Following the presentation of a Certificate of appreciation to Harry Duncan, UNO Center for the Book Arts, and introduction of Michael McLaurin, Student Senate liaison officer to Faculty Senate, the University of Nebraska at Omaha Faculty Senate met in regular session on Wednesday, September 13, 1989 at 2:00 p.m. in the Dodge Room of MBSC. The President, Kim Sosin, presided.

MEMBERS PRESENT: Bacon, Becker, Bradshaw, Brasile, Buchanan, Bykerk, Callahan, Carlson, Cowdin, Frank, Green, Hendricks, Horacek, Leavitt, McCuen, Millimet, Okhamafe, Reed, Sharpe, Shroder, Simpson, Sindt, Sosin, Stacy, Stolen, Stroope, Tollman, West, Wilson, Wood.

MEMBERS EXCUSED: Conway, Maloney, Nelson, Turner.

MEMBERS ABSENT: Bruce.

The minutes of the November 8, 1989 Faculty Senate meeting were approved as corrected.

President's Report

President Sosin moved the following resolution:

RESOLUTION 1811:

WHEREAS, Lynn Ash has served the UNO Faculty Senate as Secretary since May, 1989, and

WHEREAS, she has earned the respect and admiration of the Faculty Senate members for the professional quality of her work and her good humor,

THEREFORE BE IT RESOLVED, that the UNO Faculty Senate expresses its sincere appreciation to Lynn for her work with the Senate, and

BE IT FURTHER RESOLVED, that the Senate wishes Lynn and Evan all the best in their new location.

The motion carried.

Following the President's Report, President Sosin announced that she would be absent for a brief time and turned the meeting over to Vice President Bacon.

Secretary/Treasurer's Report

Secretary/Treasurer Tollman reported that there seems to be some confusion regarding the policy on meeting attendance. Following a brief discussion Senator Tollman read from the Faculty Senate Bylaws and indicated that for future meetings this policy will be followed. Any Senator calling the Faculty Senate office or Senator Tollman prior to any Senate meeting will be excused.

Vice Presidents Report

Vice President Bacon reported on the recent IFAC meeting in Lincoln. The meeting resulted in a resolution stating that any changes or new options in the TIAA/CREF must go through IFAC before they are sent to central administration. Further discussion of IFAC involved input from campuses regarding intercampus activities and a move to eliminate duplication of effort. Also discussed was intercampus teaching activities and cross-listing of classes. Please transmit any ideas to IFAC members before their next meeting.

Executive Committee Report

None
Standing Committee Reports

Committee on Personnel and Welfare

Senator Stacy, on behalf of the Committee on Personnel and Welfare, moved the following resolution:

RESOLUTION 1812:

WHEREAS the Bylaws of the Board of Regents of the University of Nebraska (April 1989 Revision) provide to the faculty governing bodies on each campus the authority to establish a Professional Conduct Committee (Section 4.15) to "interpret standards of professional conduct applicable to persons engaged in teaching, extension work, research, service, and administration, 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" (Regents Bylaws, section 4.15.3), and

WHEREAS the UNO Faculty Senate believes in the principles of appropriate professional conduct and faculty self-government, and

WHEREAS it has become critical for UNO to have a Professional Conduct Committee to deal with cases of professional misconduct in order to meet the requirements of granting agencies,

THEREFORE BE IT RESOLVED that the University of Nebraska at Omaha Faculty Senate establishes a five-member Professional Conduct Committee to receive complaints, conduct hearings, and make recommendations in cases of alleged professional misconduct by UNO professional staff members.

The following amendment to Resolution 1812 was moved by Senator Becker, seconded by Senator Callahan:

WHEREAS the Collective Bargaining Agreement between University of Nebraska at Omaha Chapter American Association of University Professors and The Board of Regents of University of Nebraska for the period July 1, 1989 through June 30, 1991 specifies that tenured faculty may be terminated without a hearing by or trial before a faculty committee,

The motion to amend Resolution 1812 failed.

Senator Sharpe, seconded by Senator Shroder, moved to table Resolution 1812. Senator Shroder withdrew his second.

The motion failed.

As a point of information it was indicated that the committee and the guidelines must be in place by January 15, 1990. If the Faculty Senate does not deal with this now, it will be necessary for Administration to do so.

Senator Leavitt, seconded by Senator Stolen moved to amend Resolution 1812 by deleting the last WHEREAS (...it has become critical...requirements of granting agencies,...)

