

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.

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

**MINUTES
FACULTY COUNCIL
February 5, 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 - March 4, 2008 - A205 Clark Building - 4:15 p.m.
Jones announced that the next Faculty Council meeting will be held on Tuesday, March 4, 2008 in Room A205 Clark Building.
- B. Administration/Faculty Dialogue - March 4, 2008 - 3:45 to 4:15 p.m.
Jones announced that the Administration/Faculty Council Dialogue for the March 4, 2008 Faculty Council meeting will be announced at a later date.
- C. Faculty Council Current Issues Topic - March 4, 2008
Jones announced that the Current Issues Topic for the March 4, 2008 Faculty Council meeting will be announced at a later date.
- D. Faculty Council Standing Committee Action Items (Tracking Update)
Jones announced that a copy of the Faculty Council Standing Committee action items are found on pages 1-3 of the February 5, 2008 agenda materials.
- E. Election for Faculty Council Officers - Committee on Faculty Governance
Frank Peairs, Vice Chair Committee on Faculty Governance, announced that the nominations for all Faculty Council officer positions are being accepted by the Committee on Faculty Governance. The elections will be held at the March 4, 2008 Faculty Council meeting. He encouraged faculty members interested in running for any of these Faculty Council officer positions to contact him or their respective representative on the Committee on Faculty Governance. Nominations will be accepted until the March 4, 2008 meeting.

MINUTES TO BE APPROVED

- A. Faculty Council Meeting Minutes - December 4, 2007
Paul Kugrens moved to approve the Faculty Council Meeting Minutes of December 4, 2007.
KUGRENS' MOTION WAS APPROVED BY UNANIMOUS CONSENT.

REPORTS TO BE RECEIVED

A. Provost/Senior Vice President Report - Tom Gorell, Vice Provost for Faculty Affairs

Tom Gorell, Vice Provost for Faculty Affairs reported that CSU-Colorado's name has been changed to CSU-Global Campus. He added that four candidates have been interviewed on campus for the Chief Executive Officer (CEO) position. He noted that Tony Frank, Provost/Senior Vice President, Bob Jones, Chair, and Richard Eykholt, Vice Chair Faculty Council, participated in the interviews.

Gorell reported that three candidates have been invited to campus for interviews for the position of Vice President for Administrative Services. These interviews will take place in February.

Gorell reported that budget hearings were held last week at the Hilton. Faculty Council was represented at the hearings by Jones, and members from the Committee on Strategic and Financial Planning.

GORELL'S REPORT WAS RECEIVED.

B. Faculty Council Chair Report - Robert Jones

Jones reported that he has been involved with curricular development for CSU-Global Campus. He explained that this is being developed in three parts.

Part one involves acquiring master course syllabi for the CSU-Global Campus from Colorado State University and other campuses. This will be information for catalog description of course and issues independent of instructors. The main concern regarding this issue is protecting the intellectual property rights of Colorado State University faculty members. He noted that if courses are based upon an existing accredited university, this could expedite the accreditation process for CSU-Global Campus.

Part two involves negotiating work for hire contracts for individual faculty members, with first right of refusal by Colorado State University faculty, to develop detailed academic materials.

Part three involves hiring faculty members to deliver course material to students. The faculty members may be Colorado State University faculty or new hires.

Steve Robinson asked how CSU-Global University will fit with conflict of commitment policy if Colorado State University faculty members work for CSU-Global University. Jones responded that this may be a problem because of a single tax-payer identification number. In addition, the faculty member would be required to disclose this for his/her protection and get approval from the department head. He added that there are still many details to work out on this issue.

Jones called attention to the Executive Committee meeting minutes regarding a special report from Pat Burns, Vice President for Information Technology, which can be found beginning on page 39 of the agenda materials.

JONES' REPORT WAS RECEIVED.

C. Report from Board of Governors Faculty Representative - Tim Gallagher

Tim Gallagher noted that his report was included in the agenda materials on pages 13-14. He added that Rich Schweigert, Chief Financial Officer and Director of the CSU System Operations, and Lou Swanson, Vice Provost for Outreach and Strategic Partnerships, must report to the Board of Governors (BOG) at every Board meeting regarding progress on CSU-Global University. He added that he will continue to keep Faculty Council informed regarding this issue.

GALLAGHER'S REPORT WAS RECEIVED.

