November 2020 Faculty Senate Packet

University of Nebraska at Kearney Faculty Senate

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I. Call to order
II. Roll Call
III. Approval of Agenda
IV. Action on Faculty Senate Minutes: 01October2020
V. Special Presentations
   A. SVCAA Charles Bicak: Academic Initiatives at UNK in the Time of COVID
   B. VCBF Jon Watts: UNK Budget Update
VI. Reports of Faculty Senate Standing Committees
   A. Oversight Committee:
      i. Oversight Committee Nomination
   B. Executive Committee: 28October2020
   C. President’s Report:
   D. Academic Affairs: 22October2020
   E. Academic Freedom and Tenure Committee: 07October2020
   F. Academic Information and Technology Committee: 28July2020; 14October2020
   G. Artists and Lecturers Committee: 26October2020
   H. Athletic Committee:
   I. E-campus Committee:
   J. Faculty Welfare Committee: 16October2020
   K. Grievance Committee:
   L. Library Committee: 14October2020
   M. Professional Conduct:
   N. Student Affairs:

VII. Reports of Senate Representatives to Non-Senate Committees
   A. Assessment Committee:
   B. Women, Gender and Ethnic Studies Advisory Committee:
   D. Parking:
   E. Safety Committee:
   F. World Affairs Conference Committee:

VIII. Reports from Academic Councils
   A. Graduate Council: 08October2020
   B. General Studies Council: 01October2020
   C. Council on Undergraduate Education:
   D. Student Success Council:
   E. Equity, Access, and Diversity Committee
IX. Unfinished/Old Business

   A. UNL Bylaws Change Proposal is back for a second round of approval.

X. New Business

XI. General Faculty Comments

   A. Reminder about the Finals/Dead Week policy. Student government request that faculty adhere to this policy to protect students time during the last few weeks of the semester.

XII. Adjournment:
I. Call to order 7:00 pm President Martonia Gaskill

II. Roll Call
   A. Present: Dawn Mollenkopf, Alejandro Cahis, Ngan Chau, Jeff Kritzer, Marissa Fye, Pat Hoehner, Miechelle McKelvey, Bryce Abbey, Kurt Borchard, Megan Strain, Ben Malczyk, Sam Rapien, Jon Dettman, Jeremy Dillon, Jeremy Armstrong, Nicholas Hobbs, Mike Moxley, Chris Steinke, Claude Louishomme, Anthony Donofrio, Ford Clark, Laurinda Weisse, Martonia Gaskill, Julie Shaffer
   B. Absent: Daniel Chaffin, Seth Long, Derek Boeckner, Timbre Wulf

III. Approval of Agenda Strain 1st Abbey 2nd

IV. Action on Faculty Senate Minutes: Clark 1st Cahis 2nd

V. Special Presentations
   A. No presentations

VI. Reports of Faculty Senate Standing Committees
   A. Oversight Committee: Update on elections
      i. Senator Mollenkopf talked about the email she sent out and the votes that were submitted. The student members always come last, that’s a given, they will come about the time the committees meet. We can vote individually or as a slate. Motion to vote as a slate. Strain 1st Schaffer 2nd. There was no discussion. Unanimous vote to approve.
      ii. The slate was approved unanimously.
   B. Executive Committee:
      i. President Gaskill presented that the J-Term was brought up. This is an experiment, and many questions remain unanswered. We will have to wait and see how the pilot unfolds, and then it will be determined the feasibility of continuing the winter J-Term offerings. We will have to see the results of this pilot.
      ii. Senator Mollenkopf talked about the Anti-bullying policy initiative.
      iii. President Gaskill said we talked about COVID and E-Campus
         1. There will be a national search for the director of E-Campus
         2. E-Campus and Grad Studies will work together, unsure of what that will look like
      iv. The question about J-Term proposals came up and chairs will be handling proposals
   C. President’s Report:
   D. Academic Affairs:
   E. Academic Freedom and Tenure Committee:
   F. Academic Information and Technology Committee:
   G. Artists and Lecturers Committee:
   H. Athletic Committee:
I. E-campus Committee:
J. Faculty Welfare Committee:
K. Grievance Committee:

VII. Reports of Senate Representatives to Non-Senate Committees
   A. Assessment Committee:
   B. Women, Gender and Ethnic Studies Advisory Committee:
   C. International Studies Advisory Council:
   D. Parking:
   E. Safety Committee:
   F. World Affairs Conference Committee:

VIII. Reports from Academic Councils
   A. Graduate Council:
   B. General Studies Council:
      i. Senator Donofrio asked about LOPER qualifications. Asked about language changes. President Gaskill said we would ask representatives to come to Faculty Senate to have a discussion. Senator Steinke agreed there needs to be clarification. After the meeting, Senator Donofrio sent this clarification on what he asked (since it was a large question and nearly impossible to write out).
         1. During the September 15th meeting of the music faculty, Tim Farrell reported that the language in the Evaluation Criteria, bullet point 3, had been changed from “qualified academic discipline” to “appropriate academic discipline,” thus allowing departments to offer courses that meet the requirements for LOPER categories despite being outside the discipline or disciplines with which a LOPER category best aligns. The specific example provided was for departments outside the disciplines of visual and performing arts (LOPER 5) to offer courses that fulfil LOPER 5 requirements. This was more than a discussion; it was a motion that was seconded and passed. This is not the first time that this language was changed. A similar attempt happened last semester; however, it was reported to this Senate by Senator Greg Brown in response from a question by Senator Chris Steinke that the SVC stated that this language must reflect the notion that courses meeting requirements for LOPER categories were to be taught by departments in those disciplines. Looking through this meeting’s packet as well as my email inbox, I see no notice of this change of language. This lack of notice concerns me, as it affects all departments on campus, especially given the risk of this language opening the flood gates for departments to claim they can teach courses in any category. I completely understand that I am working with 2-week-old information and matters may have changed; however, I would like to hear from the GSC concerning this matter. My question, finally, is in 2 parts: 1. Why was this language changed when the matter had been reported completed and closed last semester? 2. Why has this change in language not been reported across campus?
   C. Council on Undergraduate Education:
   D. Student Success Council:
   E. Equity, Access, and Diversity Committee

IX. Unfinished/Old Business
   UNL ByLaws Proposal Changes is back for a second round of approval.
X. New Business
   A. Resolution proposal (see packet)--- Assistant Director, Study Abroad and Exchange Programs, Dr. Carol Lilly
      i. There has been an Elimination of Position: Assistant Director, Study Abroad and Exchange Programs. They are upset about the permanent nature of the cutting of the position. There is a resolution that has been circulated and has now come before the Senate. Dr. Lilly outlined why she believes the position should not be eliminated forever.
      ii. Dr. Lilly would like the Senate to add their name to the Resolution
      iii. Senator Dettman advocated for Dr. Lilly in restoration of this position
      iv. President Gaskill said she spoke with Dr. Burkink and he doesn’t wish to see the position go away, but there are no guarantees that it won’t be a permanent elimination.
      v. Senator Dillon said that we need to, as a Senate, have to come up with a position on budget cuts and faculty eliminations.
      vi. Senator Dettman made a motion to consider the proposal tonight. Senator Steinke seconded. Vote was unanimous to discuss and vote tonight.
      vii. Senator Louishomme mentioned that many MONA staff were also cut. He asked that we ask what the rationale was to cut all of the positions.
      viii. Senator Dettman moved to support the Resolution. McKelvey seconded.
         1. He said he was talking about Page 24 in the packet
      ix. Senator Shaffer brought up making a statement with a Resolution now before we know what is going to happen with faculty positions.
      x. Senator Louishomme believes that there should be some language added to talk about COVID and when they’ll be able to travel again. Senator Shaffer agreed.
      xi. Many Senators agreed that this position will not affect UNK’s finances.
      xii. Dr. Lilly believes it could impact enrollment.
      xiii. Senator Dettman believes Modern Languages would fill the void, and they just do not have the means to do so.
      xiv. Senator Dettman withdrew the motion, then made a motion to approve with an amended version with COVID language (about bringing the position back when the pandemic is over and travel is possible again). Jeremy Dillon seconded, and the vote was unanimous.
   B. Syllabus Statements (see packet)--- Statement from CAS Ed Policy on Syllabus Notifications. Dr. Scott Darveau and Dr. Carol Lilly
      i. Dr. Lilly explained the proposal.
      ii. Senator Dillon asked about the link.
      iii. It will be presented to the cabinet

XI. General Faculty Comments
   A. Problem with Academic Dishonesty Procedure – Dr. Scott Darveau
      i. New language, see packet for revised version. The faculty can now apply sanctions to the student.
   B. Senator Strain said she has some concerns from her department with the disappearance of the physical help desk. Senator Shaffer believes the new IT “setup” isn’t very effective. This will be looked into by President Gaskill.

XII. Adjournment:
   A. 8:34pm Clark 1st Shaffer Second
Faculty Senate President Report

Faculty Senate Executive Committee Agenda – October 21st, 2020 – 10:30-11:30 am.
– Via Zoom

Faculty Senate Executive Committee
Martonia Gaskill, President
Jon Dettman, President Elect
Derek Boeckner, Secretary (note taker)
Ford Clark, Representative
Dawn Mollenkopf, Parliamentarian

Discussion Items:

- The Chancellor Faculty Advisory Committee & Faculty Reduction
  - Known Representatives: Kim Carlson UNKEA rep, Dawn Mollenkopf FS Exec Rep
  - How many positions they have in mind for cutting?
  - Do they have criteria outlined for cuts, what will the decisions be based on?
  - Clarity about why now? UNK weathered the budget cuts, covid enrollment is not down as much as we expected, what is the impetus?
  - The enrollment numbers have been trending for a decade or more, why now and not earlier? More help for departments with recruitment/retention.
  - What is the expected timeline for these cuts? 12 month notice to tenure lines? Timeline for execution not until 2022? The impact of program/faculty elimination on graduation on the affected programs?

- UNK Faculty & Staff Survey on COVID-19 Fall 2020 Response
  - Still compiling data

- eCampus Director Search

- FS Standing Committees & Roster for 2020-2021
  - Updated rosters posted on website
  - Send FS Standing committee Chair and Secretary names to Dawn soon.

- Agenda for the October 28th meeting with the Cabinet
  - UNL bylaw change. See attachment.
  - Clarity on cancelled e-Campus Director search
  - Discussion about the timing of and planned timeline for Faculty Reduction?
  - Faculty & Staff COVID-19 Fall 2020 Survey results?

- Other items? Please bring items you wish to discuss
  - UNL changes to bylaws at regent level – needs looked at/approved
    - Include in packet to vote on in January
    - Send to committees effected again
October 15, 2020

Martonia Gaskill, President
UNK Faculty Senate - COE B187

William Aviles, President
UNKEA - COPH 207A

Martonia and Will,

It is without any pleasure that I have determined that a faculty reduction in force has become necessary, due to over-staffing. Therefore, I am asking for your assistance in establishing the Faculty Advisory Committee (the "Committee") referenced in Article XII of the current Collective Bargaining Agreement between the Board of Regents of the University of Nebraska and the University of Nebraska at Kearney Education Association. The Committee will provide recommendations to the campus administration. In establishing the Committee, I would ask the UNKEA Executive Committee to nominate one member of the UNKEA Executive Committee to serve on the Committee. I would ask the Faculty Senate to nominate one member from the Executive Committee of the Faculty Senate to serve on the Committee. I will also be asking the Deans of the Graduate Faculty, each of the three undergraduate colleges, and the Library to ask their faculty to nominate one member (and in the College of Arts and Sciences, two members) of their faculty to serve on the Committee. Please forward your nominations to me as soon as possible.

Respectfully,

Doug!n, J.D.
Chancellor

bjm

Office of the Chancellor
2504 9th Avenue, Worner Hall 1000 I Kearney, NE 68849 I 308 . 865.8 208 I fax 308.865.8665

unk.edu
In attendance

UNK Administration
Doug Kristensen
Charles Bicak
Jon Watts
Dean Hinga
John Falconer
Kelly Bartling

FS Executive Committee
Martonia Gaskill, President
Jon Dettman, President Elect
Derek Boeckner, Secretary
Ford Clark, Representative
Dawn Mollenkopf, Parliamentarian

I. Informational Items

A. Administrative Presentations to Faculty Senate
   Dr. Bicak and John Watts are scheduled to speak at Nov. 5 Faculty Senate meeting.
   Dr. Bicak asked what topics would FS like him to address.

B. Proposed BoR Bylaw changes
   The UNL-sponsored changes that came before the Faculty Senate last year did not pass the Board of Regents, so they will try again at the end of the year or at beginning of 2021. UNK’s Faculty Senate will examine the new changes to the document in the near future.

II. Discussion Items

A. Syllabus statement streamlining request from CAS Education Policy Committee
   - The CAS Ed Policy committee has requested that the FS Academic Affairs committee and Faculty Senate consider and adopt a mechanism to redirect the numerous notification statements (disability, sexual harassment, diversity, pregnancy, etc.) currently required to be placed in all syllabi. They would like to encourage the use of MyBlue as the route for notification with the possibility of a very brief reminder statement using a current single URL in the syllabus.
   - The CAS Ed Policy committee has also requested to put syllabus statements in a single location. Some faculty members don’t subscribe to Announce list and may not update their syllabi. It would be easier and more accurate to put the statements on a website and provide link.

Request that Ed Policy email be forwarded to UNK administration.

Dr. Bicak noted that we have to meet legal and accreditation obligations, but recognizes that the syllabi statements have proliferated and become larger over the years.
The cabinet expressed openness to the committee’s suggestions and thought the single link to a webpage with the syllabus statements was a good idea.
B. Finals/Dead Week Policy
   Student government would like to make sure that the dead week policy supported by FS last year is enforced.
   SVCAA Bicak will send out a reminder closer to finals. The language that FS voted on and passed needs to also be available on the appropriate website.

