

To Faculty Council Members: Your critical study of these minutes is requested. If you find errors, e-mail immediately to Amy Barkley.

NOTE: Final revisions are noted in the following manner: additions underlined; deletions ~~over scored~~.

**MINUTES**  
**Faculty Council Meeting**  
**December 1, 2020 – 4:00pm – Microsoft Teams**

**CALL TO ORDER**

Chair Sue Doe called the meeting to order at 4:00 p.m.

Chair Doe: Reminded members that this is the last Faculty Council meeting for the fall semester. Will resume again in February. Will be doing meetings on Microsoft Teams until further notice. Welcomed everyone to the meeting.

Chair Doe: Reminded members of the use of the chat function for indicating a request to speak. Also noted that this is a time-constrained meeting, will do our best to complete work by 6:00 p.m. Encouraged members to consider their space, and to encourage others to speak up as well.

**FACULTY COUNCIL AGENDA ITEMS:**

**I. FACULTY COUNCIL AGENDA – December 1, 2020**

**A. ANNOUNCEMENTS**

1. Next Faculty Council Meeting – February 2, 2021 – Microsoft Teams – 4:00pm
2. Board of Governors Visit – Governor Jane Robbe Rhodes

Chair Doe: We have our Board of Governors Representative, Governor Jane Robbe Rhodes on the call. Governor Rhodes is an owner and partner in the National Collegiate Tailgating Championship company she helped found in 2010. She is a Pueblo native, has a Masters degree in Agricultural Industries Management and a Masters degree in Animal Science from CSU. Governor Rhodes spent the majority of career in the healthcare industry, previously serving as the President of the Catholic Health Initiatives Colorado Foundation and as President of the Saint Mary Corwin Health Foundation. Among her many community involvement activities, Governor Rhodes is a former member of the Pueblo Kiwanis Club and served on the Scholarship Committee for the Harold and Ruth Robinson Foundation. She is involved in the management and operation of her family's cattle operation, the Double D Cattle Company. She is a lifetime member of the CSU Alumni Association. Thanked Governor Rhodes for joining the meeting.

Governor Jane Robbe Rhodes: Thanked Chair Doe for the invitation and introduction. Had the pleasure of joining a Faculty Council meeting a few years ago. Appreciate the opportunity, family is very CSU proud. Parents, sister, and children have graduated from CSU. Daughter just graduated in May. Have now served seven of the eight years on the Board of Governors. Have

had many different roles and enjoyed meeting a lot of the people associated with the CSU System. Thanked Stephanie Clemons for the invitation.

### 3. Committee members needed for Student Conduct Appeals Committee: contact Mike Katz and cc Sue Doe

Chair Doe: Next announcement is that we have a particular need for committee members to serve on the Student Conduct Appeals Committee. Asked Mike Katz to speak to this.

Mike Katz: Thanked Chair Doe. We have vacancies for six faculty members serving on the Student Conduct Appeals Committee, which also includes membership on the Academic Misconduct Review Committee that was formed by Faculty Council and approved by the Board of Governors last spring. Seeking some additional members, currently only have four. If an academic misconduct case goes to the Academic Misconduct Review Committee, we would need two faculty members to serve on the committee, and two as reserve in the event that a case is appealed. Have just enough members right now, assuming no conflict of interest, someone is ill or unwilling or unable to serve. There is a nomination and voting process through Faculty Council. Happy to explain more about the process. Stated that it is not a huge time investment, only seated the committee twenty-two times in the past two years. Very important to the University and to upholding academic integrity.

Chair Doe: Thanked Katz. Expressed hope that someone will step up to this task.

Jenny Morse: Asked in the chat: Who is eligible to serve on the Academic Misconduct Committee? All faculty?

Katz: Replied to Morse's question in the chat. Pulled a quote from the Faculty and Administrative Professional Manual: "Full-time tenured, tenure-track, contract, and continuing faculty members having no administrative duties."

### 4. President's Sustainability Commission faculty membership

Chair Doe: Next announcement has to do with the President's Sustainability Commission. Asked Stephanie Clemons to speak to this, has been serving on the commission for a while.

Stephanie Clemons: Have one other position that we need filled, a member representing faculty on the President's Sustainability Commission. It is one of three commissions at CSU. Its mission is to facilitate the effective integration of sustainability across all aspects of the University. Has roughly thirty members from units across campus. Recently discussed the work of the Commission and the significant year of sustainability rankings, CSU was identified as number one by the Association for the Advancement of Sustainability and Higher Education. Named a top performer in seven of the seventeen categories. Especially noteworthy is that CSU Fort Collins was number one in the curriculum category and is the only institution with a perfect score in this category. Recently implemented institutional learning outcomes that Faculty Council passed last year put us over the top. Clemons is stepping down from this commission,

retiring at the end of this semester. Expressed that it has been a rare privilege and pleasure to serve Faculty Council and to work with faculty on campus.

Chair Doe: Thanked Clemons for being such an important steward of faculty and the University for so long. Expressed appreciation all the work, congratulated Clemons on retirement. Wanted to additionally recognize others on the call that may be retiring. Encouraged members to speak up to let the group congratulate them.

Tim Gallagher: Thanked Faculty Council for the opportunity to serve over the years as Chair, Vice Chair, and Representative to the Board. Fully retired at the end of this month, looking forward to more time with the grandkids. Confident that members will give Chair Doe the same level of support, will need it to be successful in making the faculty voice heard and to navigate the many campus challenges that will arise in the years to come.

Vice President Mary Ontiveros: Thanked Chair Doe. Have been at the University for about 51 years. Have seen a lot of changes at the institution, proud to say that things have absolutely gotten better over time. Thanked everyone for the opportunity, has been fabulous.

