

MINUTES
Executive Committee
Tuesday, February 26, 2019
3:00 p.m. – Room 106 - Administration

Present: **Tim Gallagher**, Chair; **Sue Doe**, Vice Chair, **Margarita Lenk**, BOG Faculty Representative; **Rita Knoll**, Executive Assistant; **Stephan Kroll**, Agricultural Sciences; **Stephen Hayne**, Business; **Steven Reising**, Engineering; **Thomas Chermack**, Health and Human Sciences, **Steven Shulman**, Liberal Arts; **Michelle Wilde** substituting for Linda Meyer, Libraries; **Chad Hoffman**, Natural Resources; **Mary Meyer**, Natural Sciences **Anne Avery**, CVMBS, **Rick Miranda**, Provost/Executive Vice President

Guests: **Bradley Goetz**, Chair, UCC

Absent: **Linda Meyer**, Libraries (excused)

Tim Gallagher, Chair, called the meeting to order at 3:00 p.m.

MARCH 5, 2019 FACULTY COUNCIL AGENDA ITEMS:

I. Proposed Faculty Council Agenda – March 5, 2019 – Plant Sciences Building – Room C101 - 4:00 p.m.

A. ANNOUNCEMENTS

1. Next Faculty Council Meeting – April 2, 2019 – Plant Sciences Building – Room C101 – 4:00 p.m. President Frank will also attend the April meeting.
2. Upcoming Faculty Council Harry Rosenberg Distinguished Service Award (*presented at May 7, 2019 Faculty Council meeting*). Nomination materials will be emailed *early* March.
3. Election of faculty to Faculty Council Standing Committees, University Grievance Panel, and University Disciplinary Panel – Committee on Faculty Governance – April 2, 2019
4. Executive Committee Meeting Minutes located on the FC website: January 15 and 22, 2019 (<http://facultycouncil.colostate.edu/faculty-council-meeting-dates-agendas-minutes/>)

B. MINUTES TO BE APPROVED

1. Faculty Council Meeting Minutes – February 5, 2019

C. UNFINISHED BUSINESS

D. CONSENT AGENDA

1. UCC meeting minutes – January 18 and 25, 2019;
February 1 and 8, 2019

E. ACTION ITEMS

1. Election: Faculty Council Chair – Committee on Faculty Governance – Tim Gallagher Nominated
2. Election: Faculty Council Vice Chair – Committee on Faculty Governance – Sue Doe Nominated
3. Election: Faculty Council Board of Governors Faculty Representative – Committee on Faculty Governance – Stephanie Clemons Nominated
4. Elections – Faculty Council Standing Committees – Committee on Faculty Governance
5. Approval of Appeal Chair nominees for Student Conduct Services
6. Proposed revisions of Section E.12 Performance Expectations for Tenure, Promotion, and Merit Salary Increases of the *Academic Faculty and Administrative Professional Manual* – CoRSAF
7. Proposed revisions to Section E.11.1 Appeal of Early Termination of Contract Faculty Appointments of the *Academic Faculty and Administrative Professional Manual* – CoRSAF
8. Proposed revisions to Section E.16 Appeal of Early Termination of Tenure-Track Faculty Appointments of the *Academic Faculty and Administrative Professional Manual* - CoRSAF

9. Proposed revisions to Section E.6 General Policies Relating to Appointment and Employment of Faculty of the *Academic Faculty and Administrative Professional Manual* – CoRSAF
10. Proposed revisions to Section E.12.1 Teaching and Advising of the *Academic Faculty and Administrative Professional Manual* –CoTL
11. Proposed revisions to Section I.8 Student Course Survey of the *Academic Faculty and Administrative Professional Manual* – CoTL

F. REPORTS TO BE RECEIVED

1. Provost/Executive Vice President – Rick Miranda
2. Faculty Council Chair – Tim Gallagher
3. Board of Governors Faculty Representative – Margarita Lenk
4. Annual Report of the University Grievance Officer for 2018

G. DISCUSSION

FEBRUARY 26, 2019 EXECUTIVE COMMITTEE AGENDA ITEMS:

I. Minutes to be Approved

A. *Executive Committee Meeting Minutes*

1. February 12, 2019

Gallagher: Any corrections or additions?

