

PLEASE NOTE: Members, in the Microsoft Teams environment, should indicate their wish to speak by expressing their desire to speak “for” or “against” a motion, or to request clarification, in the chat feature. Guests should contact the Faculty Council Office by email prior to the meeting to discuss any contributions they have.

PLEASE NOTE: Members planning to introduce amendments are requested to provide copies to the Faculty Council Office, 315 Administration or by email, at least 24 hours before this meeting.

**AGENDA
Faculty Council Meeting
November 7, 2023 – 4:00pm – Microsoft Teams**

FACULTY COUNCIL AGENDA ITEMS:

I. FACULTY COUNCIL AGENDA – November 7, 2023

A. ANNOUNCEMENTS

1. Next Faculty Council Meeting – December 5, 2023 – Microsoft Teams – 4:00pm
2. [The Conversation](#) Open Forum - November 9, 2023 – Lory Student Center 312 - 1:30pm (p. 135)
 - a. Faculty Council members interested in learning more about writing for [The Conversation](#) are invited to attend an in-person, one-hour session with two of its representatives. Chief Innovation and Development Officer Bruce Wilson and University Membership Manager Nancy Jensen will be on hand to discuss this outlet, which only runs faculty-written articles that are then republished by larger media outlets. More information: <https://vimeo.com/198123060>

B. MINUTES TO BE APPROVED

1. Faculty Council Meeting – October 3, 2023 (pp. 3-26)

C. UNFINISHED BUSINESS

D. CONSENT AGENDA

1. UCC Minutes – September 22, 29, October 6, & 13, & 20, 2023 (pp. 27-46)

E. ACTION ITEMS

1. Election – Graduate Representative to the Committee on Intercollegiate Athletics – Committee on Faculty Governance – Steve Reising, Chair (p.47)
2. Election – Faculty Representative to Committee on Non-Tenure Track Faculty– Committee on Faculty Governance – Steve Reising, Chair (p. 48)
3. Election – Faculty Representative to Committee on Strategic and Financial Planning– Committee on Faculty Governance – Steve Reising, Chair (p.48)
4. Academic Calendar Fall 2028-Summer 2030 (pp. 49-51)
5. Proposed Revisions to Section E.6 of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair (p. 52)
6. Proposed Revisions to Section K of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair (pp. 53-85)
7. Proposed Revisions to Section J of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair (pp. 86-124)

F. PRESIDENT’S REPORT – President Amy Parsons

G. PROVOST/EXECUTIVE VICE PRESIDENT REPORT – Interim Provost Janice Nerger

H. REPORTS TO BE RECEIVED

1. Faculty Council Chair Report – Melinda Smith
2. Board of Governors Report – Andrew Norton

I. DISCUSSION

1. Athletics Update – Director of Athletics Joe Parker (pp. 125-131)
2. Clark Revitalization – Tara Opsal, Jared Orsi, Mary Van Buren (pp. 132-134)

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

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

MINUTES
Faculty Council Meeting
October 3, 2023 – 4:00pm – Microsoft Teams

CALL TO ORDER

Chair Melinda Smith called the meeting to order at 4:02 p.m.

Chair Smith reminded members of etiquette in the Microsoft Teams environment and the rules of engagement for the meeting. Reminded members that Faculty Council meetings are public, and minutes are posted to the Faculty Council website.

FACULTY COUNCIL AGENDA ITEMS:

II. FACULTY COUNCIL AGENDA – October 3, 2023

J. ANNOUNCEMENTS

- a. Next Faculty Council Meeting – November 7, 2023 – Microsoft Teams – 4:00pm

Chair Smith: We will continue to meet over Microsoft Teams for this semester and will revisit format for the spring semester.

Chair Smith: Reminded members that the Fall Address will take place on the Oval tomorrow, October 4th, from 11:00am to 1:00pm, which includes the University picnic.

Chair Smith: The Board of Governors meeting will take place later this week, on October 5th and 6th in the Lory Student Center. The meeting will also be livestreamed. Encouraged members to attend if they are able.

- b. [Budget Open Forum](#) – October 18, 2023 – Lory Student Center 386/Zoom
- c. [Symposium for Inclusive Excellence](#) – October 23-27, 2023
- d. [Open Scholarship Workshops](#) through CSU Libraries -- [CSU Libraries Events - Colorado State University Libraries Calendars - Colorado State University Fort Collins \(libcal.com\)](#)
- e. [Volunteer Service Hours Program](#) -- [8 hours of admin leave per year now available to CSU employees for volunteer work \(colostate.edu\)](#)

Chair Smith: It was announced that the new Provost and Executive Vice President is Dr. Marion Underwood. Welcomed Dr. Underwood on behalf of Faculty Council. Asked if Dr. Underwood wanted to say a few words.

Dr. Marion Underwood: Thanked Chair Smith. Am thrilled to have been selected for this role. Thanked the search committee. Enjoyed meeting with some members of Faculty Council as part of the interview process and am looking forward to start working with everyone to help realize shared governance in its fullest form at Colorado State. Expressed hope to see more members tomorrow at the Fall Address.

Chair Smith: Thanked Dr. Underwood.

K. MINUTES TO BE APPROVED

- a. Faculty Council Meeting – September 5, 2023

Chair Smith: Asked if there were any corrections to be made to the Faculty Council minutes from September 5th as seen in the agenda packet.

Hearing none, minutes approved as submitted.

L. UNFINISHED BUSINESS

M. CONSENT AGENDA

- a. UCC Minutes – August 25, September 1, 8 & 15, 2023

Chair Smith: Asked if there were any questions regarding the University Curriculum Committee minutes.

Hearing none, consent agenda approved by unanimous consent.

N. ACTION ITEMS

- a. Election – Faculty Representative to Committee on Scholarship, Research and Graduate Education – Committee on Faculty Governance – Steve Reising, Chair

Steve Reising: On behalf of the Committee on Faculty Governance, move the election of Ryan Morrison as the College of Engineering representative to the Committee on Scholarship, Research and Graduate Education.

Chair Smith: Thanked Reising. Asked if there were any objections to this election.

Hearing none, election of Morrison to the Committee on Scholarship, Research and Graduate Education approved.

- b. Election – Undergraduate and Graduate Student Representatives to Faculty Council Standing Committees – Committee on Faculty Governance – Steve Reising, Chair

Reising: On behalf of the Committee on Faculty Governance, move the election of the undergraduate and graduate student representatives to Faculty Council standing committees.

Chair Smith: Asked if there were any objections to these nominees. Hearing none, requested a vote in the chat using Microsoft Forms.

Motion approved.

- c. Election – Undergraduate and Graduate Student Representatives to University Policy Review Committee – Committee on Faculty Governance – Steve Reising, Chair

Reising: On behalf of the Committee on Faculty Governance, move the undergraduate and graduate student representatives to the University Policy Review Committee as seen in the agenda packet.

Chair Smith: Thanked Reising. Requested a vote in the chat using Microsoft Forms.

Motion approved.

- d. Proposed Revisions to Section F.1 of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair

Jennifer Martin: Indicated that Richard Eykholt was present to respond to any questions. The proposed revisions to Section F.1 clarify an outdated policy related to leave or absence from campus. On behalf of the Committee on Responsibilities and Standing of Academic Faculty, move that Section F.1 be revised as shown in the agenda packet.

Chair Smith: Thanked Martin. Asked if Eykholt wished to speak to this further.

Richard Eykholt: This was something that Vice Provost Susan James. This is an out-of-date policy and refers to a Board policy that no one can find. It conflicts with the way we do things, so we are removing it.

Chair Smith: Asked if there were any questions regarding this motion. Hearing none, requested a vote in the chat using Microsoft Forms.

Motion approved. Will be sent to the Office of General Counsel for review.

- e. Proposed Revisions to Section E.10 of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair

Martin: On behalf of the Committee on Responsibilities and Standing of Academic Faculty, move to revise Section E.10 of the Academic Faculty and Administrative Professional Manual as seen in the agenda packet. Asked Eykholt to speak to the rationale.

Eykholt: The biggest change that is being proposed here is that we have consistently had problems with tenure and promotion committees being too small. If there are three (3) people and you get a two (2) to one (1) vote, it was not clear what this would mean. This has also been an issue with grievances. The Office of the Provost has recommended that we increase the size of these committees from three (3) to five (5). The other changes involve clarification on how reports are written and who writes reports. The other item is that it was never specified how tenure and promotion committees select their chair. The intention was for the committees to pick their chair, but we have had instances where an administrator has selected the chair, which is undue influence by the administration over the committee process.

Chair Smith: Asked if there were any questions regarding this motion.

Rob Mitchell: Asked what departments will do if they are too small and do not have enough full professors, for example, and there are promotion to full professor decisions to be made. Wondering what the best way is for departments to handle this. Think there are departments where this would apply.

Eykholt: That is regarding promotion, which is the next motion. Not aware of any department that have fewer than five (5) tenured faculty members.

Mitchell: Will wait for next motion to ask this question.

Chair Smith: Thanked Mitchell, we will address that question in the next motion. Asked if there were any additional questions. Hearing none, requested a vote in the chat using Microsoft Forms.

Motion approved. Will be sent to the Office of General Counsel for review.

f. Proposed Revisions to Section E.13 of the Academic Faculty and
Administrative Professional Manual – Committee on Responsibilities and
Standing of Academic Faculty – Jennifer Martin, Chair

Martin: On behalf of the Committee on Responsibilities and Standing of Academic Faculty, move that we modify Section E.13 of the Manual as found in the agenda packet. As previously mentioned, this change deals specifically with promotion and many of the same changes as the previous motion. There are updates to language and the size of the committee, the composition of the committee and the selection of the chair.

Eykholt: To address Mitchell's previous question, while these are similar changes as the previous motion, it does get trickier when talking about promotion to full professor, for example. There is a small number of departments on campus that do not have five (5) full professors. The process for handling this is not being changed. If the department does not meet the minimum, then we go outside the department into the college and look for people of appropriate rank. If the department

code does not specify otherwise, you will look for people of same rank, but the department code can specify a reduction of this group, such as limiting it to certain departments within the college or people with certain types of expertise.

Chair Smith: Thanked Eykholt. Asked if there were additional questions.

Doreene Hyatt: Directed members' attention to page 63 of the agenda packet, where the eligible faculty members for promotion of tenured or tenure-track faculty are listed as all the other tenured faculty members of higher level than the faculty member under consideration. Indicated that department has promotions for faculty not on the tenure-track and there are questions about non-tenured associate professors not being able to vote on tenured positions. Asked how this is handled elsewhere.

Eykholt: When voting on tenure or tenure-track, only tenured faculty get to vote, which was something insisted upon by the upper administration. When non-tenure track faculty are coming up, the Manual language states that both tenured and non-tenured faculty of the appropriate rank get to vote. Reminded members that department codes can restrict or reduce that and indicate that only tenured faculty get to vote on non-tenure track faculty, but the Manual does not make that restriction. The Manual allows tenured and non-tenured faculty to vote on the promotion of non-tenure track faculty, as long as department codes do not specify otherwise.

Bharadwaj Kannan: We had discussed some of these changes in the Committee on Responsibilities and Standing of Academic Faculty and discussed some of these changes with colleagues in the College of Business. One of the concerns is related to a statement that if a response needs to be sent by the chair, the response cannot state that only a minority of the committee members felt that the response was appropriate. Some faculty felt this could be misinterpreted. The chair does not necessarily need to say that it was a minority, but maybe the letter should say whether it is a minority viewpoint or a majority viewpoint.

Eykholt: Clarified that this statement does not refer to the report from the committee, which has to represent the minority and majority points of view. This refers to a response to an adverse recommendation, such as if the committee says yes and the department head or dean say no. Some members of the committee may feel a response is appropriate. This language indicates that if at least a third of the committee feels a response is appropriate, then a response will be written and the response can state that only a minority of the committee felt a response was appropriate. Indicated that this language could be changed to indicate that the response "shall" state that a minority of committee members felt a response was appropriate. Would find that amendment acceptable if it were to be made. Again, this is only referring to the response to an adverse recommendation. The original report makes the minority and majority points of view clear.

Kannan: Moved to make a proposed change to the wording to state that the response "shall" state that only a minority of the committee felt a response was appropriate.

Mitchell: Seconded motion.

Chair Smith: Asked if there was further discussion on the amendment. Hearing none, requested a vote on the amendment in the chat using Microsoft Forms.

Motion to amend statement in Section E.13.3 approved.

Chair Smith: Asked if there was any further discussion on the original motion, as amended. Hearing none, requested a vote on the amended main motion in the chat using Microsoft Forms.

Amended motion approved. Will be sent to the Office of General Counsel for review.

- g. Proposed Revisions to Section E.14.3.2 of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair

Martin: The Committee on Responsibilities and Standing of Academic Faculty move to modify Section E.14.3.2 of the Manual as seen in the agenda packet. This is a similar change, which is increasing the Phase II Comprehensive Review committee from three (3) to five (5).

Chair Smith: Asked if there were any questions about this motion. Hearing none, requested a vote in the chat using Microsoft Forms.

Motion approved. Will be sent to the Office of General Counsel for review.

- h. Proposed Revisions to Section E.15 of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair

Martin: The Committee on Responsibilities and Standing of Academic Faculty move to amend Section E.15 of the Manual as seen in the agenda packet. Asked Eykholt to speak to this since it is related to role as University Grievance Officer.

Eykholt: This section has to do with disciplining tenured faculty, which fortunately does not happen very often. We have not had a disciplinary hearing for a long time. However, we got close to having one this past summer and through the process noticed some problems with wording, so we clarified several things with these changes. The main change has to do with language that indicates that the faculty member being disciplined shall be present at the hearing. The intention was that the faculty member being disciplined is allowed to be present at the hearing, but this can be interpreted in two (2) ways. It can be interpreted as the faculty member not showing up means the hearing cannot proceed, or it can be interpreted that the faculty member is required to be there and if they do not show up, that would be another ground for discipline, which does not make sense. The wording has changed to make it clear that the faculty member has the right to be present but is not required to be there. There are a few other changes to clarify language. Reminded members that as the University Grievance Officer, he does not make decisions, but simply manages the disciplinary hearings.

Craig Partridge: Have a comment that is probably larger than this amendment. It was mentioned that a grievance is likely to come up during the summer, and this section is full of statements involving timelines of when things need to happen, often involving faculty members who are not required to be on campus or working in the summer. Wondered if we should continue in that process, because if a grievance occurs during the summer, some faculty members cannot be asked to come in and do something, as this might create an outlet for more grievances.

Eykholt: Noted that none of those things are being changed with this motion.

Partridge: There were some working days requirements added to this document, so this is relevant.

Eykholt: What has been described is a common misconception that faculty are not employed over the summer, and that is not correct. Faculty are employed year-round and that is why you still get benefits over the summer. As an employee, you are obligated to perform required duties over the summer. Most people choose to get paid over the nine (9) months, or there is a choice of getting paid over twelve (12) months. Most people choose to get paid over nine (9) months so that they can pay themselves out of grants over the summer and get extra pay, but it is not true that you are not employed during this time. Faculty can be assigned committee or teaching work; it is just rare. What is being described here is not being changed.

Partridge: As chair, would have had faculty revolt if they had been told they were being pulled for additional hours over the summer.

Eykholt: You can do that. Supplemental pay can be given to people.

Chair Smith: Asked if there were additional questions. There was a question in the chat about what it means to be a nine (9) month employee.

Eykholt: Faculty are not really nine (9) month employees, it is simply a nine (9) month appointment, which indicates you have a nine (9) month appointment for teaching students. If faculty really had only nine (9) month employment, they would not receive benefits over the summer. This is something we can discuss at length, but it has nothing to do with any of the changes being suggested to Section E.15. This is a policy over employment of faculty members.

Chair Smith: Expressed agreement that this discussion is not necessarily germane to the changes being suggested.

Vice Provost Susan James: What Eykholt is saying is legally true and we are all glad we get benefits over the summer. However, what Partridge is stating is reasonable. Most chairs do not ask nine (9) month faculty to do significant amounts of service or teaching without more compensation in the summer. What Section E.15 is saying here is that you need to pay attention to your job, because if there is disciplinary action going on during the summer, you have to respond during the summer.

Antonio Pedros-Gascon: Think it could also be considered as that we are being employed for twelve (12) months and have benefits for twelve (12) months as part of an agreement for working nine (9) months. If we are working for twelve (12) months, would like to get paid for twelve (12) months. It would make sense and consider these as benefits as accrued during the regular academic work.

Chair Smith: These are all great questions, but are not germane to the motion at hand, so we need to proceed. If this is something we would like to discuss at a future Faculty Council meeting, we can do that. Asked if there were any questions specifically pertaining to the motion at hand.

John Slater: Asked if it was possible to table this motion, given the uncertainty regarding these changes.

Chair Smith: A motion could be made to table this motion, and we need to have votes in favor of the motion.

Slater: Moved to postpone this item until the November Faculty Council meeting.

Pedros-Gascon: Seconded motion.

Eykholt: Requested to comment. If you are moving to table these changes because of the discussion about nine (9) month and twelve (12) month appointments, that really has nothing to do with the changes that are being made here. This question has come up year after year and is something we can discuss separately. If these changes are not made, it leaves ambiguity about what the language means that is being changed. The nine (9) and twelve (12) month appointments and being employed during the summer will not be affected, so tabling this motion will not have an effect on this.

Partridge: Expressed disagreement. The issue is that there are deadlines that require actions by people who are tenured faculty members, and the deadlines are tight. The question is if an issue comes up during the summer, am concerned that by approving these changes and adding these additional deadlines in, we will not be able to staff the action in the timeframe specified.

Eykholt: Asked Partridge to indicate where additional deadlines are being added instead of just language being changed.

Partridge: There is a requirement for a five (5) working day response following notification in Section E.15.4.4.b.

Martin: To clarify, the five (5) working days were already present in that section.

Partridge: Indicated that there is an additional deadline of five (5) working days. The point is that we are voting on language that states timeframes.

Eykholt: If you table, those deadlines will still be there.

Partridge: There is also a note of ten (10) working days of receiving a recommendation from the President.

Eykholt: Those are deadlines for the President and the Provost.

Partridge: The point is that there are deadlines being added.

Chair Smith: Stated that we are only voting on the changes being made. In consultation with our Parliamentarian, the motion to table is outside the scope of the original motion regarding the language being proposed and is out of order. We will go back to the original motion, which is to approve these revisions to Section E.15. Given the amount of discussion around the nine (9) month and twelve (12) month issue and the ambiguity there, we will address this at our November meeting. We will attempt to get clarity around that and whether it might impact future revisions.

Chair Smith: Hearing no further discussion, requested a vote in the chat using Microsoft Forms.

Motion approved. Will be sent to the Office of General Counsel for review.

- i. Proposed Revisions to Section K of the Academic Faculty and Administrative Professional Manual – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin, Chair

Martin: The Committee on Responsibilities and Standing of Academic Faculty move to modify Section K as seen in the agenda packet. This is specifically related to the grievance process. Asked Eykholt to speak to this motion.

Eykholt: The main item being proposed here is the elimination of the mediation process in Section K. Emphasized that we are not removing the mediation process, just one (1) avenue for mediation. This language predates the creation of the Ombuds, and when there was no avenue for mediation, the University Grievance Officer would attempt to resolve things informally. This was called “conciliation.” If the University Grievance Officer was not able to reach an informal resolution, the University hired a mediator at \$100 an hour to try to mediate the conflict. These mediators were typically previous University Grievance Officers, so they were not necessarily more qualified than the current University Grievance Officer. Having been in this role for eight (8) years, have never had a case that was unable to be mediated, and looked at what happened with previous University Grievance Officers going back twenty-three (23) years. In this time, there has never been a case where the University Grievance Officer was unable to reach an informal resolution. The hired mediator was just a process that did not work. The Manual requires we hire this mediator. This has two (2) effects, which includes delaying the grievant and it has cost the University thousands of dollars to pay these mediators without success. It makes a lot more sense for the University Grievance Officer and the Ombuds to reach a resolution which can now be called mediation, and we can remove the mediation process that is stated in Section K, which will allow the grievant to move on to a hearing and get a resolution. There are also a few other clarifications in the suggested revised language.

Pedros-Gascon: Expressed concern that we cannot be guaranteed that the next University Grievance Officer may not be like Eykholt. Expressed concern about reducing protections of faculty that later may be needed by someone who cannot reach a resolution. Asked why we do not receive an annual report from the Ombuds like we do from Eykholt. Indicated the same has been requested from the Office of Equal Opportunity, which is not happening.

Martin: Clarified that mediation is still available to faculty through the Ombuds.

Sharon Anderson: Expressed concern about visibility. If this is not stated in the Manual, regarding the mediation processes, wondering if people will understand this is something they can still pursue.

Eykholt: There is still a statement in the Manual in the second paragraph of Section K that there are additional offices on campus that are available to assist with the resolution of conflicts. It provides a website and refers to the office of the Ombuds. The Manual is very clear that there are many sources for resolving conflicts.

Sybil Sharvelle: Requested more information on the role of the Ombuds and their activities so we can understand.

Eykholt: The Ombuds, unlike the University Grievance Officer, is confidential. They can advise you and mediate meetings and attempt to resolve conflicts. They have a lot more flexibility and formal training as mediators.

Martin: As previously mentioned, the current mediators are typically former University Grievance Officers who are not always trained on mediations.

Eykholt: Confirmed. None of the mediators we have hired over the past twenty-three (23) years have been trained mediators.

Vice Provost James: Would add that we are expanding Ombuds services now, because the need for their services has increased. These are highly trained individuals and are the national standard for Ombuds. They are confidential and report to the President, because they report to the highest authority at the University.

Alexandra Bernasek: Expressed concern. Eykholt is transparent, but the Ombuds are not transparent. We are not aware of what the success rate is with these alternatives. Expressed reluctance to take out anything in terms of opportunities for faculty to resolve conflicts. Would like to see more transparency from the other places where these conflicts are being addressed.

Martin: What we are hearing is a request for more transparency or reporting from the Ombuds to Faculty Council. However, Vice Provost James indicated that the Ombuds report to the President and their reporting structure is different from what we receive from Eykholt. Not sure what is being requested is allowable.

Eykholt: Confirmed. The Ombuds report to the President and do not report to Faculty Council the way the University Grievance Officer reports to Faculty Council.

Vice Provost James: This does not mean we cannot invite them to a Faculty Council meeting to discuss what they do.

Eykholt: Stated that the grievants themselves do not want this mediation process and do not like it. It adds another series of meetings and interviews, which delays their process getting resolved.

Pedros-Gascon: Stated that in May 2020 we had a report from the Ombuds and there were complaints about that report for not being very informative. Also stated that in April 2020 the Ombuds indicated the willingness to provide “this type of information at the end of each fiscal year” in an email to FC Chair. That has not happened. Also stated that when OEO was created, the expectation was to have that unit provide an annual report to FC, and that is not happening either. So we are talking about offices that seem to be little interested in engaging with Faculty Council and just report directly to the President. That does not build trust in the system.

Joseph DiVerdi: Moved to close the discussion.

Reising: Seconded DiVerdi’s motion.

Chair Smith: We have a motion to close the discussion. Requested a vote in the chat using Microsoft Forms. Indicated we would need a two-thirds vote.

Motion failed.

Chair Smith: Asked if there was any further discussion. Hearing none, requested a vote on the main motion regarding the revisions to Section K in the chat using Microsoft Forms.

Motion failed.

Chair Smith: These proposed revisions to Section K will be sent back to the Committee on Responsibilities and Standing of Academic Faculty. Thanked everyone for the discussion. Thanked Martin and Eykholt for all their work.

O. PROVOST/EXECUTIVE VICE PRESIDENT REPORT – Vice Provost for Faculty Affairs Susan James

Vice Provost James: Provided a snapshot of our research expenditures. Recognize that expenditures are only one (1) measure of research, as we heard from our Vice President for Research candidates that are on campus interviewing last week, this week, and next week. It is still notable to look at the change in a ten-year period, a 62% increase.

Vice Provost James: The Provost’s Ethics Colloquium will take place on November 8th from 4:00pm to 6:00pm. This will be on artificial intelligence. We will have a keynote speaker and a panel discussion. Encouraged members to engage.

Vice Provost James: President Amy Parsons and the administration have been committed to improving compensation for all employees on campus, and they recently announced some improvements for administrative professional employees. This is part of a multi-year effort to address compensation, market competitiveness, as well as looking at internal equity and compression. Exempt administrative professional employees who are under \$50,000 are being brought up to \$50,000 and those above between \$50,000 and \$55,000 will get a small bump to avoid compression. There is also some minor smoothing that is being done. Non-exempt employees are also being raised as well. Thanked Vice President Brendan Hanlon and Vice President Eric Ray, who have been going around campus discussing this with all the deans and unit leaders.

Vice Provost James: The Faculty Success team presented to the Provost Leadership Council last week, which is the deans, the vice presidents and the vice provosts. Directed members' attention to items that the team is working on. We know that faculty drive the research and education, which is central to everything we do at CSU and there is plenty of evidence that shows that diverse faculty leads to student success, particularly for students with minoritized identities and are underrepresented. Improving faculty success and diversity helps everything we do here.

Vice Provost James: Presented a snapshot of retention. We can see that minoritized women have a much lower seven-year retention rate than other groups. There is also discussion about how expensive it is to lose faculty, especially given because we are in the middle of budget discussions. Obviously there are more important things than the cost of losing a faculty member. It does cultural damage, and it hurts student success. We do just want to point out that retaining faculty has a true return on investment. Research shows that a sense of belonging and mentoring make a huge difference in retaining faculty, so the Faculty Success team is working on improving mentoring across the University. We are rolling out some programs now and borrowing best practices from places that are successful at mentoring so we can address bias and improve culture and structures.

Vice Provost James: Provided an update on the Interfolio process. Indicated that this information is on the Faculty Success website and on the Provost's website. There are two (2) pieces to Interfolio, which is the new IT system that we are adopting for our promotion and tenure process. Indicated that the College of Agricultural Sciences and the College of Health and Human Sciences have been piloting for us. There will be more information coming on this.

Vice Provost James: In November, interim Provost Janice Nerger will come to Faculty Council to provide updates on enrollment, debt, and student success. Thanked Provost Nerger for all she has done in the interim role as Provost.

[Provost presentation slides.](#)

- a. CSU Spur Update – Jim Bradeen, Associate Vice President for Spur Strategy

Jim Bradeen: Want to provide an update on Spur and where we are at, as well as take time to hear how we can better support our faculty colleagues.

Bradeen: CSU Spur integrates education, public outreach, and research scholarship, as well as providing lifelong experiential learning. We are also expanding educational access and launching careers that grapple with the big challenges of our time. It sounds similar to the land-grant mission of our Fort Collins campus. Spur is part of the National Western Center, where we came in as part of the CSU System as an educational anchor. CSU Spur is comprised of three (3) buildings. These buildings are Terra, which is focused on food and agriculture; Vida, which is focused on both animal and human health; and Hydro, which is focused on water and sustainability.

Bradeen: At the start of fiscal year 2024, CSU Spur had fifty-five (55) different projects coming from each of the colleges and come from the Office of Engagement and Extension. These projects represent a broad portfolio of activity that align with the land-grant mission. Most of these projects encompass education and this education spans the life of Pre-K to gray, and we see CSU Spur as a lifelong educational partner. We have things like Pre-K programming, field trips for K-12 children, and other visitor experiences across the fifty-five (55) projects. Others fit in the solution-focused category, which is education that focuses on solving a problem and improve someone's day-to-day life. We also have a career access bucket, and this focuses on the grade six (6) to twelve (12) space for career discovery and college preparation, as well as other non-traditional educational opportunities. Stated that there are also undergraduate and graduate experiences happening at CSU Spur, including a series of professional development opportunities for CSU undergraduate and graduate students. As we have grown these projects, one of the priority areas is to think differently about how we approach education and keeping CSU as a lifelong educational partner. The final educational bucket is lifelong learning, which includes a whole series geared to an older audience. The Osher Lifelong Learning Institute (OLLI) that has operated out of Fort Collins has expanded their offerings to include classes that will be offered at Spur.

Bradeen: One area that has not been fully realized yet, but offers a tremendous opportunity, is educational tourism. This would have CSU partner with tourists to take them across the state to provide a series of educational impacts and extend the impact of Spur beyond the Denver metro area.

Bradeen: This model of education grew out of conversations with faculty about what they were already doing. We have some unique research spaces, and we have spaces that are integrated into the educational mission. We have been taking advantage of the location and that we are embedded in a neighborhood that is underserved. We are seeing our colleagues, across all these projects, engage with industry and leveraging industry relationships.

Bradeen: As for challenges and opportunities, the Board of Governors has been generous in financially supporting many of these projects. These projects are supported through seed funding, so the idea is that over a period of the next five (5) years, projects will develop their own funding models, and we are already seeing fewer resources from the CSU System being put into these projects as a result. We are also actively shifting to a model of supporting projects in

growing funding streams. There are five (5) basic areas at play here. The first is growing student credit hours, another is user fees, as well as research grants, philanthropic giving, and industry relations.