C. Follow-up on previous agenda items
      Bicak: 26 courses have been listed, ranging from 1-3 credits. 293 students are enrolled or pre-enrolled (shopping cart). Question about student load: do J-term courses count towards spring credit load? Dr. Bicak responded that J-term course hours counts as spring hours for both students and faculty, but individual extenuating circumstances for a faculty member can be considered regarding their load

   2. Postponement of eCampus director search
      The search will be restarted after the first of the coming year to avoid possible procedural violations related to HR.

D. Fall 2020 COVID-19 survey
   The survey was open for a week and concluded on Oct. 23. President Gaskill was asked whether someone could take the survey more than once, and she replied that the survey did not allow multiple submissions from a single person. The responses were “generally positive” and results will be made public at the end of October or first part of November.

E. Faculty Advisory Committee (Reduction in Force)
   Questions from faculty include:
   - How many faculty are likely to be cut?
   - What are the criteria used to decide the cuts?
   - Why cuts now when the enrollment numbers have been trending for a decade or more?
   - What is the expected timeline for these cuts? 12 months’ notice to tenure lines? Cuts not happening until 2022? What are the plans for students to graduate when program/faculty are eliminated?

   Chancellor Kristensen: Budget reductions are made necessary by the three-year budget from Varner Hall, which includes items that reduce revenue such as the tuition freeze, New Nebraska scholarships, and elimination of application fees, all of which come with a cost. UNK must reduce $2.8M in two years. The Faculty Advisory Committee is a tool to avoid across-the-board cuts. Enrollment numbers look great for student-faculty ration; but we need more students. This was done last in 2003 or 2004; but recommendations were never fully implemented then.

   SVCAA Bicak: A rebalancing is necessary to support growing programs and to examine those that are shrinking. Coordinating Commission guidelines say faculty should teach 300 student hours per year Nebraska says student-faculty ratio should be approximately 16.7/1. But there are qualitative considerations like the centrality of programs to the university’s mission.

   VC Watts: Will address the Faculty Senate next week on budget updates. Part of this is anticipation of shortfalls due to tuition discounting and costly programs intended to spark growth. Chancellor K. was effective in getting funding for UNK, or the situation could be worse.

   Dettman asked whether there is a contingency plan in place in case the new tuition policies and scholarships don’t result in increased enrollments.

   Chancellor Kristensen: Approximately 200 new students are needed for the New Nebraskan program to break even.
Boeckner asked where students have been going over the last 10 years.

**VC Bartling:** First-time freshman are being lost primarily to UNL/UNO. UNK has lost 1000 students since 2012. There is a war over in-state students.

**Chancellor Kristensen:** Traditional recruiting area (Western Nebraska) has a population decline, while Lincoln and Omaha are growing. UNO has boosted enrollment with scholarships and discounts, but this doesn’t mean increased revenue. He is optimistic about UNK’s recruiting potential (e.g. Discovery Hall).

**VC Watts:** From a marketing perspective, having campus seem open should be good for enrollment next year.

Gaskill: Are more Kearney High graduates staying in Kearney/Nebraska as a result of Covid?

**VC Bartling:** We’ve seen some students stay here. We’ve also seen some students stay in Lincoln or Omaha because of COVID.

**Chancellor Kristensen:** Our latest retention numbers are around 80% which rivals the best of private universities, let alone public.

### III. Reports

**Chancellor Kristensen**

Everyone on campus is tired of Covid. Thank you for doing a great job keeping numbers low and moral higher than it could be. Other places have higher infection and fatality rates Hang in there. Concerned about the impact of the Winter holiday travel. J-term extra interval “may save us”; Projects are moving forward to help grow campus. Additional state assistance is unlikely.

**SVCAA Bicak**

The campus is doing a good job. we have so far done well with this semester. Our partnership with College Park in Grand Island has been reinvigorated and we have recruitment and education opportunities in GI. The Warner Lecture with the conversation between GI and Lincoln Superintendent was held there. Partnership with UNMC expansion increases possibilities. Student government conversation indicates here are still Covid concerns. No one likes cancelling Spring Break, but it’s understandable. Student government would like the faculty to look at incorporating ‘Flex-time’ a couple times during the semester.

**VC Watts**

Health Insurance Rates up wil go up 5% in January at approx. $12.42/mo on average (rates mostly have been increasing +5-10% each year over the last few years except in 2019 with a 2% decrease). Great things are happening at the Plambeck Early Childhood Education Center. Purchasing /accounts payable becoming centralized, but local support will stay the same.

**Dean Hinga**

Academic Honesty statement has been work on through FSSA committee and some suggested changes to wording will be coming to FS. Registration is coming soon so it’s time to encourage/remind students. Text reminders are going out in November. First Generation celebration will be in November.

**VC Bartling**

Search for Admissions director in going well. The search firm posted job late last week; reviews start on 19 Nov. Faculty reps are Dean Jares, and Scott Unruh. On Dec. 9-11 candidates will be on campus. Broad representation will be able to meet candidates during their visit. Idea is to tender an offer before the end of the year. It is a high-pressure, high-priority position. A far as student enrollments, the free application initiative has increased the number of applications. We just got 2300 ACT scores (tests were delayed until October). Scholarship offers will go out.
Bartling anticipates being on track by Jan-Feb. Also looking for events and outreach person to hire before the end of the year. Remote events are important currently. Additional financial aid will be available to STEM majors. Strategic enrollment plan has undergone many changes since inception; updates will be given on Nov. 4. This includes marketing plan for the New Nebraska scholarship. Diversity recruitment is also being emphasized. Leadership team is focusing on diversity recruitment and retention. Bartling also highlighted Covid safety messaging campaign.

John Falconer
Numbers looking good for active COVID cases on campus. Public Health indicated zero new cases today. Nebraska wide numbers are getting much worse while campus is doing better and better, so kudos to faculty, staff, and students.

Meeting adjourned at 4:38 pm.

Notes prepared by Derek Boeckner and Jonathan Dettman.
Present: Debbie Bridges (CBT), Bailey Koch (COE), Ralph Hanson (CAS), Ted Rupnow (CAS), Lindsay Brownfield (LIB), Joel Cardenas (AA), Lisa Neal (REG), Anthony Donofrio (FS), Mark Ellis (AA)

Absent: Kate Heelan (COE), Steve Hall (CBT),

Guest: Derek Boeckner (FS), Beth Hinga (AA)

*********

Bridges called the meeting to order at 3:30 pm.

Bridges welcomed Committee members and introduced Boeckner (FS).

Derek Boeckner, FS Secretary & Member, Faculty Senate Executive Committee, presented the charge to the FSAA committee and oversaw election of Chair and Secretary. Hanson nominated Bridges as Chair. Motion carried by vote.

Bridges nominated Koch as Secretary. Motion carried by vote.

Bridges reminded the Committee that the revised wording of the Credit / No Credit policy had been distributed to Department Chairs and College Ed Policy / Academic Affairs Committees as an information item. Policy now reads:

Credit/No Credit

A student may elect one course each semester (a summer session is considered a semester) for which he/she chooses to be graded on the basis of credit/no credit. A student must declare the grading option by the midpoint of the course. Credit/no credit refers only to a final grade in the course, as recorded by the Registrar. Nothing will change in the content of the course or the course examinations. When a student completes the course, he/she will receive a letter grade. If that grade is at least a "C" the student will receive credit for the course. If the letter grade is "C-" or lower, the student will receive no credit for the course. In either case, the student's GPA will not be affected. Students may elect this grading option, subject to the following restrictions:

1. The student must have met all of the prerequisites required for enrollment in the course chosen.
2. The CR/NC grading option cannot be designated for courses required in a major, comprehensive major, minor, or endorsement area of study.
3. The student may choose only one course per semester, unless it is an established function of the course, to be taken on a credit/no credit basis.
4. A maximum of 24 credit hours may be taken on a credit/no credit basis.
5. Students wishing to declare a course CR/NC must do so by the midpoint of the course.
6. The CR/NC grading option cannot be changed after the midpoint of the course.
   o Graduate Students: At the graduate level, credit/no-credit grading must be a function of the course and may not be the choice of the student.

The responsibility for assuring that the student satisfies the above restrictions lies with the student and his/her advisor.

Hanson (Donofrio) moved approval of the agenda. Motion carried.

Discussion moved to items discussed during FSAA Subcommittee meeting. Bridges noted that the agenda items were routine, and no issues / concerns were raised at the Sub-committee meeting.

Brownfield (Hanson) moved approval of agenda items #12 through #18. Motion carried.

Bridges thanked everyone for a great meeting and hoped to see everyone next month.

Hanson (Donofrio) moved to adjourn at 3:42 pm.

Respectfully submitted,

Bailey Koch, Scribe

Approved via email (October 26, 2020)
Credit/No Credit
A student may elect one course each semester (a summer session is considered a semester) for which he/she chooses to be graded on the basis of credit/no credit. A student must declare the grading option by the end of the 4th week of the semester (Spring or Fall) or by the end of the first class day in the (Summer or Intersession). Credit/no credit refers only to a final grade in the course, as recorded by the Registrar. Nothing will change in the content of the course or the course examinations. When a student completes the course, he/she will receive a letter grade. If that grade is at least a "C" the student will receive credit for the course. If the letter grade is "C-" or lower, the student will receive no credit for the course. In either case, the student’s GPA will not be affected.

Students may elect this grading option, subject to the following restrictions:

1. The credit/no credit option is available only to students who have completed 28 semester hours and are in good academic standing.
2. The student must have met all of the prerequisites required for enrollment in the course chosen.
3. The CR/NC grading option cannot be designated for courses required in a major, comprehensive major, minor, or endorsement area of study.
4. The student may choose only one course per semester, unless it is an established function of the course, to be taken on a credit/no credit basis.
5. A maximum of 18 credit hours may be taken on a credit/no credit basis.
6. Students wishing to declare a course CR/NC must do so at the Registrar’s Office by the end of the 4th week of the semester (Spring or Fall) or by the end of the first class day (Summer).
7. The CR/NC grading option cannot be changed after the first week midpoint of the semester (Fall and Spring) or end of the first class day (Summer or Intersession).
   o Graduate Students: At the graduate level, credit/no-credit grading must be a function of the course and may not be the choice of the student.

The responsibility for assuring that the student satisfies the above restrictions lies with the student and his/her advisor. The actual granting or withholding of credit is the responsibility of the Registrar’s Office.

#12, Alter, Program, Agribusiness Comprehensive, B.S., MKT/AGBS/SCM, CBT, Updating with new General Studies requirements.

#13, Alter, Program, Business Administration Comprehensive Accounting Emphasis, B.S., ACCT/FIN/ECON, CBT, Making changes to reflect the new General Studies program. It also adds another data analytics option (MKT 435) for students to select.

#14, Alter, Program, Business Administration Comprehensive Economics Emphasis, B.S., ACCT/FIN/ECON, CBT, Making changes to reflect the new General Studies program. It also adds another data analytics option (MKT 435) for students to select.
#15, Alter, Program, Business Administration Comprehensive Finance Emphasis, B.S., ACCT/FIN/ECON, CBT, Making changes to reflect the new General Studies program. It also adds another data analytics option (MKT 435) for students to select.

#16, Alter, Program, Business Administration Comprehensive Management Emphasis, B.S., MGT, CBT, This program is being changed to reflect the new General Studies program. It also adds another data analytics option (MKT 435) for students to select.

#17, Alter, Program, Business Administration, B.S., MGT, CBT, This program is being changed to reflect the new General Studies program. It also adds another data analytics option (MKT 435) for students to select.

#18, Alter, Course, Title, SOC 310, Population Studies, SOC, CASC, This is a course name change only. The new course name reflects changes in the discipline; and students more readily identify with “Population Studies” rather than “Introduction to Demography”; Change course title, Old Value: Introduction to Social Demography, New Value: Population Studies.
Committee Members: Chris Exstrom-Chair (acting Secretary for this meeting), CAS, Miechelle McKelvey-Secretary, Senator, Greg Benson-CBT, Jeremy Dillon-Senator, Pat Hoehner-Senator, Phu Vu-COE,

Through a series of e-mails between September 1 and October 7, the committee considered whether the following definition of “Faculty Member” in our committee procedure document encompassed all positions and ranks for faculty and staff members that are granted academic freedom protections by the Board of Regents Bylaws:

"Faculty member" shall mean any staff member of the University of Nebraska at Kearney holding the academic rank of assistant professor or above. Professional staff serving in dual capacities as administrators shall be included under this procedure only insofar as it relates to their academic position as distinguished from their administrative status."

By a vote of 3-0 plus one abstention by the quorum of committee members who responded to the final question call, we propose to alter this definition to read the following:

"Faculty member" refers to someone who meets the definition of Professional Staff as given in the Board of Regents’ Bylaw 3.1.1 and their terms of employment include teaching and/or research responsibilities. Professional staff serving in dual capacities as administrators shall be included under this procedure only insofar as it relates to their academic position as distinguished from their administrative status."

A copy of the BOR Bylaw 3.1.1 and its subsections are enclosed on the next page.

Submitted by Christopher Exstrom
From the Board of Regents

Bylaws: 3.1 Categories of University Personnel.

