

To Faculty Council Members: Your critical study of these minutes is requested. If you find errors, please call, send a memorandum, or E-mail immediately to Diane L. Maybon, ext. 1-5693.

**MINUTES
FACULTY COUNCIL
APRIL 1, 2008**

CALL TO ORDER

The Faculty Council meeting was called to order at 4:15 p.m. by Robert L. Jones, Chair.

ANNOUNCEMENTS

- A. Next Faculty Council Meeting - May 6, 2008 - A205 Clark Building - 4:15 p.m.
Jones announced that the final Faculty Council meeting of the semester will be held on Tuesday, May 6, 2008 in Room A205 Clark Building.
- B. Administration/Faculty Dialogue - May 6, 2008 - 3:45 to 4:15 p.m.
Jones announced that the Administration/Faculty Council Dialogue for the May 6, 2008 Faculty Council meeting will be presented by Tony Frank, Senior Executive Vice President/Provost.
- C. Faculty Council Current Issues Topic - May 6, 2008
Jones announced that the Current Issues Topic for the May 6, 2008 Faculty Council meeting will be announced at a later date.
- D. President Faculty Update - President Penley - April 17, 2008 - 3:30 - 5:00 p.m. Lory Student Center - North Ballroom
Jones announced that President Penley will present a Faculty Update on Thursday, April 17, 2008 from 3:30 to 5:00 p.m. in the North Ballroom - Lory Student Center. Jones encouraged faculty members to attend this important event.
- E. Election - Faculty Representatives - University Benefits Committee - May 6, 2008 - Committee on Faculty Governance
Frank Peairs, Vice Chair Committee on Faculty Governance announced that elections for faculty representatives to the University Benefits Committee will be held at the May 6, 2008 Faculty Council meeting.
- F. Proposed Revision to the *Manual*, Code Section C.2.3.1 - Colleges and Academic Departments - New Department of Ethnic Studies - Committee on Faculty Governance
- G. Proposed Revision to the *Manual*, Code Section C.2.1.3.2 - *Ex Officio* Members - Committee on Faculty Governance
Peairs announced that revisions to the *Manual*, Code Section C.2.3.1 - Colleges and Academic Departments and Section C.2.1.3.2 - *Ex Officio* Members will be action items at the May 6, 2008 Faculty Council meeting.

MINUTES TO BE APPROVED

- A. Faculty Council Meeting Minutes - March 4, 2008
Sue Pendell moved to approve the Faculty Council Meeting Minutes of March 4, 2008.
PENDELL'S MOTION WAS ADOPTED BY UNANIMOUS CONSENT.

REPORTS TO BE RECEIVED

A. Provost and Senior Executive Vice President - Tony Frank

Tony Frank reported that Tom Gorell has accepted the position of Vice President for Administrative Services.

Frank reported that a search will begin shortly for the position of Vice Provost for Faculty Affairs. He noted that this position title has been changed to Vice Provost for Faculty and Academic Affairs. He explained that he included "academics" in the title because it was eliminated from the Provost title several years ago.

Frank reported that Marc Johnson, Dean Agricultural Sciences, has accepted a position at the University of Nevada-Reno as Provost. A search for his position will begin soon.

FRANK'S REPORT WAS RECEIVED.

B. Faculty Council Chair - Robert Jones

Jones reported that Larimer County has approved benefits for domestic partners. This is an issue that has been promoted by Faculty Council in the past. He noted that the Faculty Council officers met with the President this week and discussed this issue. The President indicated he was open to revisiting this issue if Faculty Council expressed its interest to pursue this issue. Jones noted that he will ask Executive Committee to approve a Resolution regarding domestic partner benefits and, if approved by Executive Committee, the Resolution will be brought forward to Faculty Council at its May 6, 2008 meeting.

Jones reported that Executive Committee will finalize the Presidential Evaluation at its April 8, 2008 meeting. He noted that any faculty member was welcome to provide input into the Presidential Evaluation and comments should be sent directly to Timothy Gallagher, Faculty Representative to the Board of Governors.

JONES' REPORT WAS RECEIVED.

C. Board of Governors Faculty Representative - March 5, 2008 BOG Meeting - Timothy Gallagher

Tim Gallagher reported that his report could be found on pages 14-17 of the Faculty Council agenda materials. Gallagher also noted that there has been quite a bit of turnover in the Board of Governor's membership since the last time the domestic partners issue was considered so there is a better chance that this could be approved.

