I. Call to order

II. Roll Call: 2APR15

   **At Large Senators:** Present: Kelley, Sutherland
   Absent:

   **CBT Senators:** Present: Konecny, Moore, Taylor, Tenkorang, Trewin
   Absent: Porter

   **COE Senators:** Present: Brown, Hoehner, Moore
   Absent: Gaskill, Mims

   **CFAH Senators:** Present: Chavez, Jiang, Rogoff, Van Renen
   Absent: May

   **CNSS Senators:** Present: Davis, Harms, Louishomme, Powell, Reichart, Sogar, Weiss, Wozniak, Wulf-Ludden
   Absent: Pattabiraman

   **Library Senator:** Present: Mueller

III. Approval of Agenda

   Senator Trewin (Louishomme) moved to adopt the agenda. The agenda was adopted as distributed.

IV. Action on the Faculty Senate Minutes: 2APR15

   Senator Trewin (Mueller) moved to approve the minutes. The minutes were approved.

V. Special Presentations

   **Craig Moody, Managing Partner – Verdis Group**

   Mr. Moody – We are from Omaha and have been open for six years. We do a lot of sustainability master plans in higher education–UNO and UNMC, for example. We are excited about this project. I want to give you a quick update on what we are doing and the highlights. I want your feedback on an academics-specific goal. That is the most important thing. I want to ask some questions and see how we can achieve it.
Sustainability is about doing what is best for the social environment, the natural environment, and the fiscal environment. We want to meet the needs of today without sacrificing the future. This is my third campus visit to UNK since January. We were on campus for four days in mid-March. We met with as many people as possible and attended different meetings. The visit today was scheduled around this Faculty Senate meeting. We have collected information on key metrics to see where UNK is today and where it wants to be longer-term. What do we need to get from point A to point B? The metrics are energy (kBTU/square foot), total waste amount (landfill & recycled), recycle percentage of total waste, and also an academic metric. AASHE [Association for Advancement of Sustainability in Higher Education] does different programs on this. They use the STARS system to track a sustainability score. It also tracks the courses with a sustainability component. At the University of Northern Iowa [UNI], that number is 18%. That number at UNK is 0.2%, and I would like your feedback on that.

Senator Davis – Could you provide examples of sustainability modules in different disciplines? For a lot of folks, the concept of sustainability in practical language may not be so clear. What would be some examples from UNI’s 18%?

Senator Konecny – What about examples from other NU campuses and their sustainability master plans?

Mr. Moody – In the arts, it could be turning tires into an art project. In architecture it could be finding out how people interact with a sustainable building. How do they make decisions around sustainability?

Senator Davis – Yes, but how about an example from, say, an English poetry course?

Senator Van Renen – It may involve examination of the attitude towards nature and the natural world.

Senator Powell – I had the same response. I teach meteorology. Obviously global warming is a topic. Is that sustainability? What counts and what doesn’t?

Mr. Moody – Be liberal with the definition. The importance of the natural world, the study of putting children in nature—those are undoubtedy part of this.

Senator Konecny – I teach operations management. I teach reduction of waste.

Sustainability is a confusing term. It doesn’t just mean pollution.

Senator Louishomme – The present distribution of wealth and inequality is not sustainable.

Would that fall into this discussion?

Mr. Moody – In my view, yes. I have a wide view of sustainability. Sustainability touches upon many areas in some way. We may look to AASHE for further guidance.
Senator Davis – We need a sustainability master plan. Are the plans part of an evaluation of the campus related to fiscal support? Is this a Board of Regents driven goal?

Mr. Moody – The Regents have the goal of pursuing energy efficiency and stewardship of resources. There are a variety of reasons why this is important. It attracts students. There are a variety of benefits of what resonates with this campus. Many of your peers are adopting this.

Senator Reichart – We need to get the faculty to buy in. I moved to Kearney from a recycling-conscious area. People here are throwing things away. We have a lot of rural students. They didn’t do recycling. Faculty have a lot of influence. If faculty make it a point, it would be helpful.

Mr. Moody – We had a good response rate to our survey—35% from faculty and staff. On the question: “Is sustainability important?” The response was 70% “agree” and “strongly agree.” We help you tell the story that this is important. There have been some good things happening. A positive impact can be made on this in the short term. You will see excitement about it.

Senator Louishomme – This is a good initiative. I notice that the TVs screens in hallways are on over the weekend. At 11 PM lights are on in the hallways.

