be named and described to fit faculty interests.
Step 2: The committees then need to be sorted into these bins. The current committee descriptions are as follows: Faculty Senate Committee Descriptions: https://www.unomaha.edu/faculty-senate/committees/index.php
Step 3: Membership criteria. We need to figure what these are for the committees.

Amy has volunteered to work with Matt on steps 1 and 2. She will get back to us over email with a proposed set of interest bins with descriptions with committees sorted into them.

Derrick will work with Matt to integrate the survey with the cHarmony App. They will also give us an update over email.

Further Discussion – Senator Hale’s (Matt’s app) is projected to be completed by December 2019/January 2020. This should be completed in time for the Spring 2020 election.

VI. Other Faculty Senate Committees
A. Ad hoc UNO-UNMC Faculty-to-Faculty Communication & Collaboration Committee: Senator Kelly – No report.

VII. Non-Senate Committee Reports - University-wide Employee Benefits Advisory Committee (John Erickson, Jr.)

Senator Hale briefly went over the report and appreciates the receipt of the report.

VIII. Unfinished Business

IX. For the Good of the Order

X. New Business
A. Senate action regarding priority candidate Walter 'Ted' Carter

Moved: the UNO Faculty Senate express no confidence in priority candidate Walter “Ted” Carter for NU President.
Moved: amend by striking “express no confidence in” and insert “take no position on”.
Vote on amendment – 11 For, 6 Opposed. Amendment passes.
Vote on the motion as amended – 8 for, 9 opposed. Motion fails.


Motion to approve the Winter Weather Closures Policy, no opposed, policy approval passes.

Further Discussion: The President-elect will be elected at the December Faculty Senate Meeting. Senators should be prepared to have nominations at the December Meeting.

XI. The meeting adjourned at 3:47 pm with announcements.
Proposed Changes to the Bylaws of the Board of Regents of the University of Nebraska to Strengthen Academic Freedom

Recommended by Faculty Senate at the University of Nebraska–Lincoln

Summary of Changes

Section 3.4.4
The first change is to section 3.4.4 which addresses the Assignment of Duties. Currently, bargaining agreements at UNK and UNO stipulate that assignment of duties are to be in consultation with the faculty. That process would now be uniform for all campuses.

Section 4.6
The committee is proposing a minor wording change to limit the sources to be used in faculty evaluation.

Section 4.7
This section is a completely new section to the Bylaws. The purpose of this section is to define sanctions, suspensions (immediate and regular suspensions), suspensions that are terminations, and terminations. It also points the reader to the appropriate process for dealing with each of the situations, such as filing a grievance, initiating a professional conduct complaint, or termination proceedings.

Section 4.8
This section is a completely new section to the Bylaws. The purpose of this section is to explain the appropriate process for dealing with Immediate Suspensions. Essentially, Immediate Suspensions can be imposed immediately but last no longer than 90 calendar days. If a mutual settlement cannot be reached between the professional staff member and the administrative officer, then the chair of an informal faculty committee (on UNL’s campus this would be the ARRC) must be contacted by the administrative officer prior to or within two calendar days of an immediate suspension to review each of the following, as applicable: a briefing from the appropriate threat assessments review team, claims of serious disruptions to University operations, and/or suspension through end of contract. The committee is to be notified by the administrative officer if the contract will expire within 90 calendar days. Finally, the committee is charged with either validating the immediate suspension or rejecting it, in which latter case the administration should pursue the suspension through a formal hearing. The principles found in this section originate from section 5 of the AAUP’s “Recommended Institutional Regulations on Academic Freedom and Tenure”.

Sections 4.9 and 4.10
There are no changes to these sections other than sectional references.

Sections 4.11 and 4.12
These sections are essentially not changed with the exception of clarifying that Faculty Practice Appointments are separate from Faculty Research Appointments, and updating sectional references. This would also require a change to 4.4.8 not included in these recommendations.
Sections 4.13 through 4.16
There are no changes to these sections other than sectional references.

Section 4.17
This section deals with the Academic Freedom Committee. On the UNL campus this is the Academic Rights and Responsibilities Committee (ARRC). The only changes other than sectional references are to 4.17.2(i) where the reader is reminded of sections 4.7 and 4.8 in regard to immediate suspensions, and a change to the burden of proof.

Section 4.18
This section deals with the Professional Conduct (PC) Committee. On the UNL campus this is the ARRC. Since the PC Committee will be used for imposing a suspension or other major sanction on a professional staff member, we made several changes to this section to specify and strengthen the procedural standards for PC Committee. For example, the professional staff member has the right to hear the charge against them and respond to it. The PC Committee will hold a hearing whereby documentary evidence is presented and witnesses testify under oath. Witnesses can be cross-examined and rebuttal evidence is allowed. Also, the burden of proof rests with the complainant and will be satisfied by the greater weight of the evidence.

Section 4.19 and 4.20
These sections have no changes.

Recommended Bylaw Changes

3.4.4 Assignment of Duties. The service and teaching obligations for each full-time member of the instructional staff in any semester shall consist of such amounts of one or more of the types of services necessary for a successful University program, including teaching, research, directing and supervising research, advising or counseling, committee assignments, administrative duties, field work, extension activities, and other miscellaneous assignments as may be deemed reasonable in each instance by the department chair, and Dean or director concerned, within standards approved by the Chancellor, the President, and the Board, and after appropriate consultation with the instructional staff member.

Members of the instructional staff other than those appointed primarily for research may be relieved of all or part of their teaching obligations for one or more semesters to pursue a program of research, if recommended by the appropriate research council, where established, and the Chancellor and the President, and approved by the Board. An instructional staff member who is relieved of all teaching obligations for one or more semesters to pursue a program of research shall be expected, as a rule, to resume regular teaching obligations after completion of the assigned program. Employment by the University of members of the staff who are in the academic-year service class for non-instructional work during the summer vacation period shall be governed by the following:

(a) Such employment shall be limited to not more than three months.

(b) The monthly rate of remuneration for such employment shall not exceed one-ninth of the staff member's full-time remuneration during the preceding academic year.
(c) Vacation for such employment shall be earned at the rate of two days per month, and cannot be carried beyond the summer period in which it is earned.

**History:**
Amended, 43 BRUN 168-169 (28 July 1979)
Amended, 42 BRUN 152 (10 November 1978)

### 4.6 Evaluation of Faculty Performance: Procedure

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

The annual review shall be considered in determining merit salary adjustments, promotions, and for awarding Continuous Appointment. The results of the review will be communicated to the individual faculty member.

