

**MINUTES**  
Executive Committee  
**Tuesday, October 31, 2023**  
**3:00pm – Microsoft Teams**

**Present:** **Melinda Smith**, Chair; **Joseph DiVerdi**, Vice Chair; **Andrew Norton**, BOG Representative; **Sue Doe**, Immediate Past Chair; **Jessica Watkinson** (substituting for Amy Barkley), interim Executive Assistant; **Jennifer Martin**, Agricultural Sciences; **Rob Mitchell**, Business; **Sharon Anderson**, Health and Human Sciences; **Christine Pawliuk**, Libraries; **William Sanford**, Natural Resources; **Michael Antolin**, Natural Sciences; **Zaid Abdo** (substituting for Katriana Popichak), Veterinary Medicine and Biomedical Sciences

**Guests:** **Brad Goetz**, Chair University Curriculum Committee; **Janice Nerger**, Interim Provost/Executive Vice President; **Susan James**, Vice Provost for Faculty Affairs; **Gamze Cavdar**, Chair of the Committee for Strategic and Financial Planning

**Absent:** Katriana Popichak, Veterinary Medicine & Biomedical Sciences (excused); Amy Barkley, Executive Assistant (excused); Sybil Sharvelle, Engineering; Antonio Pedros-Gascon, Liberal Arts

Chair Melinda Smith called the meeting to order at 3:04pm.

**October 31, 2023 EXECUTIVE COMMITTEE AGENDA ITEMS:**

**I. Minutes to be Approved**

**A. Executive Committee Minutes – October 24, 2023**

Chair Smith: Asked if there were any corrections or changes to be made to the Executive Committee minutes from October 24<sup>th</sup>.

Rob Mitchell: Asked if we can approve the minutes pending any changes that may be needed.

Chair Smith: Agreed.

Interim Provost Jan Nerger: Noted incorrect information in the minutes regarding the Council of Deans. Will not the correction in the Provost's report, so the correct information is in these minutes.

Chair Smith: Asked how the committee feels about approving the minutes pending any additional corrections.

Joseph DiVerdi: Noted that we need to have them approved in a timely fashion.

Mitchell: Will do so after this meeting.

DiVerdi: Think that is fine as long as we get it done quickly.

Andrew Norton: The formal process for doing this would be the motion to rescind and then amend.

Chair Smith: Clarified that we will approve them but if you want to make changes, you can move to rescind at the next meeting.

Hearing no additional changes, minutes approved as submitted.

Mitchell: Moved to rescind the October 24<sup>th</sup> minutes and then reapprove with the changes submitted.

DiVerdi: Seconded the motion.

Motion passes, minutes will be updated with approved changes.

## II. Items Pending/Discussion Items

### A. *Announcements*

1. The Next Executive Committee Meeting will be held on November 14, 2023 – Microsoft Teams – 3:00 p.m.
2. The Next Faculty Council meeting will be held on November 7, 2023 – Microsoft Teams – 4:00 p.m.

Norton: Announced that Executive Committee member Prof. Mike Antolin will be giving a presentation on November 1<sup>st</sup>, at 4:00 p.m. in the Lory Student Center. Encouraged everyone to attend.

### B. *Provost/Executive Vice President Report – Interim Provost Janice Nerger*

Provost Nerger: Noted the minutes from last week that discussed the Council of Deans and how the Chair of Faculty Council got removed from the Council of Deans. Wanted to explain that that is not the case because the Council of Deans never met. When I became Interim Provost, we had a lot of vacancies and hiring of vice presidents.

Provost Nerger: According to the Manual, the Council of Deans includes all of the Deans from the eight colleges, the Libraries, and the Graduate School, the vice provosts, the Chair of Faculty Council, the Chair of the Committee on Strategic and Financial Planning, and all of the vice presidents. I didn't want to meet with the Council of Deans because we didn't have a full slate of VPs or the Vice Provost for Undergraduate Affairs. So, I made up a committee that I thought would be useful in advising the Interim Provost, the Provost's Leadership Council. I included all ten of the Deans, the chair of Faculty Council, the Chair of the Committee on Strategic and

Financial Planning, all the associate vice provosts, Steve Dandeneau, Andrea Duffy, Pam Jackson, and the budget manager from the Provost's Office.

Provost Nerger: The Chair of Faculty Council was not removed from the Council of Deans; I just never had that group meet. I had this Provost's Leadership Committee because that really provided the input that I needed and it still had all the relevant people from the Council of Deans, which are the Deans and the Faculty Council members. Was surprised to read last week's minutes which discussed the assumption that I kicked off the Chair of Faculty Council. I created this committee essentially because we didn't have vice presidents at the time. I added people that had been working on the Academic Master Plan and student success because that's what we were talking about. There are occasions when the Provost meets with just the Deans that has always taken place, like when we talk about tenure and promotion case or budgets of the colleges, and that isn't the same as the Council of Deans.