3.1.1 Professional Staff. This category includes all personnel having a general scope of duties and responsibilities requiring educational qualifications and professional training that exempts their positions from the Federal Fair Labor Standards Act and the State Personnel System. This category consists of the following subcategories:

3.1.1.1 Academic-Administrative Staff. This subcategory includes all faculty and such administrative officers as the Board may designate. The faculty of the University of Nebraska includes all persons holding the academic rank of assistant instructor and above, or formally approved equivalent ranks.
History: Amended, 53 BRUN 26 (12 September 1987)
Amended, 42 BRUN 49-50 (29 July 1978)

3.1.1.2 Other Academic Staff. This subcategory includes all persons with the rank of research associate, research assistant, graduate assistant, teaching assistant, teaching fellow, and house officer.
History: Amended, 53 BRUN 26 (12 September 1987)
Amended, 42 BRUN 50 (29 July 1978)
Committee of Academic, Freedom and Tenure Rules and Procedures

Approved 1994

Revised October 14, 2020

University of Nebraska Kearney

Introduction

The Bylaws of the Board of Regents of the University of Nebraska, (June, 28, 2019, revised) Section 4.1 and 4.2.

4.2 Academic Freedom. The University serves the people of Nebraska and the common good through learning, teaching, extension work, research, scholarship, and public service. Fulfillment of these functions requires the preservation of intellectual freedoms of teaching, expression, research, and debate. The right to search for truth, to support a position the searcher believes is the truth, and to disagree with others whose intellect reaches a different conclusion is the fiber of America's greatness. It is, likewise, the strength of a great University, and its preservation is vital. A teacher or researcher is entitled to freedom in research, and publication of the results of research, limited only by the precepts of scholarship and faithful performance of academic obligations. Members of the professional staff are entitled to freedom in the classroom in discussing their subjects. Members of the professional staff are entitled to exercise their right to speak and act as citizens of the United States and of the State of Nebraska. Members of the professional staff shall not suffer sanctions or be discriminated against with respect to the duration of association with the University, pay or other emoluments of their office, appointment, position, or their working conditions because of their enjoyment, or exercise, of their right of academic freedom, or in any case where such action would constitute a violation of federal or state civil rights laws or regulations. Staff members who violate laws prescribed by civil authorities may incur penalties attached to such laws. The University should not impose sanctions to duplicate the function of these laws. Where the University's interest as an academic community is clearly involved, the authority of the University may be asserted. The Board reaffirms belief in, pledges support of, and directs all segments of the University community to sustain and follow the foregoing principles of academic freedom. History: Amended, 49 BRUN 300 (16 June 1984) Several sections were consolidated and renumbered in the 1984 revised edition.

1. Membership University of Nebraska Kearney Faculty Senate, Constitution (April, 3, 2014)
Article VII.C. Academic Freedom and Tenure Committee Acts on matters of general policy concerning academic freedom and tenure, pursuant to Section 4.14 of the By-Laws of the Board of Regents. The Committee will have oversight responsibilities to ensure that University-wide rank and tenure standards and procedures are applied uniformly by the undergraduate colleges. The Chair, in conjunction with the Chair of the Grievance Committee, the Chair of the Professional Conduct Committee, and the President of the University of Nebraska at Kearney Education Association, shall receive and review issues relative to academic freedom, tenure, professional conduct, and grievances and decide on the appropriate Faculty Senate Standing Committee to which to refer the issues. COMPOSITION: One tenured faculty member holding the rank of associate professor or full professor from and elected by each undergraduate college and three tenured faculty members from the Senate holding the rank of associate professor or professor selected by the Faculty Senate. Total: 7 members.

2. DEFINITIONS

As used in these Procedures, terms are defined as follows:

a. "Bylaws" shall refer to the Bylaws of the Board of Regents of the University of Nebraska.

b. "Faculty member" refers to someone who meets the definition of Professional Staff as given in the Board of Regents' Bylaw 3.1.1 and their terms of employment include teaching and/or research responsibilities. Professional staff serving in dual capacities as administrators shall be included under this procedure only insofar as it relates to their academic position as distinguished from their administrative status.

c. "Academic freedom" shall refer to the principles contained in the Bylaws, Section 4.2.

d. "Committee" shall mean the Committee on Academic Freedom and Tenure of the Faculty Senate of the University of Nebraska at Kearney or the hearing committee thereof established to act in a particular case. The term "Grievance Committee" shall mean the Grievance Committee of the Faculty Senate of the University of Nebraska at Kearney.

e. "President" shall include the authorized representative of the President, of the NU System but such authorization to act shall not be extended to the Chancellor or a staff member of the University of Nebraska at Kearney, or to the Chancellor or a staff member of any other campus of the University of Nebraska.

f. "Chancellor" shall mean the Chancellor of the University of Nebraska at Kearney and shall include the authorized representative of the Chancellor, but such authorization to act shall not be extended to a Dean with collegiate or divisional responsibility or to a staff member of any such college or division.

g. "Tenure" and "tenured faculty member" shall refer only to persons holding continuous appointment acquired in accordance with the Bylaws.
3. BASIC POLICIES

Section 3.1. Rights of Academic Freedom, Statements on Tenured and Term Appointments

All faculty members are entitled to enjoy and to exercise, without penalty for such exercise, all the rights of an American citizen and the rights of academic freedom as these rights are specified in section 4.2 of the Bylaws of the Board of Regents. These rights carry with them attendant responsibilities as specified in section 4.1 of the Bylaws of the Board of Regents. A tenured faculty member is qualified to serve the University throughout his or her academic career, and an untenured faculty member serving on a term appointment is qualified to serve the University throughout the term appointment, unless the record, by a preponderance of the evidence, establishes adequate cause for dismissal. Adequate cause for dismissal shall be related, directly and substantially, to the fitness of the faculty member in his or her professional capability and performance as a member of the academic community. Failure to renew a probationary or term appointment is not a dismissal. A tenured faculty member, or an untenured faculty member serving a term appointment, may not be dismissed involuntarily, or prior to the expiration of the term appointment, unless the charges against that faculty member and the defense against those charges are subjected to a full review as set forth in these procedures.

Section 3.2. Faculty Suspension Not Permitted During a Dismissal Investigation

When a question arises concerning dismissal of a faculty member, that faculty member shall not be suspended from previously assigned institutional academic duties during the time necessary to resolve such question, unless continued discharge of those duties clearly constitutes a threat of physical harm to self or others, or of serious disruption of University programs. In such event the Chancellor shall reassign the faculty member to other duties that seem appropriate, if there be any available. Suspension is appropriate only pending a hearing; a suspension which is intended to be final is a dismissal and shall be dealt with as such.
faculty member shall be continued on salary while all proceedings are pending, but a person on probationary or term appointment shall not be continued on salary past the term of appointment.

**Section 3.3. Time Limit for Filing a Complaint.**

A complaint must be filed not later than one (1) calendar year after the date the complainant becomes aware of the action or decision which led to the complaint unless the Committee shall find that the complainant has shown good cause which prevented the filing of the grievance within the last stated time limitation.

**Section 3.4. Initiation of Proceedings.**

Proceedings involving the dismissal of a tenured faculty member are initiated by the President as described in Section 5.2. Other proceedings governed under Section 6, 7, or 8 may be initiated by any Faculty member filing a written complaint with the Committee Chair or the President of the UNK Faculty Senate.

**Section 3.5. Determination of Jurisdiction.**

Upon receiving a complaint that may be governed under Section 6, 7, or 8, the Chair will forward the complaint to the UNK Faculty Senate Supercommittee to determine if the complaint should be assigned to the Academic Freedom and Tenure Committee for adjudication. Once the Super Committee assigns the case to the Academic Freedom and Tenure Committee, the Chair will call a meeting of the Committee as soon as possible. The Committee will first review the complaint for the purpose of determining whether the complaint falls within the jurisdiction of the Committee as described in Section 6, 7, or 8. If the Committee finds that no actionable grievance has been stated, or if the Committee finds that the complaint for any other reason does not fall within its jurisdiction, it will return the complaint to the Super Committee for either reassignment to another committee or to the complainant stating the reasons for the Committee's finding. In making determinations as to jurisdiction, the Committee shall be guided by the Bylaws of the Board of Regents. In cases where the Committee has initially declined to accept a complaint as actionable, the complainant may within seven (7) working days after receipt of written notice of such action refile his or her complaint or file an amended complaint with the Committee, and request that the Committee reconsider its action. The Committee will reconsider the question of whether it should accept the complaint or amended complaint. If upon reconsideration the Committee finds that no actionable complaint within its jurisdiction has been stated, or that it does not have jurisdiction, such finding shall be final and there shall be no further proceedings before the Committee with regard to the original or an amended complaint.
Section 3.6. Committee Access to Personnel Records.

In connection with the formal investigation of a complaint it shall be considered a legitimate educational and institutional interest for the Committee to examine any University personnel records considered by any person or body in taking the action or making the decision which is the subject of a complaint. The Committee shall be subject to and shall observe all laws, policies, rules and regulations pertaining to preservation of the confidentiality of such records.

Section 3.7. Interference with Committee Investigation.

If there is a reasonable basis in fact for the Committee to believe that any individual is in bad faith impeding the Committee's investigation of a complaint pursuant to Section 4.13.2 of the Bylaws of the Board of Regents, the Committee may refer such matter to the President, Chancellor or to the Professional Conduct Committee for remedial action.

Section 3.8. Standards for Consideration of a Complaint.

In its deliberations concerning any complaint, the Committee shall be guided by applicable state and federal law, the Bylaws of the Board of Regents, the Bylaws of the University of Nebraska at Kearney, the University of Nebraska Governance Manual, the bylaws, rules or regulations of the relevant administrative units (college, department, division, etc.), and general academic customs and standards. Refusal by any person to make documents available, testify, or take personal responsibility for testimony will prevent the Committee from receiving evidence which may be relevant to its investigation of a complaint. The Committee in its deliberations shall take any such refusals into consideration in making its findings of fact, decisions and recommendations in the Final Committee Statement on the Complaint.

4. INFORMAL PROCEDURES

Section 4.1. Referral of Complaint to the Department and College if Informal Resolution Attempts Have Not Been Made

When a complaint is accepted by the Committee, it is expected that there had been mutual efforts at the departmental and college levels to satisfactorily resolve the problem. If the complaint does not include sufficient evidence of these efforts, the Committee may suspend its investigation and refer the complaint to the complainant’s department Chair and college Dean, respectively and sequentially, for up to ten (10) working days at each level. If there is no mutual resolution at either of these levels, the Committee will resume its investigation.

Section 4.2. Initiation of Proceedings that Involve Faculty Dismissal

If the informal efforts (Section 4.1) have failed to resolve satisfactorily a dismissal question (a complaint falling in a category described by Section 5 or 6), the matter should proceed to a higher administrative level. The Chancellor may seek a personal conference or conferences with the persons involved. Prior to any such personal conference and within fifteen (15)
calendar days of notification of the dismissal matter, the Chancellor shall transmit in writing to the faculty member:

1. A clear statement of the facts which have given rise to the question, and
2. An invitation to the faculty member to attend a personal conference at a time, place, and date stated, and that he or she may, but is not required to, appear with such counsel or Association advisers as the faculty member deems necessary, and
3. A copy of these Procedures together with an admonition that any statement or arguments made in informal conferences may later be used as admissions at a formal hearing, and
4. A statement that a personal conference can be successful only if a bona fide effort is made to find a solution to a common problem. To this end, the Chancellor will present the University views and welcome the views of the faculty member.
5. Either party to the informal conference may request that a record (digital recording and/or written transcription) of the conference be made.

Section 4.3 Procedure After Resolution by Mutual Consent

If the dismissal matter referenced in Section 4.2 is concluded by mutual consent, the Chancellor shall set forth the settlement within fifteen (15) calendar days in a letter sent to the faculty member, unless the parties mutually agree that this is not necessary.

5. FORMAL PROCEDURES WHEN A TENURED FACULTY MEMBER IS DISMISSED.

Section 5.1. President Formally Initiates Proceedings

When the informal procedures in Section 4 have been exhausted or waived by either party, the President shall initiate formal procedures in keeping with section 4.14.2 of the Bylaws.

Section 5.2. Initial Procedures

A formal dismissal proceeding shall be started by sending a formal communication from the President to the faculty member and to the Chairman of the Committee on Academic Freedom and Tenure in the manner specified in the Bylaws, section 4.14.2 (b) (3) and (c) (1-6).

The Chair of the Committee on Academic Freedom and Tenure shall send to the faculty member:

A copy of the pertinent University regulations governing the faculty member's rights, including (1) the Bylaws of the Board of Regents, (2) a copy of the procedure and membership of the Committee and its powers, (3) the Bylaws of the University of Nebraska at Kearney Faculty Senate, and (4) a copy of any governance documents for the UNK college in which the faculty member's appointment resides.
a. A statement that the Committee will conduct a hearing on the complaint.

b. A statement that the time and place of hearing will be set forth by the Committee and will be communicated to the faculty member and to the President. This statement shall specify that the faculty member will have not less than thirty (30) calendar days to prepare a defense.

c. A statement that the faculty member is invited to attend the hearing accompanied by Association, academic, or legal counselors.

Section 5.3. Notification of Academic/Professional Organizations

Upon written request of the faculty member, a separate copy of the complaint shall be sent by the President to appropriate academic or professional organizations, accompanied by a formal invitation for the organization to send an observer to the proceedings, if it should so choose.

Section 5.4. Time Period for Faculty Response to Charges

In compliance with Section 4.14.2 (c) of the Bylaws, not less than twenty (20) calendar days from the date of service of the complaint, the faculty member shall submit to the President and to the Committee a written answer to the charges or a statement that he or she desires no hearing to be held.

Section 5.5. Faculty Response to Academic/Professional Organizations

Prior to the date set for the hearing, the faculty member shall submit a written answer to the charges to the appropriate academic or professional organizations that previously had received a copy of the complaint, or a statement to such organizations that he or she desires no hearing to be held.

