COLORADO SCHOOL OF MINES
FACULTY SENATE MINUTES
October 13, 2015 3:00-5:00 p.m.
GRL Conference Room

ATTENDEES: 2015-2016 Senators: Ken Osgood (President), Linda Battalora (PE), John Berger (ME), Jürgen Brune (MN), Graham Davis (EB), Jason Ganley (CBE), Tina Gianquitto (LAIS), Paul Martin (AMS), Dinesh Mehta (EECS), Kamini Singha (GE), Roel Snieder (GP), Chuck Stone (PH), Chet Van Tyne (MME)
Representatives: Hanna Aucoin (GSG), Wendy Harrison (BOT) Colin Marshall (USG)

APOLOGIES: None

GUESTS: Tom Boyd (Associate Provost), Aspen Davis (Student), Mike Dougherty (VPHR), Lisa Nickum (LB), Rachel Osgood (LAIS), Erdal Ozkan (PE), Kirsten Volpi (VPF&A)

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1. Visitors

   1.1. Aspen Davis (undergraduate student)
       Osgood invited undergraduate student Aspen Davis to share the introduction of a paper she wrote for her work in the new combined NHV/EPICS pilot course.

   1.2. Kirsten Volpi and Mike Dougherty
       1.2.1. Proposed new retirement plan
           Volpi distributed a handout outlining the school's initial thoughts for a new option for a retirement plan. All CSM employees are currently under PERA. In the mid-90's schools were authorized to adopt alternate retirement plans. Volpi outlined the current plan under PERA and noted CSM is the only state university in Colorado that continues to use only PERA. Employees pay 8.0% of salary into their PERA account, CSM's employer contribution is currently a little over 10% to the employee's account. In addition, CSM pays a little over 8% to PERA that is not credited to the employee's account to make up for shortcomings in PERA to pay out retirement. This additional amount will go to approximately 9% in '16 and 10% in the future. Therefore, CSM currently contributes a little over a total of 18% of each employee's salary, and in 2017 CSM will have to contribute approximately 20% of each employee's salary—but a large fraction is not benefitting employees. Volpi reported that other schools contribute a total of around 11% to their employees' non-PERA plans. Paying the 20% is not sustainable for CSM, therefore an alternate retirement plan is under consideration. The option is to move to a defined contribution plan, this would only apply to new faculty members that have not already been in PERA at another organization. Volpi outlined the new potential structure and noted a different plan may be a consideration when recruiting new faculty. Adopting a new retirement plan would decrease the contribution CSM has to make to PERA, it would

save about $120,000 in the first year on newly hired faculty alone and the university would contribute another 1% to faculty retirements as a way of "sharing" the savings. Over time, as PERA covered employees retire and depart and as new non-PERA covered employees are hired, the increased savings would add up significantly. The planned next steps include bringing in an outside firm to analyze the proposal and if it is decided to move forward, to help implement it appropriately. A new plan would likely be in place by calendar year 2017. Volpi and Dougherty wanted to inform the faculty senate that this is under consideration and to seek their feedback. Davis noted, the 11.4% contribution by the school for employees is greater than the 10.15% for PERA and would be very attractive for new employees. If the rate were reduced to 10.5% then it would be very comparable to PERA benefits. Davis said upping the percentage by over 1% is a huge return to investors. CSM currently puts in 10.15% for employees in PERA, under a new plan CSM would contribute 11.4% which would be generous. This would save CSM a great deal of money because they would not have to contribute the 18.15% and beyond that is currently paid to PERA.

1.2.2. Parental Leave policy (Dougherty/Volpi)
Making changes to the parental leave policy in the Faculty Handbook is an outgrowth of the family friendly proposal authored by the senate. One concern has been the requirement to work for one year before becoming eligible for parental leave. Another concern was that leave had to be taken immediately after a birth or after the employee's sick time was used up after a birth. The new proposal eliminates the requirement of being here for a full year to become eligible and does not require the leave to be taken immediately after birth (but once started, it must be taken all at once). The proposal is trying to revise the policy according to the requests of the senate.

Osgood asked about the sentence in the current policy stating, "If the requested leave interrupts the teaching cycle then the faculty member can request relief for the entire semester." That leave would be covered partly under parental leave, and the remaining would as unpaid leave. This provision is already the policy. Osgood pointed out the language reads the faculty member may request relief, but asked if they would actually be granted relief? Osgood mentioned a case where a new hire requested relief and did not get it, or may not have gotten it. He asked if relief is requested, is it guaranteed or not? Dougherty replied that his expectation is, that given the way we are working on this, it should say the faculty member is entitled to this. The Handbook Committee will look at this wording. Osgood asked Boyd and Davis to clarify this in the Handbook. Boyd asked Osgood to introduce this at his upcoming meeting with the Handbook Committee.

Van Tyne asked who will pay for parental leave when a post-doc is paid under a research grant. The answer is the money comes from the research grant. Volpi explained the school does not have money set aside to pay for this. Singha is concerned there is potential for a researcher to not choose a female of childbearing age so that the grant

does not have to potentially pay for parental leave. During parental leave of a post-doc, the grant would be charged twice, because it pays the researcher on leave and the work is not getting done therefore, somebody else would have to be hired to do the work. Senators agreed it is a difficult situation.