Gallagher noted that the May 6, 2008 Board of Governors meeting is in conflict with the Faculty Council meeting and he most likely will be unable to attend the May 6, 2008 Faculty Council meeting because he must submit the faculty evaluation of President Penley at this meeting. Gallagher noted that Jones has informed the President that this recurring conflict is a problem and hopefully the meeting schedule will change next year.

GALLAGHER'S REPORT WAS RECEIVED.

D. Committee on Strategic and Financial Planning - David Dandy, Chair

David Dandy reported that the report from the Committee on Strategic and Financial Planning can be found on page 18 of the Faculty Council agenda materials.

Dandy emphasized that the committee has been actively engaged in the planning and budget process and was instrumental in developing the new planning and budget process implemented this year. He added that all committee members attended the budget hearings on January 30, 2008 for the FY2009-10 budget.

DANDY'S REPORT WAS RECEIVED.

CONSENT AGENDA

A. Changes in Curriculum to be Approved as adopted by University Curriculum Committee on February 15, 22, and 29, 2008

B. Request to Change the Minimum Grade Requirement for the Major in Biochemistry - University Curriculum Committee

- C. Request to Move the Major in Fire and Emergency Service Administration (B.S. Degree Program) from the Department of Construction Management to the School of Education - University Curriculum Committee
- D. Request to Drop the Graduate Interdisciplinary Studies Program in Geospatial Science - University Curriculum Committee

Jones asked if there were any objections to the Consent Agenda. There were no objections.

Carole Makela, Chair University Curriculum Committee, MOVED THAT FACULTY COUNCIL ADOPT THE CONSENT AGENDA ITEMS A., B., C., AND D.

MAKELA'S MOTION WAS ADOPTED.

SPECIAL ACTIONS

- A. Election - Faculty Council Standing Committee Representatives - Committee on Faculty Governance

Peairs, Vice Chair Committee on Faculty Governance, nominated on behalf of the Committee on Faculty Governance, the following faculty members to serve on the Faculty Council Standing Committees:

Committee on Intercollegiate Athletics

Todd Donavan	Business	2011
Greg Florant	Natural Sciences	2011
Shu Liu	University Libraries	2011

Committee on Libraries

Katharine Leigh	Applied Human Sciences	2011
Mary Stromberger	Agricultural Sciences	2011
Valerie Assetto	Liberal Arts	2011

Committee on Scholarship, Research, and Graduate Education

Vicky Buchan	Applied Human Sciences	2011
Karrin Anderson	Liberal Arts	2011
Bill Sanford	Natural Resources	2011

Committee on Strategic and Financial Planning

Rajinder Ranu	Agricultural Sciences	2011
Kirk Hallahan	Liberal Arts	2011
Beth Oehlerts	University Libraries	2011

Committee on Teaching and Learning

Margarita Lenk	Business	2011
Naomi Lederer	University Libraries	2011

Committee on University Programs

Laura Jones	Liberal Arts	2011
Colleen Webb	Natural Sciences	2011
Dean Hendrickson	Vet. Med. & Biomedical Sciences	2011

University Curriculum Committee

Bradley Goetz	Agricultural Sciences	2011
Walt Jones	Liberal Arts	2011
Howard Ramsdell	Vet. Med. & Biomedical Sciences	2011

Jones asked if there were any other nominations for the Faculty Council Standing Committees. There were no further nominations and the nominations were closed.

The faculty members nominated by the Committee on Faculty Governance were elected to three years terms beginning July 1, 2007 to June 30, 2010 on Faculty Council Standing Committees.

B. Election - University Grievance Panel, Faculty Representatives - Committee on Faculty Governance

Peairs, Vice Chair Committee on Faculty Governance, nominated on behalf of the Committee on Faculty Governance, the following faculty member to serve on the University Grievance Panel:

Jon Clark	Business	2011
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Jones asked for nominations from the floor for the University Grievance Panel. Hearing no nominations, the nominations were closed.

Jon Clark was elected to serve a three-year term (August 2008-2011) on the University Grievance Panel.

Jones noted that an additional six (6) nominations are needed for the University Grievance Panel and encouraged faculty members to self nominate or to contact individuals who may be interested in serving and encourage them to be nominated.