Bradeen: We have also had more of our colleagues engaged at Spur, and it has been clear that we need to do a better job of providing robust training for projects and project teams. We are working across the University with experts to identify and deliver some of those opportunities. There is also a need for better alignment with what is happening at Spur and what is traditionally done in Fort Collins. Finally, public transportation and on-site housing are significant challenges at this moment. Would like to hear ideas about how we can do a better job of supporting our colleagues and communicating that CSU Spur can potentially be an asset to their work and help them conceive and launch projects.

Chair Smith: Thanked Bradeen for the presentation. Given the time constraints, requested that members contact Vice Provost James and Bradeen directly with any questions or comments.

P. REPORTS TO BE RECEIVED

3. Faculty Council Standing Committee 2022-2023 Annual Reports
 - a. Faculty Council Report to the Board of Governors

Pedros-Gascon: Requested a correction to this report.

Chair Smith: We can only ask questions about these reports, not request corrections.

Pedros-Gascon: Understood, but feel in the future, we should indicate that we are responsible for evaluating the President since that was not something that was indicated. This is a clear investment that we have in the process.

- b. Committee on Faculty Governance
- c. Committee on Information Technology
- d. Committee on Intercollegiate Athletics
- e. Committee on Libraries
- f. Committee on Non-Tenure Track Faculty
- g. Committee on Responsibilities and Standing of Academic Faculty
- h. Committee on Scholarship, Research and Graduate Education
- i. Committee on Scholastic Standards
- j. Committee on Strategic and Financial Planning
- k. Committee on Teaching and Learning

Pedros-Gascon: Expressed disappointment in one of the statements in the Committee on Teaching and Learning report of language as part of a possible discussion for diversity. Think it is inappropriate and creates a misunderstanding when it comes to the function of language in a multicultural and multilingual state like Colorado. It is hard to read these comments and seeing colleagues advance those kinds of misunderstandings.

- l. Committee on University Programs
- m. University Curriculum Committee

Reports received.

- 4. TILT Annual Report 2022-2023

Report received.

- 5. Budget Model Goals and Values Report – Committee on Strategic and Financial Planning – Gamze Cavdar, Chair

Chair Smith: Directed members' attention to the Budget Model Goals and Values report from the Committee on Strategic and Financial Planning.

Mary Van Buren: Value #3 in this report states that the principle of shared governance dictates that faculty are the primary stakeholder and decision-maker regarding the curriculum and elimination of programs, and these cannot be made solely based on budget concerns. Wondering what the motivation was behind this statement and if the committee expects the elimination of some programs.

Gamze Cavdar: We do not expect the elimination of any programs. There is experience there that we can learn from other universities and do what we can to avoid those kinds of terrible situations. The best analogy for the reasoning behind this statement is putting on your seatbelt even if you do not anticipate getting in a car accident.

Van Buren: Executive Vice President Rick Miranda announced another committee recently for the budget planning and this new budget model. Would like to know how the values listed here will be incorporated into that committee going forward.

Chair Smith: This might be a better question for Executive Vice President Miranda, who will be presenting later in the agenda.

Pedros-Gascon: Would like to understand the background and process behind this report.

Cavdar: The Committee on Strategic and Financial Planning provides recommendations regarding financial and strategic issues. In the spring, we were visited by President Parsons, who invited us to contribute to the process of developing a budget model. For that purpose, a subcommittee was created for over the summer, and we worked on the report seen here. We read Andrew Comrie's book, which recommended that the budget model start with values. This allows people to get together over common denominators.

Chair Smith: Thanked Cavdar. Asked if there were additional questions.

Ashok Prasad: Asked if the point of this document was to be adopted by the University or placed in front of the administration.

Cavdar: Our role is to provide feedback. Because the process has just started, we are not sure how it will unfold. Executive Vice President Miranda might be in a better position to respond to this question.

Chair Smith: Hearing no further questions, report received.

6. Faculty Council Chair Report – Melinda Smith

Ceded report time due to time constraints.

7. Board of Governors Report – Andrew Norton

Ceded report time due to time constraints.

Q. DISCUSSION

Chair Smith: Asked if there was any objection to extending the meeting to accommodate the discussion items. Expressed hope that we can finish by 6:30pm.

Hearing no objections, proceeded with discussion items.

a. ASCSU Syllabus Bank – ASCSU Director of Academic Affairs Theo Reese

Theo Reese: Serving as the Director of Academic Affairs for the Associated Students of CSU. Have been working with President Nick DeSalvo and Vice President Alex Silverhart to implement a University-wide syllabus bank.

Reese: The three (3) purposes for doing this include enabling students to have more detail around the course they want to register for, having students who are better prepared for their courses, and having students who are more informed about the course, while allowing faculty as much academic freedom as possible.

Reese: With more detail, students will have a better idea of what the course will entail and be more prepared. This enables the professor to hit the ground running and not have to take multiple classes to go over the foundations. This will allow professors to cover more material or more challenging or interesting material. Another benefit would be having the complete knowledge of the course load and students can better plan what they are doing each semester and allow them to better balance their course load. This autonomy does come with the responsibility to plan, and we hope this will cut down on the need for extensions.

Reese: There are also distinctions between lower-level courses and upper-level courses. The fundamentals tend not to change, such as mathematical formulas. With lower-level course, we tend to see more consistency, but this does not necessarily mean they need to be set in stone. There can still be variations from semester to semester and year to year. With the upper-level

courses, we see more leeway because there is more complexity. With these courses, the syllabi might just indicate what broad topics would be covered and any additional topics that might come up that vary from semester to semester.

Reese: Encouraged faculty to reach out with any thoughts or questions. Directed members' attention to the QR code as seen in the agenda packet for the survey and contact information.

Reese: Indicated that there were questions previously that we have addressed. Universities such as Duke and Stanford have syllabus banks, so this is not necessarily a new idea. We understand this would be new at CSU, so we are treating this as pilot program. We can adjust and continuing to work with ASCSU to make improvements.

Reese: Each professor for a class such as Math 114, for example, would upload their syllabi for the past two (2) or three (3) semesters so students registering for the course can see what it entails and any variation. We do understand that multiple professors teach the same course, so there would be different syllabi and teaching styles. This would be per professor per course.

Reese: One of the major discussions has been around concerns with intellectual property. We want to make sure that all faculty members and professors feel safe and secure, knowing that their materials will not be disseminated widely without their knowing or consent. We are looking to have it behind a CSU wall so only those affiliated with CSU can access the materials and have disclaimers prohibiting distribution beyond CSU. There will also be statements indicating that these will not be verbatim copies of what will unfold in the classes but can provide an overview and a general idea of the class without the specifics.

Chair Smith: Asked if the best way to provide feedback is through the QR code.

Reese: Yes. This allows us to keep a record of any concerns and comments so that we can reach out to individuals for more clarification or discussion. We want to work with everyone on how we want this implemented.

Chair Smith: Asked if there were any immediate questions. Hearing none, thanked Reese. Looking forward to seeing how this develops.

b. New Budget Model Updates – Executive Vice President Rick Miranda

Executive Vice President Rick Miranda: Have given several presentations to a number of groups as we are launching this conversation around whether we should employ a new budget model. Introduced Rob Mitchell and Jennifer Martin, who are serving as Presidential Fellows to help with this process. Asked Mitchell to start the presentation.

Rob Mitchell: In this process, CSU has had a lot of success, and we are in a great position. Part of the rationale for revisiting and exploring a new budget model is to ensure we are enabling a successful future. We realize the landscape of education is changing and we want to avoid missteps that other universities have made. Part of this includes looking at our incremental budget model. The incremental model limits flexibility and adaptability, and some universities

have moved to a Responsibility-Centered Model (RCM). Part of what this budget model is intended to do is to enable us to continue our great research, teaching, and engagement across Colorado and fulfill our land-grant mission.

Executive Vice President Miranda: Will start with some of our guiding values. The budget model should support our mission and send resources to mission areas that have need of resources. The second value is around transparency, clarity, simplicity, consistency, and accountability, all of which are listed in the Committee on Strategic and Financial Planning values document. These are shared governance principles, but all of these values are here to ensure there is trust in the decisions and fiscal decisions that are made. The goal of having trust in the decisions that are being made is paramount. We also want any budget model to empower innovation and give responsibility to the local level as is sensible. We know that innovation in curricular matters happens in the departments and in the colleges, and we want to be driving resources toward those innovations and those activities locally. We also put in some guardrails to make sure that the University perspective and our entire University ecosystem is considered. We also want to encourage collaboration, as well as fiscal responsibility, efficiency, productivity, performance, and quality, not just quantity. Finally, any budget model should not be so formulaic that it takes all decisions out of the hands of the leadership of the institution. There should be some capacity for strategic investments to be made.

Executive Vice President Miranda: Will address questions regarding the Committee on Strategic and Financial Planning document. What we have presented here are values, and any values statement needs to be adopted by the President. This statement will be drawn from a variety of resources, including the document from the Committee on Strategic and Financial Planning.

Executive Vice President Miranda: Asked Martin to speak to timeline of what will happen over the next few months.

Martin: We want to be thoughtful regarding this approach, as well as being timely for some key deadlines that we have for the budget of the University. For the past few months, we have engaged as a campus, as well as with the Committee on Strategic and Financial Planning and other committees and experts, to learn a bit about the landscape of budget models and what exists in the higher education landscape. We also discussed experiences that others have faced in the transition from an incremental budget to a hybrid RCM model or something similar.

Martin: We are transitioning into the planning and diagnostic phases, which will carry us through fall and into the spring semester where we have the design phase, and we can see the pieces of a potential new model come to light and see how they might operate within our University structure. We are getting feedback from campus in that process and some iterations that we may see lead us to finalization of this in spring or summer and into next year of what we would propose as a new budget model. The following year, we would move into a phase where we would test that model as a shadow model while operating with our existing incremental budget. There will be a lot of opportunities for engagement from the campus community throughout this process.

Executive Vice President Miranda: Will discuss the governance process that we are putting into place. We are proposing three (3) committees to oversee this development of a new budget

model. The first committee will be the Executive Sponsor Committee. These will be executive leaders of the institution and they will set the direction and make the final decisions. The President has approved the composition of this committee to include the President, the Chief Financial Officer of the institution, the Provost and Executive Vice President, and the chair of Faculty Council.

Executive Vice President Miranda: The other two (2) committees will be the technical committee, which includes the budget and fiscal officers, as well as accountants and other non-technical individuals who appreciate the academic challenges with the budget. Anything that comes from the technical committee will be vetted by the steering committee, which will be comprised of the deans, faculty representation, and department chairs. Vice President Hanlon will be asked to convene the steering committee, and Angela Nielsen will be asked to convene the technical committee. This is a similar construct to what has been employed at other universities, particularly at CU Boulder.

Executive Vice President Miranda: Described the incremental budget model structure. We ask ourselves what the change in revenue we will most likely experience the next year will be. Then it becomes how we distribute the incremental revenue. We do a few things off the top, such as pay mandatory costs such as utility bills or bond payments. We might put some money in a strategic fund for the President's discretion. Then we decide how much of the incremental revenue should be sent to academic units and administrative units based on discussions with deans and vice presidents regarding their needs.

Executive Vice President Miranda: With the different model, the overall structure is not much different, but it might change how people think about distributing more of the revenue rather than just the incremental revenue. Questions to be asked include whether the tuition should be included or state appropriations, so we will have those discussions. We will still need to have central funding for the administrative units, but the academic units will have the opportunity to try stimulating formulas that would send resources to academic units based on a variety of metrics. The primary stimulating formula metric is enrollment for the academic units. We will need to ask whether we want to encourage retention, or graduation rates, or time to degree metrics. The colleges will also be supplemented with additional funding that acknowledges that some colleges are more expensive to run than other colleges and it is not sensible to expect a single formula to apply to satisfy the needs of all the colleges.

Executive Vice President Miranda: The charge this year is to roll up our sleeves and ask ourselves these questions and what the nature of these exercises should be. This new model will not create more revenue automatically. We hope that changing the model and employing sensible, stimulating formulas will stimulate growth, which will provide the additional revenue.

Executive Vice President Miranda: For next steps, we are hoping to have the Executive Sponsor Committee together in the next few weeks and we will fill out the other two (2) committees next week. We will be making some sort of formal announcement of the project this year and put in place a series of listening sessions that will go through October and into November. We also want to try to get feedback on what people think about the metrics to be used, the values we have

in play here, and how much tuition revenue should be put in service of the formula. There will be multiple opportunities for engagement and discussion.

Chair Smith: Thanked Executive Vice President Miranda. Asked if there were any questions.

Van Buren: Wondering what the role of the Committee on Strategic and Financial Planning will be in this and how faculty will be selected for the steering committee.

Executive Vice President Miranda: We will have membership from the Committee on Strategic and Financial Planning on the steering committee or technical committee, or both. We have not yet figured out membership for those committees yet. We want to have discussions about how we should select other members of those committees and have the opportunity for nominations. We need to have some diversity and representation on these committees.

Slater: Asked if there is anything we should be doing now. Some people on campus are anticipating these changes, but based on the timeline, it looks like we should not be taking any specific action yet. Wondering what we should be doing now and how we can make sure that we have a place at the table in these early stages of definition the operational values.

Executive Vice President Miranda: That is the purpose of having a robust conversation with the campus community over the next month or so. We want to have these kinds of conversations, so we have what we need as we emerge from that process and start designing the model and formulas. The committees will also be informed by those conversations. There is not much to do at the moment but would encourage people participate in the conversations we are setting up.

Mitchell: This is the reason we wanted to have all the deans and budget officers represented. We felt strongly that every voice from every college should be represented.

Chair Smith: Asked if additional questions or comments could be submitted directly.

Martin: Emails are great. Next week, we will announce the slate of opportunities to provide feedback, both through in-person sessions and online feedback. Our emails are open as well. There will be upwards of twenty (20) opportunities over the next six (6) weeks for people to ask questions and have conversation around these topics.

Chair Smith: Thanked Martin, Mitchell, and Executive Vice President Miranda. Expressed appreciation for the presentation and information. Encouraged members to participate in the opportunities to provide feedback.

Chair Smith: Hearing no further business, called the meeting adjourned.

Meeting was adjourned at 6:33 p.m.

Melinda Smith, Chair
Joseph DiVerdi, Vice Chair
Andrew Norton, BOG Representative
Amy Barkley, Executive Assistant

ATTENDANCE
BOLD INDICATES PRESENT AT MEETING
UNDERLINE INDICATES ABSENT AT MEETING
2023-2024

Chair: Melinda Smith

Vice-Chair: Joseph DiVerdi

Executive Assistant: Amy Barkley

BOG Representative: Andrew Norton

Professional Registered Parliamentarian: Lola Fehr

ELECTED MEMBERS	REPRESENTING	TERM
Agricultural Sciences		
Stephen Kroll	Agricultural and Resource Economics	2025
Jennifer Martin	Animal Sciences	2024
Jane Stewart	Agricultural Biology	2024
Kelly Curl	Horticulture & Landscape Architecture	2025
<u>Esten Mason</u>	Soil and Crop Sciences	2026
Bradley Goetz	College-at-Large	2026
Andrew Norton	College-at-Large	2026
Health and Human Sciences		
Ruoh-Nan (Terry) Yan	Design and Merchandising	2024
<u>Jennifer Richards</u>	Health and Exercise Science	2025
Susan Baker	Food Science and Human Nutrition	2026
<u>Blake Naughton</u>	Human Development and Family Studies	2026
<u>Erin Arneson</u>	Construction Management	2024
<u>Jen Weaver</u>	Occupational Therapy	2026
(substituting for Aaron Eakman, Fall 2023)		
Sharon Anderson	School of Education	2024
Elizabeth Kiehne	School of Social Work	2025
Mohammed Mehany	College-at-Large	2024
(substituting for Brian Butki, Fall 2023)		
Business		
Nate Nguyen	Accounting	2026
John Hoxmeier	Computer Information Systems	2024
Bharadwaj Kannan	Finance and Real Estate	2025
Rob Mitchell	Management	2024
Jonathan Zhang	Marketing	2026
Engineering		
Peter Jan van Leeuwen	Atmospheric Science	2024
Ashok Prasad	Chemical and Biological Engineering	2025
<u>Hussam Mahmoud</u>	Civil and Environmental Engineering	2024

Steven Reising	Electrical and Computer Engineering	2025
Soheil Fatehiboroujeni	Mechanical Engineering	2026
<u>Thomas Bradley</u>	Systems Engineering	2026
Sybil Sharvelle	College-at-Large	2026
Pinar Omur-Ozbek	College-at-Large	2026
Liberal Arts		
Mary Van Buren	Anthropology & Geography	2026
Marius Lehene	Art & Art History	2025
(substituting for Mary-Ann Kokoska, Fall 2023)		
Mark Saunders	Communication Studies	2025
Ramaa Vasudevan	Economics	2024
(substituting for Anders Fremstad, on sabbatical 2023-2024)		
<u>Genesea Carter</u>	English	2026
<u>Maricela DeMirjyn</u>	Ethnic Studies	2025
John Slater	Languages, Literatures, and Cultures	2025
Tracy Brady	History	2026
Marilee Long	Journalism and Media Communication	2025
TBD	Music, Theatre, and Dance	2025
(substituting for Madeline Harvey, Fall 2023)		
TBD	Philosophy	2025
<u>Marni Berg</u>	Political Science	2024
Laura Reynolds	Sociology	2025
Alexandra Bernasek	College-at-Large	2026
Antonio Pedros-Gascon	College-at-Large	2025
Emily Morgan	College-at-Large	2026
<u>Lisa Langstraat</u>	College-at-Large	2024
Allison Goar	College-at-Large	2024
Abigail Shupe	College-at-Large	2024
Sanam Emami	College-at-Large	2026
Fabiola Ehlers-Zavala	College-at-Large	2026
Mohammed Hirchi	College-at-Large	2026
Natural Resources		
Randall Boone	Ecosystem Science and Sustainability	2026
<u>Camille Stevens-Rumann</u>	Forest and Rangeland Stewardship	2024
(substituting for Chad Hoffman, Fall 2023)		
<u>Joel Berger</u>	Fish, Wildlife, & Conservation Biology	2024
(substituting for Yoichiro Kanno, on sabbatical 2023-2024)		
William Sanford	Geosciences	2026
Christina Cavaliere	Human Dimensions of Natural Resources	2026
Natural Sciences		
Olve Peersen	Biochemistry & Molecular Biology	2025
Mike Antolin	Biology	2024

Brittney Morgan	Chemistry	2026
Craig Partridge	Computer Science	2026
<u>Emily Hardegree-Ullman</u>	Physics	2024
Silvia Canetto	Psychology	2025
<u>Ander Wilson</u>	Statistics	2025
Steve Benoit	Mathematics	2026
Alan Van Orden	College-at-Large	2026
James Liu	College-at-Large	2026
Kim Henry	College-at-Large	2026

Veterinary Medicine & Biomedical Sciences

DN Rao Veermachaneni	Biomedical Sciences	2025
Shari Lanning	Clinical Sciences	2025
TBD	Environmental & Radiological Health Sciences	2026
<u>Tony Schountz</u>	Microbiology, Immunology and Pathology	2024
Roxann Karkhoff-Schweizer	College-at-Large	2025
(substituting for Katriana Popichak, Fall 2023)		
<u>Fiona Hollinshead</u>	College-at-Large	2025
Doreene Hyatt	College-at-Large	2024
<u>Tara Nordgren</u>	College-at-Large	2025
Del Leary	College-at-Large	2026
Dan Regan	College-at-Large	2026
Zaid Abdo	College-at-Large	2025
<u>Brian Geiss</u>	College-at-Large	2025
<u>Jennifer Rawlinson</u> (excused)	College-at-Large	2026

University Libraries

Christine Pawliuk	Libraries	2025
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***Ex Officio* Voting Members**

Melinda Smith	Chair, Faculty Council/Executive Committee	2024
Joseph DiVerdi	Vice Chair, Faculty Council	2024
Andrew Norton	BOG Faculty Representative	2024
Steve Reising, Chair	Committee on Faculty Governance	2024
Gregg Griffenhagen, Chair	Committee on Information Technology	2024
Shane Kanatous, Chair	Committee on Intercollegiate Athletics	2024
<u>Jerry Magloughlin, Chair</u> (excused)	Committee on Libraries	2024
Ryan Brooks, Chair	Committee on Non-Tenure Track Faculty	2024
Jennifer Martin, Chair	Committee on Responsibilities and Standing of Academic Faculty	2024
William Sanford, Chair	Committee on Scholarship, Research, and Graduate Education	2024
<u>Alan Kennan, Chair</u> (excused)	Committee on Scholastic Standards	2024
Gamze Cavdar, Chair	Committee on Strategic and Financial Planning	2024
Lumina Albert, Chair	Committee on Teaching and Learning	2024
Peter Jan van Leeuwen, Co-Chair	Committee on University Programs	2024

<u>Tian Wang</u> , Co-Chair	Committee on University Programs	2024
Brad Goetz , Chair	University Curriculum Committee	2024
<u>Karen Thorsett-Hill</u>	Committee on Non-Tenure Track Faculty	2026
Thomas Conway	Committee on Non-Tenure Track Faculty	2024
Sean Bryan	Committee on Non-Tenure Track Faculty	2025
Ann Hess	Committee on Non-Tenure Track Faculty	2025
<u>Jennifer Reinke</u>	Committee on Non-Tenure Track Faculty	2025
Scott Wiebensohn	Committee on Non-Tenure Track Faculty	2025

Ex Officio Non-Voting Members

Amy Parsons	President
Rico Munn	Chief of Staff
Jan Nerger	Interim Provost
Derek Dictson	Vice President for Advancement
Kathay Rennels	Interim Vice President for Engagement & Extension
TBD	Vice President for Enrollment and Access
TBD	Vice President for Equity, Equal Opportunity & Title IX
Susan James	Vice Provost for Faculty Affairs
Eric Ray	Vice President for Human Resources
Kauline Cipriani	Vice President for Inclusive Excellence
Brandon Bernier	Vice President for Information Technology
Kathleen Fairfax	Vice Provost for International Affairs
Laura Jensen	Vice Provost for Planning and Effectiveness
Christa Johnson	Interim Vice President for Research
Blanche M. Hughes	Vice President for Student Affairs
Tom Siller	Interim Vice Provost for Undergraduate Affairs
Kyle Henley	Vice President for University Marketing & Communications
Brendan Hanlon	Vice President for University Operations
James Pritchett	Dean, College of Agricultural Sciences
Beth Walker	Dean, College of Business
Ken Reardon	Interim Dean, College of Engineering
Lise Youngblade	Dean, College of Health and Human Sciences
Colleen Webb	Dean, Graduate School
Ben Withers	Dean, College of Liberal Arts
Karen Estlund	Dean, Libraries
Simon Tavener	Interim Dean, College of Natural Sciences
Susan VandeWoude	Dean, College of Vet. Medicine & Biomedical Sciences
A. Alonso Aguirre	Dean, Warner College of Natural Resources
Matt Klein	Chair, Administrative Professional Council

UNIVERSITY CURRICULUM COMMITTEE MINUTES

A ‘virtual’ meeting of the University Curriculum Committee was held on **September 22, 2023** at 10:00 a.m. via Microsoft Teams.

The meeting adjourned at 11:47 a.m.

Minutes

The minutes of September 15, 2023 were approved.

Consent Agenda

The Consent Agenda was approved.

Please note: Approved curriculum changes are summarized below. Additional details may be viewed in the Curriculum Management (CIM) system by clicking on the hyperlinked course number or program title below. Once a course proposal is fully approved through the CIM workflow (approved proposal will be viewable under ‘History’ box on right side of CIM-Courses screen), the course should be available to be added to the Class Schedule in ARIES/Banner (contingent on the effective term approved by UCC and Scheduling deadlines).

Exception Request for Third Experimental Course Offering

Course #	Course Title	Notes	Effective Term
NRRT 380A2	Wilderness First Aid and Risk Management	1 st offering: SP23 (23 students); 2 nd offering: FA23 (19 students) Permanent course proposal: NRRT 352	Spring 2024

Study Abroad Courses –1st Provisional Offering

Course #	Course Title	Notes	Effective Term
GES 382A	Study Abroad -- Mexico: Sustainability in a Complex Environment	3 cr. Travel dates: 3/1-5/9/24	Spring 2024
MECH 482A	Study Abroad -- Europe: Advanced Machine Design	3 cr. Travel dates: Winter Break 2024 (1/2-1/14/24)	Spring 2024

Major Changes to Existing Courses

Course #	Course Title	Notes	Effective Term
BUS 665	Integrative Applications for Business Impact	<ul style="list-style-type: none"> • Credit change (from 2-4 var. cr. to 2 cr.) • Edit to prerequisites: BUS 640 641 and BUS 650 and BUS 655 656 	Spring 2024

CON 487A	Internship: Construction Management †	<ul style="list-style-type: none"> Edits to subtopic title and abbreviated title. Course description, registration info, CLOs, and other details added into CIM 	Spring 2024
ERHS 450	Introduction to Radiation Biology	<ul style="list-style-type: none"> Distance/Online added to instructional format. Edit to prerequisites: BZ 101 or LIFE 102 Edits to CLOs, assessment components, and weekly schedule. 	Spring 2024
ETST 352/ SOWK 352	Indigenous Women, Children, and Tribes	<ul style="list-style-type: none"> Edit to offering year: Every Even Distance/Online added to instructional format Edit to prerequisites: None ETST 100-299 at least 3 credits or WS 200 Addition of universal restrictions: No Freshman Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	Spring 2024
FSHN 692	Graduate Seminar	<ul style="list-style-type: none"> Edits to course title and abbreviated title. Edits to course description. Addition of Distance/Online instructional format Edits to CLOs, assessment components, weekly schedule, and other info in CIM 	Spring 2024
RRM 101	Hospitality and Event Industry	<ul style="list-style-type: none"> Edits to course title and abbreviated title. Edits to course description. Universal restriction added: No Senior Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	Spring 2024

New Courses			
Course #	Course Title	Notes	Effective Term
CHEM 355	Foundations of Sustainable Chemistry		Spring 2024
CIVE 421	Global Water Challenges	Previously offered as experimental course CIVE 480A4	Spring 2024
GEOL 542/ ATS 542	Paleoclimate	Previously offered as experimental course GEOL 580B1/ ATS 580B1	Spring 2024
MIP 537A	Advanced Virology: Fundamental Concepts and New Insights	2 cr.; partial semester; previously offered as experimental course	Spring 2024

		MIP 581A5	
MIP 537B	Advanced Virology: Mechanisms of Viral Disease	1 cr.; partial semester; previously offered as experimental course MIP 581A6	Spring 2024
MIP 537C	Advanced Virology: Vector-Borne Viruses	1 cr.; partial semester; previously offered as experimental course MIP 581A7	Spring 2024
NRRT 673	Decolonial Feminist Political Ecology	Graduate or Professional only; previously offered as NRRT 680A2	Spring 2024
POLS 160	Introduction to Public Policy and Service	Proposed for AUCC 3C	Spring 2024
POLS 272	Politics of Power, Justice, and Democracy	Proposed for AUCC 1C	Spring 2024
POLS 441	Comparative Indigenous Politics - Americas	Previously offered as capstone course POLS 492	Spring 2024
STAT 258	Advanced R Programming	2 cr.	Spring 2024
STAT 402	Principles of Probability		Fall 2024

Major Changes to Existing Program

Program Title	Notes	Effective Term
TRMG-MTM: Master of Tourism Management, Plan C (M.T.M.)	<ul style="list-style-type: none"> Addition of required course NRRT 608; updates to elective lists. 	Spring 2024

CONSENT AGENDA

Minor Changes to Existing Courses

Course #	Course Title	Notes	Effective Term
ANTH 469	Archaeology of the Ancient Near East	<ul style="list-style-type: none"> Updates to the CIM Program Pick List Updates to PLOs 	Spring 2024
ETST 201	Introduction to Queer Studies	<ul style="list-style-type: none"> Edit to offering term: Fall Fall, Spring Addition of Distance/Online instructional format Updates to CLOs, assessment components, weekly schedule, and other info in CIM <p><i>Submitted in CIM as Major change</i></p>	Spring 2024
ETST 257	Antisemitism Uncovered -- Rhetoric to Violence	<ul style="list-style-type: none"> Edit to offering year: Every Odd Edit to offering term: Fall Spring 	Spring 2024
ETST 261	Latinx Populations in the U.S.	<ul style="list-style-type: none"> Edit to offering year: Every Even Edit to offering term: Fall Every 	Spring 2024

ETST 270	Introduction to Critical Disability Studies	<ul style="list-style-type: none"> Edit to offering year: Every Odd Edit to offering term: Spring Fall 	Spring 2024
ETST 305	Ethnicity, Class, and Gender in the U.S.	<ul style="list-style-type: none"> Edit to offering term: Fall As Needed Edit to prerequisites: None ETST 100 or WS 200, and 6 credits ETST 101-299 	Spring 2024
ETST 365	Global Environmental Justice Movements	<ul style="list-style-type: none"> Edit to offering term: Fall As Needed Edit to prerequisites: None ETST 100-299 at least 3 credits. Edits to assessment components <i>Submitted in CIM as Major change</i>	Spring 2024
ETST 404	Race Formation in the United States	<ul style="list-style-type: none"> Edit to offering term: Spring Fall Edit to prerequisites: None Add'l reg info removed: ETST 100 or WS 200; WS 201-399 or ETST 101-399 at least 6 credits <i>Submitted in CIM as Major change</i>	Spring 2024
ETST 410	Advanced Topics in African American Studies	<ul style="list-style-type: none"> Edit to offering term: Fall Spring Edit to prerequisites: None ETST 100; ETST 242 or ETST 250 or ETST 310 or ETST 330 Edit to add'l reg info: May be taken up to 3 times for credit. <i>Submitted in CIM as Major change</i>	Spring 2024
ETST 432	Latinx Routes to Empowerment	<ul style="list-style-type: none"> Edit to prerequisites: ETST 100 to 299 – at least 3 credits. (ETST 100) or (ETST 101-499 at least 6 credits) Edit to add'l reg info: Junior Sophomore standing. <i>Submitted in CIM as Major change</i>	Spring 2024
ETST 493	Capstone Seminar	<ul style="list-style-type: none"> Edit to offering term: Fall As Needed Updates to AUCC criteria and CLOs <i>Submitted in CIM as Major change</i>	Spring 2024

Minor Changes to Existing Programs

Program Title	Notes	Effective Term
ETST-BA: Major in Ethnic Studies	<ul style="list-style-type: none"> Updates to elective lists. 	Spring 2024
ETST-COIZ-BA: Major in Ethnic Studies, Community Organizing and Institutional	<ul style="list-style-type: none"> Updates to elective lists. 	Spring 2024

Change Concentration		
ETST-RPRZ-BA: Major in Ethnic Studies, Global Race, Power, & Resistance Concentration	• Updates to elective lists.	Spring 2024
ETST-SOTZ-BA: Major in Ethnic Studies, Social Studies Teaching Concentration	• Updates to elective lists.	Spring 2024
ETSQ: Minor in Ethnic Studies	• Updates to elective lists.	Spring 2024

Update/Correction to 9/15/23 UCC Minutes

Course #	Course Title	Notes	Effective Term
STAT 331	Intermediate Applied Statistical Methods	<ul style="list-style-type: none"> Administrative edit to prerequisites: ((STAT 201 or STAT 204) and STAT 302A) or STAT 301 or STAT 307 or STAT 315. <p><i>Removed 'STAT 201 or STAT 204' because that is the required prerequisite for STAT 302A, so unnecessary.</i></p>	Spring 2024

Minutes approved by the University Curriculum Committee on 9/29/23.

