

MINUTES

Executive Committee

Tuesday, January 26, 2021

3:00pm – Microsoft Teams

Present: Sue Doe, Chair; Ruth Hufbauer, Vice Chair; TBD, BOG Representative; Amy Barkley, Executive Assistant; Yolanda Sarason, Business; Andrew Norton, Agricultural Sciences; Sybil Sharvelle, Engineering; Carole Makela, Health and Human Sciences; Antonio Pedros-Gascon, Liberal Arts; Linda Meyer, Libraries; Alan Bright, Natural Resources; Melinda Smith, Natural Sciences; Jennifer Peel, Veterinary Medicine & Biomedical Sciences

Guests: Mary Pedersen, Provost/Executive Vice President; Susan James, Vice Provost for Faculty Affairs; Brad Goetz, Chair University Curriculum Committee; Steve Reising, Chair Committee on Faculty Governance; Richard Eykholt, University Grievance Officer

Absent: None

Chair Sue Doe called the meeting to order at 3:03 p.m.

January 26, 2021 EXECUTIVE COMMITTEE AGENDA ITEMS:

I. Minutes to be Approved

A. Executive Committee Minutes – January 19, 2020

Chair Doe: We have minutes from the Executive Committee meeting on January 19th to be approved. Asked: Are there any changes to be made to these minutes?

Hearing none, minutes approved by unanimous consent.

II. Items Pending/Discussion Items

A. *Announcements*

Chair Doe: Have a couple of announcements. President Joyce McConnell cannot join us today. Has a meeting with the CSU Foundations Intergenerational Equity Committee today at the same time as our meeting.

1. The Next Executive Committee Meeting will be held on February 9, 2021 on Microsoft Teams – 3:00 p.m.

Chair Doe: The next Executive Committee meeting will be on February 9th, two weeks from now at the usual time.

2. The Next Faculty Council meeting will be held on February 2, 2021 on Microsoft Teams – 4:00 p.m.

Chair Doe: A week from today will be our next Faculty Council meeting of the new semester, at 4:00 p.m. on Teams. On the Monday prior, there will be a Parliamentary meeting at 1:00 p.m. Expressed that members are welcome to join. Have found it to be valuable. Lola Fehr is a great resource to us.

Chair Doe: Asked: Are there any other announcements from the group?

B. President Report – President Joyce McConnell

Unable to attend – no report at this time.

C. Provost/Executive Vice President Report – Mary Pedersen

Provost Mary Pedersen: Have a few little updates. Expressed hope that everyone is doing well, second week of classes with some going in-person. Would be eager to hear if anyone has personal experiences.

Chair Doe: Commented in the chat regarding observations of in-person teaching. Stated that it was great to see the grad students in the program and they were animated and fully compliant with all the COVID rules. Noted that three students already had to miss on the first day of in-person due to contract tracing they had been identified for. Ran the class simultaneously as in-person and via Zoom. Stated that it went pretty well. Kind of complicated but it went fine.

Provost Pedersen: The enrollment and admissions data is tracking well compared to this time last year. We are up about 6% in terms of submitted applications and we are also up about 6% for our admitted students, so that is very encouraging. Really good for our budget picture. Current student profile is very strong. Of admitted students, 30% are diverse, 20% first-generation, we have 40% in-state and 52% out-of-state, with an average GPA of 3.8. Very strong pool, very encouraging.

Provost Pedersen: No real budget updates at this time because we are still going through the process of working through things in the Board of Governors. Things still look very optimistic in terms of the proposals. Will hopefully be hearing more after the Board of Governors meeting at the end of next week. Will hopefully have an update to put before the committee.

Provost Pedersen: We are in the process of making plans for fall semester. Looking at whether we should be planning for social distancing, what environment we will be working with. In the process of putting together a proposal with the Pandemic Team right now and going through these decisions. Will have an update soon. Have started fall planning around the same parameters as last fall and spring planning.