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

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

**(1) Immediate Suspension.** A suspension where the administrative officer has reason to believe that immediate removal or reassignment of duties is necessary because:

- (a) the professional staff member’s presence in the workplace presents a clear and present danger of physical harm being incurred to the professional staff member, to others within the workplace or to University property or facilities as determined by the University threat assessment team, or

- (b) an investigation that could result in the imposition of a sanction or other remedial action has been or is being initiated into whether the professional staff member has violated University policy and the leave is necessary during the investigation in order to protect University resources, prevent the destruction of evidence, or avoid a continuing violation of the policy.

**Alleged conduct that could give rise to an immediate suspension includes, without limitation:**
(a) threats of death or physical harm against a professional staff member, self or others;

(b) research misconduct by a professional staff member;

(c) misappropriation of institutional or grant funds or monies by a professional staff member;

(d) behavior by a professional staff member towards a student, colleague or others that can be reasonably construed as threatening, menacing, or bullying;

(e) inappropriate sexual behavior, including sexual harassment, unwelcomed sexual touching or sexual assault, by a professional staff member against a student, colleague or others; or

(f) conduct related to the professional staff member’s assigned duties that could lead to the filing of felony criminal charges against a professional staff member.

Immediate suspensions can last no longer than 90 calendar days. After 90 calendar days the professional staff member must be reinstated, unless formal proceedings have been filed against the professional staff member as specified in sections 4.17 (Academic Freedom and Tenure Committee) or 4.18 (Professional Conduct Committee) of these Bylaws or a second review of the committee specified in 4.8 (2) (Procedures for Immediate Suspension of a Professional Staff Member) of these Bylaws has determined that harm or disruption still remains, in which case the suspension may continue pending the conclusion of those proceedings.

(2) Suspension. All suspensions that are not classifiable as Immediate Suspensions are Suspensions. To impose a suspension on a professional staff member, the administration must file a complaint as specified in sections 4.17 (Academic Freedom and Tenure Committee) or 4.18 (Professional Conduct Committee) of these Bylaws.

4.7.2 Other Major Sanctions. Major sanctions other than suspension include but are not limited to demotion or salary reduction. The appropriate administrative officer will notify said professional staff member of the basis of the proposed major sanction and provide said member with an opportunity to persuade the administration that the proposed major sanction should not be imposed. The administration must file a complaint as specified in section 4.18 (Professional Conduct Committee) of these Bylaws to impose a major sanction on a professional staff member.

4.7.3 Other Sanctions. If the administration determines that the conduct of a professional staff member justifies imposition of a lesser sanction, such as a written reprimand, the administration will notify said professional staff member of the basis of the proposed sanction and provide said member with an opportunity to persuade the administration that the proposed sanction should be rescinded or not imposed. If the proposed sanction is imposed, then said professional staff member can file a complaint using procedures under sections 4.16 (Grievance Committee), 4.17 (Academic Freedom and Tenure Committee) or 4.18 (Professional Conduct Committee) of these Bylaws.
4.7.4 **Termination.** An appointment of a Professional Staff Member may be terminated prior to the expiration of the stated term, if applicable, only for adequate cause, in which case procedures in section 4.17 (b) (Academic Freedom and Tenure Committee) of these Bylaws must be followed; retirement for disability; bona fide discontinuance of a program or department; or extraordinary circumstances because of financial exigency.

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

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

2. An informal inquiry by the duly elected faculty committee whose membership is separate from the committee outlined under sections 4.17 (Academic Freedom and Tenure Committee) and 4.18 (Professional Conduct Committee) of these bylaws. Prior to or within two calendar days of an immediate suspension of a professional staff member, the administrative officer shall notify the chair of the appropriate elected faculty committee.

The faculty committee is charged to evaluate any claim made by an administrative officer as to whether an immediate suspension is warranted under the conditions stipulated in 4.7.1 (1) of these Bylaws. The committee shall ensure that less stringent action has been considered, protect against claims of arbitrary or capricious action, and ensure that the faculty member has been informed of their right to due process. The committee must decide within 10 business days after being notified of the imposed suspension whether to validate the immediate suspension or to rule that the suspension be pursued as a suspension or other sanction as referenced in section 4.7.1 of these Bylaws. Failure to rule on the immediate suspension within the stipulated timeframe will result in the justification for needing an immediate suspension being deemed valid. In the event that the administrative officer’s decision to continue an immediate suspension is at variance with the recommendations of the committee, the administrative officer shall detail the reasons in a written opinion, and copies shall be provided to the parties concerned and the committee.

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

Should the committee rule that a formal complaint is warranted, then:

3. The appropriate administrative officer files a complaint under sections 4.17 (Academic Freedom and Tenure Committee) or 4.18 (Professional Conduct Committee) of these Bylaws, to include a statement of charges, framed with reasonable particularity by the appropriate administrative officer.
4.79 Termination of an Appointment by a Professional Staff Member: Time.
(1) A member of the professional staff (Section 3.1.1) employed on an academic-year basis may terminate his or her appointment at the end of an academic year, if he or she gives notice at the earliest opportunity and not later than the latest of the following:

(a) May 15, or

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

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

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

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

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

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

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

4.118 Termination of an “Appointment for a Specific Term,” “Health Professions Faculty Appointment,” or “Faculty Practice Appointment,” and/or “Faculty Research Appointment” at Expiration of the Stated Term; Rights of the Appointee. When the University notifies a person holding an Appointment for a Specific Term, Health Professions Faculty Appointment, or a Faculty Practice Appointment, and/or Faculty Research Appointment, that his or her appointment will not be renewed at the expiration of the term stated, the appointee shall:
(a) Have the opportunity to request a reconsideration by any individual or group making a recommendation or decision not to renew such an appointment and to offer evidence for that reconsideration.

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

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

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

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

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

History: Amended, 75 BRUN 4 and 13 (25 January 2018)
Amended, 62 BRUN 14 (28 February 1998)
4.141 Termination of a Continuous Appointment: Grounds. A Continuous Appointment may be terminated only for adequate cause, retirement for age or disability, bona fide discontinuance of a program or department, or extraordinary circumstances because of financial exigency. Before any termination for cause may occur, it shall be necessary to submit the matter to the Academic Freedom and Tenure Committee in the manner provided in Section 4.174.2 (Academic Freedom and Tenure Committee: Powers; Rules of Procedure).

