The meeting was called to order by President Miller at 7:01 pm.


Absent: Katsiyannis, Skidmore

Guests: Chris Triebsch and Sarah Schulz (press); Interim SVCAA James Roark, AVCAA David Anderson, VCBF Randy Haack (vide infra), Honors Program Director Richard Jussel, Assistant to the Chancellor Tom York; several members of the faculty.

1. Minutes of the meeting of 4 September 1997 were approved (motion by Zikmund D, second by Kaye).

2. Senator Zikmund D moved to suspend the rules so that an election to replace Marsha Hewitt as senator from the College of Fine Arts and Humanities. Approved on a voice vote. The chair of the election committee (Young R) moved the nomination of Liz Peck; there being no other nominations Zikmund D (Young R) moved to cast a unanimous ballot for Liz Peck. Motion approved. President Miller invited Dr. Peck to take her seat and welcomed her to the Faculty Senate.

3. President Miller introduced Vice-Chancellor Randy Haack to the senate. Vice-Chancellor Haack gave a presentation to the senate on the facilities audit which has been conducted on campus recently and discussed the results so far and the expectations for the use of the results of the audit. He remarked that senators may have seen members of his staff around the campus buildings in the past month with measuring tapes and other equipment doing the audit. He also stated that this information will be used to update the facilities master plan and keep it current for the future. Vice-Chancellor Haack pointed out that the audit will be a valuable asset for future planning and as this campus establishes its priorities for facilities enhancement within the University system, with the legislature and with the Post-Secondary Coordinating Commission.

He pointed out that the audit looked at every building on campus and at the infrastructure of each one. A complete ADA audit was also accomplished which included the use of a wheelchair bound student to test the present level of compliance. (This part of the audit showed that we have some severe problems even in areas that are currently designated as handicap accessible.)

A room-by-room audit of the buildings was accomplished using an APPA standard form that will generate a database of information for future planning. Ninety-nine teaching rooms were surveyed and rated as P (poor, i.e. should not be
in use), MP (medium poor, i.e. need major renovation), M (medium, i.e. needs some renovation), F (fair, i.e. acceptable as is), and G (good). The results show: P = 7%, MP = 14%, M = 21%, F = 39%, G = 18%; in other words about 40% of our teaching space is substandard.

Vice-Chancellor Haack then briefly described the plans for the proposed renovation of the West Center, for which an architect will be requested at the next meeting of the Board of Regents. Senator YoungR asked if the Poor classrooms meet basic fire and safety code standards and Vice-Chancellor responded that they did. President Miller thanked Vice-Chancellor Haack for his presentation and reminded senators that the Executive Committee has copies of the detailed audit report if any members of the faculty would care to see it.

4. Reports of Councils.
   A. Graduate Council.
      Nothing to report. Has had an organizational meeting.
   B. General Studies Council.
      Nothing to report.

5. Non-senate Committees.
   A. Strategic Planning Committee.
      Senator YoungR reported that the committee had met and devoted its time to a discussion of the revised mission statement document that had been presented to the senate one month ago. As a result of that discussion the two items that senate had suggested be returned to the statement (relative to service and administrative excellence) were indeed put back into it.
   B. Budget Committee.
      Nothing to report.
   C. Honors Council.
      Nothing to report. Dr. Jussel remarked that the Council will meet again when it becomes necessary.
   D. Marketing Plan.
      Nothing to report. Has not met and likely will not do so until Sheila Schuld is replaced.
   E. Pew Round Table.
      Nothing to report.
   F. University Calendar Committee.
      Senator Wozniak reported on the discussion about introducing a Martin Luther King holiday and a fall break. The committee split 4/ on a fall break and voted 5/3 in favor of a MLK holiday in the spring semester. Members of the committee were then asked to return to their campuses to check with their respective constituencies about the suggested calendar changes. Stay tuned for more exciting news on this front.

6. Election Committee.

Senators were informed that a replacement was needed for Sam Umland on the Library Committee. The election committee nominated (Fredrickson) Akbar
Javidi. Motion approved. A replacement for Ron Konecny (medical leave) on the Academic Computing Committee was sought; Bruce Klemz was nominated and approved.

7. Executive Committee Report.

Several senators raised the question of the timetable for getting the Post-Tenure Review document back to the faculty committee that is supposed to review it now that changes have been made to it by the Chancellor and the Senior Vice-Chancellor for Academic Affairs. Concern was expressed that the procedure for approval of the document seemed to be bypassing the faculty despite the fact that President Smith, during his visit with the senate, had stated quite categorically that post-tenure review was a faculty driven process. Concern was also expressed that there was a perception that post-tenure review was an attempt to undermine tenure.

Senator YoungA pointed out that the Gender Equity Committee report had been circulated to all Vice-Chancellors, Deans, Department Chairs and Program Directors (a grand total of 89) with a request for feedback but only 15 responses had been received so far.

