

BOARD OF GOVERNORS
December 2-3, 2013
Colorado State University System, Denver

MONDAY, December 2, 2013

Board of Governors Breakfast	7:30 a.m. – 8:00 a.m.
COMMENCE MEETINGS – CALL TO ORDER	8:00 a.m. – 4:30 p.m.
COMMITTEE MEETINGS	
Evaluation Committee (Mary Lou Makepeace, Chair) (45 min.)	8:00 a.m. – 8:45 a.m.
Audit and Finance Committee (Dennis Flores, Chair) (2 hrs. 15 min.)	8:45 a.m. – 11:00 a.m.
Break (10 min.)	11:00 a.m. – 11:10 a.m.
Real Estate/Facilities Committee (Scott Johnson, Chair) (1 hr. 30 min.)	11:10 a.m. – 12:40 p.m.
Lunch Break (20 min.)	12:40 p.m. – 1:00 p.m.
Academic and Student Affairs Committee (Rico Munn, Chair) (2 hrs. 30 min.)	1:00 p.m. – 3:30 p.m.

BOARD MEETING

Welcome and Oath of Office for New Board Members (5 min.)	3:35 p.m. – 3:40 p.m.
1. Presidents’ Reports and Campus Updates (50 min.)	3:40 p.m. – 4:30 p.m.
A. CSU-Global Campus: President’s Report – Presented by Becky Takeda-Tinker (10 min.)	
B. CSU-Pueblo: President’s Report – Presented by Lesley Di Mare (10 min.)	
C. CSU: President’s Report – Presented by Tony Frank (30 min.)	
Colorado State University System/Board of Governors Holiday Reception	5:00 p.m. – 7:00 p.m.
Colorado State University Denver Center, 475 17 th Street, Denver (social event)	
Board of Governors Holiday Dinner , University Club, 1673 Sherman Street, Denver (social event)	7:00 p.m.

TUESDAY, December 3, 2013

Board of Governors Working Breakfast with the CSUS Leadership Team	7:30 a.m. – 9:00 a.m.
BOARD OF GOVERNORS MEETING (reconvened)	9:00 a.m. – 2:30 p.m.
2. Public Comment (10 min.)	9:00 a.m. – 9:10 a.m.
3. Board Chair’s Agenda (20 min.)	9:10 a.m. – 9:30 a.m.
4. Executive Session (1 hr.)	9:30 a.m. – 10:30 a.m.
5. Committee Reports (40 min.)	10:30 a.m. – 11:10 a.m.
A. Evaluation Committee (Mary Lou Makepeace, Chair) (10 min.)	
B. Audit and Finance Committee (Dennis Flores, Chair) (10 min.)	
C. Real Estate/Facilities Committee (Scott Johnson, Chair) (10 min.)	
D. Academic and Student Affairs Committee (Rico Munn, Chair) (10 min.)	

6. Approval of Resolutions and Consent Agenda (5 min.) 11:10 a.m. – 11:15 a.m.

Consent Agenda Items:

A. Colorado State University System

- Minutes of the October 3, 2013 Evaluation Committee Meeting
- Minutes of the October 3, 2013 Academic and Student Affairs Committee Meeting
- Minutes of the October 3, 2013 Audit and Finance Committee Meeting
- Minutes of the October 3, 2013 Real Estate/Facilities Committee Meeting
- Minutes of the October 4, 2013 Board of Governors Breakfast Meeting
- Minutes of the October 4, 2013 Board of Governors Meeting
- Equipment Leasing-Colorado State University System/CSURF Line of Credit Program

B. Colorado State University

- Approval of Degree Candidates – Fall Semester 2013
- Approval of Faculty Manual Changes – Section F.3.4.1

C. Colorado State University-Global Campus

- Approval of Degree Candidates – Fall 2013 A Term

7. Faculty and Student Representatives' Reports (1 hr.) 11:15 a.m. – 12:15 pm.

A. Faculty Reports

- CSU-Global Campus: Faculty Report – Presented by Nella Anderson (10 min.)
- CSU-Pueblo: Faculty Report – Presented by Frank Zizza (10 min.)
- CSU: Faculty Report – Presented by Alexandra Bernasek (10 min.)

B. Student Reports

- CSU-Global Campus: Student Report – Presented by Brad Schiffelbein (10 min.)
- CSU-Pueblo: Student Report – Presented by Vanessa Emerson (10 min.)
- CSU: Student Report – Presented by Nigel Daniels (10 min.)

Working Lunch/Break (15 min.) 12:15 p.m. – 12:30 p.m.

8. Chancellor's Report (25 min.) 12:30 p.m. – 12:55 p.m.

9. System Wide Discussion Items (1 hr. 30 min.) 12:55 p.m. – 2:25 p.m.

A. Legislative Issues

B. President Obama's Higher Education Plan

10. Board Meeting Evaluation (5 min.) 2:25 p.m. – 2:30 p.m.

Adjournment

2:30 p.m.

Next Board of Governors Board Retreat/Meeting: February 12-14, Location TBD

APPENDIX

- Board Correspondence
- Construction Status Reports
- Readings on Higher Education

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December 2-3, 2013
Colorado State University System, Denver

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Evaluation Committee

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**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM
AUDIT/FINANCE COMMITTEE MEETING AGENDA
December 2, 2013**

Audit

1. ***Discussion/Presentation*** – Status of the FY 2013-2014 Audit Plan-carry in **15 min**
2. ***Discussion/Presentation*** – Past due recommendations – carry in **5 min**
3. ***Discussion/Presentation*** – General information **5 min**

Finance

4. ***Discussion/Presentation*** State Budget/ Capital Construction/
Performance Funding/ South Metro Program update **20 min**
5. ***Discussion/Presentation*** Quarterly Financial Reports **15 min**
6. ***Discussion/Presentation*** Campus budget updates **15 min**
7. ***Discussion/Presentation/Action*** 8th Supplemental Resolution and
Preliminary Offering Statement for CSU bond financed projects **20 min**
8. ***Discussion/Presentation*** Reserve reports **15 min**
9. ***Discussion/Presentation/Action*** Municipal Leasing Report and
raising of the cap for CSU **15 min**

Board of Governors
Audit /Finance Committee Meeting
December 2, 2013

Audit

Agenda Items 1 & 2– Carry In

COLORADO STATE UNIVERSITY SYSTEM
DEPARTMENT OF INTERNAL AUDITING FY 2013-2014
AUDIT PLAN AS OF NOVEMBER 27, 2013

Audit	Institution	Status
Carry-forward from FY 12-13		
CSU-Global Campus	CSUG	Report 14-01
Research Innovation Center	CSU	Report 14-02
Internal Audit Self-Assessment with External Validation	CSUS	Report 14-03
Continuing Education	CSUP	Review
Tax Issues	CSU	Report 14-04
Payroll	CSU	Review
IT-Data Centers Survey	CSU	Fieldwork
New for FY 13-14		
Centers, Institutes, Other Special Units	CSU	Out for responses
School of Global Environmental Sustainability	CSU	Fieldwork
Environmental Health Services - Public Health	CSU	Fieldwork
Housing	CSU	
College of Engineering - Dean Transition	CSU	
College of Veterinary Medicine & Biomedical Sciences - Clinical Sciences	CSU	Fieldwork
Accounts Receivable	CSU	
Tuition Revenue	CSU	
Athletics (NCAA Rules Compliance Areas)	CSU	
Institutional Research	CSU	
IT-Disaster Preparedness	CSU	
Special Projects	All Locations	
Housing	CSUP	
Tuition Revenue	CSUP	
Athletics	CSUP	
Travel	CSUP	
Financial Aid/Accounts Receivable	CSU-GC	



All Overdue Recommendations

Audit Number	Audit Name	Report Date	Institution	Rec No	Recommendation	Audit Report Response	Department	Target Completion Date	Revised Target Completion Date	Current Response
10-08	College of Veterinary Medicine and Biomedical Sciences	11/30/2009	CSU	2	Update Strategic Plan to ensure it reflects major achievements and current goals and objectives and includes measurable performance metrics, and ensure a comprehensive assessment is done to evaluate progress in meeting all of the goals in the Plan.	Agree. 2005 Strategic Plan will be updated. Two meetings will occur before July 1, 2010, after which they can update the Strategic Plan. An annual comprehensive assessment will be performed to evaluate progress against the Strategic Plan.	CVMBS, DLAB	6/30/2011	1/1/2014	With the pending hire of a new Dean in early CY12, the DLAB will wait to finalize a strategic plan after a college plan is announced.

Agenda Item 3

General Information

Finance

Agenda Item 4
State Budget/Capital/Performance
Funding/South Metro Updates

State Budget/Capital Update

- The Governor's budget suggests the following for higher education in FY 2015:
 - \$101.8 million (15.5%) increase in General Fund support. Divided as follows –
 - 11% increase (\$60m) for systems/institutions operating funding. Taking the CSU System from \$109.8m to \$121.8m = \$12m
 - Asking that resident undergraduate tuition be held to 6% or less
 - No requested limits on other tuition sources – graduate, non-resident, etc. etc.
 - Increasing funding for financial aid by \$40m – a 42% increase
 - \$30m in need based aid
 - \$5m in merit based aid – first time in many years
 - \$5m in work-study support
 - Initial reactions by legislative leadership are positive

Capital

- CCHE prioritized 31 projects
- CSU Chemistry building made it as #3 on the list
- OSPB decided to initially only recommend funding for two projects on the CCHE list
 - #5 a library renovation at Auraria for the benefit of Metro and UCD
 - #10 a performing arts center for UC Colorado Springs.
- OSPB ignored the recommendations of CCHE and skipped over the highest ranked projects.
- Need to press for funding for the CSU Chemistry building

Performance Funding for Higher Education

- Senate Bill 11-052 requires the Colorado Commission on Higher Education to adopt a performance funding mechanism for the state's public colleges and universities.
- Pursuant to SB 11-052, performance funding will not be carried out until after (a) the 2015-16 fiscal year (the last year of tuition setting flexibility provided pursuant to SB 10-003), and (b) —restoration funding (i.e., \$706 million) has been reached.
- On or before December 1, 2013, the Colorado Department of Higher Education must prepare a performance funding allocation model for the Colorado General Assembly.
- Development of that model is still in process

Mechanics of Performance Funding

- At least 10 states have implemented some form of Performance Based funding.
- Performance-based funding will represent a relatively small percentage of the state's higher education budget (25% of revenue between \$650M and \$706M, or about 3% of overall funding at the restoration funding level)
- A portion of new funding above the \$650 million mark will run through a "performance funding formula" (\$14m to start)
- The formula will measure goals/outcomes in 4 categories:
 - Credential Completion
 - Student Momentum
 - Closing of achievement gaps
 - Financial Stewardship
- Specific metrics have been developed for each goal/outcome by our campuses and will be weighted by level of importance.

Example

- Current method of allocating state funding
 - Funding is run through a “formula” that currently is made up of the following:
 - Start with the current base (unless funding reductions are mandated by the Governor), then:
 - 1/3 of any new money is divided based upon the proportional share of General Fund from the previous year
 - 1/3 goes to restoring prior years funding reductions
 - 1/3 addresses enrollment
- Under performance funding this formula above could stay in place, but once the state funds the institutions at the 2009 level of \$706 million, 25% of the amount over \$650 million goes towards this new scheme.
- In the first year it looks like this:
 - $\$706\text{m} - \$650\text{m} = \$56\text{m} \times 25\% = \14m , or 3% of the total funding amount would be used for performance funding.
- In FY 2014 the state put in \$543 million in operating funds for higher education. In FY 2015 the Governor proposes increasing this to \$603 million, which is about \$100 million away from the required \$706 million to start performance funding.

Update on South Metro Initiative

- Moving forward with three degree programs – engineering, business and nursing.
- On-track to teach the first engineering class in January 2014 within the CH2M Hill facility.
- Nursing and business programs to be launched in August 2014.
- Plan initiative to raise matching funds from South Metro business community
- There will not be a general studies degree offered.
- Department of Higher Education is supportive and agrees the Performance Contract allows us to extend current degrees to this area
- If a “campus” is ever built, CCHE approval may be necessary
- Partnerships continue to develop with on-going interest from Arapahoe Community College in nursing and meeting with CU System searching for collaborations.

Revised Cost Estimate

		Year One	Year Two
<u>Supplemental Pay/Salaries</u>			
	College of Business	\$ 50,000	\$ 50,000
	College of Engineering	\$ 100,000	\$ 100,000
<u>Academics</u>			
	Teaching stipend for faculty (up to \$7k per class)	\$ 42,000 (6 classes)	\$ 125,000 (18 classes)
<u>Information Technology</u>			
	General needs/issues	\$ 10,000	\$ 25,000
	Website	\$ 10,000	\$ 10,000
<u>Travel Reimbursement</u>			
	Travel	\$ 7,000	\$ 15,000
	Mileage Reimbursement	\$ 5,000	\$ 15,000
<u>Site development</u>			
	Phase I site planning	\$ 33,000	?
<u>Marketing</u>			
	General Marketing	Paid by CSU System	
	Sub-total	\$ 257,000	\$ 340,000
	2-Year Total		\$ 597,000
	Offsetting revenue		\$ (500,000)
	(24 classes at \$750 CH)		\$ (54,000)

Agenda Item 5

Quarterly Financials

**Board of Governors of the Colorado State University System
FY 2014 First Quarter Income Statement - GAAP Basis**

	FY 2012 Actual	FY 2013 Actual	FY 2014 Original Annual Budget	FY 2014 Sep 30 2013 Q1 Actual	FY 2014 Sep 30 2013 Q1 Budget
Revenues					
Tuition & Fees	338,967,634	371,243,139	405,377,573	207,302,900	197,070,252
Fee for Service	67,931,626	68,029,675	69,008,311	17,142,096	17,252,078
Grants & Contracts	329,164,622	269,210,382	274,866,757	66,376,258	65,977,894
Sales & Services of Educational Departments	25,357,008	30,568,068	34,300,884	8,996,648	8,798,459
Sales & Services of Auxiliary Enterprises	139,117,137	137,822,461	141,710,366	56,770,093	57,003,384
Other Sources	6,106,143	7,521,350	7,377,581	1,528,348	1,457,516
Total Revenues	906,644,170	884,395,075	932,641,472	358,116,344	347,559,583
Expenditures					
Instruction	232,263,562	248,233,801	262,634,046	55,490,260	52,788,031
Research	186,610,390	189,784,657	181,390,870	43,911,891	43,537,718
Public Service	133,551,223	70,351,704	75,161,553	17,943,172	18,050,388
Academic Support	62,640,205	69,730,168	75,728,044	18,645,553	17,326,745
Student Services	36,289,175	39,337,665	45,838,148	9,044,058	7,521,852
Institutional Support	46,735,003	52,518,503	55,288,617	16,235,157	15,192,132
Operation of Plant	59,576,371	58,834,763	61,877,382	18,813,173	18,177,846
Scholarships & Fellowships	16,113,927	22,755,187	19,413,444	6,039,491	5,131,441
Auxiliary Expenditures	125,454,713	131,682,651	137,483,857	37,162,661	36,034,283
Depreciation	66,414,037	72,890,266	81,886,406	19,418,548	19,122,269
Total Expenditures	965,648,606	956,119,365	996,702,367	242,703,963	232,882,705
Operating Income (Loss)	(59,004,436)	(71,724,290)	(64,060,895)	115,412,381	114,676,878
Non-operating Revenues (Expenses)					
State Appropriations	2,450,000	1,753,642	2,000,000	980,000	980,000
Stabilization Funds	-	-	-	-	-
Gifts	31,918,891	36,462,331	39,985,995	12,565,589	12,561,499
Investment Income	6,758,571	(1,591,100)	5,322,566	484,733	477,642
Interest Expense on Capital Debt	(18,697,191)	(19,960,974)	(22,931,791)	(4,468,668)	(3,987,948)
Federal nonoperating grants and contracts	37,345,507	39,169,020	40,339,990	16,567,757	13,915,000
Other Non-operating Revenues (Expenses)	4,523,564	6,857,466	1,826,398	4,983,048	1,015,600
Net Non-operating Revenues	64,299,342	62,690,385	66,543,158	31,112,459	24,961,792
Income (Loss) Before other Items	5,294,906	(9,033,905)	2,482,263	146,524,840	139,638,670
Capital Revenues, Expenses, or Transfers					
State Capital Appropriations	1,644,174	1,880,342	2,000,000	455,769	450,000
Federal Capital Grants	10,193,726	10,459,379	8,000,000	6,635	7,000
Capital Gifts	51,532,181	22,411,107	7,000,000	474,489	474,000
Transfers (To)/From Governing Boards & Other Agencies	(220,046)	236,718	(1,192,203)	385,072	526,182
Permanent Endowment Addition	2,324,184	1,434,183	2,000,000	-	-
Capital Revenues, Expenses, or Transfers	65,474,219	36,421,729	17,807,797	1,321,966	1,457,182
Extraordinary/unusual items					
Extraordinary/unusual items	1,152,801	(4,343,988)	-	-	-
Total extraordinary/unusual items	1,152,801	(4,343,988)	-	-	-
Net Increase (Decrease) in Net Position	71,921,926	23,043,836	20,290,060	147,846,806	141,095,852

Colorado State University Fort Collins
Income Statement - All Funds - Three Year Trend - GAAP Basis

	FY 2012 as restated Actual	FY 2013 Actual	FY 2014 Original Budget	FY 2014 Sept. 30, 2013 Actual	FY 2014 Adj. Annual Budget	% Variance
Revenues						
Tuition & Fees	285,405,418	306,238,401	332,500,000	181,308,938	181,575,199	0%
Fee for Service	62,054,106	60,531,592	63,052,908	15,763,227	15,763,227	0%
Grants & Contracts	318,877,636	258,366,975	263,000,000	63,126,349	63,011,205	0%
Sales & Services of Educational Departments	25,046,217	30,259,510	34,000,000	8,917,472	8,723,238	2%
Sales & Services of Auxiliary Enterprises	125,700,775	126,064,085	127,600,000	53,469,149	53,475,792	0%
Other Sources	5,801,906	6,456,728	6,500,000	1,318,173	1,300,000	1%
Total Revenues	822,886,058	787,917,291	826,652,908	323,903,308	323,848,661	0%
Expenditures						
Instruction	206,446,180	218,867,165	232,000,000	48,315,616	47,129,109	2%
Research	186,383,687	189,602,681	181,000,000	43,908,066	43,440,000	1%
Public Service	131,908,630	69,065,286	74,000,000	17,715,664	17,760,000	0%
Academic Support	54,073,954	60,055,968	64,000,000	15,324,195	15,360,000	0%
Student Services	23,080,416	25,154,142	26,000,000	5,779,588	5,752,606	0%
Institutional Support	33,453,917	38,824,790	42,000,000	12,520,077	13,020,000	-4%
Operation of Plant	53,250,400	52,768,310	56,000,000	17,181,933	16,800,000	2%
Scholarships & Fellowships	8,098,436	9,413,888	9,500,000	3,808,541	3,905,265	-3%
Auxiliary Expenditures	112,448,799	120,785,219	124,600,000	33,815,064	32,813,319	3%
Depreciation	59,944,127	66,087,831	75,174,374	17,738,548	17,444,261	2%
Total Expenditures	869,088,546	850,625,280	884,274,374	216,107,291	213,424,560	1%
Operating Income (Loss)	(46,202,488)	(62,707,989)	(57,621,466)	107,796,017	110,424,101	
Non-operating Revenues (Expenses)						
State Appropriations	2,450,000	1,753,642	2,000,000	980,000	980,000	
State Fiscal Stabilization	-	-	-	-	-	
Gifts	29,925,436	34,596,363	38,000,000	12,065,389	12,065,000	0%
Investment Income	6,234,490	(1,401,360)	5,300,000	472,299	472,000	0%
Interest Expense on Capital Debt	(15,256,306)	(16,622,259)	(19,400,000)	(3,104,822)	(3,105,000)	0%
Federal nonoperating grants and contracts	24,006,000	24,620,820	25,000,000	11,290,452	11,290,000	0%
Other Non-operating Revenues (Expenses)	4,744,740	6,883,412	5,000,000	1,809,446	1,809,000	0%
Net Non-operating Revenues	52,104,360	49,830,618	55,900,000	23,512,765	23,511,000	0%
Income (Loss) Before other Items	5,901,872	(12,877,371)	(1,721,466)	131,308,782	133,935,101	
Capital Revenues, Expenses, or Transfers						
State Capital Appropriations	360,483	851,988	2,000,000	449,783	450,000	0%
Capital Grants	10,193,726	10,459,379	8,000,000	6,635	7,000	-5%
Capital Gifts	51,690,181	22,411,107	7,000,000	474,489	474,000	0%
Transfers (To)/From Governing Boards & Other Agencies	(4,331,551)	(3,848,687)	(4,400,000)	(693,845)	(694,000)	0%
Permanent Endowment Addition	2,324,184	1,434,183	2,000,000	-	-	0%
Capital Revenues, Expenses, or Transfers	60,237,023	31,307,970	14,600,000	237,063	237,000	0%
Extraordinary/unusual items						
Extraordinary/unusual items	1,152,801	(4,343,988)	-	-	-	
Total extraordinary/unusual items	1,152,801	(4,343,988)	-	-	-	
Net Increase (Decrease) in Net Assets	67,291,696	14,086,611	12,878,534	131,545,845	134,172,101	

**GAAP BASIS
CSU**

Colorado State University Pueblo
Income Statement - All Funds - Three Year Trend - GAAP Basis

	FY 2012	FY 2013	FY 2014	FY 2014	FY 2014	%
	Actual	Actual	Original Budget	September 30, 2014 Actual	Adj. Q1 Budget	Variance
Revenues						
Tuition & Fees	29,129,202	30,320,764	28,754,642	15,435,503	15,495,053	0%
Fee for Service	5,877,520	7,498,083	5,955,403	1,378,869	1,488,851	-7%
Grants & Contracts	10,286,986	10,843,407	11,866,757	3,249,909	2,966,689	10%
Sales & Services of Educational Departments	310,791	308,558	300,884	79,176	75,221	5%
Sales & Services of Auxiliary Enterprises	13,416,362	11,758,376	14,110,366	3,300,945	3,527,592	-6%
Other Sources	257,458	575,591	787,581	168,644	157,516	7%
Total Revenues	59,278,319	61,304,779	61,775,633	23,613,045	23,710,922	0%
Expenditures						
Instruction	21,651,402	22,596,665	22,635,688	5,337,131	5,658,922	-6%
Research	226,703	181,976	390,870	3,825	97,718	-96%
Public Service	1,642,593	1,286,418	1,161,553	227,508	290,388	-22%
Academic Support	6,515,606	7,075,287	7,866,981	2,365,607	1,966,745	20%
Student Services	7,339,189	6,879,979	7,076,984	1,484,955	1,769,246	-16%
Institutional Support	5,482,755	2,859,754	3,293,937	1,177,508	823,484	43%
Operation of Plant	6,161,605	5,884,295	5,511,382	1,574,751	1,377,846	14%
Scholarships & Fellowships	5,048,510	8,613,118	4,904,704	1,555,005	1,226,176	27%
Auxiliary Expenditures	13,005,914	10,897,432	12,883,857	3,347,597	3,220,964	4%
Depreciation	6,469,910	6,802,435	6,712,032	1,680,000	1,678,008	0%
Total Expenditures	73,544,187	73,077,359	72,437,988	18,753,887	18,109,497	
Operating Income (Loss)	(14,265,868)	(11,772,580)	(10,662,355)	4,859,158	5,601,425	
Non-operating Revenues (Expenses)						
State Appropriations						
State Fiscal Stabilization	-	-	-	-	-	
Gifts	1,993,455	1,865,968	1,985,995	500,200	496,499	1%
Investment Income	370,337	172,609	22,566	4,500	5,642	-20%
Interest Expense on Capital Debt	(3,440,885)	(3,338,715)	(3,531,791)	(1,363,846)	(882,948)	54%
Federal Grants/Contracts	10,372,526	9,820,019	10,500,000	4,601,360	2,625,000	75%
Other Non-operating Revenues (Expenses)	(221,176)	(25,946)	(3,173,602)	3,173,602	(793,401)	-500%
Net Non-operating Revenues	9,074,257	8,493,935	5,803,168	6,915,816	1,450,792	
Income (Loss) Before other Items	(5,191,611)	(3,278,645)	(4,859,187)	11,774,974	7,052,217	67%
Capital Revenues, Expenses, or Transfers						
State Capital Appropriations	1,283,691	1,028,354	-	5,986	-	
Federal Capital Grants	-	-	-	-	-	
Capital Gifts	-	-	-	-	-	
Transfers (To)/From Governing Boards & Other Agencies	(504,299)	(474,843)	(513,863)	(134,865)	(128,466)	5%
Permanent Endowment Addition	-	-	-	-	-	
Capital Revenues, Expenses, or Transfers	779,392	553,511	(513,863)	(128,879)	(128,466)	0%
Net Increase (Decrease) in Net Assets	(4,412,219)	(2,725,134)	(5,373,050)	11,646,095	6,923,751	68%

Colorado State University Global Campus
FY 2014 First Quarter Income Statement - GAAP Basis

	FY 2012 Actual	FY 2013 Actual	FY 2014 Original Annual Budget	FY 2014 Sep 30 2013 Q1 Actual
Revenues				
Tuition & Fees	24,433,014	34,683,974	44,122,931	10,558,459
Fee for Service	-	-	-	-
Grants & Contracts	-	-	-	-
Sales & Services of Educational Departments	-	-	-	-
Sales & Services of Auxiliary Enterprises	-	-	-	-
Other Sources	46,779	489,031	90,000	41,531
Total Revenues	24,479,793	35,173,005	44,212,931	10,599,990
Expenditures				
Instruction	4,165,980	6,769,971	7,998,358	1,837,513
Research	-	-	-	-
Public Service	-	-	-	-
Academic Support	2,050,645	2,598,913	3,861,063	955,751
Student Services	5,869,570	7,303,544	12,761,164	1,779,515
Institutional Support	3,364,809	5,820,294	4,600,090	1,277,951
Operation of Plant	164,366	182,158	366,000	56,489
Scholarships & Fellowships	2,966,981	4,728,181	5,008,740	675,945
Auxiliary Expenditures	-	-	-	-
Depreciation	-	-	-	-
Total Expenditures	18,582,351	27,403,061	34,595,415	6,583,164
Operating Income (Loss)	5,897,442	7,769,944	9,617,516	4,016,826
Non-operating Revenues (Expenses)				
State Appropriations	-	-	-	-
Stabilization Funds	-	-	-	-
Gifts	-	-	-	-
Investment Income	(8,877)	7,707	-	11,948
Interest Expense on Capital Debt	-	-	-	-
Federal Non-Operating Grants and Contracts	2,966,981	4,728,181	4,839,990	675,945
Other Non-operating Revenues (Expenses)	-	-	-	-
Net Non-operating Revenues	2,958,104	4,735,888	4,839,990	687,893
Income (Loss) Before other Items	8,855,546	12,505,832	14,457,506	4,704,719
Capital Revenues, Expenses, or Transfers				
State Capital Appropriations	-	-	-	-
Federal Capital Grants	-	-	-	-
Capital Gifts	-	-	-	-
Transfers (To)/From Governing Boards & Other Agencies	(116,765)	(543,835)	(1,672,930)	(1,207,795)
Permanent Endowment Addition	-	-	-	-
Capital Revenues, Expenses, or Transfers	(116,765)	(543,835)	(1,672,930)	(1,207,795)
Net Increase (Decrease) in Net Position	8,738,781	11,961,997	12,784,576	3,496,924

**Board of Governors of the Colorado State University System Office
FY 2014 First Quarter Income Statement - GAAP Basis**

	FY 2012 Actual	FY 2013 Actual	FY 2014 Original Annual Budget	FY 2014 Sep 30 2013 Q1 Actual	FY 2014 Sep 30 2013 Q1 Budget	% Variance	Note *
Revenues							
Tuition & Fees	-	-	-	-	-		
Fee for Service	-	-	-	-	-		
Grants & Contracts	-	-	-	-	-		
Sales & Services of Educational Departments	-	-	-	-	-		
Sales & Services of Auxiliary Enterprises	-	-	-	-	-		
Other Sources	-	-	-	-	-		
Total Revenues	-	-	-	-	-		
Expenditures							
Instruction	-	-	-	-	-		
Research	-	-	-	-	-		
Public Service	-	-	-	-	-		
Academic Support	-	-	-	-	-		
Student Services	-	-	-	-	-		
Institutional Support	4,433,522	5,013,665	5,394,590	1,259,621	1,348,648	-7%	
Operation of Plant	-	-	-	-	-		
Scholarships & Fellowships	-	-	-	-	-		
Auxiliary Expenditures	-	-	-	-	-		
Depreciation	-	-	-	-	-		
Total Expenditures	4,433,522	5,013,665	5,394,590	1,259,621	1,348,648	-7%	
Operating Income (Loss)	(4,433,522)	(5,013,665)	(5,394,590)	(1,259,621)	(1,348,648)	-7%	
Non-operating Revenues (Expenses)							
State Appropriations	-	-	-	-	-		
Stabilization Funds	-	-	-	-	-		
Gifts	-	-	-	-	-		
Investment Income	162,621	(370,056)	-	(4,015)	-		1
Interest Expense on Capital Debt	-	-	-	-	-		
Gain or (Loss) on Disposal of Assets	-	-	-	-	-		
Other Non-operating Revenues (Expenses)	-	-	-	-	-		
Net Non-operating Revenues	162,621	(370,056)	-	(4,015)	-		
Income (Loss) Before other Items	(4,270,901)	(5,383,721)	(5,394,590)	(1,263,635)	(1,348,648)	-6%	
Capital Revenues, Expenses, or Transfers							
State Capital Appropriations	-	-	-	-	-		
Federal Capital Grants	-	-	-	-	-		
Capital Gifts	(158,000)	-	-	-	-		
Transfers (To)/From Governing Boards & Other Agencies	4,732,569	5,104,083	5,394,590	2,421,577	1,348,648	79.6%	2
Permanent Endowment Addition	-	-	-	-	-		
Capital Revenues, Expenses, or Transfers	4,574,569	5,104,083	5,394,590	2,421,577	1,348,648	79.6%	
Net Increase (Decrease) in Net Position	303,668	(279,638)	-	1,157,942	-	100.0%	

Note*

1 The FY12 investment income is the final number per the published financial statements.

2 The unusually high transfer (To)/From Governing Boards & Other Agencies is due to the Venture Capital transfer to the Board in September of \$1.4M. The \$1.1M transfers out to other agencies occurred in October.

Agenda Item 6

Campus Budget Updates

FY15 Draft Incremental E&G Budget - V.2.1

Colorado State University - Fort Collins

Monday, December 02, 2013

New Resources

Tuition	
Undergraduate	
Resident	6,326,000
Non-Resident	2,727,000
Undergraduate-Enrollment Growth (Net Discounts)	2,382,000
Graduate	
Resident	405,000
Non-Resident	515,000
Professional Veterinary Medicine	718,000
Differential Tuition and Graduate Program Charges - 3% Inflation	878,000
Total Tuition	<u>13,951,000</u>
Facilities and Administrative Overhead	(408,000)
State Funding Impact	<u>10,800,000</u>
	<u>\$ 24,343,000</u>

New Expenses

Enrollment Growth Colleges - 1/2	1,191,000
Enrollment Growth Provost - 1/6	397,000
Financial Aid/Scholarship Inflation	2,420,000
Academic Tuition Sharing (PVM)	556,000
Graduate School Tuition Pool for GTA/GRAs	315,000
Salaries and benefits (includes Adjuncts related to Enrollment Growth and SC)	8,392,000
Salaries and benefits - Adjuncts (Analysis in Process)	-
Faculty Promotions	540,000
Fringe Benefit Enhancement - DCP 1% increase	1,755,000
Other Mandatory Costs (utilities for new facilities and debt service)	2,860,000
Deployment of Differential Tuition and Graduate Program Charges	847,000
Commitments/Quality Enhancements	2,919,000
Strategic Planning Budget Requests	2,000,000
	<u>24,192,000</u>

Net \$ 151,000

Assumptions

Resident Undergraduate __%	5%
Non-Resident Undergraduate __%	3%
Resident Graduate __% and Resident Professional Veterinary Medicine __%	3%/5%
Non-Resident Graduate __% and Non-Resident Professional Veterinary Medicine 2%	3%/2%
Fees around __%	TBD
Salary Increase (2.5% Fac/AP, 3% State Classified)	2.5%/3.0%

Colorado State University - Global Campus
 Statements of Revenues and, Expenses and Changes in Net Position
 Quarter Ended September 30, 2013, Fiscal 2014 Budget and Years Ended June 30, 2013 and 2012

	Q1 2014 <i>(Unaudited)</i>	2014 Projected Annual Budget *	2013 <i>(Unaudited)</i>	2012
Operating revenues				
Student tuition and fees	\$ 10,927,805	\$ 47,531,000	\$ 35,826,054	\$ 25,383,899
Allowance for bad debt	(218,556)	(1,400,000)	(767,011)	(766,548)
Institutional scholarships and waivers	<u>(150,790)</u>	<u>(2,008,609)</u>	<u>(375,069)</u>	<u>(184,337)</u>
Student tuition and fees, net	10,558,459	44,122,391	34,683,974	24,433,014
Nongovernmental grants	-	-	36,750	-
Other operating revenue	<u>41,531</u>	<u>90,000</u>	<u>452,281</u>	<u>46,779</u>
Total operating revenues	<u>10,599,990</u>	<u>44,212,391</u>	<u>35,173,005</u>	<u>24,479,793</u>
Operating expenses				
Instruction	1,837,513	7,998,358	6,769,971	4,165,980
Academic support	955,751	3,861,063	2,598,913	2,050,645
Student services	1,779,515	12,761,164	7,303,544	5,869,570
Institutional support	1,277,951	4,600,090	5,820,294	3,364,809
Operation and maintenance of plant	56,489	366,000	182,158	164,366
Scholarships and fellowships	<u>675,945</u>	<u>5,008,740</u>	<u>4,728,181</u>	<u>2,966,981</u>
Total operating expenses	<u>6,583,164</u>	<u>34,595,415</u>	<u>27,403,061</u>	<u>18,582,351</u>
Operating income	4,016,826	9,616,976	7,769,944	5,897,442
Nonoperating revenues (expenses)				
Investment Income	11,948	-	7,707	(8,877)
State nonoperating grants and contracts	-	(168,750) ✓	-	-
Federal nonoperating grants and contracts	<u>675,945</u>	<u>5,008,740</u>	<u>4,728,181</u>	<u>2,966,981</u>
Net nonoperating revenues	<u>687,893</u>	<u>4,839,990</u>	<u>4,735,888</u>	<u>2,958,104</u>
Income before other revenues, expenses or transfers	<u>4,704,719</u>	<u>14,456,966</u>	<u>12,505,832</u>	<u>8,855,546</u>
Other revenues (expenses), or transfers :				
Payments to governing boards or other institutions	<u>(1,207,795) ^</u>	<u>(1,672,930) ^^</u>	<u>(543,835)</u>	<u>(116,765)</u>
Total other revenues, (expenses), or transfers	<u>(1,207,795)</u>	<u>(1,672,930)</u>	<u>(543,835)</u>	<u>(116,765)</u>
Increase in net position	3,496,924	12,784,036	11,961,997	8,738,781

Notes:

* CSU-Global original FY14 budget with increased expenditures for institutional scholarships (\$1,547,000), academic support (\$100,000) and institutional support (\$23,000) as approved by the Board of Governors in October, 2013.

✓ Represents year-one payment of \$168,750 to Colorado Community College System (CCC) in connection with CO-PAL program award.

^ Includes payment of \$134,865 to CSUS for overhead support, payment of \$1,402,930 to CSUS for venture fund and \$330,000 payment received by CSUS venture fund for CO-PAL program.

^^ Includes payments to CSUS of \$600,000 and \$1,402,930 for overhead support and venture fund, respectively, and payment from CSUS for \$330,000 relating to the venture fund award to CSU-Global for the CO-PAL program.

Agenda Item 7

Bond Financing – Supplemental Resolution

Bond Sale - 8th Supplemental Resolution

- As discussed at the last board meeting CSU has the following projects that need to be bond financed in December of 2013. The costs listed below include capitalized interest in some cases plus construction and cost of issuance expenses.
 - Eddy Building Phase 2--\$4.8M
 - Aggie Village North Redevelopment-\$125.8M
 - Animal Sciences Building Renovation-\$3.9M
 - Walter and Suzanne Scott, Jr. Bioengineering Building- Tenant Finish-\$8.5M
 - Lory Student Center Seismic Upgrades-\$5.0M
- Sale date is scheduled for December 17th
- Sale amount should not exceed \$150M with all associated costs
- Anticipated all-in average financing rate should not exceed 5.5% and hopefully much lower as in sub-5%.
- Annual maximum payments will be \$10.1M
- Total system debt will increase from \$628M to \$777M
- Current underlying ratings of (Aa3/A) should be maintained
- These projects will all be State Intercept backed.

Eddy Building Phase 2--\$4,800,000M

The Eddy Building is a 69,457gsf building located on the academic spine of Main Campus. It houses classrooms, lecture halls and faculty offices for the English, Philosophy, Foreign Languages and Literature, and Communication Studies departments in the College of Liberal Arts. Phase 1 of the project is in design, and is focused on MEP, life safety and ADA upgrades. Phase 2 will focus mainly on the building envelope, including window replacement, a new entrance and plaza on the east side facing the Academic Spine, and improved building aesthetics. The new entrance will be approximately 2400 gsf and will provide space for several new classrooms.



4240

Aggie Village North Redevelopment-\$111,500,000

The project consists of a comprehensive redevelopment of the Aggie Village North Apartments, located just south of main campus. The existing buildings will be deconstructed to allow for the development of approximately 408,000 gsf of new student apartments. The completed project will accommodate approximately 1000 beds and primarily serve the Intercultural Connections, unaffiliated undergraduates and graduate communities. The construction of 25,000 gsf of academic space has been identified as an alternate in the project. If bids come in under budget, remaining funds could be used to upgrade the existing Corbett Dining Hall.



Animal Sciences Building Renovation-\$3,900,000

The Animal Sciences Building is a 48,409 gsf building that houses the Animal Sciences Department. The renovation project is currently underway, with a base scope of work that includes mechanical, electrical and plumbing upgrades throughout the building as well as relocation of laboratory space to the 2nd floor. This additional funding will complete the renovation of faculty, staff and graduate student office space. Replacement of the building elevator and a backup generator are also included in this scope.



Walter and Suzanne Scott, Jr. Bioengineering Building- Tenant Finish-\$8,500,000

The Scott Building is a 133,000 gsf facility that houses interdisciplinary research laboratories, teaching laboratories, classrooms, faculty offices and the Student Success Center for the College of Engineering. Approximately 13,760 gsf of the facility was finished as core and shell, as was anticipated in the original approval documents. The additional requested funding will provide:

- Tenant finish of the 2nd floor office space, including the Dean's suite
- Minor remodeling of the vacated office areas in the Engineering and Glover Buildings
- Additional equipment purchases for the laboratory space



Lory Student Center Seismic Upgrades-\$5,000,000

The Lory Student Center Renovation project is currently underway and will completely renovate 160,000 gsf of the existing building while adding approximately 38,300gsf of new space. During design it was discovered that the 1960's structure was not compliant with current seismic codes. This additional funding will install micro piles and carbon fiber to bring the structure up to code.



**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM**

EIGHTH SUPPLEMENTAL RESOLUTION

Authorizing the issuance of:

Board of Governors of the Colorado State University System
System Enterprise Revenue Bonds
Series 2013E

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EIGHTH SUPPLEMENTAL RESOLUTION

WITNESSETH:

WHEREAS, the Board of Governors of the Colorado State University System (the “Board”) has adopted a Master System Enterprise Bond Resolution on June 20, 2007 (the “Master Resolution”); and

WHEREAS, this Eighth Supplemental Resolution is proposed for adoption pursuant to and in accordance with the Master Resolution; and

WHEREAS, the Board has determined to authorize hereby the issuance of Bonds, in one or more series, to be designated “The Board of Governors of the Colorado State University System, System Enterprise Revenue Bonds, Series 2013E” (referred to herein as the “Series 2013E Bonds”) for the purposes of (a) defraying a portion of the cost of financing certain 2013E Improvement Projects, as further described herein; (b) paying interest on the Series 2013E Bonds, as provided herein; and (c) paying certain costs relating to the issuance thereof, in accordance with and as provided by the Master Resolution and this Eighth Supplemental Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Governors of the Colorado State University System:

ARTICLE I

DEFINITIONS

Section 1.01. Definitions. Except as provided below in this Section, all terms which are defined in Section 1.01 of the Master Resolution shall have the same meanings, respectively, in this Eighth Supplemental Resolution as such terms are given in the Master Resolution. In addition, the following terms shall have the following respective meanings:

“*Authorized Denomination*” means, with respect to the Series 2013E Bonds, \$5,000 and any integral multiple thereof.

“*Bond Insurance Policy*” means the municipal bond new issue insurance policy issued by the Bond Insurer, if any, that guarantees payment of principal of and interest on all or a portion of the Series 2013E Bonds.

“*Bond Insurer*” means such municipal bond insurance company, if any, as shall be selected to provide credit enhancement with respect to all or any portion of the Series 2013E Bonds, as designated in the Pricing Certificate.

“*Continuing Disclosure Undertaking*” means the Continuing Disclosure Undertaking of the Board with respect to the Series 2013E Bonds authorized in Section 2.07 hereof; provided, however, that the Continuing Disclosure Undertaking may refer to multiple undertakings in the event the Series 2013E Bonds are issued in more than one series.

“*Eighth Supplemental Resolution*” means this Eighth Supplemental Resolution adopted by the Board on December 3, 2013.

“*Financial Consultant*” means, with respect to the Series 2013E Bonds, North Slope Capital Advisors, Denver, Colorado, and any successor thereto.

“*Interest Payment Date*” means (a) each March 1 and September 1, commencing on the date set forth in the Pricing Certificate with respect to the Series 2013E Bonds; and (b) the final maturity date of or any redemption date of each Series 2013E Bond.

“*Issue Date*” means the date or dates (in the event the Series 2013E Bonds are issued in more than one series) on which the Series 2013E Bonds are first delivered to the initial purchasers against payment therefor.

“*Master Resolution*” means the Master Resolution adopted by the Board on June 20, 2007, as amended and supplemented from time-to-time.

“*Official Statement*” means the final Official Statement relating to the Series 2013E Bonds, including any supplements thereto; provided, however, that the Official Statement may refer to multiple Official Statements in the event the Series 2013E Bonds are issued in more than one series.

“*Preliminary Official Statement*” means the Preliminary Official Statement relating to the Series 2013E Bonds, including any supplements thereto; provided, however, that the Preliminary Official Statement may refer to multiple Preliminary Official Statements in the event the Series 2013E Bonds are issued in more than one series.

“*Pricing Certificate*” means a certificate executed by the Board Representative and evidencing the determinations made pursuant to Section 3.03(b) of this Eighth Supplemental Resolution; provided, however, that the Pricing Certificate may refer to multiple certificates, including but not limited to in the event the Series 2013E Bonds are issued in more than one series.

“*Purchase Contract*” means the Purchase Contract relating to the Series 2013E Bonds between the Board and the Underwriters; provided, however, that the Purchase Contract may refer to multiple contracts in the event the Series 2013E Bonds are issued in more than one series.

“*Regular Record Date*” means the close of business on the fifteenth day (whether or not a Business Day) of the calendar month next preceding each regularly scheduled Interest Payment Date for the Series 2013E Bonds.

“*Resolution*” means the Master Resolution as supplemented by this Eighth Supplemental Resolution.

“*Series 2013E Bonds*” means the Bonds issued in one or more series hereunder and designated as “The Board of Governors of the Colorado State University System, System

Enterprise Revenue Bonds, Series 2013E,” and as more particularly designated in the Pricing Certificate.

“*State Intercept Act*” means Section 23-5-139, Colorado Revised Statutes, as amended.

“*State Intercept Program*” means the Higher Education Revenue Bond Intercept Program, established pursuant to the State Intercept Act.

“*Taxable Obligation*” means any Series 2013E Bonds the interest on which is not excludable from gross income of the holder thereof for federal income tax purposes, which, with respect to the Series 2013E Bonds, shall be determined by the Board Representative, in accordance with the Article VII hereof titled “FEDERAL TAX LAW MATTERS” and set forth in the Pricing Certificate.

“*Tax Exempt Obligation*” means any Series 2013E Bonds the interest on which is excludable from gross income of the holder thereof for federal income tax purposes, which, with respect to the Series 2013E Bonds, shall be determined by the Board Representative, in accordance with Article VII hereof title “FEDERAL TAX LAW MATTERS” and set forth in the Pricing Certificate.

“*2013E Expense Account*” means the account created in Section 5.02(b) hereof.

“*2013E Improvement Projects*” means the financing of certain Improvement Projects as determined by the Board, including but not limited to (a) renovating, constructing, remodeling, and improving the Aggie Village, together with related improvements; (b) constructing, improving, renovating and equipping campus building including Eddy Hall, Engineering II, LSC-Seismic Structural and Animal Sciences; (c) any other improvements to any of the campuses for which the Board has spending authority; and (d) such other capital projects as may be designated by the Board.

“*2013E Improvement Projects Fund*” means the fund created in Section 5.02(a) hereof, including any accounts and subaccounts therein.

“*2013E Paying Agency Agreement*” means the Paying Agency, Transfer Agency and Bond Registrar Agreement between the Board and the 2013E Paying Agent relating to the Series 2013E Bonds; provided, however, that the 2013E Paying Agent Agreement may refer to multiple agreements in the event the Series 2013E Bonds are issued in more than one series.

“*2013E Paying Agent*” means Wells Fargo Bank, National Association, Denver, Colorado, acting as agent of the Board for the payment of the principal of, premium, if any, and interest on the Series 2013E Bonds, and any successor thereto.

“*2013E Registrar*” means the 2013E Paying Agent acting as agent of the Board for the registration of the Series 2013E Bonds, and any successor thereto.

“*2013E Tax Certificate*” means the Tax Certificate relating to the Series 2013E Bonds, executed by the Board on the date of issuance of the Series 2013E Bonds; provided, however, that the 2013E Tax Certificate may refer to multiple tax compliance certificates executed in connection with the Series 2013E Bonds.

“*Underwriters*” means, in the determination of the Board, any combination of RBC Capital Markets Corporation, Morgan Stanley & Co. Incorporated and Barclays Capital Inc.

Section 1.02. Construction. This Eighth Supplemental Resolution shall be construed as follows:

(a) The captions herein are for convenience only and in no way define, limit or describe the scope or intent of any provisions hereof.

(b) Any Series 2013E Bond held by the Board shall not be deemed to be Outstanding for the purpose of redemption, for the purpose of consents hereunder or for any other purpose.

Section 1.03. Successors. All of the covenants, stipulations, obligations and agreements by or on behalf of and any other provisions for the benefit of the System or the Board set forth in the Resolution shall bind and inure to the benefit of any successors thereof and shall bind and inure to the benefit of any officer, board, district, commission, authority, agent, enterprise or instrumentality to whom or to which there shall be transferred by or in accordance with law any right, power or duty of the System or the Board or of their respective successors, if any, the possession of which is necessary or appropriate in order to comply with any such covenants, stipulations, obligations, agreements, or other provisions hereof.

Section 1.04. Parties Interested Herein. Except as otherwise expressly provided in the Resolution, nothing expressed or implied in the Resolution is intended or shall be construed to confer upon or to give to any Person, other than the System, the Board, the 2013E Paying Agent, the Bond Insurer, if any, and the owners from time-to-time of the Series 2013E Bonds, any right, remedy or claim under or by reason hereof or any covenant, condition or stipulation hereof. All the covenants, stipulations, promises and agreements set forth herein by and on behalf of the System shall be for the sole and exclusive benefit of the System, the Board, the 2013E Paying Agent, the Bond Insurer, if any, and the owners from time-to-time of the Series 2013E Bonds.

Section 1.05. Ratification. All action heretofore taken (not inconsistent with the provisions of the Resolution) by the officers of the Board, the officers of the System, the Financial Consultant, and otherwise by the Board directed toward the 2013E Improvement Projects and the issuance, sale and delivery of the Series 2013E Bonds for such purposes, be, and the same hereby is, ratified, approved and confirmed, including, without limitation, the sale of the Series 2013E Bonds as provided in the Purchase Contract and the preparation and distribution of the Preliminary Official Statement and final Official Statement in connection therewith.

Section 1.06. Resolution Irrepealable. After any Series 2013E Bonds are issued, the Resolution shall constitute an irrevocable contract between the Board and owners of the Series 2013E Bonds; and the Resolution shall be and remain irrepealable until the Series 2013E Bonds and the interest thereon shall be fully paid, as herein provided.

Section 1.07. Repealer. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or part thereof, heretofore repealed.

Section 1.08. Severability. If any provision of the Resolution shall be held invalid or unenforceable, such holding shall not affect any other provisions hereof.

Section 1.09. Effective Date. This Eighth Supplemental Resolution shall become effective immediately upon its passage.

ARTICLE II

AUTHORIZATION OF 2013E IMPROVEMENT PROJECTS AND CERTAIN RELATED DOCUMENTS

Section 2.01. Authority for Resolution. The Resolution is adopted by virtue of the plenary powers of the Board as a constitutionally established body corporate under Article VIII, Section 5 of the Constitution of the State and under the particular authority of the Auxiliary Facilities Enterprise Act, the Institutional Enterprise Statute, the Research Building Fund Act and the Supplemental Public Securities Act. The Board has ascertained and hereby determines that each matter and thing as to which provision is made herein is necessary in order to carry out and effectuate the purposes of the Board in accordance with such powers and authority.

Section 2.02. Necessity of the 2013E Improvement Projects and Series 2013E Bonds. It is necessary and for the best interests of the Board and the System that the Board undertake the 2013E Improvement Projects as herein authorized and obtain funds therefor by issuing the Series 2013E Bonds; and the Board hereby so determines and declares.

Section 2.03. Authorization of the 2013E Improvement Projects. The Board hereby determines to undertake the 2013E Improvement Projects pursuant to the Auxiliary Facilities Enterprise Act, the Institutional Enterprise Statute, the Research Building Fund Act, the Supplemental Public Securities Act, and applicable provisions of the Code, and further determines that all requirements and limitations of such statutes have been met.

In addition, the Board hereby determines that (a) the limitations and requirements imposed by the Resolution for the issuance of Bonds have been met and (b) the 2013E Improvement Projects are hereby authorized.

Section 2.04. Provision for Sale of Series 2013E Bonds. The Board Representative and the officers of the Board, or any of them, are hereby authorized, for and on behalf of the Board, to accept and execute the Purchase Contract submitted by the Underwriters for the purchase of the Series 2013E Bonds, in substantially the form filed with the Board on the date of adoption of this Eighth Supplemental Resolution, bearing interest at the rates therein designated and otherwise upon the terms and conditions provided in this Eighth Supplemental Resolution, the Pricing Certificate and such Purchase Contract.

Section 2.05. Execution of 2013E Paying Agency Agreement. The appropriate officers of the Board, as designated in the 2013E Paying Agency Agreement, are hereby authorized to complete and execute the 2013E Paying Agency Agreement on behalf of and in the name of the Board, in substantially the form filed with the Board on the date of adoption of this Eighth Supplemental Resolution.

Section 2.06. Approval and Use of Preliminary Official Statement and Official Statement; Rule 15c2-12; Continuing Disclosure Undertaking. The distribution and use of a Preliminary Official Statement relating to the Series 2013E Bonds, in substantially the form filed with the Board on the date of adoption of this Eighth Supplemental Resolution, is hereby approved. The Chair of the Board and/or the Chancellor of the System is each hereby authorized, directed and empowered to determine when such Preliminary Official Statement may be deemed final within the meaning of Securities and Exchange Rule 15c2-12, subject to permitted omissions, and thereupon to give a certificate to such effect. The Chair of the Board and/or the Chancellor of the System is each hereby authorized to execute and deliver the final Official Statement relating to the Series 2013E Bonds and the Underwriters may thereafter distribute the same. The appropriate officers of the Board and the System are hereby authorized to complete and execute the Continuing Disclosure Undertaking on behalf of and in the name of the Board, in substantially the form attached to the Preliminary Official Statement.

Section 2.07. Bond Insurance. In the event that it is determined to obtain a municipal bond insurance policy insuring the payment when due of the principal of and interest on all or a portion of the Series 2013E Bonds, as provided in Section 3.03(b)(ii) hereof and the Pricing Certificate, the completion, execution and delivery of all documents relating to and required or necessary in connection with such municipal bond insurance policy by the appropriate officers of the Board and the System are hereby authorized and approved. To the extent provided therein, the provisions of any agreement between the Board and the Bond Insurer, as contemplated in this Section 2.08, shall be deemed to be incorporated in this Eighth Supplemental Resolution and shall be enforceable as if set forth herein.

Section 2.08. Execution of Documents. The following individuals, namely: the Chair of the Board, the Secretary of the Board, General Counsel to the System, the Chief Financial Officer of the System and the Treasurer of the System (and any other officers authorized by law to act on their behalf in their absence) are hereby authorized to execute and deliver, this Eighth Supplemental Resolution, and, as appropriate in connection with each series of Series 2013E Bonds issued hereunder, the Purchase Contract, the Pricing Certificate, the 2013E Paying Agency Agreement, the Continuing Disclosure Undertaking, the Official Statement, any documents required in connection with any credit enhancement, and any other documents or certificates necessary or appropriate to close the sale of the Series 2013E Bonds and all related transactions and to take any action with respect to any matter required to accomplish the same.

ARTICLE III

AUTHORIZATION AND TERMS OF SERIES 2013E BONDS

Section 3.01. Authorization of Series 2013E Bonds. Pursuant to the provisions of the Master Resolution, there is hereby authorized the borrowing of funds, and to evidence such borrowing there are hereby authorized one or more series Bonds of the Board designated “The Board of Governors of the Colorado State University System, System Enterprise Revenue Bonds, Series 2013E,” or as more particularly designated in the Pricing Certificate, including the year of issuance. If, in accordance with the Article VII titled “FEDERAL TAX LAW MATTERS,” the Board Representative shall determine that any series of Series 2013E Bonds shall constitute a Taxable Obligation, the title of such series shall further include the following:

“Taxable.” The full title of any series of bonds issued hereunder shall be determined by the Board Representative in accordance with the foregoing, and shall be set forth in the Pricing Certificate. If the series of bonds issued hereunder is designated as “The Board of Governors of the Colorado State University System, System Enterprise Revenue Bonds, Series 2014A” in the Pricing Certificate, all corresponding definitions herein referencing the “2013E” designation shall be deemed to be changed to “2014A” and shall apply to the Series 2014A Bonds.

Section 3.02. Purposes. The Series 2013E Bonds are authorized for the purposes of funding the 2013E Improvement Projects, paying a portion of the interest on the Series 2013E Bonds and paying certain costs of issuance relating to the Series 2013E Bonds, all as more specifically provided in Article V hereof.

Section 3.03. Terms of Series 2013E Bonds, Generally.

(a) **Registered Form; Numbers and Date.** The Series 2013E Bonds shall be issued in fully registered form and shall be numbered from one upward in consecutive numerical order preceded by the letter “R.” The registered Owner of all Series 2013E Bonds shall be a Securities Depository in accordance with the Master Resolution. The Series 2013E Bonds shall be dated the Issue Date.

(b) **Principal Amounts; Maturities; Interest Rates.** The Series 2013E Bonds shall mature, subject to the right of prior redemption as provided in Article IV hereof, on the dates and in the aggregate principal amounts, and shall bear interest, payable on each Interest Payment Date, as provided below:

(i) **Generally.** Any Series 2013E Bonds shall, in the aggregate, be issued in a total principal amount not to exceed \$150,000,000, bear interest at a rate or rates resulting in a true interest cost not exceeding 5.50% and mature as term bonds or serial bonds, or both, not later than March 1, 2045.

(ii) **Pricing Delegation.** The Board Representative is authorized, without further approval of the Board, to make any and all determinations listed in Section 11-57-205(1), Colorado Revised Statutes, as amended, provided such determinations are not inconsistent with the standards set forth in this Eighth Supplemental Resolution. In furtherance thereof, the Board Representative is hereby authorized, without further approval of the Board, to determine in conformity with the standards set forth in this Eighth Supplemental Resolution and after the Series 2013E Bonds have been priced in the market: (A) the final designation of one or more series or subseries of the Series 2013E Bonds; (B) the principal amount of each series or subseries of the Series 2013E Bonds; (C) the coupon interest rate or rates on the Series 2013E Bonds; (D) the maturity or maturities of the Series 2013E Bonds (any of which may include Series 2013E Bonds bearing different interest rates) and the amount and date of any mandatory sinking fund redemption; (E) provisions for the optional or extraordinary redemption of any or all of the Series 2013E Bonds prior to maturity; (F) the purchase price of the Series 2013E Bonds; (G) whether the Series 2013E Bonds will constitute Tax Exempt Obligations, Taxable Obligations, and the other

matters set forth in Article VII hereof entitled “FEDERAL TAX LAW MATTERS”; and (H) to the extent the terms thereof shall be determined by the Board Representative to be financially advantageous to the System and the pricing of the Series 2013E Bonds, the selection of a Bond Insurer to provide a Bond Insurance Policy insuring the payment when due of the principal of and interest on all or a portion of the Series 2013E Bonds; all as may be necessary to effect the 2013E Improvement Projects in a manner consistent with this Eighth Supplemental Resolution; provided that the Underwriter’s discount relating to the Series 2013E Bonds shall not exceed 1.00% of the aggregate principal amount thereof, the Series 2013E Bonds shall be subject to redemption at the option of the Board, if at all, at a redemption premium not exceeding 2.00% of the principal amount so redeemed, and, to the extent required to comply with applicable federal tax law, the Series 2013E Bonds shall be subject, in whole or in part, to extraordinary redemption as set forth in the Pricing Certificate. The determinations described herein shall be evidenced by a Pricing Certificate filed with the Board, and except as otherwise expressly provided herein or in the Master Resolution, the terms of the Series 2013E Bonds shall be as set forth in the Pricing Certificate.

(c) ***Authorized Denominations.*** The Series 2013E Bonds shall be issued in Authorized Denominations.

(d) ***Computation of Interest.*** Each Series 2013E Bond shall bear interest at the applicable rate in accordance with Section 3.03(b) hereof, (i) from the date of authentication, if authenticated on an Interest Payment Date to which interest has been paid or duly provided for; or (ii) from the last preceding Interest Payment Date to which interest has been paid or duly provided for (or the Issue Date if no interest thereon has been paid or duly provided for) in all other cases. The amount of interest so payable on Series 2013E Bonds on any Interest Payment Date shall be computed on the basis of a 360-day year of twelve 30-day months.

(e) ***Appointment of 2013E Paying Agent and 2013E Registrar.*** Wells Fargo Bank, National Association, is hereby appointed the 2013E Paying Agent and 2013E Registrar.

Section 3.04. Payment of Bond Requirements.

(a) ***Principal and Final Interest.*** The principal or Redemption Price of and the final interest payment on any Series 2013E Bond shall be payable to the owner thereof as shown on the registration books maintained by the 2013E Registrar upon maturity or prior redemption thereof and upon presentation and surrender at the principal office of the 2013E Paying Agent. If any Series 2013E Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest (but without compounding of interest) at the rate borne by it until the principal thereof is paid in full.

(b) **Interest.** The interest due on any Series 2013E Bond on any Interest Payment Date shall be paid to the owner thereof, as shown on the registration books kept by the 2013E Registrar at the close of business on the Regular Record Date. Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the owner of such Series 2013E Bond on the Regular Record Date and shall be payable to the person who is the owner of such Series 2013E Bond at the close of business on a Special Record Date for the payment of any such defaulted interest. Such Special Record Date shall be fixed in accordance with Section 3.10 of the Master Resolution.

(c) **Payment of Interest.** All payments of interest on any Series 2013E Bond shall be paid to the person entitled thereto pursuant to Section 3.04(b) above by check mailed on the Interest Payment Date to his or her address as it appears on the registration books kept by the 2013E Registrar (or, in the case of defaulted interest, the date selected by the 2013E Registrar for the payment of such defaulted interest), or, at the option of any owner of \$1,000,000 or more in principal amount of Series 2013E Bonds, by wire transfer on such date to a bank within the continental United States as directed by such owner.

(d) **State Intercept Program.** The payment of the principal of and interest on the Series 2013E Bonds is also payable as provided under the State Intercept Program. The Board hereby represents that the Series 2013E Bonds qualify for the State Intercept Program because the Series 2013E Bonds satisfy the following provisions of the State Intercept Program:

- (i) the maximum total annual debt service payments of the Series 2013E Bonds and any other bonds to which the State Intercept Program applies issued by the Board are 100% or less of the Board's prior year fee-for-service contract revenue; and
- (ii) the pledged revenues for the Series 2013E Bonds include not less than:
 - (A) the net revenues of auxiliaries;
 - (B) 10% of tuition if the institution is an enterprise, as defined in Section 24-77-102(3), Colorado Revised Statutes, as amended;
 - (C) indirect cost recovery revenues, if any;
 - (D) facility construction fees designated for bond repayment, if any; and
 - (E) student fees and ancillary revenues currently pledged to existing bondholders.

In accordance with the State Intercept Program, whenever the 2013E Paying Agent has not received a payment on Series 2013E Bonds on the business day

immediately prior to the date on which such payment is due, the 2013E Paying Agent is required to notify the State Treasurer and the Board. The State Treasurer is then required to contact the Board to determine whether the Board will make the payment by the date on which it is due. If the Board indicates to the State Treasurer that it will not make the payment on the Series 2013E Bonds by the date on which it is due, or if the State Treasurer cannot contact the Board, the State Treasurer is required to forward to the 2013E Paying Agent, in immediately available funds of the State, the amount necessary to make the payment of the principal of and interest on the Series 2013E Bonds.