1.3. Wendy Harrison

BOT faculty trustee Harrison reported on a recent leadership summit she attended with trustees from CSM and other schools. The summit was hosted by the Department of Higher Ed for all Colorado boards of regents. The entire CSM board was in attendance, including Harrison as faculty trustee and the student trustee. Lt. Governor Joe Garcia gave introductory remarks and talked about the state's master plan for higher education, it is called Colorado Competes. He talked about increasing attainment of post-secondary degrees and explained that by 2018 most of the state's jobs will require degreed workers. The state has set the goal of a degree attainment rate of 66% by 2025 because people will need new training and certification to do the work needed in 2025.

Harrison feels this is a good opportunity to look at Mines' offerings beyond the degree especially with regard to programs under SPACE. She feels CSM is totally missing the boat by not promoting the type of programs currently offered by SPACE and feels the school should be looking at on-line credentialing, not necessarily at on-line degrees.   Harrison also proposed the senate provide Board members the opportunity to get to know Mines by offering them the opportunity to spend time with faculty exploring or visiting any area, class or lab on campus in which they may be interested. She said BOT members are interested in this. Stone agreed that opening up the campus to outsiders is a good idea.

2. Consent agenda (5mins):

   2.1. Vote to approve Minutes for 9-22-15 – Vote not taken.

3. Committee assignments (Martin)

   3.1. Nomination for Handbook
   President Johnson asked for an additional nomination beyond the two submitted by senate. He is seeking somebody who is not already on the senate to serve as the faculty-at-large member on the Handbook Committee. Davis suggested Ilya Tsvankin. All senators support Tsvankin and approved of the nomination. Martin will pass the name on to the President's Office.

   3.2. Nomination for Calendar Committee
   Senators nominated Chris Higgins from CEE to serve as faculty member to the Calendar Committee. Senators approved of the nomination, Martin will provide Higgins' name to the President's Office.

4. Topics of discussion
    4.1. Undergraduate Council committee (Van Tyne)
    Van Tyne reported that Eberhart asked to establish an ad hoc committee to explore the process used when CSM offers a pilot course. He wants to ensure students are not disadvantaged for taking a pilot course and wants to ease the burden on students when they must fill out a lot of paperwork to get credit. Osgood noted the ad hoc committee will be a sub-committee of UGC. Ganley agreed and will introduce the issue at the UGC meeting tomorrow. Boyd noted that part of the issue in the case of CHGN125 is whether the different departments chose to accept the course for their programs. Many programs will not accept it. Van Tyne said, going forward, if we pilot other course changes to the core curriculum, we need to make the process better for students.

    4.2. Conflict of Interest policy distributed by Tom Boyd (Berger)
    Berger reported there is a conflict of interest policy change taking place to ensure Mines is compliant with federal regulations. It will become part of the annual faculty evaluation process. Boyd further explained that federal regulations have changed, Uniform Guidance on the regulations was issued in December indicating that prime contractors must demonstrate that their sub-contractors meet federal COI requirements. Currently Mines is out of compliance which is why the school is fixing this as soon as possible. The change for faculty will be completing annual disclosures which will include financial disclosures and conflict of interest or conflict of commitment disclosures. The process will also change, financial disclosures will be confidential and will go directly to the Director of Compliance; the conflict of interest and commitment forms will continue to be approved through the department heads and deans up to AA.   Berger agrees the policy seems straightforward. Initially it will be a paper process until an electronic workflow system can be put in place. Berger will share this with Research Council.

    4.3. Bylaws Revision (Osgood/Ganley/Van Tyne)
    Osgood asked Ganley and Van Tyne to look into revising the senate bylaws language for Graduate Council and Undergraduate Council. The proposed change is to use language that states the senate president will communicate the final actions to the provost rather than make recommendations to the provost. This language would be consistent with research council. Davis asked about including language on the distinguished faculty lecture committee. Currently that is not included, but needs to be added, therefore, the proposed changes to the bylaws cannot be voted on at this meeting. Osgood also suggested the bylaws should require the senate president to be a tenured full professor. Regarding the voting method of the faculty senate, section D-9, Osgood suggested making a change allowing votes to take place electronically, such as: Senate should make every effort to vote at public meetings, but if necessary an electronic vote will be acceptable and will be reported in the minutes. Davis stated holding a vote electronically rather than at a public meeting violates Robert's Rules. The reason for public voting is it allows transparency for people to see who votes what way in

public. Davis suggested adding the word "absolutely" necessary. Brune raised the idea of ratifying an electronic vote at the next meeting. Mehta asked if the concern is that there cannot be discussion of the item in an electronic vote. Davis explained Robert's Rules and the purpose of conducting business in a public meeting. Osgood agreed to add the word "absolutely." Martin proposed changing the name of the Academic Standards and Faculty Affairs Committee to simply Academic Standards Committee because the group has nothing to do with faculty affairs. Osgood will make that change. Senators discussed the process of allowing the faculty to make committee nominations and agreed to clarify the ambiguous language about the senate appointing committee members vs. nominating members for the President to appoint.

