

COLORADO SCHOOL OF MINES FACULTY SENATE MINUTES

November 21, 2006 – 12:00 PM

Ben Parker Student Center - Ballroom C

ATTENDEES: Andersen, Collins, Dagdelen, Ganesh, Jesudason, McKinnon, Mishra, Mooney, Petr, Romberger, Vincent, and Walls

APOLOGIES: Martins

GUESTS: Bill Scoggins - President, Colorado School of Mines; Laura Pang - Division Director of Liberal Arts and International Studies; Carl Mitcham -Professor of Liberal Arts and International Studies; and Robert Applegate President, CSM Graduate Student Association

Mishra, Senate President, called the meeting to order and welcomed the guests.

The meeting opened with lunch and a question and answer session with Bill Scoggins - President, Colorado School of Mines.

COMMENTS FROM GUESTS:

- A. Robert Applegate announced that ACSM is restructuring itself into a Senate and a House format. This will be done on a trial basis for two months.

Bill Scoggins -President, Colorado School of Mines spoke to the Graduate Student Association (GSA) at their last meeting.

The GSA is not in favor of reducing the number of required hours for a masters degree from 36 to 30 and a doctorate degree from 72 to 60.

APPROVAL OF THE MINUTES: The November 7, 2006 Faculty Senate Minutes were approved.

OLD BUSINESS:

- A. LAIS Graduate Certificate in Science and Technology Policy - Laura Pang reviewed LAIS Graduate Certificate in Science and Technology Policy proposal that was passed by the Graduate Council in April 2003 but not approved by the Faculty Senate. She addressed the concerns of the Senate. After a lengthy discussion, Romberger called for the question which was seconded by Collins and passed by the Senate with a vote of 9 in favor and 2 opposed. Jesudason moved and Romberger seconded a **motion** to accept the LAIS Graduate Certificate in Science and Technology Policy as presented. The motion passed. Mishra will write a letter to Graduate Studies informing them of the Senate's action.
- B. November Faculty Forum - It was the consensus of the Senators present that the November Faculty Forum will be an update from the Reorganization Task Force. Jensen was requested to invite the classified, administrative faculty, and graduate and undergraduate students to this Faculty Forum.

NEW BUSINESS:

- A. Final Exam Policy - The [proposed final exam policy](#) regarding the Saturday of finals week was distributed. This will be discussed at the December 12, 2006 Faculty Senate meeting.

B. Approval of Commencement Lists

1. Undergraduate - A **motion** made by Vincent and seconded by Collins that based on successful completion of all requirements for the BS degree, those undergraduates listed are approved to receive a Bachelor of Science degree from the Colorado School of Mines was passed unanimously.
2. Graduate - A **motion** made by Vincent and seconded by Collins that based on successful completion of all requirements for the respective degree, those graduates listed are approved to receive the degree from the Colorado School of Mines was passed unanimously.

COMMITTEE REPORTS:

A. Senate committees

1. Academic Standards and Policies -Mooney reported this committee is discussing the Final Exam Policy.
2. Executive Committee of the Senate - Mishra reported the committee met November 20th with Nigel Middleton - Executive Vice President for Academic Affairs and Dean of Faculty, and Arthur Sacks -Associate Vice President for Academic and Faculty Affairs. The implications of Amendment 41 on CSM personnel was discussed. He also reported that the recalibration of the Strategic Plan will begin soon.
3. Faculty Affairs Committee -Vincent submitted the following written report:

Report on the 10/27/06 Meeting of the Faculty Affairs Committee, submitted by Tyrone Vincent.

The committee met to consider changes to the grade appeal process for undergraduate and graduate students. The committee recommended a separate appeals process for PRU grades, as well as changes to clarify the information flow between student, instructor, and the faculty affairs committee at each step. It is recommended that the proposals be forwarded to the graduate and undergraduate councils, as appropriate, for approval, followed by the academic standards committee. Proposals are attached.