Brad Goetz, Chair
Shelly Ellerby and Erin Niswender,
Curriculum & Catalog

UNIVERSITY CURRICULUM COMMITTEE MINUTES

A ‘virtual’ meeting of the University Curriculum Committee was held on **September 29, 2023** at 10:00 a.m. via Microsoft Teams.

The meeting adjourned at 11:10 a.m.

Minutes

The minutes of September 22, 2023 were approved.

Consent Agenda

The Consent Agenda was approved.

Please note: Approved curriculum changes are summarized below. Additional details may be viewed in the Curriculum Management (CIM) system by clicking on the hyperlinked course number or program title below. Once a course proposal is fully approved through the CIM workflow (approved proposal will be viewable under ‘History’ box on right side of CIM-Courses screen), the course should be available to be added to the Class Schedule in ARIES/Banner (contingent on the effective term approved by UCC and Scheduling deadlines).

Study Abroad Course –1 st Provisional Offering			
Course #	Course Title	Notes	Effective Term
ENGR 382B	Study Abroad -- Netherlands: Engineering and Sustainability	3 cr. Travel dates: 5/12-5/25/24	Summer 2024

Major Changes to Existing Courses			
Course #	Course Title	Notes	Effective Term
AREC 310	Food and Agricultural Markets Agricultural Marketing	<ul style="list-style-type: none"> Edits to course title and abbreviated title Edits to course description. Edit to offering term: Fall Every Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	Fall 2024
CIVE 578	Infrastructure and Utility Management	<ul style="list-style-type: none"> Edit to prerequisites: CIVE 303 None Edit to Add'l Reg Info: Ten credits of engineering, economics, public administration, or planning courses. Sections may be offered: Online Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	Fall 2024
CHEM 462	Inorganic Chemistry Laboratory	<ul style="list-style-type: none"> Approved for AUCC 4B Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	Spring 2024
IU 172A IU 172	New Student Seminar	<ul style="list-style-type: none"> Course number change (addition of subtopic) 	Spring 2024
MIP 554 MIP 654	Research Policies and Regulations	<ul style="list-style-type: none"> Course number/level change Addition of prerequisite: MIP 300 None. Removal of ‘Graduate ONLY’ and ‘Professional ONLY’ restrictions. 	Spring 2024
MIP 618A MIP 618	MIP Master’s Seminar: Series A MIP Masters Seminar Series	<ul style="list-style-type: none"> Course number change (addition of subtopic) Edits to course title and addition of subtopic title. Edits to course description. 	Spring 2024

		<ul style="list-style-type: none"> Edit to offering term: Fall Fall, Spring Edits to Add'l Reg Info: Admission to the MS in Microbiology, Immunology, and Pathology, Plan B program. <u>MIP 618A must be taken before MIP 618B.</u> May be taken twice for credit. 	
MIP 619A MIP 619	MIP Master's Topics: Series A MIP Masters Topics	<ul style="list-style-type: none"> Course number change (addition of subtopic) Edits to course title and addition of subtopic title. Edits to course description. Edit to offering term: Fall Fall, Spring Edits to Add'l Reg Info: Admission to the MS in Microbiology, Immunology, and Pathology, Plan B program. <u>MIP 619A must be taken before MIP 619B.</u> May be taken twice for credit. 	Spring 2024
MSE 793A MSE 793	Professional Development Seminar: MSE, Diversity, Equity, and Inclusion	<ul style="list-style-type: none"> Course number change (addition of subtopic) Addition of subtopic title. Edits to abbreviated title. Edits to course description. Edit to offering term: As Needed Fall, Spring Distance/Online added to instructional format. Edits to Registration Info: Required field trips. <u>Bachelor's degree required.</u> Edits to CLOs, assessment components, and weekly schedule. 	Spring 2024

New Courses			
Course #	Course Title	Notes	Effective Term
CIVE 551	The Material Point Method	3 cr.; previously offered as experimental course CIVE 580B7	Fall 2024
IDEA 310P	Design Thinking Toolbox: Low-Fidelity Prototyping	3 cr.; previously offered as experimental course IDEA 380A1	Spring 2024
IU 172B	New Student Seminar	2 cr.	Spring 2024
IU 172C	New Student Seminar	3 cr.	Spring 2024
MIP 618B	MIP Master's Seminar: Series B	1 cr.; Graduate or Professional only	Spring 2024
MIP 619B	MIP Master's Topics: Series B	2 cr.; Graduate or Professional only	Spring 2024
MSE 793B	Professional Development Seminar: Materials and Society	1 cr.; Graduate or Professional only	Spring 2024
MSE 793C	Professional Development Seminar: Materials Science Engineering Careers	1 cr.; Graduate or Professional only	Spring 2024

Major Changes to Existing Programs		
Program Title	Notes	Effective Term
CHEM-BS: Major in Chemistry	Addition of AUCC 4B designation to CHEM 462	Spring 2024

CHEM-ECHZ-BS: Major in Chemistry, Environmental Chemistry Concentration	and CHEM 477.	Spring 2024
CHEM-FCHZ-BS: Major in Chemistry, Forensic Chemistry Concentration		Spring 2024
CHEM-HSCZ-BS: Major in Chemistry, Health Sciences Concentration		Spring 2024
CHEM-SCHZ-BS: Major in Chemistry, Sustainable Chemistry Concentration		Spring 2024

CONSENT AGENDA

Experimental Courses – 1st Offering

Course #	Course Title	Notes	Effective Term
ANTH 580A5	Ethnographic Writing	Graduate only	Spring 2024
CS 580A9	Perceptual Elements in Extended Reality	4 cr.; Graduate only	Spring 2024
ENGR 480A1	Engineering with Drones		Spring 2024
PPA 580A1	Health and Justice	Graduate only	Spring 2024
SYSE 580A6	AI -- Augmented Systems Engineering		Spring 2024

Minor Changes to Existing Courses

Course #	Course Title	Notes	Effective Term
ACT 312	Intermediate Accounting II	• Edit to prerequisites: ACT 301 or concurrent registration; ACT 311 with a minimum grade of C-	Fall 2024
AREC 460	Ag- and Resource-Based Economic Development	• Edit to prerequisites: ECON 306 AREC 202	Fall 2024
SOC 487	Internship	• Edit to prerequisites: (SOC 210 or (STAT 2XX or above)) and (SOC 301 or SOC 302) and SOC 311 and (SOC 313 SOC 314 or SOC 315 or CS 110)	Summer 2024
SOC 492	Seminar	• Edit to prerequisites: (SOC 210 or (STAT 2XX or above)) and (SOC 301 or SOC 302) and SOC 311 and (SOC 313 SOC 314 or SOC 315 or CS 110)	Summer 2024

Course Deactivations

Course #	Course Title	Notes	Effective Term
CM 505	Nucleic Acids for Non-Life Scientists	Not referenced in any courses or programs.	Spring 2024
CM 506	Protein Basics for NonBiologists	Not referenced in any courses or programs.	Spring 2024
CM 520	Proteolytic Regulation of Cellular Processes	Not referenced in any courses or programs.	Spring 2024

CM 601	Responsible Conduct of Research in CMB	Not referenced in any courses or programs.	Spring 2024
CM 710/ BSPM 710	Techniques in Molecular Biology and Genetics	Not referenced in any courses or programs.	Spring 2024

Minutes approved by the University Curriculum Committee on 10/6/23.

Brad Goetz, Chair
Shelly Ellerby and Erin Niswender,
Curriculum & Catalog

UNIVERSITY CURRICULUM COMMITTEE MINUTES

A ‘virtual’ meeting of the University Curriculum Committee was held on **October 6, 2023** at 10:00 a.m. via Microsoft Teams.

The meeting adjourned at 11:55 a.m.

Minutes

The minutes of September 29, 2023 were approved.

Consent Agenda

The Consent Agenda was approved.

Please note: Approved curriculum changes are summarized below. Additional details may be viewed in the Curriculum Management (CIM) system by clicking on the hyperlinked course number or program title below. Once a course proposal is fully approved through the CIM workflow (approved proposal will be viewable under ‘History’ box on right side of CIM-Courses screen), the course should be available to be added to the Class Schedule in ARIES/Banner (contingent on the effective term approved by UCC and Scheduling deadlines).

Study Abroad Courses –1st Provisional Offering

Course #	Course Title	Notes	Effective Term
BUS 182C	Study Abroad -- Croatia: First Year Seminar	3 cr. Travel dates: beginning of August 2024 (prior to the start of the Fall semester)	Fall 2024
MGT 482E	Study Abroad -- SE Asia/Indonesia: Global SCM Experience	3 cr. Travel dates: 8/3-8/17/24	Fall 2024

Study Abroad Courses – Permanent Offering

Course #	Course Title	Notes	Effective Term
LJPN 352A	Study Abroad -- Japan: Japanese Language and Culture	3 cr.; previously offered SU23 as provisional course LJPN 382A Travel dates: 5/19-6/23/24	Summer 2024
MGT 469B	Study Abroad -- Portugal: Leading High Performance Teams	3 cr.; previously offered SU23 as provisional course MGT 482D Travel dates: 3 weeks in June 2024	Summer 2024

Major Changes to Existing Courses

Course #	Course Title	Notes	Effective Term
ERHS 400	Radiation Safety	<ul style="list-style-type: none"> Edit to offering term: Spring Every Distance/Online added to instructional format Edits to prerequisites: CHEM 108 or CHEM 112 or CHEM 121 and ERHS 450 and PH 122 or PH 142 Edits to Reg. Info: Must register for lecture and laboratory. Offered as an online course only. Updates to CLOs, assessment components, and weekly schedule 	Spring 2024
NR 535	Action for Sustainable Behavior	<ul style="list-style-type: none"> Change of Department/Unit: 1474 – Fish/Wildlife/ Conservation Bio 1401 – Warner Coll of Natrl Resources 1474 – Fish/Wildlife/ Conservation Bio 1401 – Warner Coll of Natrl Resources Edits to course description 	Summer 2024

		<ul style="list-style-type: none"> Edit to offering term: Fall Every Distance/Online added to instructional format Universal restriction added: Graduate Only Reg. Info added: <u>Offered as an online course only.</u> Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	
SOC 374 474	Social Movements	<ul style="list-style-type: none"> Course number change <p><i>Course # will be updated by C&C unit for the IIDQ-Interdisciplinary Minor in International Development</i></p>	Summer 2024
SOCR 100	<u>Introduction to Crop Science</u> General Crops	<ul style="list-style-type: none"> Edits to course title and abbreviated title Distance/Online added to instructional format Add'l Reg. Info added: <u>Required field trips.</u> Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	Fall 2024

New Courses

Course #	Course Title	Notes	Effective Term
ERHS 310	Basic Radiological Physics and Dosimetry I	Distance/Online only.	Fall 2024
ERHS 312	Basic Radiological Physics and Dosimetry II	Distance/Online only. Proposed for AUCC 4A in the Major in Health Physics	Fall 2024
LEAP 150	Introduction to Arts Management		Fall 2024
LEAP 230	Inclusive Practices in Arts Management		Fall 2024
LEAP 240	The Creative Economy		Fall 2024
LEAP 250	Arts Marketing and Audience Development		Fall 2024
LEAP 340	Financial Basics for Arts Management		Fall 2024
LEAP 370	Foundations of Arts Non-Profit Management		Fall 2024
LEAP 440	Grant Writing and Fundraising		Fall 2024
LEAP 450	Creative Entrepreneurship		Fall 2024
STAT 403	Principles of Statistical Inference	Proposed for AUCC 4B in the Major in Applied Statistics	Spring 2024

New Degree (FYI only)

New degrees require Special Action and cannot be approved by FC via UCC minutes. Included here as a record of the UCC approval date. A Special Action memo will be sent from UCC to FC once approval is received from Provost Leadership Council.

Program Title	Notes	Effective Term
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Master of Materials Engineering, Plan C	Offered Main Campus Face-to-Face and Online/DCE.	Spring 2024
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New Undergraduate Certificate

Program Title	Notes	Effective Term
Certificate in Macroeconomics	Offered Main Campus Face to-Face and Online/DCE.	Spring 2024

CONSENT AGENDA

Experimental Courses – 1st Offering

Course #	Course Title	Notes	Effective Term
CBE 780A1	Navigating the Job Market as a PhD Student	1 cr.; Graduate or Professional only	Spring 2024
ECE 580C6	Storage System -- Device to System Perspective		Spring 2024

Minor Changes to Existing Courses

Course #	Course Title	Notes	Effective Term
ECE 331	Electronics Principles I	<ul style="list-style-type: none"> (ECE 202 with a minimum grade of C; ECE 311, may be taken concurrently; ECE 341, may be taken concurrently; MATH 340 with a minimum grade of C; PH 142 with a minimum grade of C) or (ECE 202 with a minimum grade of C; ECE 311, may be taken concurrently; ECE 451, may be taken concurrently; MATH 340 with a minimum grade of C; PH 142 with a minimum grade of C; or CS 356, may be taken concurrently <u>or ECE 451, may be taken concurrently</u> or ECE 528, may be taken concurrently). 	Fall 2024
ECE 538	Design/Analysis of Analog Digital Interface	<ul style="list-style-type: none"> Edit to offering year: Even <u>Every</u> Edit to offering term: <u>As Needed</u> Fall, Spring Universal restrictions added: <u>No Freshman, No Sophomore</u> Updates to CLOs 	Fall 2024
ECE 578	Satellite Data Analysis	<ul style="list-style-type: none"> Edit to offering term: <u>Spring</u> Fall 	Fall 2024
EDCO 675	Mental Health Counseling and Treatment	<ul style="list-style-type: none"> Edit to offering year: Even <u>Every</u> 	Fall 2024

Minor Changes to Existing Program

Program Title	Notes	Effective Term
<u>IFIQ: Interdisciplinary Minor in Food Industry Management</u>	<ul style="list-style-type: none"> Changing the ‘Production and Management Topics’ requirement to a single course instead of 6 credits and allowing students to pick one additional course from any of the categories; removal of RRM 460 from the ‘Production and Management Topics’ list. 	Spring 2024

Minutes approved by the University Curriculum Committee on 10/13/23.

Brad Goetz, Chair
Shelly Ellerby and Erin Niswender,
Curriculum & Catalog

UNIVERSITY CURRICULUM COMMITTEE MINUTES

A ‘virtual’ meeting of the University Curriculum Committee was held on **October 13, 2023** at 10:00 a.m. via Microsoft Teams.

The meeting adjourned at 11:00 a.m.

Minutes

The minutes of October 6, 2023 were approved.

Consent Agenda

The Consent Agenda was approved.

Please note: Approved curriculum changes are summarized below. Additional details may be viewed in the Curriculum Management (CIM) system by clicking on the hyperlinked course number or program title below. Once a course proposal is fully approved through the CIM workflow (approved proposal will be viewable under ‘History’ box on right side of CIM-Courses screen), the course should be available to be added to the Class Schedule in ARIES/Banner (contingent on the effective term approved by UCC and Scheduling deadlines).

Major Changes to Existing Course

Course #	Course Title	Notes/Changes	Effective Term
STAT 472	Statistical Research -- Design, Data, Methods	• Criteria updated for AUCC 4A, 4B, and 4C for the new Major in Applied Statistics	Fall 2024

New Courses

Course #	Course Title	Notes	Effective Term
ERHS 461	Introduction to Radiation Public Health	Distance/Online only; proposed for AUCC 4B in the Major in Health Physics	Fall 2024
ERHS 488	Internship -- Health Physics	7-10 variable cr.; proposed for AUCC 4C in the Major in Health Physics	Fall 2024
MECH 799N	Dissertation: Aerospace Engineering	1-18 cr.; Graduate or Professional only	Summer 2024
MECH 799O	Dissertation: Advanced Manufacturing	1-18 cr.; Graduate or Professional only	Summer 2024
PBHL 642	One Health in Communities	Graduate or Professional only; previously offered as seminar PBHL 692A	Spring 2024

Major Changes to Existing Program

Program Title	Notes	Effective Term
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IRLQ: Interdisciplinary Minor in Religious Studies	<ul style="list-style-type: none"> To provide flexibility for students and to facilitate timely degree completion, we are removing the two required lower-division courses (PHIL 171 and PHIL 172) and moving them to the list of all courses that students can take for the minor. 	Fall 2024
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CONSENT AGENDA

Experimental Courses – 1st Offering			
Course #	Course Title	Notes	Effective Term
BZ 380A5	Vertebrate Climate Change Responses		Spring 2024
ECE 480A6	Optical Computing		Spring 2024
MATH 480A3	Mathematical Methods for Finance		Spring 2024
NRRT 680A4	Qualitative Methods in Socio-Environ Research	Graduate or Professional only	Spring 2024

Minor Changes to Existing Courses			
Course #	Course Title	Notes	Effective Term
ECE 505	Nanostructures Fundamentals and Applications Nanostructures: Fundamentals and Applications	<ul style="list-style-type: none"> Edits to course title and abbreviated title Admin fix to remove subtopic title Edit to offering year: <u>Every</u> Odd Edit to offering term: <u>As Needed</u> Fall Edit to prerequisites: ECE 342 <u>with a minimum grade of C</u> and PH 353 Addition of universal restrictions: <u>No Freshman; No Sophomore</u> Updates to CLOs 	Fall 2024
EDRM 700	Quantitative Research Methods	<ul style="list-style-type: none"> Edit to prerequisites: <u>None</u>. EDRM 606, may be taken concurrently Updates to CLOs, assessment components, weekly schedule, and other info in CIM 	Fall 2024
HDFS 477B	Professional Preparation: Distance Internship Placements	<ul style="list-style-type: none"> Edit to offering term: <u>Fall, Spring</u> Every 	Summer 2024

STAT 460	Applied Multivariate Analysis	• Edit to prerequisites: STAT 341 and (DSCI 269 or DSCI 369 or MATH 229 or MATH 269 or MATH 340 or MATH 369)	Fall 2024
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Minor Changes to Existing Program		
Program Title	Notes	Effective Term
MATQ: Minor in Mathematics	• Replace MATH 229 with the newer MATH 269 course and allow discrete math / algorithms course to apply toward additional credits requirement. Add the MATH 156/256 calculus sequence as an option to fulfil the Calculus requirement.	Fall 2024

Provisional Study Abroad Course – Rescheduled Offering			
<i>UCC approved the below Study Abroad course for a 1st provisional offering, but this course never ran, due to the COVID-19 pandemic. Curriculum will be taught as originally approved. Updated OIP approval letter and budget are attached to the course in CIM.</i>			
Course #	Course Title	Cancelled Offering	Rescheduled Offering
POLS 482D	Study Abroad -- Spain and Morocco: Politics of Food in the Mediterranean	Summer 2020	Summer 2024

Minutes approved by the University Curriculum Committee on 10/20/23.

Brad Goetz, Chair
Shelly Ellerby and Erin Niswender,
Curriculum & Catalog

UNIVERSITY CURRICULUM COMMITTEE MINUTES

A ‘virtual’ meeting of the University Curriculum Committee was held on **October 20, 2023** at 10:00 a.m. via Microsoft Teams.

The meeting adjourned at 11:28 a.m.

Minutes

The minutes of October 13, 2023 were approved.

Consent Agenda

The Consent Agenda was approved.

Please note: Approved curriculum changes are summarized below. Additional details may be viewed in the Curriculum Management (CIM) system by clicking on the hyperlinked course number or program title below. Once a course proposal is fully approved through the CIM workflow (approved proposal will be viewable under ‘History’ box on right side of CIM-Courses screen), the course should be available to be added to the Class Schedule in ARIES/Banner (contingent on the effective term approved by UCC and Scheduling deadlines).

Study Abroad Course –Major Changes to Permanent Offering

Course #	Course Title	Notes	Effective Term
BIOM 350A	Study Abroad -- Ecuador: Prosthetics	<ul style="list-style-type: none"> • Credit change (from 1-2 variable to 1-3 variable) • Edits to course description • Edits to CLOs, assessment components, weekly schedule, and other info in CIM • Updated syllabus and other documentation attached. <p><i>Programs will be administratively updated.</i></p>	Summer 2024

Study Abroad Courses –1st Provisional Offering

Course #	Course Title	Notes	Effective Term
CIVE 182A	Study Abroad -- London: Intro to Civil and Environmental Engineering	3 cr. Travel dates: beginning of August 2024 (prior to the start of the Fall semester)	Fall 2024
IE 182A	Study Abroad -- Denmark: First Year Seminar	3 cr. Travel dates: beginning of August 2024 (prior to the start of the Fall semester)	Fall 2024
IE 282B	Study Abroad -- Latin America: Create Your Story	3 cr. Travel dates: Fall 2024	Fall 2024

Major Changes to Existing Course

Course #	Course Title	Notes/Changes	Effective Term
MATH 160	Calculus for Physical Scientists I	<ul style="list-style-type: none"> Edits to course description Edit to prerequisites: MATH 124 with a B- or better; MATH 126 with a B- or better or MATH 127 with a B- or better Updates to CLOs, weekly schedule, and other info in CIM 	Fall 2024

New Course

Course #	Course Title	Notes	Effective Term
AB 420	Horticultural Entomology	2 cr.; partial semester; previously offered as experimental course AB 480A1	Spring 2024

New Graduate Certificate

Program Title	Notes	Effective Term
Graduate Certificate in One Health	Offered Main Campus Face-to-Face. <i>New course PBHL 642 approved 10/13/23.</i>	Spring 2024

CONSENT AGENDA

Experimental Courses – 1st Offering

Course #	Course Title	Notes	Effective Term
CBE 480A4	Sustainability and Properties of Polymers		Spring 2024
NRRT 280A2	Backpacking Leadership	1 cr.; partial semester	Summer 2024
NRRT 280A3	Rock Climbing Leadership	1 cr.; partial semester	Spring 2024
NRRT 280A4	Swiftwater Rescue	1 cr.; partial semester	Spring 2024

Study Abroad Course – Change to Permanent Offering

Course #	Course Title	Notes	Effective Term
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ANTH 306A/ HIST 306A	Study Abroad -- England: Hadrian's Wall	<ul style="list-style-type: none"> Change of "Parent" Department/Unit: 1787 – Anthropology and Geography 1776 – History <p><i>Departments need to submit program changes if they want this course listed as an elective in the designated programs.</i></p>	Fall 2024
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Minor Changes to Existing Courses			
Course #	Course Title	Notes	Effective Term
MATH 331	Introduction to Mathematical Modeling	<ul style="list-style-type: none"> Edit to prerequisites: MATH 161, may be taken concurrently and (MATH 229, may be taken concurrently or DSCI 369, may be taken concurrently or MATH 369, may be taken concurrently) 	Fall 2024
MATH 345	Differential Equations	<ul style="list-style-type: none"> Edit to prerequisites: (MATH 255 or MATH 261) and (MATH 229 or DSCI 369 or MATH 369) 	Fall 2024
MATH 360	Mathematics of Information Security	<ul style="list-style-type: none"> Edit to prerequisites: (MATH 156 or MATH 161) and (CS 220 (MATH 229 or DSCI 369 or MATH 235) 369) Edits to AUCC criteria <p><i>Submitted in CIM as Major change</i></p>	Fall 2024
MATH 435	Projects in Applied Mathematics	<ul style="list-style-type: none"> Edit to prerequisites: (CS 150A or CS 150B or CS 152 or CS 163 or CS 164 or CS 165 or CS 253 or MATH 151) and (DSCI 369 or MATH 229 or MATH 369) and (MATH 340 or MATH 345) 	Fall 2024
MATH 470	Euclidean and Non-Euclidean Geometry	<ul style="list-style-type: none"> Edit to prerequisites: (MATH 261) and MATH 229 or (DSCI 369 or MATH 369) 	Fall 2024

Minor Changes to Existing Programs		
Program Title	Notes	Effective Term
BIOM-APHZ-BS: Major in Biomedical Sciences, Anatomy and Physiology Concentration	<ul style="list-style-type: none"> Addition of new course BMS 304 to concentration electives list. Additional electives added to select-from list. 	Spring 2024

AMGF-CT: Graduate Certificate in Arts Management	<ul style="list-style-type: none">• LEAP 510 and LEAP 540 added as options for students' selection elective credits (6 credits).	Spring 2024
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Minutes approved by the University Curriculum Committee on 10/27/23.

Brad Goetz, Chair
Shelly Ellerby and Erin Niswender,
Curriculum & Catalog

BALLOT
November 2023
Graduate Student Positions on Faculty Council Standing Committees
(One-Year Term)
Nominations from the Committee on Faculty Governance

Committee on Intercollegiate Athletics

Nancy Ghanem

Graduate Student Representative

2024

BALLOT
Academic Faculty Nominations to Faculty Council Standing Committees
November 7, 2023

COMMITTEE ON NON-TENURE TRACK FACULTY

Term Expires

<u>CHRIS BECKER</u> (Nominated by Committee on Faculty Governance)	COB	2026
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COMMITTEE ON STRATEGIC AND FINANCIAL PLANNING

Term Expires

<u>MICHAEL ANTOLIN</u> (Nominated by Committee on Faculty Governance)	CNS	2026
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ACADEMIC CALENDAR

FALL SEMESTER 2028 THROUGH SUMMER 2030

Fall Semester 2028

Aug. 21	Monday	Classes Begin
Aug. 25	Friday	End Restricted Drop
Aug. 27	Sunday	End Regular Add
Sept. 4	Monday	Holiday – University Offices Closed, No Classes
Sept. 6	Wednesday	Census and Registration Closes – last day for dropping courses without record entry, adding courses with override, changes in grade option, and tuition and fee adjustment
Nov. 10	Friday	End Course Withdrawal (“W”) Period
Nov. 18	Saturday	Fall Recess Begins, No Classes Next Week
Nov. 23-24	Thursday-Friday	Holiday – University Offices Closed, No Classes
Nov. 27	Monday	Classes Resume
Dec. 8	Friday	Last Day of Classes; Semester Withdrawal Deadline
Dec. 11-15	Monday-Friday	Final Examinations
Dec. 15-17	Friday-Sunday	Commencement
Dec. 19	Tuesday	Grades Due
Dec. 25-27	Monday-Wednesday	Holiday – University Offices Closed

(79 Days, Including Final Examinations)

Spring Semester 2029

Jan. 1	Monday	Holiday – University Offices Closed
Jan. 15	Monday	Holiday – University Offices Closed
Jan. 16	Tuesday	Classes Begin
Jan. 19	Friday	End Restricted Drop
Jan. 21	Sunday	End Regular Add
Jan. 31	Wednesday	Census and Registration Closes – last day for dropping courses without record entry, adding courses with override, changes in grade option, and tuition and fee adjustment
Feb. 11	Sunday	Founder’s Day
Mar. 10	Saturday	Spring Break Begins – No Classes Next Week
Mar. 19	Monday	Classes Resume
Apr. 13	Friday	End Course Withdrawal (“W”) Period
May 4	Friday	Last Day of Classes; Semester Withdrawal Deadline
May 7-11	Monday-Friday	Final Examinations
May 11-13	Friday-Sunday	Commencement

May 15 Tuesday Grades Due
(79 Days, Including Final Examinations)

Summer Session 2029

May 14	Monday	1 st 4-Week, 8-Week, and 12-Week Terms Begin
May 28	Monday	Holiday – University Offices Closed, No Classes
Jun. 8	Friday	1 st 4-Week Term Ends
Jun. 11	Monday	2 nd 4-Week and 8-Week Terms Begin
Jun. 20	Wednesday	Census
Jun. 19	Tuesday	Holiday – University Offices Closed, No Classes
Jul. 4	Wednesday	Holiday – University Offices Closed, No Classes
Jul. 6	Friday	2 nd 4-Week Term Ends & 1 st 8-Week Term Ends
Jul. 9	Monday	3 rd 4-Week Term Begins
Aug. 3	Friday	12-, 2 nd 8-, and 3 rd 4-Week Terms End
Aug. 7	Tuesday	Grades Due

SUMMER WITHDRAWAL PERIOD: Because Summer classes have different time periods, the last day a student can withdraw from a course with “W” entered on the record can vary. The course withdrawal date is published in the course details of the Class Schedule or can be found in the student’s course details within RAMweb. Please consult the Office of the Registrar for additional questions.