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

4.163 Grievance Committee.

4.136.1 Grievance Committee: Power to Create. Pursuant to authority granted by these Bylaws, the faculty governing agency of each major administrative unit is empowered to create a Faculty Grievance Committee, which shall have the powers specified in Section 4.136.2 (Powers of Faculty Grievance Committee), in addition to any other powers granted by the faculty governing agency pursuant to these Bylaws.

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

(a) To consider a complaint filed by any faculty member alleging any grievance;

(b) To seek to settle the grievance by informal methods of adjustment and settlement, either itself or by using the services of any officer or body directed to settle grievances and disputes by mediation, conciliation, or other informal methods;

(c) To draft rules of procedure for the orderly and fair handling of grievances by the Committee, which rules shall become effective after notice and hearing when approved or modified by the Board, and, upon approval, shall be effective as a part of the Rules of the Board; and

(d) To proceed, if informal methods fail to resolve the matter satisfactorily, with further proceedings, to be conducted in accordance with the Rules of Procedure approved by the Board under this Section, and in accordance with the following principles:

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

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

4.147 Academic Freedom and Tenure Committee.

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

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

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

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

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

(2) Any Chancellor, Dean, director, or department chair, any Grievance Committee, or Professional Conduct Committee believing that there is reasonable cause to terminate a Continuous Appointment, an Appointment for a Specific Term, Health Professions Faculty Appointment, or a Faculty Practice and Faculty Research Appointment prior to the end of its stated term, shall certify his, her or its conclusion to that effect to the President, who shall determine if the complaint has sufficient merit to warrant investigation.
(i) In cases where the grounds for termination of a Continuous Appointment or an Appointment for a Specific Term are based in whole or in part on questions of professional competence, no such certification shall be made until the tenured members of the faculty member's school, division or department, or college in the absence of smaller units, have been consulted on the issues involving professional competence. Such consultation shall be effected through the appropriate administrator (department chair, school or division director, or dean) calling on fourteen (14) days’ notice a meeting of the tenured faculty of the unit for the specific purpose of discussing the faculty member's professional competence. Votes on substantive matters relating to the faculty member's professional competence shall be by secret ballot. The report of such meeting, in the form of approved minutes containing a summary of the matters discussed and the votes taken, shall be forwarded by the administrator to the Chancellor for transmission to the President.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) The Board has power to make the final decision, but except as herein provided, the Board shall decide upon the basis of the evidence submitted to the Committee and the report of the Committee. Unless clearly erroneous, the findings of fact made by the Committee shall be accepted. The Board shall give the Committee's findings and conclusions due consideration, and shall take into account the fact that the Committee is a representative committee of the faculty and had the opportunity to see and hear the witnesses who testified personally before the Committee. In the event that the Board's decision is at variance with the recommendations of the Committee, the Board shall detail the reasons in a written opinion, and copies shall be provided to the parties concerned and the Committee. Once the Board has rendered its decision, the matter shall not be subject to further review except by appropriate court proceedings.

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

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

(i) Prior to a decision by the Board, the staff member involved shall not be suspended from his or her duties or assigned other duties unless an Immediate Suspension is warranted. If an Immediate Suspension is to be imposed prior to a termination proceeding, the procedure outlined in section 4.8 (Procedures for Immediate Suspensions upon a Professional Staff Member) of these Bylaws must be followed in accordance with the conditions stipulated in section 4.7.1 (1) (Immediate Suspension) immediate harm to himself or herself, others or property is threatened by his or her. Salary will continue during any period of suspension and an assignment to other duties shall not diminish a staff member's salary.

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

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

4.158 Professional Conduct Committee.

4.158.1 Professional Conduct Committee: Power to Create. Pursuant to power granted by these Bylaws, the faculty governing agency of each major administrative unit is empowered to create a Professional Conduct Committee, which shall have the functions and powers specified in Sections 4.158.2 (Powers and Procedures of Professional Conduct Committee) and 4.158.3 (Function of Professional Conduct Committee), in addition to any other power granted by the faculty governing agency to the Committee pursuant to these Bylaws.

4.158.2 Powers and Procedures of Professional Conduct Committee. A Professional Conduct Committee shall be empowered:

(a) To receive complaints from any person charging a member of the professional staff, as defined in Section 3.1.1 (Professional Staff) of these Bylaws, with professional misconduct. This includes complaints filed by a University officer against a member of the professional staff seeking a suspension or other major sanction less than termination as described in sections 4.7 and 4.8 of these Bylaws. A copy of the complaint shall be served upon the person or persons charged in the complaint. The person(s) so charged shall answer in writing to the complaint, and a copy thereof served upon the person or persons filing the complaint.
(b) To investigate the facts relevant to the charge and to make factual determinations, to interpret standards of professional conduct applicable to members of the professional staff, and to apply those standards to the facts. Said investigation shall include reviewing documentary evidence and witness testimony from or on behalf of all parties involved in the complaint. The Committee shall set the matter for a hearing as early as possible. Testimony shall be taken under oath. Every party shall have the right of cross-examination of witnesses who testify and shall have the right to submit rebuttal evidence. When the complainant is a University officer, the Committee shall arrange for a verbatim account of the hearing and archive all exhibits filed with the Committee. All parties shall be entitled to be represented by counsel at their own expense. The hearing will not be bound by strict rules of legal evidence and may admit any evidence that is of probative value in determining the issues involved, advising the affected party of the charge, hearing his or her response, and considering any evidence produced by such party.

(c) To conclude decide whether there are reasonable grounds to believe that the person against whom the charge is directed committed acts that amount to professional misconduct. In cases brought to Committee, the burden of proof rests with the complainant and will be satisfied by the greater weight of the evidence in the record considered as a whole.

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

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

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

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

4.1518.3 Function of Professional Conduct Committee. The Professional Conduct Committee's function shall be to ascertain facts, to interpret standards of professional conduct applicable to persons engaged in teaching, extension work, research, service, and administration at the University, to apply those standards to the facts, to advise other persons or groups whether a violation of professional conduct has occurred, and to recommend an appropriate sanction, if it concludes a violation has occurred. The Professional Conduct Committee does not have power to impose sanctions, and its findings of fact, interpretations of professional standards, advice, and recommendation are not binding. The Professional Conduct Committee shall not serve as a prosecutor of cases involving alleged violations of professional standards. The Committee acts only in an advisory capacity. An appropriate University officer has the power to make the final decision on sanctions, but the University officer shall decide upon the basis of the evidence submitted to the Committee and the report of the Committee. Unless clearly erroneous, findings of fact made by the Committee shall be
accepted. The University officer shall give the Committee’s findings and conclusions due consideration. In the event that the University officer’s decision is at variance with the recommendations of the Committee, the University Officer shall detail the reasons in a written opinion, and copies shall be provided to the parties concerned and to the Committee.