Avery: On page 5. Amend to say “should not be rewarded” under Avery’s statement.

Chermack: On page 8 (handwritten): Comment intended to capture more that if there is a population dip, who is thinking about what this might mean for enrollments. Amend to say: “And what thinking is going on for student enrollments for 2024.”

Hayne moved (Chermack 2nd) to place the amended February 12, 2019 EC meeting minutes on the Faculty Council website.

Hayne’s motion was approved.

II. Items Pending/Discussion Items

A. *Announcements*

1. Next Executive Committee Meeting: March 12, 2019 - 3:00 p.m. –Room 106 Administration

Gallagher announced that the next Executive Committee meeting is scheduled for March 12, 2019 – Room 106 Administration – 3:00 p.m.

B. *Action Items*

1. UCC meeting minutes – February 15, 2019

Doe moved, (Avery 2nd) to place the February 15, 2019 UCC meeting minutes on the March 5 FC meeting agenda.

Doe’s motion was approved.

2. Proposed motion for Executive Committee approval of Faculty Council presentation and/or discussion topics –

Faculty Council Executive Committee Operating
Procedures

Lenk proposed the following motion:

The Executive Committee will review and approve the contents of any and all presentation and/or discussion topics that directly involve faculty responsibilities and processes outlined within the *Academic Faculty and Administrative Professional Manual* before the presentations and/or discussions are voted on by the Executive Committee as “ready for discussion” and added to the Faculty Council agenda.

Lenk wants EC to note the College of Business report on the number of actions they have taken to address the NTTF policies. She brought this to our attention to point out that our Executive Committee structure and absence of a policy requiring review of reports was used for purposes of a personal agenda. Lenk therefore having pointed out the risk that has been uncovered, now makes a motion (see above) that “If the item has to do with the Faculty *Manual*, then the report should be reviewed prior to presentation at Faculty Council.”

Chermack asks that we review anything that’s going to be presented at Faculty Council, not just items relating to the *Manual*.

Gallagher: Material would have to be provided to EC two weeks in advance of the Faculty Council meeting.

Hayne points out that except for non-substantive changes, people should be able to provide the information prior to the EC meeting, two weeks prior to Faculty Council.

Gallagher: If Jenny had given this to us two weeks ahead, would this have prevented the report from being presented? Gallagher points out what was shown. Morse had one slide.

Lenk: That slide didn’t capture what was being said for the Code changes. Lenk feels that the information is substantially less than information from other colleges.

Gallagher: What would this have divulged to us had we seen it prior to the meeting?

Lenk: There was no demonstration of knowledge of what has been going on in the CoB.

Mary Meyer: If you have to prepare ahead of time, it will be a better presentation.

Gallagher called Morse and she read what the CoB had said. Morse reported that she went through 3-5 entities and that no one would respond to her. Morse was not negligent but got no response.

Lenk reports that she has different information.

Hayne: These things may be true, but it would still be improved with a two-week interval.

Gallagher: Let me float this idea. I am a believer of getting all the sides to a story. It may be possible that everything Lenk and Hayne are saying is true. I would like us to invite Jenny for the next EC meeting and see her side. If it turns out that she did some bad things, then we should confront her that she should not use the FC for personal grudges. If, on the other hand, she comes in with additional information, then we might need to hear that side of the story too. This might cause us to see this issue differently.

Lenk: I am glad you called her to find out. I think all of us should do our due diligence. We want to nurture a good relationship between NTTF and TTF. However, I don't agree with having Jenny come to the EC meeting.

Mary Meyer: I would like to separate the point about prior viewing of reports from the current circumstance. We were talking about this long before this even happened.

Hayne: I agree. I would like to decouple these things to ensure that anything that makes the floor of FC is at a level of readiness. I think our issue with the CoB is a different issue.

Miranda cautions EC against disallowing talking to FC because of our own personal disagreement with their stance. We need to establish a pretty high bar. Error on the side of leeway for the people that talk to FC in general. If someone is making a big mistake and claiming things that our colleagues know is wrong, then pointing that out and finding the middle ground would be better. We cannot police this to the last degree.