The motion to amend Resolution 1812 carried.

The motion as amended carried.

Senator Stacy, on behalf of the Committee on Personnel and Welfare, moved the following resolution:

RESOLUTION 1813:

WHEREAS the Bylaws of the Board of Regents of the University of Nebraska provide to the faculty governing bodies on each campus the authority to establish a Professional Conduct Committee and to specify its rules and procedures, and

WHEREAS the UNO Faculty Senate has established a Professional Conduct Committee,
THEREFORE BE IT RESOLVED that the Faculty Senate adopts the document "University of Nebraska at Omaha Professional Conduct Committee Rules of Procedure: as the rules and procedures of the committee.

Senator Becker, seconded by Senator Callahan, moved the following amendment to Resolution 1813:

Delete from "The University of Nebraska at Omaha" through to "Will be identified." in first paragraph.

Add as second paragraph

"1. Membership.

The Professional Conduct Committee will be 5 faculty members holding the rank of associate professor or above" (and continue with the rest of paragraphs 2 and 3 of Attachment A, but eliminate "for one year." at the end of the first sentence in the second paragraph.)

And renumber the remainder of the text to conform to this new "1".

Add to the end of the first sentence under Initiation of Proceedings, "or justify further investigation by the Committee."

Delete "or that the committee lacks jurisdiction" in lines 22 and 23 from bottom of page 2.

Add after "University" line 19 from the bottom of page 2, "and the other agency agrees to investigate the complaint."

Delete "In any event" on line 16 from bottom of page 2, and capitalize the "T" in "the".

Delete from "reconsider the question" line 13 from bottom of page 2, through to "be prepared." on line 7 from bottom of page 2.

Add as first sentence top of page 3 "The complainant and the respondent each shall have the right to challenge and the power to disqualify any member(s) of the Committee (including the Chair) prior to the first committee meeting considering the complaint."

Delete from "the President", line 6 from top of page 3 to the end of the paragraph and substitute, "Alternate Members of the committee will become Active Members of the investigating committee, subject to disqualification by the complainant or respondent; the first alternates added to the committee will be the newest alternates. In the event that there are less than 5 members of the investigating committee satisfactory to the complainant and respondent, the President of the UNO Faculty Senate shall specify replacement members, each of whom can be disqualified by either the complainant or the respondent.

Delete the first five lines under Formulation of Statement and Charges, including the word "conduct" in the next line, and substitute, "The Committee will issue a written statement to both the complainant and the respondent that clearly describes (a) the specific standards of professional conduct that are alleged to have been violated, (b) the specific actions which, if substantiated, would constitute a violation of those standards, and (c) the members of the committee who will conduct the investigation.

Add after "complainant" line 6, paragraph 2, page 3, "and the respondent"

Add after "charges" line 9, paragraph 2, page 3, "and the names of any committee members to be disqualified. The respondent will also submit a written reply to the charges specifying the facts in his/her defense to the charges"

Third paragraph replace "chancellor of UNO and "UNO chancellor" with "President of the UNO Faculty Senate"

Add the following as the first lines under "Conduct of Investigative Meetings" "Prior to any hearing(s), the committee will meet and discuss the written Facts presented by the complainant and the respondent. If the committee is unable to reach a unanimous verdict of "guilty" or "innocent", the committee will determine what information and what (answers to ) specific questions will permit them to arrive at a unanimous verdict. The complainant and the respondent will be given 14 days to reply to these questions and to provide evidence in support of their replies, including the names, addresses and telephone numbers of witnesses, and other data sources. The committee will meet and review the replies to arrive at a tentative verdict of "guilty" or "innocent". If no verdict is reached, the committee will investigate the data sources, and conduct
interviews with the witnesses in order to arrive at a tentative verdict. If the committee is unable to arrive at a verdict, the committee will specify additional questions for the complainant and the respondent to answer within the next 14 days. This process will be repeated until a tentative verdict is reached.

In the 5th line under Conduct of Investigative Meetings, change "witnesses" to "witness. Only one witness will be present.

Delete the sentence beginning with "Consultants" on line 7 from bottom of page 3, and ending with "vice chancellor" on line 5.