Section 5.6. Committee Authority over Objected Evidence

If evidence is tendered during the hearing which is objected to on the ground that it is not within the issues raised either by the complaint or by the answer, the Committee will either 1) not allow the evidence or 2) may allow either the complaint or the answer to be amended, and shall do so freely, especially when the presentation of substantive issues will thereby be facilitated. Whenever an amendment has been allowed, and the other party so requests, the Committee shall grant the other party a reasonable time within which to prepare a response to the new issue or issues raised.

Section 5.7. Default Judgement for the University if the Faculty Member does not Respond

If the faculty member fails to answer the President's complaint, or states that he or she desires no hearing be held, the Committee shall find in favor of the University by default.

Section 5.8. Investigation Procedures

If the faculty member submits an answer to the complaint as provided in Section 4, then the procedures that shall be followed are:
a. The President or the faculty member may by written request to the Chair of the Committee ask, at least seven (7) calendar days before the hearing is scheduled to begin, that certain named Committee members or alternates be disqualified from sitting on the case because there are reasonable grounds to believe that they are biased in the particular case, or have a personal interest in the case or its outcome. In addition, any Committee member or alternate may ask to be excused from participating in the case for the same reasons. After a hearing on this question of cause, the Committee shall determine whether reasonable cause has been shown, and such determination shall be made at least one working day prior to commencing the substantive hearing on the complaint. If reasonable cause is found, and the number of non-challenged regular members is reduced below five, then the challenged members shall be replaced by alternates chosen by lot from prior elected Committee members still-resident at UNK.

b. The Committee at its discretion shall call either of two types of prehearing conferences. In one type of conference the Committee confers with all parties concerned in an effort to delimit the specific charges to be heard. In the other type of conference both parties are offered a final opportunity to informally settle or withdraw the complaint.

c. The faculty member, at least one working day before the hearing is scheduled to begin, may ask the Committee that the hearing be private, and upon the showing of good cause, the Committee shall grant such request. In the absence of such a request, however, the hearing shall be public. If the hearing is closed, the record of the hearing shall be public and available for inspection after the disposition of the case.

d. The President or the faculty member, and their respective lawyers or advisors, shall have the right to be present at the hearings at all times, as may any observer who has been sent by a previously invited academic or professional association.

e. The Chair of the Committee shall preside over the hearing. The hearing shall proceed as follows: (1) the evidence submitted by the President in support of the complaint; (2) the faculty member's evidence in support of his or her answer; (3) the rebuttal evidence in support of the complaint; (4) the rebuttal evidence in support of the answer; (5) closing arguments. However, in rare cases, if the Committee decides that a clearer and more orderly way of exploring the issues can be achieved by varying the normal order of proceeding, it may so order.

f. Testimony of witnesses and other evidence shall be received by the Committee in accordance with Section 4.14.2(c) of the Bylaws. The University shall cooperate with the faculty member, and his or her lawyers and advisers, in obtaining pertinent information, in requesting the presence of witnesses, and in producing other evidence relevant to the issue of the hearing. The testimony of witnesses not available for the hearing may be presented by depositions taken in accordance with the statutory provisions applicable in the Civil Courts in the State of Nebraska. Other taking of depositions shall be decided upon by the Committee in prehearing conferences. In all prehearing matters, the Committee may, on its own motion, or at the request of any party, enter such orders in its discretion as justice requires to protect any party from annoyance, expense, embarrassment, or oppression.
g. The Committee shall have the right to summon and question witnesses. All parties, their representatives, and their counsel shall have the right to question all witnesses and to present other evidence relevant to the issues.

h. The Committee, in its discretion, may exclude witnesses from the hearing room except to testify.

i. If the charge is professional incompetence, individual testimony of cognate colleagues within and without the University may be admitted as evidence. If the faculty member so requests, formal departmental reports by colleagues in cognate departments within the University may also be admitted in evidence. All departmental reports shall include both majority and minority opinions. If the charges include classroom incompetency, testimony from students taught by the faculty member may be received. Any judgment by the Committee of professional incompetency must be restricted to, and based upon, the evidence presented at the hearing, and not on any other consideration.

j. The Committee may proceed independently to secure the presentation of evidence at the hearing by directing the parties to produce evidence on specific issues that it deems significant.

k. The burden of proving the charges shall rest on the party bringing them, and proof of each charge shall be preponderance of evidence relevant to each charge.

l. A verbatim record of the proceeding shall be kept by a court reporter or by tape recording and a full transcript shall be made available to the Committee and to the parties. The cost of such a record and transcription shall be borne by the NU System.

m. The Committee may, in its discretion, adjourn the hearing from time to time to permit the parties to obtain further evidence.

n. The Committee may request written briefs from the parties, and shall accept them if they are offered.

o. The Committee shall have the right to select and hire a lawyer to assist it in conducting hearings. The lawyer selected must be agreed to by the General Counsel of the NU System, the President of the Faculty Senate (or designee), and the Chancellor of UNK (or designee).

Section 5.9. Committee Decision Basis, Deliberations in Executive Session

All Committee decisions shall be based solely upon the record made at the hearings, except as specified in Section 5.10. All deliberations shall be conducted in executive session with only members of the Committee, and if the Committee so decides, its lawyer.
Section 5.10. Hearing Record Required before Final Decision is made, Party with Burden of Proof

The Committee shall await the availability of the verbatim record of the hearing before proceeding to its decision, unless the Committee believes that it can render a just decision in the absence of such a record. In all cases, the Committee shall render its decisions with full consideration of the fact that the burden of proof rests upon the party bringing the charges.

Section 5.11. Justification of Committee Decision

In all cases the Committee shall provide specific findings of fact to support its conclusions on each of the charges submitted as grounds for dismissal. A copy of the opinion setting forth the Committee's disposition of each issue in the case with its accompanying reasons to justify such disposition shall be made available to each of the parties, and to any invited observer of a professional association, at the time when the Committee announces its decision in the case.

Section 5.12. Committee Report Filing, Conditions for Reconsideration

The filing of Committee reports and recommendations and their disposition by the Board of Regents shall be in accordance with Section 4.14.2 paragraphs (e), (f), (g), and (j) of the Bylaws. The Committee shall not reconsider the case unless new evidence is presented. Before any such reconsideration is granted, the requesting party must show that additional relevant evidence has been discovered or has developed that was not available and which could not have been produced at the prior hearing.

Section 5.13. No Public Statements about Cases In Progress

Except for such simple announcements as may be absolutely required, such as the time and place of meetings and similar matters, no public statements by involved parties about the case shall be made until after the final decision has been rendered.

6. TERMINATION OF SERVICES OF UNTENURED FACULTY MEMBERS ALLEGING VIOLATION OF ACADEMIC FREEDOM

The University has wide discretion to terminate an untenured faculty member at the end of the contractual term. If a faculty member without tenure is given notice of termination or failure to achieve tenure, and if, by written communication to the Chancellor with a copy to the Chairman of the Committee, the untenured faculty member alleges that a decision to terminate is caused by considerations that violate academic freedom, then the following procedures shall apply.

Section 6.1. Faculty Statement

The faculty member shall prepare a statement for consideration by the Committee providing reasons and evidence to support the allegation.

Section 6.2. Informal Resolution

The matter shall be submitted to informal review as governed by the procedures set forth under Section 4.
Section 6.3. Formal Hearing Requisition

If the informal review does not resolve the issue, the faculty member may then request a formal hearing before the Committee.

Section 6.4. Committee Pre-Hearing Conference

The Committee shall call a prehearing conference to determine whether sufficient evidence exists to constitute a case of infringement of academic freedom as defined in section 4.2 of the Bylaws.

Section 6.5. Initiation of Formal Proceedings

If the Committee determines that sufficient evidence exists, The Committee chair shall notify the President that the faculty member should be afforded a formal hearing governed by the procedures set forth under Section 5, except that the faculty member shall be responsible for stating the grounds on which the allegations are based, and the burden of proof shall rest upon the faculty member. In all other respects, procedures shall be as outlined in Section 4.14.2 of the Bylaws.

7. COMPLAINTS OF FACULTY MEMBERS ALLEGING VIOLATION OF ACADEMIC FREEDOM THAT DO NOT INVOLVE TERMINATION

If a faculty member alleges that a sanction decision short of termination is caused by considerations that violate academic freedom, then the procedures in this section shall apply after the informal procedures in Section 4.1. Such sanctions may include, but are not limited to, suspension, an unsatisfactory performance review, and a formal reprimand in the faculty member’s personnel file.

Section 7.1. Complainant’s disclosure or waiving of attorney/advocate.

The Committee’s investigation must abide by the stipulations in Section 4.14.2(c) of the Bylaws. This language assumes that the complainant will be represented by an attorney or other advocate. For complaints in this category, following informal resolution attempts (Section 4.1), the Committee Chair will request the complainant to provide contact information for his or her attorney/advocate or to waive such representation before the Committee proceeds with the investigation. The complainant may take up to five (5) working days to respond.

Section 7.2. Adoption of the Initial Committee Statement of the Complaint.

If the Committee accepts a complaint governed by Section 7 as described in Section 3.5, it will then proceed to adopt an Initial Committee Statement of the Complaint. The Initial Committee Statement of the Complaint shall contain (a) the name of the complainant, (b) the name of each respondent, and (c) a statement in ordinary and concise language of the allegations of fact relating to the complaint, including the action or decision which led to the
complaint. The Committee shall first prepare a draft Initial Committee Statement of the Complaint. A copy of the draft Initial Committee Statement of the Complaint shall be delivered to the complainant via e-mail. The complainant will then have five (5) working days from the response described in Section 7.1 to deliver to the Chair written recommendations for amendments or revisions to the draft Initial Committee Statement of the Complaint. The Committee shall meet as soon as reasonably possible thereafter in accordance to Section 4.14.2 of the Bylaws to investigate the complaint and adopt a Final Committee Statement of the Complaint, in which one or more opinions and/or recommendations are put forward by the Committee regarding the complaint.

Section 7.3. Flexibility to divide investigative work among subcommittees.

For the purpose of conducting a formal investigation of a complaint, the Committee may either delegate responsibilities among one or more Subcommittees of at least two Committee members each, or it may act as a whole. Regardless of any responsibility division, all Committee members will be granted the opportunity for input on the Final Committee Statement on the Complaint.

Section 7.4. Investigation guidelines

Meetings may be conducted separately with the complainant, each respondent, and any other persons called by the Committee to meet with it concerning the complaint, or the committee may request that the complainant, respondent, or other witnesses attend meetings jointly. All persons meeting with the Committee will be requested to respond to questions by the Committee and give testimony relevant to the complaint. Any person meeting with the Committee may in addition to his or her oral testimony submit a written statement. The Committee will interview all witnesses suggested by the parties except where it appears that the testimony of a witness would be (a) unduly repetitious of evidence already presented to the Committee, or (b) irrelevant to the complaint. The Committee may also call other witnesses which it believes may have relevant testimony.

Section 7.5. Service of the Final Committee Statement on the Complaint.

Upon concluding the investigation, the Committee shall compose a written Final Committee Statement on the Complaint consisting of the Committee’s findings and recommendations. Copies of this will be sent to each respondent, the complainant, the Chancellor, the Vice Chancellor for Academic Affairs and the President of the Faculty Senate. The Committee shall also send to each respondent a copy of the written complaint originally filed with the Committee by the complainant. All copies and documents required in these procedures may be sent via UNK e-mail systems unless otherwise indicated in these procedures.
8. COMPLAINTS OF FACULTY MEMBERS ALLEGING NON-UNIFORM APPLICATION OF UNIVERSITY-LEVEL EVALUATION, PROMOTION, AND TENURE GUIDELINES

UNK Faculty Senate Bylaws Article VII.C stipulates that the Committee has “oversight responsibilities to ensure that the University-wide rank and tenure standards and procedures are applied uniformly by the undergraduate colleges.”

Section 8.1. Expectations of Complaints that Fall in this Category.

Complaints that fall under this section will consist of either: (a) alleged direct misapplication of University Evaluation, Promotion, and Tenure Guidelines by an evaluating faculty peer or administrator at the department, college, or university level; or (b) alleged enactment and/or application of a department or college evaluation/promotion/tenure policy that violates University Evaluation, Promotion, and Tenure Guidelines.

Section 8.2. Policy Application vs. Personal Judgement.

In complaints that fall under this section, the committee will consider only policy applications and conflicts. Any complaints about individuals’ personal judgements and/or ethics will be referred to the Professional Conduct Committee (see Section 3.5).

Section 8.3. Procedure Guidelines.

Investigations of complaints in this category will abide by stipulations in ByLaws section 4.14.2(c) and Sections 7.1-7.5 of this document.
Present: Phu Vu, Andrea Childress, Janet Wilke, Morgan Daubert, Martonia Gaskill, Bobbi Ludwig, Seth Long

Minutes from April and May meetings were approved with no discussion.

Andrea’s report

New ITS annual report will highlight technology success stories. The committee was invited to submit student, staff, or faculty examples of technology success stories.

New policy from legal counsel states that university systems must be used for university business. Cannot forward university email/material to non-university email. There will be a presentation about this policy at Faculty Senate, and a 30 day comment period.

Phu had a question about what constitutes “university business.” Are students bound by this policy? Andrea stated that she will need to take up the question with legal counsel.

Microsoft disabling legacy protocols in October 2020. 100 accounts at UNK are using these legacy protocols (including 32 student accounts).

Migration from Box to MS One Drive still ongoing.
UNK upgrading from E3 to E5. Power BI Pro will be enabled, but with no tech support. (Ross sent out link detailing Microsoft E3 vs E5 services.)