If the State Treasurer makes a payment on Series 2013E Bonds under the State Intercept Program, he or she is to recover the amount forwarded by withholding amounts from the Board's payments of the State's fee-for-service contract with the Board or the System, from any other state support for the Board or the System and from any unpledged tuition moneys collected by the Board or the System. The total amount withheld in a month cannot exceed one-twelfth of the annual amount due from the State's fee-for-service contract with the Board or the System for each occasion on which the State Treasurer forwards money to the 2013E Paying Agent. With respect to each payment on the Series 2013E Bonds made by the State Treasurer, the State Treasurer cannot withhold for more than 12 consecutive months for each occasion on which the State Treasurer forwards amounts pursuant to the State Intercept Act. While the withholding of fee-for-service payments is limited to 12 consecutive months, the State Intercept Act does not correspondingly limit the State's contingent obligation to pay the Series 2013E Bonds. The Board has the option of making early repayment of all or any portion of an amount forwarded by the State Treasurer for payment on the Series 2013E Bonds.

The State Treasurer is required to notify the State's Department of Higher Education and General Assembly of amounts withheld and payments made pursuant to the State Intercept Act. Institutions that have a debt service payment forwarded to the paying agent by the State Treasurer shall not request a supplemental general fund appropriation or budget amendment for the amount forwarded in order to replace withheld fee-for-service revenue.

If the State Treasurer is required to make a payment on the higher education bonds of an institution, the State Department of Education is required to initiate an audit of the institution to determine the reason for the nonpayment of the bonds and to assist the institution, if necessary, in developing and implementing measures to ensure that future payments will be made when due.

The State has covenanted that it will not repeal, revoke or rescind the provisions of the State Intercept Act or modify or amend the State Intercept Act so as to limit or impair the rights and remedies granted under the State Intercept Act to purchasers of the bonds payable under the State Intercept Act. The State Intercept Act provides, however, that it will not be deemed or construed to require the State to continue the payment of State assistance to any institution or to limit or prohibit the State from repealing, amending or modifying any law relating to the amount of State assistance to institutions or the manner of payment or the timing thereof. The State Intercept Act further provides

that it will not be deemed or construed to create a debt of the State with respect to any bonds payable under the State Intercept Act within the meaning of any State constitutional provision or to create any liability except to the extent provided in the State Intercept Act.

An institution may adopt a resolution stating that it will not accept on behalf of the institution payment of principal and interest as provided in the State Intercept Act. If an institution adopts such a resolution, it must be adopted prior to issuance or incurrence of the bonds to which it applies. Following adoption of such a resolution, the institution is to provide written notice to the State Treasurer of its refusal to accept payment. An institution may rescind its refusal to accept payment by written notice of such rescission to the State Treasurer.

The Board has not adopted a resolution stating that it will not accept payment from the State Treasurer under the State Intercept Program with respect to the Series 2013E Bonds; consequently, the State Intercept Program applies to the payment of the Series 2013E Bonds, and the State Treasurer is required by statute to make payment of the principal of and interest on the Series 2013E Bonds, if necessary, as described above.

The Board is hereby directed to file with the State Treasurer a copy of this Sixth Supplemental Resolution, a copy of the Official Statement and the name, address and telephone number of the 2013E Paying Agent.

(e) ***Application of Excess Net Revenues.*** In the event that payments of the principal of and interest on the Series 2013E Bonds are made by the State Treasurer pursuant to the provisions of the State Intercept Program, the Board hereby agrees that, to the extent such amounts paid by the State Treasurer have not been recovered by the State Treasurer from the sources set forth in Section 23-5-139(3) of the State Intercept Act, the Board shall, solely from Net Revenues remaining in the Revenue Fund as described in Section 5.14 of the Master Resolution that the Board has determined are available for such purpose, pay to the State Treasurer an amount equal to the principal and interest payments made by the State Treasurer, less any such amounts previously recovered by or paid to the State Treasurer.

Section 3.05. Bond Form. Subject to the provisions of this Eighth Supplemental Resolution, the Series 2013E Bonds shall be in substantially the form set forth in Exhibit A hereto, with such omissions, insertions, endorsements and variations as to any recitals of fact or other provisions as may be required by the circumstances, be required or permitted by the Master Resolution, or be consistent with the Master Resolution.

Section 3.06. State Tax Exemption. Pursuant to Section 23-5-105, Colorado Revised Statutes, as amended, the Series 2013E Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof.

ARTICLE IV

REDEMPTION OF SERIES 2013E BONDS

Section 4.01. Optional Redemption. The Series 2013E Bonds shall be subject to redemption prior to maturity at the option of the Board, if at all, on the dates and at the Redemption Prices as set forth in the Pricing Certificate; provided that the redemption premium shall not exceed 2.00% of the principal amount so redeemed.

Section 4.02. Mandatory Sinking Fund and Make Whole Redemption. The Series 2013E Bonds shall be subject to mandatory sinking fund redemption and make whole redemption, if at all, on the dates and in the principal amounts as set forth in the Pricing Certificate.

Section 4.03. Selection of Series 2013E Bonds for Redemption. If less than all of the Series 2013E Bonds are called for prior redemption hereunder, the Series 2013E Bonds or portions to be redeemed shall be redeemed in such order of maturities as shall be specified by the Board. If less than all Series 2013E Bonds or portions thereof of a single maturity and rate are to be redeemed, they shall be selected by lot in such manner as the Paying Agent may determine. In the case of a Series 2013E Bond of a denomination larger than an Authorized Denomination, such Series 2013E Bond may be redeemed only in principal amounts equal to any integral multiple of the minimum Authorized Denomination. In the event a portion of any Series 2013E Bonds is so redeemed, the 2013E Registrar shall, without charge to the owner of such Series 2013E Bond, authenticate a replacement Series 2013E Bond for the unredeemed portion thereof.

Section 4.04. Redemption Procedures. Except as otherwise provided herein, the Series 2013E Bonds shall be called for prior redemption and shall be paid by the 2013E Paying Agent upon notice as provided in Section 4.05 hereof. The 2013E Registrar shall not be required to transfer or exchange any Series 2013E Bond after notice of the redemption of such Series 2013E Bond has been given (except the unredeemed portion of such Series 2013E Bond, if redeemed in part) or to transfer or exchange any Series 2013E Bond during the period of 15 days next preceding the day such notice is given.

In addition, the 2013E Registrar is hereby authorized to comply with any operational procedures and requirements of the Securities Depository relating to redemption of Series 2013E Bonds and notice thereof. The Board and the 2013E Registrar shall have no responsibility or obligation with respect to the accuracy of the records of the Securities Depository or a nominee therefor or any Participant of such Securities Depository with respect to any ownership interest in the Series 2013E Bonds or the delivery to any Participant, beneficial owner or any other person (except to a registered owner of the Series 2013E Bonds) of any notice with respect to the Series 2013E Bonds, including any notice of redemption.

Section 4.05. Notice of Redemption. The 2013E Registrar shall cause notice of the redemption of the Series 2013E Bonds being redeemed under this Article IV to be given in the form and manner described in Section 3.07 of the Master Resolution not less than 30 days nor more than 60 days prior to the redemption date.

ARTICLE V

ISSUANCE OF SERIES 2013E BONDS AND USE OF SERIES 2013E BOND PROCEEDS

Section 5.01. Series 2013E Bond Preparation, Execution and Delivery. The officers of the Board and the System designated in this Eighth Supplemental Resolution are hereby authorized and directed to prepare and to execute the Series 2013E Bonds, as herein provided. When the Series 2013E Bonds have been duly executed, the Board Representative shall deliver them to the Underwriters upon receipt of the agreed purchase price.

Section 5.02. Disposition of Series 2013E Bond Proceeds. The proceeds of the Series 2013E Bonds, upon the receipt thereof, shall be accounted for in the following manner and priority and are hereby pledged therefor:

(a) **2013E Improvement Projects Fund.** First, from the proceeds of the Series 2013E Bonds, there shall be deposited in a separate account, which account is hereby created, to be known as “The Board of Governors of the Colorado State University System, System Enterprise Revenue Bonds, Series 2013E, Improvement Projects Fund” (the “2013E Improvement Projects Fund”), such amount as the Board Representative shall determine to be necessary and available to defray the costs of the 2013E Improvement Projects, subject to the provisions of the 2013E Tax Certificate. Such account shall be under the control of the Board.

There is hereby created within the 2013E Improvement Projects Fund a separate account under the control of the Board which shall be designated “The Board of Governors of the Colorado State University System, System Enterprise Revenue Bonds, Series 2013E, Capitalized Interest Account” (the “2013 Capitalized Interest Account”). There shall be credited to such 2013 Capitalized Interest Account such amount as the Board Representative shall determine to be necessary and available to pay a portion of the interest on the Series 2013E Bonds through a date specified by the Board Representative in the Pricing Certificate, taking into account any other moneys available to pay interest on the Series 2013E Bonds.

In the event that the Series 2013E Bonds are issued in only one series, then the Board shall not be required to establish additional accounts or subaccounts within the 2013E Improvement Projects Fund; provided, however, that in the event that the Series 2013E Bonds are issued in more than one series, additional separate accounts and, as necessary, subaccounts shall be created within the 2013E Improvements Projects Fund in accordance with the following:

(i) A separate account shall be created within the 2013E Improvement Projects Fund for each separate series of Series 2013E Bonds issued as Tax Exempt Obligations the proceeds of which are to be applied to the 2013E Improvement Projects, into which shall be deposited amounts received from the sale of each such series of the Series 2013E Bonds, and the amount of such deposit shall be as set forth in the Pricing Certificate; and

(ii) In the event that any of the Series 2013E Bonds are issued as Taxable Obligations, and the proceeds from such Series 2013E Bonds are to be applied to the 2013E Improvement Projects, then separate accounts shall be established for each such series of Series 2013E Bonds, and the amount of proceeds from the sale of such Series 2013E Bonds deposited to such account(s) shall be as set forth in the Pricing Certificate.

(b) **2013E Expense Account.** Second, from the proceeds of the Series 2013E Bonds, there shall be deposited to the credit of a separate account, hereby created (the “2013E Expense Account”), which 2013E Expense Account shall be under the control of the Board, all remaining amounts of proceeds of the Series 2013E Bonds. From such 2013E Expense Account, the Board shall be authorized to pay all expenses associated with the issuance of the Series 2013E Bonds. Any moneys remaining in the 2013E Expense Account six months after the date of issuance of the Series 2013E Bonds shall be transferred as directed by the Board Representative.

Section 5.03. Application of 2013E Improvement Projects Fund. Amounts on deposit in the 2013 Capitalized Interest Account within the 2013E Improvement Projects Fund shall be applied to the payment of interest on the Series 2013E Bonds as directed by the Board Representative. Any other moneys credited from time-to-time to the 2013E Improvement Projects Fund shall be used, without requisition, voucher or other direction or further authority than is herein contained, to pay, or to reimburse the Board and the System, including CSU-Pueblo, for the payment of costs of the 2013E Improvement Projects, as the same become due. All amounts derived from the investment of moneys on deposit in the 2013E Improvement Projects Fund shall remain in the 2013E Improvement Projects Fund and shall be applied as described herein, or, at the direction of the Board Representative, shall be applied to pay interest on the Series 2013E Bonds. Upon completion of the 2013E Improvement Projects by the Board and the delivery of a Completion Certificate to the Board in accordance with the Resolution, all money remaining in the 2013E Improvement Projects Fund, except amounts estimated to be needed for costs of the 2013E Improvement Projects not then due and payable as provided in Section 5.04 hereof, may be used for any other lawful capital expenditures of the Board or may be transferred to the Series 2013 Principal Account of the Debt Service Fund and used to pay the principal of, premium, if any, or interest on the Series 2013E Bonds.

Section 5.04. Completion of 2013E Improvement Projects. Upon completion of the 2013E Improvement Projects and the acceptance thereof by the System, the Board Representative shall deliver to the Board a certificate (the “Completion Certificate”) stating that, to the best of the System’s knowledge based upon the representations of the Board Representative and the contractors, architects, engineers, vendors or other consultants, and except for any amounts estimated by the Board Representative to be necessary for payment of any costs of the 2013E Improvement Projects not then due and payable as set forth in such certificate, the 2013E Improvement Projects have been completed and accepted by the System and all costs of the 2013E Improvement Projects have been paid. Notwithstanding the foregoing, such certificate shall not, and shall state that it does not, prejudice any rights against third parties which exist at the date of such certificate or which may subsequently come into being.

Section 5.05. Purchaser Not Responsible. The Underwriters, any associate thereof, and any subsequent owner of any Series 2013E Bond shall in no manner be responsible for the application or disposal by the Board or by any System officer or any other employee or agent of the Board or System of the moneys derived from the sale of the Series 2013E Bonds or of any other moneys herein designated.

ARTICLE VI

ESTABLISHMENT OF CERTAIN ACCOUNTS

Section 6.01. Establishment of Certain Accounts. In accordance with Section 5.01 of the Master Resolution, the Board hereby creates and establishes the following accounts in respect of the Series 2013E Bonds: (a) within the Debt Service Fund, a “Series 2013E Interest Account” and a “Series 2013E Principal Account”; and (b) within the Rebate Fund, a “Series 2013E Rebate Account.” Such accounts shall be maintained and applied as provided in (i) Section 5.06 of the Master Resolution, with respect to the Series 2013E Interest Account and the Series 2013E Principal Account; and (ii) Sections 5.11 through 5.13 of the Master Resolution, with respect to the Series 2013E Rebate Account.

ARTICLE VII

FEDERAL TAX LAW MATTERS

Section 7.01. Determination of Tax Exempt or Taxable Obligations. All or any portion of the Series 2013E Bonds is authorized to be issued as a Tax Exempt Obligation or Taxable Obligation. The Board hereby delegates to the Board Representative the authority to determine what, if any, portion of the Series 2013E Bonds shall constitute a Tax Exempt Obligation, and what, if any, portion of the Series 2013E Bonds shall constitute a Taxable Obligation which determinations shall be set forth in the applicable Pricing Certificate. To the extent that any portion of the Series 2013E Bonds shall constitute Tax Exempt Obligations, for purposes of ensuring that the interest on the Tax Exempt Obligations is and remains excluded from gross income for federal income tax purposes, the Board makes the covenants set forth in Sections 7.02 through 7.04 of this Article VII. In the event that, as determined by the Board Representative and set forth in the Pricing Certificate, no portion of the Series 2013E Bonds constitutes Tax Exempt Obligations, Sections 7.02 through 7.04 of this Article VII shall be of no force or effect.

Section 7.02. Prohibited Actions. The Board will not use or permit the use of any proceeds of the Tax Exempt Obligations or any other funds of the Board from whatever source derived, directly or indirectly, to acquire any securities or obligations and shall not take or permit to be taken any other action or actions, which would cause any Tax Exempt Obligations to be an “arbitrage bond” within the meaning of Section 148 of the Code, or would otherwise cause the interest on any Tax Exempt Obligations to be includible in gross income for federal income tax purposes.

Section 7.03. Affirmative Actions. The Board will at all times do and perform all acts permitted by law that are necessary in order to assure that interest paid by the Board on the Tax

Exempt Obligations shall not be includible in gross income for federal income tax purposes under the Code or any other valid provision of law. In particular, but without limitation, the Board represents, warrants and covenants to comply with the following unless it receives an opinion of Bond Counsel stating that such compliance is not necessary: (a) gross proceeds of the Tax Exempt Obligations will not be used in a manner that will cause the Series 2013E Bonds to be considered “private activity bonds” within the meaning of the Code; (b) the Tax Exempt Obligations are not and will not become directly or indirectly “federally guaranteed”; and (c) the Board will timely file Internal Revenue Form 8038-G which shall contain the information required to be filed pursuant to Section 149(e) of the Code with respect to the Tax Exempt Obligations.

Section 7.04. 2013E Tax Certificate. The Board will comply with the 2013E Tax Certificate delivered to it on the date of issuance of any Series 2013E Bonds constituting Tax Exempt Obligations, including but not limited to the provisions of the 2013E Tax Certificate regarding the application and investment of proceeds of such Series 2013E Bonds, the calculations, the deposits, the disbursements, the investments and the retention of records described in the 2013E Tax Certificate; provided that, in the event the original 2013E Tax Certificate is superseded or amended by a new 2013E Tax Certificate drafted by, and accompanied by an opinion of Bond Counsel stating that the use of the new 2013E Tax Certificate will not cause the interest on such Series 2013E Bonds to become includible in gross income for federal income tax purposes, the Board will thereafter comply with the new 2013E Tax Certificate.

ARTICLE VIII

MISCELLANEOUS

Section 8.01. Applicability of Master Resolution. Except as otherwise provided herein, the provisions of the Master Resolution govern the Series 2013E Bonds and the 2013E Improvement Projects. The rights, undertakings, covenants, agreements, obligations, warranties, and representations of the Board set forth in the Master Resolution shall in respect of the Series 2013E Bonds be deemed the rights, undertakings, covenants, agreements, obligations, warranties and representations of the Board.

Section 8.02. Severability and Invalid Provisions. If any one or more of the covenants or agreements provided in this Eighth Supplemental Resolution on the part of the Board to be performed should be contrary to law, then such covenant or covenants or agreement or agreements shall be deemed severable from the remaining covenants and agreements, and shall in no way affect the validity of the other provisions of this Eighth Supplemental Resolution.

Section 8.03. Table of Contents and Section Headings Not Controlling. The Table of Contents and the headings of the several Articles and Sections of this Eighth Supplemental Resolution have been prepared for convenience of reference only and shall not control, affect the meaning of, or be taken as an interpretation of any provision of this Eighth Supplemental Resolution.

Section 8.04. Effective Date. This Eighth Supplemental Resolution shall take effect immediately.

ADOPTED AND APPROVED as of December 3, 2013.

[SEAL]

BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

By _____
Dorothy H. Horrell
Chair of the Board

ATTEST:

By _____
Scott C. Johnson
Secretary

[Signature page to Eighth Supplemental Resolution]

EXHIBIT A

FORM OF SERIES 2013E BONDS

UNLESS THIS CERTIFICATE IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION (“DTC”), TO THE 2013E PAYING AGENT, THE 2013E REGISTRAR OR ANY AGENT THEREOF FOR REGISTRATION OF TRANSFER, EXCHANGE OR PAYMENT, AND ANY BOND ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE.

**UNITED STATES OF AMERICA
STATE OF COLORADO**

**BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM
SYSTEM ENTERPRISE REVENUE BONDS
SERIES 2013E**

No. R- _____ \$ _____

Interest Rate (Per Annum)	Maturity Date	Dated as of	CUSIP
_____ %	March 1, _____	_____, 2013	196707 _____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

The Board of Governors of the Colorado State University System (the “Board” and the “System,” respectively), being a body corporate under the laws of the State of Colorado, for value received, hereby promises to pay to the registered owner specified above or registered assigns solely from the special funds provided therefor, the principal amount specified above, on the maturity date specified above (unless called for earlier redemption), and to pay from such special funds interest thereon on March 1 and September 1 of each year (each an “Interest Payment Date”), commencing on March 1, 2014 at the interest rate per annum specified above, until the principal sum is paid or payment has been provided. This Series 2013E Bond (as hereinafter defined) will bear interest from the most recent Interest Payment Date to which interest has been paid or provided for, or, if no interest has been paid, from the date of this Series 2013E Bond. The principal of and premium, if any, on this Series 2013E Bond are payable upon presentation and surrender hereof at the principal office of the Board’s paying agent for the

Series 2013E Bonds (the “2013E Paying Agent”), initially Wells Fargo Bank, National Association. The 2013E Paying Agent’s principal office for such payment shall be in Minneapolis, Minnesota. Interest on this Series 2013E Bond will be paid on each Interest Payment Date (or, if such Interest Payment Date is not a business day, on the next succeeding business day), by check or draft mailed to the person in whose name this Series 2013E Bond is registered (the “registered owner”) in the registration records of the Board maintained by the Board’s registrar for the Series 2013E Bonds (the “2013E Registrar”), initially Wells Fargo Bank, National Association, and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the “Regular Record Date”). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof at the close of business on the Regular Record Date and shall be payable to the person who is the registered owner thereof at the close of business on a Special Record Date (as described in the resolution of the Board authorizing the issuance of this Series 2013E Bond; herein the “Resolution”), for the payment of any defaulted interest. Such Special Record Date shall be fixed by the 2013E Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the bonds of the series of which this is one not less than 10 days prior thereto. Alternative means of payment of interest may be used if mutually agreed to between the owner of any Series 2013E Bond and the 2013E Paying Agent, as provided in the Resolution. All such payments shall be made in lawful money of the United States of America without deduction for the services of the 2013E Registrar or 2013E Paying Agent.

This bond is one of an authorized series of bonds issued under the Resolution designated the Board of Governors of the Colorado State University System, System Enterprise Revenue Bonds, Series 2013E in the aggregate principal amount of \$[_____] (the “Series 2013E Bonds”).

The Series 2013E Bonds qualify for the Higher Education Revenue Bond Intercept Program (“State Intercept Program”), enacted by the State on June 4, 2008, established pursuant to S.B. 08-245, Section 23-5-139, Colorado Revised Statutes, as amended, and provides for the payment by the State Treasurer of principal of and interest due with respect to revenue bonds issued by state supported institutions of higher education if such an institution will not make the payment by the date on which it is due.

It is hereby certified that all acts, conditions and things required to be done precedent to and in the issuance of this Series 2013E Bond and the series of which it is a part have been properly done, have happened, and have been performed in regular and due time, form and manner as required by the Constitution and laws of the State of Colorado and the proceedings herein mentioned, and that this series of bonds does not exceed any constitutional or statutory limitation.

This Series 2013E Bond shall not be valid or obligatory for any purpose until the 2013E Registrar shall have manually signed the certificate of authentication hereon.

The Series 2013E Bonds are issuable solely as fully registered bonds in denominations of \$5,000 and any integral multiple thereof and are exchangeable for fully registered Series 2013E Bonds of the same maturity in equal aggregate principal amounts and in authorized

denominations at the aforesaid office of the 2013E Registrar but only in the manner, subject to the limitations, and on payment of the charges provided in the Resolution.

The 2013E Registrar will not be required to transfer or exchange (a) any Series 2013E Bond subject to redemption during a period beginning at the opening of business 15 days before the day of the mailing by the 2013E Registrar of a notice of prior redemption of Series 2013E Bonds and ending at the close of business on the day of such mailing, or (b) any Series 2013E Bond after the mailing of notice calling such Series 2013E Bond or any portion thereof for prior redemption.

The Series 2013E Bonds or portions thereof maturing on and after March 1, 20___, are subject to redemption prior to their respective maturities, at the option of the Board, on or after March 1, 20___, in whole or in part at any time, in such order of maturities as the Board shall determine and by lot within a maturity, in integral multiples of \$5,000 (giving proportionate weight to Series 2013E Bonds in denominations larger than \$5,000), in such manner as the 2013E Paying Agent may determine, at a redemption price equal to ___% of the principal amount of each Series 2013E Bond or portion thereof so redeemed plus accrued interest thereon to the redemption date.

The Series 2013E Bonds are subject to mandatory sinking fund redemption as provided in the Pricing Certificate.

In the case of a Series 2013E Bond of a denomination larger than \$5,000, a portion of such Series 2013E Bond (\$5,000 or any integral multiple thereof) may be redeemed, in which case the 2013E Registrar shall, without charge to the owner of such Series 2013E Bond, authenticate and issue a replacement Series 2013E Bond or Bonds for the unredeemed portion thereof. Redemption shall be made upon not less than 30 days' prior mailed notice to each registered owner as shown on the registration records maintained by the 2013E Registrar, as provided in the Resolution.

This Series 2013E Bond is fully transferable by the registered owner hereof in person or by his duly authorized attorney on the registration records maintained by the 2013E Registrar upon surrender of this Series 2013E Bond together with a duly executed written instrument of transfer satisfactory to the 2013E Registrar. Upon such transfer a new fully registered Series 2013E Bond or Series 2013E Bonds of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this Series 2013E Bond, subject to such terms and conditions as set forth in the Resolution. The Board, 2013E Registrar and 2013E Paying Agent may deem and treat the person in whose name this Series 2013E Bond is registered as the absolute owner hereof for the purpose of making payment (except to the extent otherwise provided hereinabove and in the Resolution with respect to Regular and Special Record Dates for the payment of interest) and for all other purposes and the Board and 2013E Paying Agent and 2013E Registrar shall be not affected by notice to the contrary.

The Series 2013E Bonds are issued by the Board for the purpose of defraying the cost of certain improvement projects to be located at Colorado State University-Pueblo, as authorized by and pursuant to Article 5, Title 23, Colorado Revised Statutes, as amended, Sections 23-31-128

through 23-31-134, Colorado Revised Statutes, as amended, Article 54, Title 11, Colorado Revised Statutes, as amended, and Part 2, Article 57, Title 11, Colorado Revised Statutes, as amended.

This Series 2013E Bond does not constitute a debt or an indebtedness of the State, the Board or the System within the meaning of any constitutional or statutory provision or limitation, shall not be considered or held to be a liability or general obligation of the State, the Board or the System, and is payable and collectible as an obligation of the Board solely out of the net revenues (including Student Fees) (the “Net Revenues”) to be derived from the operation of certain revenue-producing Facilities and Research Facilities, as well as certain Tuition Revenues, as such Net Revenues, Student Fees, Facilities, Research Facilities and Tuition Revenues are defined in the Resolution. The owner hereof may not look to any general or other fund of the State or the System for the payment of the principal of, premium, if any, and interest on this obligation, except the special funds pledged therefor.

Payment of the Series 2013E Bonds and the interest thereon shall be made from, and as security for such payment there is pledged pursuant to the Resolution, a special fund identified as the “System Enterprise Debt Service Fund” (the “Debt Service Fund”), into which fund the Board covenants to pay from the Net Revenues moneys sufficient to pay when due the principal of, premium, if any, and interest on the Series 2013E Bonds. The Series 2013E Bonds constitute an irrevocable lien on the Net Revenues and are being issued on parity with the Board’s: Tax Exempt System Enterprise Revenue Bonds, Series 2007A; Tax Exempt System Enterprise Refunding Revenue Bonds, Series 2007B; Taxable System Enterprise Revenue Bonds, Series 2007C; System Enterprise Revenue Bonds, Series 2008A; System Enterprise Revenue Bonds, Series 2009A; System Enterprise Revenue Bonds, Series 2010A; Taxable System Enterprise Revenue Bonds (Build America Bonds – Direct Payment to the Board), Series 2010B; Taxable System Enterprise Revenue Bonds (Recovery Zone Economic Development Bonds – Direct Payment to the Board), Series 2010C; System Enterprise Bonds, Series 2012A; System Enterprise Revenue Refunding Bonds, Series 2012B and Taxable System Enterprise Revenue Refunding Bonds, Series 2012C; System Enterprise Revenue and Revenue Refunding Bonds, Series 2013A and System Enterprise Revenue and Revenue Refunding Bonds, Series 2013B System Enterprise Revenue Bonds, Series 2013C and Taxable System Enterprise Revenue Bonds, Series 2013D. Outstanding Obligations in addition to the Series 2013E Bonds, subject to expressed conditions, may be issued and made payable from the Net Revenues and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien thereon of the Series 2013E Bonds, as provided in the Resolution.

Reference is made to the Resolution and any and all modifications and amendments thereof and to the designated statutes for the provisions, among others, with respect to the custody and application of the proceeds of the Series 2013E Bonds, for a description of the nature and extent of the security for the Series 2013E Bonds, the funds or revenues pledged, the nature and extent and manner of enforcement of the pledge, the rights and remedies of the owners of the Series 2013E Bonds with respect thereto, the terms and conditions upon which the Series 2013E Bonds are issued, and a statement of rights, duties, immunities and obligations of the Board and the rights of the owners of the Series 2013E Bonds.

To the extent and in the respects permitted by the Resolution, the provisions of the Resolution or any resolution amendatory thereof or supplemental thereto may be modified or amended by action on behalf of the Board taken in the manner and subject to the conditions and exceptions prescribed in the Resolution. The pledge of the Net Revenues and other duties of the Board under the Resolution may be discharged at or prior to the maturity or redemption of the Series 2013E Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Resolution.

The Board covenants and agrees with the owner of this Series 2013E Bond and with each and every person who may become the owner hereof that it will keep and perform all of the covenants of the Resolution.

When all principal of, premium, if any, and interest on the Series 2013E Bonds, or any portion thereof, have been duly paid, the pledge and lien of all obligations hereunder shall thereby be discharged as to such issue or part of such issue and such issue or part of such issue shall no longer be deemed to be Outstanding within the meaning hereof. There shall be deemed to be such due payment if the Board has placed in escrow or in trust with a trust bank exercising trust powers, an amount sufficient (including the known minimum yield available for such purpose from federal securities in which such amount wholly or in part may be initially invested) to meet all requirements of principal of, premium, if any, and interest on the securities issue, as such requirements become due to their final maturities or upon any designated redemption dates. The federal securities shall become due prior to the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the Board and such trust bank at the time of the creation of the escrow or trust, or the federal securities shall be subject to redemption at the option of the holders thereof to assure such availability as so needed to meet such schedule.

No recourse shall be had for the payment of the principal of, premium if any, and interest on this Series 2013E Bond or for any claim based thereon or otherwise in respect to the Resolution against any individual member of the Board, past, present or future, either directly or through the Board or the System, or through any successor body corporate of either, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of this Series 2013E Bond and as a part of the consideration of its issuance specially waived and released. The obligation of the Board, as a body corporate, to the owner hereof is limited to applying funds for the payment hereof, as set forth above and as more fully delineated in the Resolution, and to otherwise complying with the contractual provisions therein.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to the Board or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

This Series 2013E Bond is issued pursuant to the Supplemental Public Securities Act, Colorado Revised Statutes, Sections 11-57-201 et seq., as amended, and, pursuant to Section 11-57-210, C.R.S., this recital shall be conclusive evidence of the validity and the regularity of the issuance of this Bond after its delivery for value.

IN TESTIMONY WHEREOF, the Board of Governors of the Colorado State University System has caused this Series 2013E Bond to be executed in the name and on the behalf of the Board with the manual or facsimile signature of its Chair, and to be attested and signed with the manual or facsimile signature of the Secretary of the Board; and has caused the facsimile of the seal of the System to be affixed hereon, all as of _____, 2013.

[FACSIMILE SEAL]

BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

By _____ (Manual or Facsimile Signature)
Chair of the Board

ATTEST:

By _____ (Manual or Facsimile Signature)
Secretary of the Board

[FORM OF CERTIFICATE OF AUTHENTICATION FOR SERIES 2013E BONDS]

CERTIFICATE OF AUTHENTICATION

Date of authentication and registration: _____

This is one of the Series 2013E Bonds described in the within-mentioned Resolution, and this Series 2013E Bond has been duly registered on the registration records kept by the undersigned as 2013E Registrar for such Series 2013E Bonds.

WELLS FARGO BANK, NATIONAL
ASSOCIATION, as Registrar

By _____ (Manual Signature)
Authorized Officer or Employee

[END OF FORM OF CERTIFICATE OF AUTHENTICATION FOR SERIES 2013E BONDS]

[FORM OF ASSIGNMENT OF SERIES 2013E BONDS]

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Series 2013E Bond and hereby irrevocably constitutes and appoints _____ attorney, to transfer the same on the records kept for registration of the within Series 2013E Bond, with full power of substitution in the premises.

Dated: _____

NOTE: The signature to this Assignment must correspond with the name as written on the face of this Series 2013E Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

Name and address of transferee:

Social Security or other
tax identification number of transferee:

TRANSFER FEE MAY BE REQUIRED

[END OF FORM OF ASSIGNMENT OF SERIES 2013E BONDS]

Agenda Item 8

Reserve Report

			6/30/2013	Compensated	6/30/2013	Commitments &	Year-End Budget Decisions		Current	06/30/2012	
			Unrestricted Net Assets	Absences	Unrestricted Net Assets	Restrictions	Central	Colleges/Units	Unrestricted/ Uncommitted Net Assets	Unrestricted/ Uncommitted Net Assets	
			w/Comp Abs		w/o Comp Abs						
Education & General Funds											
Fund											
PRESEN	01	PRESENTATION FUND	A1	900.42	-	A1	900.42	(900)			
EG	13	EDUCATION & GENERAL	A1	(3) 51,583,242.59	A1	27,696,595.79	E2 (4) 79,279,838.38	(19,281,928)	(3,895,875)	(13,492,160)	
EG	13	Less: EDUCATION & GENERAL PLEDGED NET ASSETS	A1	(3) (5,178,315.16)	A1	(2,749,668.68)	E2 (4) (7,927,983.84)				
Subtotal						71,351,854.54				34,681,892	33,671,740
PVM	14	PROFESSIONAL VETERINARY MEDICINE	A1	(2,804,434.37)	A1	3,162,188.35	A1			(357,754)	-
EXPSTA	15	EXPERIMENT STATION	A1	(904,845.23)	A1	941,423.89	A1			(36,579)	-
EXPRHF	35	EXPERIMENT STATION RESTR HATCH FORM.	A1	(471.00)	-	-	A1			471	-
RARSP	16	RESEARCH ADMIN RESOURCES SCHOLARLY PROGR	A1	3,710,954.13	-	-	A1			(3,710,954)	0
EXTEN	17	EXTENSION SERVICE	A1	(1,024,641.72)	A1	1,035,264.43	A1			(10,623)	-
CSFS	19	COLORADO STATE FOREST SERVICE	A1	(266,098.95)	A1	282,937.18	A1			(16,838)	-
COURSE	25	STUDENT STATE FEES	A1	557,950.40	-	-	A1	(557,950)			-
WORKST	40	WORKSTUDY	A1	136,065.39	-	-	A1	(136,065)			-
ARRA	53	AMERICAN RECOVERY & REINVESTMENT ACT	A1	52,794.54	-	-	A1	(52,795)			-
SPONPR	53	SPONSORED PROGRAMS	A1	(2,149,540.07)	-	-	A1	2,149,540			-
GOVTRF	33	INTERGOVERNMENTAL TRANSFERS	A1	-	-	-	A1	-			-
Total Unrestricted Education & General - CSU-FC				43,713,560.97	30,368,740.96	74,082,301.93	(17,880,098)	(3,895,875)	(17,624,436)	34,681,893	33,671,740
Self Funded/Auxiliaries Funds											
Fund											
CONTED	12	CONTINUING EDUCATION	A1	5,626,677.49	A1	294,552.84	A1			5,921,230	8,282,108
RECHAR	21	RECHARGE CENTERS	A1	6,272,270.71	A1	3,546,769.81	A1	(9,819,041)			-
GENOP	22	GENERAL OPERATIONS	A1	6,072,262.22	A1	197,607.76	A1			6,269,870	7,780,009
STUORG	23	STUDENT ORGANIZATIONS	A1	1,324,102.18	A1	152,780.29	A1				-
POOLED	24	POOLED ACCOUNTS	A1	(2,164,600.65)	-	-	A1	(2,164,600.65)		2,164,601	-
INSURE	28	INSURANCE TRUST FUND	A1	28,398,191.03	A1	62,697.92	A1	(28,460,889.9)			-
ENTERP	29	ENTERPRISE FUND	A1	1,821,862.73	A1	16,395.45	A1			1,838,258	1,025,741
DCESUP	32	CONTINUING EDUCATION SUPPORT	A1	10,950,011.03	A1	918,087.07	A1	(11,868,098)			-
EXPSF	35	EXPERIMENT STATION-SELF FUNDED	A1	2,233,430.68	A1	41,521.43	A1			2,274,952	1,974,374
EXTSF	37	EXTENSION SVC-SELF FUNDED	A1	1,337,290.57	A1	34,544.90	A1			1,371,835	913,882
CSFSSF	39	FOREST SVC-SELF FUNDED	A1	509,720.31	A1	13,787.51	A1			523,508	621,130
INTLPR	63	INTERNATIONAL PROGRAMS	A1	494,126.62	A1	1,453.08	A1			495,580	345,197
SPWIP	88	SPONSORED WORK ORDERS	A1	0.01	-	-	A1			0	-
WIP	89	WORK ORDERS	A1	-	-	-	A1			-	-
Self Funded - Subtotal				62,875,344.93	5,280,198.06	68,155,542.99	(49,460,309)	-	-	18,695,234	20,942,441
CONFER	62	CONFERENCES	A1	-	-	-	A1			-	-
AUX	62	AUXILIARIES - GENERAL	E4a	(1) 5,556,116.35	F (5) 462,178.74	(2) 6,018,295.09				6,018,295	5,716,520
	62	AUXILIARIES - STUDENT HOUSING	E4a	(1) 12,570,589.75	F (5) 1,587,259.94	(2) 14,157,849.69				14,157,850	12,230,482
	62	AUXILIARIES - STUDENT CENTER	E4a	(1) 4,788,854.79	F (5) 403,596.85	(2) 5,192,451.64				5,192,452	6,218,866
	62	AUXILIARIES - STUDENT HEALTH CENTER	E4a	(1) 1,492,633.46	F (5) 574,927.21	(2) 2,067,560.67				2,067,561	1,698,967
	62	AUXILIARIES - STUDENT REC CENTER	E4a	(1) 5,758,077.42	F (5) 144,259.96	(2) 5,902,337.38				5,902,337	5,077,808
	62	Less: AUXILIARIES PLEDGED NET ASSETS	E4a	(1) (24,420,152.24)	A1 (2,710,043.96)	(2) E4a (27,130,196.20)				(27,130,196)	(23,436,206)
	62	Less: FACILITY CONST FEE PLEDGED NET ASSETS	E4a	(1) (2,146,960.95)	-	(2) E4a (2,146,960.95)				(2,146,961)	(3,149,018)
Auxiliaries - Subtotal				3,599,158.58	462,178.74	4,061,337.32	-	-	-	4,061,337	4,357,419
Self-Funded/Auxiliaries - Subtotal				66,474,503.51	5,742,376.80	72,216,880.31	(49,460,309)	-	-	22,756,571	25,299,859
Unrestricted Plant											
Fund											
AEP	18	ACADEMIC ENRICHMENT PROGRAM	A1	5,705,096.13	-	A1	5,705,096.13			5,705,096	2,913,066
RESERV	75	RESERVE FUND	A1	17,067,610.76	-	A1	17,067,610.76	(11,032,698)		6,034,912	2,744,508
7X		CAPITAL PROJECTS - TOTAL	A1	19,937,002.02	-	A1	19,937,002.02	(19,937,002)		-	-
Total Unrestricted Plant - CSU-FC				42,709,708.91	-	42,709,708.91	(30,969,700)	-	-	11,740,009	5,657,574
Total Unrestricted Net Assets - CSU-FC				\$152,897,773.39	A1 36,111,117.76	A1 189,008,891.15	(98,310,108)	(3,895,875)	(17,624,436)	69,178,472	64,629,173
GASB	31		A1	743,391.00	-	A1	743,391.00			743,391.00	7,019,270.00
				\$153,641,164.39		\$189,752,282.15				\$69,921,862.92	\$71,648,443.00
Total Auxiliaries $\Sigma(1)=$ A1				3,599,158.58	$\Sigma(5)=$ A1	3,172,222.70	$\Sigma(2)=$ A1			4,061,337.32	
Total Education and General $\Sigma(3)=$ A1				46,404,927.43		71,351,854.54	$\Sigma(4)=$ A1				

Colorado State University - Pueblo
Unrestricted Net Assets
Excluding Compensated Absences
as of June 30, 2013 UNAUDITED

	June 30, 2013 Unrestricted Net Assets with Compensated Absences	June 30, 2013 Compensated Absences	June 30, 2013 Unrestricted Net Assets without Compensated Absences	Commitments & Encumbrances	Current Unrestricted Net Assets @ 06/30/2013
Education & General Funds					
Unrestricted Operating Funds 010000-015000, 020000	\$ (2,135,861)	\$ 1,110,707	\$ (1,025,154)	\$ 711,025	\$ (1,736,179)
Student Technology Fees 016000	\$ (294,508)		\$ (294,508)	\$ (294,508)	\$ -
Education & General Subtotal	\$ (2,430,369)	\$ 1,110,707	\$ (1,319,662)	\$ 416,517	\$ (1,736,179)
Self-Funded/Auxiliary Funds					
Unrestricted Operating Funds, Mandatory Student Fees	\$ 2,648,503	\$ 40,441	\$ 2,688,944	\$ 1,959,578	\$ 729,366
Unrestricted Operating Funds - Self-Funded, Auxiliary	\$ 4,861,194	\$ 60,087	\$ 4,921,281	-	\$ 4,921,281
Unrestricted Operating Funds - Self-Funded, Continuing Education 160000-161000	\$ 1,118,145	\$ 43,623	\$ 1,161,768		\$ 1,161,768
Self-Funded/Auxiliary Subtotal	\$ 8,627,842	\$ 144,151	\$ 8,771,993	\$ 1,959,578	\$ 6,812,415
Internally Restricted Funds					
Quasi-Endowment Funds					
Walking Stick 375000	\$ 5,290,597		\$ 5,290,597		\$ 5,290,597
KTSC 376000	\$ 2,566,076		\$ 2,566,076		\$ 2,566,076
Internally Restricted Subtotal	\$ 7,856,673	\$ -	\$ 7,856,673	\$ -	\$ 7,856,673
Unrestricted Plant Funds					
Capital & Renewal/Replacement Funds 529000	\$ 375,208		\$ 375,208		\$ 375,208
Unrestricted Plant Subtotal	\$ 375,208	\$ -	\$ 375,208	\$ -	\$ 375,208
Institutional Funds					
Internal Service Center Accounts	\$ 936,070	\$ 25,555	\$ 961,625	\$ 961,625	\$ (0)
Federal, State, Private, & Scholarship Accounts	\$ (19,861)	\$ -	\$ (19,861)	\$ (19,861)	\$ 0
Sales & Service Accounts	\$ (162,664)	\$ 663	\$ (162,001)	\$ (162,001)	\$ 0
Other Auxiliary Accounts	\$ 1,544,599	\$ 3,612	\$ 1,548,211	\$ 1,548,211	\$ 0
Capital Construction Project Accounts	\$ (4,343,748)	\$ -	\$ (4,343,748)	\$ (4,343,748)	\$ -
Foundation Accounts	\$ (253,916)	\$ 81,024	\$ (172,892)	\$ (172,892)	\$ (0)
Bank Clearing Accounts	\$ 3,111	\$ -	\$ 3,111	\$ 3,111	\$ 0
FY13 Adjustment to Financial Statements	\$ 3,942	\$ -	\$ 3,942	\$ 3,942	\$ -
Unrestricted Institutional Subtotal	\$ (2,292,467)	\$ 110,854	\$ (2,181,613)	\$ (2,181,613)	\$ 0
Total Unrestricted Net Assets before adjustments	\$ 12,136,887	\$ 1,365,712	\$ 13,502,599	\$ 194,482	\$ 13,308,117
GASB 31 Adjustment for Unrealized Gain on Investments	\$ 23,104		\$ 23,104		\$ 23,104
TOTAL UNRESTRICTED NET ASSETS	\$ 12,113,783	\$ 1,365,712	\$ 13,479,495	\$ 194,482	\$ 13,285,013

Colorado State University System Office
 FY 2013 Reserve Balance as of June 30, 2013

Reserve Calculation	FY 2012 Unrestricted Net Income	Compensated Absence Liability	FY 2012 Unrestricted Net Income w/o Comp Abs	FY 2011 & FY 2012 Commitments & Restrictions	Current Unrestricted Uncommitted Net Assets
Operating Reserves	\$1,451,735.00	\$221,645.00	\$1,230,090.00	\$1,226,000.00	\$4,090.00
South Metro Project				500,000	
Longevity issues -403b				80,000	
Special Counsel for OGC				200,000	
CSU System Marketing				300,000	
Audit Dept. computer system				56,000	
Public relations support				<u>\$90,000</u>	
				\$1,226,000	

Agenda Item 9

Municipal Leasing Report

Stretch Goal: N/A Strategic Initiative: N/A

MATTERS FOR ACTION:

EQUIPMENT LEASING-COLORADO STATE UNIVERSITY SYSTEM/COLORADO STATE UNIVERSITY RESEARCH FOUNDATION LINE OF CREDIT PROGRAM
Approval of resolution for Colorado State University Research Foundation to Undertake Certain Borrowing and Equipment Lease/Purchase Transactions on Behalf of the Board of Governors of the Colorado State University System to Acquire Equipment at Colorado State University, Colorado State University – Pueblo and Colorado State University – Global Campus.

RECOMMENDED ACTION:

Approval of the attached resolution.

EXPLANATION:

Submitted by: Dr. Anthony A. Frank, President

For several years Colorado State University Research Foundation (CSURF) has held a Line of Credit (with a tax-exempt interest rate) with First National Bank of Fort Collins, for the purpose of providing a lease/purchase mechanism for the Board of Governor's to acquire much needed equipment for use in departments/programs at Colorado State University, Colorado State University – Pueblo and CSU-Global Campus. CSURF acquires the equipment (valued at \$50,000 or less) (specified by a particular department or program) and leases it to the Board of Governors on an annual appropriation basis for a term of not more than five (5) 1-year periods. The Board of Governors makes lease payments to CSURF which CSURF then uses to repay First National Bank. When the lease is retired, and the equipment amount has been fully paid, CSURF conveys title on the equipment to the Board of Governors. The Board of Governors has been provided a quarterly activity report on the CSURF leases since the program's inception. Such reporting will continue in the future.

Approval to continue the lease/purchase arrangements through the line of credit must be obtained from the Board of Governors yearly. The total amount of the line of credit permitted to be outstanding at any time is \$1,000,000. Amounts previously drawn under the Line and currently outstanding total approximately \$357,560. Therefore, moneys available under the Line for calendar year 2014 are approximately \$642,440. CSURF will consult with the respective representatives of each Institution to discuss needs and allocations of available amounts.

The total amount financed through the Leasing Program in thousands of dollars by year is as follows:

<u>YEAR</u>	<u>TOTAL AMOUNT</u>
1976-77	\$ 188
1977-78	198
1978-79	321
1979-80	75
1980-81	144
1981-82	342
1982-83	193
1983-84	161
1984-85	400
1985-86	200
1986-87	149
1987-88	38
1988-89	242
1989-90	300
1991	210
1992	566
1993	16
1994	584
1995	321
1996	215
1997	112
1998	97
1999	17
2000	0
2001	71
2002	196
2003	95
2004	171
2005	260
2006	87
2007	119
2008	50
2009	67
2010	125
2011	108
2012	121
2013	242

Mr. Dave Scott of Hogan & Hartson will be providing the tax exempt opinion on the 2014 Line of Credit. In order to comply with the applicable federal tax requirements for an "on behalf of" financing in support of the tax exempt opinion, the attached resolution must be approved by the Board of Governors. The attached resolution and accompanying documents referenced in the resolution have been reviewed by the Board of Governors General Counsel.

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The Board of Governors of the Colorado State University System (the "Board") of the State of Colorado met in regular open session, pursuant to due notice and call, at _____ in Denver, Colorado, on December 2-3, 2013.

The following members of the Board were present constituting a quorum:

Chair:	Dorothy Horrell
Voting Members:	Dennis E. Flores Mark A. Gustafson Ed J. Haselden Scott C. Johnson Mary Lou Makepeace William E. Mosher Demetri E. "Rico" Munn Joseph C. Zimlich
Non-Voting Members:	Alexandra Bernasek Ann L. Classon Nigel Daniels Vanessa Emerson Jerry Purvis Frank Zizza

Absent:

Also present:

Secretary: Scott C. Johnson

Thereupon the following proceedings, among others, were had and taken.

Member _____ introduced and moved the adoption of the following resolution:

A RESOLUTION, FOR PURPOSES OF COMPLYING WITH REVENUE RULING 63-20, APPROVING THE PURPOSES AND ACTIVITIES OF THE COLORADO STATE UNIVERSITY RESEARCH FOUNDATION AND APPROVING CERTAIN BORROWING TRANSACTIONS BY SAID FOUNDATION ON BEHALF OF THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM FOR THE PURPOSE OF ACQUIRING EQUIPMENT TO BE USED BY AND FOR COLORADO STATE UNIVERSITY, COLORADO STATE UNIVERSITY - PUEBLO AND COLORADO STATE UNIVERSITY – GLOBAL CAMPUS (THE "INSTITUTIONS"); AUTHORIZING CERTAIN REPRESENTATIVES OF THE INSTITUTIONS TO EXECUTE AND DELIVER LEASE AGREEMENTS RELATING TO SUCH EQUIPMENT; AND AUTHORIZING, APPROVING AND PROVIDING FOR OTHER DETAILS RELATING TO THE FOREGOING.

WHEREAS, the Board of Governors of the Colorado State University System (the "Board") of the State of Colorado (the "State") is the body corporate under the Constitution and laws of the State, and pursuant to said Constitution and Article 30 of Title 23, Colorado Revised Statutes, as amended, the Board has the power to take, hold and sell personal property and to contract and be contracted with and cause to be done all things necessary to carry out the provisions of such statutes; and

WHEREAS, the Board has general control and supervision of Colorado State University ("CSU"), in Fort Collins, Colorado, Colorado State University – Pueblo ("CSU-Pueblo") in Pueblo, Colorado and Colorado State University – Global Campus ("CSU-Global") in Greenwood Village, Colorado (together, CSU, CSU-Pueblo and CSU-Global are herein referred to as the "Institutions"); and

WHEREAS, the Colorado State University Research Foundation (the "Foundation") is a non-profit corporation organized for charitable, educational and scientific purposes, including among other purposes, entering into agreements relating to the physical plants of the Institutions and for that purpose lending its credit and evidencing the same by such obligations or forms of indebtedness as may be approved by the Foundation's Board of Trustees (the "Trustees"); and

WHEREAS, the Trustees have authorized, or, prior to the making of any draw thereunder, will authorize, the Foundation to enter into a line of credit agreement with First National Bank of Fort Collins, N.A., Fort Collins, Colorado (the "Bank") to obtain a line of credit (the "Line of Credit") in order for the Foundation to finance the acquisition of equipment to be used by and for the Institutions; and

WHEREAS, there have been filed with the Secretary of the Board:

- (i) The articles of incorporation and bylaws of the Foundation;

(ii) Proposed forms of "Business Loan Agreement: Line of Credit" and "Revolving Loan Committal Agreement" (collectively, the "Line of Credit Agreements") between the Foundation and the Bank;

(iii) A proposed form of security agreement (the "Security Agreement") between the Foundation and the Bank;

(iv) A proposed form of Promissory Note (together with any extension or renewals thereof, the "Note") from the Foundation to the Bank; and

(v) A proposed form of lease agreement ("Lease Agreement") between the Board as lessee and the Foundation as lessor.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM OF THE STATE OF COLORADO:

Section 1. The Board hereby approves the purposes and activities of the Foundation.

Section 2. For purposes of satisfying the requirements of Revenue Ruling 63-20, 1963-1 C.B. 24, the Board hereby approves the Line of Credit Agreements, the Security Agreement and the Note, in substantially the forms filed with the Secretary, and the Board hereby approves the execution and delivery by the Foundation of the Line of Credit Agreements, the Security Agreement and the Note and the issuance by the Foundation, on behalf of the Board, of the Note (provided, however, that the Board shall have no obligation to make any payment on the Note, which shall be solely the obligation of the Foundation, and the Board shall be obligated only to the extent provided under Lease Agreements entered into by the Board as provided in Section 3 hereof). The Foundation may make draws on the Line of Credit and thereby incur obligations to make payments on the Note from time to time, within one calendar year following the adoption of this resolution by the Board, but only for purposes of acquiring tangible personal property consisting of scientific, administrative support and research equipment to be used by and for the Institutions (the "Equipment"), and only with the written approval of the President or authorized delegate of CSU for Lease Agreements relating to CSU, the President or authorized delegate of CSU-Pueblo for Lease Agreements relating to CSU-Pueblo and the President or authorized delegate of CSU-Global Campus for Lease Agreements relating to CSU-Global Campus (together, referred to herein as the "Representatives" or, individually, a "Representative"), which written approval may be made by the execution of the corresponding Lease Agreement or in such other manner as the respective Representative may deem appropriate. Subject to the foregoing provision, the Note is hereby approved in a total principal amount not to exceed \$1,000,000 outstanding at any time (the unused loan commitment being increased by repayments on the Note as provided therein), bearing interest at a rate determined in accordance with the provisions of the Note and the Line of Credit Agreements but in no event to exceed eighteen percent (18%) per annum, and maturing on the calendar anniversary of the date on which it is executed and delivered by the Foundation (but no later than December 31, 2014).

Section 3. Requests for Equipment to be financed through the Line of Credit shall be submitted to the respective Representative of the Institution requesting the Equipment. Upon approval of any such request, such Representative is authorized and directed to cause a Lease Agreement to be entered into for such Equipment on behalf of the respective Institution. Upon execution and delivery of such Lease Agreement to the Foundation, the Foundation shall draw on the Line of Credit for the amount necessary to acquire such Equipment, which moneys shall be used to acquire such Equipment as soon as practicable; and the Board shall pay to the Foundation, from legally available moneys of the Board (but not from moneys drawn under the Line of Credit) an amount equal to the greater of \$800 or 4% of the amount so drawn, as compensation for the Foundation's administrative expenses and services in connection with the Line of Credit. Payments under a Lease Agreement shall be made from the Board to the Foundation either quarterly or semiannually, as negotiated between the Representative of the Institution on behalf of which the Lease Agreement has been entered and the Foundation, over a term to be negotiated between such Representative and the Foundation, but not exceeding the useful life of the Equipment (as determined by such Representative), and in no event to exceed five (5) years (subject, however, to the provisions of Section 7 of the Lease Agreement), and in such amounts as to provide for repayment of the principal amount drawn under the Line of Credit for such equipment, plus interest at rates to be determined as follows:

(a) The initial rate of interest for Lease Agreements to be entered into during calendar year 2014, which rate shall be effective for each such Lease Agreement from the date of delivery thereof through December 31, 2014, shall be 4.75 % per annum (subject to increase as provided in paragraphs (b), (c) and (d) below).

(b) During the month of December in 2014 and in each subsequent year while any Lease Agreements are in effect, the Foundation shall, based upon information furnished to it by the Bank and such other information as the Foundation may deem relevant, estimate the Average Rate of interest expected to accrue on the Note, in accordance with the current or anticipated terms of the Line of Credit Agreements, during the following calendar year. The Foundation shall notify the Board of such estimated average rate of interest on the Note, and the rate of interest for Lease Agreements to be effective during the following calendar year shall be such estimated average rate of interest on the Note plus .5% per annum (the .5% increment being added to provide for the possibility that interest on the Note will be higher than estimated).

(c) Notwithstanding the provisions of (b) above, the increment which is to be added to the estimated average interest on the Note to determine the rate of interest on Lease Agreements may be higher than .5% per annum to the extent that the Foundation certifies to the Board that such higher increment is necessary to make up, over the course of the following calendar year or such longer period as the Foundation may agree to, any excess of interest actually paid by the Foundation on the Note over the total interest received by the Foundation on the Lease Agreements; provided, however, that the higher increment certified to the Board shall not exceed 1.5% per annum.

(d) In the event that the rate of interest on the Note is increased as the result of a determination that such interest has lost its exclusion from gross income for federal income tax purposes under the Code (as defined in Section 7 hereof), or is treated as an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations (except with respect to corporations, as such interest is required to be taken into account in determining "adjusted current earnings" for the purpose of computing the alternative minimum tax imposed on such corporations), the rate of interest on the Lease Agreements shall immediately be further increased to the average rate of interest expected to accrue on the Note for the remainder of such calendar year on such "taxable" basis, as estimated by the Foundation in substantially the same manner as provided in paragraph (a) above, plus the increment in effect immediately prior to such increase as determined pursuant to paragraphs (b) and (c) above, plus any additional increment necessary to make up, over the course of the remaining calendar year or such longer period as the Foundation may agree to, any retroactive additional interest owed or paid by the Foundation to the Bank pursuant to the Note as a result of such determination.

(e) Notwithstanding any other provision hereof, the rate of interest on the Lease Agreement shall not exceed eighteen percent (18%) per annum. Notwithstanding any other provision thereof, all payment obligations of the Board under any Lease Agreement shall be subject to renewal and appropriation or availability of funds as provided in Sections 7 and 10 of the Lease Agreement. The Lease Agreements shall be in substantially the form filed with the Secretary, and the appropriate Officers of the Board, the Institutions and the State are hereby authorized to execute and deliver such Lease Agreements as may be approved by the Representatives or any one thereof. Any other obligations issued by the Foundation either to make improvements to the Equipment or to pay principal or interest on the Note will be discharged no later than the latest maturity date of the Note (including renewals).

Section 4. The Board shall have the exclusive beneficial possession and use of any Equipment financed through the Line of Credit (except to the extent that the Bank may enforce its security interest in the Equipment in the event of a default by the Foundation under the Line of Credit Agreements, the Security Agreement, or the Note, and subject to the Bank's right to inspect the Equipment at any reasonable time as provided in the Line of Credit Agreements). When all payments due under a Lease Agreement have been made by the Board, or when payments on the Note allocable to the draw on the Line of Credit for the related Equipment have otherwise been made, full and unencumbered legal title to such Equipment shall be conveyed by the Foundation to the Board, without demand or further action on the part of the Board, and the Board shall then accept such title to any Equipment (including any additions thereto). This Section 4 shall operate independently of the Lease Agreements and notwithstanding any failure to enter validly into any Lease Agreement. Prior to making any draw under the Line of Credit, the Foundation shall furnish to the respective Representative an instrument of grant from the Foundation to the Board confirming the provisions of this Section 4.

Section 5. All proceeds of the Line of Credit, and investment income thereon (if any), shall be used to provide tangible personal property for use by the Board. If any excess proceeds of the Line of Credit or investment income thereon, if any, remain after full payment of the costs of acquiring the related Equipment, such excess proceeds shall be applied to make payments or prepayments on the Note as soon as practicable, and the schedule of rental payments under the corresponding Lease Agreement shall be adjusted accordingly. Prior to making any draw under the Line of Credit, the Foundation shall furnish to the respective Representative a certification confirming the provisions of this Section 5.

Section 6. The proceeds of any fire or other casualty insurance policies received in connection with damage to or destruction of any Equipment financed through the Line of Credit, including any additions thereto, will, subject to any claims of the Bank, at the direction of the respective Representative, either (a) be used to repair or replace the Equipment, regardless of whether the insurance proceeds are sufficient for such repair or replacement, or (b) be remitted to the Board.

Section 7. The Board acknowledges that one of the purposes of this resolution is to establish that interest paid by the Foundation on the Note is not included in gross income under present federal income tax laws pursuant to the Code (as defined below), subject to certain exceptions, conditions and limitations as further set forth below, thereby resulting in more favorable interest rates on the Note and more favorable payment terms to the Board under the Lease Agreements. Accordingly, the Board hereby covenants for the benefit of the Bank and its successor and assigns that it will not (i) make any use of the proceeds of the Line of Credit or any other funds of the Foundation; (ii) make any use of the Equipment; or (iii) take (or omit to take) any action with respect to the Note, the proceeds of the Line of Credit, any other funds of the Foundation, or the equipment, or otherwise, if such use, action or omission would, under the Code, cause the interest on the Note to be included in gross income for federal income tax purposes or be treated as an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals, trusts, estates and corporations (except, with respect to corporations as defined for federal alternative minimum tax purposes, as such interest is taken into account in determining adjusted current earnings for purposes of computing the alternative minimum tax imposed on such corporations). The Board further covenants, represents and warrants that the procedures set forth in a Federal Tax Exemption certificate hereby authorized to be signed by an Officer of the Board or Representative of the Institution implementing the above covenant shall be complied with to the extent necessary to maintain the above-described exclusions from gross income and alternative minimum taxable income or to avoid the application of any penalties under the Code (except to the extent noted in the foregoing provisions of this Section). The foregoing covenants shall remain in full force and effect notwithstanding the payment in full or defeasance of the Note until the date on which all obligations of the Board in fulfilling the above covenants under the Code and Colorado law have been met. References to the "Code" in the foregoing covenant and in Section 3(d) hereof shall mean the Internal Revenue Code of 1986, as amended, and all regulations and rulings promulgated or proposed thereunder or (to the extent the same remain applicable) under any predecessor thereto.

Notwithstanding any other provision hereof, this Section 7 shall be in all respects subject to the Board's right to decline to renew any Lease Agreement as provided in Sections 7 and 10 of the Lease Agreement. Prior to making any draw under the Line of Credit, the Foundation shall have received from the respective Representative a certification confirming the provisions of this Section 7.

Section 8. Appropriate Officers of the Board, the Institutions, the State and the Foundation are hereby authorized and directed to execute such documents and instruments and generally to take such actions as may be necessary or appropriate to effectuate the transactions contemplated by this resolution. The Officers of the Board, the Institutions and the Foundation with the advice of counsel executing the Line of Credit Agreements and the Lease Agreements hereby approved may make such necessary or appropriate variations, omissions and insertions in such documents as may be required or appropriate under the circumstances, so long as such variations, omissions and insertions are not inconsistent with this resolution. In the event of any inconsistency between this resolution and any document or instrument hereby approved, the provision of this resolution shall be controlling.

Section 9. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 10. All bylaws, orders and resolutions, or parts thereof, inconsistent with this resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution, or part thereof, heretofore repealed.

Section 11. This resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED this December _____, 2013.