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

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

4.1207 Declaration of a Financial Exigency. A state of financial exigency may only be found and declared by the Board of Regents upon the recommendation of the President in accordance with policy established by the Board for declaration of a state of financial exigency.

History: Added, 53 BRUN 80 (12 December 1987)
Dear Chairman Clare and Vice Chairman Pillen,

The Faculty Senate Presidents from each of the four campuses thank you for your leadership during this transition. Undoubtedly, the faculty have a high degree of anxiety concerning the search for the next Nebraska University President. We have a few questions ourselves.

- In your correspondence dated April 19, 2019 you listed that the first step was to invite faculty and others to submit the “qualities, characteristics, and skills” they would like to see in the next president. You also mention that there would be “Listening Sessions” scheduled in early May; however, to the best of our knowledge these sessions have not yet been scheduled. What is the updated timeline for the rest of the search? What is the status of these listening sessions? Will they still occur, and if so, will they occur at a time that promotes maximum faculty participation, and prior to the job description being published?

- In regard to the structure of the Presidential search, we recently received an email from you where you quote the Bylaws, “Whenever a vacancy in the position of President is imminent, the Board shall promptly appoint one or more presidential search advisory committee(s) to assist the Board in the search for suitable candidates to fill the position.” It is our understanding that the previous search consisted of an advisory committee and a selection committee. We understand you are creating an advisory committee, but will there also be a selection committee? We understand the faculty role of the advisory committee, and we thank you for requesting faculty nominations from us. However, we would like to know who you are expecting as the other “representatives from key constituencies.” Faculty served on the previous Presidential search committees, and similarly we want to ensure that throughout the search process there are adequate representative faculty voices from across the NU campuses on all committees. Furthermore, we hope that you continue to engage the faculty leadership in soliciting faculty voices, however, we believe that the faculty senates from our campuses would be the most appropriate places for those voices to originate and that selection of representatives for inclusion on the committee(s) be decided by the senates.

- There have been several questions from faculty about the interim president, particularly since the Omaha World Herald articles. What is the status of the interim position? Is there a timeline for identifying and announcing the interim?

Finally, at the next Board of Regents meeting, June 28, 2019, we request a private meeting with the both of you, Regents Hawks, Kenney, and O’Connor, as well as anyone else you feel appropriate to learn more about and further discuss the search process. Thank you for considering our request.

Sincerely,

Dawn Mollenkopf, UNK Faculty President
Kevin Hanrahan, UNL Faculty President
Allison Cushman-Vokoun, UNMC Faculty President
Matthew Hale, UNO Faculty President
July 3, 2019

Dear Chairman Clare, Vice Chairman Pillen, and members of the Board of Regents,

This letter is sent on behalf of the The University of Nebraska at Omaha Faculty Senate (UNO-FS), and more broadly, the UNO Faculty. We the Faculty of UNO wish to respond to the formation of the Presidential Search Advisory Committee and express, specifically, our concern regarding the lack of faculty representation, entreating you to include representative UNO faculty voice(s) on the committee.

The current Presidential Search Advisory Committee includes UNO administrative perspectives, including those of Chancellor Gold, Associate Dean of CPACS Barron-McKeagney, and Board of Regent Member Barbara Weitz. It also includes the UNO student regent Aya Youseuf. All of these perspectives are important. The committee does not, however, include a Faculty member from UNO. Faculty have expressed grave concern that they lack a voice in this process and it is the position of the UNO-FS that without a voice on the committee, our Faculty are disenfranchised and deprived from representative shared governance.

The UNO Faculty recognize the monumental task the Board has to form a committee broadly representative of its various constituencies. We recognize that the Board has attempted, in its formation of the Presidential Search Advisory Committee to represent its constituents. However, we believe that by not including UNO faculty on the committee, the Board of Regents has not satisfied its commitment to shared governance as laid out in its Bylaws. The Board has specific and clear provisions in its bylaws that address the role that Faculty, in particular, have with respect to shared governance and decision-making, particularly in its role in the selection of academic-administrative personnel. Bylaw 2.12 ensconces shared governance as an operational pillar of the Board, by establishing Faculty Senate structures in its governance rules.
2.12 states:

The faculties of each major administrative unit shall establish a governing agency for dealing with matters of interest to more than one college. Such agencies shall be democratic in structure and operation and shall determine rules concerning membership.

A sub provision, 2.12.1 provides the responsibilities for Faculty Senates:

**2.12.1 Responsibilities of Faculty Governing Agencies.** Each agency shall have the following general responsibilities:

(a) Adopt its rules of procedure, in accordance with Section 1.2 of these Bylaws;

(b) Act as the official voice of the faculty of which it is composed;

(c) Act on academic matters that affect more than one college;

(d) Advise and consult with student, staff, and administrative groups on matters of general concern, which include, but are not necessarily limited to, the budget, institutional planning, library and computer operation, student academic conduct in the classroom, and the selection of academic-administrative personnel;

We the Faculty of UNO, would call the Board’s attention to 2.12.1(b) and 2.12.1(d), which taken together provide a clear argument for the inclusion of faculty on the Presidential Search Advisory Committee and for such faculty to be appointed by the UNO-FS in its role as the official voice of the faculty of which it is composed. In addition to this argument from principle, the UNO-FS suggests that the inclusion of representative UNO Faculty appointed by UNO-FS on the Presidential Search Advisory Committee would strengthen the Board’s position on shared governance. We believe it will help to create buy-in from faculty that will lend itself towards better consensus-building around the eventual new president selected in the hiring process.