Chair Doe: Thanked Clemons, Gallagher, and Vice President Ontiveros for their service. Asked Steve Reising to discuss the process for the Board of Governors Representative election.

Steve Reising: We will be soliciting nominations from the Committee on Faculty Governance, which will be sent out by email in the next week. Will have a due date later in December or early January. Election will be held at the February Faculty Council meeting. Encouraged interested candidates to apply.

## **B. MINUTES TO BE APPROVED**

### 1. Faculty Council Meeting – November 3, 2020

Chair Doe: We move now to our minutes from the Faculty Council meeting in November. Asked: Are there any corrections to be made to these minutes?

Minutes approved by unanimous consent.

## **C. PRESIDENT'S REPORT – President Joyce McConnell**

Chair Doe: Thanked President Joyce McConnell for attending the meeting. Many things to discuss, well aware of the things that have become foremost in faculty's mind. Invited President McConnell to give report and then have a brief Q&A after. Vice President Diana Prieto is also present, as well as our Office of General Counsel.

President Joyce McConnell: Will provide quick updates on a few things. We have a Board of Governors meeting coming up this week, which will be done virtually. We rotate reports given to the Board of Governors, it is the turn for the Office of the Vice President for Research. Alan

Rudolph will be presenting what was reported at the last Faculty Council meeting. Spending on research activities reached a record \$407 million this year, and faculty, students, and staff recorded sixty-nine new international and U.S. patents. Wanted to also welcome Governor Rhodes and thanked her for joining us.

President McConnell: No update on budget at this point, may have something after the meeting this week. Believe hardest work on budget will actually be starting once we return from break. Will report back after the Board of Governors meeting.

President McConnell: Interviewing a finalist candidate this week for an important new role created in University operations, Assistant Vice President for Safety and Risk Services and Chief Resilience Officer. Dr. Lumina Albert is the faculty representative on the search committee.

President McConnell: Governor Polis held a special session on Monday to address state COVID support. Governor announced on Monday that they are going to release funding for housing support, broadband access, and food insecurity, as well as public health and childcare. Important because moratorium on evictions is lifted on December 20<sup>th</sup>. Working with various community groups to see what we can do to help people through this eviction process. Big community push to keep people in housing. Noted that it was the National Day of Giving, focus at CSU is currently on food insecurity. Encouraged members to contribute if able.

President McConnell: Wanted to briefly talk about fire recovery. Has been a lot of demand on our CARES Act fund from people in our CSU community who have suffered losses in the fire. Stated that Ken Quintana is emergency representative to the county and FEMA fire recovery. Have sent out an email to all Deans asking them to identify experts we have on campus in any of the areas, particularly environmental recovery. Asked members to encourage colleagues to share expertise with community groups that are going to start the restoration process.

President McConnell: Currently working with county Public Health on the distribution of vaccinations. Does not think they will be widely available until June.

President McConnell: Also wanted to note that the Office of Engagement and Extension announced that Reagan Waskom, the long-term director of the Colorado Water Center, is also retiring. Jennifer Gimbel, a senior water policy scholar, will serve as the interim director. There will be more information available in 2021, any questions about the search can be directed to Vice President of Engagement Blake Naughton. The Office of Engagement and Extension has launched their 2020 public official survey, requesting input from County Commissioners. Will give us really important information on planning and how we go forward.

President McConnell: The annual CSU Research magazine is live on the Vice President for Research website. Describes the tremendous work our researchers have been doing to overcome a range of pandemic-related challenges. Great overview of what we have accomplished.

President McConnell: In the process of selecting the final search firm for the search for a new Vice President for Diversity. Will be an open national search. Will provide updates.

President McConnell: Met with five student athletes and Vice President Diana Prieto. Discussed the Husch-Blackwell reports and their concerns, also about Title IX. Students did not realize we had published the comprehensive plan to address the recommendations from the Husch-Blackwell report, brought that to their attention. Will let everyone know how this goes forward, have reached out to them to plan another meeting.

Vice President Diana Prieto: Confirmed that they had reached out to the students and met with them and have an open invitation to meet at any time.

Chair Doe: Thanked President McConnell for the report. Currently have about twenty-seven minutes for questions and to hear from the Provost, will allot fifteen minutes for discussion. Will see how we do here. Jannine Mohr is also on the call from the Office of General Counsel.

Antonio Pedros-Gascon: Stated in the chat that this is an important discussion, and that members deserve a discussion for the length necessary.

Ajean Ryan: Stated agreement with Pedros-Gascon in the chat. This topic and issues of safety for our student athletes are important and need a lengthier discussion.

Cynthia (Cini) Brown: Had a question about the female student athletes and their concerns in the letter. Asked: Can you clarify what safety concerns the students have?

President McConnell: Thanked Brown for the question. Stated that the students were wonderful to meet with. Wanted to make sure everyone understood that we take meeting with the students very seriously, took everything they said very seriously. Want to meet with them again. Want to find out specifics that we need to be attending to. Going to do a safety assessment. Really welcome the input of the students, hoping to learn more.

Mary Meyer: Have a question about the CSU actions since the alleged assault at the stadium last fall. Not asking about the lawsuit, know that can't be discussed. Summarized the facts reported in various media outlets as a refresher. Stated that a 19-year old student was working as a server in the stadium loge boxes, and reported physical harassment of a sexual nature. The student's first report was on September 7<sup>th</sup>, with repeated reports after games on September 21<sup>st</sup> and October 5<sup>th</sup>. The student was demoted, while the accused was upgraded to a different box. The student reported to the employer who informed CSU athletics administrators, including Joe Parker and Steve Cottingham. Incidents are to be reported to the University's Title IX Compliance Office within 24-hours, and this did not happen for a month. Video of the incident was not retained. Stated: Whether or not you believe the student, there were clear violations of various policies as well as of human decency. Asked: What are the repercussions? Does not seem like anything has happened other than suggestions of more training. Asked: If CSU administrators can do these things without being held accountable, how can we have any confidence our students are being protected?