C. Election - University Sexual Harassment Panel, Faculty Representatives - Committee on Faculty Governance

Peairs, Vice Chair Committee on Faculty Governance, noted that no nominations have been received to serve on the University Sexual Harassment Panel.

Jones asked that if anyone was interested in serving on this panel should contact Peairs directly. There are four vacancies on the University Sexual Harassment Panel.

Jones noted that this election will be postponed until May 6, 2008.

D. Election - University Discipline Panel, Faculty Representatives - Committee on Faculty Governance

Peairs, Vice Chair Committee on Faculty Governance, noted that no nominations have been received to serve on the University Discipline Panel.

Jones asked that if anyone was interested to contact Peairs directly. There are four vacancies on the University Discipline Panel.

Jones noted that this election will be postponed until May 6, 2008.

E. Proposed Revision to the *Manual*, Code Section C.2.3.1 - Colleges and Academic Departments - Name Change - Department of Speech Communication - Committee on Faculty Governance

Peairs MOVED, THAT THE FACULTY COUNCIL ADOPT THE PROPOSED REVISIONS TO THE *MANUAL*, CODE SECTION C.2.3.1 – COLLEGES AND ACADEMIC DEPARTMENTS TO BE EFFECTIVE FALL SEMESTER 2008 UPON APPROVAL BY THE BOARD OF GOVERNORS AS FOLLOWS:

Additions - underlined deletions – ~~strikeouts~~

C.2.3.1 Colleges and Academic Departments

The colleges, each organized under their respective academic dean, have general charge over their respective undergraduate and/or professional degree programs. These are:

- a. College of Agricultural Sciences – No Changes.
- b. College of Applied Human Sciences – No Changes.
- c. College of Business – No Changes
- d. College of Engineering – No Changes
- e. College of Liberal Arts
Comprising the Departments of Anthropology; Art; Communication Studies; Economics; English; Foreign Languages and Literatures; History; Journalism and Technical Communication; Music, Theater, and Dance; Philosophy; Political Science; ~~and Speech Communication~~ and Sociology.
- f. College of Natural Resources – No Changes.
- g. College of Natural Sciences – No Changes.
- h. College of Veterinary Medicine and Biomedical Sciences – No Changes.

Peairs explained that according to the department, the title "Speech Communication" does not capture the existing breadth of the work being done in the department. More than ten years ago, the national association changed its name from the Speech Communication Association to the National Communication Association, and most communication departments have changed their names from Speech Communication to Communication Studies, or something similar. This proposal has been approved by the Committee on Scholarship, Research, and Graduate Education and the University Curriculum Committee.

PEAIRS' MOTION WAS ADOPTED BY THE NECESSARY TWO-THIRDS VOTE.

- F. Proposed Revision to the *Manual*, Code Section C.2.1.9.3 - Membership and Organization - Committee on Faculty Governance

Peairs, Vice Chair Committee on Faculty Governance, MOVED, THAT FACULTY COUNCIL ADOPT THE PROPOSED REVISIONS TO THE *MANUAL*, CODE SECTION C.2.1.9.3 - MEMBERSHIP AND ORGANIZATION TO BE EFFECTIVE UPON APPROVAL BY THE BOARD OF GOVERNORS AS FOLLOWS:

Additions - underlined deletions - ~~strikeouts~~

C.2.1.9.3 Membership and Organization

The membership of each standing committee is specified to fit the functions of the standing committee. Administrators, undergraduate student members representing the Associated Students of Colorado State University (ASCSU) and graduate student members representing the University Graduate Student Council shall be authorized for certain standing committees. Faculty membership on standing committees will be limited to regular full-time, regular part-time, and transitional academic faculty members above the rank of instructor who do not hold an administrative appointment of more than half-time (0.5) at the level of assistant/associate dean or above. A member of a standing committee who becomes ineligible shall cease to hold this position.

Each standing committee shall have a chairperson whose term of office is twelve (12) months beginning July 1. Standing committee chairpersons must meet the requirements for elected members of Faculty Council as specified in Section C.2.1.3.1, but need not be elected members of Faculty Council. Standing committee chairpersons shall be elected by and from the membership of the standing committee of which he or she is a member. After members of standing committees are elected, as specified in Section C.2.1.9.4, the continuing and newly elected members of each standing committee, other than the Executive Committee, shall meet ~~and elect a committee chairperson for the coming term~~ before May 15 to elect a chairperson to take office on July 1.