Provost Pedersen: Want to also share an update on a wonderful project our campus is involved with. Some may already be aware of this. This is the Unizin Consortium Partnership of Higher Education. Campus has been involved from the very beginning. Partnership involves a data platform in which 13 universities have pulled together and worked to develop a variety of vendors, technology partners, publishing standards, and creating this whole network. This data

platform will provide scalable solutions and learning analytics, digital content, community initiative innovations. Really exciting project. We are one of the founding members, the 13 other institutions are real powerhouses. Includes the University of Minnesota, Wisconsin, Penn State, the Ohio State, University of Iowa, Florida, University of Michigan, Indiana University, Oregon State University, Nebraska, Miami University, Rutgers, and University of Missouri. Taking a lot of these platforms, connecting them together and using them to provide innovative solutions to support students as well as faculty. One of the products that has been developed is called My Learning Analytics – MyLA for short – which basically allows the student to look at their course and see how much engagement, on an anonymous basis, other students in the class are spending for studying, for engagement, and then they can correlate it with the grades the students are actually getting in the course. Students can get a really good idea of how much engagement and involvement they need to be successful. There is another tool they are piloting right now where they are looking at students in courses, in different underrepresented groups, and how they compare with their previous grades going into the course and all of the other students in the course. Looking at courses that may have disproportionately low outcomes for minoritized students. We are involved in the pilot this spring, very exciting. The consortium helped us save roughly \$800,000 through joint purchasing power of all these tools.

Antonio Pedros-Gascon: Believe next week we are supposed to receive the budget from Athletics. Asked: Have we received the budget in advance or are we going to postpone their presentation?

Chair Doe: Can answer this. This will not be happening next week. Athletic Director Joe Parker will be coming to our March Faculty Council meeting. Have requested that we receive the information at least a week in advance so we have an opportunity to review.

Vice Provost Susan James: Directed Provost Pedersen's to Chair Doe's comments in the chat. Stated that Chair Doe is teaching in-person and has quite an interesting experience already.

Provost Pedersen: Asked if Chair Doe would like to speak to this.

Chair Doe: Finished class at 1:45 p.m. today, first in-person of the semester, and it went fine. This is a graduate class and everyone was animated and happy to see each other. Had three students who could not be present. Two are being contact traced already, and a third who has an immunosuppression issue and will not be in class at all. Was working with the Teaching Continuity Committee and had asked whether this could be done. This particular graduate student needs this class but has an underlying condition that makes it impossible to join. Did not want this student to be excluded, would delay their progress.

Provost Pedersen: Have one additional announcement. We have been working on expanding the program to provide a student assistant or a graduate assistant help for faculty. Last year this was run through the Teaching Continuity Recovery Group. Have heard from a number of faculty that they need more help, so we are getting ready to send out another announcement of expansion of this program. Encouraged all faculty to apply for help, if help is needed for preparation or with teaching, we want to make sure that you get help. This will be going directly out to faculty this time because we heard last time that some faculty didn't know about this opportunity.

D. Old Business

E. Action Items

1. Motion for Nominations for Student Conduct Appeal Committee – Committee on Faculty Governance – Steve Reising, Chair

Steve Reising: We are nominating six faculty members, both tenure-track and continuing, contract and adjunct faculty, for the Student Conduct Appeal Committee. This committee, by the code, has up to ten members, and has been a bit behind in staffing the committee. All of these members expressed interest in this committee. Does not have much work, just when certain appeals come up. They have to avoid conflicts of interest, so they pick a subset, three faculty members.

Chair Doe: Thanked Jennifer Peel and others for stepping up to this. Asked: Are there questions or can we hear a motion?

Pedros-Gascon: Moved.

Melinda Smith: Second.

Motion passed, with one member abstaining. Will be placed on the agenda for the February 2nd Faculty Council meeting.

2. University Grievance Office Annual Report 2020 – Richard Eykholt

Richard Eykholt: Not a lot to add to what was submitted. This report is usually submitted in February to Faculty Council. Will be in attendance at that meeting to answer any questions. Asked members if there were questions.

Chair Doe: Asked: Are there questions from the committee regarding this report?

Linda Meyer: Wondered how often the University Grievance Officer interacts with other entities on campus that deal with conflict resolution.