Chair Smith: Thanked Provost Nerger for that clarification.

Provost Nerger: Think it's important to have the Chair of Faculty Council at the meetings, and it's also very important to have the budget person there. Will tell Marion Underwood that I would keep Pam Jackson and Cheyenne Hall at the meetings, because they usually have good information to share.

Sue Doe: Noted that it was my perception that the previous Provost was gathering the Deans and then there was this other meeting that would occur called the Provost's Leadership Council. There was some other meeting that I was occasionally invited to, so I see this as something that I felt was a strange thing happening long before you were interim Provost. When I asked, I was told there needed to be these meetings just between the Provost and the Deans. I then noted that I think we need to change the Manual so that it's stated the thing Faculty Council Chair is invited to is the Provost's Leadership group.

Provost Nerger: Think that it says that in the Manual.

Chair Smith: Noted it is not in the Faculty Council Procedures Handbook.

Provost Nerger: I made up the Provost Leadership group because of the situation we had with vice presidents being up in the air and did not have all of the vice provosts in place either and it just made sense that I really wanted the Deans and the Faculty Council there.

Provost Nerger: Noted that the Provost does call meetings of the Dean's only, but that's different than the Council of Deans. Typically, they are meetings about promotion cases and personnel cases that the Deans can help on, and sometimes it's not all the Deans, it'll be just a couple that are involved. It is more for operational business and things like budget.

Provost Nerger: I am meeting with Underwood weekly now, and I'll mention this to her. I'm not going to tell her what to think or what to do, but I'll let her know. I'm just trying to help her with the transition at this point.

Provost Nerger: Now we are in the last year of the funds that the Board of Governors allocated to us for student success. Those were \$3 million each for three years. This is the last year and in the budget process the last two years, I think we've been able to base fund \$500,000, so we're far cry away from \$3 million. The idea is to go to the Board of Governors and see if we can get some additional one-time money so we can continue some of the programs from faculty and staff that have been in place. Not enough time really to see if things are working or if they are really making an impact, but we'd like to continue the ones that we think are really promising. The group is meeting next Tuesday to look at what we're going to do and what we think we can do with the money we currently have, if we are short, and what kind of a proposal could we send to the Board of Governors for future funding. EVP Miranda mentioned that in an email today that he thought that this would potentially be part of the budget process that we are about to embark on. Am not sure what EVP Miranda meant by that.

Mitchell: Think what EVP Miranda was likely referring to was what Brendan Hanlon had brought up in that budget meeting on the 18th, where he laid out a process for how to request funds for different projects that might be moving forward, so in the incremental model, not in the in a redesign. Again, there is a lot going on with budget, but this would be the existing incremental model.

Provost Nerger: We thought that we had the commitment from the President for these funds, so we were going to see what programs we're going to put them toward. We've been working on these for the last three years, but we don't have enough, so we would make another proposal.

Provost Nerger: Announced that the Provost's Ethics Colloquium is going to be on November 8<sup>th</sup> from 4:00-6:00 p.m. We are bringing in a speaker, Abram Anders, from Iowa State University. I saw him this past summer at an APLU provost workshop at UC Davis. He's promoting the use of AI in higher education and how to embrace it. He gave a great session on it to the provosts, and it was very well received. We invited him to come out and give a keynote to the group and I think that it will be well received. I think it'll be a new position that people haven't necessarily heard of and then it will be followed by a panel of four of our CSU colleagues.

Provost Nerger: Asked what was wanted for the Provost's report at next week's Faculty Council meeting. My report would probably focus on student success and enrollment. It is important because the new budget model will reflect some sort of enrollment numbers, but I think probably more urgent would be faculty salaries and what progress has been made on the budget model.

### ***C. Old Business***

### ***D. Action Items***

#### 1. UCC Minutes – October 20, 2023

Chair Smith: Asked Brad Goetz if there was anything in the University Curriculum Committee minutes to bring to Executive Committee's attention.

Brad Goetz: Indicated that there was nothing of note in this set of minutes. Asked to further discuss the minutes from a couple of weeks ago, regarding the climate change subject code.

Chair Smith: Agreed, first moved that the University Curriculum Committee minutes from October 20<sup>th</sup> be added to the consent agenda on the Faculty Council agenda for November 7<sup>th</sup>.

Chair Smith: Requested a vote.

Motion approved. Will be placed on the consent agenda on the Faculty Council agenda for November 7<sup>th</sup>.