Sincerely,

Matthew L. Hale, PhD, Cybersecurity, UNO Faculty Senate President
Chris Kelly, PhD, Gerontology, UNO-FS Past-President
Sajda Qureshi, UNO, PhD, MIS, UNO-FS Committee on Committees Chair
Mark Shoenbeck, PhD, Biology, UNO-FS Educational Resources and Services Chair
Robert Woody, PhD, ScD, JD, UNO-FS Academic and Curricular Affairs Chair
On behalf of the UNO Faculty Senate
MEMORANDUM

DATE: May 29, 2019

TO: Dr. Dawn Mollenkopf, Faculty Senate President, UNK
    Dr. Kevin Hanrahan, Faculty Senate President, UNL
    Dr. Allison Cushman-Vokoun, Faculty Senate President, UNMC
    Dr. Matthew Hale, Faculty Senate President, UNO

FROM: Timothy Clare, Chairman
       Jim Pillen, Vice Chairman

RE: Presidential Search Questions

Thank you for your communication of May 21 outlining the faculty senates’ questions regarding the Presidential Search. We recognize that times of transition can cause anxiety and we are grateful for your interest and engagement. The appointment of the President is the Board’s most important responsibility, and your input throughout the process will be critical to our success. We’ve responded to your specific questions below:

- **Listening Sessions.** The listening sessions will be scheduled once we bring a search firm onboard. We want to ensure the search consultants and members of the search advisory committee hear firsthand from faculty, staff, students, alumni, and members of the public, the qualities, characteristics, and skills they would like to see in our next leader. We appreciate the initial feedback shared by the UNL Faculty Senate, which will be shared with the search consultants and members of the search advisory committee, along with additional written feedback we have received. We plan to offer multiple opportunities and mechanisms for participation in the development of the leadership profile. Once the listening sessions are scheduled, we would appreciate your help encouraging faculty participation.

- **Search Advisory Committee.** Our Bylaws allow flexibility regarding the committee structure presidential search and Regents’ Policy 2.1.4 details the constituent groups the Board should consider for service on the Committee (university administration, faculty, students, University of Nebraska Foundation, and general public). One search advisory committee will be utilized for this search (versus the two committee structure referenced from the 2014-15 presidential search).

    We will continue to engage faculty leadership in soliciting faculty voices and look forward to reviewing your recommendations for search advisory committee members. We cannot, however, delegate the Board of Regents’ responsibility to select and appoint the search advisory committee.

- **Interim President.** We have scheduled a Board of Regents meeting on May 30, when we will consider the possible appointment of the interim president. As a public body, we are required to discuss public business—such as the appointment of an interim chief executive—in an open meeting.

Thank you again for your engagement and all you do to make this a great University. We are fortunate to have outstanding faculty leadership across our campuses. We look forward to seeing you again soon.

Board of Regents
Vanier Hall | 3835 Holdrege Street | Lincoln, NE 68583-0745 | 402.472.3906 | nebraska.edu/regents
August 20, 2019

Matthew L. Hale, Ph.D.
Faculty Senate President
University of Nebraska at Omaha
174D Peter Kiewit Institute
Omaha, NE 68182
mlhale@unomaha.edu

Dear Dr. Hale:

Thank you for your letter and interest in helping us find the best president for the University of Nebraska. We apologize to you and your colleagues for such a delayed reply. It certainly wasn’t our intent to let this response slip through the cracks, and we hope you will accept our apology.

First, we appreciate your advice and assistance in coordinating the fall listening session at UNO to maximize faculty participation. Based on your input, we plan to hold the listening session on Wednesday, September 4 at 2:00 p.m., in conjunction with your previously scheduled Faculty Senate Executive Committee meeting. Input from faculty and all attendees will be critical as the Presidential Search Advisory Committee and Board of Regents consider the qualities and attributes by which candidates will be evaluated.

Our colleagues on the Board had a difficult task in recommending a search advisory committee that broadly represented the many constituencies with which the president interacts, as well as the diverse backgrounds of our University community and state. While we worked hard to strike an appropriate balance in naming a committee that was both representative and nimble, we readily acknowledge there is no perfect committee. We wish we could have included everyone, but we do feel good about the group of individuals who have agreed to serve and the many critical perspectives—including that of the faculty—that they will bring to the process.

Dr. Barron-McKeagney, for example, is a UNO alum, a faculty member, associate dean, and is widely connected to the community through her research and service. Other search committee members bring similarly broad perspectives.

We are unequivocal in our intent to find a president who understands and values the work and input of our faculty. We sincerely hope you and your colleagues will continue to engage in the process, starting with the upcoming listening sessions. We thank you for all you do for the University of Nebraska, and look forward to seeing you again soon.

Sincerely,

[Signatures]

Timothy Clare
Chairman

Jim Pillen
Vice Chairman
Academic and Curricular Affairs
The responsibilities of the committee shall include those matters which pertain to policies involving the academic life of the university, coordination of curricular review procedures, faculty competence, admission policies, academic honors, calendar and commencements, and examinations and testing. In addition, the committee shall have oversight responsibility for university committees on academic standards, admissions, honors and awards, commencement and honors, and calendar, and any other such committees as directed by the Executive Committee.

Academic Planning Council (APC)
The Academic Planning Council (APC) is designed to monitor the quality and assist in the ongoing development of UNO's academic programs and units through the academic program review process. The reviews are coordinated with required program review reports prepared for the Coordinating Commission for Postsecondary Education.

Academic Assessment Committee
The Assessment Committee aims at enhancing student learning and improving academic programs. Academic assessment at UNO is intended to be inclusive and representative of various disciplines across campus.

Educational Policy & Advisory Committee (EPAC)
The Educational Policy Advisory Committee (EPAC) serves as a campus-wide curriculum committee. The EPAC advises the Senior Vice Chancellor for Academic and Student Affairs about most curricular activities. These activities include, but are not limited to, proposals for new programs, courses, and major course revisions. EPAC review of proposed curricular changes takes place subsequent to college, and department or school reviews. Major revisions of existing courses include changes in level, credit hours, purpose and scope, content, or method of instruction. When submitting curriculum changes or new courses proposals, first examine the schedules for all committees.

Graduate Council
Members are all UNO graduate faculty elected by their respective colleges. The UNO Graduate Council serves as the legislative and decision-making body of the UNO Graduate Faculty and as an advisory body to the Associate Vice Chancellor for Academic Affairs and Dean for Graduate Studies.

University Committee on Research & Creative Activity (UCRCA)
The University Committee on Research and Creative Activity (UCRCA) expands the capacity for research and creative activity at UNO. UCRCA members represent each of the colleges and various departments across the campus—and are recommended for appointment by the Faculty Senate to serve three-year terms. Funding for UCRCA comes from Facilities and Administrative Costs resulting from external grant and contract funding.

Honors and Awards, University Committee on
UNO recognizes outstanding students, faculty, staff, and community leaders with a variety of college, campus, and university-wide awards.

Student Publications Board
The Student Publications Board is a university committee, created by and reports to the University of Nebraska Board of Regents.
Educational Resources and Services
The responsibilities of the committee shall include those matters which pertain to policies involving the library, computer usage, international programs, and any other educational programs, resources, or services. In addition, the committee shall have oversight responsibility for the university committees on library and educational resources, computer usage, international programs, and special education, and any other such committees as directed by the Executive Committee.