CONSENT AGENDA

- A. Changes in Curriculum to be Approved: University Curriculum Committee Minutes: November 12 and 26, 2007
- B. Approval of Degree Candidates - Spring and Summer Semesters 2008 - Provost/Senior Vice President

There were no objections to the consent agenda.

Richard Eykholt, Vice Chair Faculty Council, on behalf of the Executive Committee, MOVED THAT THE FACULTY COUNCIL ADOPT THE CONSENT AGENDA ITEMS A., AND B.

EYKHOLT'S MOTION WAS ADOPTED - THE CONSENT AGENDA ITEMS WERE ADOPTED.

SPECIAL ACTIONS

Jones asked for unanimous consent to add a special action to the February 5, 2008 Faculty Council agenda. Hearing no objections the following item was added.

- A. Approval of Appointment of Chair of the University Discipline Panel - Term Immediately to June 30, 2011

Tom Gorell, Vice Provost for Faculty Affairs, on behalf of the Provost and the Vice President for Student Affairs MOVED THAT THE FACULTY COUNCIL APPROVE THE APPOINTMENT OF PAUL MALLETTE (REPLACING HARVEY CUTLER) AS THE CHAIR OF THE UNIVERSITY DISCIPLINE PANEL FOR A THREE YEAR TERM BEGINNING IMMEDIATELY UPON APPROVAL UNTIL JUNE 30, 2011.

Gorell, explained that Harvey Cutler resigned as the Chair of the University Discipline Panel necessitating the appointment of a new Chair. According to the *Manual*, Section I.7.3.2, the Chair of the University Discipline Panel shall be a regular full-time faculty member who is selected jointly by the Provost and the Vice President for Student Affairs and approved by the Faculty Council. Paul Mallette has been selected by the Provost and the Vice President for Student Affairs and has agreed to serve as Chair of the University Discipline Panel.

GORELL'S MOTION WAS ADOPTED.

- B. Proposed Revisions to the *Manual*, Sections, E.1; E.2; E.3; E.4; E.5; E.6; E.10.4.1.1; E.10.5.1; F.3.1.1; F.3.2.1; F.3.13; G.1; G.4; Appendix 3 - All Revisions Pertaining to the Appointment and Employment Action of Academic Faculty (Multi-Year Appointments) - Committee on Responsibilities and Standing of Academic Faculty

Paul Kugrens, Member Committee on Responsibilities and Standing of Academic Faculty MOVED, THAT FACULTY COUNCIL ADOPT THE PROPOSED REVISIONS TO THE *MANUAL* SECTIONS E.1 THROUGH E.6 and E.10.4.1.1, E.10.5.1, F.3.1.1., F.3.2.1, F.3.13, G.1, G.4, AND APPENDIX 3 RELATING TO APPOINTMENT AND EMPLOYMENT ACTION OF ACADEMIC FACULTY TO BE EFFECTIVE UPON APPROVAL BY THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM AS FOLLOWS:

Additions are underlined, and deletions are indicated by ~~strikeouts~~.

E.1 Definition of Academic Faculty

The academic faculty includes all personnel who carry academic rank (professor, associate professor, assistant professor, instructor, and faculty affiliate) and additional personnel as defined by C.R.S. 23-31-~~113~~ 104.

~~E.2 Responsibilities of the Academic Faculty~~

Entire Section moved to Section E.5.

~~E.3 Selection of Academic Faculty Appointments~~

Entire Section moved to Section E.4.

~~E.4 Basic Types of Academic Faculty Appointments~~

Entire Section moved to Section E.2.

E.5 ~~Other Kinds of Academic Faculty Appointments~~
Entire Section moved to Section E.3.

E.4.2 Basic Types of Academic Faculty Appointments

~~Five~~ Six (56) basic types of appointments are used for members of the academic faculty. They are regular full-time, regular part-time, multi-year research, special, temporary, and transitional. Only individuals holding either regular full-time or regular part-time appointments at the time of consideration are eligible to acquire tenure. Full-time is defined as the academic year or a minimum of nine (9) months. See Section ~~E.5~~ E.3 for details of other types of academic faculty appointments. The major characteristics of the various basic types of appointments are as follows.

E.4.2.1 Regular Full-Time Appointments

No changes to text.

E.4.2.2 Regular Part-Time Appointments

No changes to text.