Goetz: Regarding the climate change studies subject code that we saw a couple weeks ago that was then removed from that set of minutes from the University Curriculum Committee, Vice Provost for Undergraduate Affairs Tom Siller met with the group, and he came back with some answers. There is a group that represents all colleges of faculty that are responsible for the subject code. It is very similar and might be some of the same people as SoGES, so that should hopefully help resolve some of the issues about this originating with administration. They thought it would be good to have EVP Miranda's endorsement and so that was in the rationale, but it is coming from a group of faculty members. They are comfortable with anybody in the university submitting to the subject code. So, anybody in the university can submit a course with the CLMT subject code when it is approved, so long as those agreements are made with the department head.

Goetz: Likewise, they are comfortable with faculty proposing the subject area under their home subject code, so they won't own climate change studies or climate studies, or any of the variations of that they are interested in this becoming an interdisciplinary approach. I think a lot of people recognize that we are not set up quite right to do interdisciplinary work, since departments own subject codes, and everything is kind of parceled off. I think that's maybe a discussion in the future and there is an interdisciplinary committee that I'm on as well that is meeting next month so I'll learn more there. As far as any financial implications are concerned, Vice Provost Siller is going to ask about that again. He might be asking Provost Nerger and so she might be able to answer some of that right now. I assume that if there are financial implications relative to faculty teaching outside of their home subject code, that those will be resolved between the Provost's Office and maybe the Dean and certainly the department chair, and Vice Provost Siller's thought about that was that hopefully we can just figure out how to make those things work smoothly since we don't have that really in place yet.

Goetz: In some ways, the financial implications, and I'm not aware of what they are, will be worked out in process as these CLMT subject code courses emerge. Provost Nerger, I'm sure knows more about the GES subject code that already exists and what that means and so those are the answers I have right now.

Goetz: From the UCC perspective, this is a curriculum item, and we don't generally consider the financial implications. We don't do that with programs or extra course load for faculty, even though we might be aware of it, and we do have it as an approved item from the University

Curriculum Committee. So as soon as you are ready to discuss that item and potentially get it back on the agenda, that would be great.

Provost Nerger: Think the issue on the finances right now is who pays to have the courses taught. If the department, for example, doesn't count that course in a faculty member's teaching load, is the faculty member going to teach it as an overload, i.e., for free? Or is someone going to be paying for it, and if so, where does that money come from? Those are some of the questions and it will depend, department by department.

Provost Nerger: This happens whenever you have an interdisciplinary program. Women's Studies was probably the first example of that. Some departments counted the people who taught in that program outside of the department. That was before they were a department or a program.  
Chair Smith: Asked if there are any questions about this.

DiVerdi: Asked if there is a resolution or a vote, or if this was strictly informational.

Goetz: From my perspective, it is informational only at this point. If you want to consider it and make it a formal action so that we can put it back into the minutes, we will back date it to the date we approved it and say that it was removed from the minutes to learn more.

Provost Nerger: Think the controversy, if there is one, is that typically if a department wants to start a new major or a new concentration and they have courses that have a new prefix, it would go through a process that would hit the other college curricular committees and then you would see it. With this one the departments and the colleges haven't seen it, so they've kind of proclaimed climate change. I don't know if Atmospheric Sciences has seen it, for example, or anybody else.

DiVerdi: One of the questions that I've heard brought up is that since no department owns it, the question is how some of the benefits are apportioned and without that, I don't know why we can't come up with a simple set of rules to do that beforehand rather than after.

Provost Nerger: It will be based on who is teaching and what department they are affiliated with, so that I'm not worried about. It's just the problem of who's going to pay for teaching could be an issue for some departments that won't be an issue, they are going to count it in the regular load, and it won't be a problem at all.

DiVerdi: Think a couple of rules wouldn't hurt.

Norton: I've taught in agriculture and international education for the last 12 years and credit hours follow my name through IR. If you ever dive through that database, you can find them in there and hopefully that's all correctly done. And then it's just in the future, what does the budget model say that those credit hours are worth, and who is going to claim them? I don't see that this is anything new with the climate prefix, it's pretty similar to GDPE. I think there are a number of programs that are in this category.

Provost Nerger: But GDPE has a structure and a board of directors, and there's somebody you go talk to.

Chair Smith: Feel this is a bit of a putting the cart before the horse kind situation here. We do want the pieces in place, but it seems a little backward to me. Asked if we should reconsider this and not hold it up any further and put it on the next Executive Committee agenda for November 14<sup>th</sup>.