Jordan Acosta: Stated in the chat that this is why we as student athletes do not feel safe.

Jannine Mohr: From the Office of General Counsel. Cannot respond due to the fact that this is in litigation. Can't give more specifics about the personnel matters at this time.

Jason Bernagozzi: Stated in the chat that that was not a reasonable response and that there is a need for a longer, transparent discussion.

Marcela Velasco: Stated agreement with Bernagozzi in the chat that more discussion is needed. Commented that student athletes are also expecting a full discussion in the University on racial climate that was expressed in the Racial Climate report.

Yolanda Sarason: Expressed hope in the chat that we stay on our published agenda and time frame as outlined by Chair Doe.

Vice Provost Susan James: Commented in the chat that while this discussion is extremely vital and important, so is the second half of the meeting. Asked in the chat: Can we extend meeting time and keep Faculty Council quorum for the votes on the second half of the agenda?

Pedros-Gascon: Stated as a reminder that the federal mandate indicates 24 hours for complaints to be submitted to Title IX, and this was nowhere near that, so that should be taken into consideration. Expressed a request to extend the discussion time. Directed a question to Mohr. In an email from President McConnell from August 2020, the word "investigation" was used eleven times to describe the process that was going to take place by an outside law firm. Investigations usually implies collecting information or evidence about a given issue in order to determine if there was any wrongdoing. Stated that the COVID report "does not make findings as to whether specific incidents occurred or did not occur", and in the other, it stated that they were not asked to determine the veracity of any specific allegation or incident. Asked if CSU's General Counsel asked, implied, or hinted, directly or indirectly, to the investigators the expectation of receiving a report with no operational findings? Asked: What is the value that the CSU community can place on an investigation that is only assessing or collecting opinions instead of aiming to find evidence or problems if they extend to extremely important issues?

Mohr: Thanked Pedros-Gascon for the question. The clear expectation from CSU to Husch-Blackwell was that we would have an independent investigation into the matters alleged specifically related to COVID protocols and racial climate. The Office of the General Counsel did not dictate methodology. Hayley Hanson from Husch-Blackwell is on the call, can speak to the methodology used in doing investigations.

Hayley Hanson: Partner at Husch-Blackwell, in Kansas City office. Worked with co-investigator, Demetrius Peterson, to do investigation. Spoke with 115 different student athletes, both current and former student athletes. Have over 20 years of experience, leads the higher education group. We represent over 300 colleges and universities across the country. Stated that partner Demetrius Peterson was formally an investigator with the U.S. Department of Education, the Office of Civil Rights, and focused primarily on racial investigations while there. Originally hired to look at concerns and conduct an independent investigation whether COVID-19 protocols were being followed by athletics department. Investigation just started when we were asked to also look into the racial climate within athletics and provide a climate assessment, different than a personnel

investigation. Methodology was in no way dictated by the University. Investigation would result in a report that would be given to President McConnell, and it would be up to the University to use that report to move forward. Noted that many student athletes requested that their statements not be personally attributed. Made sure that we indicated that it was a climate assessment regarding race and COVID-19 protocols. Did not limit number of interviews, notification had been sent out to ask people to contact us if interested in participating.

Pedros-Gascon: Asked: If your report was an assessment, why was it reported as an investigation? Stated clearly that it was not an investigation, just an assessment of opinions.

Hanson: Expressed disagreement about interpretation of “investigation”. Have done this for many other institutions and feels comfortable with the word investigation and the product provided to CSU to be able to move forward and take those recommendations to improve the culture in the community.

Ryan: Asked Hanson in the chat: With respect, could you offer transparency about how many people of color you have on staff, both who practice law and staff who may conduct investigations at your firm(s)?

President McConnell: Responded to Ryan in the chat: Can’t answer question about entire staff at Husch-Blackwell, but can report that Demetrius Peterson, the other investigator, is African-American.

Doreen Martinez: Stated in the chat that the student athletes’ extreme concern over confidentiality is significant.

Pedros-Gascon: Repeated second question: What is the value to the CSU community of this kind of investigation?

Mohr: Heard from a variety of people in the report. Hanson and Peterson laid out various perspectives, reported all perspectives they heard. Was important to hear when the concerns were raised.

Peter Harris: Asked in chat: Are the President and General Counsel content that due process is being followed? Feels that this is the main thing that Faculty Council needs to be assured of.

Martinez: As a race scholar, it would be prudent to have experts in the area evaluate the climate. Often race issues are more complex, systematic, and less overt than undergraduate students can name.

Brad Conner: This is another in a series of instances over the course of time that CSU has taken steps to protect the accused rather than the victims. Asked: How can we change the culture when we always protect the accused?

Mohr: Does not have a specific response to that question. Was asked to come discuss the Husch-Blackwell report. Question assumes that we have always protected the accused, differ on that.

President McConnell: We created the Office of Equity, Inclusion, and Title IX because we think we can always be making progress. Looked back through previous cases, they were adjudicated and there were outcomes. Stated disagreement that we have only protected the accused, there have been incidents of suspension, expulsion. Agreed that we have to do everything we possibly can to have the best climate possible. Want to keep talking to students to learn more about what they want us to know.

Martinez: Stated in the chat that there are various forms of evidence existing. The push for details and specifics again and again is overburdening the students.