Fall Semester 2029

Aug. 20	Monday	Classes Begin
Aug. 24	Friday	End Restricted Drop
Aug. 26	Sunday	End Regular Add
Sept. 3	Monday	Holiday – University Offices Closed, No Classes
Sept. 5	Wednesday	Census and Registration Closes –last day for dropping courses without record entry, adding courses with override, changes in grade option, and tuition and fee adjustment
Nov. 9	Friday	End Course Withdrawal (“W”) Period
Nov. 17	Saturday	Fall Recess Begins, No Classes Next Week
Nov. 22-23	Thursday-Friday	Holiday – University Offices Closed
Nov. 26	Monday	Classes Resume
Dec. 7	Friday	Last Day of Classes; Semester Withdrawal Deadline
Dec. 10-14	Monday-Friday	Final Examinations
Dec. 14-16	Friday-Sunday	Commencement
Dec. 18	Tuesday	Grades Due
Dec. 24-26	Monday-Wednesday	Holiday – University Offices Closed

(79 Days, Including Final Examinations)

Spring Semester 2030

Jan. 1	Tuesday	Holiday – University Offices Closed
Jan. 21	Monday	Holiday – University Offices Closed
Jan. 22	Tuesday	Classes Begin
Jan. 25	Friday	End Restricted Drop
Jan. 27	Sunday	End Regular Add
Feb. 6	Wednesday	Census and Registration Closes – last day for dropping courses without record entry, adding courses with override, changes in grade option, and tuition and fee adjustment
Feb. 11	Monday	Founder’s Day
Mar. 16	Saturday	Spring Break Begins – No Classes Next Week
Mar. 25	Monday	Classes Resume
Apr. 19	Friday	End Course Withdrawal (“W”) Period
May 10	Friday	Last Day of Classes; Semester Withdrawal Deadline
May 13-17	Monday-Friday	Final Examinations
May 17-19	Friday-Sunday	Commencement
May 21	Tuesday	Grades Due

(79 Days, Including Final Examinations)

Summer Session 2030

May 20	Monday	1 st 4-Week, 8-Week, and 12-Week Terms Begin
May 27	Monday	Holiday – University Offices Closed, No Classes
Jun. 14	Friday	1 st 4-Week Term Ends
Jun. 17	Monday	2 nd 4-Week and 8-Week Terms Begin
Jun. 19	Wednesday	Holiday – University Offices Closed, No Classes
Jun. 26	Wednesday	Census
Jul. 4	Thursday	Holiday – University Offices Closed, No Classes
Jul. 12	Friday	2 nd 4-Week Term Ends & 1 st 8-Week Term Ends
Jul. 15	Monday	3 rd 4-Week Term Begins
Aug. 9	Friday	12-, 2 nd 8-, and 3 rd 4-Week Terms End
Aug. 13	Tuesday	Grades Due

SUMMER WITHDRAWAL PERIOD: Because Summer classes have different time periods, the last day a student can withdraw from a course with “W” entered on the record can vary. The course withdrawal date is published in the course details of the Class Schedule or can be found in the student’s course details within RAMweb. Please consult the Office of the Registrar for additional questions.

Date: November 2, 2023

To: Melinda Smith
Chair, Faculty Council

From: Jennifer Martin
Chair, Committee on Responsibilities and Standing of Academic Faculty

Subject: **Faculty Manual Section E.6 Proposed Revision**

The Committee on Responsibilities and Standing of Academic Faculty submits the following:

MOVED, THAT SECTION E.6 OF THE ACADEMIC FACULTY AND ADMINISTRATIVE PROFESSIONAL MANUAL BE REVISED AS FOLLOWS:

E.6 General Policies Relating to Appointment and Employment of Faculty *(last revised May 8, 2019)*

- a. The conditions and expectations of every appointment shall be confirmed in writing. Any subsequent modifications of the appointment shall also be confirmed in writing after the faculty member and the administrator have mutually determined the new conditions. The faculty member shall receive a copy of these documents.
- b. All faculty members who are on tenure-track appointments, shall be appointed for a period not exceeding one (1) year.
- c. All faculty members on continuing or adjunct appointments shall be appointed “at will.”
- d. Faculty members on contract appointments shall be appointed for periods of two (2) to five (5) years. ~~for research and two (2) to three (3) years for teaching.~~

Rationale:

The Colorado legislature recently passed bill SB23-048, which increases the maximum contract length to five years. This change brings the Manual into compliance with state policy.

Date: October 15, 2023

To: Melinda Smith
Chair, Faculty Council

From: Jennifer Martin
Chair, Committee on Responsibilities and Standing of Academic Faculty

Subject: **Faculty Manual Section K Proposed Revision**

The Committee on Responsibilities and Standing of Academic Faculty submits the following:

MOVED, THAT SECTION K OF THE ACADEMIC FACULTY AND ADMINISTRATIVE PROFESSIONAL MANUAL BE REVISED AS FOLLOWS:

SECTION K. RESOLUTION OF DISPUTES

K.1 General Information *(last revised December 6, 2019)*

Colorado State University is committed to the timely and fair resolution of disputes. Section K describes procedures for a CSU employee who is a faculty member or administrative professional to challenge a decision, recommendation or action by a supervisor that has or will have an adverse academic and/or professional impact on the faculty member or administrative professional and that is unfair, unreasonable, arbitrary, and/or capricious. If a decision, recommendation or action by a supervisor is retaliatory, it may serve as the basis for a grievance if it has or will have an adverse academic and/or professional impact on the faculty member or administrative professional and is unfair, unreasonable, arbitrary, and/or capricious. Section K provides three avenues for resolution of such claims: a) informal conciliation, b) mediation, and c) a formal grievance hearing process.

Several additional offices on campus are available to assist with the resolution of ~~other~~ disputes conflicts. See the website for <https://employeeconflictresolution.colostate.edu> for a list of such resources. In particular, note the Office of the Ombuds ~~and Employee Assistance Program~~ for details and contact information. An overview of the procedures

described in Section K can be found on the website
<https://universitygrievanceofficer.colostate.edu> of the University Grievance Officer.

K.1.1 Participants in the Section K Process and Definition of Terms *(last revised December 6, 2019)*

Employee Classification – The type of position, either faculty member or administrative professional, held by the employee.

Grievance Panel – A pool of faculty members or administrative professionals who are elected by their peers and who are eligible to serve on Hearing Committees.

Grievant – A CSU employee who is a faculty member or administrative professional and who asserts that one or more decisions, recommendations or actions by a supervisor (1) has an adverse academic and/or professional effect on the faculty member or administrative professional, and (2) is unfair, unreasonable, arbitrary, and/or capricious.

Hearing Committee- A group of five (5) faculty members or administrative professionals from a Grievance Panel who are convened to review and make recommendations about a Grievance.

Parties – The Parties to a Grievance are the Grievant(s) and the Supervisor(s).

Responsible Administrator – A university official to whom the Supervisor in a Grievance reports and who oversees the activities of the unit where the Grievant is employed.

Reviewing Administrators – University officials, namely the Provost and President, responsible for reviewing recommendations from a Hearing Committee and deciding whether or not to accept them. These senior officials are also responsible for supporting, respecting, and enforcing the process and providing required financial resources.

Supervisor – A university administrator, faculty member, or administrative professional who either directly oversees the work of the Grievant or who makes decisions directly

affecting the terms and conditions of the Grievant's employment. A supervisor also can be a state classified employee who directs the work of an administrative professional.

University Grievance Officer (UGO) – The university official responsible for administering the Section K process, advising Grievants and Supervisors, and coordinating involvement by others.

University Mediator (UM) – A neutral person from the university community appointed by the UGO to facilitate a resolution of a dispute or Grievance between a Grievant and a Supervisor.

K.2 Expectations for Members of the University Community

- a. Cooperation and participation by the members of the University community in the resolution of a complaint under these procedures is necessary.
- b. All witnesses shall be truthful in their testimony. Failure to comply with this expectation may result in the imposition of University sanctions.
- c. No person shall restrain, interfere with, coerce, attempt to intimidate, or take any reprisal against a participant in the Section K process. Failure to comply with this expectation may result in the imposition of University sanctions.

K.3 Definition of an Action, Grievable Action, and Grievance *(last revised December 6, 2019)*

An Action is a decision, recommendation or other act by a Supervisor.

A Grievable Action is an Action by a Supervisor that has or will have an adverse academic and/or professional effect on the Grievant and is unfair, unreasonable, arbitrary, and/or capricious. If an Action by a Supervisor is retaliatory, it may serve as the basis for a Grievance if it has or will have an adverse academic and/or professional impact on the Grievant and is unfair, unreasonable, arbitrary, and/or capricious.

A Grievance is a written complaint by a Grievant asserting that a Grievable Action has occurred.

K.3.1 A Grievable Action does not include: *(last revised December 6, 2019)*

- a. An issue that does not individually affect a faculty member or administrative professional, such as dissatisfaction with a university policy of general application.
- b. Actions specified in the *Academic Faculty and Administrative Professional Manual* as “final” and thus not subject to redress through the grievance process. Any action deemed “final” constitutes exhaustion of internal grievance procedures.
- c. An act by any person who is not the Grievant’s Supervisor.
- d. Terms agreed to by the Grievant under a Section K mediation agreement.
- e. Acts in response to violations of law or endangerment of public safety.
- f. Placement on paid administrative leave.
- g. A subsequent complaint for the same action by the same supervisor once a Grievance regarding the original complaint has concluded.
- h. Termination of “at-will” employees. For information about the university’s policy regarding at-will employees and the recommended steps and considerations for termination of at-will employees, employees should refer to the university policy for Administrative Professionals and Non-Tenured Academic Faculty (“At Will” Employment) found in the CSU Policy Library (see also Section D.5.6 and E.2.1 of the *Academic Faculty and Administrative Professional Manual*). Employees may contact the University Grievance Officer with questions about disciplinary action or termination of at-will employees.

K.3.2 Types of Grievable Actions and Burden of Proof *(last revised December 6, 2019)*

K.3.2.1 (“Class A”) *(last revised December 6, 2019)*

In a Grievance that involves a complaint about the following specific actions, the burden of proof falls upon the Supervisor:

- a. reduction of salary and/or demotion;
- b. violation of academic and/or intellectual freedom; or
- c. assignment of unreasonable workload.

K.3.2.2 (“Class B”)

In a Grievance that involves complaints about a term or condition of employment other than those specific cases that are identified above in Section K.3.2.1, the burden of proof falls upon the Grievant. Examples of such Grievances include:

- a. ~~decision on the amount of salary~~ annual salary adjustment;
- b. denial of tenure and/or promotion;
- c. receipt of a lower evaluation than deserved on a performance review;
- d. denial of sabbatical leave.

K.3.3 Determination of the Validity of a Grievance

- a. The UGO shall determine whether a Grievance sets forth a Grievable Action, i.e., whether there is a sufficient basis to pursue a hearing (see Section K.9), based on the written complaint by the Grievant and the Supervisor’s response, as well as any supporting materials. The UGO may seek appropriate legal advice (see Section K.12.6). This determination by the UGO shall be made within five (5) working days of receiving the Grievant’s written complaint and the Supervisor’s response.
- b. If the Grievant disagrees with the UGO’s determination, the Grievant may appeal this decision. Such an appeal must be made in writing to the Chair of the Grievance Panel (see Section K.11.1) ~~having the same~~ for the Employee Classification as of the Grievant within

ten (10) working days of receiving written notification via email of the determination by the UGO. If such an appeal is submitted, the Chair of the Grievance Panel shall form an Appeal Committee consisting of three (3) members from the Grievance Panel, including the Chair of the Grievance Panel, for the purpose of reviewing whether the UGO's determination should be reversed or affirmed. The Chair of the Grievance Panel shall chair the Appeal Committee and recruit members following the same procedure as for the formation of a Hearing Committee (see Section K.11.4). The Appeal Committee shall consider the appeal, the written Complaint of the Grievant and any supporting materials provided by the Grievant, as well as the response of the Supervisor and any supporting materials that are included. Within ten (10) working days of the submission of the appeal, the Appeal Committee, with legal advice if appropriate, shall make a determination solely regarding the validity of the Grievant's appeal, specifically whether the Grievance sets forth a Grievable Action. The Appeal Committee's determination shall be made by a majority vote. The Appeal Committee's determination shall be final. The Appeal Committee shall ~~include~~ send a written report to the UGO and the Grievant notifying them of its decision. If the Appeal Committee reverses the determination of the UGO, the members of this Appeal Committee shall not serve on a Hearing Committee for this Grievance.

c. If it is determined that a Grievance sets forth a Grievable Action, then the UGO shall make a determination of whether the Grievance is Class A or Class B.

K.3.4 Basis of Proof

The basis of proof regarding a Grievable Action is determined by a preponderance of the evidence (i.e., that the claim is more likely to be true than not to be true).

K.4 The Right to Grieve

K.4.1 Persons Entitled to Grieve

Any faculty member or administrative professional may pursue resolution of a Grievable Action. Grievances by more than one (1) employee from a single administrative unit may

be joined into a common grievance if, in the opinion of the UGO, their Grievances have sufficient commonality to be heard collectively, and if those employees filing Grievances from a single unit agree to join in a common Grievance.

K.4.2 Process

If a Grievant initiates the Section K process the Grievable Action shall not be effective prior to the completion of the Section K process.

K.4.3 Section K Process

In the spirit of reaching an expeditious resolution of disputes, an aggrieved employee shall follow all applicable parts of the Section K process before initiating legal action with external agents or agencies. However, the Grievant has the right to seek legal advice from outside counsel at any point during the Grievance process. Nothing in Section K shall supersede the Grievant's rights under federal and/or state laws.

K.5. Initiation of the Section K Process

In order to initiate the Section K process, an administrative professional or a faculty member must contact the UGO in writing no later than twenty (20) working days after the date of the Action giving rise to the Grievable Action or that point in time when the individual could reasonably be expected to have knowledge that a basis for a grievance existed. The UGO shall then meet with the Grievant to discuss the claim.

If the administrative professional or faculty member does not contact the UGO in writing within the required twenty (20) working days, then they forfeit their right to pursue the Section K process (unless the UGO, at the UGO's discretion, decides that extenuating circumstances justify an extension of this deadline).

Within five (5) working days after meeting with the Grievant, the UGO shall contact the Supervisor to schedule a meeting to discuss the claim. After meeting with the Supervisor, the UGO will attempt to resolve the dispute through informal conciliation for a period of up to twenty (20) working days. This may include additional meetings with the Grievant

and the Supervisor individually and/or together, as well as meeting with other persons as approved by the Grievant. If informal conciliation is not successful in resolving the dispute, the UGO will notify both the Grievant and the Supervisor of this outcome.

The UGO is not required to pursue informal conciliation if the Action ~~does~~ does not constitute a Grievable Action. However, the UGO, at the UGO's discretion, may decide to pursue informal conciliation prior to making a determination of whether or not the Action constitutes a Grievable Action.

K.6 Mediation *(last revised December 6, 2019)*

K.6.1 Initiation of the Mediation Process *(last revised December 6, 2019)*

If the Grievant is notified by the UGO that informal conciliation was not successful in resolving the dispute, then the Grievant may choose to initiate the mediation process. This must be done within five (5) working days of receiving such notification, and this is done by submitting to the UGO a formal written Complaint. This Complaint must specify the Supervisor and the Grievable Action(s); how this Action has or will have an adverse academic and/or professional impact on the Grievant; and how the Supervisor was unfair, unreasonable, arbitrary, and/or capricious. In some cases, it may be necessary for the UGO to return the Complaint to the Grievant for editing before it has an acceptable format.

If the Grievant does not contact the UGO in writing within the required five (5) working days, then they forfeit their right to pursue the mediation process or the hearing process (unless the UGO, at the UGO's discretion, decides that extenuating circumstances justify an extension of this deadline).

Within three (3) working days of receiving an acceptable Complaint from the Grievant, the UGO shall forward the Complaint to the Supervisor for a formal written Response. The Supervisor shall submit this Response to the UGO within five (5) working days of receiving the Complaint from the UGO. This Response shall be limited to addressing the claims and statements made in the Complaint. In some cases, it may be necessary for the UGO to return the Response to the Supervisor for editing before it has an acceptable

format. Within three (3) working days of receiving an acceptable Response from the Supervisor, the UGO shall forward the Response to the Grievant.

If the Supervisor whose Action is being challenged is no longer ~~is~~ employed by the university or no longer holds the relevant supervisory position, then the Responsible Administrator(s) for the unit shall decide, at the Administrator's discretion, who should represent the unit in the Section K process. The unavailability of the original Supervisor does not affect the right of a Grievant to pursue the Section K process.

When a faculty member is grieving the denial of tenure and/or promotion (see Section E.13.2~~4~~, paragraphs ~~4 and 5~~6 or Section E.10.5.1 paragraph 6), in the case of a negative recommendation by the department head, the Complaint shall be filed against the department head, who shall be responsible to respond. In the case of a positive recommendation by the department head, but a negative recommendation by the dean of the college, the complaint shall be filed against the dean, who shall be responsible to respond. In the case of positive recommendations by both the department head and the dean, but a negative recommendation by the Provost, the complaint shall be filed against the Provost, who shall be responsible to respond.

Within five (5) working days after receiving the Response from the Supervisor, the UGO shall select a University Mediator (UM) from the pool to mediate the dispute, and the UGO shall notify the Grievant and the Supervisor of the UM selected. The UM shall have the same Employee Classification as the Grievant. The Grievant and/or the Supervisor shall have five (5) working days from the date of this notification to object to the choice of UM. Such an objection may be based only on the UM's prior or current relationship with Grievant and/or the Supervisor and/or the UM's knowledge of previous related disputes. If objections arise, the UGO may decide to select a different UM. The UGO shall make the final decision on the assignment of a UM, and the UGO shall notify the UM of the UM's assignment within three (3) working days of this decision.

The UGO is not required to pursue mediation if the Action does not constitute a Grievable Action. However, the UGO, at the UGO's discretion, may decide to allow mediation to

occur prior to making a determination of whether or not the Action constitutes a Grievable Action.

In some cases, the UGO may decide that mediation is unlikely to be productive and that the mediation process should not be initiated. This is generally the case when a faculty member is grieving the denial of tenure and/or promotion. If the UGO decides not to initiate the mediation process, the UGO shall notify the Grievant and the Supervisor of this decision. The Grievant shall then decide whether or not to initiate a formal grievance hearing (see Section K.9).

K.6.2 Mediation Process

a. Within ten (10) working days of being assigned by the UGO, the UM shall meet with the Grievant and the Supervisor, discuss their respective positions, and review relevant information.

b. If the UM believes there is a reasonable chance that mediation efforts may produce a resolution of the dispute, the Grievant, the Supervisor, and the UM shall enter into a mediation period of up to twenty (20) working day to attempt to resolve the dispute.

c. The goal of mediation is for the Grievant and the Supervisor to come to a mutual agreement where reconcilable differences are resolved and where the Grievant and the Supervisor are able to work together in an amicable and productive manner in the future. Successful mediation generally requires compromise by both the Grievant and the Supervisor. If a successful agreement is reached, then the Section K process is completed.

However, failure by the Supervisor to abide by the terms of the agreement is grievable.

d. If the UM decides that mediation efforts are not productive, then the UM may choose to terminate the mediation period at any time.

e. If the mediation period expires or is terminated, the UM shall notify the UGO of this situation in writing within three (3) working days. The UGO shall then notify the Grievant and the Supervisor of this situation within three (3) working days of receiving this

notification from the UM. The Grievant shall then have five (5) working days after receiving this notification from the UGO to initiate the formal hearing process regarding any Grievable Action (see Section K.9).

f. Documentation and other communication created specifically in connection with the resolution of a dispute shall be considered to be part of the Grievant's and the Supervisor's personnel file.¹ Under the Dispute Resolution Act, C.R.S. 13-22-301 et seq., documents and communications that are created solely from the mediation process are confidential and shall not be disclosed and they may not be used as evidence during a Grievance Hearing, except by mutual agreement of the Grievant and the Supervisor, or as may be required by law. When a resolution is reached, documentation and other communication created during the mediation process shall be forwarded to the UGO, who shall retain the materials. Records created prior to initiation of the mediation process are not considered confidential communications and may be used in a Grievance Hearing. Information and documents that are otherwise relevant do not become confidential merely because they are presented, discussed, or otherwise used during the course of mediation.

K.7 Documentation

a. Either the UGO or the UM assigned to the case may request, and is entitled to receive promptly, any and all materials from the participants in the Grievable Action that either the UGO or the UM may deem relevant to the dispute.

b. Any formal resolution reached during mediation by the participants must be in writing and is subject to approval of legal sufficiency by the Office of General Counsel and approval by any other necessary individuals.

K.8 Right to Clerical Assistance

A Grievant has the right to clerical support from University personnel for preparation of documents for use in this process. Because maintenance of confidentiality is an important element of the Section K process, the clerical support should come from a unit at the next

higher level than the one in which the Grievant is housed (e.g., from the college level, for a faculty member, or from the Office of the Provost, for a department head).

K.9 Initiating the Hearing Process

If the Grievant is notified by the UGO that mediation was not successful in resolving the dispute, then the Grievant may choose to initiate the hearing process. This must be done within five (5) working days of receiving such notification, and this is done by informing the UGO in writing of the decision to initiate the hearing process. This may be done only if the Action(s) specified in the Complaint have been determined to be Grievable Action(s).

Within ten (10) working days of notification that mediation was not successful, the Grievant must submit to the UGO in writing a list of the materials that the Grievant intends to submit at the Hearing, a list of the witnesses that the Grievant intends to call at the Hearing, and the relevance of these materials and witnesses. Within twenty (20) working days of notification that mediation was not successful, the Grievant must submit to the UGO copies of the materials that the Grievant intends to submit at the Hearing. To the extent permitted by law and University policy, each of these submissions from the Grievant shall be forwarded to the Supervisor within three (3) days of their receipt by the UGO.

Within ten (10) working days of receiving the Grievant's list of materials and witnesses, the Supervisor must submit to the UGO in writing a list of the materials that the Supervisor intends to submit at the Hearing, a list of the witnesses that the Supervisor intends to call at the Hearing, and the relevance of these materials and witnesses. Within twenty (20) working days of receiving the Grievant's list of materials and witnesses, the Supervisor must submit to the UGO copies of the material that the Supervisor intends to submit at the Hearing. To the extent permitted by law and University policy, each of these submissions from the Supervisor shall be forwarded to the Grievant within three (3) days of their receipt by the UGO.

The UGO has the right to question and determine the applicability, reasonableness, and relevance to the hearing process of any submitted material. This right may include the refusal by the UGO to accept and forward submitted materials until the UGO judges that they are in compliance with the requirements of Section K (see Section K.10.4). Failure by either the Grievant or the Supervisor to bring documents into compliance with Section K requirements by a deadline set by the UGO shall, at the discretion of the UGO, result in the forwarding by the UGO of redacted materials. In this case, the person who submitted the materials will be notified of this decision and sent copies of the redacted materials. In an extreme case, the UGO may decide that the Grievant has forfeited the Grievant's right to pursue the hearing process and notify the Grievant of this decision.

K.10 Grievance Procedure

K.10.1 Hearing Committee

As described in Section K.11.4, a Hearing Committee shall be selected by the UGO, which consists of five (5) members, one of whom shall serve as the Chair of the Hearing Committee. The UGO shall notify the Parties of the members. The Parties shall then have three (3) working days to challenge for cause members of the Hearing Committee. A challenge for cause must be based on a claim that the challenged member of the Hearing Committee, through involvement with the Grievant, the Supervisor, and/or the Grievable Action, may be incapable of rendering an impartial judgment regarding the Grievance. The UGO, with appropriate legal advice (see Section K.12.6), shall decide all such challenges. Members successfully challenged shall be excused from the Hearing Committee and replaced by the UGO as described in Section K.11.4. The UGO may excuse a member of the Hearing Committee even though actual cause cannot be proven.

The UGO shall then set the date(s), time(s), and locations(s) for the Hearing and forward to the members of the Hearing Committee the Complaint, the Response, the lists of witnesses to be called by the Parties, the materials to be submitted by the Parties, the relevance of these witnesses and materials, and any additional material that the UGO deems to be relevant to the Hearing. The UGO shall provide copies to the Parties of all material submitted to the Hearing Committee. If the UGO has decided to redact some of

the material submitted by either Party, then that Party may appeal this decision in writing to the Chair of the Hearing Committee. This must be done within five (5) working days of this person being notified of the submission by the UGO. If such an appeal is submitted, the Chair of the Hearing Committee shall make a decision regarding the matter within five (5) working days of receiving the appeal. The decision of the Chair of the Hearing Committee shall be final.

Any member of the Hearing Committee may request that the UGO provide additional materials or that additional witnesses be called (with the relevance of such witnesses being explained). Upon approval of the Chair of the Hearing Committee, these requests will be accommodated to the extent permitted by law and University policy. Each Party will be sent copies of such additional materials and notified of additional witnesses and their relevance.

For a Class B Grievance, since the burden of proof is on the Grievant, the Hearing Committee may decide without a Hearing that the Complaint lacks substantive merit under the criteria specified in Section K.3 and that a Hearing will not take place. Such a decision requires a unanimous vote by the Hearing Committee. The Grievant shall have the right to appeal to the Provost a recommendation made by a Hearing Committee without a Hearing.

K.10.2 Conduct of Grievance Hearings

The rules and procedure outlined below shall apply in any formal Grievance Hearing conducted by a Hearing Committee.

- a. Grievance Hearings are confidential and closed to the public.
- b. Each Party to the Grievance shall be permitted to have a maximum of two (2) advisors present, consisting of peer advisors and/or legal counsel. These advisors may help the Party prepare for the proceedings, including the preparation of any required written documentation, and may advise the Party during the proceedings, but no advisor may participate actively in the proceedings. Advisors may not make statements, objections or attempt to argue the case (however, if an advisor is called as a witness, the advisor is

allowed to participate in this capacity). The only persons who have standing to speak at the Hearing are the members of the Hearing Committee, the UGO, the Parties to the Grievance, and any witnesses called. Each Party shall identify their advisors at the opening of the Hearing and neither Party shall have the right to delay the Hearing because of a lack of or unavailability of advisors, except if an emergency occurs.

c. The Chair of the Hearing Committee (see Section K.11.4) shall open the Hearing by determining that all parties are present and by identifying the advisors chosen by each Party.

d. Once initiated, the Hearings shall continue on a daily basis, depending on the convenience of the Parties, and, the Hearing shall be concluded within ten (10) working days of its opening.

e. The Parties to a Grievance have the responsibility to attend all scheduled meetings of the Hearing. No substitutes for the Parties shall be allowed. If a Party is unable or unwilling to attend any scheduled meeting of the Hearing, the meeting may be held ex parte.

f. If it is deemed appropriate by a majority of the members of the Hearing Committee, a person may participate in the Hearing from a different physical location (e.g., by video conference or teleconference). However, the questioning of witnesses must occur in a real-time, spontaneous format, unless a majority of the Hearing Committee concurs that this is not feasible. Any request to appear or participate in the Hearing from a different physical location must be made in writing and must be submitted to the Hearing Committee at least five (5) working days before the Hearing.

g. The Grievant, the Supervisor, and their advisors ~~and advisors~~ are responsible for abiding by the procedures herein established. Anyone failing to adhere to the procedures may be excluded from participation in the Hearing by a majority vote of the Hearing Committee, and judgment shall be rendered without the presence of any excluded persons.

h. The entirety of the Hearing shall be recorded. Upon request, either Party shall be provided with a copy of this record, as well as any written material submitted during the Hearing. The Office of the Provost shall bear the cost of producing these copies.

K.10.3 Order of Proceedings for Grievance Hearings

Subject to the restrictions of Section K.10.2.g, the following persons are entitled to be present during the Hearing:

- a. The Parties and their advisors;
- b. The UGO, the Hearing Committee members, and their legal counsel;
- c. Witnesses when testifying; and
- d. Such other persons as are specifically authorized by a majority vote of the Hearing Committee, unless their presence is objected to by either Party and the objection is sustained by the UGO.