The switch to E5 for all users is this coming Friday. UN has a three year contract with MS, with two year option afterward. For anyone who has dual campus credentials, E5 license will be applied to primary account; secondary account will have E1 license.

Changes still coming to Zoom: On August 10, all new meetings will have waiting rooms. Zoom not mandating the change till September, but ITS wants to adopt the mandate before the semester starts. This is a default setting, and users can decide not to use it, can use passwords instead. ITS will send out system wide email about this change.

Two new instances of Canvas to be rolled out this Fall:
Canvas Catalogue, mostly for revenue generating online courses. UN will be able to offer courses to non-enrolled individuals (e.g., required safety course for bus drivers).
Canvas Bridge: licensed for all faculty, staff, students. For corporate training and other non-academic courses. UNK-specific Covid-19 training course will be made available.

Classroom Zoom enabling continues. Four different spaces in Library will be Zoom enabled. Spaces in gym will also be Zoom enabled; large classes will be held in basketball arena to maintain social distancing. Some rooms’ cameras are still being shipped, are on back order.

Other discussion

Janet announced that facilities staff are determining occupancy maxes for each classroom and re-situating chairs accordingly.

Covid screening ap is being developed; will point students to resources based on their symptoms; its use will not be mandated.

8 - 10 contract tracers, but students/faculty in classrooms will not be considered “contacts” (unless, presumably, faculty reports that social distancing or mask wearing was not being followed during the contact).

Bobbi reported that new integrated library system will hopefully go live at end of the semester, specifically updates to the backend of Loper Search (Ex Libris Primo VE). Will provide more information as it unrolls.

Andrea reports that lots of faculty are pro-actively asking to put their courses online. We will not have an August meeting unless important items arise.

Andrea’s notes:
ITS Annual report - collecting success stories to tell
Changes -
- email forwarding policy “University Systems for University Business Policy”/legacy protocols being disabled by Microsoft in October 100 accounts: 26 fac/staff; 42 generic; 32 students
- Box - this is coming - research people that have lots of data, not teaching

- Zoom Aug 10 changes; Sept 27 - mandating waiting rooms
  - Clean up existing meetings now or it will hit Sep 27.

These updated default settings will change users’ experience with Zoom in the following ways:
- As you schedule new meetings (either through your personal meeting room or by generating a new meeting invitation), the Waiting Room will be enabled by default.
- The Waiting Room feature will be applied to all previously scheduled meetings if there is not already a Passcode set to the meeting.
- With shared devices, such as those in classrooms, it will become even more important for users to end a meeting, close out of the session and log out of Zoom.

If users do not prefer using the Waiting Room, they have a couple of options:
- Choose to use Passcodes when scheduling new meetings and reschedule all existing meetings to utilize a Passcode.
- When promoted to choose which users get placed in the Waiting Room, select “Users Not In Your Account,” which will allow users on your same domain (i.e. @unl.edu) to bypass the Waiting Room and automatically enter the meeting. To maximize this feature, other participants in your meeting need to be logged into the Zoom client on their device.

- Microsoft A3 to A5 new features and security
  - On Friday, July 31, at 5:30 pm, ITS is upgrading all faculty, staff and administrative Microsoft accounts at UNK, UNL and UNO from an A3 license to an A5 license. UNCA will move during the July 26th email migration project.
  - Users can anticipate no downtime and won’t need to take any action to utilize the new license. The only change users may notice is several additional apps that they will have available to them.
  - The A5 license recently became available to us through the Microsoft RFP. This change will provide additional security benefits. In addition, it will speed up the PAF process as it will allow for immediate email creation when new users are added. A5 has advanced Defender threat protection, data governance, PowerBI pro and Analytics
  - This is important to do before the Box migration because the A5 license allows for data loss prevention tagging that will be critical to moving files to OneDrive and SharePoint. For example, if a file contains PII data, it will get flagged.
  - If you have dual campus credentials, your A5 license will be applied to your primary tenant account; your secondary tenant accounts will be licensed with A1. The main change here will be that you can only download the Office suite using your A5 license. It is recommended that dual campus credential holders use their primary tenant account when they use collaboration software such as Microsoft Teams, Skype and Slack instead of their secondary @unomaha.edu/@unk.edu/@unl.edu accounts.

- Classroom tech - cameras not shipped yet, networking getting scheduled, HSC arena, communication - web site; training - Aug 17
Canvas catalog - revenue generating online courses - outside of U; credit students have to do more work (Dr. Mann piece);

Canvas Bridge - corporate training fac/staff/students - COVID, Title 9, etc
PRESENT: Bobbi-Jean Ludwig, Martonia Gaskill, Jacob Rosdail, Phu Vu, Tim Obermier, Janet Wilke, Andrea Childress

NEW BUSINESS:
Martonia Gaskill began the meeting by introducing the members of the committee and discussing the committee’s purpose:

Article VII.D. Academic Information Technology Committee
Serves as the UNK Teaching, Learning, and Technology Roundtable that advises administration and faculty, shares information, coordinates plans, and suggests means for using technology to improve teaching and learning.

The committee doesn’t currently have a charge.

Elections were held with Bobbi-Jean Ludwig named chair and Jacob Rosdail secretary. Meeting times for the remainder of the Fall semester will be the second Wednesday of every month at 10 a.m. via Zoom. Ludwig is responsible for sending out the Zoom invite.

DISCUSSION OF FUTURE BUSINESS:
Andrea Childress talked about the following:
The University is going to undergo a full transition from the Box cloud service to MS OneDrive
Update of Networking equipment
Strategic Plan

Tim Obermier raised concern that the general faculty is unaware of a transition from Box. Childress answered that there will be increased communication and that there is a partner service to help with the transition.
Half of Box data has to be off the service by January. The rest of that year will be spent on the transition.
Heavy Box users will be notified first.
Box contract to be terminated by end of January 2022.
Martonia Gaskill mentioned that part of the responsibility of the committee is to disseminate information to our respective colleges.
https://its.nebraska.edu/box contains an FAQ about the Box transition
Faculty Senate Artists and Lecturers Committee
Meeting Minutes
Monday, October 26, 2020, 4:00 to 4:30 p.m.
Zoom Meeting

Present: Michelle Beissel Heath, Chris Steinke, Travis Hollman, Glenn Tracy
Absent: None

Beissel Heath called the meeting to order and read the committee charge. The committee discussed the positions of chair and secretary. Beissel Heath agreed to chair the committee, and Steinke agreed to serve as secretary.

The committee discussed the application process for funding spring 2021 events and the impact of COVID. It agreed to revise the call for proposals and application form to take into account remote events and the approval process for on-campus events.

The committee planned to send out the call for proposals before the end of October, with a deadline in mid November. It also discussed plans for a second meeting later in the fall semester to review submitted proposals.

The meeting adjourned at 4:30 p.m.

Respectfully submitted by Chris Steinke.
Faculty Senate Faculty Welfare Committee
Minutes from October 16, 2020
Remote meeting via Zoom

Present: Will Avilés, Ngan Chau, Jonathan Dettman, Miechelle McKelvey, Rochelle Reeves, Megan Strain
Absent: --

Dettman (assigned by Faculty Senate Executive Committee) called the meeting to order at 2:00 PM.

Dettman reviewed the description of the committee and its composition as stated in the Faculty Senate Constitution:
Advises the UNK Faculty Senate and the authorized professional negotiating organization on all matters concerned with faculty personnel policies including faculty work loads, conditions of employment, remuneration, salaries, and fringe benefits unless such matters are specifically assigned to the professional negotiating organization. COMPOSITION: One tenured faculty member from and selected by the Faculty Senate Executive Committee, one tenured faculty member from and elected by each undergraduate college, one tenured faculty member from and elected by the library faculty, and one tenured faculty member from and selected by the officers of the authorized professional negotiating organization of the faculty. Total: 7 members.

In order to proceed, the next order of business was to elect a chair and secretary. Strain volunteered to take on the role of secretary, and Chau nominated Avilés to be chair. Both nominations were accepted and approved by unanimous vote.

Avilés took over for Dettman in running the rest of the meeting, and status of past business from Spring of 2020 was reviewed:
- Maternity leave policy (recommendation was made to senate)
- Bullying policy (now being addressed by ad hoc committee)
- Revisions to workload policies that were being looked at by Kim Schipporeit (status unclear)

Avilés asked if anyone knew of potential upcoming new business that could be charged to the committee for the current year.
- Strain reported ongoing concerns from faculty (and staff) who have children enrolled at the Plambeck Center. Another parent had asked Strain and Avilés about the possibility of the welfare committee looking into those concerns to see what possible options might be. After discussion of some of the parent concerns, Avilés and other members agreed it was within in the purview of the committee’s charge to examine conditions of employment.
  o Avilés said he would speak with Jon Watts to gauge his perception of the situation and see what he might suggest moving forward.
  o Strain said she would speak with the parent reps of the Plambeck Advisory Board to let them know the committee was willing to take it on.
- Avilés stated that he was informed by Chancellor Kristensen that UNK’s Faculty Advisory Committee (FAC) was being activated in order to advise the administration about handling a reduction in force. The committee may have issues to address related to this, in the coming months.
- Avilés also stated he would ask President Gaskill if she had any specific charges for the welfare committee at this point in time.

The meeting concluded with the committee agreeing on an email poll in order to set a time for the November meeting. Strain agreed to send out said poll.

Meeting adjourned at 2:47 PM.

Minutes respectfully submitted by Megan Strain.
PRESENT: Andrea Childress, Bryan Drew, Judy Henning, Heather Meyer, Chris Steinke, Janet Wilke

GUEST: Dr. Martonia Gaskill, President, Faculty Senate

The meeting convened at 10:35am, via Zoom.

The first order of business was the reading of the Charge to the Committee. Dr. Gaskill read the Charge as follows:

Recommends the procedure by which funds are allocated to the colleges and advises the University administration on the formulation and implementation of Library policy.

COMPOSITION: One faculty member from and elected by each undergraduate college, the Dean of the Libraries, the Chief Information Technology Officer or representative, one member selected by the Graduate Council, and one student selected by the Student Senate. Total: 8 members.

Dr. Gaskill named the members of the Committee, the Colleges they represent, and their terms of office. She noted that Student Senate had not yet elected a Student Representative for this committee.

The next order of business was the election of a Chair of the Committee. Dr. Gaskill posted ballot forms in Chat. Dr. Judy Henning was elected chair by majority vote.

Dean Janet Wilke reported that voting for a Secretary was not necessary. Colleen Lewis, Administrative Associate to the Dean of the Library, serves as Scribe to this Committee.

Chair Henning then asked to determine a time when this Committee can meet. Everyone agreed that the time of the present meeting works for their individual schedules. Faculty Senate Library Committee meetings will be set for the third Wednesday of each month, at 10:00-11:00am. The next meeting was scheduled for Wednesday, November 18, at 10:00am, via Zoom.

Dean Wilke provides most agenda items for the meetings, but everyone on the Committee is welcome to submit agenda items. The Dean's office will distribute agendas prior to each meeting.

There being no further business to discuss, the meeting adjourned at 10:53am.

Respectfully submitted,

Colleen M. Lewis

Scribe

As the first item of the agenda, the Council discuss the Reinstatement of the position of Assistant Director, Study Abroad and Exchanges Programs. We have a prepared statement with faculty and student signatures and a draft Faculty Senate Resolution. Lilly will attend the next FS meeting and will proceed from there.

Members also recommended seeking further support from students and their parents.

The Council then discussed the advertising and recruitment materials provided by Kyle Means. After some discussion, the Council revised his suggested messaging so that is now reads:

Open Up a World of Opportunity

A degree in INTS will provide you with a global perspective in areas like business, communication, culture, society, politics and more. Start here and go anywhere with International Studies at UNK! Learn more at unk.edu/INTS.

Warren agreed to discuss the best strategy for how to spend our budget with ecampus.

The Council then discussed the new INTS program and agreed to a slight adjustment on the required thematic/area studies numbers to allow for greater flexibility.

Finally, the Council discussed a draft proposal that would change the minor program from 24 to 18 hours. We will follow up on it at the next meeting.

The meeting adjourned at 4:45.

The next meeting will be held on Oct. 22 at 4:00 pm on Zoom.

As the first item of the agenda, the Council discussed the progress of the Statement supporting the Reinstatement of the position of Assistant Director, Study Abroad and Exchanges Programs. The Faculty Senate unanimously passed a Resolution supporting the proposal and the College of Arts and Sciences is preparing a statement of support.

Lilly updated the council on the recruitment activities. Kyle Means is preparing Google ads for us and would like to know if we also want posters. There seemed to be general agreement that it was probably a good idea if they could be placed in high school counseling offices and with the language departments.

Lilly provided all members with the Senior Seminar papers needing Assessment.

Finally, the Council had a lengthy discussion about the minor program change. It was tabled awaiting a formal response from the Modern Languages Program with the understanding that further discussion and voting may need to take place over email OR Because the next meeting time coincides with Thanksgiving, we may schedule the next meeting for November 19.

The meeting adjourned at 5:00
I. Approval of the September 10, 2020 Minutes – approved via email

I. Graduate Dean’s Report

1. New Member
Dean Ellis welcomed Austin Nuxoll, Associate Professor in Biology, who will complete Said Abushamleh’s term on the council representing the College of Arts & Sciences.

2. Newsletter
Bice explained that the graduate newsletter showcases students being published, will feature all the graduate programs through the year, include important dates, and announcements. Bice commended two Graduate Assistants who are helping with the newsletter.

3. Professional Development Workshop
Bice informed the council that the next workshop is “Crafting an Academic Vita and Resume” hosted by David Vail and Laura Moody which will be held October 13th. The last workshop was presented from College Park synchronously with our campus. This collaboration with College Park will increase our presence in Grand Island.