Goetz: Ordinarily I wouldn't suggest anybody pull something from the UCC minutes because often they can be negotiated on the floor at Faculty Council. The problem with this one is there is no room to negotiate if faculty aren't trusting of it, they will decline to approve it, and then we won't get the subject code. Either do or we don't have the subject code, so I think with caution you all should kind of consider that and what it means to make it clear enough to faculty that this isn't a threat and is a good thing in concept. That is the only reason I asked to have it removed from the minutes.

Provost Nerger: Asked Goetz if subject code would be held in the Provost's Office.

Goetz: Yes, my understanding is it would be very similar to the GES subject code right now.

Jennifer Martin: Think this additional context from Brad is helpful, but I think it would be great if we could share that with our colleagues because this information would be valuable for my colleagues who raised the initial concern. Think that the additional context and this the conversation that anyone can teach under it would be incredibly valuable.

Chair Smith: We can devote some time in the next Executive Committee meeting, then we would take it to Faculty Council and would need to either provide narrative about this or we would provide context.

Martin: Think that having some sort of education from the proposing committee that goes out prior to the meeting is valuable. People view the University Curriculum Committee as the most informed on campus about the implications of this and something coming from your committee would have a lot of value.

Goetz: We could certainly consider that. The best example I've seen recently, was two years ago there was an item in the minutes of the UCC that respected the move to any approved course being able to be taught in any teaching modality online, face-to-face, or mixed, and what Sue Doe did was draw everybody's attention to the minutes. And did that background explanation so that it comes from the Executive Committee rather than the UCC where sometimes people question what the UCC's ambitions are. Otherwise, I'm happy to support it, but that worked well from my view. That way it comes from the committee as an advisory asking you the question and you all then make the judgment and have asked the questions that hopefully make that comfortable for all faculty to receive. We don't generally put a subject code through as a special action item, and I'd hate to get into the process of doing that because we do a lot of subject codes and that's not really rising to the level of special action items.

Chair Smith: Agreed with this approach. Think we need to reconsider the course code as Executive Committee and then have a retroactive change to the UCC minutes, putting it back in so that it can be considered at the December Faculty Council meeting. Asked if everyone agreed. Will put this on the November 14<sup>th</sup> agenda.

## 2. Academic Calendar Fall 2028-Summer 2030

DiVerdi: Last week, we briefly reviewed the updates to the academic calendar for Fall 2028-Summer 2030. We need to vote to approve them, and to send them to Faculty Council for approval and on to the Board of Governors for final approval. This is the standard process by which the calendar is set. There is nothing special or fancy about this calendar.

DiVerdi: Move that the Fall 2028-Summer 2030 calendar be approved and added to the Faculty Council agenda for November 7<sup>th</sup>.

Zaid Abdo: Seconded the motion.

Motion approved. Will be added to the Faculty Council agenda for November 7<sup>th</sup>.

3. Election – Faculty Representative to Committee on Non-Tenure Track Faculty– Committee on Faculty Governance – Steve Reising, Chair
4. Election – Faculty Representative to Committee on Strategic and Financial Planning– Committee on Faculty Governance – Steve Reising, Chair

Chair Smith: Moved to place the two elections for faculty representative to Faculty Council standing committees on the Faculty Council agenda for November 7<sup>th</sup>.

Motion approved. Will be placed on the Faculty Council agenda for November 7<sup>th</sup>.

5. Faculty Manual Section J – Committee on Responsibilities and Standing of Academic Faculty – Jennifer Martin

Martin: The Committee on the Responsibilities and Standing of Academic Faculty would like to see section J added to the November 7<sup>th</sup> Faculty Council agenda. Given the changes that were made from last year, and all the discussion that happened over the summer with General Counsel even through last week discussion continuing about revisions and changes to Section J, think one of the things that's important to note is this is not perfect. As a committee, we still have things that we want to see changed with Section J specifically. One of the sticking points that became a barrier to forward progress was timeline related to disclosure of inventions. For example, disclosure of whether STRATA will pursue patents, and CoRSAF was adamant that we wanted to see articulated timelines and got quite a bit of pushback from OGC for timelines. I think some



of the pushback was rational; the processes are not all equal. Some timelines are short, and some are really long, so coming in with a timeline that is somewhere in the middle didn't make a lot of sense to them. We went back and forth on how we might massage the language so that there was some formulation of a timeline, but one that was more representative than some number that was picked out of thin air.

Martin: It became apparent that the process by which we might get to some agreement was going to continue this into spring and what CoRSAF ultimately decided is that this version of Section J that you're looking at is substantially better than what we have currently. What we have currently is not in compliance with federal policies or current statutes and codes, and so although there are things that we still want to address with CoRSAF, we elected to move forward with this version for consideration by Executive Committee and then hopefully by Faculty Council, knowing that this version is so much better than where we're at with Section J as it stands.