The Hearing should proceed in the following order (although this order may be altered by a majority vote of the Hearing Committee with the approval of the UGO):

- a. Statement by the Party having the burden of proof (hereinafter referred to as the “First Party”).
- b. Statement by the other Party (hereinafter referred to as the “Second Party”).
- c. Presentation by the First Party of witnesses and materials, subject to the restrictions of Section K.10.4. The First Party shall have the right to call oneself as a witness and to call the Second Party as a witness. The Second Party shall have the right to challenge the relevancy and/or authenticity of witness testimony and submitted materials and to question each witness called by the First Party after that witness has been questioned by the First Party. Decisions on such challenges shall be rendered by the Chair of the Hearing Committee. Challenges of procedural decisions by the Chair of the Hearing Committee

shall be decided by a majority vote of the remaining members of the Hearing Committee, with tie votes sustaining the Chair.

d. Presentation by the Second Party of witnesses and materials, subject to the restrictions of Section K.10.4. The Second Party shall have the right to call oneself as a witness and to call the First Party as a witness. The First Party shall have the right to challenge the relevancy and/or authenticity of witness testimony and submitted materials and to question each witness called by the Second Party after that witness has been questioned by the Second Party. Challenges shall be decided as described in the previous paragraph.

e. Members of the Hearing Committee shall have the right to direct questions to witnesses called and to the Parties during these proceedings.

f. Summary arguments by the First Party.

g. Summary arguments by the Second Party.

h. The members of the Hearing Committee shall have the authority to direct any further questions to either or both Parties following both summary arguments, to schedule additional meetings of the Hearing to develop points not yet clarified sufficiently, and/or to call additional witnesses. A decision to schedule additional meetings of the Hearing requires a majority vote of the Hearing Committee. The Chair of the Hearing Committee shall notify the Parties in writing of the scheduling of additional meetings, any points that the Hearing Committee feels require further clarification, and the names and relevance of any additional witnesses to be called by the Hearing Committee.

i. If either Party claims to have been denied access to relevant University records and/or documents, the Hearing Committee may consider this claim in making its final recommendation (see Section K.10.5).

K.10.4 Rules Regarding Witness Testimony and Submitted Materials

The following rules shall apply to any Grievance Hearing before a Hearing Committee:

- a. It shall be the responsibility of the Party seeking to call a witness or submit material to demonstrate to the satisfaction of the Chair of the Hearing Committee the authenticity and relevance of the witness or material.
- b. Witnesses called shall have direct and personal knowledge of the points attested to and may be challenged on the ground that they lack such knowledge. A Party calling a witness shall first establish the relevance of the testimony of the witness.
- c. Material introduced by either Party shall be accompanied by a showing of authenticity and relevance to the Grievance. Decisions, recommendations, and actions that occur prior to the Grievable Action may be relevant to the Grievable Action if they establish a pattern of action over time.
- d. During a witness' testimony, either Party may object to such testimony on the grounds that the witness lacks personal knowledge for such testimony or that such testimony is not relevant to the Grievance. The Party making the objection shall state the reason(s) for the objection, and the other Party shall have the opportunity to respond to the objection. The Chair of the Hearing Committee shall rule on the objection.
- e. The UM assigned to a specific case may neither attend the Hearing nor be called as a witness for that case.

K.10.5 Recommendation of the Hearing Committee *(last revised December 6, 2019)*

- a. Following the completion of the Hearing, the Hearing Committee shall retire for the purpose of discussion, conference, and decision. These deliberations shall remain confidential to the full extent permitted by law. The Hearing Committee shall review the pertinent information and the Grievable Action solely to determine whether this Action is unfair, unreasonable, arbitrary, and/or capricious, but not to substitute its judgment regarding the substantive merits of the Grievable Action.
- b. When the Hearing Committee has agreed on a recommendation (hereinafter referred to as the "Recommendation") by a majority vote, a written statement of the Recommendation

shall be prepared that summarizes the relevant information and explains the reasoning that supports the Recommendation. It also shall state specifically any action necessitated by the Recommendation and identify any proposed relief to be provided. Normally, the Chair of the Hearing Committee shall oversee the preparation of this written statement of the Recommendation. However, if the Chair of the Hearing Committee opposes the majority vote, the members of the majority shall choose from among themselves a person to oversee the preparation of the written statement of the Recommendation. This person shall also represent the Hearing Committee, if necessary, during reviews and appeals.

c. If the Recommendation from the Hearing Committee is not unanimous, the report shall explain the reasoning of the dissenting minority, as well as that of the majority.

d. The written Recommendation from the Hearing Committee shall be submitted to the UGO by the Chair of the Hearing Committee within ten (10) working days of the completion of the Hearing.

e. Within three (3) working days after receiving the Recommendation from the Hearing Committee, the UGO shall send a copy of this Recommendation to the Parties. Within this same time frame, the UGO shall provide copies of the Recommendation, the Complaint, the Response, the record of the Hearing, and any written material submitted during the Hearing (hereinafter referred to collectively as the “Hearing Record”) to both the Provost and the President, unless the Provost and/or the President is a Party to the Grievance. If the Provost is a Party to the Grievance, but the President is not, the Hearing Record shall be sent only to the President. If the President is a Party to the Grievance, the Hearing Record shall instead be sent to the Board.

f. If the Grievable Action is the denial of tenure and/or promotion, the Hearing Record shall not be sent to the Provost.

K.10.6 Appeals and Administrative Reviews

A recommendation from the Hearing Committee that no action be taken as a result of the Grievance Hearing is final, unless the Grievant chooses to appeal this Recommendation

(see Section K.10.6.1). Any Recommendation from the Hearing Committee that action be taken as a result of the Grievance must be reviewed by both the Provost and President before it becomes final, unless the Provost or the President is a party to the Grievance. If the Provost is a party to the Grievance, but the President is not, the review shall be made only by the President. If the President is a party to the Grievance, the review shall be made only by the Board.

If the Grievable Action is the denial of tenure and/or promotion, only the President shall review the Recommendation.

K.10.6.1 Appeal of the Recommendation From the Hearing Committee

Whether or not the Recommendation from the Hearing Committee suggests that action be taken as a result of the Grievance, the Grievant has the right to appeal this Recommendation. This appeal must be made within five (5) working days of receipt of the written Recommendation from the Hearing Committee, it must provide reasons for the appeal, and it must not exceed five (5) pages with normal font size. This appeal shall be submitted to the Provost, unless the Provost and/or the President is a Party to the Grievance. If the Provost is a Party to the Grievance, but the President is not, the appeal shall be submitted to the President. If the President is a party to the Grievance, the appeal shall be submitted to the Board.

If the Grievable Action is the denial of tenure and/or promotion, the appeal shall be submitted only to the President.

If the Grievant submits an appeal to the Provost, the ~~Provost~~ Grievant shall send a copy of this appeal to the UGO at the same time. The UGO shall then send a copy of this appeal to the Supervisor.

K.10.6.2 Review by the Provost *(last revised December 6, 2019)*

If the Hearing Record is sent to the Provost, the Provost shall review the Hearing Record, together with any appeal from the Grievant (hereinafter referred to collectively as the

“Appeal Record”), unless the Recommendation from the Hearing Committee is that no action be taken as a result of the Grievance and no appeal was submitted by the Grievant within the five (5) working day limit. This review shall be based only on the Appeal Record. No new substantive issues may be introduced.

Upon completion of this review, the Provost shall submit a written recommendation to the President, along with a copy of any appeal from the Grievant. The recommendation from the Provost shall include a summary of the relevant information and the reasoning that supports the recommendation. The recommendation from the Provost may differ from the Recommendation from the Hearing Committee only if the Provost finds that the Recommendation from the Hearing Committee is unfair, unreasonable, arbitrary, and/or capricious.

The Provost shall also send a copy of the Provost’s recommendation to the UGO, and the UGO shall send copies of this recommendation to the Grievant and the Supervisor. The Provost shall send the Provost’s recommendation to the President and the UGO within ten (10) working days of receiving an appeal from the Grievant or the expiration of the five (5) working day limit for submitting an appeal.

K.10.6.3 Appeal of the Recommendation From the Provost *(last revised December 6, 2019)*

The Grievant has the right to appeal the new recommendation from the Provost. This appeal must be made within five (5) working days of receipt of the written recommendation from the Provost, it must provide reasons for the appeal, and it must not exceed five (5) pages with normal font size.

If the Grievant submits an appeal to the President, the Grievant shall send a copy of this appeal to the UGO at the same time. The UGO shall then send a copy of this appeal to the Supervisor and the Provost.

K.10.6.4 Review by the President *(last revised December 6, 2019)*

If the Hearing Record is sent to the President, the President shall review the Hearing Record, together with any recommendation from the Provost, and any appeals from the Grievant (hereinafter referred to collectively as the “Final Appeal Record”), unless the Recommendation from the Hearing Committee is that no action be taken as a result of the Grievance and no appeal was submitted by the Grievant within the five (5) working day limit. This review shall be based only on the Final Appeal Record. No new substantive issues may be introduced.

Upon completion of this review, the President shall make a final decision regarding the Grievance. This decision shall be in writing, and it shall include a summary of the relevant information and the reasoning that supports the decision. Regardless of the recommendation from the Provost, the decision of the President may differ from the Recommendation from the Hearing Committee only if the President finds that the Recommendation from the Hearing Committee is unfair, unreasonable, arbitrary, and/or capricious. The President shall send the President’s written decision to the UGO within twenty (20) working days of receiving an appeal from the Grievant or the expiration of the five (5) working day limit for submitting an appeal. The UGO shall send copies of this decision to the Grievant, the Supervisor, and the Provost. The decision of the President is final.

If the decision of the President includes taking action as a result of the Grievance, the President shall notify the appropriate individuals of the action to be taken.

K.10.6.5 Review by the Board

If the President was a party to the Grievance, the Board shall review the Recommendation from the Hearing Committee, together with any appeal from the Grievant (hereinafter referred to collectively as the “Final Appeal Record”), unless the Recommendation suggests that no action be taken as a result of the Grievance and no appeal was submitted by the Grievant within the five (5) working day limit. This review shall be based only on the Final Appeal Record. No new substantive issues may be introduced. Board Policy 123 contains the procedures to be followed regarding this review.

Upon completion of this review, the Board shall make a final decision regarding the Grievance. This decision shall be in writing, and it shall include a summary of the relevant information and the reasoning that supports the decision. The Chair of the Board shall send this written decision to the UGO, and the UGO shall send copies of this decision to the Grievant, the Supervisor, the Provost, and the President. The decision of the Board is final.

If the decision of the Board includes taking action as a result of the Grievance, the Chair of the Board shall notify the President and the UGO of the action to be taken, and the President shall notify the appropriate individuals. This may involve special Board action.

K.11 Grievance Panels and Hearing Committees

K.11.1 Grievance Panels *(last revised August 10, 2018)*

The Faculty Grievance Panel shall be a pool of eligible Hearing Committee members consisting of one (1) tenured faculty member from each academic department and one (1) tenured faculty member from the Libraries.

The Administrative Professional Grievance Panel shall be a pool of eligible Hearing Committee members consisting of twenty-one (21) administrative professionals, representing at least four (4) administrative areas. Each member shall have had at least five (5) years employment at half-time (0.5) or greater at Colorado State University.

No person having administrative duties, as described in Section K.11.2, shall be qualified to serve on either Grievance Panel.

K.11.1.1 Duties *(last revised August 10, 2018)*

As specified elsewhere in Section K, individual members of the Grievance Panel may be recruited to a) serve on individual Hearing Committees, b) serve on search committees to select a new UGO, and c) consult with the leadership of Faculty Council or the Administrative Professional Council, as appropriate, on policy matters related to the procedures outlined in Section K and the activities of the UGO.

K.11.1.2 Chairs *(last revised August 10, 2018)*

Each year, the Chair of the Faculty Council shall select a Chair for the Faculty Grievance Panel from among its elected members, and the Chair of the Administrative Professional Council shall select a Chair for the Administrative Professional Grievance Panel from among its elected members.

As specified elsewhere in this Section K, the duties of the chairs are:

- a. To meet with the UGO as needed to review activities of the UGO,
- b. To review challenges to the qualification of grievances by the UGO (Section K.3.3),
- c. To appoint a subcommittee to seek nominations for the position of UGO and interview prospective UGO candidates (Section K.12.1),
- d. To confer with the Provost and either the Chair of Faculty Council or the Chair of the Administrative Professional Council on the appointment of a Temporary Special University Grievance Officer, as needed (Section K.12.7),
- e. To advise the UGO on policy and procedural matters covered in Section K,
- f. To advise the Faculty Council and Administrative Professional Council on matters pertaining to rights and responsibilities described in this Section,
- g. To provide input for the UGO's annual report (Section K.12.4.i),
- h. To provide input on the UGO's annual performance review (Section K.12.1).

K.11.2 Administrative Duties

With respect to qualification to serve on the Grievance Panel, administrative duty or duties refers to the service of those persons acting as the administrators responsible for the various administrative units, departments, colleges, and the University, and responsible for budgets and supervising and evaluating personnel other than state classified personnel,

students, or postdocs. This shall include administrators at the level of department head or above, but not assistant or associate department heads. Service by persons as chairs of committees, or as Principal Investigators on contracts and grants shall not be considered to be administrative duties.

K.11.3 Election of Grievance Panel Members

Each academic department and the Libraries shall elect one (1) member of the Grievance Panel from among the eligible members of that unit. The electorate eligible to vote for this member of the Faculty Grievance Panel shall consist of all tenured, tenure-track, contract, continuing, and transitional members of the faculty in that unit who have no administrative duties (see Section K.11.2). The Faculty Council Committee on Faculty Governance shall establish uniform nomination and election procedures throughout the University and shall supervise elections in academic departments and the Libraries to ensure secret ballots and impartial election procedures.

Administrative professionals shall be elected by the Administrative Professional Council. Nominations for candidates shall be opened on February 15, annually, and election shall be held in April.

Election shall be for a three (3) year term starting on the first (1st) day of Fall semester, with the terms staggered so that approximately one-third (1/3) of the faculty members and one-third (1/3) of the administrative professionals have their terms expire each year. Vacancies shall be filled by elections at other times throughout the year following the procedures set forth above.

K.11.4 Formation of Hearing Committees

The UGO shall establish a rotation schedule for the members of the Grievance Panels to serve on Hearing Committees. However, at the discretion of the UGO, members may be skipped due to issues such as conflicts of interest, availability, or appropriate criteria (such as faculty rank). Hearing Committees shall consist of five (5) members having the same Employee Classification as the Grievant. The UGO shall provide each selected

member of the Hearing Committee the opportunity to excuse themselves from service because of having an involvement with one or both of the Parties and/or with the Action being challenged that causes the Hearing Committee member to be incapable of rendering an impartial judgment concerning the Grievance. The UGO shall select replacements for any members who excuse themselves. Each Hearing Committee scheduled to hear a Grievance shall select from its membership a Chair, who shall be a voting member of the Hearing Committee, preside over the Hearing, maintain orderly procedures, and supervise the preparation of the written Recommendation regarding the Grievance.

In the event that it is impossible to establish a full Hearing Committee from the membership of the Grievance Panel, the UGO and either the Chair of Faculty Council or the Chair of the Administrative Professional Council, whichever has the same Employee Classification as the Grievant, shall jointly select the remaining members of the Hearing Committee, subject to further challenge for cause as provided in Section K.10.1.

K.12 University Grievance Officer

K.12.1 Selection, Qualifications, and Term of the University Grievance Officer

In October of the third year of the UGO's term of office, the chairs of the Grievance Panels shall jointly appoint a subcommittee of the Grievance Panel memberships, consisting of three (3) faculty members and three (3) administrative professionals, to provide nominations for a UGO to serve the next three-year term. In November, this subcommittee shall solicit nominations, and, in January, it shall recommend qualified persons to the President through the Provost. The UGO shall be selected by the President, after consultation with the members of the subcommittee during the second week of February. The selection must be confirmed by a majority vote of those cast by the Faculty Council and the Administrative Professional Council in April, such confirmations being conducted separately. In the event that a majority vote of those cast is not attained by both the Faculty Council and the Administrative Professional Council, another candidate shall be proposed by the President. The UGO shall take office on July 1 following the vote and shall report administratively to the Provost. The Provost shall keep the President informed regarding the activities of the UGO.

The UGO shall be a tenured, full-time member of the faculty with at least the rank of associate professor and shall have no administrative duties (see Section K.11.2) throughout the term of service. The term of office shall be three (3) consecutive one (1) year appointments. There is no limit to the number of terms a UGO may serve.

The UGO shall be evaluated annually. In February, the Executive Committee of Faculty Council and the Executive Committee of the Administrative Professional Council shall each send a written performance evaluation to the Provost. The Provost shall prepare the official evaluation of the UGO and submit it to the President preceding each reappointment. If the position of UGO becomes vacant before expiration of the term, the Grievance Panel shall recommend an interim appointment to the President, through the Provost, to serve until a confirmed UGO, selected the following February, takes office on July 1.

K.12.2 Oversight of the University Grievance Officer *(last revised August 10, 2018)*

The UGO shall be accountable to the Faculty and Administrative Professional Councils on matters pertaining to carrying out the responsibilities of the UGO. The UGO shall seek the advice of the Chairs of the Grievance Panels on procedural matters. The UGO shall report administratively to the Provost.

K.12.3 Service of the University Grievance Officer

The UGO shall ~~be appointed part-time, depending upon the work load~~ have a twelve(12)-month appointment as a tenured faculty member. The appointment fraction as UGO and associated funds shall be negotiated ~~among~~ between the UGO, and the Provost, ~~and the UGO's department head and may be reviewed as necessary~~ and will depend on the workload as UGO. The fraction of the workload as UGO shall be considered to be service in the overall workload distribution of the UGO. Typically, this will lead to a compensating reduction in the workload within the home department of the UGO. Adequate secretarial and expense support shall be provided by the Office of the Provost.

K.12.4 Duties of the University Grievance Officer *(last revised December 6, 2019)*

The UGO shall be responsible for:

- a. Maintaining a record of actions taken as part of the processes in Section K and Sections E.11, E.15, E.16, and E.17.
- b. Coordinating and facilitating the activities of the Grievance Panel by maintaining the records of the Panels, scheduling all meetings of the Panels for informational and organizational purposes, scheduling meetings of its Hearing Committees, calling individuals to appear before Hearing Committees, and establishing the rotation order for service by the members of the Panels on Hearing Committees.
- c. Overseeing the processes of Section K and Sections E.11, E.15, E.16, and E.17 and preparing reports to the Grievance Panels, including recommendations for improving these processes.
- d. Assuring that faculty members and administrative professionals are familiar with the provisions, components, purposes, and procedures of the processes of Section K and Sections E.11, E.15, E.16 and E.17.
- e. Consulting with at-will employees and the Office of General Counsel about disciplinary action or termination of at-will employees, as discussed in Section K.3.1.gh.
- f. Making recommendations to Hearing Committees and Appeal Committees regarding guidelines for the operation of these committees pursuant to Section K and Sections E.11, E.15, E.16, and E.17.
- g. Advising potential and active parties to a Grievance of their prospects for sustaining a Grievance, including their responsibilities for following the procedural rules of Section K.10.
- h. Facilitating the conduct of Hearings and Appeals pursuant to Section K and Sections E.11, E.15, E.16, and E.17.

- i. Preparing an annual report each December for the Faculty Council and Administrative Professional Council, which summarizes activities and recommendations during the previous year.
- j. Maintaining and updating the list of University Mediators (UMs).
- k. Appointing appropriate UMs to mediate disputes involving faculty members, administrative professionals, and/or administrators.
- l. Coordinating orientation and training of University Mediators and Grievance Panel members.
- m. Assisting the Faculty Council and the Administrative Professional Council in their annual evaluations of the UGO.

K.12.5 Right to Extend Deadlines

At the UGO's discretion, the UGO may extend any deadlines or timelines described in Section K and ~~Section E.15~~ Sections E.11, E.15, E.16, and E.17. An individual involved in these processes may submit to the UGO an objection to such an extension, and the UGO shall give such an objection serious consideration. However, the final decision regarding an extension rests with the UGO.

K.12.6 Legal Advice

At any time, the UGO may seek legal advice from the Office of General Counsel for the University. If the UGO determines that it is appropriate to seek legal advice from outside the Office of the General Counsel for the University, the UGO may request that the Office of the General Counsel engage the services of an attorney from the Colorado Attorney General's Office to give legal advice to the UGO. If the UGO determines that it is necessary to seek legal advice from an attorney who is outside of the Office of the General Counsel and the Colorado Attorney General's Office, the UGO may make such a request to the Office of the General Counsel. Any such engagement must be approved by the

Colorado Attorney General's Office. A denial by the Colorado Attorney General's Office of such a request is final.

K.12.7 Temporary Special University Grievance Officer

In the event of a conflict of interest by the UGO in a dispute, or in the event that the UGO becomes a Grievant or requests to be recused, the President, after consultation with the chairs of the Grievance Panels shall appoint a Temporary Special UGO for that dispute. The Temporary Special UGO shall have all the duties described herein of the UGO for the duration of the specific dispute for which the Temporary Special UGO is appointed.

K.13 University Mediators

K.13.1 Qualifications of University Mediators

The individuals nominated and recommended as UMs shall be presently employed or retired faculty members or administrative professionals who have the skills, credibility and commitment that would enable them to discharge their duties effectively as UMs. A currently employed individual shall obtain prior approval from their department head/supervisor. The UGO is not eligible to serve as a UM.

K.13.1.1 Qualifications of University Mediators for Faculty

Each UM for faculty members shall be a tenured, full-time faculty member with at least the rank of associate professor or a person who previously held such an appointment. The UM shall have no administrative duties (see Section K.11.2) throughout the term of service.

K.13.1.2 Qualifications of University Mediators for Administrative Professionals

Each UM for administrative professionals shall be employed at least half-time (0.5) as an administrative professional at Colorado State University or, a person who previously held such an appointment.

K.13.2 Selection, Terms, and Evaluation of University Mediators for Faculty *(last revised August 10, 2018)*

The Chair of Faculty Council and the Provost shall solicit nominations for faculty UMs prior to the end of each academic year. In consultation with the Executive Committee of Faculty Council, the Chair of Faculty Council and the Provost shall jointly forward recommendations to the President. The President shall appoint at least two (2) faculty UMs for the upcoming year. The faculty UMs shall take office on July 1 following their appointment by the President.

University Mediators may be eligible to receive supplemental pay based on hours devoted to mediation activities. Moreover, the Provost and the faculty member's department head may choose to provide an adjustment in effort distribution and/or workload. In this case, individuals appointed as faculty UMs may negotiate this change in effort distribution and/or workload with their department head, to reflect their involvement in the mediation process.

The term of office for a faculty UM shall be three (3) consecutive one (1) year appointments on an at-will basis. There is no limit to the number of terms a UM may serve. A faculty UM who has mediated one or more cases during the calendar year shall be evaluated the following February by the Executive Committee of Faculty Council, who shall send a written performance evaluation to the Provost. The provost shall then prepare the official evaluation of the UM and submit it to the President prior to reappointment of the UM. If the need arises to appoint an additional UM during the academic year, the Chair of Faculty Council and the Provost shall recommend jointly an interim appointment to the President to serve until a new UM is selected and takes office the next July 1.

K.13.3 Selection, Terms, and Evaluation of University Mediators for Administrative Professionals *(last revised August 10, 2018)*

The Chair of the Administrative Professional Council and the Vice President for University Operations shall solicit nominations for administrative professional UMs prior to the end of each academic year. In consultation with the Executive Committee of the

Administrative Professional Council, the Chair of the Administrative Professional Council and the Vice President for University Operations shall jointly forward recommendations to the President. The President shall appoint at least two (2) administrative professional UMs for the upcoming year. The administrative professional UMs shall take office on July 1 following their appointment by the President.

University Mediators may be eligible to receive supplemental pay based on hours devoted to mediation activities. Moreover, the Vice President for University Operations and the administrative professional's immediate supervisor may choose to provide an adjustment in effort distribution and/or workload. In this case, individuals appointed as administrative professional UMs may negotiate this change in effort distribution and/or workload with their immediate supervisor, to reflect their involvement in the mediation process.

The term of office for an administrative professional UM shall be three (3) consecutive one (1) year appointments on an at-will basis. There is no limit to the number of terms a UM may serve. An administrative professional UM who has mediated one or more cases during the calendar year shall be evaluated the following February by the Executive Committee of the Administrative Professional Council who shall send a written performance evaluation to the Vice President for University Operations. The Vice President for University Operations shall then prepare the official evaluation of the UM and submit it to the President prior to the reappointment of the UM. If the need arises to appoint an additional UM during the academic year, the Chair of the Administrative Professional Council and the Vice President for University Operations shall jointly recommend an interim appointment to the President to serve until a new UM is selected and takes office the next July 1.

¹ The term "personnel file" refers to information collected because of the employer-employee relationship, and it does not necessarily refer to a single physical file. In order for information to be part of the personnel file, there must be a reasonable expectation that such information will be kept private. Information in the personnel file is generally not made available for public inspection, but it is available to the individual and to the individual's supervisors.

Rationale: These are housekeeping changes to correct errors, clarify some points, and clean up language.

Date: October 26, 2023

To: Melinda Smith
Chair, Faculty Council

From: Jennifer Martin
Chair, Committee on Responsibilities and Standing of Academic Faculty

Subject: **Faculty Manual Section J**

The Committee on Responsibilities and Standing of Academic Faculty submits the following:

MOVED, THAT SECTION J OF THE ACADEMIC FACULTY AND ADMINISTRATIVE PROFESSIONAL MANUAL BE REPLACED AS FOLLOWS:

SECTION J. RIGHTS AND RESPONSIBILITIES RELATED TO INVENTIONS AND CREATIVE WORKS

J.1 Policy on Patents, Inventions, and Research Property

J.1.1 Definitions

Appeals Committee for Inventions: The committee that makes decisions regarding disputes arising from the policies in Section J.1. The members are the Vice Provost for Faculty Affairs, the Chair of Faculty Council, and the University Grievance Officer. Decisions made by the Appeals Committee are final.

Bayh-Dole: U.S. legislation found at 35 U.S.C. §§ 200-212 pertaining to the reporting, ownership, patenting, and licensing of Inventions or Discoveries made under Federally Sponsored Research Agreements.

Colorado State University Research Foundation (“CSU-STRATA”): The primary intellectual property marketing agent for the University is the Colorado State University Research Foundation, now known as CSU-STRATA, and as it may otherwise be known from time to time. CSU-STRATA provides these services in accordance with the Master Services Agreement with the Colorado State University System on behalf of the University.

Data: The recorded material commonly accepted in the scientific community as necessary to validate research findings arising from or associated with research conducted at, under the auspices of, or using the resources of the University. “Data” covered in this policy includes both intangibles (e.g., information and copyrightable works such as software and expressions of creativity, artistry or information) and tangibles (e.g., cell lines, biological samples collected for research purposes, synthetic compounds, organisms, biomarkers, novel reagents and originals or

copies of laboratory notebooks) arising out of the academic and research units of the University. Protectable “Data” includes the recorded material as well as supporting materials such as experimental protocols and code written for statistical analyses commonly accepted in the scientific community as necessary to validate research findings.

Equity: Any shares of capital stock, partnership interests, membership interests in a limited liability company, beneficial interests in a trust, or any options, warrants, rights or securities (including debt securities) convertible, exchangeable or exercisable to acquire any such interests.

Extraordinary University Resources: Resources such as financial, technical, personnel, or additional forms of support provided by the University which exceed the type or level of resources typically provided to similarly situated Members. This may include the commitment of staff, faculty, or student effort or material support in the creation of the Invention other than what is available to similarly situated Members for their use, such as open-source materials. It may include use of University owned intellectual property, CSU-STRATA owned intellectual property, Inventions, and Research Results. Considering the benefit that accrues to the University from individual scholarly activity, the University has concluded that Extraordinary University Resources shall not include the Member’s time, office space, computer equipment (excluding in some cases server space), use of the library, or any commonly available resources available on or off campus.

Intellectual Property Disclosure: Documentation of potential Invention to be completed by the Inventor(s) and submitted through the Disclosure Portal established by CSU-STRATA.

Inventions: New, useful, and non-obvious ideas and/or their reduction to practice that result in, but are not limited to, new devices, processes, and/or methods of producing new and/or useful industrial operations and materials; any produced article useful in trade; any composition of matter, including chemical compounds and mechanical mixtures; any plant covered under plant patent laws, the Plant Variety Protection Act, or other methods that provide protection; biological materials, including cell lines, plasmids, hybridomas, monoclonal antibodies, and genetically-engineered organisms with commercial potential; many new designs in connection with the production or manufacture of an article including computer software, data bases, circuit design, prototype devices and equipment; and any improvement upon existing processes or systems. An Invention may be patented or maintained as a trade secret. An Invention may contain Copyrightable Works. If so, the Marketing Agent may choose to license the patent and copyrights together or separately, depending on commercial interest.

Inventor: An Individual that made an Invention subject to this policy. Support staff such as research assistants, computer programmers, and others who contribute to an Invention may not be considered Inventors unless they substantially influence the original and novel aspects of the Invention. Inventorship is a legal standard and may not be consistent with authorship of any associated publications.