Senator ZikmundD asked about the status of a tenure buy-out process. It was pointed out that there is no such plan and that none was expected in the foreseeable future. Senator Falconer asked about the current status of the timetable for uniform Department Chair evaluation and was told that no mention of a timetable was given at the meeting. Senator Sluti inquired about the possibility of increases in the work-study allocation to compensate for the increase in minimum wage. President Miller reported that John Kundel had attempted to find such additional funding but had had no success and none was likely in the future. Senator Davis asked about the status of staff salary increases as a future budget item because he thought that staff salaries on the other campuses had been adjusted upward. He was informed that the issue was not likely to be a budget priority in the near future. Senator Benz inquired about the Research Mentoring Award and was informed that the Chancellor will respond in writing as she has some questions and concerns about the procedures rather than about the award per se.

Senator Fredrickson asked about the comment in the report that indicated that the Chancellor had told President Miller that "he was out of line" for asking questions about the budget allocation process and the way that the faculty were notified of the Chancellor's response to the previous senate resolution; Senator Fredrickson stated that those questions were being asked on behalf of the senate and that he felt that the senate is not out of line asking those questions. Senator Davis responded that Regents Bye-laws 2.12.1 (which he read verbatim to the senate) clearly states that it IS a responsibility of the senate to ask those kinds of questions and be a partner in the shared governance of the university. Senator
YoungR also pointed out that the Senate bye-laws, which were approved by then-chancellor William Nester and by the Board of Regents, also include similar language. Senator German inquired as to just which questions had been asked that prompted the Chancellor's "out-of-line" comment; President Miller described the circumstances of the dialog and reiterated the questions that he had asked.

Senator ZikmundD asked if it would be possible to invite the Chancellor to meet face-to-face with the senate; President Miller stated that such an invitation had been proffered but the Chancellor had declined because of her schedule. Several senators asked questions about the specifics of the $116,000 in the budget reallocation and President Miller answered them as best he understood the basis of the reallocation. Senator Wozniak asked for clarification of the reasons for the resignation of Dr. Wubbels as to whether it was voluntary or forced; no response was forthcoming. Senator YoungR commented that he was not too concerned about the actual budget changes but was very concerned that prerogatives of the senate as stated in the Regents’ bye-laws and the Senate bye-laws have been disregarded. Senator ZikmundD asked for clarification of the procedures adopted by the Budget Committee and how their recommendations related to the recommendations that had been made to them by the Deans of the Colleges. President Miller briefly outlined how that process had occurred in the committee.

Senator German questioned the very fast speed with which the change of Senior Vice-Chancellor for Academic Affairs had taken place and expressed dismay that it had taken place without any input from faculty; he commented that he thought such action flew in the face of Regents' policy. President Miller responded that he had talked with Provost Lee Jones who told him that he (Jones) had consulted with University Counsel Dick Wood and that Wood had assured him that it is not necessary to go through the normal search process to fill an interim position and that there is precedent for not doing so.

Several senators then commented that it would have been appropriate for some input from faculty to have been solicited as the change in SVCAA was being contemplated. (Editorial Note: Such input has been common in the past as for example when the position of Dean of the College of Natural and Social Sciences was filled on an interim basis a few years ago; I know that such input was sought because I was one from whom such input was solicited.)

Senator Fredrickson stated that the filling of the senior academic officer position even on an interim basis without any input from faculty was very troubling. He pointed out that there was a rapid response to the permanent filling of the position of Director of Computing Services, a position that is not as important to the academic program as is the chief academic officer. Given that it may be two years before the position is filled on a permanent basis (or longer if the search process drags out as it has done in times past) he said that such delay is very troubling.
Senator Hodge said that she thought the budget allocation changes were not the real issue - she said that we have had budget crunches in the past and weathered them one way or another - but that the process this time seemed to be one designed to drive a wedge between faculty and administration and an attempt to disparage the faculty senate. Senator YoungA agreed and said that she felt the Chancellor's decision to give more information at the meeting with the at-large faculty group than was provided to the Executive Committee of the Senate was an attempt to circumvent the duly elected representatives of the faculty.

Senator Fredrickson pointed out that on many campuses the Chancellor and the Vice-Chancellors meet on a regular basis with the full senate and it might be helpful for improving communication if the Chancellor would do the same at UNK. Several senators responded that they thought it was not a communication problem - communications have been crystal clear - but that it was an attitude problem.

Senator German moved (Benz) the following resolution:

Whereas, Article 1, section A of the University of Nebraska at Kearney Faculty Senate Constitution, concerning Powers and Responsibilities, states "Pursuant to the Bylaws of the Board of Regents, the powers and responsibilities of the faculty Senate include, but are not necessarily limited to, the following ... 6. Advising and consulting with student, staff, and administrative groups on matters of general concern, which include, but are not necessarily limited to: a. the budget of the University; b. expenditure of funds allocated to instruction and research; c. institutional planning and the determination and articulation of the role and mission of the University of Nebraska at Kearney; d. the selection of academic-administrative personnel with University-wide responsibilities."

 Whereas, Chapter 2.1.c of the Regents bylaws state that "whenever a vacancy occurs in a senior administrative position at the level of Vice Chancellor or Dean [some high level administrator] shall promptly appoint an advisory committee to assist the appointing officer in the search for suitable candidates to fill the position." The appointing officer has some latitude in appointing that committee, "provided that each advisory committee shall include representatives of the principal constituencies with which the position in question interacts." The participation of the "elected heads of faculty and student governments" is explicitly guaranteed.