Proposed new PRU grade appeal process

If the student believes they have received a PRU grade in thesis research unfairly, the student may appeal this decision to the Faculty Affairs Committee of the Faculty Senate. The Faculty Affairs Committee is the faculty body authorized to review and modify research grades, in appropriate circumstances. Any decision made by the Faculty Affairs Committee is final. In evaluating a grade appeal, the Faculty Affairs Committee will place the burden of proof on the student. For a PRU grade to be revised by the Faculty Affairs Committee, the student must demonstrate that the grading decision was unfair by documenting that the grading decision was based on standards that differed substantially and unreasonably from those previously articulated by the instructor.

To appeal a grade, the student should proceed as follows:

1. *The student prepares a written appeal of the PRU grade. This appeal must clearly define the basis for the appeal and must present all relevant evidence supporting the student's case.*

2. *After preparing the written appeal, the student delivers this appeal to his or her thesis committee, which includes the advisor as a member. Written grade appeals must be delivered no later than 10 business days after the start of the regular (fall or spring) semester immediately following the semester in which the PRU grade was received. If a thesis committee has not been formed, the Department Head/Division Director will appoint a temporary committee for the appeal. In the event that the advisor or other members of the thesis committee are unavailable, the Department Head/Division Director shall designate replacements for the appeal. The thesis committee shall recommend to the advisor whether the grade should be changed. The advisor will communicate to the student whether the advisor accepts or declines this recommendation. This step shall conclude within 15 business days of receipt by the thesis committee of the appeal.*
3. *If the student is dissatisfied with the outcome of the previous step, he or she can proceed with the appeal by submitting three copies of the written appeal and a summary of discussions with the committee held in connection with the previous step to the President of the Faculty Senate. These must be submitted to the President of the Faculty Senate no later than 10 business days after the conclusion of the previous step. The President of the Faculty Senate will forward the student's appeal and supporting documents to the Faculty Affairs Committee, the advisor's Department Head/Division Director, and the student's thesis committee.*
4. *The Faculty Affairs Committee will request a response to the appeal from all members of the thesis committee, which upon receipt will be forwarded to the student. If necessary for further clarification, the thesis committee and student may be called separately to give verbal testimony. These meetings are closed, but the student may invite anyone that he or she wishes to accompany them or to give additional testimony. At no time during this process may information or testimony be given that is to be kept secret from either the student or the thesis committee. On the basis of its review of the student's appeal and the thesis committee's response, the Faculty Affairs Committee will determine whether the grade should be revised. The decision rendered will be either: 1) the original grading decision is upheld, or 2) sufficient evidence exists to indicate that a grade has been assigned unfairly. In this latter case, the grade will be changed to PRG. The Committee's written decision and supporting documentation will be delivered to the President of the Faculty Senate, the office of the EVPAA, the Graduate Dean, the student, the thesis committee, and the advisor's Department Head/Division Director no later than 25 business days following the Senate's receipt of the grade appeal.*

The schedule, but not the process, outlined above may be modified upon mutual agreement of the student, the advisor, and the Faculty Affairs Committee.

Proposed Changes to Grade Appeal Process

If the student believes they have been unfairly graded, the student may appeal this decision to the Faculty Affairs Committee of the Faculty Senate. The Faculty Affairs Committee is the faculty body authorized to review and modify course grades, in appropriate circumstances. Any decision made by the Faculty Affairs Committee is final. In evaluating a grade appeal, the Faculty Affairs Committee will place the burden of proof on the student. For a grade to be revised by the Faculty Affairs Committee, the student must demonstrate that the grading decision was unfair by documenting that one or more of the following conditions applied:

1. The grading decision was based on something other than course performance, unless the grade was a result of penalty for academic dishonesty **or the grade was WI. (WI = withdrawn involuntarily)** (For the appeals process concerning academic dishonesty and disciplinary actions see the student handbook, "The Brunton." also, a separate grade appeals process occurs for PRU grades.)
2. The grading decision was based on standards that were unreasonably different from those applied to other students in the same section of that course.
3. The grading decision was based on standards that differed substantially and unreasonably from those previously articulated by the instructor.