Manual: Academic Faculty & Administrative Professional Manual.

Master Services Agreement: The agreement by and between CSU-STRATA and the Colorado State University System on behalf of the University, as may be amended from time to time.

Member: This policy shall apply to all persons employed, compensated, or appointed by the University, including without limitation Supported Students, and to anyone making use of Extraordinary University Resources (including non-employees, absent an agreement to the contrary). The inclusion of this Policy in the Manual does not limit or impact the inclusion of individuals who would not otherwise be subject to the Manual.

Reduced to Practice: This is accomplished when an Inventor's conception is embodied in such form as to render it capable of practical and successful use.

Research Results: Includes, but is not limited to, materials, computer software, computer databases, prototype devices or equipment, engineering designs or drawings, integrated computer chips, audiovisual works, antibodies, genetically modified animals, and cell lines. Also includes Data, samples, physical collections, records, results and supporting materials, documents, and records, whether or not patentable, including, for example, computer programs, circuit designs of all types, data bases, technical and design drawings, biogenic materials, novel varieties of plants, chemically synthesized molecular systems, and other creations. Absent agreement, University policy, contract, or legal requirement to the contrary, Research Results will be subject to this policy and must be disclosed upon request or where it reasonably appears there is commercial value in such Research Results.

Sponsored Project: Research activity or other work performed under sponsorship from any agency, party, or parties external to the University, pursuant to an agreement between such agency or party and the University, which may result in the creation of Inventions or Research Results.

Supported Students: Students who are either employed by the University or receive University support for research activity in the form of a stipend and/or tuition award, including but not limited to fellowships, teaching assistantships and research assistantships, and those Students who make Substantial Use of University Resources. "Support" in the form of financial assistance such as scholarships for which "support" is independent of a research degree program or research activities are not included within the definition of "Supported Student."

University Duties or Activities: University Duties or Activities include teaching, mentoring of students, the conduct of scholarly research in the Member's specialized field, and service on university committees consistent with the furtherance of knowledge and its dissemination. Members who are not members of the faculty have University Duties or Activities as defined by the position they hold at the university. A Member's University Duties or Activities include

those that are customarily expected to be performed by those holding the position held by the Member as well as those that are assigned by the University.

VPR Intellectual Property Manager (IPM): The individual appointed by the Vice President for Research to be the division contact for matters involving intellectual property.

J.1.2 Policy on Inventions

J.1.2.1 Ownership and Rights

J.1.2.1.1 University Ownership

Unless otherwise stated in this policy, the University shall be the owner, under any applicable law, of all Inventions that fall into one or more of the following three categories:

- i. Inventions created or developed by Members in the course of performing University Duties or Activities whether on or off campus, during or after normal University business hours, alone or with others, or during a sabbatical, summer, University holiday, or break.
- ii. Inventions created or developed with Extraordinary University Resources or expressly commissioned by the University.
- iii. Inventions created or developed as part of a Sponsored Project, unless explicitly provided otherwise in an agreement to which the University is a party.

J.1.2.1.2 Inventions Created by Members While Consulting

Rights to Inventions resulting when a Member acts as a consultant with non-University entities must be specified in the consulting agreement under which the Member acts. Members must be cognizant that Inventions may represent the culmination of endeavor in a specialized field, often conducted with University Resources. Members cannot grant rights to University-owned Inventions as the University's ownership vests automatically in Inventions pursuant to this policy. As such it is recommended that the following clause be added to any consulting agreement a Member may sign:

The Company will have no rights by reason of the Agreement in any intellectual property whatsoever, whether or not patentable or copyrightable, generated wholly or in part as a result of Consultant's activities carried out at the University, or with substantial aid of its facilities or funds administered by it or as otherwise provided in the University's policies including for example and without limitation those covering Intellectual Property.

J.1.2.1.3 Inventions Involving More Than One Inventor

When Inventions result from the joint efforts of Inventors, including Inventors who are not Members, such as those from another institution, a written agreement among the parties must specify ownership, allocations, and other rights.

J.1.2.1.4 Sponsored Projects

Rights to Inventions financed wholly or partially by governmental, industrial, philanthropic, or other external organizations or persons must be specified in contracts or written agreements that protect the University's interest. Before work begins, the Member responsible for a contract or agreement must advise all coworkers of their rights. The Vice President for Research (VPR) will exercise every reasonable effort to assure that contracts and agreements secure commercial value and patent rights favorable to the Member and the University.

J.1.2.1.5 The U.S. Government

Covered Individuals may receive financial support for their research from the U.S. Government. The ownership of Inventions or Research Results made with Government financial support is determined by Federal law, including the Bayh-Dole Act (35 U.S.C. §§ 200-212) and the regulations at 37 C.F.R. Pt. 401.

The University has certain duties to disclose to the Government all Inventions, and in some cases Research Results, made in the performance of a Government funding agreement, where a funding agreement means prime awards from the Federal government and Federal pass-throughs, i.e., subcontracts at all tiers. Other reporting requirements not previously mentioned may exist now or in the future. Accordingly, Members associated with Government-sponsored projects shall notify CSU-STRATA promptly whenever any Invention is conceived or actually Reduced to Practice in the course of the project. When permitted by law and the funding agreement, if CSU-STRATA decides to seek patent protection for such an Invention in accordance with this policy, CSU-STRATA must elect to retain title to the Invention within any time limits established by law and make efforts to achieve practical application of the Invention.

J.1.2.1.6 University Sponsored Research

If the University sponsors a research project, solicits voluntary Member participation in the project, and provides the funding for the project, possibly including compensation/release time for the Member, the University will own the intellectual property rights developed through the project unless the University agrees to share ownership. A written document, signed by the Member prior to initiation of the project, will be executed to acknowledge the University's ownership, or sharing arrangement, and the Member's commitment to cooperate with the University, at University expense, to protect and commercialize the intellectual property. Should the parties agree, the University may opt to share with the Member involved any profits that

result from the intellectual property created on the project. Such agreement, and the details of profit-sharing arrangements, shall be recorded in a written document, signed by both parties, which shall supersede this policy to the extent that any provisions are in conflict.

J.1.2.1.7 Member Rights in Inventions

Unless otherwise stated in this policy, Member(s) will retain a non-exclusive, personal, non-transferable or sublicensable license to their Inventions for their own teaching and research purposes. Any use outside of that, such as a commercial use including use in consulting activities, will require a license from the University.

J.1.2.1.8 Member Conflict of Interest Disclosure

Member must disclose all Equity offered to or received by Member, or an individual or entity associated with Member, directly in connection with a license agreement. Member is required to disclose in writing to the University Conflict of Interest Office (“CIO”) the specific terms and conditions associated with Equity issued to Member or an individual or entity associated with Member for their role as founders, consultants, or otherwise. The Member shall disclose to the University CIO any existing or proposed consulting agreement between the Member, or an individual or entity associated with Member, and the prospective licensee or any other agreements with other entities that have potential for conflicts of interest pertaining to the license. The University CIO may suggest limitations on the proposed license agreement, associated sponsored research agreement, consulting agreement between the Inventor and the licensee, or other agreements in order to address actual or potential conflicts of interest in accordance with the Conflict-of-Interest Policies. The University and CSU-STRATA will coordinate on Conflict of Interest matters, as set forth in the Master Services Agreement, particularly where CSU-STRATA is a party to the license agreement.

J.1.2.1.9 Assigning Ownership Back

CSU-STRATA may elect not to assert its rights to an Invention after disclosure. In such instance, ownership of the Invention will be returned to the University subject to any rights of the Federal Government and to any rights of the sponsor of the research leading to the Invention. The University or CSU-STRATA will execute such documentation as may be necessary to effectuate such transfer of ownership. When an Invention is returned to the University, the University may elect to transfer ownership to the Inventor(s), but the University retains the right to use said Invention in teaching and research. Inventor(s) remain(s) obligated to disclose to the University follow-on research or progeny, modifications or derivations of disclosed Inventions as these will remain subject to this Policy.

J.1.2.2 Ownership in Dispute

When the Member declares in an Invention Disclosure that a disclosed Invention is not the property of the University, the Invention Disclosure shall be forwarded to the IPM for a

determination of ownership of the Invention under this policy. The IPM shall gather such information as needed to determine ownership of a disclosed Invention, including, but not limited to, consultation with CSU-STRATA and the Office of General Counsel. A decision by the IPM that the Invention is the property of the University must be announced within sixty (60) calendar days from receipt of notification of disputed ownership of an Invention by Member, unless an extension of this timeline is granted by the VPR.

J.1.2.3 Right to Appeal

If the Member disagrees with the decision of the IPM or there is any other dispute regarding ownership, the Invention Disclosure shall be forwarded to the Appeals Committee for Inventions for a final determination of ownership of the Invention under this policy.

J.1.2.4 Administration

The Office of the Vice President for Research (OVPR) is responsible for the administration of the University's rights regarding Inventions having potential monetary or commercial value and for the selection of internal or external marketing agents. As set forth in the Master Services Agreement, the marketing agent for the University is CSU-STRATA. However, Inventions may be marketed better as part of an academic unit's activities, especially in cases where use of the Invention is subject to sponsor requirements or limitations. The decision to use a marketing agent other than CSU-STRATA, including the decision to keep marketing within the academic unit, is set forth in the Master Services Agreement and currently requires the review and approval of the Chancellor, after consultation with CSU-STRATA.

J.1.2.5 Notification of Inventions

Members must provide timely notification of the creation of Inventions via submission of an Invention Disclosure to CSU-STRATA. Members shall disclose all Inventions as soon as possible after discovery or significant development, but, in all events, the Invention Disclosure must be submitted to CSU-STRATA prior to any public disclosure of the Invention. Members must keep CSU-STRATA informed about anticipated publications and presentations as well as update the Invention Disclosure as needed by providing copies of Data, publications, and presentations to CSU-STRATA. It is also expected that the Member will provide reasonable assistance and cooperation to CSU-STRATA in its efforts to market or license Inventions. Principal investigators of research projects, as well as department chairs and deans, have a responsibility to ensure that all Inventions of which they become aware are disclosed to CSU-STRATA. Failure to disclose an Invention or to provide reasonable assistance or cooperation may result in the forfeiture of the Member's rights to payment under this policy. Such a decision by the University may be appealed to the Appeals Committee for Inventions.

J.1.2.6 Evaluation of Disclosure, Patent Filing

The procedures to be followed by CSU-STRATA in evaluating an Invention Disclosure, electing to take an assignment of the disclosed Invention, evaluating the market for the Invention, and filing for appropriate intellectual property protection is set forth in the Master Services Agreement.

If the evaluation reveals that the Invention Disclosure is either incomplete or insufficient for a proper evaluation, CSU-STRATA shall notify the Member(s) of the need for more information or more research. Where additional research needs to be done, an updated Invention Disclosure should be submitted to CSU-STRATA once additional development has taken place.

The Member(s) will provide CSU-STRATA with such reasonable additional information and assistance as CSU-STRATA may request, and that the Member(s) can reasonably provide, in order to assist CSU-STRATA in evaluating the Invention Disclosure and the Invention, the need for any further development of the Invention, the potential markets or licensees, and the like. If there is a disagreement concerning the scope of additional assistance requested of the Member, such disputes shall be settled by the Appeals Committee for Inventions.

J.1.2.7 Formal Assignments and Preparation of Documents for Prosecution

Once CSU-STRATA has evaluated an Invention, CSU-STRATA may require the Member(s) to execute a formal assignment document to the University, to CSU-STRATA or to a third party as required by the Patent and Trademark Office. Typically, assignments to third parties will be subject to the University's and the Member's nonexclusive, irrevocable, paid-up license to use the Invention for research and teaching purposes.

Members are required to execute all contracts, assignments, waivers, patent applications, and other documents reasonably necessary to carry out the provisions of this Policy in a timely manner. Members will also, at the request of CSU-STRATA or the University, meet with potential or actual licensors of an Invention and otherwise provide reasonable assistance to the University in the marketing and licensing of the Invention. If CSU-STRATA elects to seek patent protection for an Invention in one or more jurisdictions, the Member shall provide reasonable assistance to CSU-STRATA in preparing and prosecuting patent applications.

Any disputes involving these requirements shall be settled by the Appeals Committee for Inventions.

J.1.3 Marketing and Distribution of Proceeds

J.1.3.1 Marketing of Inventions

The Marketing Agent, as referenced in in Section J.1.2.4, shall be responsible for marketing Inventions, including collecting and distributing net income derived from licensing, sublicensing,

or sale of an Invention which it administers. CSU-STRATA's marketing responsibilities are set forth in the Master Services Agreement. For any income derived by the Marketing Agent from such licenses, the Marketing Agent will be reimbursed for its direct costs attributable to marketing, patenting, and licensing incurred in connection with each license agreement ("direct costs"). In general, absent agreement by all parties to the contrary, net income will be allocated as follows:

Member	Member's Department/College	VPR	Marketing Agent
35%	10%	15%	40%

Distribution of net income shall occur no less than once per fiscal year. Where there is more than one Inventor, they will each receive an equal share of the "Member" portion (i.e., 35%) of net income, absent agreement among the Inventors to an alternative split of that portion. This same distribution will be applied to the Department/College portion where more than one Department/College is involved. If there is a dispute as to distributions among Inventors, the Invention Appeals Committee for Inventions will make a determination of the proper distribution.

J.1.3.2 Royalty Distributions

Any proceeds accruing to Members hereunder constitute royalties, not salaries, and will be paid as royalties to Members through CSU-STRATA or the University's external agent/assignee. If a Member leaves the University, the Member's portion of proceeds will continue to be paid to the Member. If a Member dies, the Member's portion of the proceeds will continue to be paid in accordance with the testamentary disposition (wills, trusts, and similar mechanisms) or, in the absence of such disposition, as provided by law.

J.1.3.3 Equity Transactions

Special circumstances may apply in the event CSU-STRATA or the University's external agent/assignee accepts Equity as consideration for the grant of a license or other interest in an Invention. License agreements involving Equity must be structured to protect the University from liability and to avoid conflicts of interest.

Generally, all Equity provided as payment for the grant of a license from CSU-STRATA must be issued directly to CSU-STRATA. All decisions with respect to management and liquidation of Equity held by CSU-STRATA will be made by CSU-STRATA on behalf of the University and

the Inventor(s). Upon liquidation of the Equity held by CSU-STRATA, distributions shall be made by CSU-STRATA in accordance with Section J.1.3.1.

J.2 Policy on Copyrightable Works

J.2.1 Definitions

Appeals Committee for Copyrightable Works: The committee that makes decisions regarding disputes arising from the policies in Section J.2. The members are the Vice Provost for Faculty Affairs; the Chair of Faculty Council; and the University Grievance Officer. Decisions made by the Appeals Committee are final.

Author: Under the copyright laws of the United States, a person who has created a Copyrightable Work is called an “Author.” If more than one person has participated in the creation of a Copyrightable Work, each must have contributed materials which would independently qualify as a Copyrightable Work in order to be considered a co-Author of such work. An Author of a Copyrightable Work may be different than the owner of such work such as when a Work is assigned to a new owner. An employer such as the University may also be considered to be the Author of a Copyrightable Work under certain circumstances. Under this Policy, when a Work constitutes a "University Institutional Work" or a “Work Made For Hire” the University will be deemed to be the “Author” for all purposes. This section extends the definition of Author from Copyrighted Works to Copyrightable Works.

Colorado State University Research Foundation (“CSU-STRATA”): The primary intellectual property marketing agent for the University is the Colorado State University Research Foundation, now known as CSU-STRATA, and as it may otherwise be known from time to time. CSU-STRATA provides these services in accordance with the Master Services Agreement with the Colorado State University System on behalf of the University.

Copyrightable Works: Original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. It includes, but is not limited to, books, journals, software, computer programs, databases, musical works, dramatic works, videos, multimedia products, sound recordings, pictorial and graphical works, and other similar works.

Courseware: The set of tools and technologies used to deliver or present the content of a course, independent of the content itself. Courseware is typically used in the asynchronous delivery of academic content via a learning management system (e.g., Canvas or Bridge) or an interactive online software system (e.g., Teams, Zoom, or Webex). Use of Courseware provided by the University (including courseware used by instructional designers at CSU Online to convert material to a different format) will not, in and of itself, be deemed use of Extraordinary University Resources.

Creator Support Personnel: Creator Support Personnel are support staff such as office staff, university photographers and graphic artists, non-faculty computer programmers, and others who contribute to the Works in the course of performing and within the scope of their employment duties and under the direction and guidance of a faculty member or supervisor. Faculty and Faculty-Like Employees generally will not be considered Creator Support Personnel. Creator Support Personnel are not generally considered to be Authors. Copyrightable Works by Creator Support Personnel are considered Works Made For Hire and the University is considered the Author. If, however, Creator Support Personnel substantially influence the conception, design and/or creation of the Copyrightable Work and make a copyrightable contribution to the Work, they may be determined to be an Author by the Provost. Note that use of Creator Support Personnel may at times constitute use of Extraordinary University Resources.

Equity: Any shares of capital stock, partnership interests, membership interests in a limited liability company, beneficial interests in a trust, or any options, warrants, rights or securities (including debt securities) convertible, exchangeable or exercisable to acquire any such interests.

Extraordinary University Resources: Resources such as financial, technical, personnel, or additional forms of support provided by the University which exceed the type or level of resources typically provided to similarly situated Members. This may include the commitment of staff, faculty, or student effort or material support in the creation of the Copyrightable Work that is beyond what is available to similarly situated Members for their use. It may include use of University-owned intellectual property, CSU-STRATA owned intellectual property, Inventions, and Research Results. Considering the benefit that accrues to the University from individual scholarly activity, the University has concluded that Extraordinary University Resources shall not include the Member's time, office space, computer equipment (excluding in some cases server space), use of the library, Courseware, or any commonly available resources available on or off campus. Where Scholarly Works or Publications are based on Research Results, that alone will not be considered "extraordinary" for purposes of this Policy. The use of Courseware will not in and of itself be considered "extraordinary" for purposes of this Policy.

Faculty-Like Employee: A University employee who teaches and/or conducts research at the University with a level of responsibility and self-direction similar to that exercised and enjoyed by a faculty member in a similar activity.

Fair Use: Fair Use is a legal doctrine that promotes freedom of expression by permitting the unlicensed use of copyright-protected works in certain circumstances. [Section 107 of the Copyright Act](#) provides the statutory framework for determining whether something is a fair use and identifies certain types of uses—such as criticism, comment, news reporting, teaching, scholarship, and research—as examples of activities that may qualify as fair use under that Section.

Intellectual Property Disclosure: Documentation of potential Copyrightable Work to be completed by the Author(s) and submitted through the Disclosure Portal established by CSU-STRATA.

Manual: Academic Faculty & Administrative Professional Manual.

Master Services Agreement: The agreement by and between CSU-STRATA and the Colorado State University System on behalf of the University, as may be amended from time to time.

Member: This policy shall apply to all persons employed, compensated, or appointed by the University and to anyone (including non-employees absent an agreement to the contrary) making use of Extraordinary University Resources. Undergraduate students, unsupported graduate students, and secondary school students are excluded from the application of the policy unless they are paid by or through the University in connection with and participation in Sponsored Research. When a Member has created a copyrightable work, they may be referred to as an “Author.”

Publications: Textbooks, bulletins, circulars, pamphlets, reports, information releases, exhibits, demonstrations, and other scholarly or popular writings regardless of medium. Publications may be copyrighted.

Research Results: Includes, but is not limited to, materials, computer software, computer databases, prototype devices or equipment, engineering designs or drawings, integrated computer chips, audiovisual works, antibodies, genetically modified animals, and cell lines. Also includes Data, samples, physical collections, records, results and supporting materials, documents and records whether or not patentable, including, for example, computer programs, circuit designs of all types, data bases, technical and design drawings, biogenic materials, novel varieties of plants, chemically synthesized molecular systems, and other creations. Research Results will be subject to this policy and must be disclosed upon request or where it reasonably appears there is commercial value in such Research Results.

Scholarly Works: Works used for pedagogical or scholarly purposes including, but not limited to recorded and live digital, video, and audio presentations; photographs, films, graphic illustrations, transparencies, and other visual aids; programmed instructional packages; virtual learning tools, computer programs and data bases; and scripts, study guides, syllabi, tests, and other items that accompany, or are used to present or demonstrate, the above-described materials. Scholarly Works may be copyrighted, patented, and/or trademarked.

Sponsored Project: Research activities or other work performed under sponsorship from any agency, party, or parties external to the University, pursuant to an agreement between such agency or party and the University, which research activity or other work may result in the creation of Inventions or Research Results.

Student Works: Copyright ownership of works prepared by University students, including graduate students, resides with such students, unless the work: (a) was created primarily in the course or scope of the student's University employment; (b) involved the use of Extraordinary University Resources; (c) is a University Institutional Work or a Work Made for Hire, or (d) was created under a separate agreement that specifies a different copyright owner. For the purposes of this section, a student's financial aid is not considered Extraordinary University Resources. Absent extraordinary circumstances, copyright ownership of theses or dissertations authored by University students resides with such students. Note that, notwithstanding the foregoing, the University may make Fair Use of Student Works in connection with or as part of normal academic and administrative activities.

University Duties or Activities: University Duties or Activities include teaching, mentoring of students, the conduct of scholarly research in the Member's specialized field, and service on university committees consistent with the furtherance of knowledge and its dissemination. Members who are not members of the faculty have University Duties or Activities as defined by the position they hold at the University. A Member's University Duties or Activities include those that are customarily expected to be performed by those holding the position held by the Member, as well as those that are assigned by the University.

University Institutional Work: Where no single Author or set of Authors can be reasonably attributable to a Work, such as in the case of a Work created with the input of numerous individuals in past collaborative efforts over long periods of time, such that distinct Authorship or specific contributions are not reasonably identifiable, the Work will be treated as having no inventors/creators. When a University Work is clearly attributable to one or more specific unit, those unit shall be treated as the Author for the purposes of this policy.

VPR Intellectual Property Manager (IPM): The individual appointed by the Vice President for Research to be the division contact for matters involving intellectual property.

Works: Copyrightable Works or other intellectual property that are subject to this policy.

Works Made for Hire: Expressly commissioned Works for instructional, public service, or administrative use. Where a Work is created or developed in whole by Members, other than academic faculty members or Faculty-Like Employees, in the course of performing and within the scope of their employment duties, the Work will be considered to be a Work Made For Hire. Works created pursuant to a written agreement between the University and a Member will also be considered Works Made for Hire. In an agreement for the creation of a Work Made For Hire, the Member will generally receive some form of compensation such as funding or course relief. Ownership of Works Made for Hire will be governed by the terms of the agreement between the University and the Member.

J.2.2 Ownership of Copyrightable Works

Ownership of the various rights associated with Copyrightable Works is dependent upon several factors, listed below. As a general rule, Author(s) retains all rights to Copyrightable Works, unless subject to the conditions discussed in this section.

J.2.2.1 Scholarly Work

Scholarly Work produced by a Member on their own initiative shall be the exclusive property of such Member, unless the Scholarly Work was specifically commissioned or assigned as part of their employment (refer to Section J.2.2.2 – Employee Works), or unless the work was prepared under the terms of a contract or grant, or unless preparation involved use of Extraordinary University Resources. Copyrightable Scholarly Works include but are not limited to scholarly or educational materials, artworks, musical compositions, and literary works related to the Author(s)' academic or professional field, regardless of the medium of expression. Except in the cases covered in Sections J.2.2.2 through J.2.2.5 below, the ownership of the copyright in the Scholarly Work will reside with the Author(s) and any revenue derived from their work will belong to the Author(s).

Copyrightable Scholarly Works created for ordinary teaching use in the classroom and in department programs, such as syllabi, assignments, and tests, shall remain the property of the Author(s), but University shall be permitted to make Fair Use of the Scholarly Works for administrative purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions.

J.2.2.2. Employee Works

Copyrightable Work prepared by a Member in the course of their University Duties or Activities, by special commission or assignment, or with the use of Extraordinary University Resources shall be the property of the University. The general obligation of a faculty member or a Faculty-Like Employee to produce scholarly and creative Copyrightable Works (such as being assigned to teach a course) does not constitute a University special commission or assignment or condition of employment in the context of this policy. In the case of faculty or Faculty-Like Employees, Copyrightable Work shall only be considered to be Employee Work if this is agreed to in advance by both the University and the faculty or Faculty-Like Employee and it is not a Scholarly Work. Employee Works also include, but are not limited to, Works Made for Hire.

J.2.2.3 University Institutional Works

Copyrightable Works whose authorship cannot be attributed to one or more specific Authors or units, but rather result from simultaneous or sequential contributions over time by multiple faculty, staff and/or employed students will be owned by the University. For example, software tools developed and improved over time by multiple faculty, staff and/or employed students where authorship is cannot be attributed to a specific group of Authors or units would constitute a University Institutional Work. The mere fact that multiple individuals have contributed to the

creation of a Copyrightable Work shall not in and of itself cause the Copyrightable Work to constitute a University Institutional Work.

J.2.2.4 Sponsor Works

Ownership of Copyrightable Works developed during work supported partially or in full by an outside sponsor or through a contract or grant with the University is determined by the applicable provisions of such contract or grant. In the absence of any governing provision, the ownership of any Copyrightable Work shall be determined in accordance with Sections J.2.2.1 through J.2.2.3. Note that use or marketing of Sponsor Works may be subject to Sponsor imposed contractual limitations including, but not limited to, non-profit uses only.

J.2.2.5 Supported Works

A Copyrightable Work that is developed with Extraordinary University Resources and is not sponsor-supported shall be the property of the University.

J.2.3 Marketable Works

Marketable Works are Employee Works, University Institutions Works, and Supported Works which have potential monetary or commercial value.

J.2.3.1 Disclosure

Marketable Works should be disclosed in writing to CSU-STRATA. Notification must be timely and in accordance with University Intellectual Property submission procedures in order to protect the rights of the Author(s) and the University and the requirements of the United States and foreign copyright laws. Failure to disclose as required does not impact or eliminate the University's rights in a Marketable Work. Upon CSU-STRATA's receipt of a Disclosure of a Marketable Work, CSU-STRATA will evaluate the Marketable Work and determine if it wishes to have the Marketable Work assigned to CSU-STRATA or not.

J.2.3.2 CSU-STRATA Notice of Election

The procedures to be used by CSU-STRATA in evaluating a Disclosure and electing to take an assignment of the disclosed Marketable Work are set forth in the Master Services Agreement. Upon completion by CSU-STRATA of its evaluation of the Disclosure, as may be modified or updated, CSU-STRATA may elect to take an assignment of the disclosed Marketable Work, or it may determine that it will not take such an assignment. This decision will be completed expeditiously, typically within six (6) months of the filing of the Disclosure. Notice of CSU-STRATA's decision with respect to its election must be promptly provided to the Author(s) and the IPM.

J.2.3.3 Assigning Ownership Back to Author(s)

As described in the Master Services Agreement, CSU-STRATA may elect at any time not to retain its rights in a Marketable Work after disclosure. In such instance, ownership of the Marketable Work will be returned to the Author(s) subject to any rights of the Federal Government and to any rights of the sponsor of the research leading to the Marketable Work. CSU-STRATA will execute such documentation as may be necessary to effectuate such transfer of ownership.

J.2.3.4 Classification

Author(s) may declare in such notification that a disclosed Copyrightable Work is not properly classified as a Marketable Work. Creator Support Personnel may argue that they are an Author of a disclosed Copyrightable Work. Questions over classification or Authorship will be submitted to the IPM who will evaluate the classification or Authorship of the Copyrightable Work and will announce a decision as to the University's position within thirty (30) calendar days from receipt of notification of a dispute.

J.2.3.5 Right to Appeal

If the Member disagrees with the decision of the IPM or there is any other dispute regarding ownership, the disclosure shall be forwarded to the Appeals Committee for Copyrightable Works for a final determination of ownership of the Copyrightable Work under this policy.

J.2.3.6 Administration

The Provost is responsible for the administration the University's rights in Marketable Works and for the selection of internal or external marketing agents. As set forth in the Master Services Agreement, the marketing agent for the University is CSU-STRATA. However, it is often the case that Marketable Works are best marketed as part of an academic unit's activities, especially in cases where the use of the Marketable Work is subject to sponsor requirements or limitations. The decision to use a marketing agent other than CSU-STRATA, including the decision to keep marketing within the academic unit, is set forth in the Master Services Agreement and currently requires the review and approval of the Chancellor, after consultation with CSU-STRATA.

J.2.3.7 Member Conflict of Interest Disclosure

The Member must disclose all Equity offered to or received by the Member, or an individual or entity associated with the Member, directly in connection with a license agreement. The Member is required to disclose in writing to the University Conflict of Interest Office ("CIO") the specific terms and conditions associated with Equity issued to the Member, or an individual or entity associated with the Member, for their role as founders, consultants, or otherwise. The Member shall disclose to the University CIO any existing or proposed consulting agreement between the Member, or an individual or entity associated with the Member, and the prospective licensee, or any other agreements with other entities that have potential for conflicts of interest pertaining to the license. The University CIO may suggest limitations on the proposed license agreement.

Such limitations may be appealed to the Appeal Committee for Copyrightable Works. The University and CSU-STRATA will coordinate on Conflict of Interest matters, as set forth in the Master Services Agreement, particularly where CSU-STRATA is a party to the license agreement.