(SEAL)

THE BOARD OF GOVERNORS
OF THE COLORADO STATE
UNIVERSITY SYSTEM

Chair

ATTEST:

Secretary

The motion was duly seconded by Member _____ and put to a vote, the members of the Board as follows:

Those voting YES:

Voting Members:

Those voting NO:

Thereupon the Chairman declared the motion carried and the resolution adopted, and the Secretary was directed to enter the foregoing proceedings and resolution upon the minutes of the Board.

After consideration of other unrelated matters, the meeting was adjourned.

(SEAL)

THE BOARD OF GOVERNORS
OF THE COLORADO STATE
UNIVERSITY SYSTEM

Chair

ATTEST:

Secretary

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

Board of Governors of the
Colorado State University System
Meeting Date: December 2-3, 2013
Consent Item

I, Scott C. Johnson, Secretary of the Board of Governors of the Colorado State University System of the State of Colorado, do hereby certify that the foregoing pages numbered 1 through 8, inclusive, constitute a true, correct and complete copy of the resolution and proceedings set forth therein; that such resolution was adopted and such proceedings occurred at a regular meeting of the Board held at _____ in Denver, Colorado on December 2-3, 2013 as recorded in the regular official records of proceedings of the Board, kept in my office; that said proceedings were duly had and taken; and that said meeting was duly held in compliance with Section 24-6-402 of the Colorado Revised Statutes, as amended, and the persons therein named were present and voted at said meeting, all as therein shown.

WITNESS, my hand and the seal of the Board this December _____, 2013.

Secretary
Board of Governors of the
Colorado State University System

(SEAL)

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Report Item

Stretch Goal or Strategic Initiative: N/A.

REPORT ITEM:

Report: Update on Status of Municipal Leases and Modification of Internal Cap

EXPLANATION:

Presented by Tony Frank, President

CSURF, in cooperation with CSU's VP for Research and, depending on the project, the VP for University Operations, administers what we term the Equipment Leasing Program. There are two types of leases offered with this program: 1) The CSURF lease; and 2) the municipal lease. A municipal lease arrangement is used to purchase equipment valued at more than \$50k. Both types of leases are cancelable on a yearly basis in compliance with state law. Municipal lease reporting to the Board has been via quarterly reports, and we are modifying the reporting structure to include an annual December update to the Board's Finance Committee. CSURF administers the municipal lease transaction but is not a party to it. CSURF acquires, on behalf of the Board/University, the equipment requested by a particular department or program by leasing it from an outside financing company. The lessor is chosen by competitive bids submitted by interested parties to the CSU Procurement Department. The lease agreement is signed between the University and the successful bidder and, upon full payment of the lease by the University, title passes to the University. The interest rate on a municipal lease reflects market conditions and is usually around 75-80% of the prime lending rate. CSURF receives an administrative fee of 1.5% - 3% of the total amount financed, depending on the size of the transaction. In the municipal lease, the University makes clearly defined payments of principal and interest and the lessor is allowed to treat the interest portion of the lease payments as tax-exempt income. There has never been a default on any lease through this program.

Report – Municipal Lease Program Internal Cap

Page 1 of 2

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Report Item

We are modifying the internal cap on the municipal lease program to reflect a percentage of the University budget (1/3 of 1%) rather than a fixed figure to prevent continual readjustment of the cap while also retaining control over expenditures. This would raise the cap to \$3.5M in the current year.

The program continues to be an excellent and cost-effective way of keeping major equipment items up to date without a single large capital expense. The program is functioning well and as designed.

Outstanding lease obligations as of June 30, 2013 are reflected in the table below. The October 2013 Municipal Lease Quarterly Report is also appended.

<u>Date</u>	<u>Amount</u>
Fiscal year ending June 30:	Total
2014	1,834,971.26
2015	1,375,814.86
2016	1,241,711.16
2017	974,997.02
2018	660,343.45
2019-2023	87,654.63
Total Payments	6,175,492.38
Less Interest	274,997.56
Present value of minimum lease payments	5,900,494.82

SUMMARY OF EXISTING MUNICIPAL LEASES
QUARTERLY REPORT OCTOBER 1, 2013

Lease #	Department	Principal Amount Borrowed	Start Date	Renewal Terms	Payment Amount	Final Payment Date	10-01-2013 Remaining Principal Balance	Current Annual Interest	Equipment	Use
ML 83	<u>Municipal Lease #83</u> Veterinary Teaching Hospital	1,500,000.00	04/01/07	7/1 YR	125,521.91	04/01/14	122,837.90	4.370%	Trilogy Stereotactic System	Research
ML90	<u>Municipal Lease #90</u> Transportation Services	89,239.00	08/01/08	7/1YR	7,630.55	08/01/15	28,709.39	4.990%	John Deere Backhoe	Administrative
ML92	<u>Municipal Lease #92</u> Transportation Services	685,985.00	06/01/09	5/1YR	77,511.53	06/01/14	149,867.02	4.570%	Vehicles	Administrative
ML 93	<u>Municipal Lease #93</u> Housing & Dining Services	132,000.00	02/01/09	5/1YR	15,199.29	02/01/14	14,806.93	5.300%	Cisco Network Switches	Administrative
ML 98	<u>Municipal Lease #98</u> IDRC	359,387.13	09/15/09	5/1YR	41,175.38	09/15/14	79,301.31	5.106%	Solid 3 System	Research
ML 99	<u>Municipal Lease #99</u> Civil & Environmental Engineering	87,057.00	08/02/10	5/1YR	9,679.64	08/02/15	36,878.82	3.9522%	Materials Testing System	Research
ML 101	<u>Municipal Lease #101</u> Transportation Services	196,925.00	06/08/10	7/1YR	16,386.84	6/1/2017	119,500.10	4.21%	Trash Truck	Administration
ML 102	<u>Municipal Lease #102</u> Transportation Services	121,076.00	08/27/10	5/1YR	13,398.00	08/27/15	51,158.62	3.77%	4-F350 Ford Trucks	Administration
ML 105	<u>Municipal Lease #105</u> Chemistry	67,307.50	10/27/10	5/1YR	7,352.67	10/27/15	28,243.29	3.28%	Spectrometer	Research
ML 106	<u>Municipal Lease #106</u> Music, Theatre and Dance	65,901.00	10/07/10	4/1YR	8,787.99	10/07/14	17,198.43	2.92%	7 Pianos	Administration

SUMMARY OF EXISTING MUNICIPAL LEASES
QUARTERLY REPORT OCTOBER 1, 2013

Lease #	Department	Principal Amount Borrowed	Start Date	Renewal Terms	Payment Amount	Final Payment Date	10-01-2013 Remaining Principal Balance	Current Annual Interest	Equipment	Use
ML 107	<u>Municipal Lease #107</u> Chemistry	329,080.00	11/01/10	5/1YR	35,156.28	11/01/15	169,526.59	2.44%	Femtosecond Laser System	Research
ML 108	<u>Municipal Lease #108</u> Environmental & Radiological Health	317,674.68	01/14/11	5/1YR	33,892.58	01/14/16	163,553.08	2.39%	Triple Quadrapole Research LC/MS System	Research
ML 110	<u>Municipal Lease #110</u> Chemical & Biological	698,935.27	08/03/11	7/1YR	54,720.37	08/03/18	511,458.77	2.495%	Mass Spectrometer	Research
ML 111	<u>Municipal Lease #111</u> Music, Theatre & Dance	180,000.00	09/19/11	5/1YR	19,071.10	09/19/16	110,279.65	2.13%	Pianos	Classroom
ML 112	<u>Municipal Lease #112</u> Microbiology, Immunology & Pathology	91,376.54	11/01/11	5/1YR	9,891.97	11/01/16	65,348.46	2.93%	Lab Equipment	Research
ML 113	<u>Municipal Lease #113</u> Chemistry	364,800.00	1/3/2012	5/1YR	38,702.53	01/03/17	259,481.69	2.18%	Mass Spectrometer	Research
ML 114	<u>Municipal Lease #114</u> Chemistry	117,040.00	3/1/2012	5/1YR	12,417.06	03/01/17	83,250.39	2.18%	Zygo Zescape	Research
ML 115	<u>Municipal Lease #115</u> Microbiology, Immunology & Pathology	118,300.00	3/1/2012	5/1YR	12,401.16	03/01/17	83,875.52	1.73%	Gallios Flow Cytometer	Research
ML 116	<u>Municipal Lease #116</u> Microbiology, Immunology & Pathology	154,826.88	4/2/2012	5/1YR	16,360.10	04/02/17	110,009.22	2.03%	Lab Equipment	Research
ML 117	<u>Municipal Lease #117</u> BioAg Science & Pest Management	54,686.00	4/1/2012	5/1YR	5,801.77	04/01/17	38,898.08	2.18%	Photosynthesis & Florescence System	Research

SUMMARY OF EXISTING MUNICIPAL LEASES
QUARTERLY REPORT OCTOBER 1, 2013

Lease #	Department	Principal Amount Borrowed	Start Date	Renewal Terms	Payment Amount	Final Payment Date	10-01-2013 Remaining Principal Balance	Current Annual Interest	Equipment	Use
ML 118	<u>Municipal Lease #118</u> Facilities Management	200,000.00	6/28/2012	5/1YR	15,352.31	06/28/19	173,064.71	1.95%	2 - 55 Passenger Buses	Administration
ML 119	<u>Municipal Lease #119</u> Chemistry Department	100,468.19	08/01/12	5/1YR	10,619.02	08/01/17	81,181.84	2.04%	Lab Equipment	Research
ML 120	<u>Municipal Lease #120</u> Environmental & Radiological Sciences	384,168.86	01/02/13	5/1YR	40,203.18	01/02/18	347,173.49	1.67%	Accurate Mass Spectrometer	Research
ML 121	<u>Municipal Lease #121</u> Chemistry Department	69,325.00	01/02/13	5/1YR	7,337.16	01/02/18	62,712.29	2.09%	Dynamic Mechanical Analyzer	Research
ML 122	<u>Municipal Lease #122</u> Proteomics & Metabolomics Department	333,372.00	01/02/13	5/1YR	34,812.18	01/02/18	301,210.13	1.59%	Orbitrap Velos	Research
ML 123	<u>Municipal Lease #123</u> Biochemistry & Molecular Biology Department	163,000.00	02/01/13	5/1YR	17,021.18	02/01/18	147,274.67	1.59%	X-Ray Diffraction System	Research
ML 124	<u>Municipal Lease #124</u> Chemistry Department	1,315,920.00	04/01/13	5/1YR	136,120.89	04/01/18	1,187,957.81	1.24%	Transmission Electron Microscope	Research
ML 125	<u>Municipal Lease #125</u> Microbiology, Immunology & Pathology	212,329.25	05/01/13	5/1YR	27,493.36	05/01/17	212,329.25	1.58%	Mass Spectrometer	Research
ML 126	<u>Municipal Lease #126</u> External Relations	455,000.00	Pending							
ML 127	<u>Municipal Lease #127</u> Microbiology, Immunology & Pathology	72,990.95	06/01/13	5/1YR	7,626.15	06/01/18	72,990.95	1.61%	Telling Lab Equipment	Research

SUMMARY OF EXISTING MUNICIPAL LEASES
QUARTERLY REPORT OCTOBER 1, 2013

Lease #	Department	Principal Amount Borrowed	Start Date	Renewal Terms	Payment Amount	Final Payment Date	10-01-2013 Remaining Principal Balance	Current Annual Interest	Equipment	Use
ML 128	<u>Municipal Lease #128</u> Chemistry Department	111,638.92	07/01/13	5/1YR	11,679.84	07/01/18	111,638.92	1.66%	Glovebox & Chiral HPLC Systems	Research
ML 129	<u>Municipal Lease #129</u> College of Business	226,802.61	06/03/13	5/1YR	38,845.77	06/03/16	226,802.61	1.57%	HP Revolve Laptops	Classroom
ML 130	<u>Municipal Lease #130</u> Athletics	820,254.00	08/01/13	5/1YR	85,816.28	08/01/18	820,254.00	1.66%	Video Production Equipment	Administrative
ML 131	<u>Municipal Lease #131</u> Housing & Dining Operations Management	227,268.87	Pending							
ML 132	<u>Municipal Lease #132</u> Veterinary Teaching Hospital	143,961.16	10/01/13	5/1YR	12,782.69	10/01/19	143,961.16	1.98%	Neuronavigation System & Myriad Console	Research
ML 133	<u>Municipal Lease #133</u> Mechanical Engineering	190,000.00	Pending							
ML 134	<u>Municipal Lease #134</u> Psychology	110,887.90	Pending							
ML 135	<u>Municipal Lease #135</u> Microbiology, Immunology & Pathology	73,610.00	Pending							
Total Active Annual Debt Service- CSU		\$1,998,338.17								
Estimated Annual Debt Service-Pending-CSU		193,524.19								
Total Active & Pending-CSU (Not to exceed \$2.5M)		<u>\$2,191,862.36</u>								

All payments are semi-annual

**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM
REAL ESTATE/FACILITIES COMMITTEE MEETING AGENDA
December 2, 2013 - Denver**

Board Members: Scott Johnson/Chair, William Mosher/Vice Chair, Ed Haselden
Frank Zizza, Nella Bea Anderson, Vanessa Emerson

CSURF Board Liaison: TBD

Staff: Kathleen Henry

EXECUTIVE SESSION

OPEN SESSION

- | | | |
|---|---------------|--------|
| 1. Land Acquisitions from CSURF | (Tony Frank) | Action |
| 2. Program Plan Status Lists | (Amy Parsons) | Report |
| 3. CSU Program Plans | (Amy Parsons) | Action |
| <ul style="list-style-type: none">• Center for Ag Education• San Luis Valley Research Center• Shepardson Addition and Renovation• Warner College of Natural Resources Addition | | |

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item

Stretch Goal or Strategic Initiative: N/A. Board approval of this administrative action is required by statute, CCHE, Board, or university policy.

MATTERS FOR ACTION:

Land: Acquisition of three parcels of land totaling approximately 11.7 acres located adjacent to the Colorado State University Main and South Campuses in Fort Collins, CO from the Colorado State University Research Foundation.

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the acquisition of three parcels adjacent to the Main and South Campus in Fort Collins, CO from the Colorado State University Research Foundation as discussed by the Board in its executive session, in accordance with the parameters outlined in such discussion including the approval to use funds from the Endowment Land Income Account to support the purchase and costs of the acquisition. **FURTHER MOVED**, that the President of Colorado State University is hereby authorized to sign implementing contracts and other documents necessary and appropriate to consummate the transaction with modifications made in consultation with General Counsel.

EXPLANATION:

Presented by Dr. Tony Frank, President.

The Colorado State University Research Foundation (CSURF) owns properties adjacent to the main and south campuses of Colorado State University, in Fort Collins that are planned for permanent use by the University.

The properties are shown on Exhibit A and include the Annual Trial Gardens, a vacant lot in the 100 block of Prospect Road, and Parcel A at the Centre for Advance Technology (adjacent to the University Tennis Courts.)

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item

The properties are needed for expansion of program space. The acquisitions are consistent with long-term plans to acquire these sites from the Colorado State University Research Foundation as needed to accommodate campus growth.

Approved

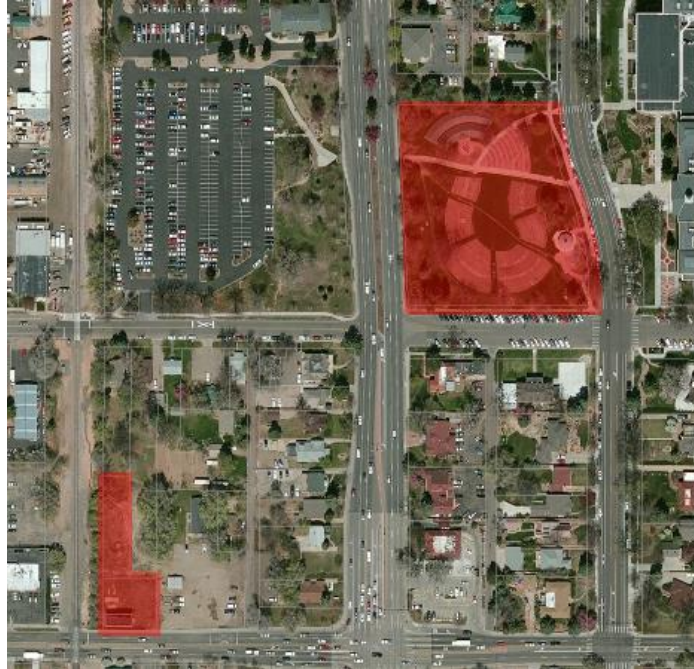
Denied

Board Secretary

Date

EXHIBIT A

Trial Gardens/100 Block of Prospect Rd.



Parcel A – Centre for Advanced Technology



BOG Update on Status of Program Plans - CSU - December 2013 List

Updated on:
10/30/2013

Project	BOG Approval	Primary College/Aux	Estimated Cost	Notes	Project Duration Months
Program Plans for December 2013					
Shepardson Revitalization	Jun-06	CAS	\$ 31,800,000	Renovation of existing Shepardson Bldg and an addition. * State Funding Request - \$22.8m	30
San Luis Valley Research Station	Jun-07	CAS	\$ 4,800,000	Renovation and additions to existing buildings. *State Funding Request - \$4.8m	18
Center for Ag Education		CAS	\$ 4,300,000	Shop and classroom space at ARDEC for Ag Ed licensure program. *State Funding Request - \$4.3m	15
Warner Natural Resources Addition		WCNR	\$ 20,000,000	49,000gsf addition to Warner College for classrooms, teaching labs and offices. *State Funding Request - \$10m	33
			\$ 60,900,000		

- Notes:**
1. State Approval by CCHE and CDC - Required on projects greater than \$2m and either State funding (any percentage) or bond funding subject to "Intercept Act".
 2. PTS - Parking & Transportation Services
- Past Approved Program Plans Requiring Re-Approval

BOG Update on Status of Program Plans - CSU - Past Programs - BOG Approved

Updated on:
10/30/2013 LKB

Project	BOG Approval	Primary College/Aux	Estimated Cost	Notes	Project Duration Months
Approved program plans					
Shepardson Revitalization	Jun-06	CAS	\$ 31,800,000	Renovation of existing Shepardson Bldg and an addition. * State Funding Request - \$22.8m	30
Chemistry Building Addition	Jun-06	CNS	\$ 55,400,000	60,000 gsf hood intensive research building. *State Funding Request - \$50M	33
San Luis Valley Research Station	Jun-07	CAS	\$ 4,800,000	Renovation and additions to existing buildings. *State Funding Request - \$4.8m	18
Painter Center Addition	Jun-07	LAR	\$ 9,700,000	10,500gsf addition and renovation of Painter Center	24
Life/Biomedical Sciences	Jun-07	CVMBBS	\$ 69,400,000	85,000gsf building for lab, classroom and office space	33
VTH 2nd year PVM	Aug-07	CVMBBS	\$ 22,900,000	41,700gsf addition to VTH to house 2nd and 3rd year PVM program	24
VTH Community Practice	Aug-07	CVMBBS	\$ 18,200,000	32,700gsf addition to VTH for Community Practice Program	18
Biology - New Bldg	Aug-08	CNS	cost estimate pending	100,000 sf building for research, teaching labs, classrooms	33
TILT - Addition	Oct-08	Central	\$ 13,000,000	25,000gsf addition to TILT for RDS, CASA, programs	24
Eddy - Entrance Addition, external revitalization & Plaza	Aug-13	CLA	\$ 4,800,000	New east entrance & plaza, north/south side stone, founders quad, windows, paint for west side	24
Aggie Village North	Aug-13	HDS	\$ 111,500,000	Includes \$7.5M for 25,000gsf of academic space. Design-Bid-Build	33
EECL - New Powerhouse Institute Bldg	Aug-13	COE	\$ 11,500,000	Purchase after inspections, acceptance and occupancy certificates.	1
Bay Farm Parking Garage No.1	Aug-13	PTS/Central	\$ 23,000,000	800-1200 stalls, Flood area studies funded and active.	33
Bay Farm Parking Garage No.2	Aug-13	PTS/Central	\$ 20,000,000	800-1200 stalls, Flood area studies funded and active.	33
Shields Parking Garage	Aug-13	PTS	\$ 50,000,000	1760 parking stalls with 3 story office wrap located west of Fum McGraw	24
PERC - Site Relocation	Aug-13	Central	\$ 7,300,000	Headhouse/greenhouse and research plots near Gardens on Spring Creek along Center Avenue.	12

\$ 1,021,765,927

Notes:

1. State Approval by CCHE and CDC - Required on projects greater than \$2m and either State funding (any percentage) or bond funding subject to "Intercept Act".
2. PTS - Parking & Transportation Services

Past Approved Program Plans Requiring Re-Approval

Past Approved Program Plan does not Require Re-Approval

BOG Update on Status of Program Plans - CSU - New Program Plans in Pipeline

Updated on:
10/30/2013

Project	BOG Approval	Primary College/Aux	Estimated Cost	Notes	Project Duration Months
Animal Science - Food Innovation Center		CAS	\$ 15,000,000	Temple Grandin design harvest facility	30
Moby - Steam Replacement - Geothermal		Central	\$ 10,000,000	New Geothermal energy installation	18
Utly - MC - Steam - West End Consolidation		Central & Aux	\$ 15,000,000	Remove remote RI facilities from central steam system to provide infill capacity	33
Utly - MC - Chilled Water - Pipe Expansion		90% Central	\$ 8,000,000	Expand chilled water capacity	18
Multipurpose Stadium		Athletics	\$ 210,000,000	\$210,000,000 Athletics + \$30,000,000=\$240,000,000	24
		Central & Aux	\$ 30,000,000	Central/Auxiliary Space	24
AZ 2nd Floor Addition		CVMBS	\$ 15,000,000	24,300 gsf addition for human gross anatomy and neurology lab with auditorium and computer lab	24
Rockwell - East Addition		Bus	\$ 12,000,000	30,000 gsf addition to Rockwell Hall	30
AZ - Revitalization		NS/CVMBS	\$ 20,000,000	Revitalization of 150,000 gsf building built in 1973	30
ERC - Revitalization		ENG	\$ 20,000,000	Revitalization of 150,000 gsf building built in 1962	30
Gifford - Addition		HHS	\$ 28,000,000	64,000gsf addition to Gifford with 12,000gsf renovation to house Fermentation Science, Interior Design, Kendall/Anderson Nutrition Center, computer lab, classrooms, offices	24
Plant Sciences Museum		CAS	\$ 19,000,000	32,330gsf addition to Plant Sciences to house natural history collections	18
Utly - MC - District Heating Plant No.2		70% Central	\$ 30,000,000	Additional central steam plant	33
Utly - MC - Elec - 2nd Feed from City		70% Central	\$ 16,000,000	New electrical feed for main campus	20
Utly - SC - District Clg Plant No.2 & Piping		70% Central	\$ 10,000,000	2nd chiller plant for south campus	24
Utly - Balance of 20/20 Infrastructure		70% Central	\$ 80,000,000	Infrastructure improvements to support 35,000 student campus	30
			\$ 538,000,000		

Notes:

1. State Approval by CCHE and CDC - Required on projects greater than \$2m and either State funding (any percentage) or bond funding subject to "Intercept Act".

BOG Update on Status of Program Plans - CSU-Pueblo - December 2013 List

Project	BOG Approval	College/Aux	Estimated Cost	Notes	Duration
Program Plans					
Ochiato University Center (OUC) Student Center Addition/Renovation	Aug-07	Auxiliary Services	\$35,301,020	Funded by student facility fee and private donations	40 mo.
Psychology Building Addition/Renovation	Jun-08	CHASS (College of Humanities, Arts, Social Sciences)	\$16,308,583	State funding request FY14/15 for Phase I (\$2.3M). Phae II (\$14M) to be requested in FY 15/16. Needs and project scope have not changed from approved program plan.	28 mo.
Technology Building Addition/Renovation	Jun-08	CEEPS (College of Education, Engineering, and Professional Studies)	\$16,093,557	Future state funding request. Needs and project scope have not changed from approved program plan.	28 mo.
New General Classroom Building	Jun-08	CHASS (College of Humanities, Arts, Social Sciences)	\$16,139,979	State Funded May 2013. Design phase underway Oct-2013.	20 mo.

Past Approved Program Plans does not require re-approval

MATTER FOR ACTION:

Approval of the Colorado State University-Fort Collins Program Plan for the Center for Agricultural Education Project for \$4,317,072

RECOMMENDED ACTION:

MOVED, that the Board of Governors of the Colorado State University System approve the Program Plan for The Center for Agricultural Education Project.

EXPLANATION:

Presented by Amy L. Parsons, Vice President for University Operations

Colorado State University-Fort Collins is requesting approval of the program plan for The Center for Agricultural Education. CSU is requesting \$4,317,072 from the State Capital Construction Fund in order to build a new 18,100 gsf building with a large shop area, office space, and classroom space. The proposed Agricultural Education Center will be built on the CSU Agricultural Research, Development and Education Center (ARDEC) campus, approximately 10 miles from main campus. The completed Agricultural Education Center will serve Agricultural Education students by providing dedicated shop and classroom space. A more detailed project description can be found in this Summary of Program Plan and the full program plan is posted at www.facilities.colostate.edu.

**SUMMARY OF PROGRAM PLAN FOR
THE CENTER FOR AGRICULTURAL EDUCATION**

The proposed project will consist of the construction of a new building on the Agricultural Research, Development and Education Center (ARDEC) campus that will serve as a shop and teaching center for Agricultural Education students. Currently, CSU has classroom space on main campus for this program, but no shop space is available. Students must travel to “local” high schools (as far away as Briggsdale, Longmont, and Haxton) to use their shop space. However, they can only accomplish this during the summer because the high schools use the facilities during the school year. Additionally, students must travel to AIMS Community College in Greeley twice a week (in the evenings) to take the welding course. The proposed Center for Agricultural Education will provide shop space dedicated for use by CSU Agricultural Education students during regular hours during the regular school year. The long range plan is that at least one faculty member will have permanent office space in the new building, and will both teach and manage the facility.

**Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item**

Colorado State University was originally designated in 1917 as the institution in Colorado responsible for the preparation of agricultural education teachers. CSU is the only institution to have been given that responsibility and continues in that role today. A critical component of the program is that Agricultural Education students must be trained to manage and maintain facilities which are reflective of the programs where they will teach. The Center for Agricultural Education will also serve as an outreach home for broad based agricultural education literacy programs and will enhance the current conference facilities at ARDEC. The proposed project is currently conceived as an 18,100 gsf building that will include 5,100 gsf of open shop space, 3,000 gsf of classroom space with office and storage space. The Future Farmers of America (FFA) organization has agreed to fundraise for this building, and has already raised \$1,000,000 of the total \$4,300,000 project cost. CSU is requesting State capital construction funds of approximately \$3,300,000 to fully fund the project. Additional fundraising by FFA will focus on either in-kind or cash donations for shop equipment. The benefits of this project are:

- Shop space for student use within 10 miles of main campus.
- Additional classroom and conference facilities for use by the Agricultural Education program.

With Board of Governors approval, the program plan for this project will be submitted to the Colorado Commission on High Education. This project is on the FY14-15 state funded capital construction list approved by the Board at the May 2013 meeting. Construction will be dependent on State funding. Once funding is secured the project is expected to be completed in 14 months.

Approved

Denied

Scott C. Johnson, Secretary

Date

**Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item**

MATTER FOR ACTION:

Approval of the Colorado State University-Fort Collins Program Plan for Renovations and Additions to the San Luis Valley Research Center for \$4,800,000

RECOMMENDED ACTION:

MOVED, that the Board of Governors of the Colorado State University System approve the Program Plan for Renovations and Additions to the San Luis Valley Research Center.

EXPLANATION:

Presented by Amy L. Parsons, Vice President for University Operations

Colorado State University – Fort Collins is requesting approval of the program plan for Renovations and Additions to the San Luis Valley Research Center. This project was originally approved by the Board of Governors in June, 2007, and is being resubmitted for state funding. CSU is requesting \$4,800,000 from the State Capital Construction Fund in order to renovate 9,956 gsf of space and construct 20,910 gsf of new space. The improvements discussed in this program plan affect four buildings:

- Additions to and renovation of the Office/Laboratory Building
- Addition to the General Processing Building
- Addition to and renovation of the Shop/Machine Building
- Construction of a new field equipment storage building

A more detailed project description can be found in this Summary of Program Plan and the full program plan is posted at www.facilities.colostate.edu.

**Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item**

**SUMMARY OF PROGRAM PLAN
FOR RENOVATIONS AND ADDITIONS TO THE SAN LUIS VALLEY
RESEARCH CENTER**

The program plan describes the construction of approximately 20,910 gsf and renovation of 9,956 gsf at the San Luis Valley Research Center, at an estimated cost of \$4,800,000. The San Luis Valley Research Center is located near the town of Center, CO, and is part of a network of eight research centers throughout the state that are administered by the Colorado Agricultural Experiment Station or individual departments within CSU. The improvements proposed in this program will affect four buildings:

- Additions to and renovation of the Office/Laboratory Building
- Addition to the General Processing Building
- Addition to and renovation of the Shop/Machine Building
- Construction of a new field equipment storage building

The **Office/Laboratory** building was built in 1950 and expanded in 1960, 1988 and 2007. The renovation will improve circulation and efficiency. There is an acute shortage of facilities for support staff, including research associates, seed inspectors and technicians. Because of the Extension Mission of the Research Center there is a need for a conference facility that can accommodate 70-75 attendees. The addition of 4845 gsf and renovation of the existing building (5636 gsf) will address these issues. A new telephone system will be installed as well as a deionized water plant and double distillation unit.

The **General Processing** building has been partitioned into research laboratories and has a number of temperature-controlled potato storage chambers. The addition of 1500 gsf will be used for general potato processing research.

The **Shop/Machine Storage** building is currently too small to accommodate many of the newer pieces of farm equipment. An addition of 1440 gsf, with a sidewall height of 16 feet to address would this problem. The endwall of the existing building would be removed to create a space that is 70 feet long. Code deficiencies would also be addressed in the renovation of the existing building (4320 gsf).

**Board of Governors of the
Colorado State University System
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A new **Field Equipment Storage** building (13,125 gsf) would house tractors, trucks, planters, harvester, combines and swathers. Most of this equipment is currently stored outdoors, exposed to the weather. The new facility would protect this equipment from the elements, reducing repair expenses and operational delays during planting and harvesting.

This entire project is on the State funded Capital Construction list approved by the Board of Governors at the May 2013 meeting. With Board of Governors approval, the program plan for this project will be submitted to the Colorado Commission on Higher Education. CSU is seeking \$4,800,000 in Capital Construction Funds Exempt. Construction is dependent on state funding. Once funding is secured the project is estimated to take 24 months to complete.

Approved

Denied

Scott C. Johnson, Secretary

Date

**Board of Governors of the
Colorado State University System
Meeting Date: Dec 3, 2013
Action Item**

MATTER FOR ACTION:

Approval of the Colorado State University-Fort Collins Program Plan for the Shepardson Building Addition and Renovation for \$31,737,962

RECOMMENDED ACTION:

MOVED, that the Board of Governors of the Colorado State University System approve the Program Plan for the Shepardson Building Addition and Renovation project.

EXPLANATION:

Presented by Amy L. Parsons, Vice President for University Operations

Colorado State University – Fort Collins is requesting approval of the program plan for the Shepardson Building Addition and Renovation. This program plan was originally approved by the Board of Governors in June, 2006, and is being resubmitted for state funding. The project is estimated to cost \$31,737,962 and CSU is requesting \$22,737,962 from the State Capital Construction Fund to be matched with \$9,000,000 in Cash Funds. The project will renovate 46,393 gsf in the Shepardson Building and build an addition of 36,230 gsf of teaching laboratories, classrooms and studio space. The renovation will include modern architectural finishes, new plumbing, mechanical, electrical and telecommunications systems. The addition is primarily to accommodate the student enrollment growth in the Horticulture and Landscape Design disciplines. A more detailed project description can be found in this Summary of Program Plan and the full program plan is posted at www.facilities.colostate.edu.

**Board of Governors of the
Colorado State University System
Meeting Date: Dec 3, 2013
Action Item**

**SUMMARY OF PROGRAM PLAN
FOR SHEPARDSON BUILDING ADDITION AND RENOVATION**

The program plan describes renovation of the 46,393 gsf Shepardson Building, which was constructed in 1938, and construction of an addition on the north side of 36,230 gsf.

The Shepardson Building houses the Department of Horticulture and Landscape Architecture, agricultural career and internship services, college-sponsored student leadership activities, student computer labs and information technology support, college administrative offices, the Colorado Seed Testing Laboratory and the Soil Morphology Program of the Soil and Crop Sciences Department. Because of the lack of space and outdated conditions of classrooms, studios, and laboratories for teaching, the Department of Horticulture and Landscape Architecture today can only accept about two-thirds of qualified students wishing to enroll in the Landscape Design and Contracting concentration in Landscape Horticulture and those planning to major in Landscape Architecture.

Renovation of the 1938 building would include complete replacement of the mechanical systems, plumbing, electrical and telecommunications systems. The entire building would have an indoor sprinkler system installed for fire protection. Asbestos would also be abated from disturbed floor coverings and pipe insulations.

The addition to the building would be constructed on the north side in the open landscape area between the east and west wings. The addition will allow the creation of a new, highly visible entrance along University Avenue. A secondary entrance is proposed on the south side overlooking the Monfort Quadrangle, to serve as the main entrance to the computer laboratories for the College of Agriculture.

This project is on the State funded Capital Construction list approved by the Board of Governors at the May 2013 meeting. With Board of Governors approval, the program plan for this project will be submitted to the Colorado Commission on Higher Education. Construction will be dependent on State funding. Once funding is secured the project is expected to be completed in 24 months.

Approved

Denied

Scott C. Johnson, Secretary

Date

**Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item**

MATTER FOR ACTION:

Approval of the Colorado State University-Fort Collins Program Plan for the Warner College of Natural Resources Addition for \$19,977,927

RECOMMENDED ACTION:

MOVED, that the Board of Governors of the Colorado State University System approve the Program Plan for the Warner College of Natural Resources Addition.

EXPLANATION:

Presented by Amy L. Parsons, Vice President for University Operations

Colorado State University – Fort Collins is requesting approval of the program plan for the Warner College of Natural Resources Addition. The Warner College of Natural Resources (WCNR) is located on Main Campus. The proposed project will add approximately 49,000 gsf of new space for the college, connected to the northeast end of the existing building. The project will house classrooms, instructional laboratories, a large auditorium and meeting/collaboration spaces. WCNR will solicit donations for \$10M (\$5M in donations has already been secured) and CSU is requesting \$9,977,927 from the state capital construction fund. A more detailed project description can be found in this Summary of Program Plan and the full program plan is posted at www.facilities.colostate.edu.

**SUMMARY OF PROGRAM PLAN
FOR WARNER COLLEGE OF NATURAL RESOURCES ADDITION**

As part of CSU's 2020 planning, Warner College is on track to grow by 30% in the next seven years, and continues to attract and retain outstanding students and world-renowned professors and researchers who are creating solutions for today's toughest natural resource challenges. The College continues to see increasing enrollment trends, and is continually working to diversify its educational programs and foster innovation through interdisciplinary and community-based collaboration. The College has been dedicated to staying at the forefront of natural resource education, and successfully raised more than

**Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013**

Action Item

\$65 million during the CSU Campaign to help fund 42 new scholarships, 5 new chairs, new programs, and infrastructure improvements.

Warner College's students, faculty and staff continue to efficiently use existing facilities to meet education and research needs to the best of their ability. However, these facilities have definite limitations that are obstructing the College's ability to support students' learning needs and expand worldwide capacity for natural resource stewardship. The growing student body is in need of collaborative space that inspires discovery, of innovative classrooms that expand learning opportunities, and a common place where they can work together. The WCNR addition is centered around the needs of the students, from the large auditorium to the teaching labs to the collaboratorium area on the 5th floor. It has been designed to tell the story of Natural Resources, with an emphasis on water in the ecosystem. The 49,000 gsf of new space will serve as the focus of community outreach and student engagement, and it will allow the college to grow its reach, enrich education, propel discovery, and increase its impact on the world.

This project is estimated at approximately \$20.0M and is on the FY14-15 state capital construction fund request approved by the Board at the May 2013 meeting. With Board of Governors approval, the program plan for this project will be submitted to the Colorado Commission on Higher Education. Construction will be dependent on State funding. Once funding is secured the project is expected to be completed in 33 months.

Approved

Denied

Scott C. Johnson, Secretary

Date

BOARD OF GOVERNORS OF THE
 COLORADO STATE UNIVERSITY SYSTEM
 ACADEMIC AND STUDENT AFFAIRS COMMITTEE MEETING AGENDA
 December 3, 2013

Committee Chair: Rico Munn, Chair

Committee Members: Mary Lou Makepeace, Vice Chair; Mark Gustafson, Alexandra Bernasek, Nella B. Anderson, Nigel Daniels, Vanessa Emerson, Brad Schiffelbein, Frank Zizza

Assigned Staff: Dr. Rick Miranda, CSUS Chief Academic Officer

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IV. CSU System Report

Colorado Commission on Higher Education (CCHE) Admissions Policy

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item

Approved

MATTERS FOR ACTION:

New Degree Program: Neuroscience (B.S.) with concentrations in Behavioral and Cognitive Neuroscience and Cell and Molecular Neuroscience.

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the request from the College of Natural Sciences, to establish a new B.S. Degree Program in Neurosciences. If approved, this degree program move will be effective Fall Semester 2014.

EXPLANATION:

Presented by Tony Frank, President.

In the Rocky Mountain region, only private colleges and universities (Colorado College, Regis University, BYU) offer a program similar to this B. S. degree, giving Colorado State University the opportunity to provide the only such regional program at a state-supported research university. The major will serve students who wish to pursue advanced degrees, attend professional schools, or be well trained for research positions. The national reputation of the graduate program and research faculty at CSU should add to our ability to recruit out-of-state students. The program would also offer an additional high quality and rigorous option to the popular Biomedical Sciences degree program, which has reached is at maximum enrollment.

PHASE 1
Proposal for New Undergraduate Degree Program in Neurosciences
 Submitted by James R. Bamburg on behalf of the Neuroscience Faculty

1. Brief Overview of Proposed Program

- *Name of Major/Program:* Undergraduate Major in Neuroscience (two concentrations)
- *Degree type (BA, BS, MA, MS, PHD....)* B.S.
- *Department/School:* Interdisciplinary
- *Special Academic Unit:* The program will be administered by the Molecular, Cellular and Integrative Neurosciences Program (MCIN), a university approved Special Academic Unit (SAU), which will provide undergraduate research opportunities and participate in curriculum development through representatives to the curriculum committees of the College of Natural Sciences and the College of Veterinary Medicine and Biomedical Sciences. The SAU is housed in the Provosts Office and is directed by a faculty member elected by MCIN faculty, who reports to an Administrative Oversight Committee (AOC) composed of the Vice Provost for Graduate Affairs, the dean of the College of Natural Sciences and the dean of the College of Veterinary Medicine and Biomedical Sciences. Upon approval of the undergraduate major, the Vice Provost for Undergraduate Affairs will join this AOC. Future Directors will be proposed by MCIN according to provisions of the MCIN code and will require approval of the AOC for appointment.
- *Expected total number of students enrolled in program (five years post-implementation):* 200
- *Summary of Program and Rationale:* The first undergraduate major granting a degree in neuroscience was initiated in 1973 at the University of Rochester, NY. Since then, about 62 colleges and universities have established such programs. In the Rocky Mountain region, only private colleges and universities (Colorado College, Regis University, BYU) offer such a program, giving Colorado State University the opportunity to provide the only such regional program at a State-supported research university. We are proposing an undergraduate major in Neuroscience with two concentrations, Behavioral and Cognitive Neuroscience (BCN) and Cell and Molecular Neuroscience (CMN). These two areas represent the major divisions within neuroscience, the former accommodating the interests of many psychology majors and the latter accommodating the interests of many biomedical-oriented students. However, it is our contention that the future of the discipline of neuroscience requires individuals well trained in the basics from both areas and as such we have put together a rigorous two year core curriculum along with several upper division courses that will serve both areas, as well as some concentration specific courses. The major will serve students who wish to pursue advanced degrees, attend professional schools or be well trained for research positions.

We take advantage of the strong life science core curriculum to provide the introduction to general biology and the molecular biosciences (genetics and cell biology) along with an introductory course in psychology that satisfies AUCC category 3C. Both concentrations require a full year of organic chemistry and one semester of physics and calculus and a second psychology course on Brain, Mind and Behavior that along with the remaining AUCC requirements, round out the first two years. Both concentrations also require a cellular neurobiology course, human physiology, functional neuroanatomy, statistics, freshman and senior seminars, and at least one semester of biochemistry. The CMN concentration requires second semesters of calculus, physics and biochemistry (plus lab), general microbiology and immunology, and an advanced course in molecular regulation of cell function, allowing room for about 9 free elective credits. The BCN concentration requires upper division courses in cognitive psychology, sensory perception and physiological psychology plus 10 elective credits. Both concentrations also require a thesis preparation class (NB 399) and a senior thesis (NB 499), either based on original undergraduate research or on the scientific literature. Both concentrations require one elective

course from an approved list of upper division courses. The proposed curriculum for this major with concentrations in Behavioral and Cognitive Neuroscience (BCN) and Cell and Molecular Neurosciences (CMN) is shown on Page 3.

The program will be housed in the Provosts Office and administered by the MCIN program. The undergraduate degree program will be directed by the Associate Director of Undergraduate Affairs (ADUA), a faculty member, elected by MCIN faculty, who will report to the MCIN Director and an Administrative Oversight Committee (AOC) composed of the Vice Provost for Undergraduate Affairs, the Vice Provost for Graduate Affairs, the dean of the College of Natural Sciences and the dean of the College of Veterinary Medicine and Biomedical Sciences, all with equal voting rights. The MCIN Program currently has 27 active regular tenured or tenure-track faculty members, who come from ten departments (Biochemistry and Molecular Biology; Biology; Biomedical Sciences; Chemical and Biological Engineering; Computer Sciences; Environmental and Radiological Health Sciences; Microbiology, Immunology and Pathology; Music Theater and Dance; Occupational Therapy; and Psychology) in five colleges (Engineering, Health and Human Sciences, Liberal Arts, Natural Sciences and Veterinary Medicine and Biomedical Sciences). Over 80% of the faculty members are from the Colleges of Natural Sciences and Veterinary Medicine and Biomedical Sciences. The MCIN program has been a designated Program of Research and Scholarly Excellence since the inception of PRSE programs in 1992. The addition of the Vice Provost for Undergraduate Affairs to the Administrative Oversight Committee and administering the undergraduate degree through the AOC is consistent with the mechanism established for SAU operations. This proposed B.S. degree program is very rigorous and is likely to be attractive to a small group (~200 students) of academically well-prepared undergraduates.

Although there is no undergraduate neuroscience major in any public institution in the Rocky Mountain region, both CSU and CU Boulder have been considering such offerings for a few years. Colorado State University currently teaches virtually all of the coursework required for establishing this major (see page 3). In putting together the required courses for research, thesis and seminar, we utilize the approved NB subject code approved for MCIN courses. The NB rubric is used for graduate courses administered through MCIN and we suggest that this rubric be used as well for new undergraduate courses administered through MCIN. Courses designated for using competencies (Cat. 4A) are NB 499 (senior thesis) in both concentrations and PSY 459 (cognitive neuroscience lab) (BCN) and BC 401 (general biochemistry I) (CMN). Courses designated for building foundations (Cat. 4B) are PSY 458 (cognitive neuroscience) and PSY 456 (sensation and perception) (BCN) and BC 403 (general biochemistry II) (CMN). Capstone courses (Cat.4C) are NB 493 (senior seminar) and NB 499 (senior thesis) for both concentrations. Participation in undergraduate research and a required senior thesis are important components of this major. In fact, the emphasis on experiential learning through the thesis should prove attractive to the very best students, both from Colorado and from surrounding states, who have no public university option for a neuroscience degree. Thus, in the long-term this major could benefit CSU, especially in times of economic hardship. The national reputation of the graduate program and research faculty should add to our ability to recruit out-of-state students. The program would also offer an additional high quality and rigorous option to the popular Biomedical Sciences degree program, which has reached its enrollment cap.

Comparison of Neuroscience Major with Other Majors

There is very little overlap in the first two year core courses between the psychology major and the proposed BCN concentration in neuroscience because of the more stringent basic science requirements for the neuroscience major. However, neuroscience majors will be able to fulfill the requirements for the psychology major with an appropriate selection of courses to provide the additional 27 credits. The opposite is not true because most psychology majors do not take the prerequisites to complete the upper division courses required by the neuroscience major outside of psychology (less than 20% course overlap outside of AUCC requirements). There are also major differences between the proposed CMN concentration and the existing majors in both Biochemistry and Biomedical Sciences, the two majors that

Approved By Council of Deans, 3/10/10 (curriculum changes 7/10/13; 9/3/13). Rev. 9/4/13.

are the closest in requirements. Below is a comparison of the proposed courses required for Neuroscience CMN concentration with courses required in Biochemistry and Biomedical Sciences degrees:

Biochemistry:

Excluding the freshmen and senior seminars, and the senior thesis courses (each of which has an equivalent in the Biochemistry major), 25 credits of CMN coursework is not required for the Biochemistry major: PSY 100, PSY 252, BMS 325, BMS 300, BMS 345, NB 399, MIP 300, MIP 342. However, of these courses, one can be taken to meet AUCC requirements (PSY 100), one can be taken to meet an organismal biology elective (BMS 300), and one can be taken to meet the molecular bioscience elective (MIP 300), making the minimum difference here at least 15 credits. In addition, 7 credits of BC major course work are not required for CMN concentration: BC 411, BC 463.

Biomedical Sciences:

Excluding senior seminar, which has an equivalent in the BMS major, 36 credits of CMN coursework are not required for BMS major: NB 192, LIFE 203, MATH 255, PSY 100, PSY 252, BC 401, BC 403, BC 404, BMS 345, MIP 342, NB 399, NB 499, BC 465. However, of these courses, one can be taken to meet AUCC requirements (PSY 100), the BC 401, 403, 404 sequence (8 credits) can be used to replace BC 351 (4 credits), and 11 credits (BMS 345, MIP 342 and BC 465) can be used toward the 15 credits of required upper division electives, bringing the minimum difference here to about 18 credits. In addition, 25 credits of BMS course requirements are not required for the CMN concentration: BMS 260, BMS 302, BMS 360, BMS 301, BMS 301/305 or 330, BMS 460, BMS 492, and MIP 302. However, BMS 300 and BMS 360 are nearly interchangeable, reducing the difference to 21 credits.

Approved By Council of Deans, 3/10/10 (curriculum changes 7/10/13; 9/3/13). Rev. 9/4/13.

Interdisciplinary BS degree in Neuroscience with two concentrations (Courses in black regular font are for both concentrations; *courses specific to the Cell and Molecular Neuroscience (CMN) concentration are in red italic font*; **courses specific to the Behavioral and Cognitive Neuroscience (BCN) concentration are in green bold font.**

Freshman

Fall			Spring		
NB 192	Introductory Sem	1	LIFE 201B	Intro Genetics	3
LIFE 102	Attrib. of Living Sys.	4	LIFE 203	Genetics Lab	2
CHEM 111	Gen Chem I	4	CHEM 113	Gen Chem II	3
CHEM 112	Gen Chem Lab I	1	CHEM 114	Gen Chem Lab II	1
MATH 155	Calculus I	4	PSY 100	Gen. Psychology	3
CO150	Composition	<u>3</u>	AUCC	cat 2A/3B,D,E	<u>3</u>
		17			15

Sophomore

Fall			Spring		
CHEM 341	Mod.Org Chem I	3	CHEM 343	Mod. Org Chem II	3
LIFE 210	Intro Euk Cell Biol	3	CHEM 344	Mod. Org Chem Lab	2
LIFE 212	Euk Cell Biol Lab	2	PH 121/141	Physics I	5
AUCC	cat2/3B,D,E	3	AUCC	cat 2/3B,D,E	3
<i>MATH 255</i>	<i>Calc. for Bio Sci</i>	<i>4</i>	PSY 252	Mind, Brain, Behavior	<u>3</u>
PSY 250	Res. Meth. Psych.	<u>4</u>			16
		15			

Junior

Fall			Spring		
BMS 300	Princ Hum. Physiol.	4	BMS 345	Funct. Neuroanat.	4
STAT 301/07	Statistics	3	<i>BC 403²</i>	<i>Comp. Biochem. II</i>	<i>3</i>
<i>BC 401¹</i>	<i>Comp. Biochem.</i>	<i>3</i>	<i>AUCC</i>	<i>cat 2/3B,D,E</i>	<i>6</i>
<i>BC 404</i>	<i>Comp. Biochem Lab</i>	<i>2</i>	AUCC	cat 2/3B,D,E	3
<i>PH 122/142</i>	<i>Physics II</i>	<i>5</i>	BC 351	Princip. of Biochem.	4
PSY 352	Learning & Memory	3	PSY 458²	Cog. Neuroscience	3
OR			PSY 459¹	Cog. Neurosci. Lab	2
PSY 452	Cognitive Psych.	<u>3</u>	NB 399	Thesis Preparation	<u>1</u>
AUCC	Cat 2/3B,D,E	<u>3</u>			17/14
		13/17			

Senior

Fall			Spring		
BMS 325	Cellular Neurobiol	3	NB 499 ^{1,3}	Thesis	3
NB 493 ³	Senior Sem.	1	<i>Free Electives</i>		<i>5</i>
<i>MIP 300</i>	<i>Intro. Microbiol.</i>	<i>3</i>	<i>MIP 342</i>	<i>Immunology</i>	<i>4</i>
PSY 454	Biological Psych.	3	<i>BC 465</i>	<i>Mol Reg Cell Fn</i>	<i>3</i>
PSY 455	Biol. Psych. Lab.	2	PSY 456²	Sens. Percep.	3
Free Electives		3	PSY 457	Sens. Percep. Lab	2
<i>Free Electives</i>		<i>4</i>	Free Electives		<u>7</u>
		12/11			15/15

BCN has 120 credits (10 free electives); CMN has 120 credits (9 free electives)

¹Using competencies (4A); ²Building foundations (4B); ³Capstone course (4C)

Most students will fill free electives with Independent Study or Undergraduate Research which can total up to a maximum of 10 credits toward the 120 credits required.

2. Fit with CSU Role and Mission and University's Most Current Strategic Plan

- *What are the objectives of the program?*

The objectives of the program are to provide a very high quality undergraduate experience that includes experiential learning and a written thesis as measures of a successful outcome. The utilization of the high quality revised LIFE core curriculum along with rigorous courses from chemistry, mathematics, physics and psychology will provide an excellent foundation upon which to build a strong understanding of the molecular and cellular interactions within the nervous system that allows us to understand the brain, mind and behavior. These truly represent some of mankind's most intellectual challenges. Finding solutions to the neurodegenerative diseases of the aged will be a major research focus for improving the quality of our extended lifespan in the 21st century.

- *How does the proposed program support the mission of the University? Refer to State Statute defining role and mission of Colorado State University (see Appendix C).*

The mission of Colorado State University as stated in the revised statutes 23-31-101 is: **Colorado state university** shall be a comprehensive graduate research **university** with selective admission standards offering a comprehensive array of baccalaureate, masters, and doctoral degree programs. Consistent with the tradition of land grant universities, **Colorado State University** has exclusive authority to offer graduate and undergraduate programs in agriculture, forestry, natural resources, and veterinary medicine.

The mission set forth by the Board of Governors states: Inspired by its land-grant heritage, Colorado State University is committed to excellence, setting the standard for public research universities in teaching, research, service and extension for the benefit of the citizens of Colorado, the United States, and the world.

The proposed major in Neurosciences is in keeping with this mission since it provides a strong undergraduate program that will prepare students for biomedical careers, including veterinary medicine, as well as research careers through access to advanced degrees. The faculty members who will deliver this program, members of MCIN, have already demonstrated excellence in their research by being named a Program of Research and Scholarly Excellence continuously over a 20 year period.

- *How does the proposed program support the most current University Strategic Plan of the institution? (Taken from: http://www.president.colostate.edu/strategicplanning/pages/sd_march06_foreword.aspx)*

The objectives of the CSU strategic plan related to the new major are: *to assure excellence in academic programs, create distinctive undergraduate experiences, enhance the quality and role of graduate education, foster excellence in research, scholarship and creativity, and focus research in key areas of institutional strength and societal and global needs.* The proposed new major supports all of these goals. It establishes a rigorous undergraduate curriculum that requires experiential learning and thesis writing as part of the degree. It will enhance graduate education through the larger influx of undergraduates into research laboratories, enhancing the mentoring opportunities of the graduate students. It will utilize a cohort of faculty already deemed worthy of PRSE designation, thus focusing on key areas of institutional strength.

- *How does the program contribute to attaining long-term goals and directions of the institution and department/unit?*

The institution of an interdisciplinary neuroscience undergraduate major will further enhance the interactions and cooperation among faculty from multiple units, strengthening their ties and helping to develop and promote collaborative research projects. This is almost certainly to be the case since we will be finding research homes for 20-40 undergraduate students per year and expect many newly designed projects to be developed between labs to accommodate student interests. In particular, the BCN faculty will benefit from having a student cohort with much stronger cell and molecular training than is the

current norm within the Department of Psychology and the CMN faculty will benefit from broader training of undergraduates in brain anatomy and function.

• *How does the proposed program meet the needs of Colorado and enhance the state's capacity to respond effectively to social, economic, and environmental challenges and opportunities?*

More than 600 disorders afflict the nervous system. Common conditions or diseases such as stroke, epilepsy, Alzheimer disease, Parkinson disease, and autism are well-known; many others are less well known, yet all compromise the lives of those afflicted. Similarly, mental disorders are true brain disorders with specific symptoms rooted in abnormal patterns of brain activity. Mental disorders such as schizophrenia, bipolar disorder, depression, anxiety disorder, dementia, and post-traumatic stress disorder (including traumatic brain injuries) should be considered serious, often life-threatening illnesses. Spinal cord injuries also have an enormous societal cost. **It is estimated that neurological disorders and injuries strike over 50 million (1 in 6) Americans each year**, and the World Health Organization reports that mental disorders comprise four of the top five sources of premature death and disability in 15-44 year olds in the Western world. Reliable diagnostic tests, new treatments, and effective strategies for prevention are still needed. Together, neurological diseases, mental disorders and spinal cord injuries exact an incalculable personal toll with an annual economic cost of many hundreds of billions of dollars in medical expenses and lost productivity.

Some important areas of basic neuroscience research at CSU include: normal and abnormal nervous system development, cellular and molecular underpinnings of cognition and behavior, neurodegeneration, mechanisms of brain plasticity and repair, neural signaling and synaptic biology, neuromuscular control, sensory function, and neural channels, synapses, and circuits. Studies on heavy metals and neurotoxins in the environment are particularly important to Coloradans, whose water supply is very limited. In addition, clinical research is being performed to translate the often remarkable findings of basic science into useful therapies for those who suffer the devastating effects of neurological and mental health disorders and stroke. Our goal is to provide a pool of well trained undergraduates to fill technical positions as well as to provide those who will seek higher degrees and who will become the leaders of research in neuroscience over the next several decades in our State and the Nation.

3. Evidence of Need for the Program

• *Provide evidence of the need for the program. Please be explicit. (Needs assessment information may be presented in the form of survey data; summaries of focus groups or interviews; documented requests for the program from students, faculty, external constituents; etc.).*

As delineated below in section 4 (evidence of student demand), many students already in their junior or senior years have found their undergraduate major to be inadequate for preparing them for admission to competitive graduate neuroscience programs. For many of these students, lack of advising early in their careers have sent them down a path of course work that is totally inappropriate for their goals and often results in the need for additional course work, sometimes amounting to two additional full years, in order to meet entrance requirements for graduate neuroscience programs. This is more frequently true of psychology majors who realize too late the importance of appropriate chemistry, physics, mathematics, genetics and biology courses to prepare for a career in neuroscience research. Having a BS degree in the neuroscience area would provide a single source of information for these students and a common core curriculum that will provide all majors with an appropriate background for graduate or professional school.

Discussions among MCIN faculty for initiating an undergraduate program started many years ago. There has always been widespread support but with the initiation of the new Biomedical Sciences degree program, a delay was necessary to permit the large number of MCIN faculty involved in that program to assess its impact on their overall load. This degree program has now been in effect for several years and has reached its capacity. At the June 2008 MCIN faculty meeting the discussion of the undergraduate degree program surfaced again and was given strong encouragement (unanimous support from the 18

attending faculty) to proceed to Phase I. Colorado State University has a strong curriculum already in place and a broad faculty base to offer this undergraduate neuroscience major.

• *Identify statewide and nationwide employment needs the proposed program would assist in filling. Provide evidence of regional or national need for additional qualified individuals such as the proposed program would produce.*

During the past few years, the faculty members of the MCIN program have established working relationships with a number of private sector companies that includes Aurogen Inc. (Ft. Collins, CO), Cortex Pharmaceuticals (Irvine, CA), Cytoskeleton Inc. (Denver, CO), Elan Pharmaceuticals (South San Francisco, CA), Eli Lilly Inc. (Indianapolis IN), GlaxoWellcome Inc. (Research Triangle Park, NC), Ligand Pharmaceutical Inc. (San Diego, CA), Linguagen, Inc. (Cranbury, NJ), Pfizer Inc. (Groton, CT), Syngenta Crop Protection Inc. (Greensboro, NC), Tapestry Pharmaceuticals Inc. (Boulder, CO), Ventria Biosciences (Sacramento, CA), Capstone Therapeutics (Phoenix, AZ), Rapid Pharmaceutical (Rockville, MD) and Wyeth Pharmaceutical Inc. (Princeton, NJ). In addition to these companies, there are more than 25 Colorado companies with interests in neurological diseases, imaging or biosensors, all research strengths of the program and areas in which our students will be well trained. Many new bioscience spin-off companies have been developed as a result of the Supercluster initiative at CSU and through the biomedical research programs of the University of Colorado School of Medicine and CU Boulder. All of these companies will benefit from a local pool of qualified individuals with strong general bioscience training at the BS level and with a strong neuroscience background. Academic research programs at the major research universities in Colorado (UC School of Medicine, Aurora; CU Boulder; CSU Fort Collins) will also provide some job openings for BS level employees, as will government laboratories. The Center for Disease Control studies many viruses, such as herpes, which resides in nerves, or HIV, which causes a viral neuropathy. Prion diseases, such as mad cow and chronic wasting diseases, are being studied by 4 MCIN faculty members and local USDA research labs. Positions for well trained BS level students exist at many of these companies, universities and government labs.

4. Evidence of Student Demand

• *What are the projected numbers and characteristics (e.g., index scores, residency status, ethnic background) of the students to be served? What is the estimated number of graduates of the proposed program over the next five years? On what information are these projections based?*

The neuroscience major is likely to attract the same type of undergraduate as the biochemistry major, since the first two years are very similar and the upper division courses have the same rigor. Based upon this comparison, we anticipate the admitted students will have an average index score of about 118 with more than 20% qualifying for the honors program. This estimate was confirmed by results from a student survey in which students were asked several questions concerning a new neuroscience major. The survey was administered and results compiled by Student Voice, an independent organization. Responses were received from 307 CSU undergraduates majoring in Biochemistry (29), Biology (116), Biomedical Sciences (82), Psychology (72) and open option students (8) in CNS and CVMBS. Of these students, 22.4% are in the university honors program and of the 143 respondents (46.6%) who would have elected the neuroscience major if it had been available to them, 28.3% were honors students. Over 93% of the respondents who would have picked the neuroscience major plan to seek advanced degrees, another indication of the high quality of students this major would attract. Slightly over 20% of the survey respondents were out of state students and about an equal percentage of both in state and out of state residents would have selected the major if had been available to them. Thus, without advertising or promoting the major, it is as attractive as any current ones to out of state students. However, given the fact that no other nearby state offers a neuroscience major, we could capitalize on this fact to target out of state students and increase this percentage.

• *Provide evidence from surveys, interviews, or other sources that indicates that students would actually enroll in this program if it were approved. Include as much detail as possible.*

Responses to the survey were received from 87 freshman, 51 sophomores, 76 juniors and 93 seniors. Of the 307 respondents, 143 (>46%) would have selected the neuroscience major if it had been available to them. Thus, we think it likely that the major will have at least 200 students at steady state. Over 110 of the 307 respondents wrote out specific comments on the survey form in space provided for feedback. Below are 10 quotes selected from among the first 20 survey responses:

“I am a psychology major and it was not until my junior year that I was able to take a neuropsychology class/lab. I found it fascinating and would have loved to have been able to receive an undergraduate degree in that area! Now, I am a senior and the prospect of going towards neuroscience as a masters seems hard since I did not have more science and math background for that specifically.”

“This would interest many people. I was looking at one other school which had a neuroscience major. CSU and this other university were my only choices. A neuroscience major would definitely bring many people in who are interested in neuroscience.”

“A neuroscience major might relieve congestion/overcrowding in other majors since it provides a place for students that already know where they want to go with their degree.”

“As a BMS student, I have found that I love the neuroscience classes that I have taken and would be extremely interested in perhaps double majoring in BMS and the new Neuroscience major. I love my physiology classes as well, and would very much like to still take them along with other neuro classes. You should also consider making a minor option for students like me. This is a great idea! I would have a hard time choosing which concentration!”

“As a psychology major my favorite course was physiological psychology. With that course I was introduced briefly to cognitive and behavioral neuroscience and would have loved having more courses related to this field. Neuroscience is a growing field, with the large number of neurological disorders still being researched for origins and effective treatment, giving undergraduates an option to major in the area will create a strong, competitive environment for research. More students may have stronger graduate resumes with a more focused major, giving rise to more undergraduates matriculating into graduate and doctoral programs in medicine and neuroscience.”