No other revisions to this section.

Peairs explained that the issue posed to Committee on Faculty Governance is that the current procedure allows new members to vote before the start of their term and prevents outgoing members from voting at the end of their term. This situation seems to arise from a conflict between fiscal and academic calendars. The Committee on Faculty Governance finds the proposed revisions to be the most practical recognition of the guiding principle that committee chairs should be elected by their constituents.

Richard Eykholt moved to amend the main motion to read as follows:

Additions - underlined deletions - ~~strikeouts~~

C.2.1.9.3 Membership and Organization

The membership of each standing committee is specified to fit the functions of the standing committee. Administrators, undergraduate student members representing the Associated Students of Colorado State University (ASCSU) and graduate student members representing the University Graduate Student Council shall be authorized for certain standing committees. Faculty membership on standing committees will be limited to regular, regular part-time, and transitional academic faculty members above the rank of instructor who do not hold an administrative appointment of more than half-time (0.5) at the level of assistant/association dean or above. A member of a standing committee who becomes ineligible shall cease to hold this position.

Each standing committee shall have a chairperson whose term of office is twelve (12) months beginning July 1. Standing committee chairpersons must meet the requirements for elected members of Faculty Council as specified in Section C.2.1.3.1, but need not be elected members of Faculty Council. Standing committee chairpersons shall be elected by and from the membership of the standing committee of which he or she is a member for the term of office. After new members of standing committees are elected, as specified in Section C.2.1.9.4, ~~the continuing and newly elected members of each standing committee, other than the Executive Committee, shall meet and elect a committee chairperson for the coming term before May 15 to elect a chairperson to take office on July 1. Newly elected members who are to take office on July 1 as specified in Section C.2.1.9.4 shall be invited to join this meeting of current members. The newly elected members and the members continuing to serve on July 1 shall have the right to cast the one (1) vote per college in the election of the chairperson. The newly elected member is expected to consult with the committee member he or she will be replacing on July 1 for advice in casting the vote.~~

Eykholt explained that proposed amended language is needed to clarify the section regarding who is eligible to vote when electing chairs of standing committees. Robert's Rules state that all existing members vote unless the bylaws specifically provide other instructions. However, new members of standing committees are not members until July 1 and the vote must occur before May 15. The current policy states new and continuing members can vote. This means members whose terms are ending June 30 should not vote.

Pendell noted that this amendment was not germane to the motion. Jones ruled the motion as germane. There were no objections. Eykholt added that in the rationale of the main motion it discusses this issue of who is eligible to vote.

Paul Kugrens moved to amend the amendment to the motion by striking the last sentence - "The newly elected member is expected to consult with the committee member he or she will be replacing on July 1 for advice in casting the vote."

KUGRENS AMENDMENT TO THE AMENDED MOTION WAS ADOPTED.

Ken Klopfenstein argued against the amended main motion stating that language was convoluted and requires more clarification. David Dandy noted that the Committee on Strategic and Financial Planning membership includes voting members that are not elected by Faculty Council.

Eykholt pointed out the language in the *Manual* is in conflict with Robert's Rules.

Pendell MOVED TO REFER THIS SPECIAL ACTION BACK TO THE COMMITTEE ON FACULTY GOVERNANCE FOR FURTHER REVIEW.

PENDELL'S MOTION TO REFER WAS ADOPTED.

- G. Proposed Revision to the *Manual*, Code Section C.2.1.9.4 - Election to Membership and Term of Service - Committee on Faculty Governance

Peairs, Vice Chair Committee on Faculty Governance, MOVED, THAT FACULTY COUNCIL ADOPT THE PROPOSED REVISIONS TO THE *MANUAL*, CODE SECTION C.2.1.9.4. - ELECTION TO MEMBERSHIP AND TERM OF SERVICE TO BE EFFECTIVE UPON APPROVAL BY THE BOARD OF GOVERNORS AS FOLLOWS:

Additions - underlined deletions - ~~strikeouts~~

C.2.1.9.4 Election to Membership and Term of Service

Unless otherwise specified by the Code, the terms of service for all elected faculty members of standing committees of the Faculty Council shall be three (3) years with terms of one-third (1/3) expiring each year. The terms of service for all elected student members of standing committees of the Faculty Council shall be one (1) year. Terms of office for newly elected members of all standing committees are to begin July 1 for faculty members and October 25 for student members. Student members may serve on only two (2) standing committees at any given time. The Committee on Faculty Governance shall fill vacancies on standing committees of the Faculty Council occurring between normal elections in one (1) of the following ways:

- a. Immediate election in the same manner as the original position was filled.
- b. Temporary appointment by the Committee on Faculty Governance.
- c. Regular appointment with the appointee to be nominated by the Committee on Faculty Governance and approved by the Faculty Council.