J.2.4 Marketing and Distribution of Proceeds

J.2.4.1 Marketing of Copyrightable Works

The Marketing Agent, as referenced in Section J.2.3.6 shall be responsible for marketing Marketable Works, including collecting and distributing net income derived from licensing, sublicensing or sale of such works which it administers. CSU-STRATA's marketing responsibilities are set forth in the Master Services Agreement. For any income derived by the Marketing Agent with respect to Marketable Works, the Marketing Agent will be reimbursed for its direct costs attributable to marketing and licensing incurred in connection with each license agreement ("direct costs"). In general, absent agreement by all parties to the contrary, net income will be allocated as follows:

Member	Member's Department/College	Provost	Marketing Agent
35%	10%	15%	40%

Distribution of net income shall occur by the end of each fiscal year. Where there is more than one Author, they will each receive an equal portion of the "Author" portion (i.e., 35%) of net income, absent agreement among the Authors to an alternative split of that portion. This same distribution will be applied to the Department/College portion where more than one Department/College is involved. If there is a dispute as to distributions among Inventors, the Invention Appeals Committee for Inventions will make a determination of the proper distribution.

J.2.4.2 Royalty Distributions

Any proceeds accruing to Author(s) hereunder constitute royalties, not salaries, and will be paid as royalties to Author(s) through CSU-STRATA or the University's external agent/assignee. If an Author leaves the University, the Author's portion of proceeds will continue to be paid to the Author. If an Author dies, the Author's portion of the proceeds will continue to be paid in accordance with the testamentary disposition (wills, trusts, and similar mechanisms) or, in the absence of such disposition, as provided by law.

J.2.4.3 Equity Transactions

Special circumstances may apply in the event CSU-STRATA or the University's external agent/assignee accepts Equity as consideration for the grant of a license or other interest in Marketable Works. License agreements involving Equity must be structured to protect the University from liability and to avoid conflicts of interest.

The Author(s) shall disclose to the University any existing or proposed consulting agreement between the Author(s) and the prospective licensee or any other agreements with other entities that have potential for conflicts of interest pertaining to the license. The University may impose limitations on the proposed license agreement, associated sponsored research agreement, consulting agreement between the Author(s) and the licensee, or other agreements in order to address actual or potential conflicts of interest in accordance with the Conflict-of-Interest Policies. Such limitations may be appealed to the Appeal Committee for Copyrightable Works. The University and CSU-STRATA will coordinate on Conflict of Interest matters, as set forth in the Master Services Agreement, including Conflict of Interest matters concerning Equity.

CSU-STRATA may require the prospective licensee to disclose all Equity offered to CSU-STRATA, the University, their employees, and other institutions or individuals in consideration for the license agreement. In addition, the prospective licensee may be required to disclose in writing to CSU-STRATA the specific terms and conditions associated with such Equity and the anticipated capital structure of the venture. Furthermore, the Author(s) must disclose to CSU-STRATA in writing if any equity is to be issued to Author(s) for their role as founders, consultants, or otherwise.

Generally, all Equity provided as payment for the grant of a license from CSU-STRATA must be issued directly to CSU-STRATA. All decisions with respect to management and liquidation of Equity held by CSU-STRATA will be made by CSU-STRATA on behalf of the University and the Author(s). Upon liquidation of the Equity held by CSU-STRATA, distributions shall be made by CSU-STRATA as provided herein.

J.2.5 University Use of Scholarly Works

J.2.5.1 Fair Use

Nothing in Section J.2 will be deemed to limit in any way the right of the University or its faculty, staff, or students to make Fair Use of any Copyrightable Works.

J.2.5.2 Administrative Use

From time to time, the University may ask an Author to submit a Scholarly Work to the University for an administrative purpose. This includes, but is not limited to, tenure and promotion, curriculum committee review, and public record requests. Administrative use shall not alter the ownership of the Scholarly Work by the Author(s).

J.2.5.3 Unexpected Unavailability

If an Author is utilizing their Scholarly Work in teaching an assigned course and that Author becomes unexpectedly unavailable, such as in the case of death, injury/illness, or departure from the University prior to the end of the semester, the University may find it necessary to assign another faculty member to teach that course for the remainder of that semester. In such a case, the new faculty member will be permitted to utilize the Author's Scholarly Works that would have been used by the Author for the teaching of that course for the limited purpose of teaching the remainder of that course.

J.2.5.4 Return of Scholarly Work

When an Author leaves the University, the University will take reasonable steps to work with the Author to effectuate an export of their Scholarly Works which may be contained within University Courseware. Thereafter, absent agreement of the Author to the contrary, such Scholarly Works will be deleted from the Courseware. Any disputes will be settled by the Appeals Committee for Copyrightable Works.

Rationale:

Changes in federal regulation over time have made it necessary to update Section J of the Manual. In particular, it is necessary to have separate policies for patents and inventions and for copyrightable works. This has necessitated a complete rewrite of Section J.

SECTION J. RIGHTS AND RESPONSIBILITIES RELATED TO INVENTIONS AND CREATIVE WORKS

J.1 Policy on Patents, Inventions, and Research Property

J.1.1 Definitions

Appeals Committee for Inventions: The committee that makes decisions regarding disputes arising from the policies in Section J.1. The members are the Vice Provost for Faculty Affairs, ~~the University Patent Officer;~~ the Chair of Faculty Council, ~~the Chair of the Faculty Council Committee on Scholarship, Research, and Graduate Education;~~ and the University Grievance Officer. Decisions made by the Appeals Committee are final.

Bayh-Dole: U.S. legislation found at 35 U.S.C. §§ 200-212 pertaining to the reporting, ownership, patenting, and licensing of Inventions or Discoveries made under Federally Sponsored Research Agreements.

Colorado State University Research Foundation (“CSU-STRATA”): The primary intellectual property marketing agent for the University is the Colorado State University Research Foundation, now known as CSU-STRATA, and as it may otherwise be known from time to time. CSU-STRATA provides these services in accordance with the Master Services Agreement with the Colorado State University System on behalf of the University.

Data: The recorded material commonly accepted in the scientific community as necessary to validate research findings arising from or associated with research conducted at, under the auspices of, or using the resources of the University. “Data” covered in this policy includes both intangibles (e.g., information and copyrightable works such as software and expressions of creativity, artistry or information) and tangibles (e.g., cell lines, biological samples collected for research purposes, synthetic compounds, organisms, biomarkers, novel reagents and originals or copies of laboratory notebooks) arising out of the academic and research units of the University. Protectable “Data” includes the recorded material as well as supporting materials such as experimental protocols and code written for statistical analyses commonly accepted in the scientific community as necessary to validate research findings.

Equity: Any shares of capital stock, partnership interests, membership interests in a limited liability company, beneficial interests in a trust, or any options, warrants, rights or securities (including debt securities) convertible, exchangeable or exercisable to acquire any such interests.

Extraordinary University Resources: Resources such as financial, technical, personnel, or additional forms of support provided by the University which exceed the type or level of resources typically provided to similarly situated Members. This may include the commitment of staff, faculty, or student effort or material support in the creation of the Invention other than what is available to similarly situated Members for their use, such as open-source materials. It may

include use of University owned intellectual property, CSU-STRATA owned intellectual property, Inventions, and Research Results. Considering the benefit that accrues to the University from individual scholarly activity, the University has concluded that Extraordinary University Resources shall not include the Member's time, office space, computer equipment (excluding in some cases server space), use of the library, or any commonly available resources available on or off campus.

Intellectual Property Disclosure: Documentation of potential Invention to be completed by the Inventor(s) and submitted through the Disclosure Portal established by CSU-STRATA.

Inventions: New, useful, and non-obvious ideas and/or their reduction to practice that result in, but are not limited to, new devices, processes, and/or methods of producing new and/or useful industrial operations and materials; any produced article useful in trade; any composition of matter, including chemical compounds and mechanical mixtures; any plant covered under plant patent laws, the Plant Variety Protection Act, or other methods that provide protection; biological materials, including cell lines, plasmids, hybridomas, monoclonal antibodies, and genetically-engineered organisms with commercial potential; many new designs in connection with the production or manufacture of an article including computer software, data bases, circuit design, prototype devices and equipment; and any improvement upon existing processes or systems. An Invention may be patented or maintained as a trade secret. An Invention may contain Copyrightable Works. If so, the Marketing Agent may choose to license the patent and copyrights together or separately, depending on commercial interest.

Inventor: An Individual that made an Invention subject to this policy. Support staff such as research assistants, computer programmers, and others who contribute to an Invention may not be considered Inventors unless they substantially influence the original and novel aspects of the Invention. Inventorship is a legal standard and may not be consistent with authorship of any associated publications.

Manual: Academic Faculty & Administrative Professional Manual.

Master Services Agreement: The agreement by and between CSU-STRATA and the Colorado State University System on behalf of the University, as may be amended from time to time.

Member: This policy shall apply to all persons employed, compensated, or appointed by the University, including without limitation Supported Students, and to anyone making use of Extraordinary University Resources (including non-employees, absent an agreement to the contrary). The inclusion of this Policy in the Manual does not limit or impact the inclusion of individuals who would not otherwise be subject to the Manual.

Reduced to Practice: This is accomplished when an Inventor's conception is embodied in such form as to render it capable of practical and successful use.

Research Results: Includes, but is not limited to, materials, computer software, computer databases, prototype devices or equipment, engineering designs or drawings, integrated computer chips, audiovisual works, antibodies, genetically modified animals, and cell lines. Also includes Data, samples, physical collections, records, results and supporting materials, documents, and records, whether or not patentable, including, for example, computer programs, circuit designs of all types, data bases, technical and design drawings, biogenic materials, novel varieties of plants, chemically synthesized molecular systems, and other creations. Absent agreement, University policy, contract, or legal requirement to the contrary, Research Results will be subject to this policy and must be disclosed upon request or where it reasonably appears there is commercial value in such Research Results.

Sponsored Project: Research activity or other work performed under sponsorship from any agency, party, or parties external to the University, pursuant to an agreement between such agency or party and the University, which may result in the creation of Inventions or Research Results.

Supported Students: Students who are either employed by the University or receive University support for research activity in the form of a stipend and/or tuition award, including but not limited to fellowships, teaching assistantships and research assistantships, and those Students who make Substantial Use of University Resources. “Support” in the form of financial assistance such as scholarships for which “support” is independent of a research degree program or research activities are not included within the definition of “Supported Student.”

University Duties or Activities: University Duties or Activities include teaching, mentoring of students, the conduct of scholarly research in the Member’s specialized field, and service on university committees consistent with the furtherance of knowledge and its dissemination. Members who are not members of the faculty have University Duties or Activities as defined by the position they hold at the university. A Member’s University Duties or Activities include those that are customarily expected to be performed by those holding the position held by the Member as well as those that are assigned by the University.

VPR Intellectual Property Manager (IPM): The individual appointed by the Vice President for Research to be the division contact for matters involving intellectual property.

J.1.2 Policy on Inventions

J.1.2.1 Ownership and Rights

J.1.2.1.1 University Ownership

Unless otherwise stated in this policy, the University shall be the owner, under any applicable law, of all Inventions that fall into one or more of the following three categories:

- i. Inventions created or developed by Members in the course of performing University Duties or Activities whether on or off campus, during or after normal University business hours, alone or with others, or during a sabbatical, summer, University holiday, or break.
- ii. Inventions created or developed with Extraordinary University Resources or expressly commissioned by the University.
- iii. Inventions created or developed as part of a Sponsored Project, unless explicitly provided otherwise in an agreement to which the University is a party.

J.1.2.1.2 Inventions Created by Members While Consulting

Rights to Inventions resulting when a Member acts as a consultant with non-University entities must be specified in the consulting agreement under which the Member acts. Members must be cognizant that Inventions may represent the culmination of endeavor in a specialized field, often conducted with University Resources. Members cannot grant rights to University-owned Inventions as the University's ownership vests automatically in Inventions pursuant to this policy. As such it is recommended that the following clause be added to any consulting agreement a Member may sign:

The Company will have no rights by reason of the Agreement in any intellectual property whatsoever, whether or not patentable or copyrightable, generated wholly or in part as a result of Consultant's activities carried out at the University, or with substantial aid of its facilities or funds administered by it or as otherwise provided in the University's policies including for example and without limitation those covering Intellectual Property.

J.1.2.1.3 Inventions Involving More Than One Inventor

When Inventions result from the joint efforts of Inventors, including Inventors who are not Members, such as those from another institution, a written agreement among the parties must specify ownership, allocations, and other rights.

J.1.2.1.4 Sponsored Projects

Rights to Inventions financed wholly or partially by governmental, industrial, philanthropic, or other external organizations or persons must be specified in contracts or written agreements that protect the University's interest. Before work begins, the Member responsible for a contract or agreement must advise all coworkers of their rights. The Vice President for Research (VPR) will exercise every reasonable effort to assure that contracts and agreements secure commercial value and patent rights favorable to the Member and the University.

J.1.2.1.5 The U.S. Government

Covered Individuals may receive financial support for their research from the U.S. Government. The ownership of Inventions or Research Results made with Government financial support is determined by Federal law, including the Bayh-Dole Act (35 U.S.C. §§ 200-212) and the regulations at 37 C.F.R. Pt. 401.

The University has certain duties to disclose to the Government all Inventions, and in some cases Research Results, made in the performance of a Government funding agreement, where a funding agreement means prime awards from the Federal government and Federal pass-throughs, i.e., subcontracts at all tiers. Other reporting requirements not previously mentioned may exist now or in the future. Accordingly, Members associated with Government-sponsored projects shall notify CSU-STRATA promptly whenever any Invention is conceived or actually Reduced to Practice in the course of the project. When permitted by law and the funding agreement, if CSU-STRATA decides to seek patent protection for such an Invention in accordance with this policy, CSU-STRATA must elect to retain title to the Invention within any time limits established by law and make efforts to achieve practical application of the Invention.

J.1.2.1.6 University Sponsored Research

If the University sponsors a research project, solicits voluntary Member participation in the project, and provides the funding for the project, possibly including compensation/release time for the Member, the University will own the intellectual property rights developed through the project unless the University agrees to share ownership. A written document, signed by the Member prior to initiation of the project, will be executed to acknowledge the University's ownership, or sharing arrangement, and the Member's commitment to cooperate with the University, at University expense, to protect and commercialize the intellectual property. Should the parties agree, the University may opt to share with the Member involved any profits that result from the intellectual property created on the project. Such agreement, and the details of profit-sharing arrangements, shall be recorded in a written document, signed by both parties, which shall supersede this policy to the extent that any provisions are in conflict.

J.1.2.1.7 Member Rights in Inventions

Unless otherwise stated in this policy, Member(s) will retain a non-exclusive, personal, non-transferable or sublicensable license to their Inventions for their own teaching and research purposes. Any use outside of that, such as a commercial use including use in consulting activities, will require a license from the University.

J.1.2.1.8 Member Conflict of Interest Disclosure

Member must disclose all Equity offered to or received by Member, or an individual or entity associated with Member, directly in connection with a license agreement. Member is required to disclose in writing to the University Conflict of Interest Office (“CIO”) the specific terms and conditions associated with Equity issued to Member or an individual or entity associated with Member for their role as founders, consultants, or otherwise. The Member shall disclose to the University CIO any existing or proposed consulting agreement between the Member, or an individual or entity associated with Member, and the prospective licensee or any other agreements with other entities that have potential for conflicts of interest pertaining to the license. The University CIO may ~~impose~~ suggest limitations on the proposed license agreement, associated sponsored research agreement, consulting agreement between the Inventor and the licensee, or other agreements in order to address actual or potential conflicts of interest in accordance with the Conflict-of-Interest Policies. The University and CSU-STRATA will coordinate on Conflict of Interest matters, as set forth in the Master Services Agreement, particularly where CSU-STRATA is a party to the license agreement.

J.1.2.1.9 Assigning Ownership Back

CSU-STRATA may elect not to assert its rights to an Invention after disclosure. In such instance, ownership of the Invention will be returned to the University subject to any rights of the Federal Government and to any rights of the sponsor of the research leading to the Invention. The University or CSU-STRATA will execute such documentation as may be necessary to effectuate such transfer of ownership. When an Invention is returned to the University, the University may elect to transfer ownership to the Inventor(s), but the University retains the right to use said Invention in teaching and research. Inventor(s) remain(s) obligated to disclose to the University follow-on research or progeny, modifications or derivations of disclosed Inventions as these will remain subject to this Policy.

J.1.2.2 Ownership in Dispute

When the Member declares in an Invention Disclosure that a disclosed Invention is not the property of the University, the Invention Disclosure shall be forwarded to the ~~University Patent Officer~~ IPM for a determination of ownership of the Invention under this policy. The ~~University Patent Officer~~ IPM shall gather such information as needed to determine ownership of a disclosed Invention, including, but not limited to, consultation with CSU-STRATA and the Office of General Counsel. ~~The University Patent Officer will announce a decision as to ownership~~ A decision by the IPM that the Invention is the property of the University must be announced within sixty (60) calendar days from receipt of notification of disputed ownership of

an Invention by Member, unless an extension of this timeline is granted by the VPR. If the University Patent Officer believes that more time is needed to reach a decision, they may request an extension from the VPR

J.1.2.3 Right to Appeal

If the Member disagrees with the decision of the ~~University Patent Officer~~ IPM or there is any other dispute regarding ownership, the Invention Disclosure shall be forwarded to the Appeals Committee for Inventions for a final determination of ownership of the Invention under this policy.

J.1.2.4 Administration

The Office of the Vice President for Research (OVPR) is responsible for the administration of the University's rights regarding Inventions having potential monetary or commercial value and for the selection of internal or external marketing agents. ~~The default~~ As set forth in the Master Services Agreement, the marketing agent for the University is CSU-STRATA. However, Inventions may be marketed better as part of an academic unit's activities, especially in cases where use of the Invention is subject to sponsor requirements or limitations. The decision to use a marketing agent other than CSU-STRATA, including the decision to keep marketing within the academic unit, is set forth in the Master Services Agreement and currently will requires the review and approval of the ~~OVPR and concurrence of~~ Chancellor, after consultation with CSU-STRATA.

J.1.2.5 Notification of Inventions

Members must provide timely notification of the creation of Inventions via submission of an Invention Disclosure to CSU-STRATA. Members shall disclose all Inventions as soon as possible after discovery or significant development, but, in all events, the Invention Disclosure must be submitted to CSU-STRATA prior to any public disclosure of the Invention. Members must keep CSU-STRATA informed about anticipated publications and presentations as well as update the Invention Disclosure as needed by providing copies of Data, publications, and presentations to CSU-STRATA. It is also expected that the Member will provide reasonable assistance and cooperation to CSU-STRATA in its efforts to market or license Inventions. Principal investigators of research projects, as well as department chairs and deans, have a responsibility to ensure that all Inventions of which they become aware are disclosed to CSU-STRATA. Failure to disclose an Invention or to provide reasonable assistance or cooperation may result in the forfeiture of the Member's rights to payment under this policy. Such a decision by the University may be appealed to the Appeals Committee for Inventions.

J.1.2.6 Evaluation of Disclosure, Patent Filing

The procedures to be followed by CSU-STRATA in evaluating an Invention Disclosure, electing to take an assignment of the disclosed Invention, evaluating the market for the Invention, and filing for appropriate intellectual property protection is set forth in the Master Services Agreement.

~~After receipt by CSU-STRATA of an Invention Disclosure, a preliminary evaluation shall be made. If CSU-STRATA elects to take an assignment of such Invention, Member(s) and the University Patent Officer shall be notified. If the evaluation reveals that the Invention Disclosure is either incomplete or insufficient for a proper evaluation, CSU-STRATA shall notify the Member(s) of the need for more information or more research. Where additional research needs to be done, an updated Invention Disclosure should be submitted to CSU-STRATA once additional development has taken place.~~

~~Upon receipt of a complete Invention Disclosure which discloses a potentially patentable Invention subject to this policy, CSU-STRATA will undertake to evaluate the market for the Invention. The Member(s) will provide CSU-STRATA with such reasonable additional information and assistance as CSU-STRATA may request, and that the Member(s) can reasonably provide, in order to assist CSU-STRATA in evaluating the Invention Disclosure and the Invention, the need for any further development of the Invention, the potential markets or licensees, and the like. If there is a disagreement concerning the scope of additional assistance requested of the Member, such dDisputes shall be settled by the Appeals Committee for Inventions.~~

~~Upon completion by CSU-STRATA of its evaluation of the Invention Disclosure, as may be modified or updated, CSU-STRATA may elect to take an assignment of the disclosed Invention, or it may determine that it will not take such an assignment. This decision must be completed within three (3) months of the filing of the Invention Disclosure, absent agreement with the Member(s) and the University Patent Officer to an alternative timeline. Once an Invention is assigned is to CSU-STRATA, if CSU-STRATA does not file for appropriate intellectual property protection within three (3) month, or such longer period as the University Patent Officer shall agree to, University Patent Officer may notify CSU-STRATA of the intent to recover such Invention by withdrawing its assignment unless appropriate intellectual property protection filings are made within the next three (3) months. The time periods set forth above can be extended by CSU-STRATA upon notice to the University Patent Officer for not more than an additional three (3) months, unless a longer period is agreed to by the University Patent Officer.~~

J.1.2.7 Formal Assignments and Preparation of Documents for Prosecution

Once CSU-STRATA has evaluated an Invention, CSU-STRATA may require the Member(s) to execute a formal assignment document to the University, to CSU-STRATA or to a third party as required by the Patent and Trademark Office. Typically, assignments to third parties will be

subject to the University's and the Member's nonexclusive, irrevocable, paid-up license to use the Invention for research and teaching purposes.

Members are required to execute all contracts, assignments, waivers, patent applications, and other documents reasonably necessary to carry out the provisions of this Policy in a timely manner. Members will also, at the request of CSU-STRATA or the University, meet with potential or actual licensors of an Invention and otherwise provide reasonable assistance to the University in the marketing and licensing of the Invention. If CSU-STRATA elects to seek patent protection for an Invention in one or more jurisdictions, the Member shall provide reasonable assistance to CSU-STRATA in preparing and prosecuting patent applications.

Any disputes involving these requirements shall be settled by the Appeals Committee for Inventions.

J.1.3 Marketing and Distribution of Proceeds

J.1.3.1 Marketing of Inventions

The Marketing Agent, ~~as referenced in chosen in s~~Section J.1.2.4, shall be responsible for marketing Inventions, including collecting and distributing net income derived from licensing, sublicensing, or sale of an Invention which it administers. CSU-STRATA's marketing responsibilities are set forth in the Master Services Agreement. For any income derived by the Marketing Agent from such licenses, the Marketing Agent will be reimbursed for its direct costs attributable to marketing, patenting, and licensing incurred in connection with each license agreement ("direct costs"). In general, absent agreement by all parties to the contrary, net income will be allocated as follows:

Member	Member's Department/College	VPR	Marketing Agent
35%	10%	15%	40%

Distribution of net income shall occur no less than once per fiscal year. Where there is more than one Inventor, they will each receive an equal share of the “Member” portion (i.e., 35%) of net income, absent agreement among the Inventors to an alternative split of that portion. This same distribution will be applied to the Department/College portion where more than one Department/College is involved. If there is a dispute as to distributions among Inventors, the Invention Appeals Committee for Inventions will make a determination of the proper distribution.

J.1.3.2 Royalty Distributions

Any proceeds accruing to Members hereunder constitute royalties, not salaries, and will be paid as royalties to Members through CSU-STRATA or the University's external agent/assignee. If a Member leaves the University, the Member's portion of proceeds will continue to be paid to the Member. If a Member dies, the Member's portion of the proceeds will continue to be paid in accordance with the testamentary disposition (wills, trusts, and similar mechanisms) or, in the absence of such disposition, as provided by law.

J.1.3.3 Equity Transactions

Special circumstances may apply in the event CSU-STRATA or the University's external agent/assignee accepts Equity as consideration for the grant of a license or other interest in an Invention. License agreements involving Equity must be structured to protect the University from liability and to avoid conflicts of interest.

Generally, all Equity provided as payment for the grant of a license from CSU-STRATA must be issued directly to CSU-STRATA. All decisions with respect to management and liquidation of Equity held by CSU-STRATA will be made by CSU-STRATA on behalf of the University and the Inventor(s). Upon liquidation of the Equity held by CSU-STRATA, distributions shall be made by CSU-STRATA in accordance with Section J.1.3.1.

J.1.3.4 Failure to Market

~~Once an Invention is assigned to CSU-STRATA, CSU-STRATA must, within a reasonable amount of time commence and make continued efforts at marketing. If CSU-STRATA fails to make such effort within three (3) months, or such longer period as the University Patent Officer shall agree to, the University Patent Officer may notify CSU-STRATA of its intent to recover such Invention by withdrawing its assignment, unless appropriate marketing commences within the next three (3) months. The time period set forth above can be extended by CSU-STRATA upon notice to the University Patent Officer for not more than an additional three (3) months unless a longer period is agreed to by the University Patent Officer.~~

J.2 Policy on Copyrightable Works

J.2.1 Definitions

Appeals Committee for Copyrightable Works: The committee that makes decisions regarding disputes arising from the policies in Section J.2. The members are the Vice Provost for Faculty Affairs; the Chair of Faculty Council; and the University Grievance Officer. Decisions made by the Appeals Committee are final.

Author: Under the copyright laws of the United States, a person who has created a Copyrightable Work is called an “Author.” If more than one person has participated in the creation of a Copyrightable Work, each must have contributed materials which would independently qualify as a Copyrightable Work in order to be considered a co-Author of such work. An Author of a Copyrightable Work may be different than the owner of such work such as when a Work is assigned to a new owner. An employer such as the University may also be considered to be the Author of a Copyrightable Work under certain circumstances. Under this Policy, when a Work constitutes a “University Institutional Work” or a “Work Made For Hire” the University will be deemed to be the “Author” for all purposes. This section extends the definition of Author from Copyrighted Works to Copyrightable Works.

Colorado State University Research Foundation (“CSU-STRATA”): The primary intellectual property marketing agent for the University is the Colorado State University Research Foundation, now known as CSU-STRATA, and as it may otherwise be known from time to time. CSU-STRATA provides these services in accordance with the Master Services Agreement with the Colorado State University System on behalf of the University.

Copyrightable Works: Original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. It includes, but is not limited to, books, journals, software, computer programs, databases, musical works, dramatic works, videos, multimedia products, sound recordings, pictorial and graphical works, and other similar works.

Courseware: The set of tools and technologies used to deliver or present the content of a course, independent of the content itself. Courseware is typically used in the asynchronous delivery of academic content via a learning management system (e.g., Canvas or Bridge) or an interactive online software system (e.g., Teams, Zoom, or Webex). Use of Courseware provided by the University (including courseware used by instructional designers at CSU Online to convert material to a different format) will not, in and of itself, be deemed use of Extraordinary University Resources.

Creator Support Personnel: Creator Support Personnel are support staff such as office staff, university photographers and graphic artists, non-faculty computer programmers, and others who contribute to the Works in the course of performing and within the scope of their employment duties and under the direction and guidance of a faculty member or supervisor. Faculty and

Faculty-Like Employees generally will not be considered Creator Support Personnel. Creator Support Personnel are not generally considered to be Authors. Copyrightable Works by Creator Support Personnel are considered Works Made For Hire and the University is considered the Author. If, however, Creator Support Personnel substantially influence the conception, design and/or creation of the Copyrightable Work and make a copyrightable contribution to the Work, they may be determined to be an Author by the Provost. Note that use of Creator Support Personnel may at times constitute use of Extraordinary University Resources.

Equity: Any shares of capital stock, partnership interests, membership interests in a limited liability company, beneficial interests in a trust, or any options, warrants, rights or securities (including debt securities) convertible, exchangeable or exercisable to acquire any such interests.

Extraordinary University Resources: Resources such as financial, technical, personnel, or additional forms of support provided by the University which exceed the type or level of resources typically provided to similarly situated Members. This may include the commitment of staff, faculty, or student effort or material support in the creation of the Copyrightable Work that is beyond what is available to similarly situated Members for their use. It may include use of University-owned intellectual property, CSU-STRATA owned intellectual property, Inventions, and Research Results. Considering the benefit that accrues to the University from individual scholarly activity, the University has concluded that Extraordinary University Resources shall not include the Member's time, office space, computer equipment (excluding in some cases server space), use of the library, Courseware, or any commonly available resources available on or off campus. Where ~~Academic Materials~~ Scholarly Works or Publications are based on Research Results, that alone will not be considered "extraordinary" for purposes of this Policy. The use of Courseware will not in and of itself be considered "extraordinary" for purposes of this Policy.

Faculty-Like Employee: A University employee who teaches and/or conducts research at the University with a level of responsibility and self-direction similar to that exercised and enjoyed by a faculty member in a similar activity.

Fair Use: Fair Use is a legal doctrine that promotes freedom of expression by permitting the unlicensed use of copyright-protected works in certain circumstances. [Section 107 of the Copyright Act](#) provides the statutory framework for determining whether something is a fair use and identifies certain types of uses—such as criticism, comment, news reporting, teaching, scholarship, and research—as examples of activities that may qualify as fair use under that Section.