E.4.2.3 Multi-Year Research Appointments

Multi-year research appointments may be either full-time or part-time. Part-time is defined as less than full-time, but at least half-time (0.5). The distinguishing features of this type of appointment are as follows:

- a. The positions eligible for multi-year research appointments must be for research performed for the University. The unit or department must document that the multi-year research appointment or extension is necessary for the hiring or retaining of the academic faculty member.
- b. Faculty members on multi-year research appointment are not eligible for tenure (see Sections E.10.4.a and E.10.4.b).
- c. These individuals are required to enroll in the retirement program and are eligible to participate in other benefits offered by the University as described in the Academic Faculty and Administrative Professional Benefits and Privileges Handbook and in Section F and G of the Manual. They are not eligible for sabbatical leave.

E.4.3.2.4 Special Appointments

No changes to text.

E.4.4.2.5 Temporary Appointments

No changes to text.

E.4.5.2.6 Transitional Appointments

No changes to text.

E.5.3 ~~Other Kinds~~ Types of Academic Faculty Appointments

No changes to text.

E.5.3.1 Joint Appointments

No changes to text.

E.5.3.2 Joint Academic and Administrative Professional Appointments

No changes to text.

E.5.3.3 Faculty Affiliate Appointments

No changes to text.

E.5.3.4 Visiting Faculty Appointments

No changes to text.

E.5.3.5 University Distinguished Professorships

No changes to text.

E.5.3.5.1 Eligibility for University Distinguished Professor Status and Title
No changes to text.

E.5.3.5.2 Selection of University Distinguished Professors
No changes to text.

E.5.3.5.3 Perquisites of University Distinguished Professorships
No changes to text.

E.3.4 Selection of Academic Faculty

No changes to text.

E.34.1 Policy (See Section D.5)
No changes to text.

E.34.2 Selection of Academic Faculty
No changes to text.

E.34.3 Selection of Academic Department Heads or Chairpersons
No changes to text.

E.34.4 Selection of Administrators with Academic Appointments
No changes to text.

E.25 Responsibilities of the Academic Faculty

E.2.5.1 Responsibility for Government and Discipline
No changes to text.

E.2.5.2 Responsibilities as a Faculty Member
No changes to text.

E.6 General Policies Relating to Appointment and Employment of Academic Faculty

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 academic faculty members who are on regular full-time or regular part-time appointments and who have not acquired tenure, shall be appointed ~~on a contractual basis~~ for a period not exceeding one (1) year. All academic faculty members on special or temporary appointments shall be appointed "at will."

c. Academic faculty members on multi-year research appointments shall be appointed for periods of one (1) to five (5) years.

1. A multi-year research appointment does not carry any guarantee or implication that the appointment will be renewed even though the duties of the appointee may have been discharged satisfactorily.

2. No number of renewals of a multi-year research appointment creates a right to further renewals or to a decision concerning tenure.

3. Renewal or extension of multi-year research appointments may be made at any time during or after the appointment and shall meet the same conditions required for initial appointment as specified in section E.2.3.

- ed. If the department head does not propose to reappoint a non-tenured faculty member holding a regular full-time or regular part-time appointment, the faculty member shall be informed in writing that the ~~contract~~ appointment will not be renewed. This must be done by March 1 during the first year of employment, by December 15 during the second year, and at least twelve (12) months before the expiration of the appointment in succeeding years.
- de. If a decision made at a higher administrative level will have the effect of altering or reversing a decision made at a departmental level regarding conditions of employment, including reappointment, tenure, promotion, and salary, then, before this change can take effect, the department head must be notified in writing of both the proposed change and the reasons for this change, and he or she must be given the opportunity to submit a written reply.

E.10.4.1.1 Service Credit

Credit may be given for prior service, thus reducing the probationary period, as described below. The details of such credit for prior service, the length of the probationary period, the timing of the midpoint review, and the time frame for the tenure application process shall all be stated unambiguously in the appointment letter. Before granting credit for prior service, the department head should consult with the departmental tenure committee. An application for tenure at the end of such a reduced probationary period shall not be considered an early application for tenure.

- a. When a faculty member has held a temporary, ~~or~~ special, or multi-year research appointment as an assistant professor, associate professor, or professor at Colorado State University and is subsequently appointed to a regular academic faculty position (see Section E.4), credit may be given for this prior service.