Vacancies other than those occurring because of expiring memberships are to be filled for unexpired terms only.

Unless otherwise specified by the Code, nominations for the elected faculty membership on all standing committees shall be made by the Committee on Faculty Governance, with the slate of nominees to be placed on the agenda of the April meeting of the Faculty Council and submitted to the Faculty Council at its April meeting. ~~If additional nominations are received from the floor, then separate votes shall be held, first to approve unopposed nominees and then to decide among nominees for contested positions. Election shall be by plurality, and additional ballots shall be cast in the event of tie votes. Results shall be placed in the minutes of the April meeting. After nominations have been closed, the Secretary of the Faculty Council shall prepare a ballot that shows in alphabetical order the name of each nominee and the nominator for each position. The ballot shall be mailed to each member of the Faculty Council with appropriate instructions for marking and returning the ballot. The Secretary shall include the results of the balloting in the minutes of the April meeting of the Faculty Council. Election shall be by plurality. In the event of a tie for any position, the Faculty Council shall ballot again at the May meeting.~~

No other revisions to this section.

Peairs explained that these changes reflect current practice for election procedures.

Eykholt MOVED TO AMEND THE MAIN MOTION TO READ AS FOLLOWS:

Additions - underlined deletions – ~~strikeouts~~

C.2.1.9.4 Election to Membership and Term of Service

Unless otherwise specified by the Code, the terms of service for all elected faculty members of standing committees of the Faculty Council shall be three (3) years with terms of one-third (1/3) expiring each year. The terms of service for all elected student members of standing committees of the Faculty Council shall be one (1) year. Terms of office for newly elected members of all standing committees are to begin July 1 for faculty members and October 25 for student members. Student members may serve on only two (2) standing committees at any given time. The Committee on Faculty Governance shall fill vacancies on standing committees of the Faculty Council occurring between normal elections in one (1) of the following ways:

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- c. Regular appointment with the appointee to be nominated by the Committee on Faculty Governance and approved by the Faculty Council.

Vacancies other than those occurring because of expiring memberships are to be filled for unexpired terms only.

~~Unless otherwise specified by the Code, Nominations for the elected faculty membership on all standing committees shall be made by the Committee on Faculty Governance and submitted to the Faculty Council at its April meeting with the slate of nominees to be placed on the agenda of the April meeting of Faculty Council. Nominations may be made from the floor. Voting will be by written ballot unless otherwise specified. If only one (1) candidate is nominated, voting can be by voice vote. After nominations have been closed, the Secretary of the Faculty Council shall prepare a ballot that shows in alphabetical order the name of each nominee and the nominator for each position. The ballot shall be mailed to each member of the Faculty Council with appropriate instructions for marking and returning the ballot. The Secretary shall include the results of the balloting in the minutes of the April meeting of the Faculty Council. Election shall be by plurality. In the event of a tie for any position, the Faculty Council shall ballot again at the May next regular meeting.~~

Eykholt explained that this version brings in line the procedures currently being followed for elections to standing committees.

EYKHOLT'S MOTION TO AMEND THE MAIN MOTION WAS ADOPTED.

PEAIRS' AMENDED MAIN MOTION WAS ADOPTED BY THE NECESSARY TWO-THIRDS VOTE.

The amended main motion reads as follows:

Additions - underlined deletions - ~~strikeouts~~

C.2.1.9.4 Election to Membership and Term of Service

Unless otherwise specified by the Code, the terms of service for all elected faculty members of standing committees of the Faculty Council shall be three (3) years with terms of one-third (1/3) expiring each year. The terms of service for all elected student members of standing committees of the Faculty Council shall be one (1) year. Terms of office for newly elected members of all standing committees are to begin July 1 for faculty members and October 25 for student members. Student members may serve on only two (2) standing committees at any given time. The Committee on Faculty Governance shall fill vacancies on standing committees of the Faculty Council occurring between normal elections in one (1) of the following ways:

- a. Immediate election in the same manner as the original position was filled.
- b. Temporary appointment by the Committee on Faculty Governance.
- c. Regular appointment with the appointee to be nominated by the Committee on Faculty Governance and approved by the Faculty Council.