Distance Education Advisory Committee
The University Distance Education Advisory Council shall be responsible for reviewing and recommending the policies, procedures, infrastructure and strategic planning for distance education.

Library and Learning Resources, University Committee on
The University Committee on Library and Learning Resources is responsible for reviewing and recommending policies and procedures pertaining to the functions and services of the Criss Library.

Technology Resources, Services & Planning, University Committee on
The University Committee on Technology Resources and Services shall be responsible for reviewing and recommending policies, procedures, and strategic planning affecting computing services and resources.

Parking Appeals Committee
No description provided.

Faculty Personnel & Welfare
The responsibilities of the committee shall include those matters which pertain to faculty working conditions and teaching loads, academic privileges and responsibilities, academic freedom and tenure, and the coordination of grievance procedures throughout the university. In addition, this committee shall have oversight responsibility for the Academic Freedom and Tenure Committee, the Faculty Grievance Committee, the Professional Conduct Committee, and any other such committees as directed by the Executive Committee.

Professorship Review Committee
The Professorship Review Committee considers nominations and recommends appointments to the Vice Chancellor for Academic and Student Affairs.

Academic Freedom & Tenure Committee
This committee, composed of five tenured and two non-tenured members of the UNO faculty, will sit on all cases covered by sections 4.14 of the Bylaws of the Board of Regents of the University of Nebraska.

Faculty Grievance Committee
The entire senate shall elect a seven-member Committee on Faculty Grievances to fulfill the grievance functions of the senate, and this committee shall have the powers and duties outlined in Section 4.13 of the Bylaws of the Board of Regents.

Professional Conduct Committee
The Professional Conduct Committee works to maintain the integrity of all faculty and staff at the University of Nebraska Omaha (UNO).
Chancellor's Commission on the Status of Women (CCSW)
The Chancellor's Commission on the Status of Women (CCSW) is an advisory council to the Chancellor and other university administrators on issues that relate to women students, faculty, and staff at the University of Nebraska Omaha (UNO). The commission is to monitor the status of women on the UNO campus and to recommend ways of improving that status.

Judicial Committee
Preside over hearings conducted as part of the disciplinary procedures or sexual misconduct procedures.

Wellness Stampede Advisory Committee
Committee members discuss and provide input on issues affecting The Wellness Stampede. Often, they will also help out with some of the special events sponsored by The Wellness Stampede.

University-Wide Employee Benefits Committee
The University-wide Employee Benefits Advisory Committee functions in an advisory capacity to the Vice President for Business and Finance, University of Nebraska (NU).

College Curriculum Committees (each college has its own committee)

Discrimination Resolution and Complaint Procedures

Excellence in Teaching Award Committees (each college has its own committee)

Goals & Directions
The responsibilities of the committee shall include those matters which pertain to the future and development of the university, the public image of the university and community acceptance of higher education, development of grant and endowment policies, campus planning and utilization of facilities, academic implications of budgets and finance, and goals and mission of the institution. In addition, the committee shall have oversight responsibility for university committees on planning, student affairs, and athletics, and any other such committees as directed by the Executive Committee.

Alumni Association, Board of Directors
A 23-member Board of Directors, headed by an Executive Committee, establishes UNO Alumni Association policy, reviews programs, issues awards and provides feedback and suggestions to the university administration. Among these members are representatives from UNO and its Faculty Senate.

Athletics, University Committee on
The University Committee on Athletics is responsible for reviewing and recommending policies and procedures on matters pertaining to intercollegiate athletics.

Budget Advisory Committee
The committee shall acquire detailed knowledge of the budget and expenditures of the entire University of Nebraska System and shall act as a source of information and independent opinion for the faculty senate.

Campus Compliance Committee
The Campus Compliance Committee assists in providing leadership and support in promoting a culture of institutional compliance at UNO. The Committee discusses current campus/University compliance related initiatives, new and/or challenging
regulatory requirements, and identifies compliance-related risks and/or opportunities for improvement. Perhaps of most interest to Faculty Senate, the Campus Compliance Committee is tasked with the responsibility of being the first “set of eyes” on any new and/or revised draft campus policies in accordance with our campus policy development and approval process.

Facilities Planning, University Committee on
The University Committee on Facilities Planning reviews plans and makes recommendations about the physical growth of the university.

Parking and Transportation Committee
The University Parking and Transportation Committee shall be responsible for advising and assisting the Manager of Support Services in reviewing and recommending policies relative to the overall parking situation on the UNO campus.

Student Affairs, University Committee on
This committee shall be responsible for reviewing and recommending policies and procedures regarding student life outside the classrooms, student rights, student responsibilities, and student services. The committee shall have review of, but not necessarily be limited to, student discipline, student counseling, extracurricular student activities, student government, student health, admission and registration procedures, financial aid, and veterans affairs.

Professional Development
The responsibilities of the committee shall include those matters which pertain to policies involving professional growth, development of research and teaching facilities, sabbaticals, and faculty development. In addition, the committee shall have oversight responsibility for the university committees on research and faculty development, and any other such committees as directed by the Executive Committee.

Center for Faculty Excellence Advisory Committee
Members of the Center for Faculty Excellence Advisory Committee will provide ongoing input, not oversight, of the functions of the Center for Faculty Excellence on the UNO campus.

ADROCA Committee
The Award for Distinguished Research or Creative Activity (ADROCA) recognizes and honors preeminent achievement in research or creative activity by faculty members of the University of Nebraska at Omaha (UNO).

University Committee For the Advancement of Teaching (UCAT)
The University Committee for the Advancement of Teaching (UCAT) oversees the application and review process for a number of faculty grants.

Outstanding Teaching & Instructional Creative Activity Award Selection Committee (OTICA)
Outstanding Teaching and Instructional Creativity Awards are presented each year in honor and recognition of meritorious and sustained records of excellence in teaching and creativity related to teaching to two full-time faculty members of the University of Nebraska.

University-Wide Departmental Teaching Award (UDTA)
The following awards are presented by the Chancellor during commencement ceremonies: Honorary Degree, Order of the Tower, and UNO Chancellor’s Medal.
NOTES

Create a “Wellness” bin or something like that to catch some of the unclassified committees, like benefits and the wellness one?

Create an “Ad-Hoc Committees” bin?