E.10.5.1 Origin and Processing of Tenure Recommendations

The head of the department shall initiate the process leading to a recommendation for the granting or denial of tenure not later than the beginning of the final year of the probationary period of the faculty member. The department head should consult with the tenure committee before initiating this process. Because the recommendation for the granting or denial of tenure is primarily a faculty responsibility, the department head shall ask the members of the tenure committee, to vote by ballot for or against granting of tenure to the faculty member being considered. A tenure recommendation shall be by a majority vote of the tenure committee.¹ The recommendation shall include a vote summary and a statement of reasons representing the majority and minority points of view. The recommendation shall be forwarded successively to the department head, the dean of the college, the Provost, and the President for review and either endorsement or opposition. The Board has delegated the final decision to the President.

All reviews are to be exercised expeditiously at each level. After each review, the reviewing administrator shall make a recommendation in writing and send copies to the faculty member, the tenure committee, and all administrators who have previously reviewed the recommendation.

The tenure committee must have at least three (3) members and shall consist of all eligible department faculty members, or, if so specified in the department code, a duly elected committee thereof. The department head, college dean, Provost, and President are not eligible to serve on the tenure committee and shall not be present during the committee's deliberations, except when specifically invited by the committee. A faculty member holding an administrative appointment (as defined in Section K.12.a) of more than half time is not eligible to serve on the tenure committee, unless the department code specifies otherwise. If a faculty member holding an administrative appointment does serve on the tenure committee, it is expected that he or she will not participate in discussions of the case at higher administrative levels. A faculty member with a conflict of interest is expected to recuse himself or herself, and the University Grievance Office must approve any recusals. The eligible department faculty are all other tenured department

¹ The use of the term "majority" in this *Manual* shall be according to the definition provided in Robert's Rules of Order, that is, more than half of the votes cast, ignoring blanks.

faculty. If a committee of at least three (3) tenured faculty within the department cannot be constituted, then additional tenured faculty members shall be selected from other departments within the University so as to produce a committee of three (3) members. A department may specify in its code a procedure for narrowing the pool of eligible additional members to faculty in disciplines similar to that of the candidate, possibly including faculty from other colleges. In the absence of such a procedure, the pool shall consist of all tenured faculty members on the tenure committees from all departments within the college. The department head shall draw the additional members of the tenure committee by lot from the pool of eligible faculty members. Faculty members from other departments may decline to serve on the tenure committee.

After a recommendation is received from the tenure committee, a contrary recommendation shall be issued at a higher administrative level below the President only for compelling reasons which shall be stated in writing to the faculty member, the tenure committee, and all administrators who have previously reviewed the recommendation. If such a contrary recommendation is issued, the faculty member, the tenure committee, and all administrators who have previously reviewed the recommendation shall be given seven (7) working days from the date of notification of the contrary recommendation to respond in writing to the administrator's reasons for opposition, and the contrary recommendation may be opposed at an even higher administrative level. The responses from the faculty member, the tenure committee, and the administrators shall be forwarded to each successive administrator along with the recommendation and rationale for the contrary recommendation.

In the event of a committee recommendation to deny tenure, or opposition by an administrative officer below the President to a recommendation to grant tenure, the recommendation of the committee and reasons for any contrary recommendation shall be made available promptly to the faculty member under consideration. If the faculty member believes that the committee's recommendation to deny tenure violated University policy or state or federal law, he or she shall be given seven (7) working days from the date of notification of the recommendation to submit a written statement detailing this violation. This statement shall be forwarded to each successive administrator along with the recommendations from the tenure committee. If the faculty member believes that an administrator's opposition to a recommendation to grant tenure violated University policy or state or federal law, and the Provost has endorsed the recommendation of the administrator not to grant tenure, then the faculty member may appeal the decision through the grievance procedure. In any grievance proceeding, the department and/or the tenure committee shall be represented by a member of the tenure committee selected by the prevailing side of the committee. Although a grievance may not be filed until the Provost has made his or her recommendation to the President, the grievance shall be against the administrator whose action is being grieved. However, the effective date of notification of the grievant shall be the date of notification of the Provost's recommendation.

When a department head is under consideration for tenure, the successive forwarding of the tenure committee's recommendation shall begin with the dean of the college, rather than the department head.