Intellectual Property Disclosure: Documentation of potential Copyrightable Work to be completed by the Author(s) and submitted through the Disclosure Portal established by CSU-STRATA.

Manual: Academic Faculty & Administrative Professional Manual.

Master Services Agreement: The agreement by and between CSU-STRATA and the Colorado State University System on behalf of the University, as may be amended from time to time.

Member: This policy shall apply to all persons employed, compensated, or appointed by the University and to anyone (including non-employees absent an agreement to the contrary) making use of Extraordinary University Resources. Undergraduate students, unsupported graduate students, and secondary school students are excluded from the application of the policy unless they are paid by or through the University in connection with and participation in Sponsored Research. When a Member has created a copyrightable work, they may be referred to as an “Author.”

Publications: Textbooks, bulletins, circulars, pamphlets, reports, information releases, exhibits, demonstrations, and other scholarly or popular writings regardless of medium. Publications may be copyrighted.

Research Results: Includes, but is not limited to, materials, computer software, computer databases, prototype devices or equipment, engineering designs or drawings, integrated computer chips, audiovisual works, antibodies, genetically modified animals, and cell lines. Also includes Data, samples, physical collections, records, results and supporting materials, documents and records whether or not patentable, including, for example, computer programs, circuit designs of all types, data bases, technical and design drawings, biogenic materials, novel varieties of plants, chemically synthesized molecular systems, and other creations. Research Results will be subject to this policy and must be disclosed upon request or where it reasonably appears there is commercial value in such Research Results.

Scholarly Works: Works used for pedagogical or scholarly purposes including, but not limited to recorded and live digital, video, and audio presentations; photographs, films, graphic illustrations, transparencies, and other visual aids; programmed instructional packages; virtual learning tools, computer programs and data bases; and scripts, study guides, syllabi, tests, and other items that accompany, or are used to present or demonstrate, the above-described materials. Scholarly Works may be copyrighted, patented, and/or trademarked.

Sponsored Project: Research activities or other work performed under sponsorship from any agency, party, or parties external to the University, pursuant to an agreement between such agency or party and the University, which research activity or other work may result in the creation of Inventions or Research Results.

Student Works: Copyright ownership of works prepared by University students, including graduate students, resides with such students, unless the work: (a) was created primarily in the course or scope of the student’s University employment; (b) involved the use of Extraordinary University Resources; (c) is a University Institutional Work or a Work Made for Hire, or (d) was created under a separate agreement that specifies a different copyright owner. For the purposes of this section, a student’s financial aid is not considered Extraordinary University Resources. Absent extraordinary circumstances, copyright ownership of theses or dissertations authored by

University students resides with such students. Note that, notwithstanding the foregoing, the University may make Fair Use of Student Works in connection with or as part of normal academic and administrative activities.

University Duties or Activities: University Duties or Activities include teaching, mentoring of students, the conduct of scholarly research in the Member's specialized field, and service on university committees consistent with the furtherance of knowledge and its dissemination. Members who are not members of the faculty have University Duties or Activities as defined by the position they hold at the University. A Member's University Duties or Activities include those that are customarily expected to be performed by those holding the position held by the Member, as well as those that are assigned by the University.

University Institutional Work: Where no single Author or set of Authors can be reasonably attributable to a Work, such as in the case of a Work created with the input of numerous individuals in past collaborative efforts over long periods of time, such that distinct Authorship or specific contributions are not reasonably identifiable, the Work will be treated as having no inventors/creators. When a University Work is clearly attributable to one or more specific unit, those unit shall be treated as the Author for the purposes of this policy.

VPR Intellectual Property Manager (IPM): The individual appointed by the Vice President for Research to be the division contact for matters involving intellectual property.

Works: Copyrightable Works or other intellectual property that are subject to this policy.

Works Made for Hire: Expressly commissioned Works for instructional, public service, or administrative use. Where a Work is created or developed in whole by Members, other than academic faculty members or Faculty-Like Employees, in the course of performing and within the scope of their employment duties, the Work will be considered to be a Work Made For Hire. Works created pursuant to a written agreement between the University and a Member will also be considered Works Made for Hire. In an agreement for the creation of a Work Made For Hire, the Member will generally receive some form of compensation such as funding or course relief. Ownership of Works Made for Hire will be governed by the terms of the agreement between the University and the Member.

J.2.2 Ownership of Copyrightable Works

Ownership of the various rights associated with Copyrightable Works is dependent upon several factors, listed below. As a general rule, Author(s) retains all rights to Copyrightable Works, unless subject to the conditions discussed in this section.

J.2.2.1 Scholarly Work

Scholarly Work produced by a Member on their own initiative shall be the exclusive property of such Member, unless the Scholarly Work was specifically commissioned or assigned as part of their employment (refer to Section J.2.2.2 – Employee Works), or unless the work was prepared under the terms of a contract or grant, or unless preparation involved use of Extraordinary University Resources. Copyrightable Scholarly Works include but are not limited to scholarly or educational materials, artworks, musical compositions, and literary works related to the Author(s)' academic or professional field, regardless of the medium of expression. Except in the cases covered in Sections J.2.2.2 through J.2.2.5 below, the ownership of the copyright in the Scholarly Work will reside with the Author(s) and any revenue derived from their work will belong to the Author(s).

Copyrightable Scholarly Works created for ordinary teaching use in the classroom and in department programs, such as syllabi, assignments, and tests, shall remain the property of the Author(s), but University shall be permitted to make Fair Use of the Scholarly Works for administrative purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions.

J.2.2.2. Employee Works

Copyrightable Work prepared by a Member in the course of their University Duties or Activities, by special commission or assignment, or with the use of Extraordinary University Resources shall be the property of the University. The general obligation of a faculty member or a Faculty-Like Employee to produce scholarly and creative Copyrightable Works (such as being assigned to teach a course) does not constitute a University special commission or assignment or condition of employment in the context of this policy. In the case of faculty or Faculty-Like Employees, Copyrightable Work shall only be considered to be Employee Work if this is agreed to in advance by both the University and the faculty or Faculty-Like Employee and it is not a Scholarly Work. Employee Works also include, but are not limited to, Works Made for Hire.

J.2.2.3 University Institutional Works

Copyrightable Works whose authorship cannot be attributed to one or more specific Authors or units, but rather result from simultaneous or sequential contributions over time by multiple faculty, staff and/or employed students will be owned by the University. For example, software tools developed and improved over time by multiple faculty, staff and/or employed students where authorship is cannot be attributed to a specific group of Authors or units would constitute a University Institutional Work. The mere fact that multiple individuals have contributed to the creation of a Copyrightable Work shall not in and of itself cause the Copyrightable Work to constitute a University Institutional Work.

J.2.2.4 Sponsor Works

Ownership of Copyrightable Works developed during work supported partially or in full by an outside sponsor or through a contract or grant with the University is determined by the applicable

provisions of such contract or grant. In the absence of any governing provision, the ownership of any Copyrightable Work shall be determined in accordance with Sections J.2.2.1 through J.2.2.3. Note that use or marketing of Sponsor Works may be subject to Sponsor imposed contractual limitations including, but not limited to, non-profit uses only.

J.2.2.5 Supported Works

A Copyrightable Work that is developed with Extraordinary University Resources and is not sponsor-supported shall be the property of the University.

J.2.3 Marketable Works

Marketable Works are Employee Works, University Institutions Works, and Supported Works which have potential monetary or commercial value.

J.2.3.1 Disclosure

Marketable Works should be disclosed in writing to CSU-STRATA. Notification must be timely and in accordance with University Intellectual Property submission procedures in order to protect the rights of the Author(s) and the University and the requirements of the United States and foreign copyright laws. Failure to disclose as required does not impact or eliminate the University's rights in a Marketable Work. Upon CSU-STRATA's receipt of a Disclosure of a Marketable Work, CSU-STRATA will evaluate the Marketable Work and determine if it wishes to have the Marketable Work assigned to CSU-STRATA or not.

J.2.3.2 CSU-STRATA Notice of Election

The procedures to be used by CSU-STRATA in evaluating a Disclosure and electing to take an assignment of the disclosed Marketable Work are set forth in the Master Services Agreement. Upon completion by CSU-STRATA of its evaluation of the Disclosure, as may be modified or updated, CSU-STRATA may elect to take an assignment of the disclosed Marketable Work, or it may determine that it will not take such an assignment. This decision ~~must~~ will be completed expeditiously, typically within three (3) six (6) months of the filing of the Disclosure, ~~absent agreement with Member and the University Patent Officer to an alternative timeline.~~ Notice of CSU-STRATA's decision with respect to its election must be promptly provided to the Author(s) and the ~~University Patent Officer~~ IPM.

J.2.3.3 Assigning Ownership Back to Author(s)

As described in the Master Services Agreement, CSU-STRATA may elect at any time not to retain its rights in a Marketable Work after disclosure. In such instance, ownership of the Marketable Work will be returned to the Author(s) subject to any rights of the Federal Government and to any rights of the sponsor of the research leading to the Marketable Work.

CSU-STRATA will execute such documentation as may be necessary to effectuate such transfer of ownership.

J.2.3.4 Classification

Author(s) may declare in such notification that a disclosed Copyrightable Work is not properly classified as a Marketable Work. Creator Support Personnel may argue that they are an Author of a disclosed Copyrightable Work. Questions over classification or Authorship will be submitted to the ~~University Patent Officer~~ IPM who will evaluate the classification or Authorship of the Copyrightable Work and will announce a decision as to the University's position within thirty (30) calendar days from receipt of notification of a dispute.

J.2.3.5 Right to Appeal

If the Member disagrees with the decision of the ~~University Patent Officer~~ IPM or there is any other dispute regarding ownership, the disclosure shall be forwarded to the Appeals Committee for Copyrightable Works for a final determination of ownership of the Copyrightable Work under this policy.

J.2.3.6 Administration

The Provost is responsible for the administration the University's rights in Marketable Works and for the selection of internal or external marketing agents. ~~The default~~ As set forth in the Master Services Agreement, the marketing agent for the University is CSU-STRATA. However, it is often the case that Marketable Works are best marketed as part of an academic unit's activities, especially in cases where the use of the Marketable Work is subject to sponsor requirements or limitations. The decision to use a marketing agent other than CSU-STRATA, including the decision to keep marketing within the academic unit, is set forth in the Master Services Agreement and currently will require the review and approval of the Provost and concurrence of Chancellor, after consultation with CSU-STRATA.

J.2.3.7 Member Conflict of Interest Disclosure

The Member must disclose all Equity offered to or received by the Member, or an individual or entity associated with the Member, directly in connection with a license agreement. The Member is required to disclose in writing to the University Conflict of Interest Office ("CIO") the specific terms and conditions associated with Equity issued to the Member, or an individual or entity associated with the Member, for their role as founders, consultants, or otherwise. The Member shall disclose to the University CIO any existing or proposed consulting agreement between the Member, or an individual or entity associated with the Member, and the prospective licensee, or any other agreements with other entities that have potential for conflicts of interest pertaining to the license. The University CIO may ~~impose~~ suggest limitations on the proposed license agreement. Such limitations may be appealed to the Appeal Committee for Copyrightable Works. The University and CSU-STRATA will coordinate on Conflict of Interest matters, as set forth in the Master Services Agreement, particularly where CSU-STRATA is a party to the license agreement.

J.2.4 Marketing and Distribution of Proceeds

J.2.4.1 Marketing of Copyrightable Works

The Marketing Agent, ~~as referenced chosen~~ in Section J.2.3.6 shall be responsible for marketing Marketable Works, including collecting and distributing net income derived from licensing, sublicensing or sale of such works which it administers. CSU-STRATA's marketing responsibilities are set forth in the Master Services Agreement. For any income derived by the Marketing Agent with respect to Marketable Works, the Marketing Agent will be reimbursed for its direct costs attributable to marketing and licensing incurred in connection with each license agreement ("direct costs"). In general, absent agreement by all parties to the contrary, net income will be allocated as follows:

Member	Member's Department/College	Provost	Marketing Agent
35%	10%	15%	40%

Distribution of net income shall occur by the end of each fiscal year. Where there is more than one Author, they will each receive an equal portion of the "Author" portion (i.e., 35%) of net income, absent agreement among the Authors to an alternative split of that portion. This same distribution will be applied to the Department/College portion where more than one Department/College is involved. If there is a dispute as to distributions among Inventors, the Invention Appeals Committee for Inventions will make a determination of the proper distribution.

J.2.4.2 Royalty Distributions

Any proceeds accruing to Author(s) hereunder constitute royalties, not salaries, and will be paid as royalties to Author(s) through CSU-STRATA or the University's external agent/assignee. If an Author leaves the University, the Author's portion of proceeds will continue to be paid to the Author. If an Author dies, the Author's portion of the proceeds will continue to be paid in accordance with the testamentary disposition (wills, trusts, and similar mechanisms) or, in the absence of such disposition, as provided by law.

J.2.4.3 Equity Transactions

Special circumstances may apply in the event CSU-STRATA or the University's external agent/assignee accepts Equity as consideration for the grant of a license or other interest in

Marketable Works. License agreements involving Equity must be structured to protect the University from liability and to avoid conflicts of interest.

The Author(s) shall disclose to the University any existing or proposed consulting agreement between the Author(s) and the prospective licensee or any other agreements with other entities that have potential for conflicts of interest pertaining to the license. The University may impose limitations on the proposed license agreement, associated sponsored research agreement, consulting agreement between the Author(s) and the licensee, or other agreements in order to address actual or potential conflicts of interest in accordance with the Conflict-of-Interest Policies. Such limitations may be appealed to the Appeal Committee for Copyrightable Works. The University and CSU-STRATA will coordinate on Conflict of Interest matters, as set forth in the Master Services Agreement, including Conflict of Interest matters concerning Equity.

CSU-STRATA ~~will~~ may require the prospective licensee to disclose all Equity offered to CSU-STRATA, the University, their employees, and other institutions or individuals in consideration for the license agreement. In addition, the prospective licensee ~~will~~ may be required to disclose in writing to CSU-STRATA the specific terms and conditions associated with such Equity and the anticipated capital structure of the venture. Furthermore, ~~the prospective licensee and the~~ Author(s) must disclose to CSU-STRATA in writing if any equity is to be issued to Author(s) for their role as founders, consultants, or otherwise.

Generally, all Equity provided as payment for the grant of a license from CSU-STRATA must be issued directly to CSU-STRATA. All decisions with respect to management and liquidation of Equity held by CSU-STRATA will be made by CSU-STRATA on behalf of the University and the Author(s). Upon liquidation of the Equity held by CSU-STRATA, distributions shall be made by CSU-STRATA as provided herein.

J.2.5 University Use of Scholarly Works

J.2.5.1 Fair Use

Nothing in Section J.2 will be deemed to limit in any way the right of the University or its faculty, staff, or students to make Fair Use of any Copyrightable Works.

J.2.5.2 Administrative Use

From time to time, the University may ask an Author to submit a Scholarly Work to the University for an administrative purpose. This includes, but is not limited to, tenure and promotion, curriculum committee review, and public record requests. Administrative use shall not alter the ownership of the Scholarly Work by the Author(s).

J.2.5.3 Unexpected Unavailability

If an Author is utilizing their Scholarly Work in teaching an assigned course and that Author becomes unexpectedly unavailable, such as in the case of death, injury/illness, or departure from the University prior to the end of the semester, the University may find it necessary to assign another faculty member to teach that course for the remainder of that semester. In such a case, the new faculty member will be permitted to utilize the Author's Scholarly Works that would have been used by the Author for the teaching of that course for the limited purpose of teaching the remainder of that course.

J.2.5.4 Return of Scholarly Work

When an Author leaves the University, the University will take reasonable steps to work with the Author to effectuate an export of their Scholarly Works which may be contained within University Courseware. Thereafter, absent agreement of the Author to the contrary, such Scholarly Works will be deleted from the Courseware. Any disputes will be settled by the Appeals Committee for Copyrightable Works.

Rationale:

Changes in federal regulation over time have made it necessary to update Section J of the Manual. In particular, it is necessary to have separate policies for patents and inventions and for copyrightable works. This has necessitated a complete rewrite of Section J.



Colorado State Athletics Presentation to CSU Faculty Council

Director of Athletics, Joe Parker

STUDENT-ATHLETE SUCCESS

2022-2023 Academic Year:

- 15 of 16 teams posted a 3.0 term team GPA or better
- In Spring 2023, six teams had better than a 3.5 term team GPA
- The one sport that did not post a 3.0 (football) earned the best team GPA in recorded history with a term team GPA of 2.967 during Spring 2023.

GPA Data for Student-Athletes	Spring 2023	Fall 2022	Department Average (Spring 2007 - Fall 2020)
Term 4.0's	49	56	28
Term 3.5-3.99	105	104	72
Term 3.0-3.49	97	102	91

STUDENT-ATHLETE HIGHLIGHTS 2022-2023

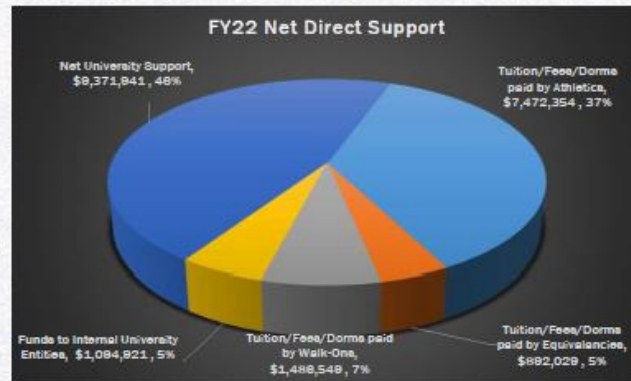
- 201 MW Academic All-Conference Athletes
- Four-year class average graduation rate is equal to CSU general student body at 69%
- Women's Track and Field won the Indoor & Outdoor Mountain West Championships
- Women's & Men's Cross-Country teams qualified for the NCAA Championships
- Men's Golf qualified for the NCAA Championship Tournament
- 14 consecutive years earning a conference championship
- Tied for 2nd in MWC in Conference Championships since 2015

State Audit Report

- Compilation of NCAA Report data for all Colorado collegiate athletic programs every three years. FY22 was the most recent data year.
- State report showed CSU spending more on football than CU. CSU had \$13.91 million of Canvas Stadium debt service & facilities expenses allocated to Football while CU reported only \$54k but \$7.1M in non-sport specific debt.
- Taking out Stadium debt, Athletics' annual rate of expense growth (3.6%) kept pace with the University's rate (4.1%) over the 10-year review.
- State Audit reported \$28M in Support. \$6M was Student Fees (no increases in 10+ years), \$2.3M was Hughes Land Sale to offset FB Coach Transition, & \$20M was University Support.

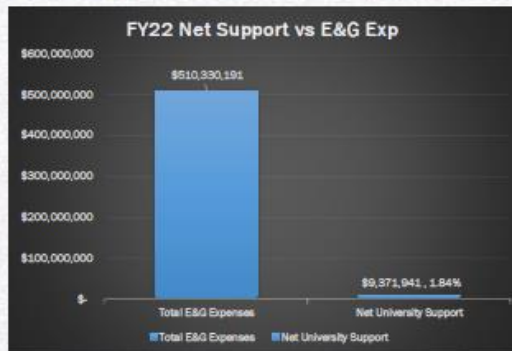
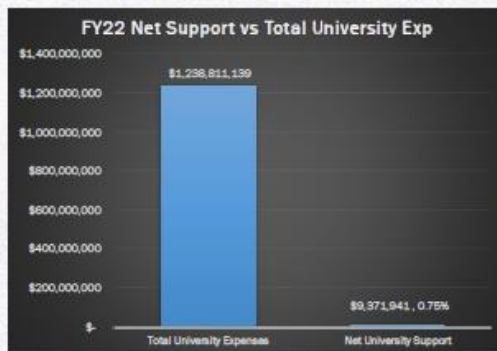
UNIVERSITY DIRECT SUPPORT

After tuition, fees, room, board, and internal transactions are paid and returned back to the university, 54% of the direct support is returned to the university.



UNIVERSITY DIRECT SUPPORT

Charts below represent actual figures of direct university support after funds flow back to the University for items such as tuition, fees, room, and board. When funds are settled, direct support to Athletics is less than 1% of university's expenses.



FINANCIAL ORGANIZATIONS

Colorado State Athletics operates two separate financial organizations with Canvas Stadium serving as the second financial entity.

ATHLETICS (0120)

REVENUE ITEMS

- Direct Institutional Support
- NCAA Conference Distribution
- Student Fees
- Ticket Revenue (from three arena sports)
- Sponsorships
- Contributions
- Transfer from 0125

EXPENSE ITEMS

- Staff Compensation
- Student-Athlete Financial Aid
- Operations (team & recruiting travel)
- Football Transition (FY20 one-time)


STADIUM (0125)

REVENUE ITEMS

- Sponsorships
 - Multi-media Rights Partnership
 - Naming Rights Partnerships
- Football Tickets
- Contributions
- Other self-generated items
 - Concessions
 - Special Events

EXPENSE ITEMS

- Facility Debt
- Transfer to 0120
- Facility Maintenance
- Facility Operations
- Staff Compensation

Colorado State Athletics 

7

FY23 REVENUES FOR ATHLETICS

Revenue split by financial organization (unaudited).

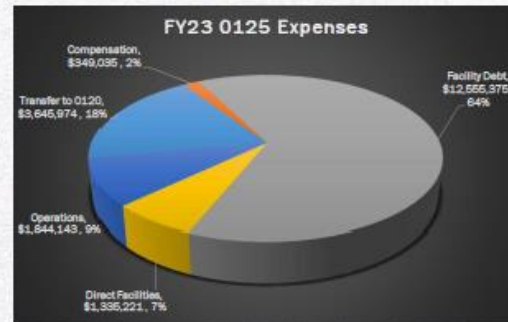
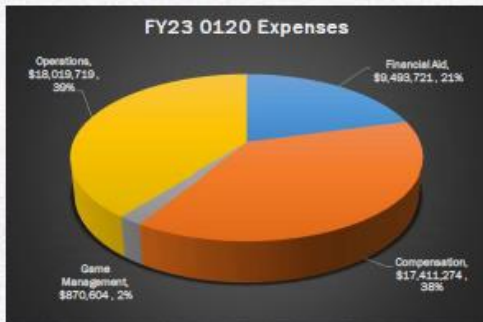


Colorado State Athletics 

8

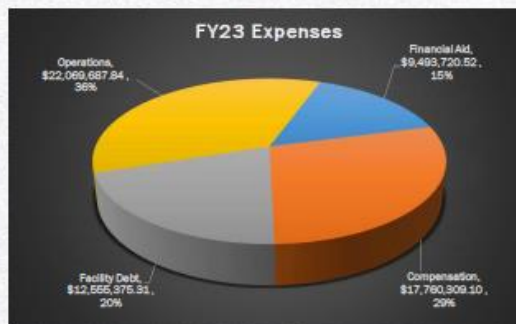
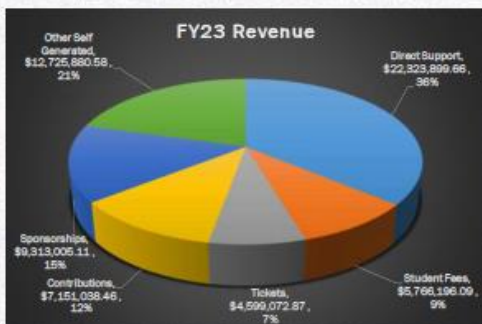
FY23 EXPENSES FOR ATHLETICS

Expenses split by financial organization (unaudited).



FY23 NCAA Report

The NCAA Report consolidates the revenues and expenses of 0120 and 0125 (unaudited)



SUPPORTING OUR COMMUNITY

Athletics adds to the CSU experience and Fort Collins in many ways.

- Student-athletes represent only 1.3% of the total University population but over 2% of the total minoritized population of the University.
- Student-athletes represent 15.7% of the University student population who identify as Black.
- 23% of student-athletes are First Generation.
- In FY23, Athletics employed 216 student workers which put \$503,000 into the pockets of CSU students. Many positions serve as opportunities for career experience.
- Canvas Stadium operations include over 700 jobs. In a 2014 economic impact study, the direct and indirect benefit to Larimer County was \$70 million over the first 10 years.

ATHLETICS ENHANCES “TOP OF MIND” AWARENESS & DIPLOMA VALUE

Media Exposure during Events


- CSU vs CU football game: Averaged 9.3M viewers, largest late-game audience in ESPN history (5th overall)
- CSU Admissions web page saw a 37% increase in traffic the week of the CU game with twice as many applications the day after compared to the same day in 2022
- St. Peter’s received \$130 million in media value from its 2022 NCAA Tournament run, donors increased 47% YoY & non-resident students doubled
- Wyoming study found \$159M exposure from Josh Allen 5 years ago

Increased out-of-state applicants and enrollment


- Clemson: 55% of admitted students said football title was slightly to extremely influential
- Florida Gulf Coast: 27% increase in applicants after Sweet 16 run
- TCU saw a 31% increase in early decision applicants with last year’s CFP appearance
- CU has seen a 40% increase in Non-Resident applications since Deion Sanders became Head Coach
- Admissions sees a higher acceptance/commitment rate from potential students who attend Football game day



IN CONCLUSION

- Our student-athletes are achieving academically and athletically at very high levels. They've earned their place on our campus.
- Athletics contributes to the overall diversity of the campus population in a significant way. Our student-athletes and staff are valuable members of the campus community.
- The majority (54%) of our direct university support is paid back in the form of revenue for other departments on campus.
- Colorado State Athletics provides an invaluable platform to bring our communities – on-campus and off-campus – together to celebrate being Rams.
- The university has made it clear that Division 1 athletics, played at the highest level, are an important part of the fabric of our campus.
- Large, peer land-grant institutions around the country have made the same judgment. 48/50 participate in Division I football.
- The Department of Athletics is a thoughtful steward of university resources, and we will continue to operate with an eye on fiscal responsibility.



Clark Revitalization: An update from faculty



1



Clark B Wing Rebuild 2024

- Original plan scuttled for costs
- New plan = Rebuild B Wing
- On hold = C Wing

What happens next?

- 160+ Faculty, staff, and students
- Displacement = 3+ Years beginning in December
- 3 Depts (ANTH/GEO, SOC, HIST) + others

Thank You CLA

- Continued communication under quickly changing circumstances
- Efforts to find swing space
- Engaging central administration
- Creating fac/staff working group

**No university-led
displacement plan yet**

Context





2

- **Student Success:** How will students meet faculty in a central, accessible location and feel like valued members of our campus community?
- **Faculty Success:** How can faculty have private, secure, on-campus workspace and access to books, printers, scanners, files, labs, supplies, etc.?
- **Department, College, University Success:** How will faculty, students, and staff maintain a sense of community and belonging?

Challenges

3

Viewing the issue through an equity lens means:

- Working to ensure the burden of displacement does not have disproportionate impacts on particular groups
- Understanding that this is a University issue

Challenges

4




Unacceptable

- Remote work from home
- Off-campus (not walkable)
- Off-campus (public transportation)
- Hoteling and flex space
- Shared offices
- Dispersing faculty/staff across campus

Acceptable

- Temporary/modular on-campus space
- Departments kept together or nearby
- Private, permanent workspace
- On or adjacent campus location

Some Options




5




Central Administration

- Find and fund on-campus space for displaced departments and centers

Faculty Council

- Advertise petition to faculty across campus and encourage signatures
- Pass resolution?

Our Ask




6

THE CONVERSATION US

www.theconversation.com

About The Conversation US

The Conversation (theconversation.com) is an independent, nonprofit publisher of commentary and analysis, authored by academics and edited by journalists for the general public. We publish short articles (800-1000 words) by academics on timely topics related to their research.

Our mission is “to promote truthful information and strengthen journalism by unlocking the rich diversity of academic research for audiences across America.”

Who Reads TCUS?

Our articles are **free to read and free to republish** on a Creative Commons license – anybody can republish our articles and we actively promote their republication. We publish ~8 articles per day and through publication and republication have 6-7 million reads per month.

We are regularly republished in large national outlets such as **The Washington Post, Time, Newsweek, CNN, Scientific American** and many more. Through our partnerships with **The Associated Press and Community Newspaper Holdings, Inc.** our articles are picked up in local newspapers – providing analysis in communities that would not otherwise been able to hear from these academics. By writing, academics can reach audiences in publications locally, nationally and internationally.

What is The Conversation US looking for in an article?

We react to the news with expert analysis *and* help set the news agenda with ideas originating in academia. Our editors consider four things in a pitch:

- **Is it of interest to a general audience?** Our articles are read across the United States and internationally by non-academics. What does a lay person want or need to know?
- **Is the idea timely?** Timeliness can mean many things: new research, analysis of something in the news, commentary pegged to historic anniversaries. Why should a reader care now?
- **Is the academic an expert** in what they are writing about?
- **Can the academic cover the topic in 1,000 words or fewer?** Our articles are not comprehensive, but rather make critical points that the public needs to be aware of.

We are looking for academics to pitch us articles. This means you write a 4-5 sentence description of the article and we give you feedback prior to your investing time in writing. The best way to do so is on our pitch form here: <https://theconversation.com/us/pitches>. We suggest that you read a few recent articles to get a better sense of our writing style.

Our Process

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