4. New Programs - Update
• Public History – this new online program should be on the docket for next month. Bice will send out the proposed program so the council can review before the next meeting.
• Master’s in interdisciplinary studies is currently being discussed.
• Health Sciences was just approved by the Board of Regents and will go to the Coordinating Commission in December.

5. Graduate Journal
The Office of Graduate Studies is working on a graduate journal for publishing research and for students to showcase their work. Bice asked for ideas for the name of the journal.

6. Winter Commencement
Dean Ellis reported that there will be a separate Graduate Commencement on Thursday, December 17 at 7:00 p.m. in the Health & Sports Center due to COVID restrictions regarding social distancing. Ellis hopes this will be a more personal and meaningful experience for graduate students. He asked for nominations for the commencement speaker, graduate student speaker, and gonfaloniers which include one for the Graduate College and one from each of the colleges.

* Graduate Assistants Spring Start Date
Ellis informed the council that GA’s will begin working on January 25, 2021 which is the first day of classes.

* Student Member Needed
The council needs another student representative, preferably from B & T. Dean Ellis asked the B & T council members for suggestions.

V. Committee Reports
1. Policy & Planning Committee – the committee will get direction from Dean Ellis with policy revision/changes shortly.

2. Academic Programs Committee – Bice thanked the committee and Linda Johnson for their hard work this busy month.

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Nature of Request</th>
<th>Suggestion(s) / Comment(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>M.A. English</td>
<td>We have updated our program to reflect our catalog clean up and the addition of &quot;A&quot; courses. The &quot;A&quot; courses will enable us to offer non-P versions of our courses as many of our non-P courses were deactivated twenty years ago. As our program is growing, we are increasingly in need of non-P offerings. We chose &quot;A&quot; designations based on a conversation with the registrar about what to do with the fact that we are running out of 800 numbers.</td>
<td>Suggestion to Graduate Council - Approve</td>
</tr>
<tr>
<td>SCIMTH-MSE: STEM Education, Master of Science in Education</td>
<td>Updated courses for program; All students in the program now take TE 809P to fulfill the curriculum course requirements.</td>
<td>Suggestion to Graduate Council - Approve</td>
</tr>
</tbody>
</table>

**For Graduate Council Action** - These program changes come as a seconded motion to the Graduate Council. Motion Carried.

**For Graduate Council Information** - The following courses have been approved by Committee II

<table>
<thead>
<tr>
<th>Course Name</th>
<th>Nature of Request</th>
<th>Comment(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIOL 801: Principles of Immunology</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>BIOL 803P: Plant Physiology</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>BIOL 811: Scientific Illustration</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>BIOL 813: Issues in Bioethics</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>BIOL 815: Great Plains Heritage</td>
<td>Course Change Request - Make course dormant</td>
<td>Course has not been offered since Spring 2013 - approve</td>
</tr>
<tr>
<td>BIOL 820: Introduction to Graduate Study</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>BIOL 825: Tropical Island Biology</td>
<td>Course Change Request - Make course dormant</td>
<td>BIOL has not offered this course - approve</td>
</tr>
<tr>
<td>BIOL 827: Biological Statistics</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>BIOL 829: Ecological Anthropology</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>BIOL 835P: Herpetology</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered - approve</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Type of Request</td>
</tr>
<tr>
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<td>-----------------------------------------</td>
</tr>
<tr>
<td>BIOL 837</td>
<td>Reproductive Physiology</td>
<td>New Course Proposal</td>
</tr>
<tr>
<td>BIOL 838: Essential Human Anatomy</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered- approve</td>
</tr>
<tr>
<td>BIOL 839: Human Physiological Systems</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered- approve</td>
</tr>
<tr>
<td>BIOL 843: Cell Structure and Function</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered &amp; Offered online - approve</td>
</tr>
<tr>
<td>BIOL 846: Cancer Biology</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered- approve</td>
</tr>
<tr>
<td>BIOL 857: Human Histology</td>
<td>Course Change Request - Update course description</td>
<td>Updated to be offered online on demand- approve</td>
</tr>
<tr>
<td>BIOL 859: Biology of the Brain</td>
<td>Course Change Request - Update course description</td>
<td>Updated to be offered online and when it would be offered- approve</td>
</tr>
<tr>
<td>BIOL 862P: Animal Behavior</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered- approve</td>
</tr>
<tr>
<td>BIOL 863: Biological Perspectives</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered- approve</td>
</tr>
<tr>
<td>BIOL 864: Genetics in Popular Culture</td>
<td>New Course Proposal</td>
<td>Course was offered as a topics course in the past but want to offer as stand-alone course- approve</td>
</tr>
<tr>
<td>BIOL 869: Conservation of Birds and Mammals</td>
<td>Course Change Request - Update course description</td>
<td>Updated to be offered online on demand- approve</td>
</tr>
<tr>
<td>BIOL 883: Aquatic Trophic Ecology</td>
<td>Course Change Request - Update course description</td>
<td>Updated then when course was going to be offered- approve</td>
</tr>
<tr>
<td>ENG 804A: History of the English Language</td>
<td>New Course Proposal</td>
<td>Similar course was deactivated; this brings it back hence alpha after number- approve</td>
</tr>
<tr>
<td>ENG 806: Principles of Literacy Criticism</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses- approve</td>
</tr>
<tr>
<td>ENG 807: History of Literacy Criticism</td>
<td>Course Change Request - Make course dormant</td>
<td>Content will be covered in ENG 806- approve</td>
</tr>
<tr>
<td>ENG 814: Writing Seminar</td>
<td>Course Change Request - Course title change, update course description</td>
<td>Course title change, update course description; making the course not repeatable. Under objectives, &quot;We will cover all facets of...&quot; is crossed out on proposal form but not in the syllabus. Approve - pending</td>
</tr>
<tr>
<td>ENG 822: Poetry Writing</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses- approve</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Name</td>
<td>Request Type</td>
</tr>
<tr>
<td>-------------</td>
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</tr>
<tr>
<td>ENG 822P</td>
<td>Poetry Writing</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 823</td>
<td>Fiction Writing</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 823P</td>
<td>Fiction Writing</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 824</td>
<td>Drama Writing</td>
<td>Course Change Request - Make course dormant</td>
</tr>
<tr>
<td>ENG 827</td>
<td>Colloquium: Creative Writing</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 832</td>
<td>Colloquium: World Literature</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 841P</td>
<td>Language for Elementary Teacher</td>
<td>Course Change Request - Make course dormant</td>
</tr>
<tr>
<td>ENG 843P</td>
<td>Reading Problems in Secondary Schools</td>
<td>Course Change Request - Make course dormant</td>
</tr>
<tr>
<td>ENG 844</td>
<td>Teaching English in Community College</td>
<td>Course Change Request - Discontinue Course</td>
</tr>
<tr>
<td>ENG 845</td>
<td>Creative Writing for Public School Teachers</td>
<td>Course Change Request - Make course dormant</td>
</tr>
<tr>
<td>ENG 847</td>
<td>Children's Literature</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 847P</td>
<td>Children's Literature</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 848</td>
<td>Literature for Adolescents</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 848P</td>
<td>Literature for Adolescents</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 849</td>
<td>Children's Adolescent Lit</td>
<td>Course Change Request - Make course dormant</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Action</td>
</tr>
<tr>
<td>---------------------</td>
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<td>---------------------------------------------</td>
</tr>
<tr>
<td>ENG 851A:</td>
<td>Literature of Puritanism and Early American</td>
<td>New Course Proposal</td>
</tr>
<tr>
<td></td>
<td>Nationalism</td>
<td></td>
</tr>
<tr>
<td>ENG 852A:</td>
<td>Literature of the American Renaissance</td>
<td>New Course Proposal</td>
</tr>
<tr>
<td>ENG 853A:</td>
<td>Literature of American Realism</td>
<td>New Course Proposal</td>
</tr>
<tr>
<td>ENG 854A:</td>
<td>Modern American Literature</td>
<td>New Course Proposal</td>
</tr>
<tr>
<td>ENG 855A:</td>
<td>Contemporary American Literature</td>
<td>New Course Proposal</td>
</tr>
<tr>
<td>ENG 856:</td>
<td>Literature of the Great Plains and American West</td>
<td>Course Change Request - Course title change, update course description</td>
</tr>
<tr>
<td>ENG 857:</td>
<td>Colloquium: US Literature through 1855</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 858P:</td>
<td>Great Plains Studies</td>
<td>Course Change Request - Move course from credit/no credit.</td>
</tr>
<tr>
<td>ENG 859:</td>
<td>Colloquium: US Literature 1855 - Present</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>ENG 860:</td>
<td>American Political Rhetoric</td>
<td>Course Discontinued</td>
</tr>
<tr>
<td>ENG 865:</td>
<td>American Environmental Literature and Theory</td>
<td>Course Change Request - Update course description</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Proposal Type</td>
</tr>
<tr>
<td>------------</td>
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</tr>
<tr>
<td>ENG 866</td>
<td>Global Environmental Literature and Theory</td>
<td>Course Change Request - Remove prerequisites</td>
</tr>
<tr>
<td>ENG 871A</td>
<td>Language and Composition in the Secondary School</td>
<td>New Course Proposal</td>
</tr>
<tr>
<td>ENG 872A: English Literature to 1500</td>
<td>New Course Proposal</td>
<td>The course description in ENG 872P and ENG 872A do not match. The class title in syllabus does not match title of the course. Approve - pending.</td>
</tr>
<tr>
<td>ENG 872P: English Literature to 1850</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses- approve</td>
</tr>
<tr>
<td>ENG 873A: Literature of the English Renaissance</td>
<td>New Course Proposal</td>
<td>The course objectives do not match those in CIM. The syllabus suggests in-person and online. This needs to be explicitly stated. The Policy on regular attendance and timely arrival and preparedness/participation needs to be updated if this is an online course. The course is noted as a Spring course but there are reference points of November 11th. Approve - pending.</td>
</tr>
<tr>
<td>ENG 874A: The Literature of the Restoration and Eighteenth Century</td>
<td>New Course Proposal</td>
<td>Approve</td>
</tr>
<tr>
<td>ENG 874P: The Literature of the Restoration and Eighteenth Century</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses- approve</td>
</tr>
<tr>
<td>ENG 879A: Literature of the Romantic Period</td>
<td>New Course Proposal</td>
<td>Approve</td>
</tr>
<tr>
<td>ENG 879P: Literature of the Romantic Period</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses- approve</td>
</tr>
<tr>
<td>ENG 880A: Literature of the Victorian Period</td>
<td>New Course Proposal</td>
<td>Need to add Total points possible- approve pending</td>
</tr>
<tr>
<td>ENG 880P: Literature of the Victorian Period</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses- approve</td>
</tr>
<tr>
<td>ENG 881A: Modern British and Commonwealth Literature</td>
<td>New Course Proposal</td>
<td>Approve</td>
</tr>
<tr>
<td>ENG 882A: Contemporary British and Commonwealth Literature</td>
<td>New Course Proposal</td>
<td>Consider deleting &quot;Welcome to ENG 882&quot; or add &quot;A&quot; to course description- approve pending</td>
</tr>
</tbody>
</table>
### Course Change Requests

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Name</th>
<th>Request Type</th>
<th>Update Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENG 883</td>
<td>Colloquium: British Literature through 1700</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses - approve</td>
</tr>
<tr>
<td>ENG 884</td>
<td>Colloquium: British Literature: 1700-Present</td>
<td>Course Change Request - Update course description</td>
<td>Updated course description to better represent what the course addresses - approve</td>
</tr>
<tr>
<td>ENG 885</td>
<td>Narrative Strategies</td>
<td>Course Change Request - Update course description &amp; Remove prerequisites for the course.</td>
<td>Updated course description to better represent what the course addresses &amp; remove prerequisites as they are not needed - approve</td>
</tr>
<tr>
<td>ENG 889</td>
<td>Creative Writing Thesis Workshop</td>
<td>Course Change Request - Update course description &amp; prerequisites</td>
<td>Updated course description to better represent what the course addresses &amp; prerequisites as they are not needed - approve</td>
</tr>
<tr>
<td>ENG 890P</td>
<td>Ft. Kearny Writers' Workshop</td>
<td>Course Change Request - Make course dormant</td>
<td>The group does not exist anymore - approve</td>
</tr>
<tr>
<td>ENG 892</td>
<td>Plains Literature</td>
<td>Course Change Request - Make course dormant</td>
<td>Similar course covers similar material do not need course - approve</td>
</tr>
<tr>
<td>ENG 897P</td>
<td>Film Institute</td>
<td>Course Change Request - Make course dormant</td>
<td>The institute does not exist anymore - approve</td>
</tr>
<tr>
<td>HIST 834</td>
<td>Public History Seminar</td>
<td>New Course Proposal</td>
<td>Course description does not match between CIM and syllabi - approve pending</td>
</tr>
<tr>
<td>HIST 838</td>
<td>Issues in Public History</td>
<td>New Course Proposal</td>
<td>Need to adjust: 3 credit course - can take it 9 times = 27 total credits, not 36 as listed. Office hours are listed twice - approve pending</td>
</tr>
<tr>
<td>HIST 865</td>
<td>Public History Methods</td>
<td>New Course Proposal</td>
<td>Approve</td>
</tr>
<tr>
<td>HIST 866</td>
<td>Museums and Material Culture</td>
<td>New Course Proposal</td>
<td>Approve</td>
</tr>
<tr>
<td>HIST 867</td>
<td>Historic Preservation</td>
<td>New Course Proposal</td>
<td>Approve</td>
</tr>
</tbody>
</table>

### Committee Actions

**C. Faculty & Student Affairs Committee** – the committee is currently working on thesis awards. There will be no MAGS submission this year due to the category.