ADROCA Committee – may go on faculty and personnel welfare OR academic and curriculum committee instead?
NONTENURE TRACK FACULTY APPOINTMENTS AND PROGRESSION - PROPOSAL

The University of Nebraska at Omaha (UNO) is fortunate to have the service of excellent nontenure-track faculty, many of whom are masters of pedagogy and/or professional practice and committed student mentors. These faculty help fulfill our mission for excellence in teaching.

At UNO, nontenure-track instructional faculty are typically appointed as “Instructor” with one-year appointments. Individuals with significant teaching experience and a proven record of teaching effectiveness may be appointed as “Lecturer” with a one-, two-, or three-year appointment, with consideration given to performance, capacity for instruction, and programmatic constraints. Some colleges also use appointments as “Community Service Associate” for nontenure-track faculty with a significant instructional workload assignment.

In an attempt to provide clarity and ensure consistency, this document articulates terms and criteria for nontenure-track instructional appointments and progression through nontenure-track faculty ranks. Within that process, it is desirable to communicate to instructors and lecturers their opportunities for professional growth, to offer our feedback on their achievements and development, and to recognize their value and contributions to the institution. In addition, it is proposed, to codify the auxiliary appointment of “Senior Lecturer” at UNO as a title that recognizes sustained excellence in teaching and administrative service among nontenure-track faculty.

The proposed policy is consistent with the following sections of the By-laws of the University of Nebraska Board of Regents:

- 4.3 Appointments: Apportionment of Faculty Responsibilities; Stated in Writing
- 4.4 Types of Appointments: Professional Staff
  - 4.4.1 Special Appointments

Primary Appointment

At UNO, the primary appointment for nontenure-track instructional faculty is a “special appointment” as “Instructor” or “Lecturer”, with the following terms and criteria:

- Instructor
  - Initial appointment recommendations must include the candidate’s CV and a letter of support from the unit chair/director.
  - Instructors must meet institutional faculty credentialing requirements.¹
  - An instructor appointment may be a full- or part-time appointment.

¹ Faculty credential requirements are articulated in “Academic Policy – Credentials and Qualifications for Faculty/Instructional Personnel at the University of Nebraska Omaha (Aligned with HLC Guidelines”, available on the Academic Affairs website.
Recommendations for instructor appointments are made by unit chairs/directors to deans.

- Appointments as “Instructor” are one-year appointments and typically follow the academic year calendar.
- Appointments as “Instructor” shall not exceed seven (7) years.
- Instructor performance is evaluated annually by the unit chair/director in accordance with criteria established by the unit and/or college.

**Lecturer**

- Faculty holding the title of “Instructor” are eligible for promotion to “Lecturer”, a title that recognizes sustained exceptional performance in carrying out teaching responsibilities.
- Initial appointment recommendations must include the candidate’s CV and a letter of support from the unit chair/director that includes a rationale for the appointment to “Lecturer”.
- Lecturers must meet institutional faculty credentialing requirements.
- A “Lecturer” appointment requires a full-time faculty appointment.
- Recommendations for “Lecturer” appointments are made by unit chairs/directors to deans.
- “Lecturer” appointments are for one-, two-, or three-year periods and typically follow the academic calendar.
- Performance is evaluated annually through the annual review process by the unit chair/director in accordance with criteria established by the unit and/or college.

All appointments must be in writing and be authorized with the college dean’s signature. The letter of offer serves as a contractual agreement, and therefore, must include a) the type of appointment (i.e., special appointment), b) a statement referencing academic responsibility and academic freedom (as described in sections 4.1 Academic Responsibility and 4.2 Academic Freedom of the University of Nebraska Board of Regents By-laws) as part of the appointment, c) identification of rank, compensation, benefits, and (where applicable) the termination date of the appointment, and d) the general apportionment of responsibilities (e.g., teaching, research, service).

Special appointments terminate in accordance with the time stated in the appointment to the position or the written contract, or if none, then with the appropriate period of notice.

**Evaluation and Reappointment**

Currently, academic units conduct an annual review of all nontenure-track instructional faculty within the unit as part of the annual review process for full-time faculty. The evaluation should be conducted in accordance with institutional policies as well as unit and/or college level policies. The evaluation informs recommendations for reappointment or non-renewal to the dean.

For select dossiers, upon recommendation of the Dean of the College, upon consultation with the Unit Members of the department or school, and with the approval of the Senior Vice
Chancellor for Academic Affairs, a “Lecturer” may additionally carry the auxiliary appointment as “Senior Lecturer”. Proposals for the auxiliary appointment “Senior Lecturer” may be made by the chair or director or by faculty within the unit.

**Auxiliary Appointment as Senior Lecturer**

At UNO, appointment as a “Senior Lecturer” will be an auxiliary appointment used to recognize an individual who is at the forefront of administrative service, education and student mentorship, and a valuable member of the life of their department and college. The title is intended to recognize those individuals on the faculty whose service to the unit or institution serves a key role and is meant to recognize exceptional responsibilities. Such contributions can include, but are not limited to:

- Mentoring a nontenure-track faculty cohort in teaching and pedagogy
- Mentoring a graduate student cohort in teaching and pedagogy (if graduate faculty)
- Coordinating multiple sections of a course
- Developing experiential learning opportunities for students
- Leading degree program and/or general education assessment activities

Individuals carrying the auxiliary appointment of “Senior Lecturer” are considered qualified rank faculty, not eligible for tenure, and subject to the same status within departmental governance as given in departmental by-laws for lecturers. Individuals with this appointment may apply for grants and advise undergraduates or graduate students as allowed by their departments and Graduate Studies.

The following terms and criteria apply to the auxiliary appointment of “Senior Lecturer”:

- At least three years full-time service to the college as “Lecturer”
- Syllabi from courses should be submitted that reflect teaching modalities, modes of assessment, and learning objectives
- Evidence of teaching effectiveness including
  - At least three letters of recommendation from tenured or tenure-track faculty
  - At least three letters of reference from students
  - Teaching evaluations from undergraduate and graduate courses taught at UNO
- A statement of teaching philosophy that reflects excellence in
  - Attention to pedagogy, discipline best practices and research-based methods
  - Understanding of student success issues
  - Student mentoring
  - Assessment strategies which encourage learning outcomes and student growth
  - Service to the department and college in the form of committee membership, curricular innovations, administrative roles, or enhancement of student life on campus
- A summary endorsement of the department chair or school director
- Review of performance regarding the auxiliary appointment of senior lecturer every three years
DISTINGUISHED (ASSOCIATE) PROFESSOR PROPOSAL

The University of Nebraska at Omaha is founded on the talents and contributions of its faculty, whose teaching, scholarship and creative activities, and service to the university define its character and enable its mission. While many aspects of service are recognized in processes such as the reappointment, promotion, and tenure (RPT) process or faculty workload, it is beneficial to examine additional mechanisms to recognize, support, and compensate faculty for significant contributions to the university, lest the institution risk overburdening faculty or creating competing demands on faculty time. Several units across the campus have instituted formal “auxiliary appointments,” beyond the typical roles of chair, director, and graduate program director. With the present proposal we seek to extend this practice across campus and ensure that all units consider such a possibility where appropriate service by faculty warrant this recognition.