The department head, the college dean, or the Provost may elect to postpone consideration of a faculty member for tenure, without prejudice, if the recommendation from the tenure committee for the granting or denial of tenure is made in a year earlier than the final year of the probationary period. The decision to postpone and the reasons for postponement shall be communicated immediately in writing to the faculty member and the tenure committee. However, the faculty member must either be granted tenure by the beginning of the first year after the end of the probationary period or be notified by the end of the probationary period that his or her contract will be terminated at the end of one (1) additional year. Once a faculty member is on a regular tenure-track appointment, the use of multi-year research, special, or temporary appointments to extend the probationary period for tenure is not permitted.

F.3.1.1 Leave Accrual

Full-time academic faculty members and administrative professionals on regular, multi-year research, or special twelve (12) month appointments earn annual leave at the rate of two (2) days per month. Academic faculty members and administrative professionals on regular, multi-year research, or special twelve (12) month appointments of less than full-time but at least half-time (0.5) earn annual leave prorated by the part time fraction of their appointment. The accrual is rounded to the nearest 1/100 of an hour.

F.3.2.1 Leave Accrual

Full-time academic faculty members and administrative professionals on regular, multi-year research, or special twelve (12) month appointments and full-time temporary academic faculty members and administrative professionals on twelve (12) month appointments who have completed twelve (12) consecutive months of employment earn one and one-quarter (1.25) days of sick leave per month, cumulative with no maximum. One (1) day of sick leave is considered to be eight (8) hours of sick leave.

Full-time academic faculty members and administrative professionals on regular, multi-year research, or special nine (9) month appointments and full-time temporary academic faculty members and administrative professionals on nine (9) month appointments who have completed two (2) consecutive semesters earn one and one-quarter (1.25) days of sick leave per month, cumulative with no maximum. Full-time nine (9) month academic faculty members and administrative professionals who accept summer session appointments accumulate sick leave at the rate of one and one-quarter days (1.25) per month while on such appointment.

Academic faculty members and administrative professionals on regular, multi-year research, or special appointments of less than full-time, but at least half-time (0.5) earn sick leave prorated by the part time fraction of their appointment. Academic faculty members and administrative professionals on temporary appointments of less than full-time, but at least half-time (0.5) earn five (5) hours of sick leave per month.

F.3.13 Leave Without Pay

An academic faculty member or administrative professional with regular, multi-year research, or special appointment may be granted leave without pay with prior approval by the Board. A request for such leave must be sent through channels to the President. See the *Academic Faculty and Administrative Professional Benefits and Privileges Handbook* regarding continuation of benefit coverage while on leave without pay.

G.1 Study Privileges

Under the following conditions, academic faculty members and administrative professionals may register for credit courses at Colorado State University on a space-available basis without the assessment of the student portion of total tuition or general fees to the employee:

- a. According to State Fiscal Rules, courses taken by an employee under this study privilege must benefit the State and enhance the employee's performance, as determined by the head of his or her administrative unit (such as a department head).
- b. The employee must obtain the written consent from the head of his or her administrative unit to register for specific courses.
- c. Academic faculty members and administrative professionals on regular, multi-year research, or special appointments become eligible for this study privilege as soon as their employment begins.

G.4 Tuition Scholarship Program for Spouses and Dependent Children

The spouse and/or dependent child (children) of an eligible employee shall be eligible to receive a tuition scholarship if admitted to the University and enrolled in a degree program or in a University open option program. The spouse and/or dependent child/children of a faculty member or State Classified employee who dies while an eligible employee shall continue to be eligible for this program until the dependent child reaches the maximum age for eligibility or, in the case of the spouse, until remarriage.

Eligible Employee:

All academic faculty members and administrative professionals with regular, multi-year research, and special appointments of half-time (0.5) or greater and all non-temporary state classified appointments of half-time (0.5) or greater.

APPENDIX 3: FAMILY MEDICAL LEAVE POLICY

Introduction:

Colorado State University recognizes that its faculty and staff strive to balance the responsibility of their work and personal lives. This Family Medical Leave Policy is designed to support those efforts and to comply with the provisions of the Family Medical Leave Act of 1993 (FMLA) and applicable implementing regulations.

Covered Appointment/Employee Types:

Other than State Classified, all employees, including those with academic faculty, administrative professional, graduate assistant, post-doctoral fellow, veterinary intern or resident, non-student hourly or student hourly, including work study, appointments, or a combination thereof are covered by this policy and are eligible for Family Medical Leave (hereinafter referred to as "FM Leave") in accordance with the criteria listed below under "Eligibility." FM Leave policies relating to the University's State Classified employees are contained in the procedures adopted by the Executive Director of the State Department of Personnel/GSS.