To appeal a grade, the student should proceed as follows:

4. The student should prepare a written appeal of the grade received in the course. This appeal must clearly define the basis for the appeal and must present all relevant evidence supporting the student's case.
5. After preparing the written appeal, the student should deliver this appeal to the course instructor and attempt to resolve the issue directly with the instructor. Written grade appeals must be delivered to the instructor no later than 10 business days after the start of the regular (fall or spring) semester immediately following the semester in which the contested grade was received. In the event that the course instructor is unavailable ~~because of leave, illness, sabbatical, retirement, or resignation from the university,~~ the course coordinator (first) or the Department Head/Division Director (second) shall represent the instructor.
6. If after discussion with the instructor, the student is still dissatisfied, he or she can proceed with the appeal by submitting three copies of the written appeal plus three copies of a summary of the instructor/student meetings held in connection with the previous step to the President of the Faculty Senate. These must be submitted to the President of the Faculty Senate no later than 25 business days after the start of the semester immediately following the semester in which the contested grade was received. The President of the Faculty Senate will forward the student's appeal and supporting documents to the Faculty Affairs Committee, the course instructor's Department Head/Division Director, **and the instructor.**
7. The Faculty Affairs Committee will request a response to the appeal from the instructor, **which upon receipt may be forwarded to the student. If necessary for further clarification, the instructor and student may be called separately to give verbal testimony to the committee. These meetings are closed, but the student may invite anyone that he or she wishes to accompany them or to give additional testimony. At no time during this process may information or testimony be given to the committee that is to be kept secret from either the student or the instructor.** On the basis of its review of the student's appeal, **and** the instructor's response, ~~and any other information deemed pertinent to the grade appeal,~~ the Faculty Affairs Committee will determine whether the grade should be revised. The decision rendered will be either: 1) the original grading decision is upheld, or 2) sufficient evidence exists to indicate that a grade has been assigned unfairly. In this latter case, the Faculty Affairs Committee will assign the student a new grade for the course. The Committee's written decision and supporting documentation will be delivered to the President of the Faculty Senate, the office of the EVPAA, the student, the instructor, and the instructor's Department Head/Division Director no later than ~~45~~ **25** business days following the Senate's receipt of the grade appeal.

The schedule, but not the process, outlined above may be modified upon mutual agreement of the student, the course instructor, and the Faculty Affairs Committee.

The Senators referred the above proposed PRU grade appeal process to the Undergraduate Council and the Graduate Council for their recommendations. They also requested Vincent to have CSM's legal department look at the proposed wording.

B. Senate Councils:

1. Research Council -Collins submitted the following written report:

Report from 15 November 2006 Research Council

1. *Ralph Brown (ORA) is hiring a new contracts employee. Reuben Collins will serve on the interview committee to represent the faculty interests.*
2. *Tom Boyd presented the Differential Tuition proposal he previously discussed in Senate. Research Council voted to endorse Tom's proposal.*
3. *John Poate updated Research Council on the status of the center reorganization process. As background he pointed out that CSM generates less research funding per faculty member than research universities we want to compete with, but it isn't because we write fewer grants. It's because we obtain less funding per grant. His strategy for improving this is intimately tied to creating larger, more effective centers of research excellence. Hence, the center reorganization is critical to overall success. There are presently 35 centers on campus. He estimated around 17 are running well. 8 of these could be elevated to the level of "grand challenge" centers. He also noted the most successful centers all had a strong leadership. He mentioned issues such as how overhead is returned, creating sources of funds for investment, reducing teaching loads, generating more charge out, and setting uniform charge out policies. He also suggested center reorganization is now part of the overall campus reorganization process. This may mean it will be a bit before a final structure is defined. Re-integration of research council into the center creation and review process was also discussed. John suggested one or two representatives from Research Council participate in the annual reviews of each center.*
4. *Craig Taylor summarized joint research initiatives within the Colorado Collaboratory which includes CSM, NREL, CU, and CSU. These include an \$8.4M request which was just submitted to DOE BES (Craig Taylor lead), a PV test facility in conjunction with Xcel (Kevin Moore lead), and bio-fuels consortium with major oil companies (John Dorgan and Matt Liberatore leads). Larger funding opportunities such as the DOD Multi University Research Initiative and recently announced NSF Engineering Research Center solicitation were introduced and will be a central subject of discussion at the next meeting which will be on a special date, Dec. 6.*