**V. Other Business** - There being no additional business, the meeting adjourned.

Respectfully submitted,
Janna Shanno
General Studies Council Minutes  
October 1, 2020 @ 3:30 p.m.  
Warner Hall, Warner Conference Room-via Zoom

Present: Sri Seshadri, Sherri Harms, Jeong Hoon Choi, Miechelle McKelvey, Nita Unruh, Doug Tillman, Rebecca Umland, Jeff Wells, Joan Blauwkamp, Jeremy Dillon, Joel Berrier, Rochelle Reeves, Lisa Neal, Aaron Estes, Beth Hinga, Jessie Bialas, Mark Ellis, Greg Brown, Joel Cardenas  
Absent: Tim Farrell  
Guests: Ralph Hanson, George Lawson, Krista Forrest, Amanda Sladek, Amy Rundstrom, Jim Vaux

II. Call to order: Brown called the meeting to order.  
   1. Approve Agenda: Unruh/McKelvey moved to approve the agenda. Motion Carried.  
   2. Minutes from September 3, 2020 meeting (approved via email)

* Please notes, the GSC Director did not ask for abstentions from the votes, so only yes/no votes were recorded

II. Brief comments from New GS Director  
   1. Brown thanked Bridges, Blauwkamp, and the council for all their hard work. Brown stated that the goal is to get the new General Studies program out to campus and that the council needs to figure out LOPER 1. He also wants the council to develop an identity for the General Studies program and communicate with their colleagues why it is so important. Brown stated that he talked to Dr. Bicak about getting either a polo or tumbler for the council members that has “General Studies Council” on it and that Dr. Bicak was supportive of this idea. Brown stated that revising the governance document will need to happen in the near future. Brown also stated that the General Studies program is 3 years overdue for an APR and that it will need to have one sometime in the not-too-far-distant future.

III. Forming LOPER 1 - First Year Seminar task force:
   1. Brown stated that he wants to create a task force to determine what the course would look like. He would like volunteers from the council to meet outside of normal monthly meeting to discuss how to develop the class. He asked for those from the council who want to volunteer to email him by noon tomorrow. Brown also asked for Estes and Rundstrom to attend the meetings as well.

IV. Special Circumstances Program Changes - Lisa Neal  
   Neal stated that Darveau is requesting an exemption to the 31 max hours in General Studies to allow the Chemistry program to require 33 GS hours. With only 5 rather than 7 hours in program-specified requirements, the program proposed is within the spirit of the cap of 38 hours across both GS and program-specified requirements. Dillon noted that he had previously supported no upper limit on the number of GS hours. Blauwkamp stated that the Council debated this issue last year and set 31 as the maximum for GS hours and allowed up to 7 hours of program-specified requirements, because having no maximum at all would allow programs to continue to require 45 or more hours of General Studies.
Neal feels that accepting this solution at least provisionally is necessary until some double-counting courses are approved.

Blauwkamp/Berrier moved to allow programs to go a little over the 31 hour maximum, so long as their requirements including the program-specified requirements stay under 38 hours combined.

Wells asked if this is permanent approval. McKelvey feels this should be provisional, not permanent. Unruh agreed.

Blauwkamp made an addendum to her motion to add provisional. When double counting courses are added, revise General Studies total hours to be a range.

Neal wanted to note this is for 2021-2022 and suggested a one-year provisional approval.

Blauwkamp amended her motion to be a one year provisional, then change General Studies program hours to a range of 30-33.

Brown asked if the Council changed the program to 30-33 hours would it have to go back to campus to be re-voted as that is not what was approved last year? Blauwkamp clarified that the program approved last year allowed departments to require up to 7 additional credit hours as "program-specified requirements" because the Council was mindful that many programs with external accreditation needed to be able to require a second course in particular categories - for example, Chemistry needs to require a second natural science course.

Blauwkamp/Berrier moved to allow programs to submit program changes with a range of General Studies hours required from 30 up to a maximum of 38, so long as the combined hours with program-specified requirements does not exceed 38 hours.

Yes-11/No-1 Motion Carried

VI. Ongoing Business: Transition to LOPERs GS Program

1. Reminder:

The Council approved a suggested timeline for course submissions. Since this will be a busy year, we want to try to manage the workload in reviewing new course submissions and applications to gain final approval for the courses that we provisionally approved for the LOPERs Program in April.

The suggested timeline is below:

- October: Courses proposed to meet LOPERs 2, 3, and 4
- November: Courses proposed to meet LOPERs 5 and 6
- December: Courses proposed to meet LOPERs 7 and 8
- January: Courses proposed to meet LOPERs 9, 10, or 11. (Including stand-alone courses for 9 and 10; courses proposed to double-count for 9 or 10 plus one of the broad knowledge categories (5-8) are requested to follow the schedule above.)
- February: Courses proposed to meet LOPER 1 (More guidance will be forthcoming on courses for this category)
- March: Last chance proposals to be considered this academic year (plus revised resubmissions)
Departments that are proposing to add a new course to the LOPERs Program, to propose a course to double-count for a broad knowledge category plus LOPER 9 or LOPER 10, or to move to a different LOPER category must follow the course submission instructions - all three parts.

Departments that are applying to gain final approval for a course that has been provisionally approved in a LOPER category need only submit a syllabus of record (Part 3), plus the departmental assurance statements. Provisional approval expires at the end of the 2020-21 academic year.

2. Review of previously reviewed syllabi that were returned for revision
   - LOPER 8
     - BIOL 103: Blauwkamp/Reeves moved to grant final approval. **Yes-12/No-0 Motion Carried**

3. Review and final approval for provisionally-approved courses (Syllabi of record)
   - LOPER 3
     - SPCH 100: Blauwkamp/Wells moved to grant final approval. **Yes-11/No-0 Motion Carried**
   - LOPER 4
     - CYBR 101, CYBR 102, CYBR 103, CYBR 306: Blauwkamp/Seshadri moved to grant final approval.

Neal stated that CYBER that there were a few issues with the syllabus.

Berrier stated he was not able to find a functional link to their department policies. Harms stated it is on their website and put the link in the Zoom chat. [https://www.unk.edu/academics/csit/_files/documents/pdf/SI-20140205-AcademicIntegrityPolicy.pdf](https://www.unk.edu/academics/csit/_files/documents/pdf/SI-20140205-AcademicIntegrityPolicy.pdf)

Blauwkamp rescinded her motion.

Blauwkamp/Berrier moved to approve the course pending the correction of the link to the academic integrity document and the correction to syllabus for pre-requisites to match catalog. **Yes-11/No-0 Motion Carried**

- MATH 102, MATH 103 (Incorrect prerequisite per Neal) MATH 106, MATH 120, MATH 123 (Incorrect prerequisite and no Diversity and Inclusion Policy statement per Neal), MATH 230, STAT 235, STAT 241:

  Neal stated that there were a few issues with some of the syllabi and asked if the COVID statement required on the syllabi. Blauwkamp stated not at this time is this required.

  Blauwkamp/Berrier moved to approve the listed MATH and STAT courses to meet LOPER 4, pending inclusion of Diversity & Inclusion Policy statement for the MATH 123 syllabus and correction of prerequisite to match catalog. **Yes-11/No-0 Motion Carried**
• MGT 233:
  Seshadri/Blauwkamp moved to grant final approval.
  **Yes-12/No-0 Motion Carried**

• PSY 250:
  Unruh/Tillman moved to grant final approval.

  Blauwkamp stated that the syllabus has the old purpose statement and thinks that the syllabus does not explain how it will meet the learning outcomes. Umland agreed. Blauwkamp asked if the motion could be rescinded and then ask for corrections. Tillman agreed.

  Unruh rescinded her motion.

  Blauwkamp/Umland moved to have PSY 250 revise & resubmit the syllabus to correct the old purpose statement for General Studies and to explain how the course meets learning outcomes. **Yes-12/No-0 Motion Carried**

  Dillon stated that the council should give them some feedback on how to better detail how they will meet learning outcomes.

• LOPER 6
  • FREN 200, FREN 201, GERM 200, GERM 201, GERM 205, SPAN 200, SPAN 201, SPAN 205:
    Blauwkamp/Unruh moved to have all the listed Modern Language courses syllabi review and rewrite as they need to do the full application process to apply to double count for LOPER 10 as well as LOPER 6 and provide departmental assurance statements and explain in detail how the courses are meeting the specified learning outcomes.

    Hinga is concerned about statement on assessment. Blauwkamp stated departments will have to meet the assessment guidelines or they cannot be in the General Studies program. Hinga stated things were in odd places in the syllabus.

    Blauwkamp stated that she did not see all documents and that the additional documents that Brown showed on the screen are explaining the learning outcomes but it but does not on the syllabi. Hinga stated it needs to be in the syllabi. Unruh stated that students need to be able to understand the class by looking at the syllabus.

    Blauwkamp rescinded her motion.

    Blauwkamp/Unruh moved to have the syllabi revised to include explanations of how the course is meeting the LOPER 6 and 10 objectives and the checklist needs to be submitted. **Yes-11/No-0 Motion Carried**

• LOPER 7
  • CJUS 101:
Blauwkamp/Dillon moved to grant final approval.
Yes-12/No-0 Motion Carried

- PSY 203, PSY 230:
  Blauwkamp/Wells moved to grant final approval for PSY 203 and 230 in LOPER 7, pending correction of old General Studies purpose statement in the PSY 203 syllabus.
Yes-12/No-0 Motion Carried

- LOPER 8
  GEOG 103, BIOL 105:
  Blauwkamp/Wells moved to grant final approval.
  Yes-11/No-0 Motion Carried

- LOPER 9
  CJUS 102:
  Blauwkamp/Tillman moved to grant final approval.
  Yes-11/No-0 Motion Carried

- LOPER 11
  PE 150:
  Neal stated that she did not see academic integrity statement.

  Blauwkamp/Unruh moved to grant final approval.
  Yes-12/No-0 Motion Carried

- PSY 231:
  Unruh stated they need to look at the dimensions of wellness because they are not doing so in the syllabus.

  Blauwkamp/Unruh moved to grant final approval for PSY 231 for LOPER 11, pending correction of old program statement for General Studies and inclusion of all 8 dimensions of wellness in course contents. Yes-11/No-0 Motion Carried

4. **Updating the GS Governance document** (due to CAS merger and other changes - delayed until LOPER 1 and other changes to GS Program are finalized) Brown would like to delay updating the General Studies Governance document at this time.

5. **Assessment of LOPERs GS Program** (delayed until LOPER 1 and other changes to GS Program are finalized) Brown would like to delay updating the Assessment of LOPERs General Studies Program at this time.

VI. **New Business:**
1. New course proposals:
   - LOPER 3
     - ITEC 290:
       Blauwkamp stated that she has a big concern approving this course. She feels that if the council approves this course then any department that is does presentations could have a LOPER 3 course. Blauwkamp stated that this is not a course that she thinks the program should have and it is not an appropriate academic discipline.
Seshadri disagreed and stated that so much contemporary communications happens through technology so a class that teaches students effective communications using technology is beneficial. He also stated that he thinks that the department in its application has shown that they are meeting the learning outcomes for LOPER 3.

Blauwkamp stated that the course was not given provisional approval by the Council last spring because the assessment results showed that ITEC 290 was not as effective at meeting the learning outcomes compared to SPCH 100.

Seshadri stated that he thinks the new application shows how the course can meet the learning outcomes for LOPER 3.

Brown asked if anyone wants to make a motion to approve? For new course approvals, after the first Council vote, the next step in the progress is for the course to go out to campus for a two-week comment period."

Seshadri/Choi moved the approve the course. Yes-6/No-5

Wells stated that depending on which governance document the Council is operating off then the course may not be approved as there is not support from CAS.

Unruh stated that maybe the new governance document needs approved first and that the Council should table approving any new courses until the governance document is approved. McKelvey stated that the council should at least decide on how the voting will work before discussing approving new courses.

Brown stated that the new courses will be tabled and the agenda for the next meeting will look at the voting procedure for the governance document. Blauwkamp stated there are a lot of steps to approve the governance document. Unruh stated that the council needs to decide how the voting will work.

Ellis stated that he and Brown would meet with Dr. Bicak to come up with a solution. Brown stated that after he and Ellis meet with Dr. Bicak he would email the Council.