4.4. Hiring/appointment process (Osgood)
A faculty town hall was held last week to discuss the hiring process. Osgood presented an overview of the proposed appointment process changes. Questions arose at the town hall. Osgood added those to the document and highlighted the questions in red. Proposed changes include: updates to library faculty hiring, the process will be the same as academic departments. Additionally, President Johnson wants to hire more aggressively, e.g. if we need 30 people, then search for 40, knowing that some searches will fail. Also, if the first candidate on-campus is great we should be able to make and offer right away rather than waiting to see the other candidates. The intent is to incorporate this process into the Handbook, by communicating to the committee what the senate wants and expects to insert into the Handbook. Gianquitto stated that starting searches earlier would make a big difference in the success of the searches.

Davis began a discussion of whether the search committee's role ends once the candidates are identified or if they should remain involved in the process and have further input. There could be three competing views: department faculty vote, DH vote, and the search committee's vote. Ozkan, the Petroleum DH, noted his department had 5-6 searches in the last two years, each of them had issues with the cumbersome paperwork process. He raised concerns of the added burdens being discussed (faculty vote, letter writing) and urged senators to understand how that would slow down the process, which goes against the President's request for increased efficiency. Ozkan stated he came to the meeting to express his concern that the proposed process is too difficult and cumbersome. Ozkan asked, if there is a disagreement between the groups (DH, faculty vote, search committee) then who is going to make the decision? Each group's views get written down and that information goes upward to the deans or provost. Then, they get the power to make the decision and the faculty and department don't get to make the choice. Brune noted the purpose of these changes is to avoid the administration hiring people that the faculty do not want.   Ozkan explained, in the end the DH is responsible for the success of the faculty member, if the DH is forced to hire somebody due to a faculty vote then it is not right for the DH to be ultimately responsible for the person.

Another concern is when department members may be disengaged in the process and not in a

position to make an informed vote. Snieder indicated that having too much democracy is one thing, but having leaders and holding them accountable is a more efficient form of democracy. Osgood disagreed and noted that it is not democratic when the department heads or search committees are not elected. Voting by the faculty is a vote of the experts, and faculty are the experts in the department. Singha asked if more meaningful search committees need to be created that take the input of the other faculty in the department more seriously. Gianquitto stated it would be a disaster to disenfranchise faculty from the process. If faculty are not consulted then they will figure, why bother participating in the process if their opinion is not considered and they will not want to be involved. Ozkan is not saying the DH should get all of the power, he is saying that a decision needs to be made within the department. In the end, the hiring decision may need to be determined by the DH so that the dean or provost is not the one making the decision.

Senators discussed the original document submitted to AA on March 3 and whether the new senate wants to reconsider the March document that recommends requiring a faculty vote for each search. Davis pointed out, the document was not shared with the faculty prior to the town hall discussion, which is problematic. Battalora is concerned with the quality of the faculty vote and noted that if the PE faculty have to vote on each search, many would abstain, especially if they weren't involved in the search. In that case a faculty vote would not be meaningful. What exactly qualifies one for participating in the vote, meeting with the candidate for five minutes? Also, who will keep track of whether the faculty participated in the search and their votes? Brune clarified that the original goal was to give the opportunity for a dissenting vote to be recorded. If the DH was making a decision contrary to the faculty desires, the faculty view should be recorded somewhere. Osgood stated, if faculty know they are going to vote then they will be more involved in the process. Ozkan said the search committee should be trusted to do the job. Snieder wants faculty input substantiated by feedback, rather than a blank vote. In a search, the faculty do not get to see all of the confidential documents, therefore, they would be voting, but would not have all of the necessary information.

Gianquitto raised the concern of the requirement to have many members outside the department on the committee and wondered how somebody in another department can make an informed decision about subject matter expertise. Gianquitto suggested the document should be worked on further to resolve the disagreement before it goes forward. Osgood wanted to present it to the Handbook Committee next week. Senators discussed various alternatives to the faculty vote. Mehta suggested making a recommendation that each department create the best policy or procedure that works for them. Osgood offered to combine paragraphs eight and nine, and include the proviso in number ten stating the department may change the process if it is written down and approved by 2/3 of the department. **Osgood asked for a motion to move the document forward with language taken from paragraphs 8, 9, and 10 and establish there should be a faculty vote but departments can devise alternative procedures. Motion: Singha, second: Ganley. Vote to approve: Yes 7, No 1, abstain 0 (8 senators were present).** Osgood will revise and circulate the document

for final feedback prior to his presentation to the Handbook Committee.

4.5. Handbook committee agenda for AY15/16 (Davis) – Not discussed.

4.6. Possible issues for Senate consideration: campus stress, female faculty (and students?) (Snieder/Osgood) – Not discussed.

4.7. Internationalization (Brune) – Not discussed.

4.8. Campus email communication policy (Osgood) – Not discussed.

4.9. Schedule Senate meeting for 11-3 to discuss P&T guidelines effort (Osgood) - Not discussed.

Next meeting: Tuesday, October 27 2:00-4:00- p.m. Hill Hall 300