2. Undergraduate Council -Jesudason submitted the following written report:

Report on meeting held November 8, 2006

1. *The Council will formally discuss the topic of students taking a course several times to improve the GPA at the next meeting in December. Council members want only the last grade to be counted in the overall and departmental GPAs,*

while keeping previous grades on the transcript. The idea of averaging grades did not have strong support. Members wanted more discussion on this issue, which is deemed a major change in existing policy.

2. *The proposal for a new degree in Biochemical Engineering by the Department of Chemical Engineering was distributed. Council members wish the Senate to be kept abreast of the proposal because it might have to act in haste to get the degree's proposed establishment in Fall 2007. Some outstanding issues not resolved are:
 - 1) *lack of 3 free electives requirement by the university*
 - 2) *whether ABET will accept a Department offering two degrees*
 - 3) *whether the "biological" component is keeping within tradition.**

Item for vote:

Approving the Graduate Certificate in Science and Technology Policy proposed by LAIS. Professor Laura Pang and Professor Carl Mitcham are scheduled to address the Senate on this topic.

C. University Committees

1. Budget Committee -Mooney submitted the following written report:

Meeting held November 16, 2006

1. *Jeff Barsch updated the committee on the most recent Board of Trustees (BOT) meeting. CSM administration requested from the BOT an additional \$2.5M in FY07 budget for faculty start-up packages, research center IC returns, teaching assistants, athletic department budget salary, salary differentials, patent attorney fees, moving costs for Hall of Justice evacuees. BOT approved the spending.*
 2. *Jeff Barsch reported that CSM is asking the legislature (Joint Budget Committee) for an additional \$1.2M in spending authority because tuition revenues are higher than expected. The undergraduate nonresident tuition revenue for FY06-07 is \$1.1M higher than expected.*
 3. *Dan Montez updated the committee on the November election results. He distributed a 2page segment on Higher Education from Governor elect Ritter's "Colorado Promise".*
 4. *Dan shared that there is some concern over the passage of Amendment 41 "Standards of Conduct in Government". Among other aspects directly aimed at lobbyists, Amendment 41 prohibits government employees (including from public institutions of higher education) from accepting any amount of money or more than \$50 in gifts in any calendar year from anyone except a relative or personal friend on a special occasion. CSM has created a study group to look into how Amendment 41 will affect CSM faculty and staff.*
 5. *Tom Boyd updated the committee on the financial aspects of the Differential Tuition (nonresident minus resident) proposal for TAs and RAs. Tom conveyed that the short term costs of initiating this program for students on RA contracts should be offset by the elimination of the PhD Tuition Fellowship Program and a commitment from the CSM research community to reinvest the savings to existing research contracts toward supporting additional students. Tom recommends that the short term costs of this program due to students on TA contracts be absorbed by CSM.*
2. Handbook and Subcommittee on Outside Activities - McKinnon provided the following written reports:

November 2, 2006

In attendance: Arthur Sacks, Mahadevan Ganesh, Tibor Rozgonyi, Vaughn Griffiths, Graeme Fairweather, Anne Walker, Mike Dougherty, Carol Chapman, Tom McKinnon