“CSU would have been my top choice of school had it had a neuroscience degree. As is, I am trying to double in biology and psychology so I can still go in to neuroscience. Sign me up!”

“Establish it quick, before I graduate, so that I can add it.”

“Even though I said I would follow the CMN track, I would also be really interested in BCN. It sounds like a really promising major, going right along with one of my potential career paths after I earn my undergrad degree at CSU.”

”Great idea! It can build upon the already successful graduate program in neuroscience and continue to prove CSU's dedication to biomedical sciences.”

“Great idea. I wish it had been available when I had enrolled.”

5. Duplication/ Similar Programs in the State

• *Identify other closely related Colorado programs. List these by title of program and name/campus of institution that might be perceived as having programs in the same academic domain. For each, provide the following:*

• *Title of Program:* Undergraduate Certificate in Neuroscience

• *Name of Institution (particular campus if relevant):* University of Colorado, Boulder

• *Focus of other program's curriculum:* An individualized certificate program in which students must select from lists of courses in various areas.

• *Compare/contrast CSU's proposed program to other program:* The Neuroscience Certificate encourages undergraduate students at the University of Colorado (Boulder) to take courses in basic

science while providing a means to specialize in neurosciences (<http://www.colorado.edu/neuroscienceprogram/ugcert.html>). Since this area of the biological sciences is cross-disciplinary, interdepartmental course selection is possible and encouraged. Applicants must satisfy the requirements of: 1) the parent department of their major, 2) their college's core curriculum, and 3) the Neuroscience Certificate. They then receive an undergraduate degree in their parent department with certification in neuroscience.

The CU Boulder certificate program has about 52 participating faculty that cover a broad range of neuroscience research areas, much like the CSU program. However, it differs considerably from our proposed program in that:

1. No neuroscience undergraduate major is offered; 2. Students remain within their home department for advising and thus do not build the camaraderie that students develop with others within their major; 3. There is no requirement for an undergraduate thesis; 4. There is not a specific set of core neuroscience undergraduate courses that are required; 5. The certificate requires only two upper division neuroscience/behavior courses only one of which is outside the students major. Our program requires a specific set of upper division courses totaling between 4 and 7 within the area.

Regis University, a private school in Denver, offers a neuroscience program through their psychology department but it has only three faculty members and offers a limited curriculum with very few research opportunities. Colorado College in Colorado Springs also offers a neuroscience major with 7 faculty members across three departments. As with Regis University, the on campus research opportunities are quite limited. A strong feature of the CSU program is its experiential learning aspect, culminating in the preparation of a senior thesis.

• *If program is similar to the one being proposed by CSU, is there documented state or national demand legitimizing the need for an additional program in the state? N/A*

• *In what ways, if any, will resources of other Colorado State University programs or other state institutions be shared in the proposed program? How will the proposed program be complementary to, or cooperate with existing program(s)?*

The University of Colorado at Boulder has recently changed the name of their psychology department to the Department of Psychology and Neuroscience but does not offer an undergraduate degree in neuroscience. Their Center for Neuroscience offers the Certificate in Neuroscience discussed above. CU has about 52 faculty members within their Center for Neuroscience, a program similar to the MCIN program at CSU. Both the CU and CSU programs have strong faculty research in a number of areas that overlap but also in areas that complement each other. We already cooperate effectively at the graduate program level by sharing seminar speakers from out of state. Many members of the CU faculty and CSU faculty are members of the Fort Collins based Front Range Neuroscience Group, a chapter of the Society for Neuroscience (SfN), as well as the Rocky Mountain Regional Neuroscience Group, also an SfN chapter, based at the University of Colorado School of Medicine. We coordinate our annual meetings so that one is in May and one is in Nov./Dec.

PHASE 2

Proposal for New Undergraduate Degree Program in Neurosciences

Submitted by James R. Bamburg on behalf of the Neuroscience Faculty

Phase 1 approved by Council of Deans, March 10, 2010

Students

6. *Student Body*

- *What is the ideal total student enrollment and what is the ideal “entering class?”*

The ideal size of the major is about 200 students with an entering class each year of about 50 students starting in the fall semester of 2014. We will admit only incoming freshman for the first two years. After the end of the second year we will open the program to internal and external transfer students. We anticipate a demand that will allow us to graduate between 45-50 students per year at steady state. The rigor of the required curriculum will be the major factor in limiting large enrollments. Because the degree program will be phased in, there may be a cohort of existing students who want to complete the degree requirements while within an existing major. This would be allowed for the first three years of the degree program and students who complete all of the available required courses for either the Behavioral and Cognitive Neuroscience (BCN) Concentration or the Cellular and Molecular Neurosciences (CMN) Concentration, with the exceptions of NB 192, 399, 493 and 499, will qualify for a transcript endorsement stating “This student has completed the core curriculum requirements for the B.S. degree in Neurosciences.”

- *Is the proposed program intended to provide another program option to a significant number of students who are already being attracted to or attending CSU?* No. The program is intended to attract top notch students from high schools in Colorado and surrounding states who would not come here because we do not have an undergraduate neuroscience major. However, because CSU has a strong research base and national reputation in neuroscience through our graduate Neuroscience Program, we already attract the attention of a number of students who might desire this major. The courses required in the CMN concentration are more rigorous and extensive in physical sciences and mathematics than are currently required for any CSU bioscience degree except for biochemistry, and this alone will limit the numbers of students who will be transferring between majors. The courses required in the BCN concentration are also much more rigorous and extensive in physical sciences and mathematics than what is required for a degree in psychology, even for those students within the Mind, Brain and Behavior Concentration who are not required to take calculus, physics, genetics, cell biology, organic chemistry, or biochemistry, all of which are required in the BCN concentration.

- *If the program is expected to attract students from other campus departments, attach a letter from the relevant department head and dean indicating their support (or lack thereof) for the new proposal in terms of shift of student enrollment from that particular department.* The BCN concentration might draw some students away from a major in psychology, although as already stated the curricula are very different. The CMN concentration might draw a few students away from the Biomedical Sciences major (but it is already a capped program operating at capacity so this would provide an alternative for some students who can't get into that program) and from Biochemistry, but the numbers are likely to be very small.

- *Is it anticipated that the proposed program will draw students who would not otherwise come to the institution?* This is definitely our intention. When this proposal was first put forward in 2010, there were only two public comprehensive research universities nationwide that offered undergraduate neuroscience majors (University of Minnesota and Washington State University). Now more than 10 public research universities offer such a degree suggesting the increased interest in this major. However, almost all of these competing programs are concentrated east of the Mississippi River (see map, **Appendix 1**) with a few new ones in California (Irvine, Los Angeles and Riverside campuses of UC system). We plan to advertise our program to the high schools in states surrounding Colorado, none of which offer a neuroscience B.S. degree.

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• *What is the student profile in other programs that the department currently offers (e.g, mean index score; residency compared to nonresidence numbers; ethnicity of student body). Is there any reason to believe that the profile of the student body in the new program area would be any different than the existing profile? Please explain.* This new program is not within an existing department. However, we anticipate it will attract students with similar index scores to those entering the Biochemistry major because the level of rigor between the two curricula is similar. Thus we are providing the requested information for students registered in the Biochemistry BS degree program in Fall 2012. However, it should be noted that unlike neuroscience, all surrounding states have biochemistry majors at their state universities.

	Number	Percent
Total of students in major in Fall 2012:	192	100%
Mean Index Admission Score	120	
Honors Program Participants	31	16%
Resident Status		
Colorado Residents	169	87.5%
Non-resident	24	12.5%
Gender		
Male	92	47.9%
Female	100	52.1%
Ethnicity		
White	142	73.9%
Asian	14	7.3%
Black	8	4.2%
Hispanic	12	6.3%
Native American	3	1.6%
Multiple Identity	8	4.1%
Not reported	5	2.6%

7. Admission Requirements

• *Are any requirements for admission to the proposed program being recommended that are higher than CSU's minimum requirements?* No.

Program and Assessment

8. Course of Study

• *List all courses comprising the program's overall curriculum. Please provide the following information for each course: course number, title, credits, prerequisite, catalog description (NOTE: approval of four new NB courses is accompanying this curricular approval application). Electives and AUCC courses are not shown. Courses with **bold green** font are required only for BCN concentration and those in *red italics* are required only for CMN concentration.*

<u>Course #</u>	<u>Title</u>	<u>Credits</u>	<u>Conc.</u>	<u>Prereqs</u>
BC 351	Princip. of Biochem.	4	BCN	BZ 110 or BZ 120 or LIFE 102; CHEM 245 or CHEM 341 or CHEM 345
<i>BC 401^{4A}</i>	<i>Gen. Biochem.</i>	<i>3</i>	<i>CMN</i>	CHEM 245 or CHEM 343 or concurrent reg. or CHEM 346 or concurrent reg; MATH 155 or MATH 160
<i>BC 403^{4B}</i>	<i>Gen. Biochem. II</i>	<i>3</i>	<i>CMN</i>	CHEM 245 or CHEM 341 or CHEM 345.
<i>BC 404</i>	<i>Gen Biochem Lab</i>	<i>2</i>	<i>CMN</i>	BC 401 or concurrent reg.; CHEM 246 or CHEM 344 or CHEM 346; LIFE 203; LIFE 212
<i>BC 465</i>	<i>Mol Reg Cell Fn</i>	<i>3</i>	<i>CMN</i>	LIFE 210; BC 403 or concurrent reg. or BC 351.
BMS 300	Princ.Hum. Physiol	4	Both	BZ 101 or BZ 110 or LIFE 102; CHEM 103 or CHEM 107 or CHEM 111
BMS 325	Cellular Neurobiol.	3	Both	BMS 300 or BMS 360.
BMS 345	Funct. Neuroanat.	4	Both	BMS 300 or BMS 360
CHEM 111	Gen Chem I	4	Both	MATH 118 or MATH 141 or MATH 155 or MATH 160 or MATH 161 or MATH 229 or MATH 261 or concurrent reg. in

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<u>Course #</u>	<u>Title</u>	<u>Credits</u>	<u>Conc.</u>	<u>Prereqs</u>
CHEM 112	Gen Chem Lab I	1	Both	MATH 141 or MATH 155 or MATH 160 or MATH 161 or MATH 229 or MATH 261. CHEM 111 or concurrent reg. or CHEM 117 or concurrent reg.
CHEM 113	Gen Chem II	3	Both	CHEM 107 or CHEM 111 or CHEM 117; MATH 124 or MATH 141 or MATH 155 or MATH 160 or MATH 161 or MATH 229 or MATH 261 or concurrent reg. in MATH 141 or MATH 155 or MATH 160 or MATH 161 or MATH 229 or MATH 261.
CHEM 114	Gen Chem Lab II	1	Both	CHEM 112; CHEM 113 or concurrent registration
CHEM 341	Mod.Org Chem I	3	Both	CHEM 113
CHEM 343	Mod. Org Chem II	3	Both	CHEM 245 or CHEM 341 or CHEM 345
CHEM 344	Mod. Org Chem Lab	2	Both	CHEM 343 or concurrent reg. or CHEM 346 or concur.reg.
LIFE 102	Attrib. of Living Sys.	4	Both	High school chemistry.
LIFE 201B	Intro Genetics	3	Both	LIFE 102
LIFE 203	Genetics Lab	2	Both	LIFE 201A or concurrent reg. or LIFE 201B or concur. reg.
LIFE 210	Cell Biol	3	Both	LIFE 102; CHEM 111 or concur. reg.; CHEM 112 or concurrent reg.
LIFE 212	Cell Biol Lab	2	Both	CHEM 112 or concurrent reg.; LIFE 210 or concurrent reg.
MATH 155	Calculus I	4	Both	MATH 124; MATH 125
<i>MATH 255</i>	<i>Calculus II</i>	<i>4</i>	<i>CMN</i>	MATH 126 or concurrent reg.; MATH 155
<i>MIP 300</i>	<i>Intro. Microbiol.</i>	<i>3</i>	<i>CMN</i>	BZ 110 or BZ 120 or LIFE 102; CHEM 245 or concurrent reg. or CHEM 341 or concurrent reg. or CHEM 345 or concur.reg.
<i>MIP 342</i>	<i>Immunology</i>	<i>4</i>	<i>CMN</i>	CHEM 245 or concur.reg. or CHEM 341 or concur. reg. or CHEM 345 or concur.reg.; LIFE 201B or LIFE 210 or MIP300.
*NB 192	Freshman Seminar	1	Both	None
*NB 399	Pre-Thesis	1	Both	None; will require junior standing in major when instituted
*NB 493 ^{4C}	Senior Sem.	1	Both	None; will require senior standing in major when instituted
*NB 499 ^{4A,4C}	Thesis	3	Both	None; will require NB 399 when instituted
PH 121	Gen Physics I	5	Both	MATH 125 or concurrent registration.
PH 141	Physics for Sci Eng I	5	Both	MATH 126; MATH 155 or concurrent reg. or MATH 160 or conc. reg
<i>PH 122</i>	<i>Gen Physics II</i>	<i>5</i>	<i>CMN</i>	PH 121
<i>PH142</i>	<i>Physics for Sci Eng II</i>	<i>5</i>	<i>CMN</i>	PH 141; MATH 161 or concurrent reg. or MATH 255 or concurrent reg.
PSY 100	Gen. Psychology	3	Both	None
PSY 250	Res. Meth. Psych.	4	BCN	PSY 100
PSY 252	Mind, Brain, Behavior	3	Both	PSY 100
PSY 352	Learning & Memory	3	BCN	PSY 252
PSY 452	Cognitive Psych.	3	BCN	PSY 252
PSY 454	Biological Psych.	3	BCN	PSY 252
PSY 455	Biolog. Psych. Lab.	2	BCN	PSY 454 or concurrent reg.
PSY 456 ^{4B}	Sens. Percep.	3	BCN	PSY 252
PSY 457	Sens. Percep. Lab	2	BCN	PSY 456 or concurrent reg.
PSY 458 ^{4B}	Cog. Neuroscience	3	BCN	PSY 252
PSY 459 ^{4A}	Cog. Psych. Lab	2	BCN	PSY 458 or concurrent reg.
STAT 301	Intro to Stat. Methods	3	Both	MATH 117 or MATH 118 or MATH 124 or MATH 125 or MATH 126 or MATH 141 or MATH 155 or MATH 160
STAT 307	Intro to Biostatistics	3	Both	MATH 117 or MATH 118 or MATH 124 or MATH 125 or MATH 126 or MATH 141 or MATH 155 or MATH 160

*All NB courses have been submitted for approval with the Phase II document.

Category 4 courses are shown with blue footnotes.

- Provide a discussion of any nontraditional learning modes to be utilized in the new courses, including, but not limited to: (1) the role of technology, and (2) the use of career development activities such as practica or internships.

Graduation from the major requires submission and defense of a written undergraduate thesis (completion of NB 499). We envision about half of the theses will be based upon original research work performed by the undergraduates in the laboratories of neuroscience faculty. The remainder of the theses will be literature-based on a topic of the students' choosing but which requires faculty approval and assignment of a thesis mentor. Topic approval and mentor assignment will take place at least one semester in advance of submission during the required NB 399 thesis preparation course. Students wishing to do a semester abroad may obtain approval for an international internship and may submit a thesis on a topic to be preapproved with an assigned CSU mentor/sponsor. CSU credit for internship may be earned through the independent study course NSCI 495 or the internship course NSCI 487, and grades are assigned by the CSU mentor/sponsor with input from the host institution. Establishment of these course numbers under the NB subject code will be undertaken in the future since we do not anticipate any enrollment in courses at this level before Fall 2016.

9. Curriculum – courses and total structure

Include total curriculum design as discussed at University Curriculum Committee. Use the appropriate UCC forms, found on the web. Once the Phase 1 report has been approved, you may choose to submit this packet to University Curriculum Committee to get preliminary feedback as to whether they have any questions or concerns about the proposed curriculum. The total curriculum design will be submitted to the UCC in August of 2013 after review by the CNS and CVMBS curriculum committees. Forms for each of the concentrations are included in **Appendix 2**.

We anticipate a significant number of students attracted to this major will be interested in the University Honors Program, and thus will offer both Track 1 (University Honors Scholar) and Track II (Discipline Honors Scholar) curricula to students in both the CMN and BCN concentrations. The following Honors Tracks have been examined by Donald Mykles, Director of the University Honors Program and are ready for submission to Faculty Honors Council for approval.

Track I Honors Curriculum (CMN and BCN)

Students from both concentrations would substitute the following courses:

<u>Current Curriculum</u>		<u>Honors Replacement</u>	
AUCC core	15 credits	HONR: 192	4 credits
		193	3 credits
		392	3 credits
		492	3 credits
LIFE 201	3 credits	LIFE 201H	3 credits and LIFE 202 1 credit
or		or	
LIFE 210	3 credits	LIFE 210H	3 credits and LIFE 211 1 credit
BMS 325	3 credits	BMS 325H	3 credits
NB 399	1 credit	HONR 399	1 credit
<u>NB 499</u>	<u>3 credits</u>	<u>HONR 499</u>	<u>3 credits</u>
Total	25 credits	Total	24 credits

Track II Honors Curriculum (CMN concentration)

IU 193H	1 credit
BC 401	3 credits
MIP 300H	3 credits
BMS 325H	3 credits
BC 465	3 credits
BC 466H	1 credits (newly approved 1 credit honors recitation for BC 465)
NB 399	1 credit (in place of HONR 399)
<u>NB 499</u>	<u>3 credits (in place of HONR 499)</u>
Total	18 credits

Track II Honors Curriculum (BCN concentration)

IU 193H	1 credit
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BMS 300H	4 credits	
BMS 325H	3 credits	
*PSY 352	3 credits	
*PSY 452	3 credits	
NB 399	1 credit (in place of HONR 399)	
<u>NB 499</u>	<u>3 credits (in place of HONR 499)</u>	
Total	18 credits	*Honors options for these courses are done by individual student requests.

10. Assessment of Student Learning/Outcomes Evaluation

- *What specific learning outcomes will be achieved by students who complete this proposed program of study?*
 1. Students will demonstrate proficiency in the major and obtain appropriate academic and career advising, with an emphasis on retention.
 2. Graduates will find professional employment related to their major and/or have opportunities for further training in graduate or professional schools.
 3. Students will have opportunities for individualized educational experiences and/or for conducting research.
 4. Students will have opportunities to participate in diverse cultural experiences and to integrate academic and co-curricular experiences.
 5. Students are expected to gain a core knowledge of neuroscience. Key elements for the major and those pertinent to each concentration are listed below:
 - a. For All Students:
 - 1) Organization of the nervous system
 - 2) Cellular components of the nervous system
 - 3) Electronic properties of axons and dendrites
 - 4) Neurotransmitters, synaptic function and cell-cell communication
 - 5) Neuronal differentiation and nervous system development
 - 6) Function of sensory systems
 - 7) Function of motor systems
 - 8) Central control of autonomic functions
 - 9) Brain and spinal cord neuroanatomy
 - 10) Basic mechanisms of learning and memory
 - b. For BCN Concentration Students:
 - 1) Human brain evolution
 - 2) Cognitive development
 - 3) Spatial cognition
 - 4) Sensory perception
 - 5) Learning and memory: systems analysis
 - 6) Language and communication
 - 7) Thinking and problem solving
 - 8) Behavioral regulation and abnormalities
 - c. For CMN Concentration Students:
 - 1) Mechanisms of neuronal differentiation and polarity establishment
 - 2) Molecular mechanisms establishing neuronal circuitry
 - 3) Energy metabolism of the brain: normal, during exercise, in disease, and during starvation.
 - 4) Specific mechanisms of some excitatory and inhibitory neurotransmitter signaling pathways
 - 5) Molecular basis of taste and olfaction
 - 6) Molecular mechanisms of visual transduction
 - 7) Molecular basis of hearing and balance
 - 8) Molecular basis of neurodegenerative diseases

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• *What methods will be used to assess student learning? How will student learning assessment be embedded in the curriculum?*

- Probationary students are contacted and informed of options for improving academic performance. The number of students who move off probation and are retained will be tracked and counted.
- Quantifying the number of national, state, university, and departmental scholarships awarded.
- Career advising; Quantifying the number of visits or contacts to the Career Center.
- Query graduating seniors about the nature and quality of career advising by an online survey.
- Academic advising; Quantify the number of students contacting the Director/key advisor(s).
- Query graduating seniors about the quality of academic advising by online survey.
- Survey alumni five and ten years after graduation about current employment and preparation they received.
- Query graduating seniors about post-graduation plans via online survey, reporting the number of students who: (a) enter M.S. degree programs; (b) enter Ph.D. degree programs; (c) enter professional schools; (d) are employed in related field, including industry, government agencies, or education.
- Collect data on students participating in research reported by faculty through FAS. Quantify numbers who participate in peer-reviewed published papers based on their undergraduate research.
- Query graduating seniors by online survey, counting the number of students: (a) in the Honors program; (b) who complete Honors theses; (c) engaged in undergraduate research; (d) enrolled in seminars; (e) enrolled in independent study or internship; (f) who presented at the annual Celebrating Undergraduate Research and Creativity symposium on campus; (g) who are participating in the combined B.S./M.S. program.
- Query graduating seniors by online survey, counting the number of students who: (a) are underrepresented ethnic minorities; (b) participated in study-abroad or international internship programs; (c) participated in service-learning activities in the community; (d) participated in campus organizations.
- Track the percentage of underrepresented ethnic minorities in major by class year.

• *What specific methods or approaches will be used to assess graduate (completer) outcomes?*

An on-line test with questions drawn from core LIFE, CHEM, BMS, BC and PSY courses will be administered to freshmen in NB 192, Introductory Seminar, and to graduating seniors toward the end of their final semester.

• *Is a licensure examination associated with this field of study?* No.

• *How will the institution determine the extent to which the academic program meets the objectives (section 2) previously outlined? (Identify specific post-approval monitoring procedures and outcome indicators to be used.)*

- Retention will show steady improvement. Numbers of majors and scholarships received will increase with time. Utilization of academic and career advising will increase and the level of satisfaction will improve.
- Graduates are expected to find employment in a field that utilizes their education in neuroscience, such as research in the biosciences, as a health professional, in biotechnology, etc. We will look for increases from baseline levels established during the first years of the surveys.
- A steady increase in the extent to which undergraduate students participate in research is anticipated.
- It is anticipated that the freshmen will be able to answer few, if any, of the questions on the student outcome assessment exam whereas graduating seniors should score highly on the exam.

• *How will the collected information be used to improve teaching, advising, and co-curriculum activities to enhance student learning?* Each year after the second year the program is in place, the Associate Director of Undergraduate Affairs (ADUA) (who will serve as Program Assessment Coordinator) will compile, organize, and summarize findings. These will then be shared with the Administrative Oversight Committee and the Neuroscience Program Executive Committee. An undergraduate affairs committee has been codified through the Neuroscience Program to include representatives from both the College of Natural Sciences and the College of Veterinary Medicine and Biomedical

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Sciences who are actively involved in undergraduate programs. In September of each year, a recommendation report from the executive committee will be submitted to the undergraduate affairs committee who will consider how to implement the recommendations and present their recommendations to the neuroscience faculty who will vote on their implementation.

Faculty**11. “Snapshot” of Faculty Resources**

- *Identify current program faculty, briefly describing each faculty member’s expertise/specialization. Summarize faculty resources using the following table. Specialization is defined by concentration names.*

Last Name, First Name	Tenure-track/Tenured	Highest Degree	Area of Specialization	Program Role	
				Research	Teaching
Amberg, Gregory	Tenure-track	Ph.D.	CMN	X	X
Anderson, Charles	Tenured	Ph.D.	Computer modeling	X	X
Bamburg, James	Tenured	Ph.D.	CMN	X	X
Bessen, Richard	Tenured	Ph.D.	CMN	X	X
Cleary, Anne	Tenure-track	Ph.D.	BCN	X	X
Davies, Patricia	Tenured	Ph.D.	BCN	X	X
Draper, Bruce	Tenured	Ph.D.	Computer modeling	X	X
Earley, Scott	Tenure-track	Ph.D.	CMN	X	X
Florant, Gregory	Tenured	Ph.D.	CMN	X	X
Garrity, Deborah	Tenured	Ph.D.	CMN	X	X
Hentges, Shane	Tenure-track	Ph.D.	CMN	X	X
Hoke, Kim	Tenure-track	Ph.D.	BCN	X	X
Ishii, Doug	Tenured	Ph.D.	CMN	X	X
Mykles, Donald	Tenured	Ph.D.	CMN	X	X
Partin, Kathryn	Tenured	Ph.D.	CMN	X	X
Prasad, Ashok	Tenure-track	Ph.D.	CMN	X	X
Rash, John	Tenured	Ph.D.	CMN	X	X
Reist, Noreen	Tenured	Ph.D.	CMN	X	X
Seger, Carol	Tenured	Ph.D.	BCN	X	X
Tamkun, Michael	Tenured	Ph.D.	CMN	X	X
Telling, Glenn	Tenured	Ph.D.	CMN	X	X
Thaut, Michael	Tenured	Ph.D.	BCN	X	X
Tjalkens, Ronald	Tenured	Ph.D.	CMN	X	X
Tsunoda, Susan	Tenure-track	Ph.D.	CMN	X	X
Vigh, Jozsef	Tenure-track	Ph.D.	CMN	X	X
Volbrecht, Vicki	Tenured	Ph.D.	BCN	X	X
Walrond, John	Tenured	Ph.D.	CMN		X
Whalen, R. Ray	Tenured	DVM, Ph.D.	CMN		X
Zabel, Mark	Tenure-track	Ph.D.	CMN	X	X

- *Estimate the number, rank, and background of new faculty members who would need to be added to initiate the proposed program in each of the first four years of the proposed program’s operation (assuming the program develops as anticipated). Two new faculty members, one in CNS and one in CVMBS, will be hired or recruited during FY2014. The search for a third faculty position will be initiated during FY2016 for hire in FY2017. The area of expertise for this position will be determined from enrollment patterns for the two concentrations and will be in the area of greatest student demand. A half-time instructor will be hired in Biomedical Sciences in FY2014 to help meet institutional capacity issues and will be converted to a full time position in FY2015. An instructor/key advisor will be hired in FY2014 and a half time instructor for the LIFE core will be hired in FY2016.*

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Number	Rank	Background	Year Added
1	Assist./Assoc Prof.	Ph.D. (BCN)	FY2014
1	Instructor	Ph.D. (CMN- neuroanatomy/neurophysiol)	FY2014 (50%) and full time in FY2015
1	Instructor	MS/Ph.D. with some neuroscience courses	FY2015 (50%) and full time in FY2016
1	Assist. Prof.	Ph.D. (CMN)	FY2015
1	Instructor (half-time)	Ph.D. (CMN-Biochem/cell biol)	FY2016
1	Assist. Prof.	Ph.D. (area of greatest need)	FY2017

What resource commitment is required and how will it be provided?

Provost and Administrative Oversight Committee have agreed on the faculty and instructor hiring in FY2014 prior to program initiation. Funding will be through a tuition revenue sharing agreement with a 50/50 split of revenue return between the central administration and the two colleges. Office space for the undergraduate program director (ADUA) and instructor will be provided by one of the participating departments (Biochemistry and Molecular Biology, Biology, Biomedical Sciences or Psychology) for the first year through discussion with the Administrative Oversight Committee and their input from departmental chairs. One time funds for renovating space is requested in year one funding to establish a permanent home by year 2. We are requesting 1.5 month salary support for the ADUA in FY2014 for recruitment activities and three months of support after the program starts admitting students (the ADUA will be the advisor, administrator, recruiter and instructor for Introductory Seminar during the initial year of operation). New faculty recruited in FY2014, FY2015, and in FY2017 will be added to participating departments through standard means. The department wishing to add the new faculty member will put forward appropriate research laboratory space to house the new faculty member and will negotiate with the Neuroscience Program Director, Academic Oversight Committee, and the Vice President for Research for start-up costs. About 25% of the anticipated start-up costs are being requested as one time funding in our budget with the other 75% coming from the hiring department, college and VPR. The 9 month RI salary package for the new faculty member will be provided through the Neuroscience BS degree program budget to departments with an MOU from the Academic Oversight Committee to ensure that the position will be maintained in future years as one supporting the neuroscience degree program.

Because the program is the first to be housed under an SAU, the Provost and the AOC will have to agree to a mechanism by which unspent program funds do not penalize any college or department which is given responsibility for the budget and likewise will not unfairly penalize the college or department for any program deficit that arises due to unmet enrollment projections.

• *Estimate the number and type of support staff needed in each of the first four years of the program.* During the first year of enrollment, the ADUA will handle administrative and advising matters, hiring and training a key advisor during the spring semester of the first year. Before the start of the second year, a full time administrative assistant will be hired to handle office issues as enrollment grows to about 100 student majors. The key advisor/instructor will co-teach the Introductory Seminar, advise students, and help coordinate research lab assignments and the preparation and defense for non-research theses. A major role of the ADUA will be to recruit top notch students from both out-of-state and in-state high schools, to administer the program, and coordinate instruction, outcomes assessment, and to help place students in research labs.

12. Faculty Vitae

• *For a new undergraduate program, include abbreviated vitae (1-3 pages) for all tenured/tenure track faculty members as appendices.* A three page vitae for each faculty member with a description of their participation in undergraduate and graduate education is included in **Appendix 3**.

Resources

13. Impact of Program Request on Curriculum and Students

• *What is the current department enrollment by degree level?*

The program is not within a single department but is a Special Academic Unit that currently offers no degrees.

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• *Are any of the department's current program areas "controlled" or "capped"? Is the Center for Advising and Student Achievement (CASA) currently involved in advising any majors for a "seeking" category that involves any of the department's degree areas?* No.

• *If approved, how will launching a new degree impact the commitment already made to students in other program areas?*

The most likely area of impact would be in Biomedical Sciences, where undergraduates in the BMS major seeking research opportunities will face competition from the neuroscience majors since about half of that department's research faculty members perform neuroscience research. However, the BMS program does not have a required undergraduate thesis. BMS faculty members are aware of this potential competition for lab positions and have stated that they will take on undergraduate research students who demonstrate a strong commitment to research regardless of their degree program.

• *Provide a detailed plan as to how resources within the department would be re-allocated to contribute to the resource base needed for this proposed program.* There is no department, but the Provost has set aside about \$188,000 to fund the initial year of the program (FY2014), based upon a tuition revenue sharing plan as outlined under item 16 (and **Appendix 4**). After 5 years, all faculty and 6 of the 9 GTA positions will be placed within departments with funding for those slots directed to departmental budgets. The tuition revenue sharing plan will continue indefinitely for the program's operational and staff budget (14% of revenue), allowing room for growth if the program successfully meets its goals.

• *What are "collateral expenses" that must be taken into account in order to offer this academic program?*

The chairs of Biochemistry and Molecular Biology, Biomedical Sciences, Chemistry, Mathematics, Microbiology, Immunology and Pathology, Physics, Psychology and Statistics as well as the director of the LIFE core have been contacted to discuss how the addition of this major would impact the teaching loads and sections of the courses required. Memos received from each of these departments are included as **Appendix 5** and are summarized below. These memos assume an immediate enrollment of 50 students per class. At least five new GTA positions (10 semesters of support) will be required to meet the additional needs of the lab/recitation sections required for Chemistry, Physics, Mathematics and LIFE courses during the first two years, and four additional GTA positions (8 semesters of support) will be required to meet the needs of the upper division courses in years three and beyond (9 total GTA slots). One half-time instructor is also required for covering the additional section of BC404 and LIFE 212 (biochemistry and cell biology). The neuroanatomy course (BMS345) is very labor intensive and is best taught with 2 GTAs per section. Courses that require some additional instructors/GTAs are shown in the following table. Lecture courses can absorb the additional students because most have an on-line version that has reduced pressure for larger class rooms. Our current request for 9 GTA slots (18 semesters of support) are to be phased in as follows: three in year 1; three in year 2; two in year 3, one in year 4. The new half time instructor will be needed in year 2. Six of the GTA positions will be assigned to departments on the basis of need for providing the sections required for our students. Three GTA positions will be maintained by the program to support neuroscience graduate students who will teach in appropriate courses in biomedical sciences or psychology.

Course	New sections required	GTA semesters support	New Instructors
LIFE 102	2	1	
LIFE 203	2	1	
LIFE 212	2	1	One semester, half time
CHEM 344	2	2	
MATH 155	1	1	
MATH 255	1	1	
STAT 307	2	1	
BMS 300	2 (recitation)	1	
BMS 325	none	1 (to help deal with large class size and exams)	
BMS 345	1	2	
BC 404	1	0.5	One semester, half time
PH 121	2	1	
PH 122	1	0.5	
PSY 455	2	1	
PSY 457	2	1	

Version 9-4-2013

PSY 459	2	1	
MIP 300	1	0.5	
MIP 342	1	0.5	

14. Library Reference Sources: (Note: this section must be reviewed by the Library Staff and certified by the Dean of the Libraries. Seek feedback from the Dean of the Library during Phase 1 so that work might begin on adequacy of the collection).

- Describe the adequacy of student and faculty access to library and department resources (including, but not limited to, printed media, electronically published materials, videotapes, motion pictures, CDROM and online databases, and sound files) that are relevant to the proposed program (e.g., is there a recommended list of materials?).

There is no recommended list of which we are aware. Because books in neuroscience become out of date relatively quickly, only some of the classics in the field are probably worthwhile having and many of these are available in the CSU library. CSU already has a strong graduate program encompassing neuroscience research and thus the library holdings and accessibility to electronic journals is already quite strong. Nevertheless, there are a few new journals, which because of their high impact factor, should be added to the collection. These are listed in the memo from the Dean of Libraries which is included as **Appendix 6**.

- How much, if any, additional financial support will be required to bring access to such reference materials to an appropriate level? How is it proposed that these additional resources will be provided? Maintaining the current access to electronic journals is important but for this undergraduate program, resources beyond what is listed above are not required.

15. Facilities, Equipment, and Technology

- What unique resources (in terms of buildings, laboratories, computer hardware/software, Internet or other online access, distributed-education capability, special equipment, and/or other materials) are necessary to offer a quality program in the field?

One of the reasons that offering this degree program at Colorado State University is so attractive is that we already have exceptional research facilities for neuroscience. With almost 30 faculty spread between 5 colleges and 11 departments, students can gain access to the best specialized equipment in a number of areas. Some of these facilities are maintained through core infrastructure grants from the VPR and include the Microscope Imaging Network and the Proteomics and Metabolomics Laboratory. Some additional equipment in the teaching laboratories might help improve instruction of basic methodology, but these can be obtained through cooperation between the new Neuroscience degree program (and the tech fee funds generated) and departments delivering the essential laboratories. Some equipment upgrades for teaching labs have been requested as one time funds for FY2016.

- What resources for facilities, beyond those now on hand, are necessary to offer this program? Beyond the first year of the program it will be necessary to establish a program office with space for the ADUA, the key advisor/instructor and the administrative assistant. Access to a conference room will also be needed for both group advising and for freshman seminar courses.

What facilities would enhance the program? Be specific (e.g., include need for new space, renovated space). Be sure to address classrooms, instructional labs, office space, etc.

As stated above some office space out of which to run the program will be needed. In addition the program needs to have access to conference room space for its undergraduate seminar courses. Colorado State University has a need for additional quality lecture rooms for sections of more than 90-100 students. Lack of access to these classes in a timely fashion often delays student progress in their degree program but adding additional sections often requires another full FTE faculty, often unavailable and expensive to add if available. Many of the teaching labs in the Yates Building are running at or near full capacity for normal class hours and we may need to have additional evening sections to accommodate the loads. The new classrooms in the Behavioral Sciences Building will help alleviate some of the space problems for medium sized lecture courses, but we should continually plan to add larger rooms to new facilities early in the planning stage. However, the conversion of some of the larger classes (e.g. BC351 and BMS325) to on-line accessibility has lessened the classroom pressure on some of the largest courses.

• *What resources for equipment, and technology, beyond those now on hand, are necessary to offer this program? How is it proposed these additional resources will be provided?*

We need to add some basic equipment for a LIFE 212 labs and a new section of BC404 lab (FY2016), requiring about \$40,000 in upfront investment. The equipment will then be maintained and replaced using technology fee funds, part of which will come from new students in the neuroscience major. Some of the requested program support funds will be used to enhance the undergraduate thesis research experience by providing small amounts of funding (\$500 max per student) for items needed in the training of the undergraduates in their first semester doing independent study. An expansion of space in Biomedical Sciences to house the laboratory for neuroanatomy is an important goal for the next two-three years.

16. Summary of Budget Needs

*Summarize all **new** budget resources you are requesting from CSU Central Administration. As part of this section, complete the attached financial planning form.* We propose this new program be funded by a tuition revenue sharing plan with funds coming from recruitment of NEW undergraduate students. The attached financial planning form (**Appendix 4**) shows that the program will require a return of 64% of tuition revenue for year 1, but decreasing to about 30% when steady state is reached in year 5. As an SAU, the program has no financial support mechanism other than its tuition sharing; thus its only means of covering deficits brought about by failing to meet its recruitment goals is to decrease its rate of expansion and hiring in subsequent years. It cannot be expected to cover deficits within the year that they occur.

Attached Appendices

- 1. Map of USA showing all undergraduate neuroscience degree programs in public and private universities (2012).**
- 2. New Program of Study Curricular Request Forms for BCN and CMN Concentrations**
- 3. Faculty Vitae (provided separately as appendix 3)**
- 4. Financial Planning Form**
- 5. Memos from Department Chairs Regarding Program Impact on Their Courses**
- 6. Memo on Library holding from Dean of Libraries**

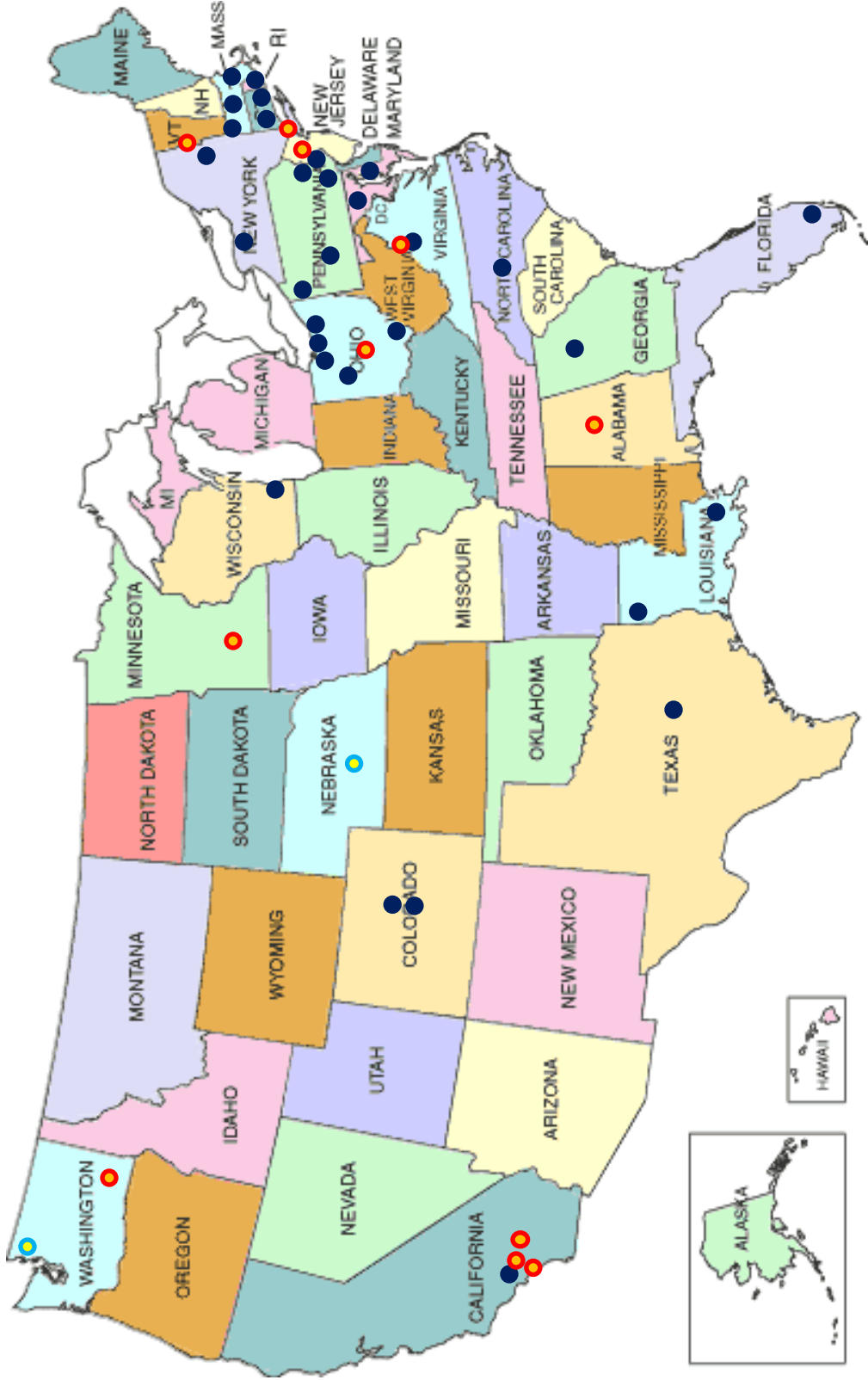
Undergraduate Neuroscience Programs in the USA

(Data from the Society for Neuroscience, Neuroscience Departments and Programs, Undergraduate Degrees. A total of 37 listed programs.)

● Public Comprehensive Research University

● Public College

● Private College or University



Appendix 2

Curricular Request Forms

NEW/MAJOR/MINOR PROGRAMS OF STUDY-CURRICULAR REQUESTS

CONTACT PLEASE PRINT: NAME James Bamburg **EMAIL** James.Bamburg@colostate.edu **PHONE** 1-6096
(REQUIRED)

CHECK THE APPROPRIATE BOX ON THE FAR LEFT. See *Curricular Policies and Procedures Handbook*, available at <http://www.colostate.edu/orgs/ucc> for instructions.

ADDS

ADD a new department and/or college. (Complete Section I-Column B and Section II.)
 ADD a new degree or major or concentration or option or minor or interdisciplinary studies program. (Complete Section I-Column B, Section II, and Section III-Column B.)

MAJOR CHANGES

CHANGE the name of an existing department and/or college. (Complete Section I-Column A, only changed item(s) in Section I-Column B, and Section II.)
 CHANGE the name of a degree or major or concentration or option or minor or interdisciplinary studies program. (Complete Section I-Column A, only changed item(s) in Section I-Column B, and Section II.)
 CHANGE the curriculum requirements of an approved major or concentration or option or minor or interdisciplinary studies program involving a sum total of 7 or more credits. (Complete Section I-Column A, Section II, Section III-Column A, and only changed item(s) in Section III-Column B.)
 CHANGE AUCC Category 4 requirements of an approved major or concentration. (Complete Section I-Column A, Section II, Section III-Column A, and only changed item(s) in Section III-Column B.)
 DROP a degree or major or concentration or option or minor or interdisciplinary studies program and requirements. (Complete Section I-Column A and Section II.)

MINOR CHANGES

CHANGE the curriculum requirements of an approved major or concentration or option or minor or interdisciplinary studies program involving a sum total of less than 7 credits. (Complete Section I-Column A, Section II, Section III-Column A, and only changed item(s) in Section III-Column B.)
 CHANGE courses and/or group requirements from freshman/sophomore year to junior/senior year or vice versa in an approved major or concentration or option or minor or interdisciplinary studies program. (Complete Section I-Column A, Section II, Section III-Column A, and only changed item(s) in Section III-Column B.)

SECTION I

A. PRESENT NAME	B. REQUESTED NAME
COLLEGE	Office of the Provost
DEPARTMENT	Special Academic Unit
MAJOR	Neuroscience
UNDERGRADUATE CONCENTRATION/ GRADUATE SPECIALIZATION	Behavioral and Cognitive Neuroscience
OPTION	
MINOR	
INTERDISCIPLINARY STUDIES PROGRAM	
DEGREE	B.S. in Neuroscience

EFFECTIVE DATE (TERM AND YEAR) REQUESTED Fall 2011

SECTION II-JUSTIFICATION FOR REQUEST

CSU has a strong research base and national reputation in neuroscience through our graduate MCIN program. We already attract the attention of a number of students who might want to major in this important discipline. Is it anticipated that the proposed program will draw students who would not otherwise come to CSU. There are only two public comprehensive research universities nationwide that offer undergraduate neuroscience majors (Univ. of Minnesota and Washington State Univ). See Phase II document for more details.

SECTION III (SEE PG. 2)

SECTION IV-SIGNATURES OF AFFECTED DEPARTMENTS (SEE PG. 3)

CHANNELS FOR APPROVAL

DATE

Department Head/
Chairperson* _____
 Chairperson, College
Curriculum Committee _____
 Dean of
College* _____

*Signature indicates approval and a commitment of resources.

CURRICULUM & CATALOG USE	Approval Date
Comm. On Scholarship, Research, and Graduate Education (CoSRGE)	_____
University Curriculum Committee	_____
Faculty Council	_____
Approved Effective Date	_____

Call 1-1451, Curriculum and Catalog Administration, for information.

SECTION III-LISTING OF CURRICULUM REQUIREMENTS

A. LIST COMPLETE CURRENT REQUIREMENTS (Please contact Curriculum and Catalog to request a current program of study.)		B. EITHER LIST COMPLETE NEW PROGRAM OR ONLY PROPOSED CHANGES (CHANGES, DROPS, AND ADDS). (For examples, see Appendices in the <i>Curricular Policies and Procedures Handbook</i>). INCLUDE: Course prefix, number, title, and number of credits. Note superscript "P" after course number if course has a prerequisite.	
FIRST YEAR	CREDITS	FIRST YEAR	CREDITS
		NB 192 Introductory Seminar	1
		PSY 100 General Psychology (AUCC 3C)	3
		CHEM 111 ^P General Chemistry I (AUCC 3A)	4
		CHEM 112 ^P General Chemistry Laboratory I (AUCC 3A)	1
		CHEM 113 ^P General Chemistry II	3
		CHEM 114 ^P General Chemistry Laboratory II	1
		LIFE 102 ^P Attributes of Living Systems (AUCC 3A)	4
		LIFE 201B ^P Intro. Genetics-Molecular/Immunological/Developmental	3
		LIFE 203 ^P Introductory Genetics Laboratory	2
		MATH 155 ^P Calculus for Biological Scientists I (AUCC 1B)	4
		CO 150 ^P College Composition (AUCC 1A)	3
		Arts/Humanities ¹ (AUCC 3B)	3
		TOTAL	32
SECOND YEAR	CREDITS	SECOND YEAR	CREDITS
		CO 300 ^P Writing Arguments ³ (AUCC 2B)	3
		OR	
		CO 301B ^P Writing in the Disciplines-Sciences ³ (AUCC 2B)	3
		LIFE 210 ^P Introductory Eukaryotic Cell Biology	3
		LIFE 212 ^P Introductory Cell Biology Laboratory	2
		CHEM 341 ^P Modern Organic Chemistry I	3
		CHEM 343 ^P Modern Organic Chemistry II	3
		CHEM 344 ^P Modern Organic Chemistry Laboratory	2
		PH 121 ^P General Physics I	5
		OR	
		PH 141 ^P Physics for Scientists and Engineers I	5
		PSY 252 ^P Mind, Brain, and Behavior	3
		PSY 250 ^P Research Methods in Psychology	4
		Arts/Humanities ¹ (AUCC 3B)	3
		TOTAL	31
THIRD YEAR	CREDITS	THIRD YEAR	CREDITS
		STAT 301 ^P Introduction to Statistical Methods	3
		OR	
		STAT 307 ^P Introduction to Biostatistics	3
		BC 351 ^P Principles of Biochemistry	4
		BMS 300 ^P Principles of Human Physiology	4
		BMS 345 ^P Functional Neuroanatomy	4
		PSY 352 ^P Learning and Memory	3
		OR	
		PSY 452 ^P Cognitive Psychology	3
		PSY 458 ^P Cognitive Neuroscience (AUCC 4B)	3
		PSY 459 ^P Cognitive Neuroscience Laboratory (AUCC 4A)	2
		Global and Cultural Awareness ⁴ (AUCC 3E)	3
		Historical Perspectives ² (AUCC 3D)	3
		NB 399 Thesis Preparation	1
		TOTAL	30
FOURTH YEAR	CREDITS	FOURTH YEAR	CREDITS
		BMS 325 ^P Cellular Neurobiology	3
		PSY 454 ^P Biological Psychology	3
		PSY 455 ^P Biological Psychology Laboratory	2
		PSY 456 ^P Sensation and Perception (AUCC 4B)	3
		PSY 457 ^P Sensation and Perception Laboratory	2
		NB 493 Senior Seminar (AUCC 4C)	1
		NB 499 Thesis (AUCC 4A, 4C)	3
		Electives	10
		TOTAL	27
		PROGRAM TOTAL = 120	

^P This course has at least one prerequisite. Check the Courses of Instruction section of the catalog (<http://catalog.colostate.edu>) to see the course requirements.

¹ Select from list of courses in category 3B in the All-University Core Curriculum (AUCC). Only 3 of the 6 credits required for Arts and Humanities may come from intermediate (L* 200 and L* 201) foreign language courses.

² Select from list of courses in category 3D in the AUCC.

³ First-time students entering a college or university on or after July 1, 2008, must take an advanced writing course to fulfill the AUCC category 2B requirement.

⁴ Select from list of courses in category 3E in the AUCC.

NEW/MAJOR/MINOR PROGRAMS OF STUDY-CURRICULAR REQUESTS

CONTACT PLEASE PRINT: NAME James Bamburg _____ **EMAIL** James.Bamburg@colostate.edu _____ **PHONE** 1-6096____
(REQUIRED)

CHECK THE APPROPRIATE BOX ON THE FAR LEFT. See Curricular Policies and Procedures Handbook, available at <http://www.colostate.edu/orgs/ucc> for instructions.

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 DROP a degree or major or concentration or option or minor or interdisciplinary studies program and requirements. (Complete Section I-Column A and Section II.)

MINOR CHANGES

CHANGE the curriculum requirements of an approved major or concentration or option or minor or interdisciplinary studies program involving a sum total of less than 7 credits. (Complete Section I-Column A, Section II, Section III-Column A, and only changed item(s) in Section III-Column B.)
 CHANGE courses and/or group requirements from freshman/sophomore year to junior/senior year or vice versa in an approved major or concentration or option or minor or interdisciplinary studies program. (Complete Section I-Column A, Section II, Section III-Column A, and only changed item(s) in Section III-Column B.)

SECTION I

A. PRESENT NAME	B. REQUESTED NAME
COLLEGE	Office of the Provost
DEPARTMENT	Special Academic Unit
MAJOR	Neuroscience
UNDERGRADUATE CONCENTRATION/ GRADUATE SPECIALIZATION	Cell and Molecular Neuroscience
OPTION	
MINOR	
INTERDISCIPLINARY STUDIES PROGRAM	
DEGREE	B.S. in Neuroscience

EFFECTIVE DATE (TERM AND YEAR) REQUESTED Fall 2011

SECTION II-JUSTIFICATION FOR REQUEST

CSU has a strong research base and national reputation in neuroscience through our graduate MCIN program. We already attract the attention of a number of students who might want to major in this important discipline. Is it anticipated that the proposed program will draw students who would not otherwise come to CSU. There are only two public comprehensive research universities nationwide that offer undergraduate neuroscience majors (Univ. of Minnesota and Washington State Univ). See Phase II document for more details.

SECTION III (SEE PG. 2)

SECTION IV-SIGNATURES OF AFFECTED DEPARTMENTS (SEE PG. 3)

CHANNELS FOR APPROVAL

DATE

Department Head/
Chairperson* _____
Chairperson, College
Curriculum Committee _____
Dean of
College* _____

*Signature indicates approval and a commitment of resources.

CURRICULUM & CATALOG USE	Approval Date
Comm. On Scholarship, Research, and Graduate Education (CoSRGE)	_____
University Curriculum Committee	_____
Faculty Council	_____
Approved Effective Date	_____

Call 1-1451, Curriculum and Catalog Administration, for information.

SECTION III-LISTING OF CURRICULUM REQUIREMENTS

A. LIST COMPLETE CURRENT REQUIREMENTS (Please contact Curriculum and Catalog to request a current program of study.)		B. EITHER LIST COMPLETE NEW PROGRAM OR ONLY PROPOSED CHANGES (CHANGES, DROPS, AND ADDS). (For examples, see Appendices in the <i>Curricular Policies and Procedures Handbook</i>). INCLUDE: Course prefix, number, title, and number of credits. Note superscript "P" after course number if course has a prerequisite.	
FIRST YEAR	CREDITS	FIRST YEAR	CREDITS
		NB 192 Introductory Seminar	1
		PSY 100 General Psychology (AUCC 3C)	3
		CHEM 111 ^P General Chemistry I (AUCC 3A)	4
		CHEM 112 ^P General Chemistry Laboratory I (AUCC 3A)	1
		CHEM 113 ^P General Chemistry II	3
		CHEM 114 ^P General Chemistry Laboratory II	1
		LIFE 102 ^P (AUCC 3A) Attributes of Living Systems	4
		LIFE 201B ^P Intro. Genetics-Molecular/Immunological/Developmental	3
		LIFE 203 ^P Introductory Genetics Laboratory	2
		MATH 155 ^P Calculus for Biological Scientists I (AUCC 1B)	4
		CO 150 ^P College Composition (AUCC 1A)	3
		Arts/Humanities ¹ (AUCC 3B)	3
		TOTAL	32
SECOND YEAR	CREDITS	SECOND YEAR	CREDITS
		CO 300 ^P Writing Arguments ² (AUCC 2B)	3
		OR	
		CO 301B ^P Writing in the Disciplines-Sciences ³ (AUCC 2B)	3
		LIFE 210 ^P Introductory Eukaryotic Cell Biology	3
		LIFE 212 ^P Introductory Cell Biology Laboratory	2
		MATH 255 ^P Calculus for Biological Scientists II	4
		CHEM 341 ^P Modern Organic Chemistry I	3
		CHEM 343 ^P Modern Organic Chemistry II	3
		CHEM 344 ^P Modern Organic Chemistry Laboratory	2
		PSY 252 ^P Mind, Brain, and Behavior	3
		PH 121 ^P General Physics I	5
		OR	
		PH 141 ^P Physics for Scientists and Engineers I	5
		Arts/Humanities ¹ (AUCC 3B)	3
		TOTAL	31
THIRD YEAR	CREDITS	THIRD YEAR	CREDITS
		PH 122 ^P General Physics II	5
		OR	
		PH 142 ^P Physics for Scientists and Engineers II	5
		STAT 301 ^P Introduction to Statistical Methods	3
		OR	
		STAT 307 ^P Introduction to Biostatistics	3
		BMS 300 ^P Principles of Human Physiology	4
		BMS 345 ^P Functional Neuroanatomy	4
		BC 401 ^P General Biochemistry I (AUCC 4A)	3
		BC 403 ^P General Biochemistry II (AUCC 4B)	3
		BC 404 ^P General Biochemistry Laboratory	2
		Historical Perspectives ² (AUCC 3D)	3
		Global and Cultural Awareness ⁴ (AUCC 3E)	3
		NB 399 Thesis Preparation	1
		TOTAL	31
FOURTH YEAR	CREDITS	FOURTH YEAR	CREDITS
		MIP 300 ^P General Microbiology	3
		MIP 342 ^P Immunology	4
		BC 465 ^P Molecular Regulation of Cell Function	3
		BMS 325 ^P Cellular Neurobiology	3
		NB 493 Senior Seminar (AUCC 4C)	1
		NB 499 Thesis (AUCC 4A, 4C)	3
		Electives	9
		TOTAL	26
		PROGRAM TOTAL = 120	

^P This course has at least one prerequisite. Check the Courses of Instruction section of the catalog (<http://catalog.colostate.edu> to see the course requirements.

¹ Select from list of courses in category 3B in the All-University Core Curriculum (AUCC). Only 3 of the 6 credits required for Arts and Humanities may come

from intermediate (L* 200 and L* 201) foreign language courses.

² Select from list of courses in category 3D in the AUCC.

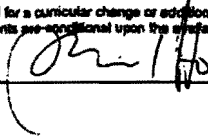





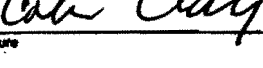
³ First-time students entering a college or university on or after July 1, 2008, must take an advanced writing course to fulfill the AUCC category 2B requirement.

⁴ Select from list of courses in category 3E in the AUCC.

SECTION IV - SIGNATURES OF AFFECTED DEPARTMENTS
 (Required before consideration by University Curriculum Committee)

Affected departments include any department outside the home department, whose course is used in the program. Affected departments might also include other departments offering a program with similar or overlapping content.


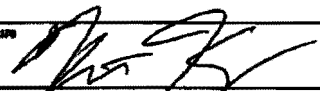
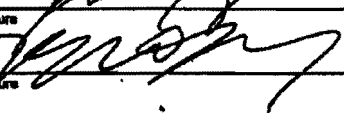
This proposal for a curricular change or addition of a program of study has been reviewed and agreed to by the following departments affected by the changes. The agreements are conditional upon the availability of the financial resources requested in the Phase II plan.

	Biochemistry and Molecular Biology	9/18/2012
Signature	Department	Date
	Chemistry	
Signature	Department	Date
	Mathematics	9/18/12
Signature	Department	Date
	Physics	13 May 2013
Signature	Department	Date
	Psychology	8/31/12
Signature	Department	Date
	Statistics	8/27/12
Signature	Department	Date
	LIFE CORE	9/19/2012
Signature	Department	Date
	Biomedical Sciences	5/13/13
Signature	Department	Date
	Microbiology, Immunology and Pathology	
Signature	Department	Date
Signature	Department	Date
Signature	Department	Date

SECTION IV - SIGNATURES OF AFFECTED DEPARTMENTS
 (Required before consideration by University Curriculum Committee)

Affected departments include any department outside the home department, whose course is used in the program. Affected departments might also include other departments offering a program with similar or overlapping content.