Eykholt: That varies. Main ones are the University ombuds, the faculty ombuds and the HR Solutions Partners. All of us tend to try to resolve conflicts in various ways. We meet about twice a year. When somebody new comes in, we scheduled a meeting and compare notes and make sure we each understand you know what our roles are. There are circumstances where we discuss cases that have come up, with the permission of the person involved. We also refer people to each other.

Meyer: Asked if there was a clear path on the website about who should be contacted, whether it is the University Grievance Officer or the ombuds.

Eykholt: Manages a webpage that is referred to by each of the conflict resolution sites. States what things they generally handle, and there are about a dozen. There is a short description of what each office does.

Vice Provost James: Have a generic question about COVID and where we are right now at annual evaluation time. Spoke with Kathy Rickard, the faculty ombuds, who is seeing a few trends around COVID, anxiety around annual evaluations and other similar things. Asked: Are you seeing trends that are COVID-driven?

Eykholt: Short answer is that nobody has been in touch about annual evaluations yet, it is still early. Many are still being scheduled. Last year, two or three were in contact and COVID was beginning to have an impact. One of the main impacts were things getting cancelled, so people especially in disciplines that have exhibitions or events getting cancelled were worried that they would be dinged in their annual evaluation. Those were not difficult to settle. This was an issue in one promotion case that was denied. It was approved at the department level and the chair but then denied by the Dean. The person was advised to withdraw and make a stronger case in the future, but that was in an area where presentations had been cancelled.

Eykholt: Am anticipating more cases with both COVID and non-tenure track faculty coming up for promotion. Have already had two cases where departments were not following acceptable rules. In one, the candidate decided not to pursue anything because it was clear they would get promoted next year. This is something important, contract, continuing, and adjunct faculty are at will and have more fear than tenured faculty about challenging things. So, if somebody tells them things will go better next year, they are inclined to wait instead of pursue a grievance.

Vice Provost James: That is interesting. Has real salary ramifications over the long term.

Eykholt: There was another case where the department refused to tell the candidate what the vote was, and that is required in the Manual, and that's important if it is going to be challenged. The person decided to withdraw their application and wait until next year.

Vice Provost James: Would love to talk about this in more general detail later. Worried about that, especially when people withdraw applications for the reasons just stated.

Andrew Norton: Had same question as Vice Provost James, but more generic. Asked: Are issues trending up, trending down, staying the same? With COVID it might be hard to tell.

Eykholt: Not seeing a lot of things directly related to COVID. Have about half the cases than is usually expected. Believe that during COVID, people are just more likely not to be in contact, not walking over to the office, so cases are down. There are more problems that are of a budgetary nature. INTO is in some trouble, which is leading people to be in contact more. Generally meet with people in person and face-to-face meetings are better.

Meyer: Posted the website link in the chat. Stated that it would be great if this could be linked to the HR home page.

Eykholt: Can contact HR and have them link this to their homepage. Everybody listed on that form is supposed to have a link to it, so the HR Solutions Partners should have the link. Will be in contact with them about this.

Provost Pedersen: Commented in the chat that the page needs to be updated to have Vice Provost James' name on it.

Eykholt: Thanked Provost Pedersen. Will get that updated.

Pedros-Gascon: Stated in the chat that the division of cases by college is very helpful.

Chair Doe: Asked: Is this a new feature?

Eykholt: That goes back about two to three decades. We have always listed things by college. We don't get more specific because we want to be careful not to make things too identifying. Stated that this report should be shared with the Faculty Council, but not to faculty and staff University-wide.

Chair Doe: Thanked Eykholt. Asked: Do we have a motion to put this annual report into the agenda for the February 2nd Faculty Council meeting to be placed into the record?

Pedros-Gascon: Moved.

Norton: Second.

Chair Doe: Requested a vote in the chat.

Motion passed. Will be placed on the agenda for the Faculty Council meeting on February 2nd.

Eykholt: Requested to add one additional comment. Am aware that an email evaluation of the University Grievance Officer will be going out. Does not have access to this. Was made aware of an issue that was raised in that the evaluation asks if somebody has filed a grievance and if they say no, it assumes they have not been in contact at all. Very few people file a grievance. They get in contact, and even if things are pursued, filing a grievance means going to a hearing. Stated that contacting the University Grievance Officer is different from filing a grievance. Wanted this to be clarified.