- 1. The bulk of the meeting was spent going over policies for non-tenured, non-tenure-track, and probationary appointments. Mike Dougherty provided a marked up copy of Sections 7.3.2, 9.2, 6.4, 6.6.1, and 9.6.1. One of the underlying problems is that we don't really have a probationary appointment (except for untenured, tenure-track faculty) but the Handbook still gives procedures for it. The new policies are in accordance with state statutes. Please email me if you want to see the markups.*
- 2. We discussed including background checks in the hiring process. Depending upon the level of checking required and wanted the cost can be a few dollars to hundreds of dollars. The Committee voted that this would be a procedural matter and didn't need to be in the Handbook.*
- 3. The Outside Activities Committee made a report (see separate report to the Senate). The Research Faculty Committee has not yet met.*

November 16, 2006

In attendance: Arthur Sacks, Mahadevan Ganesh, Vaughn Griffiths, Graeme Fairweather, Anne Walker, Julie Coakley, Carol Chapman, Tom McKinnon

Probationary appointment termination procedures were discussed. No resolution.

The Sustainability Committee bylaws were presented but not approved. President Scoggins has requested that the nominating bodies provide him more names and he will down-select from the list.

The Assessment Committee was in a similar situation.

Fairweather requested a change to sabbatical leave policy. If a faculty member delays a sabbatical longer than seven years, the next leave could be taken in fewer than seven. Walker read the Colorado statutes which indicated that sabbaticals can only be "granted" every seven years. A possible interpretation is that a sabbatical could be "granted" in one year, but if CSM requests that the leave be postponed it could be actually taken the next year. Walker will check with the AG's office.

Emeritus status was discussed. Current policy is that emeritus status is more-or-less automatic for faculty who have more than 10 year's service. The general sense is that the department P&T committee should request emeritus status.

October 25, 2006

In attendance: Mike Dougherty, Graeme Fairweather, Tom McKinnon, Brajendra Mishra, Anne Walker

McKinnon opened the meeting (and was selected chair of the subcommittee).

McKinnon summarized the previous Handbook Committee meeting discussion on the topic:

- Marilyn North's document is written in an "old school" manner where the only outside activity was consulting. Given the difficulty of obtaining research funding by traditional channels (e.g., NSF) many faculty now have equity positions in small companies.
- CSM can view outside activity as a problem or as an opportunity. The universities that are most successful at technology transfer clearly view outside activity as an opportunity and encourage it within limits.
- The faculty "in the trenches" view the administration's motives with some distrust at the moment. Clearly, a major communications effort is warranted when we adopt revised policies.
- Whatever policies we adopt, they will be complex due to the nature of the beast. The Handbook Committee needs to review and tweak the policies periodically until they are acceptable to all parties.
- North's document has language assuming that all research "should" go through CSM. Many faculty feel this is penny wise and pound foolish. We need to take a broader role of faculty activities and adopt policies that will foster long-term faculty productivity.

Mishra discussed the use of equipment, facilities, lab space, and students on outside-funded projects. Walker mentioned a problem we now have with NSF vis-à-vis the use of equipment paid for by the Federal Government. No closure on this issue.

Fairweather asked about the time spent on program reviews, etc. Generally the group felt that this activity fell under "Service" and is not covered under the outside activities policy.

Next meeting: November 8, 2-3 PM. AH451C

Action items:

- Mike Dougherty will make copies of the policies from MIT, CalTech and some other institutions and distribute.
- Anne Walker will distribute CU and CSU policies.
- We all will come to the next meeting prepared to discuss policies at other institutions.

Subcommittee on Outside Activities/Handbook Committee

November 09, 2006

In attendance: Mike Dougherty, Graeme Fairweather, Tom McKinnon, Brajendra Mishra, Anne Walker

The agenda item today was to compare and evaluate the Conflict of Interest/Conflict of Commitment (CoI/CoC) policies of several universities:

- University of Colorado
- Colorado State University
- MIT
- CalTech
- Purdue
- Michigan State

- *Harvard Public Health*

Generally, we agreed that CU had a very good plan, but that we could splice in some parts from MIT and Purdue to make it even better. MIT covered equity ownership by faculty members and Purdue had a very clear method of presenting and classifying Col/CoC cases.