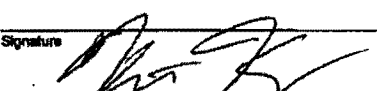
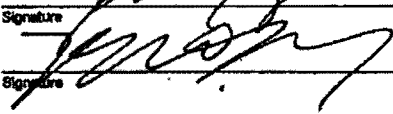
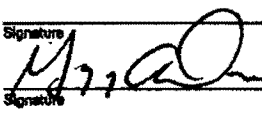
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Biochemistry and Molecular Biology		
Signature	Department	Date
	Chemistry	
	Mathematics Chemistry	9/20/12
	Physics	
	Psychology	8/31/12
	Statistics	8/27/12
	LIFE CORE	
	Biomedical Sciences	
	Microbiology, Immunology and Pathology	

SECTION IV - SIGNATURES OF AFFECTED DEPARTMENTS
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Biochemistry and Molecular Biology		
Signature _____	Department _____	Date _____
Chemistry		
Signature _____	Department _____	Date _____
Mathematics		
Signature _____	Department _____	Date _____
Physics		
Signature 	Department _____	Date _____
Signature _____	Department _____	Date _____
Psychology		
Signature 	Department _____	Date 8/31/12
Signature _____	Department _____	Date _____
Statistics		
Signature _____	Department _____	Date 8/27/12
LIFE CORE		
Signature _____	Department _____	Date _____
Biomedical Sciences		
Signature 	Department _____	Date _____
Signature _____	Department _____	Date _____
Microbiology, Immunology and Pathology		
Signature _____	Department _____	Date 9-17-12
Signature _____	Department _____	Date _____
Signature _____	Department _____	Date _____

Appendix 3

Faculty Vitae

Appendix 3
MCIN Faculty Biosketches - Alphabetical By Department

NAME	RANK	DEPARTMENT	INCLUDED
James R. Bamburg	Professor	Biochem. & Molec. Biol.	X
Gregory L. Florant	Professor	Biology	X
Deborah M. Garrity	Associate Professor	Biology	X
Kim. L. Hoke	Assistant Professor	Biology	X
Donald L. Mykles	Professor	Biology	X
Gregory C. Amberg	Assistant Professor	Biomedical Sciences	X
Scott Earley	Associate Professor	Biomedical Sciences	X
Shane T. Hentges	Assistant Professor	Biomedical Sciences	X
Douglas N. Ishii	Professor	Biomedical Sciences	X
Kathryn M. Partin	Professor	Biomedical Sciences	X
John E. Rash	Professor	Biomedical Sciences	X
Noreen E. Reist	Associate Professor	Biomedical Sciences	X
Michael M. Tamkun	Professor	Biomedical Sciences	X
Susan Tsunoda	Associate Professor	Biomedical Sciences	X
Jozsef Vigh	Assistant Professor	Biomedical Sciences	X
Ashok Prasad	Assistant Professor	Chem. & Biol. Engin.	X
Charles W. Anderson	Professor	Computer Science	X
Bruce A. Draper	Associate Professor	Computer Science	X
Ronald B. Tjalkens	Associate Professor	Env. Rad. Health Sci.	X
Richard Bessen	Associate Professor	Micro., Imm., & Path.	X
Glenn Telling	Professor	Micro., Imm., & Path.	X
Mark D. Zabel	Assistant Professor	Micro., Imm., & Path.	X
Michael A. Thaut	Professor	Music, Theatre & Dance	X
Patricia L. Davies	Professor	Occupational Therapy	X
Anne M. Cleary	Associate Professor	Psychology	X
Carol A. Seger	Professor	Psychology	X
Lucy Troup	Assistant Professor	Psychology	X
Vicki J. Volbrecht	Professor	Psychology	X

Appendix 4

Financial Planning Form

MCIN UNDERGRADUATE MAJOR - EXPENSE/RETURN FORECAST (12/19/2012)

Enrollment Year Fiscal Year	Y0 FY14	Y1 FY15	Y2 FY16	Y3 FY17	Y4 FY18	Y5 FY19	Out years BASE BUDGET THEREAFTER
TOTAL EXPENSES		\$ 397,673	\$ 700,693	\$ 879,096	\$ 832,932	\$ 884,922	\$ 399,836
PROVOST \$82,750 Recruitment							
PROVOST 1.0 FTE Faculty		\$ 200,000	\$ 200,000	\$ 200,000	\$ -	\$ -	
PROVOST 0.5 FTE Instructor							
CNS 0.5 FTE Faculty							
CNS 1 GRA		\$ 98,837	\$ 250,346	\$ 339,548	\$ 416,466	\$ 442,461	\$ 200,000
CVMBS 0.5 FTE Faculty		\$ 98,837	\$ 250,346	\$ 339,548	\$ 416,466	\$ 442,461	\$ 200,000
CVMBS \$52,200 MCIN Base							
CVMBS 1 GRA							
TOTAL RETURN	0	\$ 625,630	\$ 1,304,260	\$ 2,039,280	\$ 2,834,600	\$ 2,955,240	
FINANCIAL AID	0	\$ 125,126	\$ 260,852	\$ 407,856	\$ 566,920	\$ 591,048	
PROVOST	0	\$ 250,252	\$ 521,704	\$ 815,712	\$ 1,133,840	\$ 1,182,096	
CNS	0	\$ 125,126	\$ 260,852	\$ 407,856	\$ 566,920	\$ 591,048	
CVMBS	0	\$ 125,126	\$ 260,852	\$ 407,856	\$ 566,920	\$ 591,048	

Annual Central Admin Cash Balance	50,252	321,704	615,712	1,133,840	1,182,096
Cumulative Central Admin Cash balance	-32,498	289,206	904,918	2,038,758	3,220,854
Annual CNS	26,289	10,506	68,308	150,454	148,587
Cumulative CNS	26,289	36,795	105,103	255,557	404,144
Annual CVMBS	26,289	10,506	68,308	150,454	148,587
Cumulative CVMBS	26,289	36,795	105,103	255,557	404,144

Appendix 5**Memos From Departments Concerning Programmatic Impact of New Neuroscience Degree****Biochemistry and Molecular Biology****Biomedical Sciences****Chemistry****LIFE Core****Mathematics****Microbiology, Immunology and Pathology****Physics****Psychology****Statistics**

Biochemistry

August 16, 2010

Jim Bamburg, PhD
Department of Biochemistry & Molecular Biology
Colorado State University

Department of Biochemistry and
Molecular Biology
1870 Campus Delivery
Fort Collins, Colorado 80523-1870
<http://www.bmb.colostate.edu>

Dear Jim,

Your proposed curriculum in Cell and Molecular Neurosciences looks very comprehensive and exciting. The impact on courses taught by members of the faculty in the Department of Biochemistry and Molecular Biology will, of course, depend very strongly on the actual numbers of new students attracted to the new program. From your estimates for the size of the major, I expect that the core BMB lecture courses (BC401, 403, and 465) will be impacted primarily in the availability of classrooms with the seating capacities required to accommodate the increased class sizes. The course that will see the most significant impact will be the Biochemistry laboratory course (BC404), which can only accommodate increased numbers of students by adding new sections (one additional section for the ~20 new students projected). Since this is a project-oriented course, adding this new section will require that we add one half-time instructor, or equivalent, for one semester. With the design of the rooms available in Yates, adding this one section will also require that we outfit an additional teaching lab with equipment that are essential to the experiments that are part of the teaching syllabus. We estimate this to be ~\$30,000 the first year, with recurring funds to maintain the equipment in subsequent years.

I believe that these costs could be easily justified with the funding model that you have proposed to initiate and sustain the new major. You are to be commended on your work to develop this new major. I think that this is a timely major for CSU to institute and one that has the potential to attract a new cohort of highly qualified students regionally and nationally to the Fort Collins campus, and fully support your efforts on behalf of these students.

Sincerely,

A handwritten signature in black ink that reads "P. Shing Ho".

P. Shing Ho, PhD
Professor and Chair

Chemistry

New B.S. in neuroscience degree

Subject: New B.S. in neuroscience degree
From: Alan Kennan <kennan@lamar.colostate.edu>
Date: Sat, 07 Aug 2010 10:34:03 -0600
To: James.Bamburg@colostate.edu

Hi Jim.

Ellen asked me to take a look at the impact to Chemistry of the new B.S. in neuroscience degree. Since all the Chem courses are required for both concentrations, it's my understanding that we're looking at an increase of roughly 40 students / year.

Based on current enrollments, I'm pretty sure we can absorb this increase in the general chemistry sequence (Chem 111/112/113/114). The percentage increase in these courses would range from 2.3% to 5.0%, and there is historically some wiggle room even in the lab courses. Though that wiggle room appears to have evaporated this fall, but that's another story. :) Plus at least some of these kids would likely wind up taking Gen Chem anyway, if they had to slot into one of the existing majors.

In the organic sequence (Chem 341/343/344) this would be more of a spike, and it's not as obvious that people would have to take those courses in a different major. The percentage increase ranges from 7.2% to 11.8%, with the high end in the resource-intensive lab course (Chem 344). An increase of 40 students amounts to about two more lab sections, which would require two TA-semesters to run. With current stipend and tuition rates, that comes out at about \$18K.

Let me know if you need more info.

cheers,
ajk

--

Alan J. Kennan
Associate Professor of Chemistry
Colorado State University
Fort Collins, CO 80523

<http://www.chem.colostate.edu/kennan>
Office: C313 Chemistry
Phone: (970) 491-6046
FAX: (970) 491-1801
email: kennan@lamar.colostate.edu

From: James R. Bamburg [mailto:James.Bamburg@ColoState.edu]
Sent: Monday, August 09, 2010 1:41 PM
To: Lamborn,Alan
Subject: Re: FW: FW: Phase II for BS degree in neuroscience

Will do. Jim

On 8/9/2010 1:09 PM, Lamborn,Alan wrote:

I think the key thing is to include the issues that need to be addressed so that the implications of any decision to move forward are clearly itemized and understood.

From: James R. Bamburg [mailto:James.Bamburg@ColoState.edu]
Sent: Monday, August 09, 2010 1:07 PM
To: Lamborn,Alan
Cc: Steingraeber,David (EID)
Subject: Re: FW: FW: Phase II for BS degree in neuroscience

Dear Alan and Dave: Thank you for the analysis of the LIFE course issues. I am fully aware of most of these issues, having to deal with them in BMB. I don't think we will have any problems in dealing with support for GTAs for added sections since I have built in three GTA semesters for the LIFE core into the Phase II budget request. However, there is little I can do in the Phase II proposal about some of the other major issues with teaching space and classroom size issues, other than adding some fuel to the fire to get us moving forward on these items. Because my analysis and yours seem to be the same, I am not sure we need to meet further to discuss these issues unless you feel that there is something I can add in our Phase II proposal that will help move us forward on space issues.

Cheers. JIM

On 8/9/2010 12:58 PM, Lamborn,Alan wrote:

[Here are the issues with the LIFE courses.](#)

From: David Steingraeber [mailto:]
Sent: Monday, August 09, 2010 1:53 PM
To: Lamborn,Alan
Subject: Re: FW: Phase II for BS degree in neuroscience

hi Alan-

I've reviewed the proposed curriculum. All students in the program (i.e., both tracks) would be required to take LIFE 102, followed by LIFE 201 & 203 (Genetics & lab) and LIFE 210 & 212 (Cell Bio. & lab). The projected enrollment of 40-50 students per year (with ~40 being new students) would require adding 2 new lab sections to each of the required lab courses (LIFE 102, 203, & 212); since a normal GTA teaching load for these classes is 2 sections/semester, this would require funds for 3 additional 1-semester GTA positions. The added enrollment in lecture sections/courses (LIFE 102 lecture, LIFE 201, LIFE 210) could likely be handled with current staffing, though it might necessitate moving LIFE 201 and 210 to larger lecture rooms.

There are additional capacity issues that need to be addressed, however. The curriculum specifies that students take LIFE 102 in the Fall semester of Freshman year, but (as you know) we're already at the practical limit for the number of lab sections of LIFE 102 in the Fall. Adding more lab sections in the Fall would require a major revamping of the way labs are scheduled and an expansion of the lab rooms/facilities available to us, as well as increased support for lab preparation and coordination. I fully realize that the curriculum requires that students take LIFE 102 "early" because it is a prerequisite for many classes that

follow in short order. However, freeing up space for these students in the Fall semester is likely only if we succeed in our current effort to have other programs wait until Spring semester for their students to enroll in LIFE 102.

Similarly, LIFE 212 (Cell Biology Lab) is currently at/near capacity with regard to the lab facilities available to us, so adding 2 lab sections under the current schedule/set-up might pose problems. (LIFE 203, Genetics Lab, is not constrained in this way because it is not required for Biomedical Science majors and therefore has fewer lab sections.) To accommodate additional sections of LIFE 212, perhaps we should consider whether LIFE 210 & 212 need to expand and be offered both Fall and Spring semesters, rather than Fall only. Obviously, such an expansion would require additional resources.

Let me know if you have questions on any of this.

Dave

At 09:39 AM 8/9/2010, you wrote:

Dave,

Would you take a look at this from the perspective of its likely impact on courses in the LIFE core.

Thanks,

Alan

Mathematics

Re: Phase II for BS degree in neuroscience

Subject: Re: Phase II for BS degree in neuroscience
From: Simon Tavener <tavener@math.colostate.edu>
Date: Fri, 6 Aug 2010 05:22:42 -0600 (MDT)
To: "James R. Bamburg" <James.Bamburg@ColoState.edu>

Dear Jim,

Using current enrollment numbers for Fall 2010, we have two large sections of MATH155 with 70 students in each which are full, and six small sections with 30 students in each which are also full. We have a further 20 students on wait lists. Theoretically we could absorb 40 additional students by running three (or four) large sections and five (or four) small sections ****IF**** we can more large rooms and ****IF**** we can find suitable instructors. The small sections are taught by GTAs, the large sections are taught by faculty or experienced instructors. The rooms are probably the more difficult issue of the two.

We currently have 32 students enrolled in MATH255. An additional 20 students (since only students in the CMN option take this class) would ideally require a second section. This is a class that I feel would suffer severely if taught in a class of over 50 students. Not impossible of course, but this is a course which really benefits from a "small" class setting.

I am on vacation this week but will be back in Fort Collins on Monday if you feel we should meet.

Yours sincerely,
Simon

I have attached a summary of the proposed curriculum and ask that you look at the courses offered through your department for what potential impact our program would have on enrollment if we considered 40 new students per year (our actual goal is 50 students per year but in reality at least 10 would be existing students changing majors from one that already requires most of these classes). In evaluating the impact for upper division courses, please keep in mind that we anticipate a split of about 60/40 for the students taking the Behavioral and Cognitive (green) versus the Cell and Molecular (red) concentrations.

Physics

RE: neuroscience BS degree

Subject: RE: neuroscience BS degree**From:** "Robinson, Raymond" <Raymond.Robinson@ColoState.EDU>**Date:** Mon, 16 Aug 2010 22:05:59 +0000**To:** "Bamburg, James (EID)" <James.Bamburg@ColoState.EDU>, John Harton
<harton@lamar.colostate.edu>**CC:** "John Harton (Contact)" <John.Harton@ColoState.EDU>, robinson <robinson@lamar.colostate.edu>

Jim,

In our estimate, we assumed 50 students Fall and 50 students Spring. If the enrollment is 50 and 20 then your 1.5 sem of GTA is, of course, correct.

Sincerely,

Steve

From: James R. Bamburg [James.Bamburg@ColoState.edu]
 Sent: Monday, August 16, 2010 4:01 PM
 To: John Harton
 Cc: John Harton (Contact); robinson
 Subject: Re: neuroscience BS degree

Hi John and Steve: I estimated the impact as requiring two lab sections of PH 121 (50 new students but a few of whom elect PH141) and one section of PH 122 (about 20 new students, or about one section). To me these translate into one full semester and one half semester GTA, which is what I have included in my budget. If you think that the second half of the one GTA is justifiable, can you send me the details of why so that I can include it in my analysis? I am fully aware that partial support for a GTA may not provide the required body, but if I round up for all of the partials GTA positions we require for all of the ancillary courses, it amounts to another 5-6 GTAs. I believe that some GTAs can be provided for freshman courses in different departments from interdisciplinary program pools (e.g. CMB, MCIN, SBME) and thus we can actually cover half time positions with a real body. If there is some reason that this won't work in physics, please explain this in your response. If you are satisfied with the 1.5 sem of GTA support and feel that this is what is justified for the added load, then please just acknowledge this in an email. Thanks for your response and I hope that what I have written up above is clear.
 Cheers. JIM

On 8/16/2010 2:44 PM, John Harton wrote:

Hello Jim,

Having discussed this with Associate Chair Steve Robinson, it seems clear that the impact on Physics overall would be at the level of a full TA plus the associated tuition.

Sincerely,

John Harton

On 8/15/10 12:03 PM, James R. Bamburg wrote:

Dear Department Chair: I am in the final stages of preparing the Phase II proposal for the new BS degree in neuroscience and I need to get your

Psychology

RE: neuroscience BS degree

Subject: RE: neuroscience BS degree
From: "Chavez,Ernest" <Ernest.Chavez@ColoState.EDU>
Date: Mon, 16 Aug 2010 18:08:18 +0000
To: "delosh@colostate.edu" <delosh@ColoState.EDU>, "Bamburg,James (EID)" <James.Bamburg@ColoState.EDU>
CC: "Tobiassen Baitinger,D" <D.Tobiassen_Baitinger@ColoState.EDU>

I agree

-----Original Message-----

From: Edward DeLosh [<mailto:delosh@colostate.edu>]
 Sent: Monday, August 16, 2010 12:08 PM
 To: Bamburg,James (EID)
 Cc: Chavez,Ernest; Tobiassen Baitinger,D
 Subject: RE: neuroscience BS degree

I would say that 1.5 GTAs would be needed if we ended up at the top end of the estimated increase in number of students, but yes, in all likelihood one full-time GTA (two semesters) should be enough.

Ed

-----Original Message-----

From: James R. Bamburg [<mailto:James.Bamburg@ColoState.edu>]
 Sent: Monday, August 16, 2010 10:24 AM
 To: delosh@ColoState.edu
 Cc: 'Chavez,Ernest'; D Tobiassen Baitinger
 Subject: Re: neuroscience BS degree

Dear Ed and Ernie: Thank you for the course analysis. I already estimated that we would require one additional GTA (2 semesters) for the advanced Psych labs . Given that some of the students who currently take these labs might be likely to be among the few who elect the neuroscience major, I think the impact would be reduced a bit. Given that caveat, do you think that one full time GTA would probably be sufficient to cover the increased sections or will we require 1.5 GTA (3 semesters worth)? Cheers. JIM

On 8/16/2010 10:16 AM, Edward DeLosh wrote:

Ernie and Jim,

If the numbers turn out as projected, there could be an impact on our lab courses. Based on the estimates given, we're looking at 50 students total per year x 60% in the BCN concentration = 30 additional students per year that could impact our courses. I believe we can absorb this number in our lecture courses, since we offer at least two large sections of each per year

(meaning we'd only be adding 15 students per section at most). However, since our lab courses are capped at 15 students each, an additional 30 students per year would mean that we'd need to offer two additional sections

per year (probably one per semester) for each of the following lab courses:

PSY453 Cognitive Psych Lab, PSY455 Biopsych Lab, PSY457 S&P Lab.

Regards,

RE: neuroscience BS degree

Ed

-----Original Message-----

From: Chavez, Ernest [<mailto:Ernest.Chavez@ColoState.EDU>]
 Sent: Monday, August 16, 2010 9:18 AM
 To: Bamburg, James (EID)
 Cc: Ed DeLosh
 Subject: RE: neuroscience BS degree

Hi Jim

Sorry about the delay. I have asked Ed Delosh to respond to your request, although there appears to be no problem with our classes.

-----Original Message-----

From: James R. Bamburg [<mailto:James.Bamburg@ColoState.edu>]
 Sent: Sunday, August 15, 2010 12:04 PM
 To: harton@lamar.colostate.edu; Chavez, Ernest; Hoover, Edward
 Subject: neuroscience BS degree

Dear Department Chair: I am in the final stages of preparing the Phase II proposal for the new BS degree in neuroscience and I need to get your input

into the impact of our major on required courses within your program. Only with your help can I make sure that we have asked for adequate support for departments impacted by our requirements. I again attach a copy of the curriculum and ask that you get back to me ASAP with information on how our

major, with approximately 50 students admitted each year and distributed about 60% in the Behavioral and Cognitive Neuroscience concentration and 40%

in Cell and Molecular Neuroscience concentration will impact your courses. In other words, will additional class sections and GTAs be required?

Thanks for your input. JIM

--

James R. Bamburg, Professor
 Department of Biochemistry and Molecular Biology 1870 Campus Delivery
 Colorado State University Fort Collins, CO 80523-1870

Tel: 970-491-6096
 FAX: 970-491-0494
 email: James.Bamburg@ColoState.edu

Former Director, Molecular, Cellular and Integrative Neurosciences
 970-491-0425

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James R. Bamburg, Professor
 Department of Biochemistry and Molecular Biology
 1870 Campus Delivery
 Colorado State University
 Fort Collins, CO 80523-1870

Tel: 970-491-6096
 FAX: 970-491-0494
 email: James.Bamburg@ColoState.edu

Former Director, Molecular, Cellular and Integrative Neurosciences
 970-491-0425

Statistics

Re: Phase II for BS degree in neuroscience

Subject: Re: Phase II for BS degree in neuroscience
From: Jay Breidt <jbreidt@gmail.com>
Date: Wed, 11 Aug 2010 15:19:04 -0600
To: "James.Bamburg" <James.Bamburg@colostate.edu>

Hi Jim,
 Sorry for the delay in replying. The impact of 40 new students on Statistics would be the need to open one new section of stat301 or 307 per year, since all of our other sections are currently very over-subscribed. We can often cover one such course with 1/2 of one GTA line. Looks like this issue is a few years out, given the phase-in plan.

I'd be happy to meet to discuss further.
 Best,
 Jay

On Mon, Aug 2, 2010 at 12:53 PM, James R. Bamburg
 <James.Bamburg@colostate.edu> wrote:

Dear Department Chair:

I am moving forward in the preparation of a Phase II document for a new BS degree in Neuroscience. As part of the Phase II proposal I need to document the "collateral expenses" that must be taken into account in order to offer this academic program. (E.g., other than AUCC (core) courses, how will other department's teaching loads and facilities be affected by inclusion of their courses in the proposed curriculum.

The Phase II asks for me to provide a letter from other units indicating whether they would be able to "absorb" the projected number of students into already existing sections or whether they will need to add sections and if there is a need to add, can this be done with existing resources?

I have attached a summary of the proposed curriculum and ask that you look at the courses offered through your department for what potential impact our program would have on enrollment if we considered 40 new students per year (our actual goal is 50 students per year but in reality at least 10 would be existing students changing majors from one that already requires most of these classes). In evaluating the impact for upper division courses, please keep in mind that we anticipate a split of about 60/40 for the students taking the Behavioral and Cognitive (green) versus the Cell and Molecular (red) concentrations.

If you feel that the numbers can be absorbed into existing courses, I don't think we need to meet but could you write me a letter stating this for inclusion in the Phase II proposal? If you are pretty certain that the enrollments will require additional sections, please let me know so that we can set up a time in the next few weeks to have a face-to-face meeting to discuss the resources that will be required for us to move forward. I do anticipate phasing-in the major over a few year period so that in the first year of operation it should only impact the first year courses.

Appendix 6

Analysis of Library Resources for Proposed Undergraduate Degree Program in Neurosciences

Analysis

The Colorado State University Libraries currently collect materials to support graduate level curriculum in the neurosciences. At the doctoral level, CSU offers degrees with an emphasis in the neurosciences through the Perceptual and Brain Sciences (formerly Behavioral Neurosciences) program from the Department of Psychology and the interdisciplinary Molecular, Cellular and Integrative Neurosciences Program. The materials collected for these existing degree programs, including journals, databases, and monographs, should be adequate to support an additional undergraduate degree in the neurosciences. This assessment is based on currently available resources and campus needs, and it is impossible predict how the information landscape of the neurosciences will change as new resources and technologies become available. Library support of all university programs needs to be reevaluated at regular intervals.

Although the Libraries have a generally strong collection of materials in the neurosciences, there are some gaps in the journal collection. Thanks to the CSU Libraries' robust Interlibrary Loan system, articles are readily available from these titles, but the Libraries should consider adding the following high-impact (as indicated by Journal Citation Reports) journal subscriptions to these titles as funding permits.

Titles to add to the collection (Pricing based on list price in Ulrich's. Collections unit is researching CSU-specific pricing):

<u>ISSN</u>	<u>Journal Title</u>	<u>Price</u>
1871-5273	C N S & Neurological Disorders	\$1,150
1471-0048	Nature Reviews. Neuroscience	\$3,060
1350-7540	Current Opinion in Neurology	\$1,156
0893-133X	Neuropsychopharmacology	\$2,697
0271-678X	Journal of Cerebral Blood Flow and Metabolism	\$1,195
	TOTAL:	\$9,258

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Action Item

Approved

MATTERS FOR ACTION:

New Degree Program: B.S. in Statistics – Department of Statistics– College of
Natural Sciences

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the request from the College of Natural Sciences, to establish a new B.S. Degree Program in Statistics in the Department of Statistics. If approved, this degree program move will be effective Fall Semester 2014.

EXPLANATION:

Presented by Tony Frank, President.

Until 2000, CSU offered the Major in Statistics as an undergraduate degree. It was discontinued in Fall 2000 due to action by the Colorado Commission of Higher Education (CCHE). When the major was discontinued, it was recreated as the Statistics Concentration within the Major in Mathematics.

By re-establishing the Major in Statistics, and eliminating the concentration in statistics in the mathematics major, the visibility of the degree and its identity as a separate degree from Mathematics will be greatly enhanced. Combined with the increasing demand for statisticians currently, this could lead to significant growth in the number of students pursuing a statistics major over the next few years. Statistics faculty will be in a better position to adapt the degree in the future to proactively address dynamic challenges in society that require the academic study of statistics to resolve (e.g., the current emphasis on “Big Data”).

The Major in Statistics enables students to mix interests in mathematical and computer sciences with a variety of real applications. While statistics is closely related to mathematics as a discipline, the skills needed to be a successful statistician are substantially different from those of a mathematician. Most universities with departments of statistics separate the two curricula and corresponding degrees. The current request is for Colorado State University to do the same.

PHASE 2 PROPOSAL: UNDERGRADUATE MAJOR IN STATISTICS

To: Alan Lamborn, Vice Provost for Undergraduate Affairs

From: Jean Opsomer, Professor and Chair of the Department of Statistics

Date: July 11, 2013

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PHASE 1 PROPOSAL

1-5. See Appendix.

PHASE 2 PROPOSAL: UNDERGRADUATE MAJOR IN STATISTICS

Students

6. Student Body

For Undergraduate Programs:

- What is the ideal number of students in terms of total student enrollment (after program has been in place for five years)?

A total of 40 students in the major total student enrollment would be ideal, but we could have more if growth in statistics continues to be strong.

- What number do you feel would be ideal for the “entering class?”

Since the concentration is already in place the ideal entering class already exists and is 32 students in SP14. Note that this is already substantially larger than a few years ago, as discussed under question (4) in the Phase 1 Proposal.

- Present a time line explaining how you expect those numbers to grow as you build toward your first graduating class. How many students do you expect to graduate in a given year once the program is at ideal size?

Anticipated time line for first 5 years of major:

2013-14: 32 majors, graduate 4 majors

2014-15: 36 majors, graduate 5 majors

2015-16: 42 majors, graduate 7 majors

2016-17: 46 majors, graduate 8 majors

2017-18: 50 majors, graduate 10 majors

We do not currently anticipate growing beyond this size in the Major in Statistics.

- Is the proposed program intended to provide another program option to a significant number of students who are already being attracted to or attending CSU? Provide explicit detail.

There is some early evidence that statistics is an attractive area of study for many international students. With the planned growth in the Strategic Partnership programs around the world and the anticipated influx of additional international students through INTO, we conjecture that the major may have the potential for growth.

- If the program is expected to attract students from other campus departments, attach a letter from the relevant department head and dean indicating their support (or lack thereof) for the new proposal in terms of shift of student enrollment from that particular department.

Since we already advise all the students in the Statistics Concentration in the Mathematics Major and teach all of the Statistics courses, this will cause no shifts in workload from other departments. However, we have enclosed a letter of support from the Chairmen of the Departments of Mathematics and Computer Science showing their support of this proposal.

- Is it anticipated that the proposed program will draw students who would not otherwise come to the institution?

By having a well-publicized Major in Statistics, it is possible (but difficult to quantify) that we will draw more students from Colorado to CSU. In addition, as suggested above, the Statistics Major can be used as a marketing tool for international students.t

- What is the student profile in other programs that the department currently offers (e.g, mean index score; resident compared to nonresident numbers; ethnicity of student body).

The average student with a statistics concentration has a very strong background entering CSU and continues to have high grades while attending CSU, in spite of taking challenging mathematics and statistics courses. There is a high percentage of non-resident students in the statistics concentration because many students in the China Strategic Partnership program enroll in the statistics concentration.

Student profile

	High school GPA*	SAT*	ACT*	CSU GPA	% female	% non-resident
Statistics concentration students, SP13	3.89	1197	27	3.33	42%	53%
All CSU students, SP13	3.55	1135	25	2.93	51%	24%

*These columns only include the students from the USA. CSU does not require high school GPA, SAT, or ACT for students in the China Strategic Partnership (CSP) program.

- Is there any reason to believe that the profile of the student body in the new program area would be any different than the existing profile? Please explain.

The results above should be similar for the new major. If more students who are in the CSP program become statistics majors, we expect that the CSU GPA for Statistics majors will increase.

7. Admission Requirements

- Are any requirements for admission to the proposed program being recommended that are higher than CSU's minimum requirements? If so, what are the recommendations? What is your rationale for the higher standards?

No additional admission requirements are needed beyond the current requirements.

8. Course of Study

- List all courses comprising the program's overall curriculum. Please provide the following information for each course: course number, title, credits, prerequisite, catalog description
(Please **BOLD** entries for any NEW courses that are being proposed as a part of this curriculum)

At this time we are not proposing any new courses. Once the major gets established, we plan to gradually propose new courses and/or revise existing ones over the course of several years, in order to continue to modernize the curriculum.

The program's proposed program of study reflects the current concentration in statistics in the Mathematics Major. The new Statistics Major will replace the Mathematics Concentration in Statistics. We give a summary of the program below and have attached the relevant course requirements in Appendix C from the CSU General Catalog. See also the Mathematics Major with Statistics Concentration Checksheet in Appendix B.

All University Core Curriculum (AUCC) Requirements

Basic Competencies (6 credits)

- Intermediate Writing [3]: CO 150 College Composition
- Mathematics [3]: fulfilled with Math160 (see below)

2. Advanced Writing (3 credits) [3]: JTC 300 Prof. and Tech Comm.

3. Foundations and Perspectives (22 credits)

- Biological/Physical Sciences [7]
(At least one course will have an associated lab)
- Arts/Humanities [6]
- Social/Behavioral Sciences [3]
- Historical Perspectives [3]
- Global and Cultural Awareness [3]

4. Depth and Integration

- A. Core Competencies : Fulfilled via STAT430 and also STAT472 (see below)
- B. Integrating foundations of knowledge: Fulfilled via STAT472 (see below)
- C. Capstone: Fulfilled via STAT472 (see below)

Statistics major requirements

Freshman seminar:

1. MATH 192 First-Year Seminar in Mathematical Sciences [1]
2. STAT 192 First-Year Seminar in Mathematical Sciences

Take all of the following mathematics courses:

1. MATH 160 Calc for Physical Scientists I [4]
2. MATH 161 Calc for Physical Scientists II [4]
3. MATH 261 Calc for Physical Scientists III [4]
4. MATH 317 Advanced Calc of One Variable [4]
5. MATH 369 Linear Algebra [3]

Take one of introductory statistics:

- STAT 301 Intro to Statistical Methods [3]
- STAT/ERHS 307 Intro to Biostatistics [3]
- STAT 315 (309) Statistics for Eng & Sci [3]

Take one of the following statistics courses:

- STAT 305 Sampling Techniques [3]
- STAT 321 Elem. Prob/Stochastic Modeling [3]
- STAT 460 Applied Multivariate Analysis [3]

Take all of the following statistics courses:

1. STAT 340 (304) Multiple Regression Analysis [3]
2. STAT 350 (302) Design of Experiments [3]
3. STAT 420 Probability/Math Stat I [3]
4. STAT 430 Probability/Math Stat II [3]
5. STAT 372 (310) Data Analysis Tools [3]
6. STAT 472 Statistical Consulting [3]

Learn a programming language via option 1 or 2:

1. CS 160 Foundations in Programming [4] or
2. Four one-credit programming classes:
 - Take both CS155 and CS156:
 - CS 155 Introduction to Unix [1]
 - CS 156 Introduction to C Programming I
 - Choose 2 of the following classes:
 - CS 157 Introduction to C Programming II [1]
 - MATH 151 Math. Algorithms in Matlab I [1]

- MATH 152 Math. Algorithms in Maple [1]
- MATH 158 Math Algorithms in C [1]

Subject-matter electives: 9 credits of Upper division computer science, mathematics, or statistics courses (excluding courses ending in –80 to –99 and MATH 315)

Unrestricted electives: 34 credits

- Provide a discussion of any nontraditional learning modes to be utilized in the new courses, including, but not limited to: (1) the role of technology, and (2) the use of career development activities such as practica or internships.

We encourage our students to seek internships and research opportunities. Each semester we have a number of undergraduate majors enrolled in independent research credit (ST498). Students do research with department faculty or local government researchers.

9. Curriculum – courses and total structure

Include total curriculum design as discussed at University Curriculum Committee. Use the appropriate UCC forms, found on the web. Once the Phase 1 report has been approved, you may choose to submit this packet to University Curriculum Committee to get preliminary feedback as to whether they have any questions or concerns about the proposed curriculum.

See checksheet for Mathematics Major with Concentration in Statistics in the appendix.

10. Assessment of Student Learning/Outcomes Evaluation

(Please ask CSU Director of Assessment to serve as a resource for these questions)

- What specific learning outcomes will be achieved by students who complete this proposed program of study?
- What methods will be used to assess student learning? How will student learning assessment be embedded in the curriculum?
- What specific methods or approaches will be used to assess graduate (completer) outcomes?
- Is a licensure examination associated with this field of study?
No.
- How will the institution determine the extent to which the academic program meets the objectives (section 2) previously outlined? (Identify specific post-approval monitoring procedures and outcome indicators to be used.)
- How will the collected information be used to improve teaching, advising, and co-curriculum activities to enhance student learning?

The main learning outcome of the Major in Statistics is the mastery of statistical thinking. More specifically, this includes the ability to conceptualize analytical questions in terms of a model, to identify and describe sources of randomness, and to be able to perform, interpret and communicate statistical inference. Other learning outcomes that support this main outcome are knowledge of the core set of statistical methods, knowledge of at least one

statistical software platform, and the ability to apply statistical methods in data analysis using software.

Assessment of student learning will be performed through comprehensive exams in all the core courses in the program of study. In addition, all students in the major will be taking STAT472, the capstone consulting course in which they work as statisticians as part of a team to solve a real-world statistical analysis problem. Doing well in this course requires them to integrate knowledge gained through the other courses in the curriculum, and provides a way to assess whether they have mastered statistical thinking and gained knowledge in statistical methods.

Assessment of student learning after graduation will be done by tracking which positions students are taking, and whether they are pursuing higher education or starting a professional career. We would also like to perform surveys of students 5 and 10 years after graduation, but current CSU Alumni Association records make this impractical. If these records improve in the future to the extent that sufficient alumni with the Major in Statistics can be located, we would start periodically conducting such a survey.

Information on placement, fraction going to graduate school and later career tracks will allow us to identify strengths and potential weaknesses of our current course offerings, and will be used to continue adjusting the content of the courses covering the core statistical methods as well as the capstone consulting course.

Faculty

11. "Snapshot" of Faculty Resources

- Identify current program faculty, briefly describing each faculty member's expertise/specialization. Separate regular core faculty from other departments' faculty and adjuncts.

Regular Core Faculty

Name	Position	Degree	Area of specialization
Breidt, F. Jay	Tenured	PhD	Environmental and ecological statistics, time series, surveys
Chapman, Phil	Tenured	PhD	Applied linear modeling, statistical consulting
Cooley, Dan	Tenured	PhD	Extreme values, spatial statistics, environmental applications
Estep, Don	Tenured	PhD	Computational differential equations, dynamical systems
Givens, Geof	Tenured	PhD	Statistical conservation biology, statistical computing
Hoeting, Jennifer	Tenured	PhD	Bayesian statistics, model selection and uncertainty
Homrighausen, Darren	Tenure-Track	PhD	Astrostatistics, inverse problems, asymptotic theory
Kokoszka, Piotr	Tenured	PhD	Time series analysis, functional data analysis, asymptotic theory
Lee, Chihoon	Tenure-Track	PhD	Probability, stochastic analysis, queueing networks, stochastic control
Lee, Myung-Hee	Tenure-Track	PhD	Statistical theory, multivariate analysis, bioinformatics
Meyer, Mary	Tenured	PhD	Nonparametric function estimation and inference
Opsomer, Jean	Tenured	PhD	Survey Statistics, nonparametric statistics, environmental stat
Wang, Haonan	Tenured	PhD	functional data analysis and application, multivariate analysis

Other Department Faculty

Anderson, Jana	Special	PhD	Developments in Statistical Education (no teaching)
Dahlke, Mark	Special	PhD	Nonparametric statistics, survey statistics, education
Green, Gerwyn	Special	PhD	Mixed modeling, multiple testing, medical statistics
Hess, Ann	Special	PhD	Bioinformatics, experimental design, linear models
Zumbrunnen, Jim	Special	MS	General statistical consulting (no teaching)

- Estimate the number, rank, and background of new faculty members who would need to be added to initiate the proposed program in each of the first four years of the proposed program's operation (assuming the program develops as anticipated). What resource commitment is required and how will it be provided?

No new faculty resources needed.

- Estimate the number and type of support staff needed in each of the first four years of the program.

We are in the process of hiring a new State Classified person to handle the undergraduate administration, bringing the department back up to the level of staffing before the budget cuts. This person will work with the Undergraduate Advisor and will support the undergraduate major.

12. Faculty Vitae

- For a new undergraduate program, include abbreviated vitae (1-3 pages) for all tenured/tenuretrack faculty members as appendices.

See Appendix.

Resources**13. Impact of Program Request on Curriculum and Students**

- What is the current department enrollment by degree level?

The department has a heavy teaching load for our faculty size with over 1200 students per semester enrolled in our introductory statistics courses which serve the entire university, at the undergraduate and graduate levels. In addition, we have two existing minors of statistics (Statistics and Applied Statistics), we advise the statistics concentration for the mathematics major, we have a very active distance degree masters program, and we have a top graduate program in statistics.

The enrollment in each degree program in Spring 2013 is as follows:

Degree	# students enrolled SP13
Statistics minor	16
Applied Statistics minor	26
Math major (Statistics concentration)*	32
Distance (MS and MAS)	84
Masters of Applied Statistics (on-campus)	7
Masters of Statistics	22
PhD in Statistics	23

*These will become Statistics Majors if the Major is approved

- Are any of the department's current program areas "controlled" or "capped"?

No.

- Is the Center for Advising and Student Achievement (CASA) currently involved in advising any major for a "seeking" category that involves any of the department's degree areas? Please explain and provide relevant data.

No.

- If approved, how will launching a new degree impact the commitment already made to students in other program areas?

No anticipated impact.

- Provide a detailed plan as to how resources within the department would be re-allocated to contribute to the resource base needed for this proposed program (e.g., will the department need to "cap" another program? would additional enrollment growth funding be necessary to meet current student demand for courses?).

No changes needed.

- What are "collateral expenses" that must be taken into account in order to offer this academic program? (E.g., other than AUCC (core) courses, how will other department's teaching loads and facilities be affected by inclusion of their courses in the proposed curriculum. Provide a letter from other units indicating whether they would be able to "absorb" the projected number of students into already existing sections or whether they will need to add sections. If there is a need to add, can this be done with existing resources?

No changes needed as we are moving the math concentration back to the Statistics Department. We already do the advising for this concentration, so this will not impact the Mathematics Department.

14. Library Reference Sources

Note: this section must be reviewed by the Library Staff and certified by the Dean of the Libraries. Seek feedback from the Dean of the Library during Phase 1 so that work might begin on adequacy of the collection.

Describe the adequacy of student and faculty access to library and department resources (including, but not limited to, printed media, electronically published materials, videotapes, motion pictures, CDROM and online databases, and sound files) that are relevant to the proposed program (e.g., is there a recommended list of materials issued by the American Library Association of some other requirements of the recommended list?).

- How much, if any, additional financial support will be required to bring access to such reference materials to an appropriate level? How is it proposed that these additional resources will be provided?

The CSU Library, with the help of the Statistics subject-matter librarian, Michelle Wilde, continues to offer state-of-the art references in Statistics. No new resources or financial support will be required with the establishment of the Statistics major. See enclosed letter of support from Dean of Libraries, Patrick Burns.

15. Facilities, Equipment, and Technology

- What unique resources (in terms of buildings, laboratories, computer hardware/software, Internet or other online access, distributed-education capability, special equipment, and/or other materials) are necessary to offer a quality program in the field?

Access to a computer lab is required for some of the courses in this program (STAT372, STAT472, plus occasional sessions in other courses). It is important that this be maintained, although it does not have to be a lab dedicated exclusively to Statistics. We are working with the Department of Mathematics on a shared arrangement for the labs in Weber 205 and 206 (previously, each department controlled one of these two labs).

- What resources for facilities, beyond those now on hand, are necessary to offer this program? Be specific (e.g., include need for new space, renovated space). Be sure to address classrooms, instructional labs, office space. etc. How is it proposed that these additional resources will be provided?

None anticipated.

- What resources for equipment, and technology, beyond those now on hand, are necessary to offer this program? How is it proposed these additional resources will be provided?

None anticipated.

16. Summary of Budget Needs

Summarize all **new** budget resources you are requesting from CSU Central Administration.

As part of this section, complete the attached financial planning form.

None anticipated.

Appendix

A. Letters of support

- i. Dean of the College of Natural Sciences Janice Nerger
- ii. Dean of Libraries Patrick Burns
- iii. Chairman of the Department of Mathematics Gerhard Dangelmayr
- iv. Chairman of the Department of Computer Science Darrell Whitley

B. Faculty Vitae

C. Documents for the undergraduate major

- i. Statistics Concentration in Mathematics Checksheet
- ii. CSU General Catalog: Statistics concentration
- iii. CSU General Catalog: Statistics undergraduate courses
- iv. CSU General Catalog: Mathematics undergraduate courses (some are required for the proposed Statistics major)

PHASE 1 PROPOSAL: UNDERGRADUATE MAJOR IN STATISTICS

1. Brief Overview of Proposed Program

Name of the degree: **Major in Statistics**

Type of degree: B.S.

Proposing unit(s): Statistics Department, College of Natural Sciences

Expected total number of students enrolled in program: 20/year

Summary of Program and Rationale

Until 2000, CSU offered the Major in Statistics as an undergraduate degree. It was discontinued in Fall 2000 due to action by the Colorado Commission of Higher Education (CCHE). After the major was discontinued, it was immediately recreated as the Statistics Concentration as an option within the Major in Mathematics. Despite this new administrative home of the degree, the core courses have been continually taught by faculty in the Department of Statistics, and the advising is done by the Department of Statistics. In the meantime, the CCHE limit on small majors was rescinded.

Reinstating the Major in Statistics, as being requested here, would involve no new resources but has the potential to result in substantial advantages for CSU. By re-establishing the Major in Statistics, and eliminating the concentration in statistics in the mathematics major, the visibility of the degree and its identity as being separate from a degree in Mathematics will be greatly enhanced. Combined with the increasing demand for statisticians currently underway, this could lead to significant growth in the number of students pursuing a statistics education over the next few years. An undergraduate degree in the Department of Statistics will mean that academic matters of degree content, curriculum design, and student mentoring are determined by faculty immersed specifically in statistics. Statistics faculty will be in a better position to adapt the degree in the future to proactively address dynamic challenges in society that require the academic study of statistics to resolve (e.g. the current emphasis on “Big Data”).

The Major in Statistics enables students to mix interests in mathematical and computer sciences with a variety of real applications. While statistics is closely related to mathematics as a discipline, the skills needed to be a successful statistician are substantially different from those for a mathematician. Most universities with departments of statistics therefore separate the two curricula and corresponding degrees. The current request is for Colorado State University to do the same.

Statisticians currently work in almost every sector of our society including industry, business, medicine, economics, meteorology, environmental studies, wildlife biology, fisheries, government, and market research. The Occupational Outlook Handbook of the Bureau of Labor Statistics projects increasing demand for statisticians: “Job prospects for statisticians will be very good. Growth will result from more widespread use of statistical analysis to make informed decisions. In addition, the large increase in available data from the Internet will open up new areas for analysis.” (see <http://www.bls.gov/ooh/math/statisticians.htm>).

While currently most statisticians entering the marketplace have a graduate degree, programs offering undergraduate degrees in statistics have also had excellent success placing their graduates in industry and government. While we intend to prepare students majoring in Statistics for immediate employment as an entry-level statistician, the proposed degree is also structured to allow students wishing to move on to an M.S. in statistics to do so with minimum effort.

2. Fit with CSU Role and Mission and University's Most Current Strategic Plan

The state statute establishing CSU's current role and mission provides (section 23-31-101, Colorado Revised Statutes of 2003):

There is hereby established a university at Fort Collins to be known as Colorado state university. Colorado state university shall be a comprehensive graduate research university with selective admission standards offering a comprehensive array of baccalaureate, master's, and doctoral degree programs. Consistent with the tradition of land grant universities, Colorado state university has exclusive authority to offer graduate and undergraduate programs in agriculture, forestry, natural resources, and veterinary medicine. The Colorado commission on higher education, in consultation with the board of governors of the Colorado state university system, shall designate those graduate level programs that are the primary responsibility of Colorado state university..

Given the increasing demand for statisticians, offering students the opportunity to become educated in the discipline of statistics is very much consistent with CSU's role and mission as a "comprehensive graduate research university" mentioned in the statute. While this education is currently being provided through the Concentration in Statistics as part of the BS in Mathematics, this does not provide full recognition of this education: it appears to be effectively subsumed within the discipline of mathematics, and in contrast, modern statistics is now much broader, includes aspects of computer science and decision theory, and is more interdisciplinary.

The Department of Statistics at CSU is highly ranked nationally and internationally for its research excellence, so it makes sense of CSU to leverage this in-house resource by providing undergraduate students the opportunity to pursue a degree in this discipline. By currently providing a statistics education only as a sub-specialty within mathematics, the potential value of having a degree in statistics from CSU is diluted.

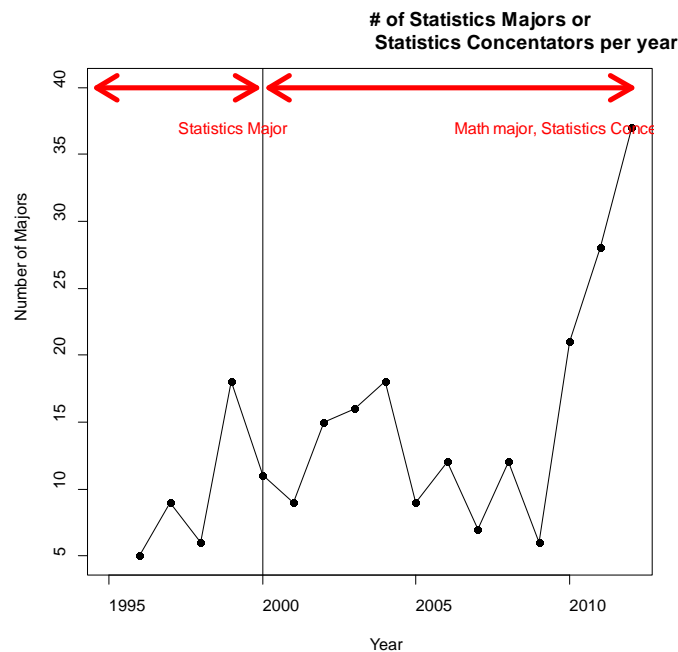
As further described in item (5) below, there is only one public university in Colorado offering a degree in Statistics, the Colorado School of Mines. Given its somewhat specialized nature, this institution is unlikely to be currently absorbing the full potential demand for statistical education in the state. The Department of Statistics is the only Department of Statistics in Colorado and the top-ranked department in the Inter-mountain West region. Our much smaller, and much lower ranked peer institutions in neighboring states (Wyoming, New Mexico) offer undergraduate degrees in Statistics. In order to maintain our position as the top Department of Statistics in the inter-mountain West, we should offer such a degree as well.

3. Evidence of Need for the Program

As noted in (1) above, the demand for statisticians is expected to continue to increase nationwide. While hard numbers are not easy to come by at the undergraduate level, both our experience with students graduating with the Major in Mathematics with Concentration in Statistics and conversations with people at other departments of statistics in the US indicate strong and growing demand for entry-level statisticians with undergraduate degrees. Since the current request is for the cost-free move of a degree from one academic unit to another, we hope that the lack of specific data on the external demand for undergraduate statisticians does not constitute an impediment for considering this request.

4. Evidence of Student Demand

The Statistics Major and Concentration have experienced strong growth in recent years, as the chart below shows. One important driver of this growth is the China Strategic Partnership (CSP), which has brought more students on campus with interest in statistics. As CSU expands its international presence into other parts of the world, we expect that this interest in statistics will likewise continue to increase.



5. Duplication/Similar Programs in the State

The following schools in Colorado offer degrees most closely related to the requested Major in Statistics:

- UC Denver: offers Actuarial Science option and Probability & Statistics option as Concentrations for BS in Mathematics. Also offers an undergraduate certificate in applied statistics.
- UC Boulder: offers degrees in Actuarial Studies and Quantitative Finance.
- CO School of Mines: Undergraduate degree in Statistics.
- Metropolitan State U of Denver: Major in Mathematics with Statistics and Probability Concentration
- U of Northern CO: Major in Mathematics with Applied Statistics Concentration
- Western State Colorado U: no similar degrees offered

In this list, the program at Colorado School of Mines is the most similar to the one we plan to offer. However, given the specialized nature of that institution, it is unlikely that both programs would compete with each other.

Return on Investment Table

No return on investment is provided, since no new funds are requested.

Appendix

A. Letters of support

- i. Dean of the College of Natural Sciences Janice Nerger
- ii. Dean of Libraries Patrick Burns
- iii. Chairman of the Department of Mathematics Gerhard Dangelmayr
- iv. Chairman of the Department of Computer Science Darrell Whitley


B. Faculty Vitae

C. Documents for the undergraduate major

- i. Statistics Concentration in Mathematics Checksheet
- ii. CSU General Catalog: Statistics concentration
- iii. CSU General Catalog: Statistics undergraduate courses
- iv. CSU General Catalog: Mathematics undergraduate courses (some are required for the proposed Statistics major)

July 1, 2012

TO: Alan Lamborn, Vice Provost for Undergraduate Affairs

FROM: Janice Nerger, Dean of Natural Sciences 

SUBJECT: Proposal, Undergraduate Major in Statistics

Thirteen years ago the Colorado Commission of Higher Education eliminated the undergraduate major in Statistics, replacing it with a concentration within the Department of Mathematics. Since 2000, technology has advanced to where statistics now plays an even more critical role in the curriculum of many university majors such as mathematics, computer science, biology, and atmospheric science.

The disciplines within Statistics are diverse and growing rapidly, and so is the market for statisticians. Because data sets are now so large and complex and its collection and analytics moving forward so quickly, we believe Colorado State must take the lead and reestablish this undergraduate major in order to provide our students with as strong and a marketable a degree as possible, the Bachelor of Science in Statistics.

I strongly support the reestablishment of the undergraduate major in statistics.



University Libraries
Fort Collins, Colorado 80523-1019
(970) 491-1838
FAX: (970) 491-1195
<http://lib.colostate.edu>

May 29, 2013

Memorandum

To: Statistics Department
CC: Michelle Wilde
From: Patrick J. Burns, Dean of CSU Libraries
RE: New Undergraduate Statistics Major

A handwritten signature in blue ink that reads "Patrick J. Burns".

The CSU Library, with guidance from the Statistics subject-matter librarian, Michelle Wilde, has conducted a detailed analysis of its collections needed to support the proposed undergraduate major in statistics. The finding is

“No new information resources or financial support will be required in support of the establishment of the Statistics major.”

We are very supportive of this new major. Please do not hesitate to inquire should you have questions. We should be happy to be contacted for additional information.



Department of Mathematics
1874 Campus Delivery
Fort Collins, CO 80523-1874
Telephone: (970) 491-1303
FAX: (970) 491-2161
<http://www.math.colostate.edu>

MEMORANDUM

To: Jean Opsomer, Chair, Department of Statistics
From: Gerhard Dangelmayr, Chair, Department of Mathematics

A handwritten signature in black ink that reads "Gerhard Dangelmayr".

Date: May 6, 2013
Re: Proposed Major in Statistics.

This memo serves to express my support of the proposed B.S. degree program of a Major in Statistics by the Department of Statistics. The Major in Statistics was discontinued in 2000 by the Colorado Commission of Higher Education and was recreated as Concentration in Statistics within the Major in Mathematics. The Department of Mathematics currently administers this concentration, while the advising of students and oversight of the curriculum is pursued by the faculty of the Department of Statistics. With the increased demand of a B.S. degree in statistics, it is timely and appropriate to reintroduce a Major in Statistics administered by the Department of Statistics. This major offers students the possibility to earn degrees in Mathematics and Statistics, which will be beneficial for both departments.



Computer Science Department
1873 Campus Delivery
Fort Collins, Colorado 80523-1873
(970) 491-5792
FAX: (970) 491-2466
<http://www.cs.colostate.edu>

This is a letter of support from the Department of Computer Science for reinstating the undergraduate major in Statistics at Colorado State University. Statistics has always been about understanding data and extracting information from data. But statistics has become increasingly vital to disciplines and businesses that have access to large or extremely large amounts of data. Currently this is being expressed as “Big Data” and “Data Mining.” This also vitally connects statistics with computer science. Processing large data sets is only possible with a combination of computing and statistical tools.

There is no doubt that there is great demand for students and professionals with a solid foundation in statistics. We need to make the opportunity to major in Statistics available to students, and then make the students aware of the great opportunities that are afforded by a degree in Statistics. As with computing and other STEM disciplines, it can be argued that having more well trained professionals with a foundation in statistics is important to the economy of Colorado and the nation.

Respectfully,

Darrell Whitley
Chair and Professor
Department of Computer Science

**Short CVs for the faculty of the Department of Statistics
June 2013**

Regular Core Faculty

Name	Position	Degree	Area of specialization
Breidt, F. Jay	Tenured	PhD	Environmental and ecological statistics, time series, surveys
Chapman, Phil	Tenured	PhD	Applied linear modeling, statistical consulting
Cooley, Dan	Tenured	PhD	Extreme values, spatial statistics, environmental applications
Estep, Don	Tenured	PhD	Computational differential equations, dynamical systems
Givens, Geof	Tenured	PhD	Statistical conservation biology, statistical computing
Hoeting, Jennifer	Tenured	PhD	Bayesian statistics, model selection and uncertainty
Homrighausen, Darren	Tenure-Track	PhD	Astrostatistics, inverse problems, asymptotic theory
Kokoszka, Piotr	Tenured	PhD	Time series analysis, functional data analysis, asymptotic theory
Lee, Chihoon	Tenure-Track	PhD	Probability, stochastic analysis, queueing networks, stochastic control
Lee, Myung-Hee	Tenure-Track	PhD	Statistical theory, multivariate analysis, bioinformatics
Meyer, Mary	Tenured	PhD	Nonparametric function estimation and inference
Opsomer, Jean	Tenured	PhD	Survey Statistics, nonparametric statistics, environmental stat
Wang, Haonan	Tenured	PhD	functional data analysis and application, multivariate analysis

Other Department Faculty

Anderson, Jana	Special	PhD	Developments in Statistical Education (no teaching)
Dahlke, Mark	Special	PhD	Nonparametric statistics, survey statistics, education
Green, Gerwyn	Special	PhD	Mixed modeling, multiple testing, medical statistics
Hess, Ann	Special	PhD	Bioinformatics, experimental design, linear models
Zumbrunnen, Jim	Special	MS	General statistical consulting (no teaching)

CURRICULUM VITAE

<u>NAME</u>	F. Jay Breidt		April 26, 2013
<u>ADDRESS</u>	201 Statistics Building Colorado State University Fort Collins, CO 80523-1877	<u>PHONE</u>	(970) 491-6786

Education

- 1991 PhD, Statistics, Colorado State University
- 1989 MS, Statistics, Colorado State University
- 1987 BA, Mathematics and English Literature, *summa cum laude* with honors, The College of Idaho

Academic Positions

(June 2002-Present) Professor, Department of Statistics, Colorado State University
 (July 2005-December 2010) Chair, Department of Statistics, Colorado State University
 (July 2003-June 2005, January 2011-Present) Associate Chair, Department of Statistics, CSU
 (July 2003-December 2003) Acting Chair, Department of Statistics, Colorado State University
 (January 2001-May 2002) Associate Professor, Department of Statistics, Colorado State University
 (1996-2000) Associate Professor, Department of Statistics, Iowa State University
 (1991-1996) Assistant Professor, Department of Statistics, Iowa State University

Honors and Awards

- 2013, Professor Laureate, College of Natural Sciences, Colorado State University
- 2006, Elected Member, International Statistical Institute
- 2004, Fellow, American Statistical Association
- 2004, Distinguished Achievement Award, American Statistical Association Section on Statistics & the Environment
- 1997, Early Excellence in Research Award, College of Liberal Arts and Sciences, Iowa State University
- 1990, James L. Madison Memorial Award, Department of Statistics, Colorado State University
- 1989, Franklin A. Graybill Award, Department of Statistics, Colorado State University

Recent Refereed Journal Articles (61 total, plus 14 Refereed Proceedings and Panel Reports)

1. K. S. McConville & F. J. Breidt (2013): Survey design asymptotics for the model-assisted penalised spline regression estimator, *Journal of Nonparametric Statistics*, DOI:10.1080/10485252.2013.780057. [://dx.doi.org/10.1080/10485252.2013](http://dx.doi.org/10.1080/10485252.2013).
2. Dahlke, M., Breidt, F.J., Opsomer, J.D. and Van Keilegom, I. (2013). Nonparametric endogenous post-stratification estimation. *Statistica Sinica*, **23**, 189-211
3. Cooley, D., Breidt, F.J., Ogle, S.M., Schuh, A.E. and Lavaux, T. (2012). A Constrained Least-Squares Approach to Combine Bottom-Up and Top-Down CO2 Flux Estimates. *Environmental and Ecological Statistics*. DOI 10.1007/s10651-012-0211-6
4. Bonn ery, D., Breidt, F.J. and Coquet, F. (2012). Uniform convergence of the empirical cumulative distribution function under informative selection from a finite population. *Bernoulli* **18**(4), 1361–1385.
5. Breidt, F.J., Erculescu, A., and van der Woerd, M. (2012). Autocovariance Structures for Radial Averages in Small Angle X-Ray Scattering Experiments. *Journal of Time Series Analysis* **33**: 704–717, Special Issue on Time Series Analysis in the Biological Sciences, DOI: 10.1111/j.1467-9892.2011.00779.x
6. Breidt, F.J. and Chauvet, G. (2012). Penalized balanced sampling. *Biometrika* 1-14. doi: 10.1093/biomet/ass03312. [://biomet.oxfordjournals.org/cgi/reprint/ass033?ijkey=hbo7rzxymjEMZIP&keytype=](http://biomet.oxfordjournals.org/cgi/reprint/ass033?ijkey=hbo7rzxymjEMZIP&keytype=)

7. Spencer, S., Ogle, S.M., Breidt, F.J., Goebel, J.J., and Paustian, K. (2011). Designing a national soil carbon monitoring network to support climate change policy: a case example for US agricultural lands, *Greenhouse Gas Measurement and Management*, DOI:10.1080/20430779.2011.637696
8. Breidt, J., Butler, T. and Estep, D. (2011). A measure-theoretic computational method for inverse sensitivity problems I: method and analysis. *SIAM J. Numerical Analysis* **49**, 1836-1859. [://dx.doi.org/10.1137/](https://dx.doi.org/10.1137/)
9. Huang, W. Wang, K., Breidt, F.J. and Davis, R.A. (2011). A class of stochastic volatility models for environmental applications. *Journal of Time Series Analysis*. Special Issue: Time Series in the Environmental Sciences **32**:364-377.
10. Breidt, F.J. and G. Chauvet. (2011). Improved variance estimation for balanced samples drawn via the cube method. *Journal of Statistical Planning and Inference* **141**, 479-487.

Current Grant Funding as PI

- 09/10-08/14, Inverse Problem for Estimating Structure of Biological Macromolecules from SAXS (with D. Estep, K. Luger, J. Mueller, M. van der Woerd), Joint NSF/NIGMS Initiative to Support Research in the Area of Mathematical Biology, \$1,115,828.
- 09/09-08/13, Some Issues in Analytic Inference from Complex Surveys, (with Jean D. Opsomer), National Science Foundation, \$447,887.
- 09/09-09/13, Developing Statistical Tools for Moving Remote Sensing Technologies into Inventory and Monitoring Applications (with J. Opsomer), USDA-USFS-Rocky Mtn. Rsrch Station-Utah, \$55,267.

Current Grant Funding as Co-PI

- 03/13-03/16, Big Data Analytics of Epidemic Outbreaks, Department of Homeland Security, \$1,176,000 (S. Pallickara, PI). [one month per year of support]

Current Review/Editorial Boards

- Associate Editor, *Journal of Survey Statistics and Methodology*, 02/12-Present.
- Associate Editor, *Advances in Statistical Analysis*, 05/11-Present
- Associate Editor, *Electronic Journal of Statistics*, 01/10-Present.
- Associate Editor, *Journal of Forecasting*, 10/99-Present
- Associate Editor, *Environmental and Ecological Statistics*, 01/04-Present

Current Advisory Panel/Committee Service

- USDA Climate Change Program Office, Working Group to Develop Science-Based Methods and Technical Guidelines for Quantifying Greenhouse Gas Sources and Sinks in the Forest and Agriculture Sectors, lead author for Uncertainty Analysis, January 2011-Present.
- National Science Foundation, Grant Review Panel for Methodology, Measurement and Statistics Program, May 2012-Present

Recent Invited Conference Presentations (62 total, plus 40 invited departmental seminars and 20 short courses)

1. 12/18/12, Time Series Methods for Describing Structure and Uncertainty in Small Angle X-Ray Scattering Experiments, Workshop on Statistical Frontiers 2012, Academia Sinica, Taipei, Taiwan.
2. 11/06/12, Nonparametric Variance Estimation under Fine Stratification: An Alternative to Collapsed Strata, 7ème Colloque Francophone sur les Sondages (French-Speaking Colloquium on Surveys), Ensai, Bruz, France.
3. 07/30/12, Using Nonparametric Regression to Derive Predictors in Analytic Inference from Complex Surveys, Joint Statistical Meetings, San Diego, CA.
4. 04/28/12, Model-assisted survey estimation for official statistics using modern regression methods, Data Mining in Official Statistics Workshop, 2012 SIAM International Conference on Data Mining, Anaheim, CA
5. 11/25/11, Analytic Inference for Complex Surveys with Informative Selection: Testing and Prediction, 3e Journé des Methods Avancées pour l'Analyse de Sondages Complexes, ENSAI, Bruz, France.
6. 09/21/11, Time Series Methods for Describing Structure and Uncertainty in Small Angle X-Ray Scattering Experiments (opening plenary address), XXVI Foro Nacional de Estadística, Universidad Juárez Autónoma de Tabasco, Villahermosa, Mexico.
7. 09/07/11, Improved Estimation Methods for the Access Point Angler Intercept Survey in the United States,

American Fisheries Society Annual Meeting, Washington State Convention Center, Seattle, WA.

8. 08/24/11, Hierarchical Bayesian Small Area Estimation for Diurnal Data with Application to Recreational Fisheries, Congress of the International Statistical Institute, Dublin, Ireland.
9. 05/24/11, Using Nonparametric Regression to Derive Predictors in Analytic Inference from Complex Surveys, 43em Journées de Statistique de la Societe Française de Statistique, Gammarth, Tunisia.