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H. Request for a New Master of Arts Program - Ethnic Studies - University Curriculum Committee

Makela, Chair University Curriculum Committee, MOVED THAT FACULTY COUNCIL ADOPT THE REQUEST TO ESTABLISH A NEW MASTER OF ARTS IN ETHNIC STUDIES TO BE EFFECTIVE FALL SEMESTER 2008.

Makela explained that according to the program proposal issues of race and ethnicity are increasing in significance due to deep structural shifts and cultural practices locally, nationally, and internationally. The purpose of this program is to develop a comprehensive understanding of the enduring and transformative nature of race and ethnicity in the United States and around the globe, to develop professional competencies in working with diverse communities, and to bring about meaningful social changes.

MAKELA'S MOTION WAS ADOPTED.

I. Request to establish a Plan B Master of Science - Human Development and Family Studies - University Curriculum Committee

Makela, Chair University Curriculum Committee, MOVED THAT THE FACULTY COUNCIL ADOPT THE REQUEST TO ESTABLISH A PLAN B MASTER OF SCIENCE IN HUMAN DEVELOPMENT AND FAMILY STUDIES EFFECTIVE FALL SEMESTER 2008.

Makela explained the Department of Human Development and Family Studies has presented separate Plan A and Plan B curricula for the two specializations in the program, family and developmental studies and marriage and family therapy. The department proposes a Plan B in the Master of Science degree to be more consistent with the career goals of those students interested in an applied career as interventionists, marriage and family therapists, and child life specialists, or other positions in which research is not part of the job description. A Plan B option is consistent with 85 percent of the accredited Marriage and Family Therapy programs across the country. The proposed Plan B option involves all students in research-related activities in support of the practitioner-scientist model and includes course work relevant to certifications applicable to the chosen practitioner career goal. The Plan A option will be targeted to those students planning to pursue the Ph.D. seeking a career in applied research, program evaluation, and/or the academy. The proposal was reviewed by the Committee on Scholarship, Research, and Graduate Education on February 21, 2008 and by the University Curriculum Committee on March 7, 2008.

MAKELA'S MOTION WAS ADOPTED.

J. Proposed Revisions to the *Manual*, Section I.2 - The Family Educational Rights and Privacy Act of 1974 - Committee on Teaching and Learning

Naomi Lederer, Chair Committee on Teaching and Learning, MOVED, THAT FACULTY COUNCIL ADOPTS THE PROPOSED REVISIONS TO THE *MANUAL*, SECTION I.2 THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 TO BE EFFECTIVE UPON BOARD OF GOVERNORS APPROVAL AS FOLLOWS:

Additions - Underlined Deletions - ~~Strikeouts~~

I.2 The Family Educational Rights and Privacy Act of 1974

The Family Educational Rights and Privacy Act ("FERPA" or the "Buckley Amendment") of 1974 provides for the protection of student education records after a person enrolls at a post-secondary institution. Generally, FERPA provides that the University may not disclose records that personally identify a student without the student's prior consent. This prohibition includes the disclosure of students' academic, disciplinary, financial, and other records, and their social security numbers. FERPA takes precedence over the Colorado Open Records Act with respect to student education records. An exception to this general rule permits the disclosure of student directory information, as more fully set forth in the FERPA policy section of the *Colorado State University General Catalog*.

Under FERPA, a student always has the right to view his or her own records and to give consent for Colorado State University faculty or staff to share his or her records with third parties, including parents or guardians. In the absence of student consent, the University may still release records to parents who have supplied proper verification that they claim their child as a dependent under Internal Revenue Service (IRS) rules. The Colorado State University Registrar's Office maintains on its website the forms for student consent and parents' affidavits to verify dependent status and also provides updated guidance on FERPA compliance.

Student education records may be shared among Colorado State University personnel who have a "legitimate educational interest" in that record. FERPA also permits student records to be shared within the University, including sharing among and between academic units and Student Affairs, without the student's consent when there are health or safety concerns related to a student or for disciplinary matters.