Whereas, the faculty senate understands that it serves only an advisory capacity to the Chancellor and that its actions can only be recommendations to the administration,

Be it resolved that the University of Nebraska at Kearney Faculty Senate express its disappointment that Chancellor Johnston did neither inform nor consult the Faculty Senate or its Executive Committee concerning the resignation of the
Senior Vice Chancellor for Academic Affairs and the appointment of a replacement Senior Vice Chancellor for Academic Affairs.

It was then moved by ZikmundD (Clark) that a roll-call vote on the resolution be taken. Motion passed. The roll-call vote was then taken with the following result:


Voting "Nay": Broekemier, Seshadri, Sluti, ZikmundD;

Abstaining: Kaye

A resolution was then presented by Senator Wozniak (Benz) that was more strongly worded that the one just approved. Discussion of this resolution focused first on whether or not the senate should go into closed session for substantive discussion of the resolution; it was the consensus of the senate that discussion should be in the open. Discussion was also concerned with the changes in attitude that has been expressed by many members of the faculty and staff by the events of the past month. Sentiment was expressed by several senators that a motion worded as strongly as this one might have undesirable consequences regarding the public image of the university and concern was raised about the impact it might have on recruitment and the retention of existing students. Other senators asked if there is substantive data to support the contentions expressed in the resolution, in particular the statement referring to damage to the morale of administration, faculty and staff. In response, several other senators stated that they did, indeed, feel that morale is suffering.

Several senators expressed the opinion that the resolution of one month ago gave the Chancellor the opportunity to participate in a dialog about the shared responsibilities of administration and senate, as specified in senate bye-laws, but that she had chosen not to do so. Senators were cautioned by Senator ZikmundA not to vote for the resolution just because they are angry but to vote on the basis of actions actually taken by the Chancellor; senators should carefully ask themselves what they are trying to say by this resolution so that they are not just throwing a fit of pique.

A motion (ZikmundD) for a roll-call vote on the resolution was defeated; a motion (UmlandR) for a secret ballot on the resolution was approved.

Several amendments were then presented to the resolution. Moved by YoungR (Clark) to strike all the "whereas" statements and change the wording of the final sentence to read "questions the leadership of Chancellor Johnston regarding the constitutional rights of the senate to participate in matters of campus-wide interest." It was then moved by Luscher (Hill) to amend the amendment to
reinstate the "whereas" statements in a changed form. This motion was approved. A friendly amendment was then offered to make the wording about the constitutional rights a fourth "whereas" statement. Motion approved. A further amendment by Benz (German) to change the wording regarding "questions the leadership" to "lacks confidence in" failed on a vote by show of hands with 11 voting "yes" and 13 voting "no".

The resolution, as amended, is as follows:

Whereas, Chancellor Johnston has reallocated the budget of the Senior Vice Chancellor for Academic Affairs in a problematic manner,

Whereas, this decision is characteristic of a pattern of decision making and management by Chancellor Johnston,

Whereas, Chancellor Johnston has created an environment that adversely affects morale at the University of Nebraska at Kearney,

Whereas, Chancellor Johnston has disregarded the Faculty Senate's constitutionally guaranteed rights of shared governance on matters of campus-wide interest,

Be it resolved that the University of Nebraska at Kearney Faculty Senate questions the administrative leadership of Chancellor Gladys Styles Johnston.

Motion passed: YES 25 votes; NO 6 votes; 1 ABSTENTION.

8. President's Report.

There was no separate report from the President of the Senate.

   i. Academic Freedom and Tenure.
      Nothing to report.
   ii. Grievance Committee.
      Nothing to report.
   iii. Professional Conduct Committee.
      Nothing to report.
      Nothing to report.
   v. Academic Affairs Committee.
      Item M was brought to the attention of senators and Senator Wozniak asked for comments from senators and the faculty at large about the writing center report.
   vi. Artists and Lectures.
      Nothing to report.
   vii. Athletic Committee.
      Nothing to report.
viii. Library Committee.

Has met but nothing to report.

ix. Student Life. Nothing to report. President Miller reminded senators that John Kundel will visit with the senate at the November meeting.

x. Ad hoc committees.

Academic Orientation.
Moving along; proposals will be forthcoming shortly.

Nothing to report from the other ad hoc committees.

xi. Old Business.

No old business was noted.

xii. New Business.

Senator ZikmundD presented a constitutional amendment designed to clarify the terms of the President-Elect, President, and Past President. The amendment was read to the senate and is as follows:

III.A. If the term of the President-Elect, President, or Past President should expire while they are in office, their term is extended until the end of that person's term as Past President. At this time their term will expire and the position will be filled at the next regular election.

xiii. Senate will vote on this Amendment at the November meeting.

10. General Faculty Comments.

Being none, a motion for adjournment was approved at 10:07 pm.

Respectfully submitted,

R. David Clark,
Secretary