Completed PhD Students (plus 3 PhD in progress, plus 32 completed MS students):

1. Dahlke, Mark (PhD, Summer 2012). Survey sampling with nonparametric regression: endogenous post-stratification and penalized instrumental variables.
2. Bonnéry, Daniel (PhD from University of Rennes I, Fall 2011, with François Coquet). Propriétés asymptotiques de la distribution de l'échantillon dans le cas d'un plan de sondage informative.
3. McConville, Kelly (PhD, Summer 2011, with Thomas Lee). Improved estimation for complex surveys using modern regression techniques.
4. Huang, Wenying (PhD, Summer 2008, with Richard Davis). Spatial processes with stochastic heteroscedasticity.
5. Wang, Ke (PhD, Summer 2008, with Richard Davis). Spatial models with applications in computer experiments.
6. Delorey, Mark (PhD, Summer 2008). Penalized estimation for sample surveys in the presence of auxiliary variables.
7. Al_Jararha, Jehad (PhD, Spring 2008). Unbiased ratio estimation for finite populations.
8. Coar, William J. (PhD, Spring 2007). State-space models for stream networks.
9. Kim, Ji-Yeon (PhD, Spring 2004, with Jean Opsomer at Iowa State University), Nonparametric regression estimation in survey sampling.
10. Wang, Junyuan, (2000, PhD, with Wayne Fuller)
11. Chen, Cong, (PhD, Spring 1999, with Wayne Fuller), Spline estimators of the distribution function of a variable measured with error.
12. Abbitt, Pam, (PhD, Summer 1999, with Sarah Nusser), Quantile estimation using auxiliary information with applications to soil texture data.
13. Hsu, Nan-Jung, (PhD, Summer 1997), Hierarchical long memory time series models.
14. Kondo, Koji, (PhD co-major, Fall 1997, with Stefano Athanosoulis, Economics) Statistical analysis of foreign exchange rates: application of cointegration model and regime-switching stochastic volatility

Teaching at Colorado State

ST192, Freshman seminar, CSU, Spring 2001 (with R.A. Davis), 2002, 2003, 2004, 2008
 ST302, Design of experiments, CSU, Fall 2001, 2002, 2003
 ST525, Analysis of Time Series I, CSU, Fall 2001, 2007, 2011
 ST321, Elementary Probability Models, CSU, Spring 2001, Spring 2010
 ST740, Topics in Bioinformatics, CSU, Spring 2002 (with H. Iyer and R.A. Davis)
 ST722, Spatio-Temporal Modeling, CSU, Fall 2002
 EY680, Team Research in Ecology (TREE), CSU, Spring 2004 (with D. Estep and M. Antolin)
 ST640, Design and Linear Modeling I, CSU, Spring 2005
 ST796, Team Research in Ecology (TREE), CSU, Spring 2005 (with D. Estep and R. Davis)
 ST605, Theory of Sampling Techniques, CSU, Spring 2006, 2007, 2009, 2011, 2012
 ST695, Independent Study for Stefan Sillau: Small Angle X-Ray Scattering, CSU, Fall 2007 (with M. van der Woerd)
 STAT780, Advanced Theory of Sampling, CSU, Fall 2009 (with J. Opsomer)
 STAT730, Mathematical Statistics, CSU, Fall 2010, Fall 2012

PHILLIP LEE CHAPMAN
Professor
Department of Statistics, Colorado State University
Fort Collins, Colorado

EDUCATION:

University of California at Berkeley B.A. Mathematics 1971
 University of Minnesota, Twin Cities Ph.D. Statistics 1985

PROFESSIONAL EXPERIENCE:

1971-1975 Officer in the United States Coast Guard Reserve.
 1975-1976 Teaching Assistant, Department of Mathematics, University of Minnesota.
 1976-1982 Teaching Assistant, Research Assistant and Project Assistant, School of Statistics, University of Minnesota, Twin Cities.
 1982-1983 Statistical Package Program Consultant, University Computer Center, University of Minnesota, Twin Cities.
 1983-1989 Assistant Professor and Experiment Station Statistician, Department of Statistics, Colorado State University:
 1989-2006 Associate Professor and Experiment Station Statistician, Department of Statistics, Colorado State University.
 2006-present Professor and Experiment Station Statistician, Department of Statistics, Colorado State University: half time teaching and half time consulting.

PUBLICATIONS:

Chapman, P. L., and Seidel, G. E. Jr. (2008). Experimental design, power and sample size for animal reproduction experiments. *Reprod., Fert. and Develp.* **20**:33–44.

Bass, P. D., Scanga, J. A., Chapman, P. L., Smith, G. C., Tatum, J. D. and Belk, K. E. (2008). Recovering value from beef carcasses classied as dark cutters by United States Department of Agriculture graders. *J. An. Sci.* **86**(7): 1658-68.

Bass, P. D., Scanga, J. A., Chapman, P. L., Smith, G. C., and Belk, K. E. (2009). Associations between portion size and acceptability of beef cuts and ribeye area of beef carcasses. *J. Anim. Sci.* **87**(9):2935-42.

Buis, G. M., Blair, J. M., Burkepile, D. E., Burns, C. E. Champerlain, A. J., Chapman, P. L., Collins, S. L., Fynn, R. W., Govender, N., Kirkman, K. P., Smith, M. D., and Knapp, A. K. (2009). Controls of aboveground primary net production in mesic savanna grasslands: an inter-hemispheric comparison. *Ecosystems*, **12**(6):982-995.

Amann, R. P. and Chapman, P. L. (2009). Total sperm per ejaculate of men: obtaining a meaningful value or a mean value with appropriate precision. *J. Andrology*, **30**(6):642-649.

Amann, R. P. and Chapman, P. L. (2009). Supplemental material for Total sperm per ejaculate of men: obtaining a meaningful value or a mean value with appropriate precision. *J. Andrology*, **30**(6):online.

Gruber, S. L., Tatum, J. D., Engle, T. E., Chapman, P. L., Belk, K. E., and Smith, G. C. (2010). Relationships of behavioral and physiological symptoms of pre-slaughter stress to beef longissimus muscle tenderness. *J. Anim. Sci.*, **88**(3):1148-59.

Bass, P. D., Engle, T. E., Belk, K. E., Chapman, P. L., Archibeque, S. L., Smith, G., C., and Tatum, J., D. (2010). Effects of sex and short-term magnesium supplementation on stress responses and *longissimus* muscle quality characteristics of crossbred cattle. *J. Anim. Sci.*, **88**(1):349-60.

Orsi, R., Chapman, P. L. and Edwards, R. W. (2010). Exploring survey participation, data combination, and research validity in a substance use study: an application of hierarchical linear modeling. *Substance Use and Misuse*, **45**(1-1):98-115.

Sylla, M., Kobylinski, K. C., Gray, M., Chapman, P. L., Sarr, M. D., Rasgon, J. L., and Foy, B. D. (2010). Mass drug administration of ivermectin in south-eastern Senegal reduces the survivorship of wild-caught, blood fed malaria vectors. *Malaria J.*, **9**:365. (Online)

Moore, C. B., Bass, P. D., Green, M. D., Chapman, P. L., O'Connor, M. E., Yates, L. D., Scange, J. A., Tatum, J. D., Smith, G. C., and Belk, K. E. (2010). Establishing an appropriate mode of comparison for measuring the performance of marbling score output from video image analysis beef carcass grading systems. *J. Anim. Sci.* **88**(7): 2464-75.

Gruber, S. L., Tatum, J. D., Engle, T. E., Chapman, P. L., Enns, R. M., Belk, K. E. and Smith, G. E. (2011). Effects of genetic markers and implant strategy on longissimus and gluteus muscle tenderness of calf-fed steers and heifers. *J. Anim. Sci.* **89**: 1401-11.

Paige, R. L., Chapman, P. L., and Butler, R. W. (2011). Small sample LD50 confidence intervals using saddlepoint approximations. *J. Amer. Stat. Assn.* **106**: 334-344.

Econopouly, B. F., McKay, J. K., Westra, P., Lapitan, N. L., Chapman, P. L., and Byrne, P. F. (2011), Backcrossing provides an avenue for gene introgression from wheat to jointed goatgrass (*Aegilops cylindrica*) in the U. S. Great Plains. *Weed Science* **59**: 188-194..

Miller, D. S., Weiser, G. C., Ward, A. C. S., Drew, M. L., and Chapman, P. L. (2011). Domestic sheep (*Ovis aries*) *Pasteurellaceae* isolates from diagnostic submissions to the Caine Veterinary Teaching Center (1990-2004). *Vet. Microbiology*. **150**:284-288.

Kobylinski, K. C., Sylla, M., Chapman, P. L., Sarr, M. D., and Foy, B. D. (2011) Ivermectin mass drug administration of humans disrupts malaria transmission in Senegalese villages. *Am. J. Trop Med. Hyg.* **85**:3-5.

Miller, D. S., Weiser, G. C., Aune, K., Roeder, B., Atkinson, M., Anderson, N., Roffe, T. J., Keating, K. A., Chapman, P. L., Kimberling, C., Rhyan, J., Frye, R., Clarke, P. R. (2011) Shared bacterial and viral respiratory agents in bighorn (*Ovis Canadensis*) and domestic sheep (*Ovis Aires*) in Montana. *Vet. Med. Int.* Published online Nov. 16, 2011. 12 pages.

Frye, M. A., Miller, K. E., Jeckel, K. M., Chapman, P. L., Mulligan, C. M., Falcone, P. H., Miller, M. L., Pagliassotti, M. J., Chicco, A. J. (2011). The role of dietary fatty acid in predicting myocardial structure in fat-fed rats. *Lipids in 28 Health and Disease*. 10:92.

Miller, D. S., Ward, C. S., Weiser, G. C., Drew, M. L., and Chapman, P. L. (2012) *Pasturellaceae* isolated from bighorn sheep (*Ovis Canadensis*) from Idaho, Oregon, and Wyoming. *Am. J. of Vet. Res.* **73**(7): 1024-8.

Daniels, A.B., Barnard, D.M., Chapman, P.L., and Bauerle, W.L. (2012) Optimizing substrate moisture measurements in containerized nurseries. *Hort. Sci.* **47**(1): 98-104.

Dixon, C.L., Woerner, D.R., Tokach, R.J., Chapman, P.L., Engle, T.E., Tatum, J.D., and Belk, K.E. (2012) Quantifying the aging response and nutrient composition for muscles of the beef round. *J. Anim. Sci.* **90**(3): 996-1007.

Jeckel, K.M., Veeramachaneni, D.N.R., Chicco A.J., Chapman, P.L., Mulligan, C.M., Hegarty J.R., Pagliassotti, M.J., Ferguson, L.A., and Frye, M.A. (2012) Docosahexaenoic acid supplementation does not improve Western diet-induced cardiomyopathy in rats. *PLoS One* **7**(12):e51994.

Curriculum Vitae for Daniel Cooley

April 24, 2013

Professional Preparation

- University of Colorado at Boulder, Applied Mathematics, Ph.D. 2005.
- University of Colorado at Boulder, Applied Mathematics, M.S. 2002.
- University of Colorado at Boulder, Mathematics, B.A. 1994.

Academic and Professional Experience

- 2012-: *Associate Professor*; Colorado State University; Department of Statistics.
- 2007-2012: *Assistant Professor*; Colorado State University; Department of Statistics.
- Fall 2011: *Research Fellow, Program on Uncertainty Quantification*; Statistical and Applied Mathematical Sciences Institute (SAMSI); Research Triangle Park, NC.
- 2005-2007: *PRIMES Postdoctoral Researcher (joint appointment)*; Colorado State University; Department of Statistics.
- 2005-2007: *Postdoctoral Researcher (joint appointment)*; National Center for Atmospheric Research, Geophysical Statistics Project.

Ten Recent Refereed Publications

1. Cooley D., Davis R.A., Naveau P. (2012). Approximating the Conditional Density Given Large Observed Values via a Multivariate Extremes Framework, with Application to Environmental Data. *Annals of Applied Statistics*, 6:1406-1429.
2. Weller G.B., Cooley D., Sain S.R. (2012). An Investigation of the Pineapple Express Phenomenon via Bivariate Extreme Value Theory. *Environmetrics*, 23:420-439.
3. Cooley D., Breidt F.J., Ogle S.M., Schuh A., Lauvaux T. (2012). A Constrained Least-Squares Approach to Combine Bottom-Up and Top-Down CO₂ Flux Estimates. *Environmental and Ecological Statistics*, doi: 10.1007/s10651-012-0211-6.
4. Cooley D., Cisewski J., Erhardt R., Jeon S., Mannshardt E., Omolo B., Sun Y. (2012). A Survey of Spatial Extremes: Measuring Spatial Dependence and Modeling Spatial Effects. *RevStat*, 10:135-165.
5. Ribatet M., Cooley D., Davison A.C. (2012). Bayesian Inference from Composite Likelihoods, with an Application to Spatial Extremes. *Statistica Sinica*, 22:813-846.
6. Cooley D., Sain S.R. (2010). Spatial Hierarchical Modeling of Precipitation Extremes from a Regional Climate Model. *Journal of Agricultural, Biological, and Environmental Statistics*, 15:381-402.
7. Cooley D., Davis R.A., Naveau P. (2010). The Pairwise Beta Distribution: A Flexible Parametric Multivariate Model for Extremes. *Journal of Multivariate Analysis*, 101:2103-2117.
8. Schliep E., Cooley D., Sain S.R., Hoeting J.A. (2010). A Comparison Study of Extreme Precipitation from Six Different Regional Climate Models via Spatial Hierarchical Modeling. *Extremes*, 13:219-239.
9. Naveau P., Guillou A., Cooley D., and Diebolt J. (2009). Modeling Pairwise Dependence of Maxima in Space. *Biometrika*, 96:1-17.
10. Cooley D., Nychka D., Naveau P. (2007). Bayesian Spatial Modeling of Extreme Precipitation Return Levels. *Journal of the American Statistical Association*, 102:824-840.

18 total referred journal articles, 1 refereed book chapter

Teaching

STAT 192	First Year Seminar in Mathematical Sciences	S10
STAT 430	Probability/Mathematical Statistics II	S12
STAT 511	Design and Data Analysis for Researchers I	F07, F09(2), F10
STAT/NR 523	Quantitative Spatial Analysis	S08, S09, S11, S12, S13
STAT 525	Analysis of Time Series I	F08, F10
STAT 740	Extreme Value Analysis	S09, F12
STAA 576	Methods in Environmental Statistics	S13
STAA 574	Multivariate Statistics	S13
MATH 495	FEScUE Seminar	S08

Grants

Funded

- 07/15/12-10/31/12 Interpretation of street-level methane concentrations. *Environmental Defense Fund*, \$402,108. J. Von Fischer (CSU, Biology), PI, D. Cooley, Investigator: one-half month of salary.
- 06/01/12 - 5/31/15, Using advanced statistical techniques to identify the drivers and occurrence of historical and future extreme air quality events in the United States from observations and models, *EPA STAR Extreme Event Impacts on Air Quality and Water quality with a Changing Global Climate (EPA-G2011-STAR-D1)*, \$750,000. C. Heald (MIT Atmospheric Science) Lead-PI, D. Cooley, co-PI: CSU subcontract: \$190,844, one month per year summer support plus funding for one graduate student.
- 07/01/09-06/30/12, Models for extremes on a spatial lattice. *NSF DMS-Statistics*, \$169,990. D. Cooley, PI.
- 01/01/08-12/31/10, Resolving net CO₂ exchange in the mid-continent region of North America by comparing and reconciling results from inverse modeling and inventory-based approaches. *NASA Carbon Cycle Science*, \$1,094,526. S. Ogle (CSU, NREL), PI, D. Cooley, Investigator: two months per year of support.

Pending

- 10/01/2012 - 9/30/2017, Collaborative Research: Advancing extreme value analysis of high impact climate and weather events, *NSF/DOE/USDA Decadal and Regional Climate Prediction using Earth System Models (EaSM) Program Solicitation NSF 12-522*. D. Cooley, lead PI; collaborative research with UC Berkeley, Lawrence Berkeley National Labs, and University of North Carolina, Chapel Hill. CSU: \$867,275; Total: \$4,901,718. (Submitted May 11, 2012).

Advising*Primary Advisor*

Stanley Leung (MS, In Progress)

Linde Bischak (MS, In Progress)

Brett Hunter (PhD, In Progress, co-advisor with Geof Givens)

Brook Russell (PhD, In Progress)

Grant Weller (PhD, 2013)

George Weigt (MS, 2011)

Atul Sharma (MS, 2009)

Fatima Anderson (MS, 2009)

Erin Schliep (MS, 2009)

Austin Lampros (MS, 2009)

Served on 18 M.S. or Ph.D. committees

CURRICULUM VITAE

NAME Mark Dahlke January 26, 2013

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Colorado State University
Fort Collins, CO 80523-1877
mark.dahlke@colostate.edu

PHONE (970) 491-5330

EDUCATION

2012 Ph.D. Statistics, Colorado State University
2009 M.S. Statistics, Colorado State University
1994 M.S. Applied Mathematics, Oklahoma State University
1991 B.S. Comprehensive Mathematics, *summa cum laude*, Kearney State College

EXPERIENCE

(2012 – Present), Assistant Professor, Colorado State University
(2009 – 2012), Instructor, Department of Statistics, Colorado State University
(2004 – 2009, 1999 – 2002), Lecturer, University of Nebraska-Kearney
(2002 – 2004), Assistant Professor, York College
(1994 – 1999), Instructor, Barton County Community College, Kansas
(1992 – 1994), Teaching Assistant, Oklahoma State University
(1988 – 1991), Assistant Residence Hall Director, Kearney State College

HONORS AND AWARDS

2012 Edward C. Bryant Scholarship, American Statistical Association
(*National award for outstanding graduate work in survey sampling*)
2011 Water Pik Excellence in Education Award, Colorado State University
2010 James L. Madison Memorial Award, Colorado State University
(*Outstanding graduate student in the Department of Statistics*)
2008 Teacher of the Year, University of Nebraska-Kearney
2008 Most Influential Teacher Award
1991 Outstanding Mathematics Graduate, Kearney State College
1990 Mortar Board Leadership Honorary
1990 Kappa Delta Pi Education Honorary
1989 Kappa Mu Epsilon Mathematics Honorary
1983 Eagle Scout

PUBLISHED WORKS**Refereed Journal Articles:**

Dahlke, M., Breidt, F.J., Opsomer, J.D. and van Keilegom, I. (2013). Nonparametric endogenous post-stratification estimation. *Statistica Sinica* **23**, 189–211.

PROFESSIONAL AFFILIATIONS AND ACTIVITIES**Memberships:**

American Statistical Association
Institute of Mathematical Statistics

Manuscript refereeing: *Bernoulli* (1 paper)

Other activities:

Advanced Placement (AP) Statistics Exam, grader (2005 – 2012)
Reviewed chapters in *Business Statistics* by Donnelly (2012)

PAPERS PRESENTED**Contributed Papers:**

08/01/12, Nonparametric Endogenous Post-Stratification Estimation, Joint Statistical Meetings, San Diego, CA.

COMMITTEES

Colorado State University:

Statistics undergraduate committee (2012)
Faculty search committee (2012)
Co-author, document to reinstate Statistics major (2012)

Previous institutions:

Curriculum	Faculty search
Distance Learning	Instructional Technology
Facilities	Publicity and Recruiting

ADVISING

2012 – Present	Advised undergraduate Statistics majors and minors, Colorado State University
2002 – 2004	Advised undergraduate Math and science majors and minors, York College
1999 – 2002	Advised undergraduate Computer Science majors and minors, University of Nebraska-Kearney
1994 – 1999	Advised undergraduate Math and science majors and minors, Barton County Community College

TEACHING AND SUPERVISION

Colorado State University:

Supervised graduate teaching assistants (2009 – Present)
Supervised graduate students, RPI project (2012)

STAT 204	Statistics for Business Students (2009 – Present)
STAT 340	Multiple Regression Analysis (2013)
STAT 350	Design of Experiments (2012)

Previous institutions:

Statistics: Elementary Statistics
Business Statistics
Applied Statistics I
Statistical Techniques (Graduate)

Mathematics: Algebra (Basic, Intermediate, and College)
Trigonometry
Mathematics for Liberal Arts
Finite Mathematics
Applied Calculus
Calculus with Analytic Geometry (I, II, and III)
Differential Equations

Other: Structured Programming
Languages: FORTRAN, Pascal, C, C++
Computer Organization
Discrete Structures

Physical Science
General Physics I & II (Calculus-based)

DONALD JOSEPH ESTEP*University Interdisciplinary Research Scholar**Professor, Department of Statistics**Professor, Department of Mathematics**Director, Center for Interdisciplinary Mathematics and Statistics***EDUCATION**

1977-81 B.A. Columbia College, Columbia University, Varsity Minor Letter in Swimming
 1981-87 M.S., Ph.D. Department of Mathematics, University of Michigan, Advisor: Jeffrey Rauch

ACADEMIC CAREER

1987-00 School of Mathematics, Georgia Institute of Technology, Assistant through Full Professor
 1991-93 Applied Mathematics, California Institute of Technology, Visiting Assistant Professor
 2000- Department of Mathematics, Colorado State University, Associate and Full Professor
 2006- Department of Statistics, Colorado State University, Full Professor

CENTERS AND PROGRAMS DIRECTED

2003-09 Director, IGERT Program for Interdisciplinary Mathematics, Ecology, and Statistics
 2006- Director, Center for Interdisciplinary Mathematics and Statistics, Colorado State University

LONG TERM ACADEMIC VISITS

3/90-7/90, 3/94-8/94, 3/95-7/95 Chalmers University of Technology, Gothenburg, Sweden
 3/98-4/98 Mittag-Leffler Institute, Stockholm, Sweden
 8/10-12/10 Department of Atmospheric Sciences, Colorado State University

AWARDS AND PRIZES

1993-5 International Research Fellow, National Science Foundation
 2005 Outstanding Professor in Graduate Instruction, Department of Mathematics
 2005 Computational and Mathematical Methods in Sciences and Engineering (CMMSE) Prize
 2007 Excellence in Teaching Award for Graduate Education and Mentoring, CNS
 2008-16 Program of Research and Scholarly Excellence, CIMS
 2009- University Interdisciplinary Research Scholar
 2009 Oliver P. Pennock Distinguished Service Award, Colorado State University
 2011 University Scholarship Impact Award, Colorado State University

RESEARCH ARTICLES

- 53 research articles (1000+ pages) have appeared in peer reviewed journals or are in press
- 1 invited review article

RESEARCH MONOGRAPHS AND ACADEMIC BOOKS

- *Computational Differential Equations*, K. Eriksson, D. Estep, P. Hansbo, and C. Johnson, Cambridge University Press, 1996 (in second printing)
- *Estimating the error of numerical solutions of systems of nonlinear reaction-diffusion equations*, D. Estep, M. Larson and R. Williams, *Memoirs of the American Mathematical Society* 696 (2000)
- *Practical Analysis in One Variable*, D. Estep, *Undergraduate Textbooks in Mathematics*, Springer-Verlag, 2002 (German Edition, 2004)
- *Applied Mathematics: Body and Soul*, Volumes I, II, III, K. Eriksson, D. Estep and C. Johnson, Springer-Verlag, 2003 (German Edition, 2004)
- *Bridging the Scales in Science and Engineering*, Editor J. Fish, Oxford University Press, Chapter 11: *Error Estimation for Multiscale Operator Decomposition for Multiphysics Problems*, D. Estep, 2010

PUBLIC SOFTWARE

- *CARDS (Concurrent Adaptive Reaction-Diffusion Solver)*, version 2.0, 1996
- *FETkLab (Finite Element Toolkit for solving nonlinear elliptic systems in MATLAB)*, 2002

- *GAASP (Globally Accurate, Adaptive Sensitivity Package)*, 2006

RESEARCH FUNDING

- Funded continuously as a PI or Co-PI since 1992, Career total for grants as a PI and co-PI is more than \$30,000,000, amount awarded to Colorado State University since 2000 is more than \$14,000,000
- Funding provided by the Battelle Energy Alliance, DTRA, DOE, Idaho National Laboratory, IMA, IBM, Lawrence Livermore National Laboratory, Multiscale Design Systems, NASA, NIH, NSF, NATO, Sandia Corporation, USDA, Awards include NSF IGERT, NSF MSTUCSE, NSF/NIH DMS/NIGMS, AFOSR STTR II, DOE NEUP, NSF FRG, NSF CDS&E-MSS

DOCTORAL STUDENTS

- W. Kuhn, School of Mathematics, Georgia Institute of Technology, 1997
- M. Larson, Department of Mathematics, Chalmers University of Technology, 1997.
- M. Warner, School of Aerospace Engineering, Georgia Institute of Technology, 1997
- D. Mikulencak, School of Chemical Engineering, Georgia Institute of Technology, 2001.
- S. Eastman, Department of Mathematics, Colorado State University, 2005.
- D. Neckels, Department of Mathematics, Colorado State University, 2005.
- J. Sandelin, Department of Mathematics, Colorado State University, 2006.
- T. Wildey, Department of Mathematics, Colorado State University, 2007.
- S. Lee, Department of Mathematics, Colorado State University, 2008.
- T. Butler, Department of Mathematics, Colorado State University, 2009.
- M. Buzby, Department of Mathematics, Colorado State University, 2009.
- W. Newton, Department of Mathematics, Colorado State University, 2011.
- N. Burch, Department of Mathematics, Colorado State University, 2011.
- R. Mckeown, Department of Forestry, Rangeland, and Watershed Stewardship, in progress
- B. Bugbee, Department of Statistics, Colorado State University, in progress

POSTDOCS

- M. Laforest, from State University of New York at Stonybrook, finished 2002.
- A. Malqvist, from Chalmers University, finished 2007.
- V. Ginting, from Texas A&M, finished 2007.
- D. Lockwood, from University of California, Davis, finished 2007.
- D. Pham, from Indiana University, finished 2009.
- H. Wang, from University of Minnesota, finished 2009.
- J. Sandelin, from Colorado State University, finished 2010.
- V. Carey, from Cornell University, finished 2012
- B. Sheehan, from University of Colorado Boulder, in progress
- M. Presho, from University of Wyoming, in progress
- J. Collins from North Carolina State University, in progress
- J. Hameed, from University of Illinois, in progress
- W. Newton, from Colorado State University, in progress
- T. Butler, from Colorado State University, in progress

INVITED TALKS AND SHORT COURSES

- More than 50 invited talks at conferences and workshops, inc. 10 keynote and plenary talks
- 100 invited seminars and colloquia
- 2 invited short courses

PROFESSIONAL MEETINGS ORGANIZED

- Co-Organized 24 Workshops, Conferences, and Invited Minisymposia
- Co-Editor on two volumes of Conference Proceedings

- Co-Organizer, *SAMSI Program on Environmental Sensor Networks*, 2008
- Organizing Committee, Society for Industrial and Applied Mathematics Annual Meeting, 2009
- Program Leader, *SAMSI Program on Uncertainty Quantification*, 2011-2012
- Co-chair, *SIAM/ASA Conference on Uncertainty Quantification*, 2011-2012

EDITORIAL BOARDS

- Editor in Chief (founding) *SIAM/ASA Journal on Uncertainty Quantification*, 2012-
- Editor in Chief, *SIAM Book Series on Computational Science and Engineering*, 2009 –
- *SIAM Journal on Numerical Analysis*, 2005-2011
- *International Journal for Uncertainty Quantification*, 2010 -
- *Journal of Applied Mathematics and Computing*, 2008 – 2013
- *Multiphysics Modeling Book Series*, A. A. Balkema Publishing, CRC Press, 2008 -
- *International Journal of Computer Mathematics*, 2006 – 2007

REFEREE AND REVIEW SERVICE

- Reviewer for over 100 proposals and over 80 manuscripts since 2000
- 3 book reviews for *SIAM Review*
- Referee for 27 journals in engineering, mathematics, and science
- 14 Review Panels for the Department of Energy and National Science Foundation

PROFESSIONAL SERVICE

- Co-Organizer, *Second DOE Workshop on Multiscale Mathematics*, 2004. Co-editor and co-author for final report to the Department of Energy
- Member, *Society for Industrial and Applied Mathematics Education Committee*, 2006-20012
- Co-Leader, *Panel on Validation, Verification, Uncertainty Analysis and Decision Optimization*, *Department of Energy Computational Subsurface Sciences Workshop*, 2007.
- Member, *Department of Energy, Office of Advanced Scientific Computing, Applied Mathematics Strategic Plan Recommendation Panel*, 2008.
- Member, *NSF Office of Cyberinfrastructure Grand Challenges Communities Task Force*, 2009-2010
- Breakout Lead and Report co-author, *Uncertainty Quantification/Stochastic Systems*, *Department of Energy Cross-Cutting Technologies for Computing at the Exascale*, 2010
- Co-Organizer and first Chair, *SIAM Activity Group on Uncertainty Quantification*, 2010
- *American Mathematical Society Simmons Travel Grants Committee*, 2011-2013

EXTERNAL ADVISORY AND GOVERNING BOARDS

- Advisory Board, *Center for Advanced Modeling and Simulation*, Idaho National Laboratory, 2009-
- *Governing Board of the Statistical and Applied Mathematical Sciences Institute (SAMSI)*, SIAM Representative, 2009-

COMMUNITY SERVICE

- 2004-06 President, Friends of RAMS Cycling, Inc., a nonprofit charity organization
- 2004-06 Co-Organizer, Horsetooth Double Dip Bicycle Challenge, a community bicycle fund raiser

HIGHLIGHTS OF UNIVERSITY SERVICE

- Numerous department and university committees, Colorado State University and Georgia Tech
- Faculty Advisor, Colorado State University Rams Cycling Team, given the USA Cycling 2003 and 2007 Collegiate Cycling Team of the Year Award.
- First Director of Teaching Effectiveness, School of Mathematics, Georgia Tech
- Associate Chair, Department of Mathematics, CSU, 2008-2010

THREE-PAGE CURRICULUM VITAE

NAME Geof Givens

ADDRESS 1877 Campus Delivery
Department of Statistics
Colorado State University
Fort Collins, CO 80523

PHONE (970) 491-6402

EDUCATION

1993 Ph.D., University of Washington
1991 MS, University of Washington
1988 B.A., Pomona College

ACADEMIC POSITIONS

2000-2013 Associate Professor, Statistics, Colorado State University
1994-2000 Assistant Professor, Statistics, Colorado State University

HONORS AND AWARDS

1992-present US Delegate to the Scientific Committee of the International Whaling
Commission
2011 Best of Automatic Face and Gesture Recognition (*Image and Vision Computing*)
2008 Best Paper of 2008, *IEEE Face and Gesture*
1996 ASA Outstanding Application Award

PUBLISHED WORKS

Books:

Givens, G.H. and Hoeting, J.A. (2013), *Computational Statistics*, Second Edition. John Wiley & Sons, 469pp.
Givens, G.H. and Hoeting, J.A. (2005), *Computational Statistics*, John Wiley & Sons, 418pp.

Five Most Recent Refereed Articles, Published and Accepted::

G.H. Givens, J.R. Beveridge, Y.M. Lui, D. Bolme, B.A. Draper and J.P. Phillips (2013) Biometric face recognition: from classical statistics to future challenges. *WIREs: Computational Statistics*, in press.
P.J. Phillips, J.R. Beveridge, B.A. Draper, G.H. Givens, A.J. O'Toole, D. Bolme, J. Dunlop, Y.M. Lui, H. Sahibzada, and S. Weimer (2012) The good, the bad, and the ugly face challenge problem. *Image and Vision Computing*, 30: 177-185. (Best of Automatic Face and Gesture Recognition, 2011)
M.N. Teli, J.R. Beveridge, P.J. Phillips, G.H. Givens, B.A. Draper and D.S. Bolme (2011) Biometric zoos: Theory and experimental evidence. *International Joint*

Conference on Biometrics, October 2011, p. 1-8.

J.R. Beveridge, P.J. Phillips, G.H. Givens, B.A. Draper, M.N. Teli and D.S. Bolme (2011) When high-quality face images match poorly. *The Ninth IEEE International Conference on Automatic Face and Gesture Recognition*, March 2011, p. 572-578.

E. Archer, K.K. Martien, B.L. Taylor, R.G. LeDuc, B.J. Ripley, G.H. Givens and J.C. George (2010) A simulation-based approach to evaluating population structure in non-equilibrial populations. *J. Cetacean Research and Management*, 11: 101-114.

44 additional peer-reviewed publications; 65 scientific papers presented to the Scientific Committee of the International Whaling Commission

CONTRACTS & GRANTS

Five Most Recent Externally Funded Projects

2013-2014 Population size estimation for Bering-Chukchi-Beaufort Seas bowhead whales, Phase II. North Slope Borough, Alaska, for its Department of Wildlife Management. \$119,766. PI.

2012-2017 Assessing water management tradeoffs and targets under climactic and land use uncertainty (with M. Arabi, J. Pritchett, A. Denning and K. Paustian). NSF/USDA. \$1,500,000. Co-PI.

2012-2014 Advanced statistical biometric analysis, including video and soft biometrics (with J.R. Beveridge and B.A. Draper). Technical Support Working Group, US Dept. of Homeland Security. \$510,873. Co-PI.

2012 Bowhead whale census population size estimation. North Slope Borough, Alaska for its Department of Wildlife Management. \$130,974. PI.

2011-2012 Face recognition evaluation and baseline algorithm development (with J.R. Beveridge and B.A. Draper). Intelligence Advanced Research Projects Activity (IARPA). \$249,000. Co-PI.

28 Additional grants and contracts totaling ~\$3,000,000

TEACHING

Courses Taught (Instances)

STAT: 192(1), 204(2), 301(7), 310(3), 372(5), 498(1), 540(7), 600(8), 640(1), 684(5), 699(24), 796(1), 799(11)

Graduate Students

Current and Past, Advisor

5 Ph.D., 15 MS

Current and Past, Member

10 Ph.D., 14 MS

COMMITTEES**University:**

Committee on Responsibilities and Standing of Academic Faculty, 9/10-present
 University Curriculum Committee, 8/00-12/02 (15% effort allocation)
 Faculty Council 7/13- 6/16 (pending)
 School of Global Environmental Sustainability, Curriculum Committee, 9/08-5/09

College:

College of Natural Sciences Curriculum Committee:
 Chair, 8/00-12/02 and 8/08-5/09
 Member, 4/99-8/00 and 8/03-8/08
 College of Natural Science Strategic Planning Committee, 12/04-12/05
 Sabbatical Committee, 9/11-5/15

Department

Virtually everything

PROFESSIONAL AFFILIATIONS AND ACTIVITIES**Review/Editorial Boards:**

Consulting Editor, Wiley Series in Computational Statistics, 2004-present
 Associate Editor, *Computational Statistics and Data Analysis*, 2010-present
 Associate Editor, *Australia and New Zealand Journal of Statistics*, 2002-present

Manuscript Refereeing:

Journal of the American Statistical Association, Journal of Computational and Graphical, Statistics, Statistics and Computing, Biometrics, Statistica Sinica, Ecology, Arctic, Marine Mammal Science, Journal of Applied Ecology, Water Resources Research, Report of the International Whaling Commission, Journal of Cetacean Research and Management, A.A. Balkema Publishers, John Wiley and Sons Publishers

OTHER**International Committees:**

United States Delegate to the Scientific Committee of the International Whaling Commission, 1992-present.

JENNIFER A. HOETING

Department of Statistics
Colorado State University
Fort Collins, Colorado 80523

(970) 491-2897 (office)
jah@lamar.colostate.edu
www.stat.colostate.edu/~jah

Professional Preparation

University of Michigan	Statistics & Psychology	B.A. w/distinction, 1988
University of Washington	Statistics	M.S., 1991
University of Washington	Statistics	Ph.D., 1994

Employment History

1994- Full, Associate, Assistant Professor, Department of Statistics, Colorado State University

Honors

Fellow of the American Statistical Association

Outstanding Science Mentor Award, Students as Leaders in Science, Colorado State University, 2008

CSU College of Natural Sciences Faculty Undergraduate Teaching Award, 2001-2002

Selected Publications

Givens, Geof H. and Jennifer A. Hoeting (2013). Computational Statistics, Second Edition, John Wiley & Sons, New York, 469 pages. Book website with code and examples:
www.stat.colostate.edu/computationalstatistics/

Meyer, M. C., A. Hackstadt, and J. A. Hoeting (2011). Bayesian Estimation and Inference for Generalized Partial Linear Models Using Shape-Restricted Splines. *Journal of Nonparametric Statistics*, 23:4, 867-884.

Burch, N., J. A. Hoeting, D. Estep (2012). Optimal design and directional leverage with applications in differential equation models. *Metrika*, 75:7, 895-911.

Higgs, M. D., J. A. Hoeting (2010). A Clipped Latent-Variable Model for Spatially Correlated Ordered Categorical Data. *Computational Statistics and Data Analysis*. 54:8, 1999-2011.

Schliep, E. M., D. Cooley, S. R. Sain, J. A. Hoeting (2010). A Comparison Study of Extreme Precipitation from Six Different Regional Climate Models via Spatial Hierarchical Modeling. *Extremes*, 13:219-239.

Webb, C.T., J. A. Hoeting, G. M. Ames, M. I. Pyne, N. L. Poff (2010). A structured and dynamic framework to advance traits-based theory and prediction in ecology. *Ecology Letters*, 13: 267-283.

Irvine, K, A. I. Gitelman, J. A. Hoeting (2007) "Spatial Designs and Properties of Spatial Correlation: Effects on Covariance Estimation," *Journal of Agricultural, Biological and Environmental Statistics*, 12:4,450-469.

Hoeting, J. A., R. A. Davis, A. A. Merton, and S. E. Thomson (2006) "Model Selection for Geostatistical Models", *Ecological Applications*, 16(1), 87-98.

M. L. Farnsworth, J. A. Hoeting, N. T. Hobbs, M. W. Miller (2005) "Linking mule deer movement scales to the spatial distribution of chronic wasting disease: a hierarchical Bayesian approach," to appear in *Ecological Applications*.

Johnson, D. S. and J. A. Hoeting (2003) "Autoregressive Models for Capture-Recapture Data: A Bayesian Approach," *Biometrics*, vol 59, 340-349.

An Improved Model for Spatially Correlated Binary Responses, J.A. Hoeting, M. Leecaster, and D. Bowden, *Journal of Agricultural, Biological, and Environmental Statistics*, (2000) 5:1, 102-114.

Johnson, D. S., J. A. Hoeting and N. L. Poff (2006) "Biological monitoring: A Bayesian Model for

- Multivariate Compositional Data," *Bayesian Statistics and its Applications*, Eds. S. K. Upadhyay, U. Singh and D. K. Dey. Anamaya publishers: New Delhi, p 270-289,
- Hoeting, J. A. (2006) "Some Perspectives on Modeling Species Distributions. Discussion of article by A. E. Gelfand, J. A. Silander, S. Wu, A. Latimer, P. O. Lewis, A. G. Rebelo, M. Holder," *Bayesian Analysis*, 1:1, 93-98
- Reese, G. C., K. R. Wilson, J. A. Hoeting, C. H. Flather (2005) "Factors affecting the Accuracy of Predicted Species Distributions: A Simulations Experiment," *Ecological Applications*, 15:2, 554-564.
- Bayesian Model Averaging: A Tutorial (with discussion)*, J.A. Hoeting, D. Madigan, A.E. Raftery, and C.T. Volinsky, *Statistical Science*, (1999), 14:4, 382-417.

Synergistic Activities

1. Co-wrote textbook on computational statistics. Now in 2nd edition. First edition fourth printing after 2 years. Adopted by top universities including Stanford, U of Wisconsin, U of Minnesota.
2. Presented 7 short courses on methods for statistical and mathematical optimization and integration to interdisciplinary audiences.
3. CSU's IGERT: Program for Interdisciplinary Mathematics, Ecology and Statistics (PRIMES). Co-wrote proposal, member of PRIMES council, teach PRIMES courses to interdisciplinary groups, and advisor to many past and present PRIMES students.
4. Co-sponsor of post-doctoral researcher with biologist Colleen Webb (CSU) for USDA project on Avian Influenza. Collaborating with a large interdisciplinary group on the project.
5. Undergraduate teaching and mentoring awards: Outstanding Science Mentor Award, Students as Leaders in Science, Colorado State University, 2008. Colorado State University College of Natural Sciences Faculty Undergraduate Teaching Award, 2001-2002.

Advising

Thesis Advisor and Postgraduate-Scholar Sponsor

Michael Buhnerkempe, MS, 2012, Post-Doc UCLA, Lenae Anderson, MS 2012, Insurance company, WY, Benjamin J. Bird, MS, 2010, US Forest Service, Erin Schliep, MS 2009. CSU graduate student, Eugene Davis, MS 2009, major drug company, NJ, Laura Beri, MS 2008, Disney Corp.; Melea Brown, MS, 2002, Self-employed, Seattle, WA; Matt Farnsworth, PhD 2004, U.S.D.A., APHIS; Stephanie Fitchett, MS 2007, Northern Colorado State University; Doug Gorman, MS 2008, Minitab Corp; Megan D. Higgs, PhD 2007, Montana State University; Devin Johnson, MS 2000, PhD 2003 NOAA; Brett Kellum, MS, 2003, Health insurance company, Colorado; Andrew Leach, MS 2003, U.S. Forest Service, Fort Collins, CO; Molly Leecaster, PhD 1999, Idaho National Engineering Laboratory, Idaho; Brett McClintock, MS 2008, USGS Patuxent Wildlife Research Center; Andrew Merton, PhD 2006 and Post-doctoral researcher, CSU; Man Sik Park, post-doc 2006, researcher, university in Korea; Julia Smith, MS 2005, High school teacher, Anchorage, AK; Maggie Stanislawski, MS 2007, Colorado State University; Sandra Thompson, PhD 2000, Pacific Northwest National Laboratory, Richland, WA; Kristina Varga, MS 1997; Greg Young, MS 2000, Battelle Laboratories, Ohio

- Total number of students advised: 20 MS students, 7 PhD students
- Total number of postdoctoral scholars sponsored: 2
- Advised 20-55 undergraduates per year in 1998-2012. A large proportion of advisees continued on to graduate school in statistics.

Darren Homrighausen

- CONTACT INFORMATION Department of Statistics
Colorado State University
Statistics Hall, 204
Fort Collins, CO 80523
<http://www.stat.colostate.edu/~darrenho/>
darrenho@stat.colostate.edu
- PROFESSIONAL POSITIONS **Colorado State University, Statistics Department.** Fort Collins, CO 80523
2012 - Present: Assistant Professor of Statistics
- EDUCATION **Carnegie Mellon University,** Pittsburgh, Pennsylvania USA
Ph.D in Statistics, May 2012
Dissertation: “Sequential estimation and detection in statistical inverse problems”
Advisor: Christopher R. Genovese
M.S. in Statistics, December 2008
University of Colorado, Boulder, Colorado USA
Graduate work in Applied Mathematics, 2006-2007
 - Passed the Applied Analysis preliminary exam. Left to pursue Ph.D in statistics.
- PEER REVIEWED PUBLICATIONS **Homrighausen, D.** and McDonald, D.J. (2013) “The lasso, persistence, and cross-validation,” Forthcoming in ICML 2013.
Homrighausen, D. and Genovese, C.R. (2013) “Efficient estimators for sequential and resolution-limited inverse problems,” Forthcoming in *Electronic Journal of Statistics*.
Becker, A.C.; **Homrighausen, D.**; Connolly, A.J.; Genovese, C.R.; Owen, R.; Bickerton, S.J.; and Lupton R. (2012) “Regularization techniques for PSF-matching kernels. I. Choice of kernel basis,” *Monthly Notices of the Royal Astronomical Society*. Vol. 425, No. 2, pp. 1341-1349. arXiv:1202.2902 [astro-ph].
Stephen, K.E.; **Homrighausen, D.**, DePalma, G., Nakatsu, C., and Irudayaraj, J. (2012) “Using RAMAN spectroscopy to classify highly related bacteria.” *Analyst*. Vol. 137, pp. 4280 - 4286.
Homrighausen, D.; Genovese, C.R.; Connolly, A.J.; Becker, A.C.; and Owen, R. (2011) “Image coaddition with temporally varying kernels,” in *Publications of the Astronomical Society of the Pacific*, Vol. 123, No. 907, pp. 1117-1126.
Richards, J.W.; **Homrighausen, D.**; Freeman, P.E; Schafer, C.M.; and Poznanski, D. (2011) “Semi-supervised learning for photometric supernova classification,” *Monthly Notices of the Royal Astronomical Society*. Vol. 419, No. 2, pp. 1121-1135. arXiv:1103.6034 [astro-ph].

- PAPERS UNDER REVIEW
- Homrighausen, D.** and McDonald, D.J., “Cross validation is risk consistent for lasso under orthogonal design,” Submitted. [arXiv:1206.6128](https://arxiv.org/abs/1206.6128) [stat.ML].
- Homrighausen, D.** and McDonald, D.J. “Risk consistency of cross-validation and lasso-type procedures,” Submitted.
- PAPERS IN PROGRESS
- Homrighausen, D.** and McDonald, D.J., “Spectral approximations in machine learning,” [arXiv:1107.4340](https://arxiv.org/abs/1107.4340) [stat.ML].
- Homrighausen, D.** and McDonald, D.J., “Optimal subspace estimation under computational constraints”
- Homrighausen, D.;** Genovese, C.R.; Connolly, A.J.; Becker, A.C.; and Owen, R. “FASTDetect: A stochastic process approach to detecting transients in mixed resolution image data.”
- Homrighausen, D.** “Limits of transient detection in mixed resolution image analysis.”
- Homrighausen, D.** and McDonald, D.J., “SPASM: Sparse additive state space models”
- Homrighausen, D.,** McDonald, D.J., and Loewenstein, G., “Regularized ANOVA-PCA for repeated survey analysis”
- INVITED SHORT COURSES
- Institute for New Economic Thinking (INET) Conference 2013
“Statistical Learning with Applications to Economics”
- INVITED PRESENTATIONS
- Colorado State University, Statistics department (Fall 2012)
“Detecting transients in mixed resolution image data”
 - University of Indiana, Bloomington, Statistics department (Spring 2012)
“Efficient estimators for sequential and resolution limited inverse problems”
 - Colorado State University, Statistics department (Spring 2012)
“Efficient estimators for sequential and resolution limited inverse problems”
 - Conference on Data Analysis (CODA 2012)
“Detecting transients in mixed resolution image data”
Won \$100 u.s.d. in best poster contest
 - Statistical Challenges in Modern Astronomy (SCMA 2011)
“FASTDetect: A stochastic process approach to detecting transients”
 - SIAM conference on Data Mining (SDM 2011)
“Efficient estimators for sequential and resolution limited inverse problems”
- CONTRIBUTED PRESENTATIONS
- ASA conference, Denver, (2012)
 - ASA conference, Pittsburgh, (2011,2012)
 - Statistical Machine Learning Group, CMU (2010, 2011)
 - Joint Statistical Meetings, Washington D.C. (2009)
 - Astrostatistics Group, CMU (2010)

TEACHING	<ul style="list-style-type: none"> • Applied Multivariate Analysis (undergraduate, Spring 2013) • Generalized Regression Methods (graduate, Fall 2012) • Statistics for Engineers (undergraduate, Fall 2008) • Statistics for Engineers (undergraduate, Summer 2008)
ADVISING	<ul style="list-style-type: none"> • Andrea Schumacher Committee (Atmospheric Sciences, in progress) • Xiyue Liao Committee (Statistics, in progress)
PROFESSIONAL SERVICE	<p>Memberships: <i>American Statistical Association, Institute of Mathematical Statistics</i></p> <p>Referee: <i>Statistica Sinica, ICML, IEEE information theory</i></p>
COMPUTING SKILLS	<p><i>Statistical Packages: R/S-Plus, Matlab, SAS</i></p> <p><i>Programming Languages: C/C++, L^AT_EX, Python</i></p> <p><i>Operating Systems: MacOS, Linux, Windows</i></p>
REFERENCES	References available upon request

PIOTR KOKOSZKA

Curriculum Vitae

April 24, 2013

Name: Piotr Stefan Kokoszka

Address: Department of Statistics
Colorado State University
Fort Collins, CO 80523-1877
United States
Phone: (970) 491 6870
Email: Piotr.Kokoszka@colostate.edu

Employment

- August 2011 - present, Professor, Department of Statistics, Colorado State University, Fort Collins, USA
- April 2007 - June 2011, Professor, Department of Mathematics and Statistics, Utah State University, Logan, USA
- April 2004 - March 2007, Associate Professor, Department of Mathematics and Statistics, Utah State University, Logan, USA
- August 2000 - March 2004, Assistant Professor, Department of Mathematics and Statistics, Utah State University, Logan, USA
- July 1996 - July 2000, Lecturer B, Department of Mathematical Sciences, University of Liverpool, Liverpool, UK
- September 1993 - June 1996, Postdoc, Department of Mathematics, University of Utah, Salt Lake City, USA

Education

- May 1993 Ph.D, Boston University, GPA 4.0
Thesis title: Self-similar stable processes *Advisor:* Murad Taqqu
- June 1988 M.Sc. Technical University of Wroclaw, Poland
Thesis title: Semistable distributions and processes *Advisor:* Aleksander Weron

Current Research interests

- Functional data analysis
- Time series and spatial statistics
- Applications to space physics and financial econometrics

Selected recent publications

1. Horváth, L., Kokoszka, P, Reeder, R. Estimation of the mean of functional time series and a two sample problem, *Journal of the Royal Statistical Society (B)*, **75**, 103–122, 2013
2. Gromenko, O. and Kokoszka, P. Testing the equality of mean functions of ionospheric critical frequency curves *Journal of the Royal Statistical Society (C)*, **61**, 715–731, 2012
3. Gromenko, O., Kokoszka, P., , Sojka, J. Zhu, L. Estimation and testing for spatially distributed curves with application to ionospheric and magnetic field trends, *The Annals of Applied Statistics*, **6**, 669–696, 2012
4. Gabrys, R. Horváth, L., Kokoszka, P. Tests for error correlation in the functional linear model, *Journal of the American Statistical Association*, **105**, 1113–1125, 2010
5. Hörmann, S. and Kokoszka, P. Weakly dependent functional data *The Annals of Statistics*, **38**, 1845–1184, 2010
6. Berkes, I., Gabrys, R. Horváth, L., Kokoszka, P. Detecting changes in the mean of functional observations, *Journal of the Royal Statistical Society, B*, **71**, 927–946, 2009
7. Gabrys, R. and Kokoszka, P. Portmanteau test of independence for functional observations, *Journal of the American Statistical Association*, **102**, 1338–1348, 2007
8. Berkes, I., Horváth, L., Kokoszka, P. and Shao, Q. On discriminating between long-range dependence and changes in mean, *The Annals of Statistics*, **34**, 1140-1165, 2006
9. Bhansali, L., Giraitis, L., Kokoszka, P. Estimation of the memory parameter by fitting fractionally differenced autoregressive models, *Journal of Multivariate Analysis*, **97**, 2101-2130, 2006
10. Berkes, I., Horváth, L., Kokoszka, P. Near integrated GARCH sequences, *Annals of Applied Probability*, **15**, 890-913, 2005

Teaching experience

PhD students (with first employment)

1. Gabriel Young, PhD candidate, Statistics
2. Xi Zhang, PhD candidate, Statistics
3. Oleksandr Gromenko, Spring 2013, PhD Statistics: *Functional spatio-temporal modeling of long term trends in the ionosphere*. (2013 PhD departmental researcher of the year.) Tenure-track Assistant Professor at Tulane University, Department of Mathematics
4. Robertas Gabrys, Spring 2010, PhD Statistics: *Goodness of fit and change point tests for functional time series*. (2008 Departmental PhD Researcher of the Year, 2009 Patel Doctoral Fellow) Clinical Assistant Professor at the University of Southern California, Marshall Business School.
5. Inga Maslova, Spring 2009, PhD Statistics: *Testing and estimation for functional data with applications to magnetometer records*. Tenure-track Assistant Professor at American University, DC, Department of Mathematics.
6. Agnieszka Jach, Spring 2006, PhD Statistics: *Wavelet techniques in time series analysis with an application to space physics*. (2006 Departmental PhD Researcher of the Year) Tenure-track Assistant Professor at Universidad Carlos III, Madrid, Spain, Department of Statistics.
7. Aonan Zhang, Spring 2005, PhD Statistics: *Estimation, testing and monitoring of GARCH time series*. (2005 Departmental PhD Researcher of the Year) Quantitative Risk Analyst, Bank of America, Atlanta Headquarters.

PhD Committees

1. Brett Hunter, PhD Statistics
2. Stacy Edmodson, PhD Statistics

Courses taught at Colorado State University (2011–present)

- stat 498 Undergraduate Research in Statistics (4 projects)
- Stat 520 Introduction to Probability Theory
- Stat 521 Stochastic Processes
- fin/stat 524 Statistics and Finance
- staa 573 (distance) Analysis of Time Series
- stat 740 Functional Data Analysis

CHIHOOON LEE

221 Statistics Building
Colorado State University
Fort Collins, CO 80525

Email: chihoon@stat.colostate.edu
970-491-7321 (office), 919-923-2035 (cell)
<http://www.stat.colostate.edu/~chihoon>

POSITION

Assistant Professor

Department of Statistics, Colorado State University, Fort Collins

August 2008 –

EDUCATION

Ph.D. in Statistics and Operations Research

May 2008

University of North Carolina at Chapel Hill

Advisor: Amarjit Budhiraja

“Long Time Stability and Control Problems for Stochastic Networks in Heavy Traffic”

M.S. in Statistics, University of North Carolina at Chapel Hill

May 2005

B.S. in Statistics, Seoul National University

February 2003

B.S. in Mathematics, Seoul National University

February 2003

RESEARCH INTERESTS

Applied probability, Stochastic networks, Stochastic control,
Parameter estimation for diffusion processes, Constrained diffusion processes,
Operational management, Call center management–forecasting and staffing,
Stochastic nonlinear filtering, Particle methods

REFEREED JOURNAL PUBLICATIONS

1. C. Lee and J. Song. On drift parameter estimation for reflected fractional Ornstein-Uhlenbeck processes. Under review in *Stochastic Processes and Their Applications*, 2013.
2. L. Sun, C. Lee and J. Hoeting. Penalized importance sampling for parameter estimation in stochastic differential equations. Under review in *Biometrics*, 2013. (This paper has won the 2nd place prize from the ASA ENVR student paper competition.)
3. C. Lee and A. Puhalskii. Non-Markovian state dependent networks in critical loading. Under review in *Stochastic Models*, 2013.
4. Y. Hu, C. Lee, M. Lee and J. Song. Parameter estimation for reflected Ornstein-Uhlenbeck processes with discrete observations. Under review in *Statistical Inference for Stochastic Processes*. September 2012.
5. S. Wei, C. Lee, L. Wichers, G. Lia, and J. S. Marron. Direction-Projection-Permutation for High Dimensional Hypothesis Tests. Under review in *Journal of the American Statistical Association: Theory & Methods*. August 2012.
6. C. Lee and Y. Hu. Drift parameter estimation for reflected fractional Brownian motions based on local time processes. Forthcoming in *Journal of Applied Probability*, 50(2), 2013.
7. C. Lee, J. Bishwal and M. Lee. Sequential parameter estimation for reflected Ornstein-Uhlenbeck processes. *Journal of Statistical Planning and Inference*, Vol. 142, pp. 1234-1242, 2012.
8. C. Lee. Bounds on exponential moments of hitting times for reflected processes on the positive orthant. *Statistics and Probability Letters*, Vol. 82, pp. 1120-1128, 2012.
9. C. Lee and A. Weerasinghe. Convergence of a queueing system in heavy traffic with general abandonment distributions. *Stochastic Processes and Their Applications*, Vol. 121, pp. 2507–2552, 2011.

10. C. Lee and A. Weerasinghe. Stationarity and control of a tandem fluid network with fractional Brownian motion input. *Advances in Applied Probability*, Vol. 43, No. 3, pp. 847–874, 2011.
11. C. Lee. A geometric drift inequality for a reflected fractional Brownian motion process on the positive orthant. *Journal of Applied Probability*, Vol. 48, No. 3, pp. 820–831, 2011.
12. C. Lee. On the return time for a reflected fractional Brownian motion process on the positive orthant. *Journal of Applied Probability*, Vol. 48, No. 1, pp. 145–153, 2011.
13. A. Budhiraja, A. Ghosh, and C. Lee. Ergodic rate control problem for single class queueing networks, *SIAM Journal on Control and Optimization*, Vol. 49, No. 4, pp. 1570–1606, 2011.
14. C. Lee. On moment stability properties for a class of state-dependent stochastic networks. *Journal of the Korean Statistical Society*, Vol. 40, No. 3, pp. 325–336, 2011.
15. C. Lee and J. C. Wang. Waiting time probabilities in the $M/G/1 + M$ queue. *Statistica Neerlandica*, Vol. 65, No. 1, pp. 72–83, 2011.
16. C. Lee. V -uniform Ergodicity for State Dependent Single Class Queueing Networks. *Queueing Systems: Theory and Applications*, Vol. 65, No. 1, pp. 93–108, 2010.
17. A. Budhiraja and C. Lee. Stationary Distribution Convergence for Generalized Jackson Networks in Heavy Traffic. *Mathematics of Operations Research*, Vol. 34, No. 1, pp. 45–56, 2009.
18. A. Budhiraja and C. Lee. Long time asymptotics for constrained diffusions in polyhedral domains. *Stochastic Processes and Their Applications*, 117(8): 1014–1036, 2007.
19. L. Chen, C. Lee, and R. Mehra. How to Tell a Bad Filter through Monte Carlo Simulations? *IEEE Transactions on Automatic Control*, Vol. 52, No. 7, pp. 1302–1307, 2007.
20. A. Budhiraja, L. Chen, and C. Lee. A Survey of Numerical Methods for Nonlinear Filtering Problems. *Physica D: Nonlinear Phenomena*, No. 230, pp. 27–36, 2007. (Special issue on Data Assimilation)

GRANT

- Funded: Army Research Office, Short Term Innovative Research program, “Stationary Solutions of Constrained Stochastic Differential Equations Driven by Fractional Brownian Motions,” July 2012 – May 2013, Sole-PI, \$50,000.
- Funded: National Security Agency, “Stability and Control for Stochastic Networks with Fractional Brownian Motions,” June 2012 – May 2014, Sole-PI, \$40,000.
- Funded: The Simons Foundation Collaboration Grants, “Controlled Stochastic Networks with Fractional Brownian Motions,” July 2011 – August 2012; Original grant period is for 5 years and terminated due to other funding, Sole-PI, \$7,000 per year.
- Pending: Army Research Office (Young Investigator Award Program), “Analysis of non-Markovian stochastic networks in critical loading: Probabilistic and statistical approaches,” August 2013 – July 2016, Sole-PI, \$150,000.

ACADEMIC HONORS/AWARDS

Early Career Statistician Award, Korean Statistical Society	November 2012
Excellence in Teaching Award, Department of Statistics and Operations Research, UNC-CH – For excellence in teaching undergraduates	December 2007
Wassily Hoeffding Award, Department of Statistics and Operations Research, UNC-CH – For the best performance in the first year of Ph.D. program	December 2004
Honors Scholarship, Seoul National University	2000–2002

ADVISING

- Libo Sun (PhD student), jointly with Jennifer Hoeting on stochastic differential equations for modelling some ecological data. (August 2011 –)
- Ainsley Ferguson (MSc. student), In progress. (August 2012 –)
- Yang Zou (MSc). “State and parameter estimation of partially observed reflected Ornstein-Uhlenbeck processes,” completed in May 2012.
- David Teolis (MSc). “Determination of probabilistic risk assessment initiating event frequency baseline periods using change-point analysis,” completed in April 2010.
- Supervised Bruce Bugbee on the project “ODE method for studies of stability and ergodic properties for the stochastic systems,” with an aid of *CIMS* fellowship. Summer 2009.

TEACHING EXPERIENCE**Instructor**, Colorado State University

STAT 740 Stochastic Calculus and Operational Management	Spring 2013
STAT 721 Stochastic Calculus with Applications	Spring 2011
STAT 720 Measure Theory and Probability Theory (4-credit)	Spring 2010
STAT 521 Stochastic Processes I	Spring 2009, 2011, 2012, 2013
STAT 520 Introduction to Probability Theory (4-credit)	Fall 2008, 2009, 2010, 2011
STAT 501 Statistical Science	Fall 2011
STAT 420 Probability and Mathematical Statistics I	Fall 2012

SERVICE

- Editorial Service:
 - Associate Editor for Journal of the Korean Statistical Society, January 2011 –
 - Screening Editor for Journal of the Korean Statistical Society, January–March 2013
- Conference and Meetings:
 - Session organizer, Conference on Stochastic Processes and Their Applications, Boulder, CO, July 2013.
 - Session chair, Spring Korean Statistical Meeting, Incheon, Korea, May 2013.
- Departmental Committees:
 - Graduate Screening Committee, 2010, 2012.
 - Graduate Screening Committee for Distance Degree Program, 2010, 2011.
 - Department Chair Search Committee, 2010.
 - Department Faculty Search Committee, 2011, 2012.
 - Seminar co-organizer, Undergraduate Committee, 2008, 2009, 2010, 2011.
 - Graduate Committee, 2012.
 - I served as a question-writer and a grader for STAT 520 DCE Exams in 2008 (grading only), 2009, 2010, 2011, 2012.
- Thesis/Dissertation Committees:
 - Patricia de Rezende Barbosa (ECE), PhD defense, Apr. 2010.
 - Erdenebaatar Chadraa (Statistics), PhD defense, Aug. 2009.
 - Leigh Engelhardt (Statistics), MS defense, Apr. 2009.
 - Yang Zou (Mathematics), MS defense, Nov. 2008
 - Distance students committee, Fall 2008–2011.