Chair Doe: Thanked Eykholt. Stated that this was actually on the agenda today, to start the conversation around that and we will examine that.

Pedros-Gascon: Asked in the chat: When are we receiving the equivalent report from Vice President Diana Prieto's office?

Chair Doe: Have not formally requested this.

Pedros-Gascon: That request may have already been made orally.

Vice Provost James: It is a different structure, not parallel. That doesn't mean we shouldn't ask for a report, but it's not actually the same.

Pedros-Gascon: Started this discussion with Provost Rick Miranda, having the Office of Equal Opportunity provide a report. Was basically one of the general understandings, that Faculty Council would be given a report every year.

Eykholt: What Vice Provost James mentioned is important. University Grievance Officer officially reports to the Faculty Council and the Administrative Professional Council. The Provost is the supervisor, but it is important that we don't report to the Provost because we want the University Grievance Officer to be independent of the administration. Other offices, such as the ombuds and HR Solutions Partners do not report to the councils, they report to administration. Might be that you have to have them furnish reports to administrators, which are then forwarded to Faculty Council.

Chair Doe: Thanked Eykholt, that is an important clarification.

F. Reports

1. Faculty Council Chair Report – Sue Doe

Chair Doe: We will not have a Board of Governors report today because Stephanie Clemons has retired. We will have an election next week. We do have one nominee. Melinda Smith is nominated for our Board of Governors Representative. Sent a very short report at the urging of the Systems Office because they wanted to have something for the Board of Governors meeting that starts on February 3rd.

Chair Doe: Mentioned previously that Athletic Director Parker will be joining us at the March meeting for a budget briefing on Athletics. Vice President Lynn Johnson will provide an overview of the University budget on April 6th.

Chair Doe: Have attended a few budget briefings, very preliminary. We certainly have some non-trivial dips among first-generation and underrepresented students. Will wait to hear more from Vice President Johnson. There's also a bit of concern about the number of students who are taking planned leave. Question of balance between in-state and out-of-state students. Many might choose to remain closer to home. Those are some of the concerns. We know that there will be impacts on the bottom line due to COVID. CU Boulder had everyone over a certain threshold assessed a 5% cut. University of Denver has a tiered approach. Makes sense for us to be paying attention to things like what is happening with the governor's office and budget, and to be somewhat prepared and be thinking about this. Glad that Vice President Johnson will be joining us on April 6th.

Chair Doe: As we know, last week, we approved the Committee on University Program's recommendations regarding centers that were both being approved for continuation and for the centers that were not. It was a substantial list of centers that were not being re-approved. Mo Salman spent quite some time explaining why and shared with us that they had moved to a

digital mechanism for integrating information about the centers. The hope was that this tool would make for a more consistent product on those reports. Have heard from one center already and suspect there may be more out there. They feel that they put all the information into the tool, but that it was not reflected in the output. There is at least one center that is upset that they have been deemed non-center as a result of the most recent review. Asked to hear members' thoughts on this. Stated that there is a change that other centers may not have fully recognized that they have lost their center status or are about to at the Faculty Council meeting next week.

Ruth Hufbauer: Was a little worried about this as well. We had asked last week about how they had the opportunity to give the input, such as explaining why they are able to do this without a budget. Especially since this is the first time using this new system, possibly allow them one more opportunity to get everything in.

Chair Doe: Wonder if this should be something that should be requested at this time prior to the Faculty Council meeting, so that we don't go too far down the road.

Norton: Wonder if there is an appeals process built into the Manual or somehow into their workflow. Feels like there should be.

Chair Doe: Not sure if there is an appeals process. Agreed that there should be one.

Norton: Think we should have one for all the things we do. There should be a process of appealing a decision.

Alan Bright: Asked: These centers that are being refused, did they know about this prior to when we found out about it last week when we talked about it, had they known for a while?

Chair Doe: That is a good question. As a center director, received a continuation of approval. Had initially missed one block in the digital tool and received a notification on that and had an opportunity to go back and fix it. Unsure if after it is all in and all queries are responded to, or failed to have been responded to, if any sort of notification is sent. Thanked Bright for the question.