Vasudevan: Stated in the chat that we do not have a sense of facts or the veracity of incidents on the ground from the investigation. Asked: How will this help us move forward?

Conner: Stated that the evidence that we have, the way the University is being publicized, forces upon us a culture of silence. When people speak up, they tend to get punished, and when people don't, they tend to keep their jobs. This is problematic.

Mohr: Really cannot talk about the litigation. Wanted to clarify that the student did not work for CSU, was not employed by CSU. Did not have control over her employment.

Conner: Stated that she was still our student.

Mohr: Cannot engage over this. Appreciated the perspective, but we were not her employer. Cannot say more due to litigation, but wanted to make clear that it is an erroneous fact that she worked for CSU or that CSU had any hand in her being demoted.

Meyer: Stated in the chat that she worked for Spectra, who is a CSU contractor. Asked: What is the difference?

Martinez: Noted in the chat that the main synopsis of the report was "most student athletes who participated in the investigation reported feeling safe during...". It silences those with other experiences and insights.

Ross McConnell: Stated that President McConnell has repeatedly emphasized commitment to Title IX. Substantial evidence that coaches in our athletic department were in blatant non-compliance with Title IX. Wondering what consequences there will be for the athletic department if this is confirmed.

President McConnell: Thanked McConnell for the question. Need to speak with the students to get more detail. Encouraged members to read the Coloradoan critically. They are reporting but may not have all the facts. May mean we aren't able to give them facts because it involves personnel matters or they may have a journalistic approach.

Ross McConnell: Qualified remarks by saying "as reported in the Coloradoan". Appears to be certain facts that are not disputed, athletic department sat on complaints for a long period of time. Doesn't seem like this is in dispute, is in violation of Title IX.

President McConnell: Cannot speak to this particular matter because it's in litigation.

Ross McConnell: Asked: So you can't acknowledge what the consequences might be if they sat on a complaint instead of reporting it as they are supposed to under Title IX?

President McConnell: Am not going to speak about it in terms of this particular case.

Maura Velazquez-Castillo: Felt sad and overwhelmed by the report. Agreed that we do need to be critical thinkers when we read anything, including an official investigation report. Commented that taking a quantitative approach is not the correct approach when it comes to cultural issues and discrimination issues. Would like to see real consequences.

Ryan: Was part of an investigation six years ago with some students. Students had a lot of fear. Commented that the way this has been handled is unacceptable.

Acosta: Identified as a CSU athlete, one of the members who met with President McConnell two weeks ago. Mountain West student athlete representative, also on the RamBition leadership team. Have brought many issues forth to President McConnell, provided a list of individuals she can speak to about the factual evidence of what people have gone through, whether it's COVID protocols, racial insensitivity, sexual misconduct. Problem is not within Title IX office, is within executive administration. Stated that student athletes are living in a realm of fear, not wanting to step forward. Have exhausted so many different avenues. Calling on President McConnell to act.

Martinez: Many different issues. Concerned with the repeating for details and specifics. Asked: What are we really doing to change culture around race and gender issues? Number of students asking what we are going to do beyond just training and education. Asked: Will people truly be held accountable?

President McConnell: Appreciated this being brought up. Don't think an investigation is an end unto itself. Recommendations are not just about training, not just about training on any particular area on campus, but instead focused on systematic change. We are creating a whole new external group to athletics that students can report to and in which they can be kept anonymous. Also looking at policies to see if they are working for us and where we want to go. Wanted to state that personnel actions are serious, want to go through a fair adjudicative process. Doesn't mean we excuse conduct, but issue here is about what needs to be done to hold employees accountable.

Silvia Canetto: Commented in the chat that we know that training for education on discrimination and harassment and discrimination and harassment prevention does not work, so that cannot be the solution.

Carole Makela: Stated in the chat that it is important that units are not where the complaints and reports are initiated and handled. Good to know that there will be a contact unit outside athletics.

Martinez: Understand personnel issues. Stated that people of color feel more susceptible to a variety of ways in which they can lose their jobs. Issue has been raised numerous times. Commented on the promotion and the amount of money that is spent on athletics. Asked: How

do we get to where we don't put those same kind of dollars out and then emphasis on that institution where it is counter to the student athletes' experience? Stated that the issue is that we need to be an institution that takes athletics down from the monument we have placed them on, hold them accountable.

President McConnell: Have the best of intent. We do want to make sure we are doing everything on this campus as equitably as possible. If we want to have a broader conversation on athletics, needs to be a separate conversation.

Andrew Norton: Asked in the chat: Can we commit to making diversity, equity, and inclusion part of the annual evaluation process for ALL units?

Velazquez-Castillo: Stated in the chat that athletics should not be more important than academics in an educational institution.

Canetto: Stated agreement in the chat with Martinez about the burden on students and individuals who experience discrimination and harassment to be asked to provide details. Commented that it will have the paradoxical effect of silencing them via exhaustion and fear. Also requested that this be placed on the agenda for the February Faculty Council meeting.

Acosta: Asked in the chat: President McConnell, have you spoken or reached out to any of the individuals provided in emails to you?

Maria Lopez-Cabrales: Asked in the chat: Would this institution keep in place a Dean, or someone else in a similar leadership position, if a similar set of scandals were hitting the press about them or their academic unit? What image is the institution providing publicly by continuing to hold in leadership those people?

President McConnell: Confirmed that action would be taken if we found those things happened, no matter what position the staff member worked. Issue here is being able to get the facts so that we know what we are doing is the right thing. Discussed record at West Virginia University, high record of accountability. Only done after a thorough investigation.

Martinez: Asked in the chat: Are there any metrics or such to understand what evidence needs to be gathered for admin dismissal?