Updated on April 24th, 2013

Myung Hee Lee

Department of Statistics
1877 Campus Delivery
Colorado State University
Fort Collins, CO, 80523-1877

Email: mhlee@stat.colostate.edu
Phone: (970) 491-6682
Webpage: www.stat.colostate.edu/~mhlee

Education

University of North Carolina at Chapel Hill, Ph.D. in Statistics, Dec 2007

- Advisor: J. S. Marron

Seoul National University, M.S. in Statistics, Feb 2002

Seoul National University, B.S. in Statistics, Feb 2000

Appointments

Aug 2008 - Present, Assistant Professor, Department of Statistics, Colorado State University

Sep 2007 - Jun 2008, Research Associate, Lineberger Comprehensive Cancer Center, UNC-CH

Research Interests

High Dimension Low Sample Size (HDLSS) inferences, Bioinformatics, Statistical learning, Network Inference from High Dimensional Data

Publications

- Myung Hee Lee and Yufeng Liu (2013). Kernel Continuum Regression. Under revision.
- Hyonho Chun and Myung Hee Lee (2013). Sparse Robust Graphical Models. Submitted.
- Yaozhong Hu, Chihoon Lee, Myung Hee Lee, and Jian Song (2013). Parameter estimation for reflected Ornstein-Uhlenbeck processes with discrete observations. Submitted.
- Myung Hee Lee, Jeongyoun Ahn, and Yongho Jeon (2013). HDLSS Discrimination with Adaptive Data Piling. *Journal of Computational and Graphical Statistics*, accepted.
- Myung Hee Lee (2012). On the border of extreme and mild spiked models in the HDLSS framework. *Journal of Multivariate Analysis*, 107: 162–168.
- Jeongyoun Ahn, Myung Hee Lee, and Young Joo Yoon (2012). Clustering High Dimension, Low Sample Size Data Using The Maximal Data Piling Distance. *Statistica Sinica*, 22(2): 443–464.
- Hyejin Shin and Myung Hee Lee (2012). On Prediction Rate in Partial Functional Linear Regression. *Journal of Multivariate Analysis*, 103(1): 93–106.
- Chihoon Lee, Jaya P.N. Bishwal, Myung Hee Lee (2012). Sequential maximum likelihood estimation for reflected Ornstein-Uhlenbeck processes. *Journal of Statistical and Planning Inference*, 142: 1234-1242.

- Jeongyoun Ahn and Myung Hee Lee (2011). Discussion on “Two-Stage Procedures for High-Dimensional Data” by Makoto Aoshima and Kazuyoshi Yata. *Sequential Analysis: Design Methods and Applications*, 30(4): 423-426.
- Melissa A. Troester, Myung Hee Lee, Matthew Carter, Cheng Fan, Jason R. Pirone, Charles M. Perou, D. Joseph Jerry, and Sallie Smith Schneider (2009). Activation of Host Wound Responses in Breast Cancer Microenvironment. *Clinical Cancer Research*, 15(22): 7020-7028

Work in Progress

- Jeongyoun Ahn, Myung Hee Lee, and Jung Ae Lee(2013). Outlier Detection for High Dimension, Low Sample Size Data.

Teaching

- **Department of Statistics, Colorado State University**
 - ST201 General Statistics (Fall 09, Spring 11, Fall 11, Fall 12)
 - ST501 Statistical Science (Fall 08)
 - ST511 Experimental Design and Data Analysis for Researchers I (Fall 08)
 - ST530 Mathematical Statistics (Spring 09, Spring 12, Spring 13)
 - ST740 Topics in High Dimensional Low Sample Size Analysis (Fall 10)
- **Department of Statistics, UNC-CH**
 - Introductory statistics (Fall 2005, Summer 2006 and Fall 2006)

Service

- Department Committee: Master/Ph.D. thesis Committee (11), Search committee : 2011-2012 and 2012-2013, Seminar committee : 2011 Fall, Graduate committee : 2010-2011, Libraries committee : 2008-2011
- Refereeing for Journals: Journal of Statistical Planning and Inference, Annals of the Institute of Statistical Mathematics, Journal of Multivariate Analysis, Journal of the Korean Statistical Society, Statistical Analysis and Data Mining
- Grant Review: National Security Agency’s Mathematical Sciences Program

Advising

- Carol Wyatt (MS, 2010 Spring), Basil Conway (MS, 2010 Fall)

Invited Talks

- Sep 2013 (Tentative). Department Colloquium, Department of Statistics, University of Connecticut.
- May 2013 (Tentative). Department Colloquium, Department of Statistics, Yonsei University, SungKyunKwan University, Kangwon National University, Hallym University, and Hankuk University of Foreign Studies.
- May 2012. Department Colloquium, Department of Mathematics, University of Kansas, Lawrence, KS.
- Apr 2012. Department Colloquium, Biostatistics and Informatics, University of Colorado, Denver, CO.

- Apr 2012. Department Colloquium, Department of Statistics, Purdue University, IN.
- Jan 2012. Department Seminar, Department of Statistics, Konkuk University, Seoul, Korea.
- Nov 2011. High Dimensional Approximation for Uncertainty Quantification Workshop, SAMSI, NC.
- Sep 2010. Department Colloquium, Department of Statistics, CSU, CO.
- Oct 2010. Department Colloquium, Department of Statistics, University of Georgia, GA.
- May 2010. Department Colloquium, Korea University, Sung Shil University, and Chung Ang University, Seoul, Korea.
- May 2009. Invited talk for New Researchers' session at Symposium on New Directions in Asymptotic Statistics, Athens, GA.
- Feb 2008. Department Colloquium, Department of Statistics, University of South Carolina.
- Jan 2008. Department Colloquium, Department of Statistics, Colorado State University.

Contributed Talks

- Jul 2012. 14th Meeting of New Researchers in Statistics and Probability. San Diego, CA.
- May 2012. International Workshop on Perspectives on High-Dimensional Data Analysis II (poster).
- May 2012. Workshop on Analysis of High-Dimensional and Functional Data in Honor of Peter Hall (poster).
- May 2010. Korean Statistics Meetings, Daejeon, Korea.
- May 2010. ASA CO/WY Spring Chapter Meeting.
- Apr 2009. Integrated Systems Biology seminar, Colorado State University.
- Nov 2008. Bioinformatics Research Retreat, ISTeC/CSU Center for Bioinformatics, Colorado State University.
- Sep 2006. SAMSI Opening Workshop on High Dimensional Inference and Random Matrices, Research Triangle Park, NC (poster).
- Aug 2006. Joint Statistical Meetings. Contributed Topic Presentation, Seattle, WA.

Academic Awards

- *Wassily Hoeffding Fellowship* – For the best performance in the first year of Ph.D. program
Department of Statistics and Operations Research, UNC-CH Dec. 2004
- *Excellence in Teaching Award*
Department of Statistics and Operations Research, UNC-CH Dec. 2006

Mary C. Meyer

Professor, Department of Statistics, Colorado State University
 212 Statistics Building, Fort Collins, CO 80523-1877
 Phone: (970)491-5762, e-mail: meyer@stat.colostate.edu

Education

Ph.D. Statistics: The University of Michigan, Ann Arbor MI, 1996 Dissertation title: “Shape Restricted Inference with Applications to Nonparametric Regression, Smooth Nonparametric Function Estimation, and Density Estimation.” Advisor: Michael Woodroffe

M.S. Mathematics: University of Wyoming, Laramie, WY, 1985, Thesis title: “Stochastic Models of Flow in Porous Media.”

B.S. Physics: University of Wyoming, Laramie, WY, 1983.

B.S. Mathematics: University of Wyoming, Laramie, WY, 1982.

Selected Journal Articles

1. Meyer, M.C. (2013) Semi-parametric Additive Constrained Regression. Accepted, *Journal of Nonparametric Statistics*.
2. Meyer, M.C. (2013) An Algorithm for Projections onto Convex Cones with Applications in Statistical Modeling, *Communications in Statistics* **42(5)**, 1126-1139.
3. Meyer, M.C. and Wang, J. (2012) Improved Power of One-Sided Tests, *Statistics and Probability Letters*, **82**, 1619-1622.
4. Meyer, M.C. (2012) Constrained Penalized Splines. *Canadian Journal of Statistics*, **40(1)**, 190-206.
5. Meyer, M.C. (2012) Nonparametric Estimation of a Smooth Density with Shape Restrictions, *Statistica Sinica*, **22(2)**, 681-701.
6. Meyer M.C., Hackstadt A., and Hoeting J.A. (2011) Bayesian Estimation and Inference for Generalized Partial Linear Models using Shape-Restricted Splines *Journal of Nonparametric Statistics* **23(4)** 867-884.
7. Wang J.C., and Meyer M.C. (2011) Testing the Monotonicity or Convexity of a Function using Regression Splines. *Canadian Journal of Statistics* **39(1)** 89-107.
8. Meyer M.C. and Habtzghi D. (2011) Nonparametric estimation of density and hazard rate functions with shape restrictions. *Journal of Nonparametric Statistics* **23(2)** 455-470.
9. Meyer, M.C. (2008) Inference using Shape-Restricted Regression Splines. *Annals of Applied Statistics* **2(3)** 1013-1033.

10. Pal, J., Woodroffe, M., and Meyer M.C. (2007) Estimation of a Polya Frequency Function. *IMS Lecture Notes Monograph Series*, **54** 239-249.
11. Meyer, M.C. (2006) Consistency and Power in Tests with Shape-Restricted Alternatives *Journal of Statistical Planning and Inference*, **136** 3931-3947.
12. Cosgrove, C.H. and Meyer, M.C. (2006) Melody and Word Accent Relationships in Ancient Greek Musical Documents: the Pitch Height Rule. *Journal of Hellenic Studies* **126** 66-81.
13. Meyer, M.C. and Woodroffe, M. (2004) Estimation of a Unimodal Density using Shape Restrictions. *Canadian Journal of Statistics*, **32(1)** 85-100.
14. Hardwick, J., Meyer, M.C., and Stout, Q.F. (2003) Directed Walk Designs for Dose Response Problems with Competing Failure Modes *Biometrics* **59(2)** 229-236.
15. Meyer, M.C. (2003) An Evolutionary Algorithm with Applications to Statistics. *Journal of Computational and Graphical Statistics* **12(2)** 265-281.
16. Meyer, M.C. (2003) A Test for Linear vs. Convex Regression Function using Shape-Restricted Regression. *Biometrika* **90(1)** 223-32.
17. Meyer, M.C. and Laud, P. (2002) Predictive Variable Selection in Generalized Linear Models. *Journal of American Statistical Association* **97(459)**, 859-871
18. Meyer, M.C. (2001) An Alternative Unimodal Density Estimator with a Consistent Estimate of the Mode. *Statistica Sinica*, **11(4)**, 1159-1174.
19. Meyer, M.C. and Woodroffe, M. (2000) On the Degrees of Freedom in Shape-Restricted Regression. *Annals of Statistics*, **28**, 1083-1104.
20. Meyer, M.C. (1999) An Extension of the Mixed Primal-Dual Bases Algorithm to the Case of More Constraints than Dimensions. *Journal of Statistical Planning and Inference*, **81**, 13-31.

Selected Grants Received

NSF Grant DMS-0905656. Methods in Nonparametric Inference Using Shape-Restricted Regression Splines. July 2009-June 2013. (\$180,000)

NSF Grant DMS-1115654. Funding for Graybill 2011 Conference on Modern Nonparametric Methods. June 2011-December 2011. (\$20,000)

NSF Grant DMS-0619654. Acquisition of Linux Cluster to Meet Modern Computational Needs for Statistical Research at UGA. August 2006-July 2007(\$80,000)

NSF Grant DMS-0204572. Shape-Restricted Inference. August 2002 - August 2004 (\$68,367).

Jean D. Opsomer

Department of Statistics
Colorado State University
<http://www.stat.colostate.edu/~jopsomer>

EXPERIENCE

Chair, Department of Statistics, Colorado State University, 2011–present.

Professor, Department of Statistics, Colorado State University, 2007–present.

Professor, Department of Statistics, Iowa State University, 2006–2007.

Director, Center for Survey Statistics and Methodology, Iowa State University, 2005–2007.

Associate Professor, Department of Statistics, Iowa State University, 2001–2006.

Assistant Professor, Department of Statistics, Iowa State University, 1995–2001.

EDUCATION

Ph.D. in Operations Research, Cornell University, August 1995. Major in Statistics and Applied Probability, Minors in Environmental Economics and Environmental Toxicology.

Master of Business Administration, University of Chicago, June 1987. Concentration in Finance.

MS-Management Engineering, Katholieke Universiteit Leuven, Belgium, July 1986.

AWARDS AND HONORS

Fellow, Institute of Mathematical Statistics, 2012.

Gertrude M. Cox Award, Washington Statistical Society/Research Triangle Institute, 2009.

Fellow, American Statistical Association, 2006.

Elected Member, International Statistical Institute, 2006.

Distinguished Achievement Award, Section on Statistics and the Environment, American Statistical Association, 2003.

REFEREED PUBLICATIONS (45 total, 10 most recent listed)

1. Opsomer, J.D. (2013). "Nonparametric regression model." *Encyclopedia of Environmetrics* Second Edition, A.-H. El-Shaarawi and W. Piegorisch (eds). John Wiley & Sons Ltd, Chichester, UK, 1798-1811 (DOI 10.1002/9780470057339.van019.pub2).

2. Dahlke, M., F.J. Breidt, J.D. Opsomer and I. Van Keilegom (2013). "Nonparametric endogenous post-stratification in surveys." *Statistica Sinica*, 23: 189-211 (DOI 10.5705/ss.2011.272).
3. Karl, J.W., M.C. Duniway, S.M. Nusser, J.D. Opsomer and R.S. Unnasch (2012). "Using VHR Imagery for Rangeland Monitoring and Assessment: Some Statistical Considerations." To appear in *Rangeland Ecology and Management* (DOI: 10.2111/REM-D-11-00102.1).
4. Opsomer, J.D., M. Francisco-Fernandez and X. Li (2012). "Variance estimation for systematic sampling designs using nonparametric regression." *Scandinavian Journal of Statistics*, 39: 528-542 (DOI: 10.1111/j.1467-9469.2011.00773.x).
5. Opsomer, J.D. (2011). "Innovations in Survey Sampling Design: Discussion of Three Contributions Presented at the U.S. Census Bureau." *Survey Methodology*, 37: 227-231.
6. Kauermann, G. and J.D. Opsomer (2011). "Data-driven Selection of the Spline Dimension in Penalized Spline Regression." *Biometrika*, 98: 225-230 (DOI:10.1093/biomet/asq081).
7. Wang, J.C and J.D. Opsomer (2011). "On the asymptotic normality and variance estimation of nondifferentiable survey estimators." *Biometrika*, 98: 91-106 (DOI: 10.1093/biomet/asq077).
8. Opsomer, J.D. and M. Francisco-Fernandez (2010), "Finding Local Departures from a Parametric Model Using Nonparametric Regression." *Statistical Papers*, 51: 69-84 (DOI: 10.1007/s00362-007-0116-x).
9. da Silva, D.N. and J.D. Opsomer (2009). "Nonparametric propensity weighting for survey nonresponse through local polynomial regression." *Survey Methodology*, 35: 165-176.
10. Kauermann, G., G. Claeskens and J.D. Opsomer (2009), "Bootstrapping for Penalized Spline Regression." *Journal of Computational and Graphical Statistics*, 18: 126-146.

TEACHING AND INSTRUCTION

Currently advisor for 6 Ph.D. and 3 M.S. in Statistics. Previously supervised 9 Ph.D. and 20+ M.S. in Statistics.

Courses taught: STAT740: Advanced Survey Statistics (PhD; Spring 2002, Fall 2004, Fall 2006, Fall 2007), STAT305: Survey Sampling Techniques (BS/BA; Spring 1996, Spring 1997, Spring 2001, Fall 2011, Fall 2012), STAT605: Theory and Applications of Sampling Surveys (MS; Spring 1997, Spring 1998, Spring 1999, Spring 2000, Spring 2004, Spring 2006, Spring 2008, Spring 2010), STAT340: Introduction to Regression (BS/BA; Fall 1999), STAT430: Mathematical Statistics (BS, Spring 2009, Spring 2010), STAT524: Financial Statistics (MS, Fall 2010).

Curriculum Vitae

(April 26, 2013)

Contact Details:

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 Fax : (970) 491-7895
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 Postal : Department of Statistics, Colorado State University, Fort Collins, CO, 80523, U.S.A.

Professional Preparation:

2003 Ph.D. in Statistics, University of North Carolina at Chapel Hill.
 1997 B.S. in Mathematics, Nankai University, Tianjin, China.

Appointments:

Fall, 2010 Research Fellow, Statistical and Applied Mathematical Sciences Institute (SAMSI).
 2009-present Associate Professor, Department of Statistics, Colorado State University.
 2003-2009 Assistant Professor, Department of Statistics, Colorado State University.

Selected Publications: (Published over 20 refereed journal articles)

1. Wang, Y., Marron, J.S., Aydin, B., Ladha, A., Bullitt, E. and **Wang, H.** (2012). A Nonparametric Regression Model With Tree-Structured Response. *Journal of the American Statistical Association*, **107**, 1272-1285.
2. Chu, T., Zhu, J. and **Wang, H.** (2011). Penalized Maximum Likelihood Estimation and Variable Selection in Geostatistics. *The Annals of Statistics*, **39**, 2607-2625.
3. Aydin, B., Pataki, G., **Wang, H.**, Bullitt, E. and Marron, J.S. (2009). A Principal Component Analysis for Trees. *The Annals of Applied Statistics*, **3**, 1597-1615.
4. **Wang, H.**, Cao, X. and Iyer, H. (2009). Estimation of the Proportion of Differentially Expressed Genes using Hellinger Distance. *Statistics in Biosciences*, **1**, 246-267.
5. **Wang, H.** and Zhu, J. (2009). Variable Selection in Spatial Regression via Penalized Least Squares. *The Canadian Journal of Statistics*, **37**, 607-624.
6. **Wang, H.** (2009). Measures of Agreement for Vectorcardiography Data. *Statistics in Medicine*, **28**, 1093-1107.
7. **Wang, H.** and Marron, J. S. (2007). Object Oriented Data Analysis: Sets of Trees. *The Annals of Statistics*, **35**, 1849-1873.
8. **Wang, H.** and Iyer, H. (2007). Application of Local Linear Embedding to Nonlinear Exploratory Latent Structure Analysis. *Psychometrika*, **72**, 199-225.
9. **Wang, H.** and Ranalli, M. G. (2007). Low-rank Smoothing Splines on Complex Domains. *Biometrics*, **63**, 209-217.
10. **Wang, H.** and Lee, T. C. M. (2006). Automatic Parameter Selection for a k -Segments Algorithm for Computing Principal Curves. *Pattern Recognition Letters*, **27**, 1142-1150.

Grants and funded projects:

- Internal grant, *Center for Interdisciplinary Mathematics and Statistics, Colorado State University*, 2012. \$6279.86.
- Exploration, Modeling and Inference for Complex Data Objects, *National Science Foundation*, 09/2011-08/2014. \$159,398. **Role:** Sole-PI.
- Information fusion from the point of view of communication theory, *Air Force Office of Scientific Research*, 06/2010-05/2013. \$324,656. **Role:** co-PI.
- Tree Structured Object Oriented Data Analysis, *National Science Foundation*, 09/2009-08/2012. \$50,380. **Role:** PI.
- Indian Reservation Roads Program National Inventory Verification Project, Phase III — Data Analysis and Report, *US Department of Transportation*, 08/2007-12/2007. \$35,000. **Role:** PI.
- New Statistical Modeling Procedures for Object Oriented Data Analysis (OODA), *National Science Foundation*, 06/2007-05/2011. \$149,930. **Role:** Sole-PI.
- Indian Reservation Roads Program National Inventory Verification Project, Phase II — Survey Data Management, *US Department of Transportation*, 11/2006-08/2007. \$45,000. **Role:** PI.
- Indian Reservation Roads Program National Inventory Verification Project, Phase I — Sampling Survey Design, *US Department of Transportation*, 06/2006-03/2007. \$30,000. **Role:** PI.
- Ecological thresholds and responses of stream benthic communities to heavy metals, *US Environmental Protection Agency*, 2005 - 2008. \$293,238. **Role:** co-PI.

Professional Affiliations And Activities:**Memberships in Professional Societies:**

Member of American Statistical Association
 Member of Institute of Mathematical Statistics
 Member of International Chinese Statistical Association

Office in Professional Societies:

ICSA 2008 JSM Annual Meeting Committee Chair
 Nonparametric Statistics Section, American Statistical Association, Treasurer, 2010-2011
 Nonparametric Statistics Section, American Statistical Association, Secretary, 2011-2012
 ICSA 2015 Applied Statistical Symposium, Executive Committee

Review/Editorial boards:

Associate Editor, *Statistica Sinica* (2011-2014)

Student Advising/Graduate Supervision:

- **PhD students completed :** Chu, T. (2012, joint with Zhu, J.); Sonderegger, D. (2010, joint with Hannig, J.); Cao, X. (2007, joint with Iyer, H.)
- **MS students completed :** Sienkiewicz, E. (2012); Wang, L. (2012, joint with Hayne, S.); Bugbee, B.D. (2010, joint with Hayne, S.); Wang, Y. (2010); Tu, Y. (2010); Chu, T. (2010, joint with Zhu, J.); Mendonca, S. (2008, joint with Hayne, S.); Li, W. (2008); Huang, Y. (2008)

- **PhD students in progress:** Haunfelder, R.; Sienkiewicz, E.; Tan, H., Ph.D. Candidate (joint with Chapman, P.); Tu, Y.; Wang, Y. (joint with Scharf, L.);
- **MS students in progress:** Dandamudi, S. (joint with Iyer, H.); Tredoux, G.; Prytherch, B. (joint with Hayne, S.)

Other Advising/Committee Membership:

- Served on over 30 graduate committees (inside and outside Statistics) at Colorado State University

Teaching:

- STAT192 (1 credit) First-Year Seminar in Mathematical Sciences, Spring 2013
- STAT301 (3 credits) Introduction To Statistical Methods, Spring 2006
- STAT305 (3 credits) Sampling Techniques, Fall 2005, 2006, 2007, 2008, 2009
- STAT420 (3 credits) Probability and Mathematical Statistics I, Fall 2007
- STAT430 (3 credits) Probability and Mathematical Statistics II, Spring 2013
- STAT472 (3 credits) Statistical Consulting, Spring 2010
- STAT520 (4 credits) Introduction to Probability Theory, Fall 2006
- STAT570 (3 credits) Nonparametric Statistics, Fall 2012
- STAA572 (2 credits) Nonparametric Methods, Fall 2012
- STAT720 (4 credits) Probability Theory, Spring 2004, 2005, 2007, 2009, 2011, 2012
- STAT730 (4 credits) Advanced Theory of Statistics I, Fall 2004, 2009, 2011
- STAT731 (3 credits) Advanced Theory of Statistics II, Fall 2003
- STAT740 (3 credits) Topics in Functional Data Analysis, Spring 2004 (with Yao, F.)
- STAT740 (3 credits) Topics in Machine Learning and Data Mining, Fall 2005 (with Iyer, H.), Fall 2008.

Ann M. Hess

Department of Statistics
Colorado State University
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Academic Experience

Special Appointment Assistant Professor, January 2011 – Present
Department of Statistics, Colorado State University

Special Appointment Assistant Professor, July 2006 – December 2010
Department of Statistics and Center for Bioinformatics, Colorado State University

Post Doctoral Bioinformatics Consultant, August 2005 - June 2006
Department of Statistics, Colorado State University

Education

Ph.D. in Statistics, Colorado State University, Fort Collins, CO, 2005

M.S. in Statistics, Colorado State University, Fort Collins, CO, 2001

B.S. in Math and Physics, University of Hartford, West Hartford, CT, 1998

Courses Taught

STAT 101: Activity Based Statistics

STAT 110: Statistical Thinking: Concepts and Applications

STAT 201: General Statistics

STAT 307: Introduction to Biostatistics

STAT 315: Statistics for Engineers and Scientists

STAT 511: Design and Data Analysis for Researchers I

STAT 512: Design and Data Analysis for Researchers II

STAT 580: Design and Data Analysis for Bioinformatics

Publications

G.M. Forster, C.A. Ollila, J.H. Burton, D. Hill, J.E. Bauer, **A.M. Hess**, E.P. Ryan, “Nutritional Weight Loss Therapy with Cooked Bean Powders Regulates Serum Lipids and Biochemical Analytes in Overweight and Obese Dogs”, 2012, *Journal of Obesity and Weight Loss Therapy*, 2(8): 1000149.

Y.S. Cho, K. Dobos, J. Prenni, H. Yang, **A. Hess**, I. Rosenkrands, P. Anderson, S.W. Ryoo, G.-H. Bai, M. Brennan, A. Izzo, H. Bielefeldt-Ohmann, J. Belisle, “Deciphering the proteome of the in vivo diagnostic reagent “purified protein derivative” from *Mycobacterium tuberculosis*”, 2012, *Proteomics*, 12(7): 979-991.

A. Hess, A. Prasa, A. Ptitsyn, G. Ebel, K.E. Olson, C. Barbacioru, C. Monighetti, C.L. Campbell, “Small RNA profiling of Dengue virus-mosquito interactions implicates the PIWI RNA pathway in anti-viral defense”, 2011, *BMC Microbiology*, 11(1):45.
<http://www.biomedcentral.com/1471-2180/11/45/>

S. Walmsley, C. Broeckling, **A. Hess**, J. Prenni, N. Curthoys, “Proteomic Analysis of Brush Border Membrane Vesicles Isolated from Purified Proximal Convoluted Tubules”, *Renal Physiology*, 2010, *Am J Physiology: Renal Physiology*, 298: F1323 - F1331.
<http://ajprenal.physiology.org/cgi/reprint/00711.2009v1>

C. Mehaffy, **A. Hess**, J. Prenni, B. Mathema, B. Kreiswirth, K. Dobos, “Descriptive proteomic analysis shows protein variability between closely related clinical isolates of *Mycobacterium tuberculosis*”, *Proteomics*, 2010, 10(10):1966-1984.
<http://www3.interscience.wiley.com/journal/123316225/abstract>

M. Wallenstein, **A. Hess**, M. Lewis, H. Steltzer, E. Ayres, “Decomposition of aspen leaf litter results in unique metabolomes when decomposed under different tree species”, *Soil Biology and Biochemistry*, 2010, 42(3): 484-490.

M. Bruce, **A. Hess**, J. Bai, R. Mauleon, M.G. Diaz, N. Sugiyama, A. Bordeos, G.L. Wang, H. Leung and J. Leach, “Detection of genomic deletions in rice using oligonucleotide microarrays”, *BMC Genomics*, 2009, 10:129.
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2666768>

A. Hackstadt and **A. Hess**, “Filtering for Increased Power for Microarray Data Analysis”, *BMC Bioinformatics*, 2009, 10:11. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2661050>

N. Lapitan, **A. Hess**, B. Cooper, A.M. Botha, D. Badillo, H. Iyer, J. Menert, T. Close, L. Wright, G. Hanning, M. Tahir, C. Lawrence, “A comprehensive transcript profile of differentially expressed genes during malting in barley”, *Theoretical and Applied Genetics*, 2009, 118:937-952.
<http://www.springerlink.com/content/n367882l00253502/?p=0361542dcf3a491f9dc11614b87d9113&pi=8>

C. Campbell, W.C. Black, **A. Hess**, B. Foy, “Comparative genomics of small RNA regulatory pathway components in vector mosquitoes”, *BMC Genomics*, 2008, 9:425.

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D. van Hoewyk, H. Takahashi, E. Inoue, **A. Hess**, M. Tamaoki, E. Pilon-Smits, “Transcriptome analyses give insight into selenium-stress responses and selenium tolerance mechanisms in *Arabidopsis*”, *Physiologia Plantarum*, 2008, 132(2):236-253.

<http://www3.interscience.wiley.com/journal/119395386/abstract>

A. Hess and H. Iyer, “Fisher’s Combined p-value for Detecting Differentially Expressed Genes from Affymetrix Arrays”, *BMC Genomics*, 2007, 8:96.

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854896>

A. Hess, H. Iyer and W. Malm, “Linear Trend Analysis- a Comparison of Methods”, *Atmospheric Environment*, 2001, 35:5211-5222.

Curriculum Vitae

Gerwyn H. Green

D.O.B. - 10th April 1976

Nationality – British

Degrees

Ph.D. Statistics Lancaster University, UK 2008

M.A. Statistics University of Missouri, Columbia 2004 G.P.A. 3.6/4.0

B.Sc. Mathematics University of Wales, Swansea 1998 1st Class Honours

Current Position

Special appointment Assistant Professor, Statistics Department, CSU

Previous Positions

August 1998 - January 2002 William M. Mercer,
Manchester, UK Trainee Actuarial Consultant

January 2002 - December 2003 Department of Statistics,
University of Missouri, Columbia Graduate Instructor

October 2004 - May 2007 Department of Mathematics
and Statistics, Lancaster University Mathematics Tutor

January 2008 - July 2010 Department of Health
and Medicine, Lancaster University Research Associate

From August 31st 2010 - Teacher of Mathematics, Ruthin School, North
Wales, UK.

Awards for Teaching

2003-2004 Outstanding Graduate Instructor, Department of Statistics, University
of Missouri, Columbia

Courses Instructed

Introductory Statistics University of Missouri 6 terms
 Probability Lancaster University 2 terms
 Statistics for Biology Lancaster University 1 term
 Statistical Computing Lancaster University 1 term
 Statistical Inference Lancaster University 3 terms
 Statistics for Management Lancaster University 2 terms
 Study design Lancaster University 2 terms
 Categorical Data Analysis and GLMs CSU 1 term
 Applied Regression CSU 1 term
 Graphical Statistics CSU 1 term

Courses Tutored

Calculus I Lancaster University 3 terms
 Calculus II Lancaster University 3 terms
 GLMs Lancaster University 1 term
 Linear Algebra Lancaster University 3 terms
 Survival Analysis Lancaster University 1 term

E.S.R.C. and M.R.C. Short Courses

Instructor, 17th-18th June 2008, Longitudinal Data Analysis, Lancaster University.

Instructor, 15th May 2009, Joint Modelling of Longitudinal and Survival Data, Medical Research Council, London.

Instructor, 5th-6th June 2009, Longitudinal Data Analysis, Lancaster University.

Instructor, 5th June 2009, Joint Modelling of Longitudinal and Survival Data, Medical Research Council, Liverpool University.

Instructor, 10th June 2009, Joint Modelling of Longitudinal and Survival Data, Medical Research Council, Manchester University.

Instructor, 5th-6th June 2010, Longitudinal Data Analysis, Lancaster University.

E.S.R.C. (Economic and Social Research Council) is the UK's largest funder of research on economic and social issues.

The M.R.C. (Medical Research Council) is a publicly-funded agency responsible for co-ordinating and funding medical research in the United Kingdom.

Publications

Green, G.H. and Diggle, P.J.(2007). On the Operational Characteristics of the Benjamini and Hochberg False Discovery Rate Procedure. *Statistical Applications in Genetics and Molecular Biology*, Berkeley Press, 6, Issue 1.

Green, G.H. and Diggle, P.J.(2010) Contributed discussion 'Discovering the False Discovery Rate', retrospective read paper, Benjamini Y. *Journal of the Royal Statistical Society, Series B*, 72, Issue 4, p405-416

Foulds, P.G., Mitchell, D.J., Parker, A., Turner, R., Green, G.H., Diggle, P.J., Hasegawa, M., Taylor, M., Mann, D.A. and Allsop, D. (2011) Phosphorylated alpha-synuclein can be detected in blood plasma and is potentially a useful biomarker for Parkinson's disease. *The FASEB journal - the official publication of the Federation of American Societies for Experimental Biology*

Solomon, L.R., Cheesbrough, J.S., Bhargava, R., Mitsides, N., Heap, M. and Green, G.H. (2011) Observational Study of the need for thrombolytic therapy and incidence of bacteremia using taurolidine-citrate/heparin, taurolidine-citrate and heparin catheter locks in patients treated with hemodialysis. *Seminars in Dialysis*, Wiley.

Paize, F., Carrol, E., Downey, C., Parry, C.M., Green, G.H., Newland, P., Hart, A. (2011) Diagnostic efficacy of activated partial thromboplastin time waveform and procalcitonin analysis in pediatric meningococcal sepsis. *Pediatric Critical Care*.

Oakey, R.J., Wallis, L.A., Maconochie, I. and Green, G.H. (2011). Meta-analysis of Age-specific Reference Ranges for Respiratory and Heart Rates amongst Children. Submitted - *Archives of Disease in Childhood*.

Green, G.H. and Diggle, P.J.(2013). A Model-based Approach to the Analysis of Microarray Factorial Experiments. In preparation.

Philipson, P., Kolamunnage-Dona, R., Sousa, I., Diggle, P., Henderson, R., Williamson, P., Green, G.H. (2013). Software for the joint modelling of longitudinal and survival data: the 'joiner' package. In preparation.

Presentations

Green, G.H. (April 2005). Multiple testing in microarray experiments. Research students conference, Cambridge University, U.K.

Green, G.H. and Diggle, P.J. (February 2006). Gaussian linear mixed models for the analysis of gene expression data. Statistics department forum, Lancaster University, U.K.

Green, G.H. (April 2007). A Model-based analysis of a microarray factorial experiment. North West Pharmacology Research Group Conference, Daresbury Science Park, Warrington, U.K.

Green, G.H. (September 2008). An application of standard regression techniques. Annual Wrexham Maelor Hospital Medical Conference, Y Faenol, Bodelwyddan, North Wales.

Green, G.H. (June 2009). The joineR package - joint modelling of longitudinal and survival data. Medical Research Council, Regents Park Crescent, London.

Green, G.H. (September 2009). Discussion on 'Discovering the False Discovery Rate', by Benjamini Y., RSS discussion paper. Royal Statistical Society Conference, Edinburgh.

Poster Presentations

Green, G.H. (April 2005). Multiple testing in microarray experiments. Research students conference, Cambridge University, U.K.

Green, G.H. and Diggle, P.J. (September 2005). Operating characteristics of the Benjamini and Hochberg false discovery rate controlling procedure. SEMSTAT - Statistics in Genetics and Molecular Biology, European Mathematical Society Summer School, Warwick University.

Green, G.H. (September 2006). Random effects modelling for microarray data. Latent Effects Modelling in the Health Sciences, Perugia, Italy.

Green, G.H. (December 2008). Statistical methodology for the analysis of gene expression data. School of Health and Medicine Christmas Colloquim, Lancaster University.

Professional Activities

Royal Statistical Society, Local Group (Cumbria and Lancashire).

Royal Statistical Society, Young Statisticians Group.

Organiser and Chair- Royal Statistical Society Local Group and Young Statisticians Group Joint Conference, May 2009, Lancaster University.

References

Professor Peter J. Diggle (Ph.D Supervisor)
Distinguished Professor
Assistant Dean
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also

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6

**COLORADO STATE UNIVERSITY
MATHEMATICS MAJOR - CONCENTRATION IN STATISTICS
MATH - STAZ**

NAME: _____ CSUID: _____ ADVISER: _____ TERM OF GRAD: _____

LOCAL ADDRESS: _____ ZIP: _____ PH: _____ E-Mail: _____

Adviser: Mark Dahlke Room 104 Statistics Phone: 491-5330 E-mail: mark.dahlke@colostate.edu
 Program Coordinator: Kristin Stephens Room 102 Statistics Phone: 491-5269 E-mail: stephens@stat.colostate.edu

CORE COURSES (30 credits)	MATHEMATICAL SCIENCES (56 credits) (Grade of C or higher required in all Mathematics, Computer Science, Statistics courses in this column)	ADDITIONAL COURSES (34 credits)
<p>FRESHMAN SEMINAR <u>2</u></p> <p>_____ MATH 192 First-Year Seminar in Mathematical Sciences [1] _____ STAT 192 First-Year Seminar in Mathematical Sciences [1]</p> <p>COMMUNICATION <u>6</u></p> <p>_____ CO 150 College Composition [3] _____ JTC 300 Prof. and Tech. Comm. [3]</p> <p>BIOLOGICAL/PHYSICAL SCIENCES <u>7</u> Select any courses from Category 3-A, one of which MUST have a formal Lab.</p> <p>_____ [] _____ [] _____ []</p> <p>ARTS/HUMANITIES <u>6</u> Select one course from 3-B</p> <p>_____ [] _____ []</p> <p>SOCIAL/BEHAVIORAL SCIENCES <u>3</u> Select one course from 3-C</p> <p>_____ []</p> <p>HISTORICAL PERSPECTIVES <u>3</u> Select one course from 3-D</p> <p>_____ []</p> <p>GLOBAL/CULTURAL AWARENESS <u>3</u> Select one course from 3-E</p> <p>_____ []</p> <hr/> <p>MINOR, SECOND MAJOR</p> <p>MINOR: _____</p> <p>SECOND MAJOR: _____</p> <p>The program of study shown is subject to approval by the University Curriculum Committee</p>	<p>MATHEMATICS <u>19</u></p> <p>_____ MATH 160 Calc for Physical Scientists I [4] _____ MATH 161 Calc for Physical Scientists II [4] _____ MATH 261 Calc for Physical Scientists III [4] _____ MATH 317 Advanced Calc of One Variable [4] _____ MATH 369 Linear Algebra [3]</p> <p>STATISTICS <u>24</u></p> <p>_____ STAT 301 Intro to Statistical Methods [3] OR _____ STAT/ERHS 307 Intro to Biostatistics [3] OR _____ STAT 315 (309) Statistics for Eng & Sci [3]</p> <hr/> <p>_____ STAT 305 Sampling Techniques [3] OR _____ STAT 321 Elem. Prob/Stochastic Modeling [3] OR _____ STAT 460 Applied Multivariate Analysis [3]</p> <hr/> <p>Take all of the following:</p> <p>_____ STAT 340 (304) Multiple Regression Analysis [3] _____ STAT 350 (302) Design of Experiments [3] _____ STAT 420 Probability/Math Stat I [3] _____ STAT 430 Probability/Math Stat II [3] _____ STAT 372 (310) Data Analysis Tools [3] _____ STAT 472 Statistical Consulting [3]</p> <p>COMPUTER SCIENCE <u>4</u></p> <p>_____ CS 160 Foundations in Programming [4]</p> <p align="center">OR</p> <p>_____ CS 155 Introduction to Unix [1] _____ CS 156 Introduction to C Programming I [1]</p> <p align="center">And two of the following:</p> <p>_____ CS 157 Introduction to C Programming II [1] _____ MATH 151 Math. Algorithms in Matlab I [1] _____ MATH 152 Math. Algorithms in Maple [1] _____ MATH 158 Math Algorithms in C [1]</p> <p>MATH SCIENCE ELECTIVES <u>2</u> Upper division computer science, mathematics, or statistics courses (excluding courses ending in -80 to -99 and MATH 315)</p> <p>_____ [] _____ [] _____ []</p>	<p>UNRESTRICTED ELECTIVES <u>34</u></p> <p>_____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ [] _____ []</p> <hr/> <p>GRADUATION REQUIREMENTS</p> <p>Total credits..... [] (at least 120 credits) Upper-Division credits..... [] (at least 42 credits) CSU GPA..... [] (at least 2.0)</p> <p>MATH 117, MATH 118, MATH 120, MATH 121, MATH 124, MATH 125 and MATH 126 are considered review courses by the Department of Mathematics. Credits in these courses may not be used as part of a degree in math.</p> <p>Transfer students must complete a minimum of 9 upper-division credits in mathematics at CSU, excluding MATH 315, MATH 340, and mathematics courses ending in -80 to -99.</p> <p>See the Colorado State University General Catalog for a complete statement of graduation requirements. Visit the Math Department web site for information on updated courses and requirements: www.math.colostate.edu</p>

College of Natural Sciences

Course	Title	Cr	AUCC
	Electives ⁵	3	
	TOTAL	30	
JUNIOR			
ECE 311 ^P	Linear System Analysis I ⁶	3	
MATH 301 ^P	Introduction to Combinatorial Theory	3	
MATH 317 ^P	Advanced Calculus of One Variable	4	4B
MATH 360 ^P	Mathematics of Information Security	3	
	Biological/physical science ⁷	7	3A
	Electrical engineering/mathematical science elective ⁸	3	
	Electives ⁵	7	
	TOTAL	30	
SENIOR			
ECE 312 ^P	Linear System Analysis II	3	
MATH 460 ^P	Information and Coding Theory	3	4C
<i>Select one of the following:</i>			
STAT 303 ^P / ECE 303 ^P	Introduction to Communications	3	
STAT 321 ^P	Elementary Probabilistic-Stochastic Modeling	3	
STAT 340 ^P	Multiple Regression Analysis	3	
	Electrical engineering/mathematical science electives ⁸	9	
	Electives ⁵	12	
	TOTAL	30	

PROGRAM TOTAL = 120 credits

^P This course has at least one prerequisite. Check the Courses of Instruction section of the catalog or <http://catalog.colostate.edu/> to see the course prerequisites.

¹ Select from the list of courses in category 3B in the All-University Core Curriculum (AUCC). Only 3 of the 6 credits required for Arts and Humanities may come from intermediate (L* 200 and L* 201) foreign language courses.

² Select from the list of courses in category 3E in the AUCC.

³ Select from the list of courses in category 3D in the AUCC.

⁴ Select from the list of courses in category 3C in the AUCC.

⁵ Enough elective credits need to be selected to bring the program total to 120 credits with a minimum of 42 upper-division credits.

⁶ Students in this concentration may need to obtain a prerequisite override from the appropriate department to enroll in this course.

⁷ Select two courses from the list of courses in category 3A in the AUCC. One course must include a lab. Courses must be selected from two different prefixes.

⁸ Select a total of 12 credits from (A) and (B), with 6 or more coming from (A): (A) upper-division mathematics courses except those ending in -80 to -99; (B) upper-division ECE, CS, MATH, or STAT courses, except those ending in -80 to -99..)

Statistics Concentration

Statistics provides the reasoning and the methods for producing and understanding data; it is the science of learning from data. It includes designing experiments or sampling surveys for the collection of data, collecting the information, evaluating it, drawing conclusions, and presenting the results. Statisticians work with people from other professional backgrounds to solve practical problems. Statisticians can provide crucial guidance in determining what information is reliable and which predictions can be trusted. This diversity of application is an exciting aspect of the field, and is one reason for continuing strong demand for well-trained statisticians.

A minimum grade of C is required in all mathematics, statistics, and computer science courses which are required for graduation.

Course	Title	Cr	AUCC
FRESHMAN			
CO 150 ^P	College Composition	3	1A
MATH 160 ^P	Calculus for Physical Scientists I	4	1B
MATH 161 ^P	Calculus for Physical Scientists II	4	1B

Course	Title	Cr	AUCC
MATH 192	First Year Seminar in Mathematical Sciences	1	
STAT 192	First Year Seminar in Mathematical Sciences	1	
	Global and Cultural Awareness ¹	3	3E
	Historical Perspectives ²	3	3D
	Electives ³	9	
	TOTAL	28	
SOPHOMORE			
JTC 300 ^P	Professional and Technical Communication	3	2
MATH 261 ^P	Calculus for Physical Scientists III	4	
<i>Select one course from the following:</i>			
STAT 301 ^P	Introduction to Statistical Methods	3	
STAT 307/ ERHS 307 ^P	Introduction to Biostatistics	3	
STAT 315 ^P	Statistics for Engineers and Scientists	3	
	Biological and Physical Sciences ⁴	7	3A
	Introductory programming ⁵	4	
	Electives ³	9	
	TOTAL	30	

JUNIOR

MATH 317 ^P	Advanced Calculus of One Variable	4	
<i>Select one course from the following:</i>			
STAT 305 ^P	Sampling Techniques	3	
STAT 321 ^P	Elementary Probabilistic-Stochastic Modeling	3	
STAT 460 ^P	Applied Multivariate Analysis	3	
STAT 340 ^P	Multiple Regression Analysis	3	
STAT 350 ^P	Design of Experiments	3	
	Arts and Humanities ⁶	6	3B
	Social and Behavioral Sciences ⁷	3	3C
	Upper division CS/MATH/STAT electives ⁸	6	
	Electives ³	3	
	TOTAL	31	

SENIOR

MATH 369 ^P	Linear Algebra	3	
MATH 372 ^P	Data Analysis Management Tools	3	
STAT 420 ^P	Probability and Mathematical Statistics I	3	
STAT 430 ^P	Probability and Mathematical Statistics II	3	4A
STAT 472 ^P	Statistical Consulting	3	4A,4B,4C
	Upper division CS/MATH/STAT elective ⁸	3	
	Electives ³	13	
	TOTAL	31	

PROGRAM TOTAL = 120 credits

^P This course has at least one prerequisite. Check the Courses of Instruction section of the catalog or <http://catalog.colostate.edu/> to see the course prerequisites.

¹ Select from the list of courses in category 3E in the All-University Core Curriculum (AUCC).

² Select from the list of courses in category 3D in the AUCC.

³ Select enough elective credits to bring the program total to a minimum of 120 credits with a minimum of 42 upper-division credits.

⁴ Select from the list of courses in category 3A in the AUCC. One course must have a laboratory component.

⁵ Students must take either CS 160 (4 credits) or CS 155 and CS 156 plus two of the following courses: CS 157, MATH 151, MATH 152, and/or MATH 158/CS 158.

⁶ Select two courses from the list in category 3B in the AUCC. Only 3 of the 6 credits required for Arts and Humanities may come from intermediate (L* 200 and L* 201) foreign language courses.

⁷ Select from the list of course in category 3C in the AUCC.

⁸ Upper-division computer science, mathematics, or statistics courses (excluding courses ending in -80 to -99).

Minor in Mathematics

The Mathematics Department offers a minor in Mathematics for those students who wish to acquire a more extensive knowledge of mathematical sciences in

STATISTICS COURSES
Department of Statistics
College of Natural Sciences

STAT 101 03(2-2-0). Activity Based Statistics. F, SS. Credit not allowed for students who have already taken any 200-level or higher statistics course.

Population, sample, variation, data, relationships, probability and risk, polls, prediction, margin of error, critical assessment of studies.

STAT 110 03(2-0-1). Statistical Thinking: Concepts and Applications. S. Credit not allowed for students who have already taken any 200-level or higher statistics course.

Use of statistical tools in real-life problems using computer packages; integration of critical thinking skills using case studies.

STAT 192 01(0-0-1). First-Year Seminar in Mathematical Sciences. S.

Richness and variety of problems encountered in the mathematical sciences.

STAT 201 03(2-0-1). General Statistics. F, S, SS. Prerequisite: Mathematics placement exam or one credit of 100-level mathematics. Credit not allowed for both STAT 201 and STAT 204. Intended as a one semester terminal course.

Graphs, descriptive statistics, confidence intervals, hypothesis tests, correlation and simple regression, tests of association.

STAT 204 03(2-2-0). Statistics for Business Students. F, S, SS. Prerequisite: Mathematics placement exam or one credit of 100-level mathematics. Credit not allowed for both STAT 204 and STAT 201.

Surveys, sampling, descriptive statistics, confidence intervals, contingency tables, control charts, regression, exponential smoothing, forecasting.

STAT 301 03(3-0-0). Introduction to Statistical Methods. (GT-MA1) F, S, SS. Prerequisite: MATH 117 or MATH 118 or MATH 124 or MATH 125 or MATH 126 or MATH 141 or MATH 155 or MATH 160. Credit allowed for only one of the following: ERHS 307, STAT 301, STAT 307, STAT 311, or STAT 315.

Techniques in statistical inference; confidence intervals, hypothesis tests, correlation and regression, analysis of variance, chi-square tests. (NT-V)e

STAT 303/ECE 303 03(3-0-0). Introduction to Communications Principles. F. Prerequisite: ECE 311 or concurrent registration; MATH 261. Credit not allowed for both STAT 303 and ECE 303.

Basic concepts in design and analysis of communication systems.

STAT 305 03(3-0-0). Sampling Techniques. F. Prerequisite: STAT 301 or STAT 307 or STAT 311 or STAT 315.

Sample designs: simple random, stratified, systematic, cluster, unequal probability, two phase; methods of estimation and sample size determination.

STAT 307 03(3-0-0). Introduction to Biostatistics. F, S, SS. Prerequisite: MATH 117 or MATH 118 or MATH 124 or MATH 125 or MATH 126 or MATH 141 or MATH 155 or MATH 160. Credit allowed for only one of the following: ERHS 307, STAT 301, STAT 307, STAT 311, or STAT 315.

Biostatistical methods; confidence intervals, hypothesis tests, simple correlation and regression, one-way analysis of variance.

STAT 311 03(3-0-0). Statistics for Behavioral Sciences I. F, S. Prerequisite: MATH 117 or MATH 118 or MATH 124 or MATH 125 or MATH 126 or MATH 141 or MATH 155 or MATH 160. Credit allowed for only one of the following: ERHS 307, STAT 301, STAT 307, STAT 311, or STAT 315.

Classification, descriptive statistics; inference, testing, estimation; categorical data analysis; odds ratio.

STAT 312 03(3-0-0). Statistics for Behavioral Sciences II. F, S. Prerequisite: STAT 311.

One-way analysis of variance, factorial designs, blocked designs, multiple comparisons of means, and multiple regression.

STAT 315 03(3-0-0). Statistics for Engineers and Scientists. F, S, SS. Prerequisite: MATH 161 or MATH 255. Credit allowed for only one course: ERHS 307, STAT 301, STAT 307, STAT 311, STAT 315.

Calculus-based probability and statistics: distribution theory, estimation, hypothesis testing, applications to engineering and the sciences. (NT-V)

STAT 321 03(3-0-0). Elementary Probabilistic-Stochastic Modeling. S. Prerequisite: CS 156 or CS 160 or MATH 151 or MATH 152; MATH 155 or MATH 160.

Probabilistic and stochastic models of real phenomena; distributions, expectations, correlations; averages; simple Markov chains and random walks.

STAT 340 03(3-0-0). Multiple Regression Analysis. S, SS. Prerequisite: STAT 301 or STAT 307 or STAT 311 or STAT 315.

Estimation and testing for linear, polynomial, and multiple regression models; analysis of residuals; selection of variables; nonlinear regression.

STAT 350 03(3-0-0). Design of Experiments. F, SS. Prerequisite: STAT 301 or STAT 307 or STAT 311 or STAT 315.

Analysis of variance, covariance; randomization; completely randomized, randomized block, latin-square, split-plot, factorial and other designs.

STAT 372 03(3-0-0). Data Analysis Tools. F. Prerequisite: STAT 301 or STAT 307 or STAT 311 or STAT 315.

Data analysis principles and practice, statistical packages and computing; ANOVA, regression and categorical data methods.

STAT 420 03(3-0-0). Probability and Mathematical Statistics I. F. Prerequisite: MATH 255 or MATH 261.

Probability, random variables, distribution functions, and expectations; joint and conditional distributions and expectations; transformations.

STAT 430 03(3-0-0). Probability and Mathematical Statistics II. S. Prerequisite: STAT 420.

Theories and applications of estimation, testing, and confidence intervals; sampling distributions including normal, gamma, beta X^2 , t, and F.

STAT 460 03(3-0-0). Applied Multivariate Analysis. S. Prerequisite: STAT 340.

Principles for multivariate estimation and testing; multivariate analysis of variance, discriminant analysis; principal components, factor analysis. (NT-V)

STAT 472 03(0-0-3) Statistical Consulting. S. Prerequisite: STAT 372.

Statistical consulting skills including data analysis, problem solving, report writing, oral communication, and planning experiments.

STAT 495 Var. Independent Study. Prerequisite: Written consent of instructor.

STAT 498 Var [1-3]. Undergraduate Research in Statistics. Prerequisite: Written consent of instructor.

Research skills and techniques; include both oral and written communication of results.

STAT 500 01(0-2-0). Statistical Computer Packages. S. Prerequisite: STAT 340; STAT 350.

Comparison, evaluation, and use of computer packages for univariate and multivariate statistical analyses.

STAT 501 01(1-0-0). Statistical Science. F.

Overview of statistics: theory; use in agriculture, business, environment,

°Alternate year offering (odd); * Alternate year offering (even); + Field trips; \$ Special course fee; NT Approved for nontraditional course offering (B = blended, C = correspondence, O = online, T = telecourse, V = videotape/DVD); GT-*subcode* = State Guarantee Transfer course and AUCC-*subcode* = All University Core Curriculum, where the subcode refers to the specific category the course fulfills. (See Introduction for more information.)

engineering; modeling; computing; statisticians as researchers/consultants.

STAT 511 04(3-0-1). Design and Data Analysis for Researchers I. F. Prerequisite: STAT 301 or STAT 307 or STAT 311 or STAT 315.

Statistical methods for experimenters and researchers emphasizing design and analysis of experiments. (NT-V)

STAT 512 04(3-0-1). Design and Data Analysis for Researchers II. S. Prerequisite: STAT 511.

Statistical methods for experimenters and researchers emphasizing design and analysis of experiments.

STAT 514/SOCR 514 04(3-3-0). Agricultural Experiment Design and Analysis. S. Prerequisites: STAT 201 or STAT 301 or STAT 307. Credit allowed for only one of the following: SOCR 414, SOCR 514, STAT 350, or STAT 514.

Design and implementation of agricultural experiments and statistical analysis of resulting data.

STAT 515 03(2-2-0). Statistical Science and Process Improvement. S. Prerequisite: QNT 570 or STAT 511 or STAT 540.

Statistical methods in process design; statistical methods; measurement processes; customer evaluation.

STAT 520 04(4-0-0). Introduction to Probability Theory. F. Prerequisite: MATH 369; MATH 261; MATH 317.

Probability, random variables, distributions, expectations, generating functions, limit theorems, convergence, random processes.

STAT 521 03(3-0-0). Stochastic Processes I. S. Prerequisite: STAT 520.

Characterization of stochastic processes, Markov chains in discrete and continuous time, branching processes, renewal theory, Brownian motion.

STAT 522 03(3-0-0). Stochastic Processes II. F, SS. Prerequisite: STAT 521.

Martingales and applications, random walks, fluctuation theory, diffusion processes, point processes, queueing theory.

STAT 523/NR 523 03(3-0-0). Quantitative Spatial Analysis. S. Prerequisite: STAT 301 or STAT 307. Credit not allowed for both STAT 523 and NR 523.

Techniques in spatial analysis: point pattern analysis, spatial autocorrelation, trend surface and spectral analysis.

STAT 524/FIN 524 03(3-0-0). Financial Statistics. F. Prerequisite: MATH 345; STAT 420, or Admission to MSBA program with Financial Risk Management specialization.

Probability and statistical concepts and quantitative tools used in financial modeling and decision-making.

STAT 525 03(3-0-0). Analysis of Time Series I. F. Prerequisite: STAT 430.

Trend and seasonality, stationary processes, Hilbert space techniques, spectral distribution function, fitting ARIMA models, linear prediction.

STAT 526 03(3-0-0). Analysis of Time Series II. S, SS. Prerequisite: STAT 525.

Spectral analysis; the periodogram; spectral estimation techniques; multivariate time series; linear systems, optimal control; Kalman filtering, prediction.

STAT 530 03(3-0-0). Mathematical Statistics. S. Prerequisite: STAT 520.

Sampling distributions, estimation, testing, confidence intervals; exact and asymptotic theories of maximum likelihood and distribution-free methods.

STAT 540 03(3-0-0). Data Analysis and Regression. F. Prerequisite: Six credits of upper-division statistics courses.

Introduction to multiple regression and data analysis with emphasis on graphics and computing.

STAT 544/ERHS 544 03(3-0-0). Biostatistical Methods for Quantitative Data. S. Prerequisite: STAT 301 or STAT 307. Credit not allowed for both STAT 544 and ERHS 544.

Regression and analysis of variance methods applied to both observational studies and designed experiments in the biological sciences.

STAT 547/CIVE 547 03(3-0-0). Statistics for Environmental Monitoring. S. Prerequisite: STAT 301. Credit not allowed for both STAT 547 and CIVE 547.

Applications of statistics in environmental pollution studies involving air, water, or soil monitoring; sampling designs; trend analysis; censored data.

STAT 548/CS 548 04(3-2-0). Bioinformatics Algorithms. F. Prerequisite: STAT 301 or STAT 307 or STAT 315; knowledge of a contemporary programming language.

Computational methods for analysis of DNA/protein sequences and other biological data.

STAT 560 03(3-0-0). Applied Multivariate Analysis. F, S. Prerequisite: STAT 520; STAT 540.

Multivariate analysis of variance; principal components; factor analysis; discriminant analysis; cluster analysis. (NT-O/V)

STAT 570 03(3-0-0). Nonparametric Statistics. S, SS. Prerequisite: STAT 430.

Distribution and uses of order statistics; nonparametric inferential techniques, their uses and mathematical properties. (NT-V)

STAT 586 01(0-2-0). Practicum in Consulting Techniques. F, S, SS Prerequisite: STAT 540.

Instruction on planning studies, writing reports, and interacting with clients. Attend and critique consulting sessions.

STAT 592 01(0-0-1). Seminar.

STAT 600 03(3-0-0). Statistical Computing. F, S. Prerequisite: STAT 520; STAT 540.

Optimization and integration in statistics; Monte Carlo methods; simulation; bootstrapping; density estimation; smoothing.

STAT 604/BUS 604 02(2-0-0). Managerial Statistics. F. Prerequisite: Admission to the MBA Program. Credit not allowed for both STAT 604 and BUS 604.

Introduction to statistical thinking and methods used to support managerial-decision making. (NT-V)

STAT 605 03(3-0-0). Theory of Sampling Techniques. S. Prerequisite: STAT 301 or STAT 307 or STAT 311 or STAT 315; STAT 430.

Survey designs; simple random, stratified, cluster samples; theory of estimation; optimization techniques for minimum variance or costs.

STAT 640 04(4-0-0). Design and Linear Modeling I. S. Prerequisite: MATH 369; STAT 540.

Introduction to linear models; experimental design; fixed, random, and mixed models.

STAT 645 03(3-0-0). Categorical Data Analysis and GLIM. S. Prerequisite: Concurrent registration in STAT 640.

Generalized linear models, binary and polytomous data, log linear models, quasilielihood models, survival data models.

STAT 650 03(3-0-0). Design and Linear Modeling II. F. Prerequisite: STAT 640.

Mixed factorials; response surface methodology; Taguchi methods; variance components.

STAT 675A-L Var [1-3]. Topics in Statistical Methods. F, S, SS. Prerequisite: STAT 430.

A) Sampling. B) Design. C) Multivariate and regression methods. D)

°Alternate year offering (odd); * Alternate year offering (even); + Field trips; \$ Special course fee; NT Approved for nontraditional course offering (B = blended, C = correspondence, O = online, T = telecourse, V = videotape/DVD); GT-*subcode* = State Guarantee Transfer course and AUCC-*subcode* = All University Core Curriculum, where the subcode refers to the specific category the course fulfills. (See Introduction for more information.)

MATHEMATICS COURSES
Department of Mathematics
College of Natural Sciences

MATH 117 01(1-0-0). College Algebra in Context I. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: Mathematics Placement Examination.

Functions as mathematical models. Linear, quadratic, and polynomial functions considered symbolically, graphically, numerically, and contextually.

MATH 118 01(1-0-0). College Algebra in Context II. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 117.

Reciprocals of linear functions, rational functions, and power functions considered symbolically, graphically, numerically, and contextually.

MATH 122/CS 122 01(0-0-1). Theory for Introductory Programming. F, S, SS. Prerequisite: MATH 118; concurrent registration in CS 161. Credit not allowed for both MATH 122 and CS 122. Credit not allowed for students who have completed CS 160.

Set theory, definitions operations, Venn diagrams, power sets, propositional logic and proofs. Functions; loop invariants. (NT-O)

MATH 124 01(1-0-0). Logarithmic and Exponential Functions. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 118 or placement.

Definition and graphs of exponential and logarithmic functions, properties of logarithmic functions, exponential and logarithmic equations, applications.

MATH 125 01(1-0-0). Numerical Trigonometry. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 118 or placement.

Definition and graphs of trigonometric functions, laws of sines and cosines, solutions of right and oblique triangles, applications.

MATH 126 01(1-0-0). Analytic Trigonometry. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 125 or placement.

Inverse trigonometric functions, trigonometric identities, solving trigonometric equations.

MATH 130 03(2-2-0). Math in the Social Sciences. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: Mathematics Placement Examination.

Voting theory, power indices, fair division, apportionment, circuits and trees, list processing, descriptive statistics, probability.

MATH 133 03(2-2-0). Financial Mathematics. (GT-MA1, AUCC 1B). F. Prerequisite: Mathematics Placement Examination. Calculator required.

Pricing, taxes, insurance, interest, annuities, amortization, investments using financial calculators and spreadsheets.

MATH 135 03(2-0-1). Patterns of Phenomena. (GT-MA1, AUCC 1B). S. Prerequisite: Mathematics Placement Examination.

Applications of mathematical ideas and mode of thought in the arts and humanities, focusing on classification, recognition.

MATH 141 03(3-0-0). Calculus in Management Sciences. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 118. Credit allowed for only one of the following courses: MATH 141, MATH 155, or MATH 160.

Analytic geometry, limits, equilibrium of supply and demand, differentiation, integration, applications of the derivative, integral.

MATH 151 01(0-2-0). Mathematical Algorithms in Matlab I. S. Prerequisite: MATH 141 or MATH 155 or MATH 160.

Statements, expressions and variable assignments, scripts, control statements and logical statements. Newton's method, Simpson's rule, recursion.

MATH 152 01(0-2-0). Mathematical Algorithms in Maple. S. Prerequisite: MATH 141 or MATH 155 or MATH 160.

Iteration and recursion, control and logical statements, expressions, functions, data types, binary numbers, symbolic manipulation of terms.

MATH 155 04(4-0-0). Calculus for Biological Scientists I. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 124; MATH 125. Credit allowed for only one of the following courses: MATH 141, MATH 155, or MATH 160.

Limits, continuity, differentiation, and integration of elementary functions with applications in the biosciences. Programmable graphing calculator required.

MATH 158/CS 158 01(0-2-0). Mathematical Algorithms in C. S. Prerequisite: CS 156; MATH 151; MATH 160. Credit not allowed for both MATH 158 and CS 158.

Compilers, expressions, variable types, control statements, pointers, logical statements, plotting, secant method, trapezoidal rule, recursion.