Hufbauer: They may have been notified, but not all CIOSUs have been notified. Am currently on one and it has not been officially approved. Found out about it being approved last week.

Meyer: Commented in the chat in agreement of making the request to Salman before Faculty Council.

Hufbauer: Stated that the request should be made to Salman before Faculty Council. Want to make sure that everybody has been notified and that everyone involved with the centers have an opportunity to input their materials or appeal as Norton has mentioned.

Carole Makela: Feels that we should put off this report from being in the Faculty Council agenda for a month so those notifications and responses could be received and may result in a revised report.

Chair Doe: Asked: Are there any objections to this?

Makela: Made a motion that the Biennial Reviews of CIOSUs be removed from the February Faculty Council agenda and be placed on the March Faculty Council agenda.

Meyer: Second.

Chair Doe: Requested a vote in the chat.

Motion passed. The Biennial Reviews will be removed from the Faculty Council agenda for February 2nd and be placed on the March 2nd Faculty Council agenda.

Chair Doe: Will contact Salman regarding this change and the agenda will be updated accordingly by Amy Barkley. Thanked members for participating in the conversation. Was a matter of some concern.

2. No Board of Governors Report

G. Discussion Items

1. Section E Recommendations – Sybil Sharvelle

Sybil Sharvelle: This is around consistent format for voting for promotion and tenure cases across the departments at the University, that all the departments have eligible faculty voting for tenure and promotion cases. Gave the example of tenured faculty voting for tenure promotion and full professors voting for promotion from associate to full professor. Stated that the Department of Civil Engineering is the one remaining department that does not have that consistent policy. The vote is among a restricted committee instead of by all folks of higher rank. Clarified that the department is undergoing a process of developing code in which they are moving towards this process, but it is unknown if it will pass or not. Important point is that there should be a consistent policy across the University. Commented that research has shown that a more broad and diverse group of people voting in these cases result in more diverse and equitable outcomes. Explained where the language is in the Manual and the change suggested.

Vice Provost James: Firmly believe this change should be made, that everyone eligible should be voting. Diversity is a prerequisite for excellence. Made a pitch for having this policy be clearly stated University-wide. Commented that the departments with smaller committees are the ones that tend to have more issues with promotion and tenure cases.

Norton: Commented in the chat that this is a great idea. Had no idea that there were still elected committees voting on tenure decisions.

Pedros-Gascon: Commented in the chat that it should be a whole department decision, though it may be assisted by a smaller committee that prepares the case. Asked: Probably by departmental code?

Pedros-Gascon: Commented in the chat that department codes can indicate their first steps, this is more the last steps.

Chair Doe: Next step would be to take this to the Committee on Responsibilities and Standing of Academic Faculty since it is a Section E item. Requested that Sharvelle write up the suggested changes with a bit of rationale to send to the committee.

Sharvelle: Asked: Do we need to have specific language that would suggest a smaller committee is acceptable for providing the initial set of recommendations or writing letters?

Vice Provost James: The fewer the details the better. Don't know whether that detail needs to be in there or not, the key thing is all eligible people vote.

Sharvelle: There is nothing to preclude departments from having smaller committees that maybe do more of the detailed work by just removing the language. Will propose to remove that language and see where it goes.

Chair Doe: If there were a discussion on the floor of Faculty Council, that clarification could be made by the Committee on Responsibilities and Standing of Academic Faculty, or Sharvelle, or Vice Provost James. Could be that a department that is not familiar with these processes might want to see a model.

Jennifer Peel: Commented in the chat that it is important even for large departments to encourage faculty to be involved early on in the process. This could definitely be done through the Provost's Office and departments, not the Manual.

Hufbauer: Could be helpful to those working on department codes down the road that it would be okay to have a subcommittee that prepares the case. If we remove it altogether, then people may think the whole department needs to be involved in the process and that could be unwieldy.

Norton: Agreed with Vice Provost James. Suggested that there not be details in the Manual so that departments don't think that they can have a subcommittee bring forth a decision for approval to the faculty. Thinks it is important for the faculty to really engage with the materials and make that decision. By stating that there could be a subcommittee, feel we are moving away from this idea.