Kit Hughes: Asked: Could we get quantitative data from the reports? Understand there may be anonymity concerns, but any demographic data or patterns would be helpful to know.

President McConnell: Have not received anything else besides what has been posted publicly. Can go back to Husch-Blackwell to see if there was any quantitative work done.

Canetto: Stated in the chat that numbers do not matter, we know that few people will come forward relative to people affected because of fear.

Makela: Agreed in the chat that terms such as “some,” “several,” “majority,” “years ago” leave much to interpretation and misinterpretation.

Chair Doe: In interest of time and other motions on the agenda, requested to move on. Would be happy to facilitate further conversation. Will capture the chat notes and pass along questions.

Vice President Prieto: Been asked by President McConnell to take on a role in connection with the committee, will be taking the lead in working to ensure that there is an avenue outside of athletics for reports to be received. Any reports in connection with Title IX cases to come directly to Title IX, not to funnel through a chain in athletics. Will be working with that committee and through the Office of Title IX to ensure that there is a reporting structure and also a culture felt by student athletes. Critical that they can report outside of athletics.

Martinez: Asked in the chat: Will reporting structures contain potential outcomes?

Pedros-Gascon: Asked in the chat: Isn't there some kind of conflict of interest in having Vice President Prieto writing an article with the President discussing an ongoing issue, and disqualifying already part of it “allegations have been mischaracterized”?

Chair Doe: Thanked everyone for this conversation. Stated personal thinking: Upon receiving the letter from the student athletes, where they stated that it was their safety they were concerned with, not with being heard, felt compelled that we needed to have a conversation that went deeper. Expressed hope that this has been useful. Know everyone is committed to the safety of our students. When the students say that they don't feel safe, we really must do something.

#### **D. PROVOST/EXECUTIVE VICE PRESIDENT REPORT – Provost Mary Pedersen**

No report at this time. Yielded time to allow for discussion following President's report.

#### **E. UNFINISHED BUSINESS**

#### **F. CONSENT AGENDA**

1. UCC Minutes – November 6, 2020

Chair Doe: Have minutes from University Curriculum Committee from November 6<sup>th</sup>. Asked: Are there any items to be pulled to be discussed or reviewed?

Minutes approved by unanimous consent.

#### **G. ACTION ITEMS**

1. Motion for Graduate Position on University Curriculum Committee – Committee on Faculty Governance – Steve Reising, Chair

Chair Doe: Called on Reising, have a couple positions open, one on the University Curriculum Committee and the other for the Committee on Faculty Governance.

Reising: On behalf of the Committee on Faculty Governance, would like to move the nomination of Azlan Munir for the graduate student representative position on the University Curriculum Committee for a one-year term.

Chair Doe: No second needed for the motion. Requested a vote in the chat.

Motion passed. Graduate position on the University Curriculum Committee approved.

2. Motion for Faculty Position on Committee on Faculty Governance –  
Committee on Faculty Governance – Steve Reising, Chair

Reising: On behalf of the Committee on Faculty Governance, would like to move the nomination of Jessica Witt as the College of Natural Sciences representative on the Committee on Faculty Governance.

Chair Doe: Requested a vote in the chat.

Motion passed. Jessica Witt confirmed as member of Committee on Faculty Governance.

3. Committee on Non-Tenure Track Faculty Proposal for Non-Tenure  
Track Faculty to be Considered in the At-Large Representative Count  
– Committee on Faculty Governance – Steve Reising, Chair

Reising: The Committee on Non-Tenure Track Faculty has proposed two motions to increase representation of non-tenure track faculty, who are also called contract, continuing and adjunct faculty (CCAF). Committee on Faculty Governance has considered these motions carefully, have met with the Committee on Non-Tenure Track Faculty. Considered implications on the rest of the code, Section C of the Manual. Compiled considerations on the content of the proposals, including the effects on apportionment of at-large representatives among the colleges. Distributed these on October 21<sup>st</sup>, and the Committee on Non-Tenure Track Faculty distributed their own comments and rationale. Asked everyone to discuss these with their department, and to send reactions and comments before our meeting on November 16<sup>th</sup>. Committee on Faculty Governance voted to provide these motions for today's agenda for consideration. There are two motions to change the code, Section C of the Manual. Have to pass with a 2/3 majority of the Faculty Council members present.

Morse: Thanked Reising, appreciated the process and the feedback that was collected. On behalf of the Committee on Non-Tenure Track Faculty, the first motion is to include contract and continuing faculty in the apportionment of at-large representatives so we would count all our faculty, tenure-track, contract, and continuing when creating the numbers for how many voting members of the Faculty Council exist.

Chair Doe: We have a motion. Requested a second.

Reising: Second.

Chair Doe: Asked for any discussion.

Dylan Yost: Brought this to faculty meeting, had some fairly serious concerns. This section of the code represents direct proportionality, concerned that it doesn't acknowledge that individual colleges have diverse interests. For instance, Engineering could lose representation. Didn't see a cap on representation by college. Asked: Is the point of this to basically proportion out the at-large representation or is it only to apportion out the total representation? Way it's worded means that it's the total representation, which means that if one college has a majority of the faculty, they would get the majority of votes on Faculty Council. From our position, one possibility is to make it so that only at-large representation is proportional to the total faculty, including continuing, contract, and adjunct faculty. Another possibility is to include a cap, but have concerns about it being a straight direct proportionality.

Harris: Stated in the chat in appreciation for the acknowledgement by Yost that this concern is distinct from continuing, contract, and adjunct faculty representation. Expressed hope that everyone can agree on the principle of continuing, contract, and adjunct faculty being counted for the purposes of representation.