It is proposed to create the title “Distinguished (Associate) Professor” as an “auxiliary appointment”. The title “Distinguished (Associate) Professor” shall recognize those individuals on the faculty whose contributions to the unit, institution, or profession serves a key role and is meant to recognize exceptional responsibilities beyond the typical level of contribution factored in to workload. Such contributions can include, but are not limited to:

- Mentoring of a junior faculty cohort
- Mentoring of graduate student cohorts
- Editorship of a scholarly journal
- Leadership of a major professional society
- Development and implementation of a new academic program
- Development of a new intra- or inter-college research initiative

Those holding the title of Distinguished (Associate) Professor shall receive an administrative stipend established by the chair and dean for the duration of the auxiliary appointment.

The title of Distinguished (Associate) Professor will be available to those who hold the continuous appointment as Associate Professor or Professor in an academic department, and the holder of the title will be known as Distinguished (Associate) Professor of _____ (fill in academic department). Proposals for the auxiliary appointment “Distinguished (Associate) Professor” may be made by the chair or director or by faculty within the unit. Designation as “Distinguished (Associate) Professor” will be recommended by the chair or director of an academic unit, subject to review by the relevant college dean and the Senior Vice Chancellor for Academic Affairs.

Recognition of faculty service through special appointment is already the practice in many academic units. The purpose of this proposed title is to ensure the possibility and procedure is available to faculty across the campus, and ensure that the contributions of faculty across the campus do not go unrecognized.
FACULTY WELLNESS SERIES

WEDNESDAY, DECEMBER 18, 2019

STRESS MANAGEMENT TECHNIQUES FOR BUSY PEOPLE

11 A.M.-12 P.M.
Criss Library Faculty Study Commons

Come for a conversation with Dr. Steven Wengel, Assistant Vice Chancellor for Wellness at UNO and UNMC. Steve Wengel, MD, is from Omaha, an NU alum, and a practicing psychiatrist since 1991, specializing in geriatric psychiatry. He treats patients with a broad range of psychiatric conditions, including dementia, depression, and anxiety disorders. He is currently the director of the UNMC Division of Geriatric Psychiatry.

Dr. Wengel previously served as the Chair of the UNMC Department of Psychiatry from 2004 until 2018, when he became UNO and UNMC’s first Assistant Vice Chancellor for Campus Wellness. He has a longstanding interest in the role of non-medication interventions for reducing stress and anxiety. Dr. Wengel has employed meditation and other stress management techniques in his personal, clinical, and academic practices for many years, and has worked with the University of Nebraska to create innovative academic and clinical programs in stress reduction. In his current role as the wellness champion for UNO and UNMC, he oversees academic programs reaching out to faculty, staff, and trainees in all disciplines.

FOR MORE INFORMATION: CENTER FOR FACULTY EXCELLENCE | 402.554.2427

The University of Nebraska does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment.
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<th>RECRUITMENT</th>
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<td>Search Committees:</td>
<td>Statement of Support:</td>
<td>Promotion &amp; Tenure Guidelines:</td>
<td>Financial:</td>
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<td>1. Search committees should be as diverse as possible and include individuals who have broad perspectives and a commitment to diversity, inclusion, and equity.</td>
<td>1. NU-System will adopt statement of support and guidance for junior faculty to improve retention, tenure and promotion.</td>
<td>1. Clear guidelines at each NU campus for all permanent faculty and instructors that articulates procedures for the successful achievement for retention and promotion in rank.</td>
<td>1. Financial and consulting resources for the use of faculty search committees to enhance and expand searches to reach a wider pool of diverse candidates should be established on each campus.</td>
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<td>2. Search committees will be provided with training and resources to promote a diverse candidate pool.</td>
<td>Support and Development:</td>
<td>2. Defined professional development opportunities for the advancement of instructional, research and creative activity proficiency will be provided at each campus.</td>
<td>2. Financial support should also be established to enhance recruiting efforts for departments and colleges.</td>
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<td>Recruiting, Search, and Hiring:</td>
<td>1. Counsel and mentoring resources will be provided at each campus.</td>
<td>3. Full incorporation of professional development opportunities to advance individual and collective cultural competency that advances inclusive values and practices, consistent with best practices will be established.</td>
<td>3. Funding for faculty development programs should be made available across all campuses.</td>
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<tr>
<td>1. NU System will provide a platform for shared materials on best practices on faculty recruiting, search and hiring procedures from each campus, and a NU systemwide Guidance Book.</td>
<td>2. Defined professional development opportunities for the advancement of instructional, research and creative activity proficiency will be provided at each campus.</td>
<td>Pipeline Development:</td>
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<td>2. The exploration of enhanced networks to assist in the recruitment of traditionally under-represented faculty will be utilized and will include engagement with disciplinary affinity networks and strategies identifying diverse faculty candidates.</td>
<td>3. Full incorporation of professional development opportunities to advance individual and collective cultural competency that advances inclusive values and practices, consistent with best practices will be established.</td>
<td>1. A competitive fund to support an NU System pipeline program, to enable persons likely to contribute to the educational diversity at each NU campus, and who are interested in earning appropriate terminal degrees and become full-time, tenure track members of the faculty will be established. ** Each campus will be granted maximum flexibility to tailor</td>
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<td>3. Engagement with affinity networks at annual and regional conferences as well as national higher education</td>
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Subcommittee Members: Dr. Gwendolyn Combs and Dr. Richard Bischoff (University of Nebraska Lincoln); Dr. Kari Simonsen and Emily McElroy (University of Nebraska Medical Center); Dr. Dawn Mollenkopf (University of Nebraska Kearney); Dr. Regina Toman and Dr. Jonathan Benjamin-Alvarado – Chair (University of Nebraska Omaha).

Stancia Jenkins (Nebraska University Central Administration)