McKinnon noted that there were two methods of reporting outside activities. Some universities request that faculty member fill out rather lengthy forms for approval before undertaking the activity. Others request reporting after the fact. McKinnon suggested that we handle reporting annually on the FDR, but Walker responded that we need up-to-date information.

Mishra discussed the use of CSM equipment for outside work. CU does not allow this to happen. Walker noted that it could happen at CSM as long as there was fair-market compensation for the school.

Col is handled differently at different schools. Some say it is forbidden while others say it can be managed. The basic problem is that there is no clear definition of Col.

Dougherty noted that the policies are at least partly in place to protect faculty since there could be criminal liability for violating state statutes.

Next meeting: November 30, 8:30-9:30 PM. AH451C

Action items:

- *Mike Dougherty and Anne Walker will make a first draft of CSM policies based on CU, MIT, and Purdue.*

3. Sustainability - McKinnon provided the following written reports:

November 2, 2006

In attendance: Jim McNeil, Arthur Sacks, Masami Nakagawa, Jon Meuser, Natalie Wagner, John Spear, Tom McKinnon

The members that have been nominated to the Committee are:

- *Academic Faculty: Dave Munoz and Tom McKinnon. Masami Nakagawa will also serve if the Bylaws are changed to allow three academic faculty.*
- *Administrative Faculty: Dan Lewis*
- *Department Heads: Jim McNeil and Bob Siegrist*
- *Ex Officio: Arthur Sacks, Tim Cake, Bob Francisco*
- *Students: no nominations received*

The Committee business was to act on the Senate request to change the Bylaws (two -three academic faculty), elect a Vice-chair, and discuss the agenda items for the year. The lack of a quorum meant that we couldn't address the first two.

McNeil and McKinnon suggested the following agenda items for the year:

1. *Sustainability Across the Curriculum*
2. *Sustainability Laboratory*
3. *CSM Climate Action Day - 19 April 2007 (Earth Day is 22 April)*
4. *Endowed sustainability speaker series.*

McNeil volunteered to serve as the chair for #1 and McKinnon for #3. The other two are unclaimed at the moment. Three new possible agenda items were discussed:

- 5. Communications (web site, etc.).*
- 6. A physical location for the SC activities (recycling, etc).*
- 7. An assessment of CSM sustainability activities.*

November 16, 2006

In attendance: Jim McNeil, Arthur Sacks, Masami Nakagawa, Jon Meuser, Natalie Wagner, John Spear, Dan Lewis, Paul Leef, Tim Cake, Bob Francisco, Alexandra Harker, Tom McKinnon

Sacks reported that that President Scoggins has indicated that he would like to have the Senate, etc. nominate more members for the Sustainability Committee from which he would make a down-selection. Because of this development, the SC spent yet another meeting without the proper authorization to conduct business. For example, the Vice Chair was not selected at this meeting. McNeil warned that President Scoggins may be inadvertently "stepping on a third rail" with this action. He recounted some history of the past decade where similar problems have been encountered. Sacks will discuss the issue with President Scoggins.

Acting in an interim status, the SC voted to change to bylaws to allow three members from the academic faculty.

Alexandra Harker, a CU student, summarized the results of her analysis of CSM parking and transportation issues.

McNeil discussed his plans for Sustainability Across the Curriculum. The first meeting took place directly after the SC meeting.

McKinnon discussed the Climate Action Days.

Munoz, Makagawa and Wagner volunteered to lead the Sustainability Laboratory Committee.

4. Senate Ad-Hoc Committees -These reports will be given at the next Senate meeting on December 12, 2006.

E. ANNOUNCEMENTS:

- A. November Faculty Forum - November 29, 2006 - Reorganization Task Force - Metals Hall, Green Center, 4:00 pm.
- B. The next Senate meeting will be December 12, 2006 in Hill Hall room 300.

The meeting adjourned at 3:00 pm.