Morse: Appreciated the concerns brought up by Yost. Wanted to clarify the motion. Only change that is being proposed is to include contract and continuing to the part that is underlined. Question of apportionment was changed by the Committee on Faculty Governance back in April or May, the change to the 45% was a separate motion in a separate conversation. Only piece that would be changing here is the addition of these two appointment types.

Yost: Stated agreement. Issue isn't created by this, but do have to acknowledge the fact that there's a little bit of disagreement on the numbers. For instance, Engineering could potentially go from nine members to six, a relatively big change. Important that people realize that representation could quickly go down significantly.

Moti Gorin: On question of apportionment, non-tenure track faculty have varied interests based on colleges. Will not always vote the same way. Non-tenure track faculty are currently underrepresented.

Yost: Concern is not that we do not want continuing, contract, and adjunct faculty to not have a voice. Cap on representation for a college could give representation and still be in the spirit of the proposal. Protecting the rights of a smaller college.

Makela: Noted in the chat that if we look far down the road and come up with concerns that do not exist now, there always can be reconsideration when the situation is new and different in ten years. This is not putting the change in concrete.

Ruth Hufbauer: The departments are always going to be the same. Think that this is a very separate issue from the non-tenure track issue, and that if there are problems with not having a

cap by college, then we can address that in the code later rather than conflating it with the continuing, contract, and adjunct faculty representation on Faculty Council.

Yost: Point is that we are addressing the same exact part of the code where it says it is going to be direct proportionality. That's the goal stated in that part of the code, so if it is not the goal to make it for direct proportionality, thinks now would be the time to change it.

Hufbauer: All departments will be represented by faculty members, so it is just the at-large that will shift.

Yost: Asked: That's correct, but if a certain college has 50% of the faculty, won't they get 50% of the vote as was written here? That is what we are concerned with.

Conner: Asked for a point of clarification. Sounds what was stated was that direct proportion is not part of the motion that is being proposed. Seems that it should not be up for discussion since it's not part of the motion.

Makela: Stated in the chat a motion to call the question.

Chair Doe: Clarified from our Parliamentarian that calling the question requires a 2/3 vote. If it gets the 2/3 vote, there will be an immediate vote in the main motion on the floor. Placed motion for a vote in the chat.

Motion to call the question passed.

Reising: The Committee on Non-Tenure Track Faculty puts before Faculty Council whether contract and continuing faculty should count in the apportionment of at-large representatives.

Chair Doe: Requested a vote in Forms in the chat.

Motion passed.

4. Committee on Non-Tenure Track Faculty Proposal for Non-Tenure Track Faculty to be Elected to Serve on Faculty Council – Committee on Faculty Governance – Steve Reising, Chair

Morse: The Committee on Non-Tenure Track Faculty submit this motion to allow contract or continuing appointments to become elected representatives of Faculty Council.

Reising: Second.

Chair Doe: Asked: Was there further discussion to be had on the second motion?

Pedros-Gascon: Wanted to clarify that this means that a non-tenure track faculty member may be a candidate for the department representative or the college at-large representative. Can then be

on equal playing field with tenure-track faculty in serving their candidacy and standing for election for these positions.

Chair Doe: Asked for any additional discussion. Hearing none, requested a poll in the chat.

Motion passed.

## **H. REPORTS TO BE RECEIVED**

### **1. Faculty Council Chair Report – Sue Doe**

Yielded time to allow Karen Barret to speak. Posted report in the chat for members to view.

### **2. Board of Governors Report – Stephanie Clemons**

Clemons: There is a Board of Governors meeting this week. Nothing else to report at this time.

## **I. DISCUSSION**

Chair Doe: Has been a significant interest in the last two weeks that has been vocalized by a number of different parties regarding the fall procedures around grading. Last spring, we allowed late withdrawal and S/Us after the end of the semester. This is being raised again for this semester. Put together a group that represents the chairs of many of our standing committees, including the University Curriculum Committee, the Committee on Teaching and Learning, the Committee on Scholastic Standards, the Committee on Non-Tenure Track Faculty, the Committee on Scholarship, Research, and Graduate Education, and the Executive Committee. Discussed the issue of a late withdrawal and S/U grading for this semester as an emergency measure, much like it was in the spring. Enormous implications to making these kind of decisions. Not considering in any way a general policy change, just asking about this semester based on a lot of student outcry.

Karen Barrett: Gave background on what the policies were last spring. Students could opt to replace their traditional grades with S/U grades after they saw their grades at the end of the semester. Could also withdraw from individual classes until the final day of the semester rather than the usual eighth week of the semester. Teaching Continuity Committee decided not to continue that policy in the fall before we started classes. Committee on Scholastic Standards recommended at least having the late withdrawal, brought this to the Teaching Continuity Committee, Committee on Teaching and Learning, and the University Curriculum Committee, and all agreed it was a good idea. Felt the S/U grading was less clear-cut. Undeclared student advisors wrote a letter requesting that S/U grading be allowed again this time as well. Students have been affected by multiple quarantines, mental health issues, needs to go home and/or care for others. The Faculty Action Input Response (FAIR) Committee recommends to resume Spring 2020's policy for this semester. This will need to be done hand in hand with careful advising. More options are better.

Chair Doe: Thanked Barrett. Whatever the Faculty Council decides will need to go through the Provost, cannot undertake this decision alone. Requested any feedback from members to be sent by email to herself or Amy Barkley. Will incorporate any feedback into any recommendation we make.

Vice Provost Kelly Long: Interested in supporting our students in these unusual times. We have had three discussions on the Teaching Continuity and Recovery Work Group. Have concerns and cautions that the Deans wanted to offer. If we revert to an S/U policy and late withdrawal policy like last spring, students may have three semesters with S grades. Students rarely understand the implications of this. Withdrawing is not advantageous with respect to financial aid. They also delay time to graduation, which is bad for them financially. Want to avoid the long-term unintended consequences. Not asking Faculty Council to make policy, but for input to guide us.