Parliamentarian Wozniak – We would gladly accept minutes in the Faculty Senate packet from the Sustainability Committee. We don’t believe we have heard from them. I would encourage them to improve the lines of communication.

Mr. Moody – We would love to speak with you again.

VI. Reports of Faculty Senate Standing Committees

N. Student Affairs Committee: 7APR15

Brandon Benitz - Assistant Dean and Assistant Director of Leadership

Assistant Dean Benitz – It has been eight years since I was last here. I was last here to explain what I am explaining tonight. We are in the process of updating the Student Code of Conduct. UNO had not updated their code for twelve years, UNL for over fifteen years, and ours was last updated in 2007. The Student Code gets updated periodically. The Clery Act and Title IX and other things have necessitated updates. It was time to look at this. NU legal counsel said you need to take a look, and here is what it needs to be—tweak it nominally. We didn’t have a whole lot of choices. This is what it will look like for all campuses, all under one code. UNL’s new code came online July 2014, UNO was January 2015. Ours will hopefully come online July 1, 2015. The code functions like an employee handbook. If the
relationship is violated, then someone sits down and talks to you to find out what is going on. It may be an administrative issue, but it may be criminal or civil as well. Once students come on campus and initiate becoming a student, we consider them bound to the code. We expect things and hold students to it. The number one way that violations occur is through alcohol use. Other things in there don’t occur very often. The code is an educational piece. These conversations take about an hour. We have a finding of fact. The burden of proof in the code of conduct is “more likely than not,” or 51%. This is an administrative and educational proceeding. It may seem punitive. Punitive steps may be taken. We have to protect the UNK community. It is an educational tool. It look at recitivism: 3%. We are assessing where that comes from. How did a student grow through the process? We assess this.

Senator Trantham – Academic dishonesty is included in the Student Code of Conduct. Is this policy in this area changing? Is there an opportunity for faculty to look at this?

Assistant Dean Benitz – I can’t recall a time I ever charged a student with violation of the academic dishonesty policy. The Faculty Handbook covers academic dishonesty. The Student Code is a backup to that. I haven’t had to deal with it. It has been handled by the faculty member, the chair, the dean, and the SVCASA. I am happy to field these questions.

President-Elect Kelley – Welcome back to Faculty Senate, Brandon. Has this gone before Student Senate?

Assistant Dean Benitz – I have tried. The answer I got was that they wouldn’t have time to put it on their agenda.

President-Elect Kelley – I don’t feel comfortable dealing with this when we don’t have comments from students.

President Taylor – I know that the burden of proof of 51% is required. The government has set this rule. This was a change, however. We have to be balanced. There are lawsuits on both sides. If someone is falsely accused, they shouldn’t expelled and also facing the legal system. We have to keep in mind that in many cases, we don’t know what happened. The government has requirements as do the principles of basic decency. It is a very serious issue.

Assistant Dean Benitz – The burden of proof of “more likely than not” has been around a long time. The national student conduct practitioners write best practices—these are the ASCA [Association for Student Conduct Administration] and NACUA [National Association of College and University Attorneys] guidelines. Regarding sexual misconduct, this is handled through a Title IX investigation. It it seems like it could be gender-based sexual misconduct, I am hands off as conduct officer. There are five federal cases where the
accused student is suing the university due to overreaction in the Title IX investigation. There are three where the victim feels the campus did not do enough. Almost everything required by Title IX has already been done on this campus for many years.

President-Elect Kelley – Regarding Senator Trantham’s point, there is a section on academic dishonesty in the Student Code. It looks like it is going to your office rather than the process we have set up on the academic side.

Assistant Dean Benitz – The way to involve Student Affairs is to send me something in writing. I won’t get involved unless this occurs, and I don’t plan to.

Senator Louishomme – I am bothered that expelled students have not been prosecuted for rape. I am troubled by this—they don’t seem to get punished. I think this perpetuates the problem of rape. You can’t attend an NU-system school, but you won’t go to jail. I am really frustrated by this.

Assistant Dean Benitz – I agree with you completely. We had a sexual assault that occurred in the residence halls this fall. Campus Police did a phenomenal investigation. The local county attorney said we believe we have enough evidence to make an arrest but not enough to sustain a conviction. We don’t think we can get a jury to convict. I share your frustration.

President Taylor – Is this a situation that the Student Affairs Committee can look into?

Secretary Rogoff – Brandon generously gave his time at our most recent meeting. We made some progress on the code and there is now and updated version. Student Senate said they were too busy to get involved with working on the Student Code. We have a focused way to get the student viewpoint in the Student Affairs Committee. This opportunity was also declined. I’m disappointed that the Committee is not able to fully do its job of bringing together students and faculty to make something like this better for everyone.