Martin: We want to see more changes and our hope is that once we have our new VPR in place, then we can reengage the conversation with the VPR's office about how they might serve as an advocate for faculty to establish some timelines relative to patents, copyrights, and invention disclosures. Acknowledged Chair Smith and Richard Eykholt, particularly as we really got to the end of the negotiations with General Counsel it was a lot of conversation and back and forth and they were helpful and influential in getting to this point.

Chair Smith: One thing I just want to reemphasize is that we are just voting to see if this can stand debate on the floor of Faculty Council or not. Asked if there were any questions or comments.

Norton: The sticking point was the timelines for CSU STRATA to take action. It references in here terms and conditions set forth in the master services agreement. Asked if that is something we will have available when this comes to Faculty Council to see what that says.

Martin: We've been asking for that master services agreement since early summer and haven't seen it yet, so I don't know. We'll continue to ask, and we let them know that this would be something that this committee as well as Faculty Council would want to see, and I can provide that feedback after today's to Jannine and Jason. I don't know if they're just trying to see that this is approved first and then deal with that later.

Vice Provost Sue James: Noted that this has been going on for years, trying to revise the section and it's not perfect, but it's improved. My specific question was about the removal of Section J.1.3.4, on failure to market on inventions. Asked if that was because of the timeline dispute.

Martin: Currently there isn't a plan in the existing version of section J for a failure to market timeline or strategy. The thought was that because of the timeline that's referenced within there this additional section is only valuable if there is a timeline incorporated into it. Without the timeline, we just keep the policies the same as they are currently.

Vice Provost James: Think one of the keys will be how you describe it and the rationale at

Faculty Council, because there is so much in here and most people are not very familiar with this section either.

Martin: Our hope is to send a summary of what the changes were to give folks a debrief of what this means, some of the changes that are most impactful, and maybe some of the opportunities for improvement in the future, assuming that we make it through today.

Antolin: Asked if they were happy with how they were able to interact with General Counsel on this.

Martin: Think we're making progress and that there is an opportunity for collaboration and compromise. Think this is a unique scenario because STRATA isn't a separate entity and so there is that relationship that the system has with the university in Fort Collins, and then STRATA kind of sits in the middle as a liaison to the CSU Fort Collins campus, I think that created some tension. I did feel that they listened to the final proposal that we got from them, they seem to not understand how we operate as faculty, and they don't understand the role of the Manual as it relates to faculty procedures and processes. It was clear in the language they suggested that was helpful, yes, but it doesn't work for our campus and so I think there's a bit of education yet to be done for them.

Antolin: Asked if this has to go to the Board of Governors for their approval.

Martin: Yes, we did reach out to them with this version that you are seeing. The initial suggestion to us coming into the fall semester was to remove timelines altogether, and they were happy with that version going forward. CoRSAF pushed back and said that we want to see timelines in this version of Section J and so we ultimately acquiesce to what their initial requests were, because in the interest of time. We hope this can be negotiated with the new VPR. I don't think we'll see them offer any guidance to not approve it at the board level.

Antolin: Asked if STRATA has its own attorneys, and do they have an input on this as well.

Martin: Clarified that Jason Johnson is operating in that role for STRATA and Richard Magid was the person who Jason Johnson worked with.

Doe: Asked where to find the copyrightable classroom materials are addressed. There was a year spent by people like Stephanie Clemens, Tim Gallagher, and Paul Doherty trying to address the section J implications for instructional materials. Both those that were produced for online environments and those produced in the traditional RI way.

Martin: Noted that what Doe is referencing is in the glossary of the second part. J.2 is considered scholarly works, so we lumped in classroom material, syllabi, and tests to scholarly works. Recognizing that there is a lot of scholarship that goes into the creation of those materials, and so it's referenced differently than perhaps a course wares which would refer specifically to the platforms by which those things might be delivered as well as and copyrightable works as an umbrella for multiple types of things that fall outside of that space.

Doe: Asked if it is felt that classroom and online materials are properly protected now.

Martin: I do, and this was something that we spent a lot of time focusing on last year given that this process started pre COVID and continued over the pandemic. The landscape of course delivery and content creation changed so much, and we spent a lot of time making sure that the current language reflected all the activities and the innovation that faculty do in those spaces. I do feel comfortable that it protects the works that are created by faculty, whether they're used in a in a traditional RI format or online.

William Sanford: Noted a typo in Section J.1.2.7, a repeat of the word “inventions”.

Doe: Noted a typo in J.1.2.5, heading needs to be bolded.

Martin: Will correct that and send a corrected version.