- LOPER 4
  - MATH 115
- LOPER 7
  - FAMS 151, FAMS 351
- LOPER 10
  - FAMS 151
  - MGT 230
  - CJUS 370, CJUS 380
  - TE 100

VII. Adjournment: 5:02 pm
McKelvey/Unruh moved to adjourn the meeting.
Chapter IV. Rights and Responsibilities of Professional Staff

4.1 Academic Responsibility

4.2 Academic Freedom

4.3 Apointments: Apportionment of Faculty Responsibilities; Stated in Writing

4.4 Types of Appointments: Professional Staff
   4.4.1 Special Appointments
   4.4.2 Appointments for a Specific Term
   4.4.3 Continuous Appointment
   4.4.4 Applicability of Academic Freedom and Responsibility
   4.4.5 County Employees of the Cooperative Extension Service of the University of Nebraska-Lincoln
   4.4.6 Nebraska School of Agriculture at Curtis Exception
   4.4.7 Health Professions Faculty Appointment University of Nebraska Medical Center
   4.4.8 Faculty Practice and Faculty Research Appointments, University of Nebraska-Lincoln

4.5 Standards for Promotion, Continuous Appointment, and Salary Adjustment

4.6 Evaluation of Faculty Performance: Procedure

4.7 Termination of an Appointment by a Professional Staff Member: Time
   4.7.1 Termination of a “Special Appointment” Prior to Expiration of the Stated Term: Reasons; Rights of the Appointee

4.8 Termination of an “Appointment for a Specific Term,” “Health Professions Faculty Appointment” or “Faculty Practice and Faculty Research Appointment” at Expiration of the Stated Term; Rights of the Appointee

4.9 Termination of an “Appointment for a Specific Term,” “Health Professions Faculty Appointment” or “Faculty Practice and Faculty Research Appointment” Prior To Expiration of the Stated Term: Reasons; Rights of the Appointee

4.10 Total Period of Service Prior to a “Continuous Appointment”

4.11 Termination of a Continuous Appointment: Grounds

4.12 Termination of Appointments for Financial Exigency or Because of Discontinuance of a Program or Department: Time

4.13 Administrative Leave of Absence
   4.13.1 Applicability of Leave
   4.13.2 Procedures for Imposing Leave
   4.13.3 Duration
   4.13.4 Reinstatement
   4.13.5 Sanctions and Other Remedial Actions

4.14 Grievance Committee
4.12 **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.

4.13 **Administrative Leave of Absence.**

4.13.1 **Applicability of Leave.** On occasion, an administrator may need to place an individual holding an academic appointment (defined herein as faculty members holding the academic rank of assistant instructor and above, or other formally approved ranks, as referenced in Section 3.1.1.1 of these Bylaws, as well as other academic staff members with the rank of postdoctoral research associate, research associate, research assistant, graduate assistant, graduate teaching assistant, or teaching fellow as referenced in Section 3.1.1.2), on a temporary, paid administrative leave of absence (hereinafter referred to in this section as “leave”) while the University reviews whether (a) the individual’s presence in the workplace presents a significant risk of harm to the individual, to others within the workplace or to University property or facilities, or (b) such leave is necessary to protect University resources, prevent the destruction of evidence, or avoid a continuing violation of a policy while an investigation is being conducted into whether that individual has engaged in misconduct in violation of University policy. Leave will not be imposed in a manner that is inconsistent with the principles of academic freedom or used as a means of disciplining individuals for exercising rights guaranteed under the First Amendment of the United States Constitution. Placement of an individual on leave may
include a temporary reassignment or removal of duties and in any case shall not diminish the individual’s salary or benefits. By way of example, alleged conduct that potentially could give rise to a leave includes, without limitation, any conduct occurring on or off campus that reasonably can be construed as (a) acts of violence, threats of harm, or other conduct that places one’s self or another person in reasonable fear of physical harm or injury, (b) conduct that could lead to the filing of criminal charges and may directly or indirectly hinder the individual’s ability to perform the duties of his or her appointment, such as alleged acts of drug trafficking, human trafficking, or possession of child pornography, (c) inappropriate sexual behavior, including sexual harassment, unwelcomed sexual touching or sexual assault, against a student, colleague or others, (d) a pattern of unwelcome, malicious or offensive behavior occurring over a period of time that is meant to intimidate, threaten, humiliate, degrade, or ostracize a student, colleague or others, commonly referred to as bullying, (e) stalking behavior that consists of unwanted or repeated surveillance of a student, colleague or others, (e) research misconduct, (f) the misappropriation of institutional or grant funds or monies, or (g) other similarly egregious acts.

4.13.1.1 Leave Based on Mental Health Concerns. Mental health leave will be handled through the same processes that physical health leave is addressed if a faculty member is unable to perform their assigned work duties with reasonable accommodations. For faculty who do not yet have accommodations in place, the administration will work to assure that faculty have reasonable accommodations in place to support their ability to perform assigned work duties if and only if the faculty wishes to disclose their condition, a right that is protected under federal law.

4.13.2 Procedures for Imposing Leave. In determining whether to place an individual on leave, the appropriate administrator will first discuss the matter with the individual, whenever practicable, to determine whether a mutually acceptable resolution can be achieved. If a resolution cannot be achieved with the individual, the administrator will confer in advance, if practicable, with the appropriate elected faculty committee regarding the factual basis and the need for the individual’s involuntary removal or reassignment. The membership of the faculty committee shall not overlap with the faculty committees specified in Section 4.14 (Grievance Committee), Section 4.15 (Academic Freedom and Tenure Committee), or Section 4.16 (Professional Conduct Committee) of these Bylaws. When consultation beforehand is not practicable, the administrator may proceed forward in imposing the leave with the understanding that contact with the appropriate faculty committee will occur as soon as possible and no later than two business days after the leave is imposed. If the leave is being imposed due to a concern that the individual’s presence in the workplace presents a significant risk of harm, the administrator also shall confer with and seek guidance from a threat assessment team, if one exists, within that same timeframe. Both the faculty committee and the threat assessment committee should convene as quickly as possible to review the underlying circumstances giving rise to the leave and provide their respective recommendations regarding that leave to the administrator within ten (10) business days after being informed of the leave by the administrator. In the case of the faculty committee, the recommendation should address whether the leave is warranted, whether any of the terms or conditions of the leave should be modified, or whether some other action (such as initiation of formal disciplinary proceedings) should be taken instead. If the threat
assessment and faculty committee believe it to be warranted that threats to self or others are due to a mental health crisis they may recommend the University pursue a Leave for Mental Health as outlined in section 4.13.1.1 above. Although not bound by the recommendation of either committee, the administrator will give due consideration to the recommendations of both committees and generally will defer to the assessment of risk rendered by the threat assessment committee. If the administrator’s decision varies from the recommendation of either committee, the administrator will meet with the faculty committee for the purpose of explaining the basis for the variance. After meeting with the administrator, the faculty committee within its discretion may submit a letter to the administrator noting its disagreement with the decision and may share that letter with the affected individual. Whether the leave is imposed before or after the committee review, the administrator shall notify the affected individual in writing of the leave when the leave is imposed. The written notification will include the starting date of the leave, a summary of the alleged conduct or events giving rise to the leave, any restrictions, modifications or limitations as to access or duties during the leave, a summary of the process for responding to or addressing the allegations giving rise to the leave, and the circumstances under which the leave is anticipated to end. Expectations and evaluations of the individual’s work performance while on leave must be compatible with the terms of the leave.

4.13

4.13.3 Duration. The leave will be limited in duration to the shortest period necessary to fulfill the purpose of the leave and will be subject to the reinstatement requirements set forth in Section 4.7.4 below. Accordingly, an individual who has been placed on leave due to significant risk of harm must be returned to duty as soon as the risk has been alleviated. Similarly, an individual who has been placed on leave for investigative purposes must be returned to duty upon the conclusion of a timely completed investigation. If the investigation results in the initiation of disciplinary proceedings against the individual, the administration must file a complaint as specified in Section 4.15 (Academic Freedom and Tenure Committee) or Section 4.16 (Professional Conduct Committee) of these Bylaws and the ability and authority for the individual’s continued removal from duty will be governed by the policies addressing those disciplinary proceedings.

4.13.4 Reinstatement. An individual placed on leave will be reinstated to his or her position upon the expiration of the leave. A leave cannot extend more than ninety (90) calendar days without additional review by a faculty committee and, if necessary, a threat assessment committee. If the administrator believes that the initial leave needs to be extended for a period of up to an additional ninety (90) calendar days, the administrator will follow the procedures specified in Section 4.13.2 for imposing a leave. A leave cannot extend more than 180 calendar days unless formal disciplinary proceedings against the individual as specified in Section 4.15 (Academic Freedom and Tenure Committee) or Section 4.16 (Professional Conduct Committee) of these Bylaws have been initiated.

4.13.4.1 Stated-Term Academic Appointment Renewal Opportunity. If the individual with a stated-term contract is reinstated from a leave and formal disciplinary proceedings are not initiated, then the individual shall be deemed eligible to be considered for a new appointment or reappointment.
4.13.4.2 **Expiration of Appointment While on Leave.** A leave imposed through the end of the appointment period is a termination for cause and requires the President or the Board of Regents to file a complaint with the Academic Freedom and Tenure Committee under section 4.15.2(b) of these Bylaws. The period of the individual's appointment need not be extended beyond the appointment end date. If the individual would like to waive their right to a termination hearing, then they may do so in writing to the Chancellor and the faculty committee. If the individual does not respond to the complaint within twenty (20) days, as specified under section 4.15.2(c)(3) of these Bylaws, they will be understood to have waived their right to a termination hearing. A 20-day extension to this deadline may be granted by the faculty committee if a request is made in writing to the faculty committee with reasons provided for the need for the extension.

4.13.5 **Sanctions and Other Remedial Actions.** If an investigation conducted while an individual is on leave indicates that the imposition of a sanction or other remedial action may be warranted, the appropriate administrator will inform the individual of the sanction or other remedial action that is being contemplated. Before any sanction or other remedial action is imposed, the individual will be afforded the opportunity to respond in writing to the proposed sanction or other remedial action. After giving due consideration to the individual’s response, if any, the administrator may impose a lesser sanction or other remedial action. If the administrator determines that termination of the individual is warranted, the administrator must initiate and pursue the appropriate termination proceedings against the individual as set forth within Section 4.15 (Academic Freedom and Tenure Committee) of these Bylaws. If the administrator is seeking to impose a major sanction on the individual that falls short of termination (such as, without limitation, a suspension, a demotion in position, or a reduction in pay), the administrator must initiate and pursue the appropriate complaint proceedings against the individual as set forth within Section 4.16 (Professional Conduct Committee) of these Bylaws. For lesser sanctions or remedial actions (such as, without limitation, providing the individual with a letter of expectations or written reprimand), the individual may then seek to challenge the imposition of those lesser sanctions or remedial actions through the grievance procedures provided for within Section 4.14 of these Bylaws.

4.14 **Grievance Committee.**

4.14.1 **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 4.13.14.2, in addition to any other powers granted by the faculty governing agency pursuant to these Bylaws.

**Powers of Faculty Grievance Committee.** Any Faculty Grievance Committee established under Section 4.13.14.1 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.

4.14 Academic Freedom and Tenure Committee.

--- 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.

--- Academic Freedom and Tenure Committee: Powers; Rules of Procedure. The Committee established by Section 4.14.115.1 (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/or Faculty Research Appointment prior to the end of its stated term. In keeping with Section 4.13.4.2, complaints shall also be considered against an individual with an academic appointment who has been placed on administrative leave through the end date of their appointment.

(1) The Board, or the President, shall have the authority to direct that proceedings under this subsection be instituted in the manner herein provided.
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/or 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/or 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), or (b) (1), Section 4.14-215.2 (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 or affirmation. Every party shall have the right of cross-examination of witnesses who testify and shall have the right to submit rebuttal evidence.
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.

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.

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.

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.

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. If 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.

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.

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 and Appointment or Faculty Research Appointment prior to its stated termination date are in issue, the burden of proof rests with the University shall have the burden of proving adequate cause for the termination, and will be satisfied 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, an individual holding an academic appointment shall not be suspended from his or her duties, relieved of, or assigned other, duties unless immediate harm to himself or herself, others or property an appropriate administrator can show that placing the individual on paid administrative leave is threatened by his or her continuance warranted based on one of the reasons enumerated in Section 4.13.1 and can show that the procedures set forth in Section 4.13.2 of these Bylaws for placing individuals on leave have been followed. Salary will continue during any leave 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 53-64 (29 July 1978)

4.15 5 16 Professional Conduct Committee.

Professional Conduct Committee: Power to Create. Pursuant to the powers 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 4.15.16.2 (Powers and Procedures of Professional Conduct Committee) and 4.15.16.3, (Function of Professional Conduct Committee), in addition to any other powers granted by the faculty governing agency to the Committee pursuant to these Bylaws.

6.2 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 of these Bylaws, with professional misconduct (Professional Staff) of these Bylaws, with professional misconduct. This includes complaints filed by a University officer against an individual holding an academic appointment seeking a suspension or other major sanction less than termination as described in Section 4.13.5 of these Bylaws. Upon receiving a complaint, the
Professional Conduct Committee shall ensure the allegations contained within the complaint are shared with the accused individual and the appropriate administrators. The individual shall answer the complaint in writing, and that response shall be provided to the person filing the complaint.

(b) To investigate the facts relevant to the charge and to make factual determinations. Said investigation shall include advising the affected party of the charge, hearing his or her response, and considering any evidence produced by such party.

(c) To conclude whether there are reasonable grounds to believe that the person against whom the charge is directed committed acts that amount to professional misconduct. 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, 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 other or lesser sanctions less severe than appointment termination whenever deemed appropriate the Committee judges less severe sanctions appropriate.

4.15(g) The Committee shall draft rules or procedures not inconsistent with these Bylaws for the prompt, orderly, and fair consideration 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.

(h) Prior to a decision by the University officer, an individual holding an academic appointment shall not be relieved of, or assigned other, duties unless an appropriate administrator can show that placing the individual on paid administrative leave is warranted based on one of the reasons enumerated in Section 4.13.1 and can show that the procedures set forth in Section 4.13.2 of these Bylaws for placing individuals on leave have been followed. Salary will continue during any leave period and an assignment to other duties shall not diminish the individual’s salary.

4.16.3 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. Although not binding, the University officer responsible for rendering the final decision on the complaint, however, will give due consideration to any findings, interpretations, advice, or recommendations issued by the Professional Conduct Committee. If the University officer's decision is at variance with the recommendations of the Professional Conduct Committee, the University officer shall detail the reasons in a written opinion that will be provided to the Professional Conduct Committee as well as to
the affected individual. Once the University officer has rendered his or her decision, the matter shall not be subject to further review except through appropriate judicial proceedings.

4.1617 “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)

4.1718 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)