Dean Lise Youngblade: Would add two items related to S/U. Issue for an S grade for students that are applying into a capped major where they need a grade in a pre-requisite can be it just needs to be discussed and advised. Can hurt student progress through their degree. With regards to the withdrawal policy, concerned about equity for students who made that decision in the posted 8<sup>th</sup>-week deadline, were they harmed by having to make the decision early if they had known they had the same ability to go to the end of the semester before choosing to withdraw.

Vice Provost Long: Stated that we do have a withdrawal appeal process available. Have already agreed that we would be extremely thoughtful in weighing appeals for late withdrawal.

Aaron Eakman: Asked in the chat: Can you please clarify if the application and support of this policy application applies equally to undergraduate and graduate programs at CSU?

Barrett: Believe we were just discussing this for undergraduates for this policy. Had discussed points made by Vice Provost Long and Dean Youngblade. Realize that this is a very complex decision but believe that advisors would step up and make sure students understand the implication of their decision, and help them with their individual decisions, the appeal process. Felt it was fairest to make option available and to require that they speak to their advisors. Important long-term consequences. In the end, majority believed that the flexibility of these options would be worth it, as long as advisors are able to explain these things clearly to students.

Vice Provost Long: Clarified that we are all working together on this. Have received a letter from advisors that serve undeclared students, from student government, both advocating this shift in policy. Want to conduct an analysis of what happened in spring semester and provide guidance how it helped our students.

Chair Doe: Placed poll in the chat to have members register their opinion if desired. Requested affirmative statements if in favor of a late withdrawal policy for fall. Not a formal vote, just a scratch opinion so we have a sense how people feel about this. Additionally, placed an informal poll in the chat regarding S/U grading for fall. The response was overwhelming support for both changes to policy for Fall 2020 semester only.

Christianne Magee: Just have a question of the number of students who took incompletes from spring semester. Wondered if this number was higher than normal, if students chose not to take the S/U grading route.

Vice Provost Long: Was actually far lower. Discourage the use of incompletes in our rationale. Had students already struggling and were struggling more due to COVID and new learning modalities. Was why we offered the S/U grading and late withdrawal option in spring semester.

Jim Ippolito: Asked in the chat: Why are we polling on this when we are going to always have students that have extenuating circumstances? Don't we already have means in place by which we can solve these sorts of problems?

Chair Doe: Thanked everyone. Encouraged members to send thoughts on this by email. Time sensitive issue, need to hear by noon tomorrow, December 2<sup>nd</sup>. Registrar's Office needs to put machinery in motion for an S/U grading option by this week.

Vice Provost Long: Thanked everyone in the chat. On behalf of the Teaching Continuity team, expressed appreciation for input and willingness to weigh in on this very important matter.

## **J. FACULTY LIGHTNING ROUND PRESENTATION**

### 1. Video from the School of Music, Theatre and Dance

Dan Goble: Expressed that it was great to hear such great discourse and the wonderful work of the Faculty Council. Explained that the provided video was an example of the collaboration between our faculty, but also with students and staff during a very challenging time. There is no singing in these performances, but will see some music, you will see some actors, unmasked, doing a scene over Zoom, and an incredible student dancer doing a choreographed piece by faculty member Madeline Jazz Harvey.

Video sent to Faculty Council membership following meeting, as well as posted on website.

Meeting was adjourned at 6:38 p.m.

Sue Doe, Chair  
 Ruth Hufbauer, Vice Chair  
 Stephanie Clemons, BOG Representative  
 Amy Barkley, Executive Assistant



<b>Sybil Sharvelle</b>	College-at-Large	2023
<b>Steven Reising</b>	College-at-Large	2022
<b>J. Rockety Luo</b>	College-at-Large	2022
<b>Liberal Arts</b>		
<b>Mary Van Buren</b>	Anthropology & Geography	2023
<b>Jason Bernagozzi</b>	Art	2022
<b>Kit Hughes</b>	Communication Studies	2022
(substituting for Ziyu Long, on parental leave Fall '20)		
<b>Ramaa Vasudevan</b>	Economics	2023
<b>Tony Becker</b>	English	2023
<u>Albert Bimper</u>	Ethnic Studies	2022
<b>Maria Del Mar Lopez-Cabrales</b>	Languages, Literatures, and Cultures	2022
<b>Thaddeus Sunseri</b> (Fall '20)	History	2023
(substituting for Jared Orsi, on sabbatical Fall '20)		
<b>Michael Humphrey</b>	Journalism and Technical Communication	2023
<b>Wes Kenney</b>	Music, Theatre, and Dance	2023
<b>Moti Gorin</b>	Philosophy	2022
<b>Peter Harris</b>	Political Science	2021
<b>Tara Opsal</b>	Sociology	2022
<b>Ajean Ryan</b>		
<b>Antonio Pedros-Gascon</b>	College-at-Large	2023
<b>Emily Morgan</b>	College-at-Large	2023
<b>Marcela Velasco</b>	College-at-Large	2021
<u>Del Harrow</u>	College-at-Large	2021
<b>Maura Velazquez-Castillo</b>	College-at-Large	2021
<b>Natural Resources</b>		
<b>Randall Boone</b>	Ecosystem Science and Sustainability	2023
<b>Chad Hoffman</b>	Forest and Rangeland Stewardship	2023
<b>David Koons</b>	Fish, Wildlife, & Conservation Biology	2021
<u>William Sanford</u>	Geosciences	2023
<b>Alan Bright</b>	Human Dimensions of Natural Resources	2023
<b>Natural Sciences</b>		
<u>Olve Peersen</u>	Biochemistry & Molecular Biology	2022
<b>Melinda Smith</b>	Biology	2021
Robert Paton	Chemistry	2023
<b>Ross McConnell</b>	Computer Science	2022
<b>Dylan Yost</b>	Physics	2021
<b>Silvia Sara Canetto</b>	Psychology	2022
<b>Mary Meyer</b>	Statistics	2022
TBD	Mathematics	2023
<b>Alan Van Orden</b>	College-at-Large	2023
<u>Anton Betten</u>	College-at-Large	2022