Vice Provost James: Commented in the chat that if the detail is not in the code, we can still have a policy out of the Provost's Office that indicates it is possible to have a subcommittee do some of the work as long as everyone votes.

Chair Doe: Might be a good reason to encourage people to review what the Provost Office's website says and then take it to the department code. Provost's Office might have to encourage code changes.

Vice Provost James: We are trying to get more policies on the website and also do more chair and head training where we can pass this on, so it doesn't all have to be in the Manual. Then we could have the advice and recommendations done separately.

Carole Makela: Agreed with Vice Provost James. There was a time that we made every effort to have policy in the Manual and procedures separate. Thinks this is an opportunity to go back again, at least to some extent, in separate policy and procedure.

Chair Doe: Will wait to hear from Sharvelle and will get this forwarded to the Committee on Responsibilities and Standing of Academic Faculty.

2. University Grievance Officer Evaluation – Linda Meyer

Chair Doe: Will move on to Meyer, who has kindly led the way and really generated a whole new system mechanism survey for evaluating the University Grievance Officer in recent years. Believe we refined it last year, first rolled it out maybe two years ago.

Meyer: Thanked predecessor who created the survey that was replicated last year. We ran into some problems last year because we did not identify who the person was that was filling the role of the University Grievance Officer, so as we sent the survey out to faculty and administrative professionals, it became apparent that some responses were evaluating the wrong person. Would suggest we make that change this year to make sure that people know who they are evaluating.

Barkley shared screens as members read through the survey.

Chair Doe: Asked: Anyone have some comments on this?

Meyer: In the last two years at least, we did differentiate and let people know we were interested in any kind of interaction with the University Grievance Officer, so people have five options for responding. Stated that many of the questions allowed survey-takers to leave comments.

Chair Doe: Requested we pause on question 23 of the survey. Asked: Were there comments offered on that one that suggested the people understood the question to mean any kind of contact with the University Grievance Officer as opposed to strictly grievance or mediation?

Meyer: Would have to look back on the comments on that one, but that's a good point.

Meyer: Will make suggested changes and email the group. Would like to have this finalized by the February 9th Executive Committee meeting.

Chair Doe: Stated that Meyer will be cycling off the Executive Committee and is interested in overlapping with someone willing to take this on. Asked Meyer how much time is required for this project.

Meyer: This particular survey, now that we have it refined, would just be a matter of changing dates and sending it out. Can always be evaluated every year.

Chair Doe: Thanked Meyer for bringing this to the group. Will look forward to hearing back about the changes, and then we will make a vote over email about approving this so we can get the University Grievance Officer's evaluation in a timely way.

H. Faculty Presentations

Chair Doe: Thanked members for all their work over the holidays on the public statement in support of student athletes. We put it on the website on January 14th. Had media contact with Miles Blumhardt from the Coloradoan. Unsure how it will be integrated into a story but will probably come out soon. Expressed hope that it would come out clearly. Was impressed with Blumhardt's questions, is interested in "solutions journalism". Felt their conversation was solutions oriented, expressed hope that would come through in the story.

Chair Doe: Was asked how people voted and declined to answer. Did some research with Barkley and couldn't find anything that indicated we are under obligation to reveal that. Expressed hope that positive steps will be made.

Yolanda Sarason: Expressed thanks in the chat for Chair Doe's time and energy over the holidays on this issue.

Makela: Expressed appreciation in the chat for taking that stance on how people voted. Feels it is incomplete information without the "why" of how people voted.

Sharvelle: Thanked Chair Doe in the chat for leading a thoughtful conversation with intent to address student concerns while also seeking to understand the complexity of the issue for the administration.

Pedros-Gascon: Asked: Will there be a statement from the President? Reminded members that a request to wait until January 3rd due to the PR team being away. Statement has been posted for twelve days and there has not been anything.

Chair Doe: Spoke with Vice President Pam Jackson about speaking with the Coloradoan, and it was suggested that the communications people be informed. They responded very positively, appreciated having time to prepare.

Chair Doe: Discussed the conversation with Blumhardt. Spoke about the importance of the advocacy centers, and then discussed a bit about the investigatory committee.

Executive Committee adjourned at 4:52 p.m.

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