Kroll: In this motion, are we saying we actively have to approve it? Or, in the end, are we able to stop someone from presenting something because we don't like what they're saying?

Lenk: Stopping incorrect content.

Hayne: It says “review and approve the content.” I’m not sure that I agree with that.

Miranda: Is it something people want to hear, if so, then invite.

Hoffman: Would we be examining department codes and their progress if not for changes to the *Manual*?

Lenk: The college and department codes are only changing because of the university code.

Hayne: My perspective isn’t to approve the contents. I want to have my facts at hand.

Lenk: I used the wording approved to make sure the due diligence is on the committee when it affects the *Manual*.

Avery: We could still notice a problem and point it out to someone, rather than pre-approve.

Reising: I agree with Anne, it is our job to set the agenda for the Faculty Council, not whether each motion is correct or not. If not egregious, we send it back to the committees.

Gallagher: What’s your amendment, Tom?

Chermack: Amendment: Strike “and approve” and “outlined within the Academic Faculty and Administrative Professional Manual”.

Reising seconded.

Gallagher: The amendment is now on the floor for further discussion.

Miranda: Regarding Margarita’s interest in the word “and approve.” I’d be worried about this. We have asked for the presentation to occur here first, in EC, but we haven’t done this much lately but this was previously a semi-regular event in EC. This is a mechanism to consider and is a form of review.

Lenk: I used the word “approve” because it seems culturally awkward to correct someone on the floor. If we don’t approve the information then a lot of incorrect information can be distributed.

Gallagher: There is also danger in the word approved. We place what goes on the agenda but not the materials.

Miranda: In prior years, we would hear a version of a proposed report and do some back and forth at this table, then vote on it. That is a mechanism to consider.

Gallagher: It talks about the review presentation and discussion topics. The thing that precipitated this was a Report. Now people are talking reports and discussion items, but not including reports by the President or Provost. I want to understand better how broad this is. I thought that the issues we were originally concerned about was reports.

Lenk: I thought you had this as a discussion item.

Gallagher: It was on the agenda as a report.

Avery: This says “and all presentations” and that seems broad enough. We could suggest that people temper their report, not completely dismiss.

Reising: It’s our job to set the agenda, not our job to make sure that everything is correct.

Gallagher: The Operating Procedures dictate what we do on this committee and govern us, not anyone else, including those who give presentations.

Hayne: We control the agenda.

Gallagher: Once a person is on the agenda, we can’t control what they say.

Hayne: I actually like it.

Chermack: We just want to see it. If it’s serious, maybe we’d like to have them present the materials here, but if not then at least we have opportunity to correct the record by gathering more information.

Shulman: On what grounds would we say, “you can’t give your presentation”? It’s not a statement about the content.

Gallagher: It’s my job to navigate things. We need to vote on the amendment from Chermack.

Kroll: I would like to discuss further, whether we want to strike those words Tom recommended.

Hayne: We would be asking to review. We would still be approving the agenda item. We can’t have approval of an agenda item without having the review.

Miranda: There's a clear implication that you're maintaining the authority to approve the content or not.

The amendment passes.

Gallagher: The main motion is now on the table. Discussion invited.

Mary Meyer: More information is good, so I vote yes.

Chermack: The point of all of this is to raise the bar of what we do see on the floor of FC so that there aren't surprises. This is not to censor or hold anyone's voice down.

Gallagher calls the vote: The amendment is approved.

Gallagher: Now a discussion of where to place this information. Rita and I think we have found a location to reflect this new policy in the EC Operating Procedures. I would like to bring this back to show EC members.

C. Reports

1. Provost/Executive Vice President – Rick Miranda

No report was received.

2. Faculty Council Chair- Tim Gallagher

No report was received.

3. Board of Governors Faculty Representative – Margarita Lenk

No report was received.

D. Discussion Items

1. University Grievance Officer annual performance review

Executive Committee entered Executive Session.

Executive Committee exited Executive Session.

Executive Committee adjourned at 4:30 p.m.

Tim Gallagher, Chair
Sue Doe, Vice Chair
Rita Knoll, Executive Assistant