Norton: Noted Section J.2.2.2 regarding copyrightable works. Asked when one is assigned to teach a course and create a new series of educational materials, if those materials are the university's.

Martin: In situations where faculty are commissioned for certain activities, whether it's teaching a course or creating content in alignment with one piece of a course, it is a commissionable work and does not then become the property of the person commissioned to do it. That's in alignment with copyright laws, which is why that language was incorporated as it is. Think one of the challenges might be for our non-tenure track faculty who are hired to teach specific courses. Think that's a potential weakness, but it's in alignment with current policies related to copyrightable works.

Martin: If, for example, you were commissioned to create a course for a grant, that's different than if you are teaching a course as part of your workload assignment. Think there is some nuance there certainly, but who owns that content if it's commissioned work for a grant or contract is a little different than if it's part of your assigned teaching responsibilities. If in your offer letter, the assigned teaching responsibility said you're responsible for creating these items for this particular course that's commissioned work.

Norton: Think that this might generate some discussion, so being prepared for that would be helpful, to make a distinction between commissioned versus regular teaching.

Martin: If you're assigned to teach a course, then within that course, those creative works are your own. But if you're assigned or commissioned to teach specific things within that course, then it becomes the property of the university.

Doe: Not very long ago, CSU Online used to commission especially non-tenure track faculty to develop courses that would then be distributable into perpetuity. There were some concerns about that, that someone may agree to such things without thinking about what the implications were. Wondering if you think this still allows the commissioning of online content at a pretty

low rate, or faculty who leave and then discover that their curriculum was being given to folks to teach who were not as qualified to teach it. Think a lot of the concerns around course materials derived from those two situations and wonder if you feel like this addresses it.

Martin: Do feel that it addresses that. Think one of the things that behooves faculty members in J.2.2.2 is the agreement in advance by both the university and the faculty member. If you are contracted to develop a course for CSU, part of the contract is that that work becomes the property of CSU online. But there is that stipulation that it's an agreement between the faculty member and the university about what that looks like in those cases. Think that it empowers the faculty members to ask questions and to articulate that within the contract versus in the past.

Doe: Agreed, and think that's a good improvement, but would also suggest that when one receives such documentation that someone would understand that this was negotiable, because I think it, it tends to be presented as boilerplate like this is the way it works.

Martin: Think there is a lot of education to be done on what work is copyrightable, and most faculty don't know that their course material syllabi, tests and so on and so forth are copyrightable materials.

Doe: Think that creates a very interesting relationship between someone who is trying to produce good work and maybe not fully understanding that they need to put their own little copyright sign on their document.

Martin: Yes, I do think to that point as higher education changes in instructional delivery and design, this is something we'll have to continuously assess.

Martin: Think this is a step in the right direction, but in the time that I've been working on this with CoRSAF, we've seen lots of changes to how courses are created. When you think about now with AI right there, there could be a whole other level that we need to continuously evaluate because I think when section J revisions first started course content was an afterthought. It wasn't focused on that side of scholarship, and it has become an increasingly important concern for our faculty and something that now that we've started the process of intentionally looking at how course creation is protected, then we can continue that conversation.

Chair Smith: Moved to place the proposed revisions to Section J on the Faculty Council agenda for November 7<sup>th</sup>.

Motion approved. Will be placed on the Faculty Council agenda for November 7<sup>th</sup>.

6. Opportunities and Risk Analysis of RCM Model Report –  
Committee on Strategic and Financial Planning – Gamze Cavdar,  
Chair

Gamze Cavdar: This report is the second one coming from CoSFP related to the budget model redesign process. The first one was about values and this one is specifically about risks. I created two subcommittees to help during the process, the first one was on the Budget Model Subcommittee and this subcommittee started its work looking at the literature. This included the

assessment reports of other universities that have an RCM model, including AAUP reports and magazines such as *Chronicles of Higher Education*. The subcommittee discussed whether we should also include the opportunities along with the risks. We decided the university has already passed that stage, meaning the university has already decided that we are going to have an RCM model. The question is which specific RCM model and the specific characteristics of the model. That is why the subcommittee decided that talking about the opportunities would be irrelevant. We always do this risk analysis and management, and that was the rationale. The rationale is to strengthen the model with three objectives. The first is to avoid the risks if possible, the second is to eliminate the risks if possible, and if neither is possible, to reduce the risks as much as possible.