Page 7, Delete everything after "employment: in item (7); delete all of item (8); and add, "(c) If any of the actions described in (b) above is recommended, the recommendation(s) will conclude with the following statement: The recommendation of this committee may threaten the academic freedom or academic tenure of the respondent, and the respondent is therefore entitled to a trial by the Academic Freedom and Tenure Committee. The respondent is advised to file a complaint with the Academic Freedom and Tenure Committee as soon as possible.

Substitute "President of UNO Faculty Senate" for UNO Chancellor, page 4, lines 11, and 30; page 6, line 4; page 7, lines 2, 3, under Committee Report.

Substitute the following for the word "evidence" in item 4, page 7 "the specific actions, including the place(s) and date(s) (if known) when the infraction(s) occurred, the names, addresses and telephone number of witnesses, and other documents or facts".

The motion to amend Resolution 1813 failed.

Senator Callahan seconded by Senator Shroder, moved the following amendment to Resolution 1813:

Add at the end of the resolution ...as a provisional document with final draft being approved by March, 1990 meeting of Faculty Senate.

The motion to amend Resolution 1813 carried.

The motion as amended carried.

Senator Stacy, on behalf of the Personnel and Welfare Committee, moved the following resolution:

RESOLUTION 1814:

WHEREAS, securing external funding is essential for faculty to carry out research and service obligations, and

WHEREAS, grant proposals are closely scrutinized by peer review groups, and

WHEREAS, grant writing has been identified as a priority by University administration,

THEREFORE BE IT RESOLVED, that the UNO Faculty Senate recommend that grant writing be considered as evidence of scholarly activity for appointment as member/fellow of the graduate faculty and for reappointment, promotion, tenure, and for merit considerations.

After a brief discussion the question was called.

The motion carried.

Other Business

None

Old Business

Senator Callahan, seconded by Senator Cowdin, moved to remove Resolution 1810 from the table. The motion carried.
WHEREAS the faculty at the University of Nebraska at Omaha has professional needs that are unable to be met by the operating budget, and

WHEREAS the UNO Alumni Association has expressed interest in supporting a Faculty Development Fund and will ask the UNO Alumni Board to match any development funds that are raised from among the UNO faculty,

THEREFORE BE IT RESOLVED that the Faculty Senate at the University of Nebraska at Omaha supports a plan whereby each member of the UNO faculty will contribute at least $10 a month to a Faculty Development Fund which will have the following features:

1. The interest on the fund will be apportioned to academic departments on the basis of how many full time faculty members each department has. (For example, if 400 faculty members each contributed $120 a year, the total in one year would be approximately $50,000, and if this were matched by the Alumni Association the total would be $100,000 or $250 per faculty member, so a department with 10 faculty members would receive $2,500 per year to use as it wished for faculty development.)

2. Faculty development activities would include such activities as travel to professional meetings; provision for visiting scholars; support for research and creative activity beyond what is currently available; equipment support, funded faculty development leaves; improvement of instruction, and the retraining of faculty in order to develop new areas of expertise.

3. The fund would be managed by the UNO Alumni Association, which would provide the mechanism for payroll deduction and which would be responsible for apportioning the income annually to each academic department.

4. Once the UNO faculty and alumni have generated a fund that is large enough to demonstrate a serious and credible commitment to the project, the Professional Development Committee would have the primary responsibility for locating external funding sources and for recommending policies to the Faculty Senate regarding the administration of the fund.

Senator Cowdin moved to amend by replacing "will contribute" in the third paragraph by "may voluntarily contribute." Senator Carlson seconded. The amendment carried.

Following discussion, a vote on the motion to approve Resolution 1810 was taken by hand count. The motion failed.

President Sosin returned and presided for the remainder of the meeting.

For the Good of the Order

Several senators expressed a desire to see a new form for Resolution 1810 with more options available.

Senator Brasile expressed concern about campus walkways between AH and Eng buildings, which used to be a ramp accessible to handicapped, but is now steps with no safe alternative route for handicapped. This will be taken up with UNO administration by the Executive Committee.

Concern was expressed by Senator Simpson about the adequacy of representation on Faculty Senate and other committee by partial retirees. Senator Simpson also reminded the Senate that he is on partial retirement and should be replaced for Spring semester.

New Business

President Sosin announced that all January meetings of Faculty Senate and committees will be moved back one week because of winter break.

Senator Callahan announced that the Senate retreat will be at LaPlace 38 on August 26, 1990.

Adjournment at 3:36 p.m.
Thomas Tollman
Secretary/Treasurer