Eligibility:

Any faculty member or employee who has been appointed or employed for at least twelve (12) months and who has worked at least 1040 hours during the twelve (12) months immediately preceding the commencement date of the leave is eligible for FM Leave under this policy for the purposes set forth below under Leave Entitlement. The appointment or employment may have been in one or any combination of the covered appointment/employment categories listed above. Academic Faculty members and Administrative Professional staff with regular, multi-year research, or special nine (9) month, part-time appointments of half-time (0.5) time or greater are deemed to meet the 1040 hour standard.

Kugrens explained that the option to offer multi-year appointments to non-tenure track faculty has been identified as a valuable option to enhance recruitment and retention of qualified faculty members. These revisions to the *Manual* provide an option to appoint some research faculty for multiple years rather than at-will as special appointments. The University received limited authority to offer these positions only to research personnel when *Colorado Revised Statutes* 24-19-104 was revised by the General Assembly last year. It is quoted in part:

“24-19-104. Terms of employment contracts - public inspection. (1.5) © Notwithstanding the provisions of paragraph (a) of subsection (1) of this section or paragraph (a) of this subsection (1.5), each system of higher education and each campus of each state institution of higher education may have in effect an unlimited number of employment contracts or employment contract extensions having a duration of not more than five years with an unlimited number of government-supported officials or employees if the employment contracts or employment contract extensions are for research to be performed in university settings.”

The authority to establish criteria and approval for offering multi-year research appointments remains vested in the academic departments as for all other types of faculty appointments. Section E.3.2 of the *Manual* states in part, "Selection of academic faculty members is a responsibility of individual departments, but must be made within the spirit and intent of University policy. Specific hiring procedures employed within the department shall be included in the departmental code."

Sections E.2 and E.6 provide definitions and general conditions for the establishment of multi-year research appointments. Other changes in sections E.1 through E.6 are editorial and organizational changes to improve clarity. The other changes throughout the *Manual* establish the same rights and benefits for multi-year research appointments as are currently available to special appointment faculty members.

Kugrens noted that there are three issues to this motion - addition of multi-year research appointments, reordering this section and revisions to other relevant sections in the *Manual*.

Jones asked for unanimous consent to discuss this motion ad seriatim. Hearing no objections, Jones asked for discussion on all Sections involved in the reorganization of Section E. There was no discussion on these items.

Jones asked for discussion on Section E.2.3 - Multi-Year Research Appointments.

Sue Pendell asked why 50 percent or greater was used in the first paragraph. Jones explained that this was used to parallel the language currently in the *Manual* allowing benefits for tenure track faculty members who are appointed for 50 percent or greater. Otherwise, these appointment would be considered temporary appointments.

John Ridley inquired why the multi-year appointments apply to research only. Gorell explained that this requirement was imposed by the state.

Jones asked for discussion on Section E.6 - General Policies Relating to Appointment and employment of Academic Faculty.

Stephen Stack, MOVED TO AMEND THE MAIN MOTION AS FOLLOWS:

SECTION E.6.c.2:

2. ~~No number of Renewals~~ of a multi-year research appointment ~~creates~~ does not entitle a right the individual to further renewals, a tenure-track appointment, or to a decision concerning tenure.

STACK'S MOTION WAS ADOPTED.

Jones asked for discussion on the remainder of the motion. There was no discussion.

KUGRENS' AMENDED MAIN MOTION WAS ADOPTED.

CURRENT ISSUES TOPIC

A. Tom Gorell, Vice Provost for Faculty Affairs - Conflict of Interest - Conflict of Commitment

Gorell presented the following power point presentation to Faculty Council on Conflict of Interest/Conflict of Commitment.

Conflict of Interest/Conflict of Commitment

Support for an entrepreneurial vision requires even greater emphasis on accountability to the people we serve, whether students, parents, the taxpayers of Colorado, or agencies that support our research.

This dual commitment to both innovation and accountability will allow CSU to continue to set the standard as both a well-managed organization and a knowledge leader for the 21st century.

In being accountable, we work to demonstrate the impact and outcome of our efforts, as well as assuring that we are, at all times, fully in compliance with the laws and expectations governing the operations of a public institution.