Cavdar: The subcommittee worked on this for over a month, and we introduced the draft on October 12<sup>th</sup>. The committee had twelve days before the deadline to submit their comments. Because the next meeting was going to be on October 26<sup>th</sup> and the next day was the deadline for us to submit our report to the Executive Committee, the timeline is very limited. We are trying to meet the deadline for December because according to the announced timeline of the university the steering committee and all other committees are going to start working then. The deadline for the committee to provide their feedback was October 24<sup>th</sup>. I extended the deadline one more day because Rob Schwebach contacted me. He wrote the intro as a result, and he made other comments on the document, and we met on October 26<sup>th</sup>. The committee then discussed document pros and cons and the timeline and decided unanimously to go ahead with this report.

Cavdar: There were five or six changes requested from me and the chair of the subcommittee, so we made the changes right away and sent it back to the committee and gave them a deadline of Friday, because my deadline to submit this report to Executive Committee was about 3:00 p.m. on Friday. I heard from no one stating that the changes that we made were not satisfactory. As a result, I submitted the report to Chair Smith.

Cavdar: Schwebach's email came after the committee unanimously agreed to go ahead with this report. Schwebach was there and voted yes, and he did not tell me that the changes were not satisfactory and sent that email without consulting me. I did not know that this was coming. The committee has worked incredibly hard, including the subcommittee. His email sounds like the report wants to undermine the process, and that is far from the truth. We have been trying to provide feedback, so the process and model is as strong as possible. I understand that he might have changed his mind after the vote, but I do disagree with the suggestion that that we might have bad intentions or are trying to undermine the process.

Martin: I think it's important that we caution against ascribing intent of this email from Rob Schwebach. Think it is an important part for us to not be in the habit of ascribing intent for folks who provide feedback when we don't know that that was his intent.

Cavdar: Agreed, my reading of the letter was questioning the intent of this report. So that was my response, that we all were trying so hard and had the best intentions, including Schwebach here.

Chair Smith: Reminded all that Schwebach is on the committee, and he voted and supported this

report moving forward to Faculty Council Executive Committee, then sent this email after the fact. I appreciate him voicing his concerns, they are probably concerns he would have brought up at Faculty Council.

Mitchell: Schwebach filled me in a little bit in terms of what his perspective was. My understanding was that the vote was to move forward with some changes that were made, and so Schwebach emailed with the intent that once he looked at it, he wasn't satisfied with the changes. So it was a conditional yes on Schwebach's part. I look at this email and I think it was very thoughtful and that he tried to be deliberate with it and that's not something you can do over overnight. I know Schwebach is a very thoughtful person and he's not here to speak to this. My perception would be that he thought a lot about this and he's simply saying here that he voted yes with some changes and that he's not satisfied with the changes relative to his vote. Again, he's not here and I support what Martin was saying with regards to intent. I think everybody on the committee is trying to do their best.

Mitchell: Want to speak a little bit about deadlines. I don't know if there are any deadlines in terms of what is happening with this budget remodel process. There are many opportunities to provide feedback and so in some sense I see these sets of deadlines to get something to Faculty Council as somewhat arbitrary in terms of trying to do something or not deliberate as much as we want to. The process is really intended to have a lot of deliberation.

Mitchell: One of the things that that Martin and I have really pushed hard on is to ensure that the Committee on Strategic and Financial Planning has substantial representation on these, so one of my questions would be why the rush to create this report. We've got the chair of the committee, APC, CPC, a dean representative, a Council of Chairs representative, and two student representatives. I'm curious about the intent or the reason for the rush to do this report as opposed to utilizing the mechanisms for this committee that President Parsons is in the process of charging. There are a lot of people from this committee on that one, and we'll be able to voice some of these very challenges and opportunities.

Cavdar: We also talked about how we don't know exactly who is going to be on those committees. We also felt that unless the report goes through the Faculty Council and becomes official, we cannot bring that document before the steering committee, so that was the concern. We wanted to go through the whole process so that the report is legitimate so that it could be brought before the steering committee.

Mitchell: Clarified that emails were sent out a couple of weeks ago, at least to the APC chair, the CPC Chair, the Council of Chairs, and those who would be sitting on these committees.

Chair Smith: What is in front of us is this report from the Committee on Strategic and Financial Planning. The idea would be that we would consider whether we want to put this forward as an item on the agenda for the November 7th Faculty Council meeting.

Norton: Asked to clarify whether this is a report or whether these are recommended policies to Faculty Council. That makes a difference. If it is a report that's received by Faculty Council,

people can comment and ask questions, but we don't vote. If it's a policy for Faculty Council to consider, that would be a whole different process.

Chair Smith: Confirmed that it is a report.

Norton: Think that should this make it to the floor of Faculty Council that we need to be very clear about whether we're recommending a policy action, or just a report.

Cavdar: It's a report because our intention is to provide feedback. We would like to provide feedback, but in a timely manner.