Faculty members and staff should contact the Office of General Counsel for guidance before responding to a subpoena that requests the release of student information. Generally, law enforcement officers must provide a warrant or court order to obtain student records. If, however, a law enforcement officer requests student records in an emergency situation or where there are immediate health or safety concerns, FERPA allows the provision of such records without a warrant, court order, or student consent.

It is the policy of Colorado State University and the responsibility of colleges, departments, and faculty members to comply with FERPA. See <http://www.colostate.edu/Depts/Registrar> for guidelines on FERPA compliance.

~~The Family Educational Rights and Privacy Act (20 USC 1232g) is a federal law sometimes referred to as "FERPA" or the "Buckley Amendment." Under FERPA, the University may not disclose personally identifiable information from a student's educational record, even to the student's parent or spouse, without the student's prior written consent (except under limited circumstances). Information protected under FERPA includes virtually everything in the University records about a student during the period of their enrollment, unless expressly exempted by the law. The FERPA takes precedence over the Colorado Open Records Act with respect to student educational records. An exception to this general rule permits the disclosure of directory information, as more fully set forth in the "Students' Educational Records" section of the *Colorado State University General Catalog*.~~

~~Under FERPA a student's social security number (hereinafter referred to as "SSN") cannot be disclosed without the consent of the student nor can it be used to post grades. Class rosters containing names and social security numbers should not be distributed or posted. Further, posting of SSN's is not permitted even if:~~

- ~~a. The information posted does not include names (only SSN and a grade); or~~
- ~~b. The list of SSN's is scrambled so they do not appear in alphabetical order.~~

~~In order to comply with FERPA, faculty members are advised to use alternative means of accomplishing the posting of grades, which alternatives may include the deletion of sufficient digits of the SSN so that it cannot be used except by the person who knows the entire number and/or the use of a confidential, professor-assigned identifier. Finally, materials containing personally identifiable student information, such as tests and papers, must be returned in a controlled manner that reasonably prevents third party scrutiny.~~

~~In addition, before releasing protected information on the basis of a court order or subpoena, FERPA requires the University to notify the student except in limited circumstances. Judicial orders or subpoenas for student records should be immediately forwarded to the appropriate records custodian for appropriate response.~~

~~It is the policy of Colorado State University and the responsibility of colleges, departments, and faculty members to comply with FERPA. Violation of FERPA may expose the University and its personnel to the loss of federal funding and/or damages for civil rights violations.~~

Lederer explained that recent national events have highlighted the need for all university communities to understand FERPA and whether and how student information and records can be shared within the university and with third parties. To that end, the Registrar's office, General Counsel, Student Affairs, and others at the University undertook a review of all FERPA policies at Colorado State University to update the policy and clarify important provisions. In performing that review, they found that the FERPA policy in the Manual contained some outdated information and it needed clarification regarding the permissiveness of sharing information about students within the institution, especially in situations where there may be health or safety concerns. This revision reflects the current state of the law and important guidance regarding compliance.

LEDERER'S MOTION WAS ADOPTED.

The Faculty Council meeting adjourned at 5:10 p.m.

Robert L. Jones, Chair
Richard Eykholt, Vice Chair
Diane L. Maybon, Secretary

ATTENDANCE
BOLD INDICATES PRESENT AT MEETING
UNDERLINE INDICATES ABSENT AT MEETING

Agricultural Sciences

Stephen Koontz
John Scanga
John McKay
Harrison Hughes, Excused
Greg Butters
Dennis Lamm
Louis Bjostad

Applied Human Sciences

Molly Eckmann
Robert W. Gotshall
David Sampson, Excused
Thao Le
Mary Nobe
David Greene
Cliff Harbour
Victor Baez, Excused

Business

William Mister
Dan Turk
Patricia Ryan
Jackie Hartman
Joe Cannon

Engineering

Chris Kummerow
David Dandy
Tom Sanders
Steve Reising
Azer Yalin
Paul Heyliger
James Warner

Liberal Arts

Lynn Kwiatkowski
Patricia Coronel
Elissa Braunstein
Carol Cantrell
Frederique Marie Andree Grim
Jared Orsi
Cindy Christen
Joel Bacon
Michael McCulloch
Bradley MacDonald
Evan Vlachos
Karrin Anderson
Sue Pendell
Eric Aoki (To Be Replaced)
Phil Cafaro