<b>Brad Conner</b>	College-at-Large	2022
<u>James Liu</u>	College-at-Large	2023
TBD	College-at-Large	2022

### **Veterinary Medicine & Biomedical Sciences**

<b>DN Rao Veeramachaneni</b>	Biomedical Sciences	2022
<b>Kevin Haussler</b>	Clinical Sciences	2022
<b>Elizabeth Ryan</b>	Environmental & Radiological Health Sciences	2023
<b>Tony Schountz</b>	Microbiology, Immunology and Pathology	2021
<u>Candace Mathiason</u> (excused)	College-at-Large	2022
<u>Marie Legare</u>	College-at-Large	2023
<u>Adam Chicco</u>	College-at-Large	2022
<b>Christianne Magee</b>	College-at-Large	2022
<b>Gerrit (Jerry) Bouma</b>	College-at-Large	2021
<u>Jennifer Peel</u> (excused)	College-at-Large	2023
<u>John Rosecrance</u>	College-at-Large	2023
<b>Sheryl Magzamen</b>	College-at-Large	2023

### **University Libraries**

<b>Linda Meyer</b>	Libraries	2022
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### ***Ex Officio Voting Members***

<b>Sue Doe</b>	Chair, Faculty Council/Executive Committee	2021
<b>Ruth Hufbauer</b>	Vice Chair, Faculty Council	2021
<b>Stephanie Clemons</b>	BOG Faculty Representative	2021
<b>Steve Reising, Chair</b>	Committee on Faculty Governance	2021
<u>Shane Kanatous, Chair</u>	Committee on Intercollegiate Athletics	2021
<u>Jerry Magloughlin, Chair</u>	Committee on Libraries	2021
<b>Jenny Morse, Chair</b>	Committee on Non-Tenure Track Faculty	2021
<u>Marie Legare, Chair</u>	Committee on Responsibilities and Standing of Academic Faculty	2021
<b>Melinda Smith, Chair</b>	Committee on Scholarship, Research, and Graduate Education	2021
<b>Karen Barrett, Chair</b>	Committee on Scholastic Standards	2021
<b>Joseph DiVerdi, Chair</b>	Committee on Strategic and Financial Planning	2021
<b>Shawn Archibeque, Chair</b>	Committee on Teaching and Learning	2021
<b>Mo Salman, Chair</b>	Committee on University Programs	2021
<b>Bradley Goetz, Chair</b>	University Curriculum Committee	2021
<b>Susan (Suellen) Melzer</b>	Committee on Non-Tenure Track Faculty	2021
<b>Denise Apodaca</b>	Committee on Non-Tenure Track Faculty	2021
<b>Christine Pawliuk</b>	Committee on Non-Tenure Track Faculty	2022
<b>Ashley Harvey</b>	Committee on Non-Tenure Track Faculty	2022
<u>Jamie Nielson</u>	Committee on Non-Tenure Track Faculty	2022
<b>Leslie Stone-Roy</b>	Committee on Non-Tenure Track Faculty	2022
<b>Mary Van Buren</b>	Committee on Non-Tenure Track Faculty	2023
<b>Steve Benoit</b>	Committee on Non-Tenure Track Faculty	2022

<b>Natalie Ooi</b>	Committee on Non-Tenure Track Faculty	2022
<b>Pinar Omur-Ozbek</b>	Committee on Non-Tenure Track Faculty	2023

***Ex Officio Non-Voting Members***

<b>Joyce McConnell</b>	President
<b>Mary Pedersen</b>	Provost/Executive Vice President
Brett Anderson	Special Advisor to the President
Kim Tobin	Vice President for University Advancement
Yolanda Bevill	Vice President for University Communications
<b>Mary Ontiveros</b>	Vice President for Diversity
<b>Diana Prieto</b>	Vice President for Equity, Equal Opportunity & Title IX
Louis Swanson	Vice President for Engagement/Professor of Sociology
<b>Leslie Taylor</b>	Vice President for Enrollment and Access
<b>Susan James</b>	Vice Provost for Faculty Affairs
Karen Estlund	Dean, Libraries
Brandon Bernier	Vice President for Information Technology
Jim Cooney	Special Assistant to the Provost for International Affairs
<b>Pam Jackson</b>	Vice President for University Communications
Alan Rudolph	Vice President for Research
Blanche M. Hughes	Vice President for Student Affairs
<b>Kelly Long</b>	Vice Provost for Undergraduate Affairs
Lynn Johnson	Vice President for University Operations
James Pritchett	Dean, College of Agricultural Sciences
<b>Lise Youngblade</b>	Dean, College of Health and Human Sciences
Beth Walker	Dean, College of Business
David McLean	Dean, College of Engineering
Mary Stromberger	Dean, Graduate School
<b>Ben Withers</b>	Dean, College of Liberal Arts
Jan Nerger	Dean, College of Natural Sciences
Mark Stetter	Dean, College of Vet. Medicine & Biomedical Sciences
John Hayes	Dean, Warner College of Natural Resources
Catherine Douras	Chair, Administrative Professional Council