Martin: Think it is important to note that CSU is not considering a full RCM model, as was potentially suggested, and that is not on the table.

Martin: Think that doing a SWOT analysis or risk analysis of budget models is worthwhile and certainly will be some of the work that the steering committee will take on. We're seeing that feedback from the consulting firms as well who do this professionally for multiple universities across the U.S. I would question if this is representative of just the body of literature that was easy to access in a relatively short time frame. Don't mean that to be critical, but because you referenced a twelve day time frame when traditionally risk analysis is done much longer than that and perhaps much more detailed.

Martin: Asked if then those are reflective of risks at CSU, or risks that have been observed at other institutions. Would be in favor of if this report were to be useful, and I do think a risk analysis is helpful, but I don't know that this is the most helpful way to go about it. Think a study of this would be valuable, but don't know that this is as comprehensive or as inclusive as what we've seen from the consulting firms that will be provided to the steering committees.

Cavdar: The subcommittee has been working on this for over a month, so the twelve day period was only to receive specific comments on the report.

Martin: Asked if it is felt that the work in that months' time is comprehensive of risks related to CSU or if it is a summary of risks that have been identified in books and articles.

Cavdar: We understand that this document is an evolving one. It needs to be updated as we know the specifics of the model. When we know the specifics of this model, some of these risks probably will not be there because the model will already take care of them, but again, we don't know the details. In the absence of the details, I believe this is quite comprehensive.

Martin: Think in that context then, this makes the most sense to come from a steering committee. My concern is if these risks aren't relevant, then they're fear provoking. They're not realistic risks for our campus and I understand that there are tons of pieces of the model that haven't yet been decided, but that's part of the work that the steering committee will do is to assess those risks as they are determined and work with the technical committee to establish model parameters.

DiVerdi: Think that this report needs to be understood in the context of the location where it

originates. It comes from Faculty Council and Faculty Council needs to have a word. I appreciate that there are many different listening sessions, but this is not from a listening session. This is specifically from this body, the shared governance body, and it's putting something together to submit for consideration. It's not the last word or the only word, but it is a word, and it comes from our Council, and I think it needs to be appreciated as such.

DiVerdi: There are particulars about the document that if I were on the committee, I might have shaped it a little differently, but that's neither here nor there. I was not on the Committee of Strategic and Financial Planning. They worked on this and put something together to contribute to the conversation coming from Faculty Council, and I'd like to support its inclusion for discussion at Faculty Council. We don't need to all agree on every topic, we just need to discuss them and come to a decision.

Mitchell: A critical point here is that many of the people who wrote this report get to shape the details of this, and so I think this is maybe just a comment. We've really tried to lean into shared governance with the whole process for Martin and my contributions to this. One of the big pieces is to ensure that there is a lot of shared governance, and my comment is that it would be helpful for this body to really support the process that is here, and we've tried to be very transparent about what's going on with this. There haven't been decisions made other than that a hybrid model is the direction we're going, but we have to make that model and as a group, I think we'll be better off as we engage with one another to shape that productively and to make sure that we're having conversations that give people faith in the process. Think we also need to make sure that this doesn't undermine aspects of the process.

Mitchell: Asked Cavdar to clarify to what extent CSU was looked at specifically. There is a lot of information out there on models, and it's a spectrum from incremental to RCM to everything in between. On the hybrid spectrum, we could call it a hybrid RCM model, or we could call it just as much a hybrid incremental model, because it is bringing both in. When you look at the experts on this, they start to allude to the fact that it really needs to be institution specific and those are the risks that matter most.

Cavdar: When we look at the literature on RCM models, including the literature that is very supportive, what is clear is that they are talking about very similar weaknesses. This also applies to those assessment reports of the universities that have adopted the model. It is my understanding that this model, just like the incremental model, comes with certain weaknesses and strengths. Once you adopt this model, depending on the measures that one takes, the weaknesses are going to be there to varying degrees. We realize that these universities have different institutional arrangements, but the weaknesses seem very similar and those are the things that we focused on. I believe this will be extremely helpful and save time for the steering committee because the committee doesn't have to start from scratch.

Chair Smith: Moved to place the report on the Faculty Council agenda for November 7<sup>th</sup>.

Motion passed. Will be placed on the Faculty Council agenda for November 7<sup>th</sup>.



***E. Reports***

1. Faculty Council Chair Report – Melinda Smith

No report for this meeting.

2. Board of Governors Report – Andrew Norton

No report for this meeting.

3. Budget Model Redesign Report – Jennifer Martin & Rob Mitchell

No report for this meeting.

***F. Discussion Items***

***G. Executive Session – Presidential Evaluation Survey***

Executive Committee adjourned at 5:03 p.m.

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