Assistant Dean Benitz – There have been a number of updates to the Student Code since the version that appears in the packet. Some items were withdrawn in the updated version.

President Taylor – We appreciate your time tonight.

Assistant Dean Benitz – The pool of faculty members for the Conduct Board has waned. If you would like to be part of the pool (either Conduct or Appeal Board), please be in contact with me.

B. Executive Committee: 14APR15
[The Plan of Action was distributed in hard copy and will be included in the September packet.]

D. Academic Affairs: 16APR15

President-Elect Kelley – The Military Absence Policy was discussed.

Senator Trantham – It has now passed.

Senator Harms – We had a student get called up for sixteen months.

Senator Brown – I had a situation like this, and we simply assigned the final grade based on the work thus far if a grasp of the course had been attained. There is an existing policy for long-term deployments.

E. Academic Freedom and Tenure Committee: 21APR15

Senator Jan Moore – We have been working all year on the case involving Dr. Benz. I was on the committee with Roger, and we were contacted in September regarding the complaint. We started the process to terminate his continuous appointment. We had our own legal counsel. We had an Academic Freedom and Tenure Committee meeting scheduled, but Dr. Benz has found a resolution at the level of the NU President’s office. The was in front of the committee was resolved at the system level. I think faculty should be relieved and reassured that this process was taken seriously and due diligence was practiced. It was fair to Dr. Benz and to the University.

President Taylor – Thank you for all of your work on this matter.

F. Academic Information and Technology Committee: 3APR15

Senator Davis – I would like to know more about the open-access textbook initiative.

Parliamentarian Wozniak – Who are the members of the Open-Access Initiative Committee?

Senator Louishomme – I know that Varner Hall gave $50,000 to the colleges to make this happen as a pilot. I am and will be teaching with an open-access book in the fall. It is part of the pilot.

Parliamentarian Wozniak – I am concerned with the process. Why is there a committee? There is another animal roaming out there. It strikes me as a tangled web. Sometimes we have three or four committees involved. I am getting concerned, as this impacts the function of the Grievance Committee, for example. Then there is the Student Code and a judicial
process being involved. Also the Sustainability Committee. I am not volunteering to make another list of committees. I keep asking myself: where did this come from?

President-Elect Kelley – In the past committees were out of control—there was a duplication with numerous advisory and ad-hoc committees. This is an important issue of shared governance.

All further reports distributed in VI. Reports of Faculty Non-Senate Committees were approved without discussion.

VII. Reports of Senate Representatives to Non-Senate Committees

The reports of I. Women & Gender Studies Advisory Committee distributed in VII. Reports of Senate Representatives to Non-Senate Committees were accepted with one correction.

VIII. Reports from Academic Councils

All reports distributed in VIII. Reports from Academic Councils were approved without discussion.

IX. Unfinished Business

A. Annual Plan of Action – President Kelley

X. New Business


1. Executive Committee

Parliamentarian Wozniak – We have a slate to present for the Executive Committee. We offer this as a seconded motion to the Senate. Are there any further nominations?

President-Elect Kelley (Trantham) moved that nominations cease and to cast a unanimous ballot for the slate as presented. The motion passed.

2. Oversight Committee
We also must elect the Oversight Committee. In addition to the slate, we need a nomination for the seat for the College of Fine Arts & Humanities.

Secretary Rogoff – I nominated Denys Van Renen from the English Department.

Parliamentarian Wozniak – I present the slate along with Senator Van Renen.

Senator Trewin – I will second that.

The slate was approved.

3. Acknowledgement of New Senators

Parliamentarian Wozniak – New Senator-At-Large is Ken Trantham. Dan May was elected to represent Art. Timbre Wulf-Ludden represents Criminal Justice, and Lee Powell represents Physics & Physical Science. Welcome!

XI. General Faculty Comments

Senator Harms – The Student Code of Conduct as it relates to academic dishonesty is a serious issue, especially since granting bodies like the National Science Foundation look at our policies. For faculty, it is something that needs to be examined.

Parliamentarian Wozniak – I want to echo this. We need to know and understand the points of contact between the Student Code of Conduct and the Faculty & Staff code. It is a tangled system.

President Taylor – I now pass the gavel of power to President Kelley.

XI. Adjournment

The meeting was adjourned at 8:28 PM.

Respectfully submitted,

Noah Rogoff

Secretary