Academic Commercialization Strategies and Philosophies Have Changed Over Time

- More Faculty Start Ups
- Move From "Protectionism" to "Commercialization"
- Economic Development Motivations
- Commercial Success Motivations

Greater Emphasis, Desire, and Opportunities for Research and Development Collaborations with Industry
CSU is Right in the Middle of These Changes:

- More Aggressive/Progressive Technology Transfer
- Superclusters
- Integrated Advancement/Development Strategies
- Greater Desire for Applied Research - "Real World Solutions"
- Global Impact/Reach

Quote from CSU's Office of Economic Development

"It's in the CSU mission..." "CSU encourages activities that create potential conflicts, so we must manage this well!"

Potential Sources of Conflicts of Interest:

- Industry Sponsored Research
- University Start Ups
- Faculty Consulting

Potential Conflicts:

- Misuse of University Name/Reputation
- Product/Service Endorsements
- Research Misconduct
- Consulting as Individual for Sponsor
- Inappropriate Use of CSU Students

Best Practice:

The University has a written policy to assist faculty, students and research investigators in determining whether and to what extent outside public and private activities may conflict with their primary research and academic activities or other institutional responsibilities.

Indicators:

- Written guidance and examples including disqualification from decision making.
- Investigator responsibility to disclose.
- Institutional policy complies with sponsor and other (e.g., State) requirements.
- Annual confirmation of compliance.
- Policy addresses student-faculty relationships.
- Student access to resources and individuals for conflict of interest advice.

Best Practice:

The college or university has procedures for managing or resolving individual financial conflicts of interest.

Indicators:

- Clear lines of responsibility/authority for review of disclosed potential conflicts.
 - Determination of management plans
 - Timely and informed communication of required practices to the investigator(s)
- Follow-up and internal verification
- External sponsor notification as required
- Adequate enforcement mechanisms and/or sanctions

Examples - Actual and/or Apparent Conflicts of Interest:

- Use of University space or equipment for private consulting exceeding Faculty Manual parameters or research involving personal gain.
- Conducting research for an entity with which one has a license, equity, or other ties.
- Assignment of students/employees into activities in which the employee intends to realize personal financial gain.
- Board member, trustee, consultant, or contractor to an outside organization.

Benefits of a Management Plan

- Preserves Integrity
- Protects against inadvertent and unacceptable bias
- Discourages suspicion of wrongdoing
- Assures to the faculty members and public the responsible conduct of research
- Preserves public support for academic research

In Conclusion. . .

- As investigators increase their involvement in entrepreneurial activities, the opportunity for real/perceived conflicts of interest also increases.
- One management plan does not fit all.
- Conflict of interest management is an ongoing activity not a one-time disclosure.
- Conflict of interest policies/procedures protect both the individual and the institution.

Jones thanked Gorell for his presentation.

The Faculty Council meeting adjourned at 5:15 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
Steve Chisholm for John McKay
Harrison Hughes
Greg Butters
Dennis Lamm
Louis Bjostad

Applied Human Sciences

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

Business

William Mister
Dan Turk
Patricia Ryan
Jackie Hartman
Joe Cannon

Engineering

Chris Kummerow
David Dandy
Tom Sanders (To Be Replaced)
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, Excused
Evan Vlachos
Karrin Anderson
Sue Pendell
Eric Aoki (To Be Replaced)
Phil Cafaro

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

Natural Resources

Barry Noon
Mark Paschke
John Ridley
Maureen Donnelly

Fish, Wildlife and Conservation Biology
Forest, Rangeland, and Watershed Stewardship
Geosciences
Human Dimensions of Natural Resources

Natural Sciences

Paul Laybourn
David Steingraeber
George Barisas
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
Susan Deines for 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
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*
Sue LaRue
Laurence Johnson
Paul Kugrens for Steve Newman
Robert Gotshall*
Dan Turk*
David Dandy*
Naomi Lederer
Frank Peairs
Carole Makela

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

Robin Brown

Bill Farland

Blanche M. Hughes

Tom Gorell

Peter Dorhout

Lou Swanson

Alan Lamborn, Excused

Marc Johnson

April Mason

Ann Gill

Ajay Menon

Sandra Woods

Rick Miranda

Lance Perryman

Catherine Murray-Rust

Joseph O'Leary

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

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