Natural Resources

Barry Noon
Mark Paschke
John Ridley
Maureen Donnelly

Agricultural and Resource Economics

Animal Sciences
Bioagricultural Sciences & Pest Management
Horticulture & Landscape Architecture
Soil and Crop Sciences
College-at-Large
College-at-Large

Design and Merchandising

Health and Exercise Science
Food Science and Human Nutrition
Human Development and Family Studies
Construction Management
Occupational Therapy
School of Education
School of Social Work

Accounting

Computer Information Systems
Finance and Real Estate
Management
Marketing

Atmospheric Science

Chemical Engineering
Civil and Environmental Engineering
Electrical and Computer Engineering
Mechanical Engineering
College-at-Large
College-at-Large

Anthropology

Art
Economics
English
Foreign Languages and Literatures
History
Journalism and Technical Communication
Music, Theater, and Dance
Philosophy
Political Science
Sociology
Speech Communication
College-at-Large
College-at-Large
College-at-Large

Fish, Wildlife and Conservation Biology

Forest, Rangeland, and Watershed Stewardship
Geosciences
Human Dimensions of Natural Resources

Natural Sciences

Paul Laybourn
David Steingraeber
George Barisas
Chuck Anderson for Dale H. Grit
Kenneth Klopfenstein
Raymond 'Steve' Robinson
Patricia Aloise-Young
Phil Chapman
Stephen Stack
Zinta Byrne
Paul Kugrens

Biochemistry and Molecular Biology
Biology
Chemistry
Computer Science
Mathematics
Physics
Psychology
Statistics
College-at-Large
College-at-Large
College-at-Large

Veterinary Medicine and Biomedical Sciences

James Madl
Juliet Gionfriddo
John Reif
Ramesh Akkina
John Zimbrick
Sue Vandewoude
C. W. Miller
Julia Inamine
Paul Morley
Jeffrey Wilusz

Biomedical Sciences
Clinical Sciences
Environmental and Radiological Health Sciences
Microbiology, Immunology and Pathology
College-at-Large
College-at-Large
College-at-Large
College-at-Large
College-at-Large

University Libraries

Michelle Wilde
Louise Feldmann

Libraries
At-Large

Ex Officio Voting Members (*Indicates Elected Member of Faculty Council)

Frank Peairs for Victor Baez*

Chair - Committee on Faculty Governance
Chair - Committee on Intercollegiate Athletics
Chair - Committee on Libraries

Sue LaRue

Laurence Johnson

Steve Newman

Robert Gotshall*

Dan Turk*

David Dandy*

Naomi Lederer

Frank Peairs

Carole Makela

Chair - Committee on Responsibilities and Standing of Academic Faculty
Chair - Committee on Scholarship Research and Graduate Education
Chair - Committee on Scholastic Standards
Chair - Committee on Strategic and Financial Planning
Chair - Committee on Teaching and Learning
Chair - Committee on University Programs
Chair - University Curriculum Committee

Officers of Faculty Council

Robert L. Jones

Richard Eykholt

Timothy Gallagher

Diane Maybon

Kirk Hallahan

Chair
Vice Chair
Board of Governors Faculty Representative
Secretary
Parliamentarian

Ex-Officio Non-Elected Non-Voting Members

Larry Edward Penley, Excused

Anthony Frank

Robin Brown

Bill Farland

Blanche M. Hughes

Tom Gorell

Peter Dorhout

Lou Swanson

Alan Lamborn

Marc Johnson

April Mason

President
Provost/Senior Vice President
Vice President for Enrollment and Access
Vice President for Research
Vice President for Student Affairs
Vice Provost for Faculty Affairs
Vice Provost for Graduate Affairs
Vice Provost for Outreach and Strategic Partnerships
Vice Provost for Undergraduate Affairs
Dean, College of Agricultural Sciences
Dean, College of Applied Human Sciences

Ex-Officio Non-Elected Non-Voting Members (continued)

Ann Gill

Ajay Menon

Sandra Woods

Rick Miranda

Lance Perryman

Catherine Murray-Rust

Joseph O'Leary

Dean, College of Liberal Arts

Dean, College of Business

Dean, College of Engineering

Dean, College of Natural Sciences

Dean, College of Veterinary Medicine and Biomedical Sciences

Dean, University Libraries

Dean, Warner College of Natural Resources