MATH 160 04(3-2-0). Calculus for Physical Scientists I. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 124; MATH 126. Credit allowed for only one of the following: MATH 141; MATH 155; MATH 160.

Limits, continuity, differentiation, and integration of elementary functions with applications; conic sections.

MATH 161 04(3-2-0). Calculus for Physical Scientists II. (GT-MA1, AUCC 1B). F, S, SS. Prerequisite: MATH 124; MATH 160.

Transcendental functions, integration techniques, polar coordinates, sequences and series, with mathematical software.

MATH 192 01(0-0-1). First-Year Seminar in Mathematical Sciences. F.

Introduction to the richness and variety of problems addressed by mathematical language and techniques; resources and available careers.

MATH 229 02(2-0-0). Matrices and Linear Equations. F, S, SS. Prerequisite: MATH 141 or MATH 155 or MATH 160.

Linear systems, matrix arithmetic, homogeneous coordinates, complex numbers, eigenvalues, eigenvectors, applications to discrete dynamical systems.

MATH 230 03(2-2-0). Discrete Mathematics for Educators. F. Prerequisite: EDUC 275 or concurrent registration; MATH 161. Credit allowed for only one of the following: MATH 230, MATH 301, MATH 330.

Voting theory, fair division, graph theory, linear programming, probability, teaching in small groups, proof techniques, mathematical technology.

MATH 255 04(4-0-0). Calculus for Biological Scientists II. (GT-MA1, AUCC 1B). F, S. Prerequisite: Concurrent registration in MATH 126; MATH 155. Credit not allowed for both MATH 255 and MATH 261.

Derivatives and integrals of functions of several variables, differential and difference equations, matrices, applications in the biosciences. Programmable graphing calculator required.

MATH 261 04(4-0-0). Calculus for Physical Scientists III. F, S, SS. Prerequisite: MATH 161. Credit not allowed for both MATH 261 and MATH 255.

Vector functions, partial differentiation, cylindrical and spherical coordinates, multiple integrals, line integrals, Green's theorem.

MATH 301 03(3-0-0). Introduction to Combinatorial Theory. F. Prerequisite: MATH 160. Credit not allowed for both MATH 301 and MATH 330.

Matrices, orthogonal Latin squares, designs, difference sets, sets, binomial coefficients, inclusion and exclusion, recurrence, Ramsey's theorem, SDRs.

MATH 317 04(4-0-0). Advanced Calculus of One Variable. F, S, SS. Prerequisite: MATH 161.

Convergence of sequences, series: limits, continuity, differentiation, integration of one-variable functions; development of skills for proving theorems.

MATH 331 03(3-0-0). Introduction to Mathematical Modeling. F. Prerequisite: MATH 161 or concurrent registration; MATH 229 or

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concurrent registration or MATH 369 or concurrent registration.

Problem formulation. Modeling, theoretical and empirical. Variable selection. Derivation and simulation of solutions. Model testing including predication.

MATH 332 03(3-0-0). Partial Differential Equations. S. Prerequisite: MATH 340 or MATH 345. Credit not allowed for both MATH 332 and MATH 530.

Partial differential equations, separation of variables, Fourier series and transforms, Laplace, heat, and wave equations.

MATH 340 04(3-2-0). Introduction to Ordinary Differential Equations. F, S, SS. Prerequisite: MATH 255 or MATH 261. Credit not allowed for both MATH 340 and MATH 345.

First and second order equations, series, Laplace transforms, linear algebra, eigenvalues, first order systems of equations, numerical techniques.

MATH 345 04(3-2-0). Differential Equations. F, S. Prerequisite: MATH 161 or MATH 255; MATH 229 or MATH 369. Credit not allowed for both MATH 345 and MATH 340.

First and second order equations, Laplace transforms, first order systems of equations, numerical methods, applied linear algebra, linearization.

MATH 348/BZ 348 04(3-3-0). Theory of Population and Evolutionary Ecology. F. Prerequisite: MATH 155 or MATH 160. Credit allowed for only one of the following: MATH 348, BZ 348, BZ 548. A maximum of 10 combined credits for all 384 and 484 courses are counted towards graduation requirements.

Principles and methods for building, analyzing, and interpreting mathematical models of ecological and evolutionary problems in biology.

MATH 360 03(3-0-0). Mathematics of Information Security. F. Prerequisite: MATH 229 or MATH 369.

Codes, ciphers, Chinese remainder theorem, primality testing, public key ciphers, RSA, finite fields, discrete algorithms, advanced encryption standard.

MATH 366 03(3-0-0). Introduction to Abstract Algebra. F, S, SS. Prerequisite: MATH 161.

Sets, integers, polynomials, real and complex numbers, groups, integral domains, and fields; development of skills for proving theorems.

MATH 369 03(3-0-0). Linear Algebra. F, S, SS. Prerequisite: MATH 161.

Linear systems, matrices, subspaces of Euclidean spaces, linear transformations on Euclidean spaces, eigenvalues, eigenvectors.

MATH 384 01(1-0-0). Supervised College Teaching. F, S. Prerequisite: Written consent of instructor. May not be used to satisfy Mathematics degree requirements. Maximum of 1 credit allowed in course.

Skills for effective tutoring of precalculus mathematics; design and implementation of the Individualized Mathematics Program.

***MATH 405 03(3-0-0). Introduction to Number Theory.** S. Prerequisite: MATH 360 or MATH 366.

Diophantine equations; distribution of primes; multiplicative functions; finite fields; quadratic reciprocity; quadratic number fields.

MATH 417 03(3-0-0). Advanced Calculus I. F. Prerequisite: MATH 369.

Topology of Euclidean spaces, limits, derivatives and integrals on Euclidean spaces. Implicit functions and the implicit function theorem.

MATH 418 03(3-0-0). Advanced Calculus II. S. Prerequisite: MATH 417.

Line and surface integrals, series, sequences and series of functions.

MATH 419 03(3-0-0). Introduction to Complex Variables. F. Prerequisite: MATH 261.

Analyticity, Cauchy integral theorem and formula, Taylor and Laurent series, residue calculus, conformal mapping and harmonic functions.

MATH 425 03(3-0-0). History of Mathematics. F. Prerequisite: ED 331; two of the following courses: MATH 317, MATH 366, MATH 369.

Historical development of geometry, arithmetic, algebra, and calculus from ancient times to 20th century.

MATH 430/ECE 430 03(3-0-0). Fourier and Wavelet Analysis with Apps. S. Prerequisite: MATH 345. Credit not allowed for both MATH 430 and ECE 430.

Fourier analysis and transforms, FFTs; sampling theorems, computational algorithms; wavelets; applications to communication, imaging, and compression.

MATH 435 03(1-4-0). Projects in Applied Mathematics. S. Prerequisite: CS 156 or CS 160 or CS 253 or MATH 151; MATH 229 or MATH 369; MATH 340 or MATH 345.

Open-ended projects with emphasis on problem identification and formulation, team approach, and reporting results.

MATH 450 03(3-0-0). Introduction to Numerical Analysis I. F. Prerequisite: CS 156 or CS 160 or CS 253 or MATH 151; MATH 255 or MATH 261.

Solutions of systems of linear and nonlinear equations, interpolation, approximation.

MATH 451 03(3-0-0). Introduction to Numerical Analysis II. S. Prerequisite: CS 156 or CS 160 or CS 253 or MATH 151; MATH 340 or MATH 345.

Numerical computation of eigenvalues, numerical solution of ordinary and partial differential equations.

***MATH 455 03(3-0-0). Mathematics in Biology and Medicine.** F. Prerequisite: MATH 255 or MATH 348/BZ 348 or MATH 340 or MATH 345.

Models in population biology, cell division, host-parasitoid systems, bacterial growth and predator-prey systems.

MATH 460 03(3-0-0). Information and Coding Theory. S. Prerequisite: MATH 360; MATH 369; STAT 321.

Entropy, mutual information, channel capacity, channel coding theorem, syndrome decoding, BCH codes, recent developments.

MATH 466 03(3-0-0). Abstract Algebra I. F. Prerequisite: MATH 360 or MATH 366 or MATH 369.

Comprehensive introduction to groups, rings, and fields

MATH 467 03(3-0-0). Abstract Algebra II. S. Prerequisite: MATH 369 or concurrent registration; MATH 466.

Advanced topics in abstract algebra: Euclidean domains, abstract vector spaces, extension fields, Galois theory.

MATH 469 03(3-0-0). Linear Algebra II. S. Prerequisite: MATH 369.

Abstract vector spaces, general theory of linear transformations, theory of determinants, canonical forms.

MATH 470 03(3-0-0). Euclidian and Non-Euclidian Geometry. S. Prerequisite: MATH 229 or MATH 369; MATH 261.

Topics from real Euclidean, affine metric and non-Euclidean geometries emphasizing methods and connections with other areas of mathematics.

***MATH 472 03(3-0-0). Introduction to Topology.** F. Prerequisite: MATH 317.

Topologies on sets, continuous functions, homeomorphisms. Sequences and convergence, metric spaces, Connectedness, path-connectedness. Separation properties. Compactness, Countability axioms.

***MATH 474 03(3-0-0). Introduction to Differential Geometry.** S. Prerequisite: MATH 261; MATH 369.

Local and global geometry of curves and surfaces in Euclidean space, curvature, covariant differentiation, geodesics and the Gauss-Bonnet

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theorem.

MATH 476 03(3-0-0). Topics in Mathematics. F, S, SS. Prerequisite: Written consent of instructor.

Study experiences which deal with established content areas in mathematics.

MATH 484 Var [1-3]. Supervised College Teaching. F, S. Prerequisite: Written consent of instructor. A maximum of 10 combined credits for all 384 and 484 courses are counted towards graduation requirements.

MATH 487 Var [1-16]. Internship. Prerequisite: Written consent of instructor.

A work-learn experience integrating classroom theory with practical experience.

MATH 495 Var. Independent Study. Prerequisite: Written consent of instructor.

MATH 498 Var [1-3]. Undergraduate Research in Mathematics. Prerequisite: Written consent of instructor.

Research skills and techniques taught to suit student's level and interests. Includes both oral and written communication of results.

MATH 501 03(3-0-0). Combinatorics I. F. Prerequisite: MATH 301; MATH 360 or MATH 366.

Puzzles, numbers and counting, subsets, recurrence relations, generating functions, inversion, counting with symmetry, networks, matchings.

MATH 502 03(3-0-0). Combinatorics II. S. Prerequisite: MATH 501.

Graph algorithms, external set theory; partitions, Hadamard matrices, q-binomials, finite geometries, strongly regular graphs, triple systems, designs.

MATH 505 03. Teaching Problem Solving in Mathematics K-12. F, S. Prerequisite: Teacher licensure. Offered as telecourse only.

Problem-solving strategies, cooperative learning, and manipulatives for K-12 classroom. (NT-T)

MATH 510 03(3-0-0). Linear Programming and Network Flows. F, S, SS. Prerequisite: MATH 261 or MATH 315. Credit not allowed for both MATH 510 and ENGR 510.

Optimization methods; linear programming, simplex algorithm, duality, sensitivity analysis, minimal cost network flows, transportation problem. (NT-V)

MATH 517 03(3-0-0). Introduction to Real Analysis. F. Prerequisite: MATH 417; MATH 369.

Euclidean and metric spaces, compactness, continuity, sequences, series, multivariable differentiation, inverse and implicit function theorems.

MATH 519 03(3-0-0). Complex Variables I. S. Prerequisite: MATH 317.

Analytic functions, complex integration theory, singularities, elementary functions, and mappings.

MATH 520 03(3-0-0). Nonlinear Programming. S. Prerequisite: MATH 510.

Theoretical, computational, practical aspects of nonlinear programming (NLP); unconstrained, constrained NLP; quadratic programming; large-scale NLP.

***MATH 525 03(3-0-0). Optimal Control.** S. Prerequisite: MATH 340 or MATH 345.

Theory and application of optimal control and optimal estimation theory; continuous and discrete time systems; Pontryagin maximum principle.

MATH 530 04(4-0-0). Mathematics for Scientists and Engineers. F. Prerequisite: MATH 340 or MATH 345. Not for mathematics graduate students. Credit not allowed for both MATH 530 and MATH 332.

Proof-oriented linear algebra, ordinary and partial differential equations.

MATH 532 03(3-0-0). Mathematical Modeling of Large Data Sets. S.

Prerequisite: MATH 369 or MATH 530.

Mathematical theory and algorithms for modeling large data sets. Application to real world problems. Emphasis on geometric ideas.

MATH 535 03(3-0-0). Foundations of Applied Mathematics. F. Prerequisite: MATH 340 or MATH 345.

Calculus of variations, perturbation methods, models of continuum, dimensional analysis, stochastic models, integral equations, diffusion.

MATH 540 03(3-0-0). Dynamical Systems. F. Prerequisite: MATH 340 or MATH 345 or MATH 530.

Linear and nonlinear systems, orbits, phase space, flows of vector fields, stability, bifurcation theory, chaos, strange attractors and applications.

MATH 545 03(3-0-0). Partial Differential Equations I. F. Prerequisite: MATH 340 or MATH 345 or MATH 530.

Second order linear PDEs, elliptic and parabolic equations, equations of math physics, separation of variables, Fourier series.

MATH 546 03(3-0-0). Partial Differential Equations II. S. Prerequisite: MATH 545.

Distribution theory, Green's functions, Sobolev spaces, elliptic and parabolic equations.

MATH 550 03(3-0-0). Intro to Numerical Methods for PDEs. S. Prerequisite: MATH 340 or MATH 345 or MATH 530.

Finite elements, finite differences, spectral methods, method of lines, conservation laws; stability and convergence analysis for PDEs.

MATH 560 03(3-0-0). Linear Algebra. F. Prerequisite: MATH 369.

Finite dimensional vector spaces, inner products, dual spaces, transformations, projections, adjoints, norms, eigenvalues, eigenvectors.

MATH 561 04(4-0-0). Numerical Analysis I. S. Prerequisite: CS 156 or CS 160 or CS 253 or MATH 151; MATH 560.

Numerical linear algebra, solving nonlinear systems, least squares, and minimization.

MATH 566 03(3-0-0). Introduction to Abstract Algebra I. F. Prerequisite: MATH 366.

Analysis of algebraic structures including groups, rings, fields, and vector spaces.

MATH 567 03(3-0-0). Introduction to Abstract Algebra II. S. Prerequisite: MATH 566.

Field theory, Galois theory, and advanced linear algebra.

***MATH 570 03(3-0-0). Topology I.** F. Prerequisite: MATH 417 or MATH 472.

Point-set topology including basic set theory, continuity, product and quotient spaces, metrization, compactness, and connectedness.

***MATH 571 03(3-0-0). Topology II.** S. Prerequisite: MATH 566; MATH 570.

Fundamental group, free groups and presentations, and manifolds.

MATH 584 01(1-0-0). Supervised College Teaching. F, S. Prerequisite: Written consent of instructor.

MATH 592 01(0-0-1). Seminar in Mathematics. Prerequisite: Written consent of instructor.

MATH 601 03(3-0-0). Advanced Combinatorics I. F. Prerequisite: MATH 502; MATH 566.

Special numbers, mobius inversions, transversals, partial orders, different sets, codes, t-designs.

MATH 602 03(3-0-0). Advanced Combinatorics II. S. Prerequisite: MATH 601.

Hypergeometric functions, graph algorithms, hadamard matrices,

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MATTERS FOR ACTION:

Bachelor of Science in Human Resource Management

RECOMMENDED ACTION:

Moved, that the Board of Governors approve the request from Colorado State University-Global Campus to approve the B.S. in Human Resource Management

EXPLANATION:

Presented by Dr. Becky Takeda-Tinker, President of CSU-Global Campus

Colorado State University-Global Campus (CSU-Global) is proposing an undergraduate Bachelor of Science in Human Resource Management (BSHRM) designed to The undergraduate Human Resource Management student will learn about applying Leadership Principles, The Legal and Ethical Environment of Business, Business Policy and Strategy, managing and Leading Team Dynamics, Conflict Management and Negotiation, Human Resource Development and Management, Employment Law, Compensation, and Policy, Training and Staff Development, and Organizational Development. The program is aligned with the Society for Human Resource Management’s HR Curriculum Guidebook and Templates.

Overall growth for this field is considered faster than average at 21% by the U.S. Bureau of Labor Statistics. CSU-Global is prepared to meet this demand with a bachelor’s degree completion program (30 semester hours of credit).The degree will have an option for a specialization to expand a student’s knowledge in relevant areas like Strategic Communication, Business Administration, Finance, Foundations of Accounting, Organizational Leadership, and Public and Non-Profit Management.

Approved _____ Denied _____

Board Secretary

Date



Colorado State University
GLOBAL CAMPUS

Program Title: Bachelor of Science in Human Resource Management

Degree Type: Undergraduate

Recommended CIP Code: 52.1099

Overview of Program:

Colorado State University-Global Campus (CSU-Global) is proposing a Bachelor of Science in Human Resource Management (BSHRM) program. The BSHRM undergraduate degree is designed to provide students with the fundamental knowledge and leadership skills they need to succeed within the human resources field. Students will learn how to apply leadership principles for effective employee administration and organizational development. Specific areas of study include the management of team dynamics, conflict resolution, business policy and employee law, and training and professional development. This program is aligned with the Society for Human Resource Management's HR Curriculum Guidebook and Templates.

Overall growth for this field is considered faster than average by the U.S. Bureau of Labor Statistics. CSU-Global is prepared to meet this demand with a bachelor's degree completion program (30 semester hours of credit). The degree will have an option for a specialization to expand a student's knowledge in relevant areas like Strategic Communication, Business Administration, Finance, Foundations of Accounting, Organizational Leadership, Public and Non-Profit Management, etc.

Mission Appropriateness:

The CSU-Global Campus mission is to advance the success of nontraditional adult learners in a global society through degree programs characterized by academic excellence, innovative delivery technologies, and strong stakeholder engagement. CSU-Global's ability to provide a Bachelor of Science in Human Resource Management will allow it to continue its affordable cost, accessibility, and high quality market positioning and benefit adult students in Colorado and beyond. These students appreciate the online program format which allows them the flexibility to manage their personal and professional commitments while earning a quality degree. As a public online university, CSU-Global provides adult learners with the ideal alternative to current institutions offering human resource management programs.

Evidence of Need:

Industry demand for the Bachelor of Science in Human Resource Management degree program has been evaluated through CSU-Global's contracted market research and through industry career growth projections. Demand projections and market research are listed below:

- Growth in this area includes employment interviewers, human resource generalists, labor relations specialists, placement specialists, and recruitment specialists. (BLS, 2010)

- Median earning in 2008 for human resource specialists was \$52,690 (BLS, 2010)
- U.S. Dept. of Labor predicts that employment growth in human resource specialists to be 21% from 2010-2020 (U.S. Dept. of Labor, 2010)
- Overall jobs will increase from 442,200 in 2010 to over 532,900 in 2020, a increase of 90,700 new positions (BLS, 2009)

Evidence of Student Demand:

Student demand for the Bachelor of Science in Human Resource Management degree is demonstrated through the over 112 undergraduate students currently enrolled in the Human Resource Specialization at CSU-Global. It is anticipated that a major will provide students who would like to focus more attention on the human resource field the opportunity to study at CSU-Global.

CSU System Positioning:

Within the CSU System, no baccalaureate level programs exclusively oriented toward human resource management currently exist. Additionally, the B.S. in Human Resource Management program addresses an area currently being fulfilled by proprietary online institutions at a substantially higher cost.

Student Population in Five Years and Profile:

	Year 1	Year 2	Year 3	Year 4	Year 5	Five Year Total
Student Headcount	125	175	245	371	519	1,435
FTE	76	105	147	222	311	861
Graduates	5	25	35	49	74	188

CSU-Global's Undergraduate Admissions Requirements:

Applicants interested in pursuing a degree or certificate of completion at CSU-Global Campus must submit an application and pay the required application fee to be considered for admission. Applicants must also submit official transcripts from each postsecondary institution attended.

An offer of admission may be granted to applicants who have earned an Associate of Arts or an Associate of Science degree from a regionally accredited college or university OR to high school graduates (or GED equivalent) who have completed more than 12 transferable semester hours of credit from a regionally accredited college or university. Students with less than 30 semester hours of credit will be required to complete general education coursework before starting their major program.

After admission and receipt of official transcripts, evaluations of transferable credit will be completed. Each applicant must disclose all previous college experience on his or her application or be subject to delay of admission, loss of credit, rejection of application, and/or cancellation of enrollment. Colorado law requires an assessment of college-level and high school performance for applicants who graduated from high school (or equivalent) after Spring 2008 or have fewer than 30 transferable semester hours of credit at the time of application. High School transcripts may be required.

Curriculum and Program Outcomes:

Students completing the Bachelor of Science in Human Resource Management from CSU-Global will learn to:

- Enhance organizational performance and create effective traditional and virtual teams through motivation, organizational culture, and change management
- Address the legal and ethical implications of human resources and administration in an organizational setting
- Analyze business policy and strategy in relationship to competitors
- Resolve conflict by utilizing various management styles and best practices
- Understand employment and compensation requirements including insurance, salary, labor, health, and safety
- Cultivate training and staff development programs to promote a learning organization focused on systems thinking and continuous improvement

Bachelor of Science in Human Resource Management major coursework listed in order of completion (10 three-credit courses):

1. **ORG300 Applying Leadership Principles:** This required first course for all majors (undergraduate level) provides an overview of leadership basics. In the context of studying at CSU-Global, students will develop strategies for success in the online learning environment. *Recommended Prior Course: None*
2. **MGT320 The Legal and Ethical Environment of Business:** An introduction to the legal influences upon and within businesses, including statutory, executive, administrative, and case law. Included are the roles and influences of contracts and regulations upon business operations as well as the ethical issues encountered within the business environment and the associated legal implications. *Recommended Prior Course: None*
3. **MGT350 Business Policy and Strategy:** An analysis of the process of developing business policies and how strategies are formulated implemented and evaluated. Knowledge of how business strategies establish and influence the company's position within its industry in light of those being utilized by competitors. *Recommended Prior Course: None*
4. **HRM400 Human Resources Development and Management:** Introduction to the development and management of an organization's human resources, with emphasis on planning for the screening, selection, orientation and training of employees. Additional topics include performance appraisal, compensation, benefits, equal employment opportunity, incentives and rewards. *Recommended Prior Course: None*
5. **HRM425 Managing and Leading Team Dynamics:** Explore the development, organization, and leadership of teams in both traditional and virtual settings. Develop key skills and a working knowledge of team creation, management, and individual roles within the team. *Recommended Prior Course: None*
6. **MGT470 Conflict Management and Negotiation:** Identification and analysis of management strategies for dealing with both functional and dysfunctional conflict in the workplace. Included is a study of conflict management styles of avoidance, accommodation, collaboration, negotiation, mediation, and domination. *Recommended Prior Course: None*
7. **HRM450 Employment Law, Compensation, and Policy:** Introduces the major laws affecting employment in the United States including insurance, compensation, labor, health, and safety. The provisions of those laws as well as public policy supporting regulation and the future modifications are addressed. *Recommended Prior Course: None*
8. **HRM455 Training and Staff Development:** Explores the development, administration, and evaluation of organizational training and staff development programs. Motivation, organizational culture and change, employee development, and the role of management are analyzed. *Recommended Prior Course: None*
9. **HRM460 Organizational Development:** The study of organizational systems and strategies designed to drive organizational competitive advantage and enhance organizational

performance. Specific focus is on systems thinking, becoming a learning organization, and continuous improvement. *Recommended Prior Course: None*

10. **HRM481 Capstone - Human Resource Management:** In this course, students synthesize the skills learned throughout the program to address human resources issues in a comprehensive project. Students integrate their knowledge of leadership, legal and ethical responsibilities, policy and strategy, team dynamics, conflict management and negotiations, and staff training and development to improve organizational performance. *Prerequisite: Successful completion of all major and specialization coursework*

Faculty Resources – Current and Required:

CSU-Global Campus currently has 10 program-specific human resource faculty members under contract who have terminal degrees and relevant industry experience. Additionally, CSU-Global employs over 15 qualified faculty members who deliver undergraduate general education required courses. Faculty members have been identified for curriculum development and course instruction for the Human Resource Management program.

CSU-Global promotes professional development and support for all faculty members. The university provides a faculty recruitment and development model which includes nationwide searches, as needed, for qualified faculty followed by a three-week online instructor training course, mentoring support, program coordinator guidance and management, and ongoing professional development to ensure faculty growth and quality.

Library Resources:

The Colorado State University-Global Campus Library provides a comprehensive offering of online resources and support for all CSU-Global academic programs. The online library is open 24/7 to accommodate the scheduling needs of students and faculty members. Current library resources and services include:

- Online journal article databases in various subject areas
- CSU System joint resources
- eBook databases
- Government information
- General reference material, such as online dictionaries, encyclopedias, almanacs, etc.
- Article reserve for additional required readings
- Interlibrary loan for articles CSU-Global does not own
- Library tutorials and videos
- Tools for effective writing, online learning, and time management
- Virtual reference service – 24/7
- Print book catalogs
- APA resources for undergraduates, graduates, and capstone project needs
- Library houses capstone projects by invitation
- Library training sessions (Customized library sessions, individual sessions, and open sessions)

Additionally, the CSU-Global library provides access to electronic databases specific to the B.S. in Human Resource Management degree program. These include:

- ABI/INFORM Dateline (ProQuest) - Business
- ABI/INFORM Global (ProQuest) - Business
- ABI/INFORM Trade & Industry (ProQuest) - Business
- Academic Search Premier (EBSCO) - Interdisciplinary

- Bizjournals.com (Free) - Business
- Books 24x7 - Business /IT ebooks
- Business Source Complete (EBSCO) - Business
- Catalog of U.S. Government Publications (Free) - Interdisciplinary
- Directory of Open Access Journals (Free) - Scholarly/ Interdisciplinary
- Dissertations & Theses (ProQuest) - Interdisciplinary
- Find Articles at BNET (Free) - Interdisciplinary
- Google Scholar (Free Link Resolver for CSUGC) - Interdisciplinary
- LexisNexis Databases - Business & Legal
- Library of Congress Country Studies (Free) - Interdisciplinary
- MasterFILE Premier (EBSCO) - Reference/ Interdisciplinary
- National Newspaper Abstracts (ProQuest) - Interdisciplinary
- NetLibrary ebooks (EBSCO) - Interdisciplinary
- Newspaper Source (EBSCO) - Interdisciplinary
- Regional Business News (EBSCO) - Business
- Research Library (ProQuest) - Interdisciplinary
- Social Science Research Network (Free) - Social Sciences/Business
- TOPICsearch (EBSCO) - Interdisciplinary
- World Factbook (Free) - Interdisciplinary

Due to the depth of current CSU-Global library resources, there are no new required resources for the Bachelor of Science in Human Resource Management program.

Facilities, Equipment, and Technology – Current and Required:

As a fully online university, CSU-Global utilizes Blackboard for its electronic learning environment. Blackboard also provides hosting services that allow for optimum scalability/uptime and serves as the university's delivery system to provide:

- Automatic posting of assignment grades
- Asynchronous participation and flexibility of access through several universally used web browsers, wherever there is an internet connection
- Course learning objectives and assessments
- Access to plagiarism software SafeAssign
- Consistency in course design and features

Blackboard includes threaded discussion forums, group communication tools, group email, and announcements for integrated asynchronous communication. CSU-Global contracts with Collaborate software for synchronous communication enhancement tools. This software provides students and instructors with real-time interaction options that can be recorded and replayed to enhance interaction and student learning including instant messaging, app sharing, video conferencing, live lectures, group meetings, polling, and whiteboarding.

Through the Blackboard interface and the university's Student Portal, CSU-Global provides access to 24/7 live tutoring and technical support, library database and academic resources, career information and services, and student feedback and surveys. To monitor student learning, CSU-Global Campus uses two cycles of assessment Waypoint software to store data. Rubrics are incorporated in each online classroom to measure and assess student performance in discussion board activities, mastery exercises, critical thinking assignments, and portfolio projects. The assessment process and faculty dialog are

maintained in TaskStream, a web-based assessment tool designed to manage quality improvement processes.

Based on the scalability of the CSU-Global Campus infrastructure, additional resources are not required for the B.S. in Human Resource Management program.

Budget Summary:

CSU-Global faculty members have collaboratively outlined the courses required for a Bachelor of Science in Human Resource Management degree based on competitive program information, faculty industry experience, external stakeholder input, and industry/marketplace requirements for qualified workers.

The curriculum can be developed by CSU-Global with existing and new faculty members. The cost for development for the one new core course required for the program is \$6,000 for a total cost of \$6,000. Based on actual revenue per course, it is estimated that CSU-Global will quickly break even on its \$6,000 investment.

	Year 1	Year 2	Year 3	Year 4	Year 5	Five Year Total
Gross Revenue	\$1,312,500	\$1,837,500	\$2,572,500	\$3,895,500	\$5,449,500	\$15,067,500
Total Costs	\$690,553	\$876,180	\$1,226,652	\$1,879,802	\$2,598,181	\$7,271,367
Net Income	\$621,947	\$961,320	\$1,345,848	\$2,015,698	\$2,851,319	\$7,796,133

Projected Launch: Spring 2014

MATTERS FOR ACTION:

Bachelor of Science in Management Information Systems and Business Analytics

RECOMMENDED ACTION:

Moved, that the Board of Governors approve the request from Colorado State University-Global Campus to approve the B.S. in Management Information Systems

EXPLANATION:

Presented by Dr. Becky Takeda-Tinker, President of CSU-Global Campus

Colorado State University-Global Campus is proposing an undergraduate Bachelor of Science in Management Information Systems and Business Analytics (BSMIS) degree. The Management Information Systems and Business Analytics degree prepares graduates to bridge the functions of information technology and business processes within an organization. The program includes core business concepts such as management, strategy, and finance while focusing on the use of data across an organization to improve decision making and processes. Technical topics include systems analysis and design, database management, and data analysis/mining. MIS professionals collect, analyze, and transform data into knowledge that supports the strategic mission of an organization. The program prepares students for fields such as business/systems analysts, information systems analyst, database administrators, and IT consultants.

Approved _____ Denied _____

Board Secretary

Date



Colorado State University
GLOBAL CAMPUS

Program Title: Bachelor of Science in Management Information Systems and Business Analytics

Degree Type: Undergraduate

STEM: Yes (NSF)

Recommended CIP Code: 52.1201

Overview of Program:

Colorado State University-Global Campus (CSU-Global) is proposing a Bachelor of Science in Management Information systems and Business Analytics (BSMIS) program. The BSMIS undergraduate degree is designed to prepare students to be organizational leaders through the use of information technology and data management. Students will learn to improve decision making and processes in core business concepts such as management, strategy, and finance through the use of business intelligence. Technical topics include systems analysis and design, database management, and data mining. The program prepares students for careers such as business/systems analysts, information systems analyst, database administrators, and IT consultants.

Overall growth for this field is considered faster than average by the U.S. Bureau of Labor Statistics. CSU-Global is prepared to meet this demand with a bachelor's degree completion program (36 semester hours of credit). The degree will have an option for a specialization to expand a student's knowledge in relevant areas like Information Technology Management, Strategic Communication, Business Administration, Finance, Foundations of Accounting, Organizational Leadership, Public and Non-Profit Management, etc.

Mission Appropriateness:

The CSU-Global Campus mission is to advance the success of nontraditional adult learners in a global society through degree programs characterized by academic excellence, innovative delivery technologies, and strong stakeholder engagement. CSU-Global's ability to provide a Bachelor of Science in Management Information Systems and Business Analytics will allow it to continue its affordable cost, accessibility, and high quality market positioning and benefit adult students in Colorado and beyond. These students appreciate the online program format which allows them the flexibility to manage their personal and professional commitments while earning a quality degree. As a public online university, CSU-Global provides adult learners with the ideal alternative to current institutions offering business analytics programs.

Evidence of Need:

Industry demand for the Bachelor of Science in Management Information Systems and Business Analytics degree program has been evaluated through CSU-Global's contracted market research and

through industry career growth projections. Demand projections and market research for positions aligned with this field are listed below:

- Jobs for Computer Systems Analysts are expected to grow by 22% (faster than average) from 2010-2020 with over 120,400 new jobs and an average salary of \$77,740 (BLS 2010)
- Jobs for Management Analysts are expected to grow by 22% (faster than average) from 2010-2020 with over 157,200 new jobs and an average salary of \$78,160 (BLS 2010)
- Jobs for Database Administrators are expected to grow by 31% (much faster than average) from 2010-2020 with over 33,900 new jobs and an average salary of \$73,490 (BLS 2010)

Evidence of Student Demand:

Student demand for the Bachelor of Science in Management Information Systems and Business Analytics degree is demonstrated through the number of undergraduate students currently enrolled in the Data Management and Analysis Specialization at CSU-Global. This program enrolled over 40 students in the first 3 months it was offered. It is anticipated that a major will provide students who would like to focus more attention on the business analytics field the opportunity to study at CSU-Global.

CSU System Positioning:

Within the CSU System, no baccalaureate level programs exclusively oriented toward business analytics currently exist. CSU in Fort Collins offers a Bachelor of Science in Business Administration in Computer Information Systems which has more of an emphasis on information technology. Additionally, the B.S. in Management Information Systems and Business Analytics program at CSU-Global Campus will address an area currently being fulfilled by out-of-state or proprietary online institutions at a substantially higher cost.

Student Population in Five Years and Profile:

	Year 1	Year 2	Year 3	Year 4	Year 5	Five Year Total
Student Headcount	100	130	169	219	284	902
FTE	60	78	101	131	170	540
Graduates	5	22	34	44	57	162

CSU-Global's Undergraduate Admissions Requirements:

Applicants interested in pursuing a degree or certificate of completion at CSU-Global Campus must submit an application and pay the required application fee to be considered for admission. Applicants must also submit official transcripts from each postsecondary institution attended.

An offer of admission may be granted to applicants who have earned an Associate of Arts or an Associate of Science degree from a regionally accredited college or university OR to high school graduates (or GED equivalent) who have completed more than 12 transferable semester hours of credit from a regionally accredited college or university. Students with less than 30 semester hours of credit will be required to complete general education coursework before starting their major program.

After admission and receipt of official transcripts, evaluations of transferable credit will be completed. Each applicant must disclose all previous college experience on his or her application or be subject to delay of admission, loss of credit, rejection of application, and/or cancellation of enrollment. Colorado

law requires an assessment of college-level and high school performance for applicants who graduated from high school (or equivalent) after Spring 2008 or have fewer than 30 transferable semester hours of credit at the time of application. High School transcripts may be required.

Curriculum and Program Outcomes:

Students completing the Bachelor of Science in Management Information Systems and Business Analytics from CSU-Global will learn to:

- Apply managerial and business processes to information systems
- Conduct systems analysis to manage complex projects
- Design business intelligence solutions to meet organizational objectives
- Analyze complex data to support strategic decision making

Bachelor of Science in Management Information Systems and Business Analytics major coursework listed in order of completion (12 three-credit courses):

1. **ORG300 Applying Leadership Principles:** This required first course for all majors (undergraduate level) provides an overview of leadership basics. In the context of studying at CSU-Global, students will develop strategies for success in the online learning environment. *Recommended Prior Course: None*
2. **MGT300 Principles of Management:** An examination of the basic functions of management, including planning, organizing, leading, staffing and controlling and how they can be utilized to strengthen management, employee, and organizational performance. *Recommended Prior Course: None*
3. **MGT350 Business Policy and Strategy:** An analysis of the process of developing business policies and how strategies are formulated, implemented, and evaluated. This course discusses how business strategies influence the company's position as compared to competitors within the industry. *Recommended Prior Course: None*
4. **MIS300 Information Systems Design and Management:** Overview of issues processes and technology utilized in the design and management of information systems. Analysis includes needs assessment, database management, software capacity, security features, and decision-making applications. *Recommended Prior Course: None*
5. **MIS350 Information Systems Analysis and Design**
This course provides students with the ability to design and develop systems to solve problems, integrate disparate mechanisms, and improve system efficiencies using industry standards. *Recommended Prior Course: MIS350*
6. **ITS320 Basic Programming:** An introduction to computer programming, design, and testing using Java object-oriented programming language. *Recommended Prior Course: None*
7. **MIS407 Database Concepts:** This course examines the basics of relational databases including basic terminology, database integrity, and normalization. The relational model is covered to appreciate database structure, integrity, and manipulation. Current relational database management systems will be explored and contrasted. Basic SQL programming assignments are included. *Recommended Prior Course: None*
8. **ITS410 Database Management:** Design, implement and use database management systems. Gain an understanding of available software packages, concepts of query languages and security considerations. It prepares students for Microsoft SQL certification exam. *Recommended Prior Course: MIS407*
9. **MIS445 Statistics and SPSS:** A study of data analysis, data production, and statistical inference. Areas of study include: surveys and designed experiments, randomization, causation, regression, and inference using hypothesis tests. This course also explores using statistical methods for the

analysis of, data for an enterprise performance and quality, effectiveness, and marketability. SPSS software will be utilized to conduct a predictive analysis, analyze the results, and document the findings. The preparation of input data for analysis from a relational database using SQL is also performed. *Recommended Prior Course: None*

10. **MIS450 Data Mining:** Investigate various statistical approaches used for data mining analyses. The preparation of data suitable for analysis from an enterprise data warehouses using SQL and the documentation of results is also covered. A simple data mining analysis project using SPSS is performed to reinforce the concepts. *Recommended Prior Course: ITS410 & MIS445*
11. **MIS440 Cloud Computing and Big Data:** The promise of cloud computing technology to provide unlimited utility computing and storage capacity to organizations is investigated. The various types of current cloud computing services offered by the major service vendors are studied. The challenges of managing “big data” are reviewed, and the relationships of cloud computing, big data, and data mining are examined. *Recommended Prior Course: None*
12. **MIS480 Capstone - Business Analytics and Information Systems:** This capstone course provides students with the opportunity to demonstrate competency on the key domains of business analytics. Students will develop a comprehensive project that integrates content learned throughout the duration of the program including database management, systems analysis, enterprise infrastructure, and decision support. *Prerequisite: Successful completion of all major and specialization coursework*

Faculty Resources – Current and Required:

CSU-Global Campus currently has five program-specific IT and business analytics faculty members under contract who have terminal degrees and relevant industry experience. Additionally, CSU-Global employs over 10 qualified faculty members who deliver required courses. Faculty members have been identified for curriculum development and course instruction for the Management Information Systems and Business Analytics program.

CSU-Global promotes professional development and support for all faculty members. The university provides a faculty recruitment and development model which includes nationwide searches, as needed, for qualified faculty followed by a three-week online instructor training course, mentoring support, program coordinator guidance and management, and ongoing professional development to ensure faculty growth and quality.

Library Resources:

The Colorado State University-Global Campus Library provides a comprehensive offering of online resources and support for all CSU-Global academic programs. The online library is open 24/7 to accommodate the scheduling needs of students and faculty members. Current library resources and services include:

- Online journal article databases in various subject areas
- CSU System joint resources
- eBook databases
- Government information
- General reference material, such as online dictionaries, encyclopedias, almanacs, etc.
- Article reserve for additional required readings
- Interlibrary loan for articles CSU-Global does not own
- Library tutorials and videos
- Tools for effective writing, online learning, and time management
- Virtual reference service – 24/7

- Print book catalogs
- APA resources for undergraduates, graduates, and capstone project needs
- Library houses capstone projects by invitation
- Library training sessions (Customized library sessions, individual sessions, and open sessions)

Additionally, the CSU-Global library provides access to electronic databases specific to the B.S. in Management Information Systems and Business Analytics degree program. These include:

- ABI/INFORM Dateline (ProQuest) - Business
- ABI/INFORM Global (ProQuest) - Business
- ABI/INFORM Trade & Industry (ProQuest) - Business
- Academic Search Premier (EBSCO) - Interdisciplinary
- Bizjournals.com (Free) - Business
- Books 24x7 - Business /IT ebooks
- Business Source Complete (EBSCO) - Business
- Catalog of U.S. Government Publications (Free) - Interdisciplinary
- Directory of Open Access Journals (Free) - Scholarly/ Interdisciplinary
- Dissertations & Theses (ProQuest) - Interdisciplinary
- Find Articles at BNET (Free) - Interdisciplinary
- Google Scholar (Free Link Resolver for CSUGC) - Interdisciplinary
- LexisNexis Databases - Business & Legal
- Library of Congress Country Studies (Free) - Interdisciplinary
- MasterFILE Premier (EBSCO) - Reference/ Interdisciplinary
- National Newspaper Abstracts (ProQuest) - Interdisciplinary
- NetLibrary ebooks (EBSCO) - Interdisciplinary
- Newspaper Source (EBSCO) - Interdisciplinary
- Regional Business News (EBSCO) - Business
- Research Library (ProQuest) - Interdisciplinary
- Social Science Research Network (Free) - Social Sciences/Business
- TOPICsearch (EBSCO) - Interdisciplinary
- World Factbook (Free) - Interdisciplinary

Due to the depth of current CSU-Global library resources, there are no new required resources for the Bachelor of Science in Management Information Systems and Business Analytics program.

Facilities, Equipment, and Technology – Current and Required:

As a fully online university, CSU-Global utilizes Blackboard for its electronic learning environment. Blackboard also provides hosting services that allow for optimum scalability/uptime and serves as the university's delivery system to provide:

- Automatic posting of assignment grades
- Asynchronous participation and flexibility of access through several universally used web browsers, wherever there is an internet connection
- Course learning objectives and assessments
- Access to plagiarism software SafeAssign
- Consistency in course design and features

Blackboard includes threaded discussion forums, group communication tools, group email, and announcements for integrated asynchronous communication. CSU-Global contracts with Collaborate software for synchronous communication enhancement tools. This software provides students and

instructors with real-time interaction options that can be recorded and replayed to enhance interaction and student learning including instant messaging, app sharing, video conferencing, live lectures, group meetings, polling, and whiteboarding.

Through the Blackboard interface and the university's Student Portal, CSU-Global provides access to 24/7 live tutoring and technical support, library database and academic resources, career information and services, and student feedback and surveys. To monitor student learning, CSU-Global Campus uses two cycles of assessment Waypoint software to store data. Rubrics are incorporated in each online classroom to measure and assess student performance in discussion board activities, mastery exercises, critical thinking assignments, and portfolio projects. The assessment process and faculty dialog are maintained in TaskStream, a web-based assessment tool designed to manage quality improvement processes.

Based on the scalability of the CSU-Global Campus infrastructure, additional resources are not required for the B.S. in Management Information Systems and Business Analytics program.

Budget Summary:

CSU-Global faculty members have collaboratively outlined the courses required for a Bachelor of Science in Business Analytics degree based on competitive program information, faculty industry experience, external stakeholder input, and industry/marketplace requirements for qualified workers.

The curriculum can be developed by CSU-Global with existing and new faculty members. The cost of development for the one new core course required for the program is \$6,000 for a total cost of \$6,000. Based on actual revenue per course, it is estimated that CSU-Global will quickly break even on its \$6,000 investment.

Table 2: Financial Projections – B.S. in Management Information Systems and Business Analytics						
	Year 1	Year 2	Year 3	Year 4	Year 5	Five Year Total
Gross Revenue	\$1,050,000	\$1,365,000	\$1,774,500	\$2,299,500	\$2,982,000	\$9,471,000
Total Costs	\$580,318	\$642,912	\$835,786	\$1,082,459	\$1,403,915	\$4,545,390
Net Income	\$469,682	\$722,088	\$938,714	\$1,217,041	\$1,578,085	\$4,925,610

Projected Launch: Spring 2014

MATTERS FOR ACTION:

Master of Human Resource Management

RECOMMENDED ACTION:

Moved, that the Board of Governors approve the request from Colorado State University-Global Campus to approve the Master of Human Resource Management

EXPLANATION:

Presented by Dr. Becky Takeda-Tinker, President of CSU-Global Campus

Colorado State University-Global Campus (CSU-Global) is proposing a Master of Human Resource Management (MHRM) program. The program is designed to prepare students for a wide variety of leadership roles within human resource management. The Master of Human Resource Management student will learn to apply theories and practice of Effective Organizations, Legal and Human Resource Dimensions of Business Management, Managing Human Resources, Managing Performance for Results, Managing Dynamics Environments, Leading Diverse Teams, Human Resource Planning, in addition to capping off the graduate program with a Human Resource Management Capstone course. This proposed program consists of eight (8) core courses and a four (4) credit specialization (36 total semester hours of credit) required of all students within the degree program. The program is aligned with the Society for Human Resource Management's HR Curriculum Guidebook and Templates.

Approved _____ Denied _____

 Board Secretary

 Date



Colorado State University
GLOBAL CAMPUS

Program Title: Master of Human Resource Management

Degree Type: Graduate

Recommended CIP Code: 52.1099

Overview of Program:

Colorado State University-Global Campus (CSU-Global) is proposing a Master of Human Resource Management (MHRM) program. The MHRM graduate degree is designed to prepare students for a wide variety of leadership roles within the human resources field. Students will learn to utilize advanced theories in practical applications as they related to effective employee management and organizational objectives. Specific topics include leading dynamic and diverse teams, understanding legal and ethical decision making, managing performance to achieve results, and the strategic planning and execution of human resource initiatives. This program is aligned with the Society for Human Resource Management's HR Curriculum Guidebook and Templates.

CSU-Global is prepared to meet industry demand with this master's degree program consisting of eight (8) core courses and a four (4) credit specialization (36 total semester hours of credit) required of all students within the degree program. Students have the option of selecting a specialization in an area of personal or professional relevance like International Management, Healthcare Administration, Organizational Training and Instructional Design, Strategic Innovation and Change Management, etc.

Mission Appropriate:

The CSU-Global Campus mission is to advance the success of nontraditional adult learners in a global society through degree programs characterized by academic excellence, innovative delivery technologies, and strong stakeholder engagement. CSU-Global's ability to provide human resource management education will allow it to continue its affordable cost, accessible, and high quality market positioning and benefit adult students in Colorado and beyond. These students appreciate the online program format which allows them the flexibility to manage their personal and professional commitments while earning a quality degree. As a public online university, CSU-Global provides adult learners with the ideal alternative to current institutions offering human resource management programs.

Evidence of Need:

Industry demand for the Master of Human Resource Management program has been evaluated through CSU-Global Campus contracted market research and through industry career growth projections. Demand projections and market research are listed below:

- There were 71,800 human resource managers in 2010 (BLS, 2010)

- The career path for human resource managers is expected to grow 13 percent from 2010 to 2020, which is average for all occupations (BLS, 2010)
- Median wages for human resource managers was \$99,180 in May 2010 (BLS, 2010)
- Employers prefer human resource managers to have a graduate degree (BLS, 2008)

Evidence of Student Demand:

Student demand for the Master of Human Resource Management degree is demonstrated through the over 200 students currently enrolled in the Human Resource Specializations at CSU-Global. It is anticipated that a major will provide students who would like to focus more attention on the human resource field the opportunity to study at CSU-Global.

CSU System and State Positioning:

Within the CSU System, there is not currently a Master of Human Resource Management. There are currently no other online Master of Human Resource Management programs offered by Colorado public institutions. CSU-Global's online program has sufficient market differentiation from the current System offerings. Additionally, the Human Resource Management program addresses an area currently being fulfilled by proprietary online institutions at a substantially higher cost.

Student Population in Five Years and Profile:

	Year 1	Year 2	Year 3	Year 4	Year 5	Five Year Total
Student Headcount	100	130	169	219	284	902
FTE	60	78	101	131	170	541
Graduates	0	30	39	51	66	186

CSU-Global's Graduate Admissions Requirements:

Applicants are eligible for admission into a graduate degree program if they have earned a bachelor's degree from a regionally accredited institution. An undergraduate GPA of 3.00 or better (on a 4.00 scale) is preferred.

Applicants interested in pursuing a degree or certificate of completion program at CSU-Global Campus must submit an application and pay the required application fee to be considered for admission. Applicants must submit official transcripts from each postsecondary institution attended.

Curriculum and Program Outcomes:

Students completing the Master of Human Resource Management degree from CSU-Global will learn to:

- Manage operational and strategic issues related to social, economic, and technological changes in public and private organizations
- Resolve conflict and create guidelines for conduct and behavior expectations, especially when related to law, ethics, and corporate responsibility
- Administer human resource management and labor affairs such as collective bargaining and industrial relations
- Recruit, hire, evaluate, and train employees in a diverse workplace through strategic planning and the development of organizational culture

- Execute successful management and process outcomes utilizing performance appraisals, compensation, and training
- Examine strategies, structures, and techniques to provide organizational improvements in a dynamic business environment

Human Resource Management major coursework listed in order of completion (8 three-credit courses):

ORG502 Effective Organizations—Theory and Practice: Gain a contemporary understanding of managing operational and strategic issues in public and private organizations facing accelerated social, economic, and technological changes. This course will examine organizational theory, strategic thinking and management, theories of decision-making, leadership, organizational culture, and change management in a postindustrial society. *Recommended Prior Course: None*

HRM500 Managing Human Resources: Analyze the implications of the recruitment, staffing, evaluation and development of employees in the strategic management of a high performance workforce. Examine the economics of labor and the effects of legislative and legal decisions in the administration and management of employees. *Recommended Prior Course: None*

HRM515 Legal and Human Resource Dimensions of Business Management: This course emphasizes the legal, human resource, and regulatory controls that define, promote and limit business practices. The legal ramifications are presented as a mechanism managers can use to resolve conflict, infer guidelines for conduct, and create bases for expectations. Fundamental interactions of law, ethics, and corporate social responsibility are emphasized. Topic areas include the business legal system, ethics, employer-employee relationship, contracts, small business ownership, and the legal environment of international business. *Recommended Prior Course: HRM500*

HRM516 Effective Labor Management: Analyze the collective bargaining process and the impact of public policy on industrial relations. Understand the administrative functions of human resource management and the field of labor relations. *Recommended Prior Course: HRM500*

HRM520 Managing Performance for Results: Understand the design and execution of successful management and processes. Examine utilization and outcomes of performance appraisals, compensation, and training effectiveness. *Recommended Prior Course: HRM500*

ORG521 Managing Dynamic Environments: Examine the factors and theories for effective change management. Examine strategies, structures, and techniques for facilitating organizational change for competitive success in today's dynamic environment. *Recommended Prior Course: HRM500*

ORG555 Leading Diverse Teams: Develop a comprehensive understanding of diversity to apply in the strategic planning efforts of cultural change and acceptance. Identify the realities of developing and implementing diversity initiatives for the organization and the workforce. Explore emerging issues in diversity management. *Recommended Prior Course: HRM500*

HRM522 Human Resource Planning: Examine the cross-cultural issues in managing organization behavior. From a global management perspective, explore bargaining behavior, recruitment, selection, training, and compensation issues). *Recommended Prior Course: HRM500*

HRM580 Capstone - Human Resource Management: This capstone course provides students with the opportunity to apply the advanced theory and practice learned in the Human Resource Management graduate program. Students will demonstrate an understanding of the legal and human resource dimensions of business, effective labor management, leading diverse teams in a dynamic results-oriented environment, and other key HR Management principles through the development of a comprehensive capstone project. *Prerequisite: Successful completion of all major and specialization coursework*

Faculty Resources – Current and Required:

CSU-Global Campus currently has eight program-specific human resource management faculty members under contract who have terminal degrees and relevant industry experience. CSU-Global currently employs an additional 10 qualified graduate faculty members who deliver related coursework and would be able to support elements of the program. Faculty members have been identified for curriculum development and course instruction for the Human Resource Management program.

CSU-Global promotes professional development and support for all faculty members. The university provides a faculty recruitment and development model which includes nationwide searches, as needed, for qualified faculty followed by a three-week online instructor training course, mentoring support, program coordinator guidance and management, and ongoing professional development to ensure faculty growth and quality.

Library Resources:

The Colorado State University-Global Campus Library provides a comprehensive offering of online resources and support for all CSU-Global academic programs. The online library is open 24/7 to accommodate the scheduling needs of students and faculty members. Current library resources and services include:

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Additionally, the CSU-Global Campus library provides access to electronic databases specific to the Master of Human Resource Management degree program. These include:

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- Books 24x7 - Business /IT ebooks
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- Directory of Open Access Journals (Free) - Scholarly/ Interdisciplinary
- Dissertations & Theses (ProQuest) - Interdisciplinary
- Find Articles at BNET (Free) - Interdisciplinary
- Google Scholar (Free –Link Resolver for CSUGC) - Interdisciplinary
- LexisNexis Databases – Business & Legal
- Library of Congress Country Studies (Free) - Interdisciplinary
- MasterFILE Premier (EBSCO) - Reference/ Interdisciplinary
- National Newspaper Abstracts (ProQuest) - Interdisciplinary
- NetLibrary ebooks (EBSCO) - Interdisciplinary
- Newspaper Source (EBSCO) - Interdisciplinary
- Regional Business News (EBSCO) - Business
- Research Library (ProQuest) – Interdisciplinary
- Social Science Research Network (Free) - Social Sciences/Business
- TOPICsearch (EBSCO) - Interdisciplinary
- World Factbook (Free) – Interdisciplinary

Due to the depth of current CSU-Global library resources, there are no new required resources for the Human Resource Management program.

Facilities, Equipment, and Technology – Current and Required:

As a fully online university, CSU-Global utilizes Blackboard for its electronic learning environment. Blackboard also provides hosting services that allow for optimum scalability/uptime and serves as the university's delivery system to provide:

- Automatic posting of assignment grades
- Asynchronous participation and flexibility of access through several universally used web browsers, wherever there is an Internet connection
- Course learning objectives and assessments
- Access to plagiarism software SafeAssign
- Consistency in course design and features

Blackboard includes threaded discussion forums, group communication tools, group email, and announcements for integrated asynchronous communication. CSU-Global contracts with Collaborate

software for synchronous communication enhancement tools. This software provides students and instructors with real-time interaction options that can be recorded and replayed to enhance interaction and student learning including instant messaging, app sharing, video conferencing, live lectures, group meetings, polling, and whiteboarding.

Through the Blackboard interface and the university's Student Portal, CSU-Global provides access to 24/7 live tutoring and technical support, library database and academic resources, career information and services; and student feedback and surveys. To monitor student learning, CSU-Global Campus applies two cycles of assessment using Waypoint software to store data. Rubrics are incorporated in each online classroom to measure and assess student performance in discussion board activities, mastery exercises, critical thinking assignments, and portfolio projects. The assessment process and faculty dialog are maintained in TaskStream, a web-based assessment tool designed to manage quality improvement processes.

Based on the scalability of the CSU-Global Campus infrastructure, additional resources are not required for the Master of Human Resource Management program.

Budget Summary:

CSU-Global faculty members have collaboratively outlined the courses required for a Master of Human Resource Management degree based on competitive program information, faculty industry experience, external stakeholder input, and industry/marketplace requirements for qualified workers.

The curriculum can be developed by CSU-Global with existing and new faculty members. The cost for development of the one new core course required for the program is \$6,000 for a total cost of \$6,000. Based on actual revenue per course, it is estimated that CSU-Global will quickly break even on its \$6,000 investment.

Table 2: Financial Projections – Master of Human Resource Management						
	Year 1	Year 2	Year 3	Year 4	Year 5	Five Year Total
Gross Revenue	\$1,312,500	\$1,837,500	\$2,572,500	\$3,895,500	\$5,449,500	\$15,067,500
Total Costs	\$690,553	\$876,180	\$1,226,652	\$1,879,802	\$2,598,181	\$7,271,367
Net Income	\$621,947	\$961,320	\$1,345,848	\$2,015,698	\$2,851,319	\$7,796,133

Projected Launch: Spring 2014

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REPORT ITEM:

Report: Emeritus Rank Designations Approved for 2013

EXPLANATION:

Presented by Rick Miranda, Provost and Executive Vice President

The faculty members approved for emeritus status have met the qualifications to be awarded the status of Emeritus as set forth in the CSU Academic Faculty and Administrative Professional Manual.

These recommendations have been reviewed at the Department, College, and University levels and have received approval at each level. As delegated by the Board of Governors, Dr. Tony Frank, President, has approved all of these emeritus designations.

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Colorado State University
Emeritus Rank Designations Approved in 2013

College of Agricultural Sciences

Warren Dennis Lamm, Professor – Animal Sciences
Lee Sommers, Professor – Agricultural Experiment Station

College of Business

John Olienyk, Professor and Associate Dean – Finance and Real Estate
Robert Rademacher, Professor – Computer Information Systems

College of Engineering

Viswanathan Bringi, Professor – Electrical and Computer Engineering
Wayne Charlie, Professor – Civil and Environmental Engineering

College of Health and Human Sciences

Molly Eckman, Professor – Design and Merchandising
Richard Feller, Professor – School of Education
Robert Fetsch, Professor – Human Development and Family Studies
Charles W. Smith, Assistant Professor – Construction Management
Raymond Yang, Professor – Human Development and Family Studies

College of Liberal Arts

Pattie Cowell, Professor – English
Lola Logsdon, Instructor – Art

College of Natural Sciences

James Bamburg, Professor – Biochemistry and Molecular Biology
Hariharan Iyer, Professor - Statistics

College of Veterinary Medicine and Biomedical Sciences

Barry Beaty, Professor – Microbiology, Immunology, and Pathology

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Emeritus Rank Justifications 2013

College of Agricultural Sciences

W. Dennis Lamm, Professor - Animal Sciences

Dr. Lamm began his tenure with Colorado State University in 1972 as the Extension 4-H agent in Trinidad, CO and served there until 1973. He then went on to continue his graduate education as a graduate research assistant at the University of Nebraska from 1973-1976. After receiving his Ph.D., Dr. Lamm was hired in the Department of Animal Sciences at CSU as an assistant professor in 1981 and served in that capacity until he was promoted to associate professor in 1983. He was promoted to Professor in 1994.

Dr. Lamm served as the assistant director of Cooperative Extension from 1986 – 1997, Extension Specialist, College of Agricultural Sciences, and Director, Master of Agriculture-Ag Extension Education Program from 2003 until his retirement in 2012.

His various efforts in outreach/extension and research have focused on the management of resources (human, fiscal, and natural) with the goal of sustainability over the long term. Early work centered on the use of diverse protein supplementation regimens for beef cattle grazing underutilized cellulosic crop by-products. As state coordinator for the Western Sustainable Agriculture Research and Education (SWARE) program beginning in 1994, he oversaw the program, including alternative crops, new crop and livestock production systems, better water management practices, and the management of resources on small acreages.

He has directed the Master of Agriculture-Agricultural Extension Education program for both on campus and distance students for 46 students who have written a thesis or professional paper. Overall, he either served as advisor or committee member for 89 graduate students during his tenure at Colorado State University.

A few of Dr. Lamm's awards and honors include: voted as "Friend" of Colorado County Agents Association, 2012; elected to the Western Stock Show Association, 2003; appointed to Colorado Organic Certification Advisory Board, 2003-2011; and received the National Association of County Agricultural Agents Distinguished Service Award in 1999.

Lee Sommers, Professor Agricultural Experiment Station

Dr. Sommers has served as a member of the CSU faculty since 1985 when he was hired from Purdue University to lead the Soil and Crop Sciences Department as Head. In 1996, Lee assumed responsibility of Associate Dean for Research in the College of Agricultural Sciences.

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Dr. Sommers is well known throughout the CSU campus and across the State of Colorado. He has always maintained a strong visible presence in agriculture and most know Lee as a result of the support he provides to advance people and programs for the good of the agriculture industry in the state and beyond.

Lee is known for his soft spoken personality, his keen mind, his insightful thinking, and his wise decision making. Lee has always been motivated to enhance the impact and relevance of CSU to our constituents, both on and off campus. His tenure at CSU has resulted in outstanding faculty and staff hires, as well as advancement of research in key areas such as invasive species, crop and animal breeding, water conservation techniques, natural resource assessment, ecology, biofuels, range management, and animal nutrition. In addition, Lee has facilitated program enhancement in 7 of the 8 colleges at CSU as well as our multiple off campus research stations throughout the state where he has provided financial support for multiple disciplines contributing to agriculture and natural resource management.

Lee has forged very strong and positive relationships with external constituents; examples include the Wheat Advisory Committee, the Potato Advisory Committee, and the Colorado Department of Agriculture. These relationships have resulted in model partnerships and considerable funding from these external groups to support our research and outreach efforts. As a result, the producers and the citizens of Colorado have been the direct financial beneficiaries of the research output from these programs.

Lee has also enhanced our international visibility, most notably in cooperation with the Office of Engagement, where Lee and Lou Swanson have traveled to and developed partnerships with leadership from Saratov State University and Moscow agrarian State University, both in Russia. CSU stands to benefit greatly the relations developed by Drs. Sommers and Swanson through enhancement of our educational programs as well as through joint research efforts in water and wheat breeding.

Lee is equally highly regarded by his peers in his professional societies. He has served as President of the Soil Science Society of America (SSSA), and the American Society of Agronomy (ASA). He has also served as chair of numerous national committees and most recently served as President of the Experiment Station Committee on Organization and Policy, the national organization representing all experiment station directors throughout the country. He has been recognized with numerous awards including Fellow of the SSSA and ASA.

In summary, Dr. Lee Sommers has been an outstanding contributor to CSU in all his many facets of professional responsibilities. CSU is a much better institution as a result of the positive impact that Lee has made to so many people and programs.

College of Business

John Olienyk, Professor and Associate Dean – Finance and Real Estate

Dr. Olienyk has been a faculty member at CSU since 1978, first as an Assistant Professor in the Department of Economics, and later as an Associate Professor in the Department of Finance and Real Estate beginning in 1982. He was promoted to the rank of Professor in 2000. Between 2006 and 2012, Dr. Olienyk was the Senior Associate Dean in the College of Business. During his long career at CSU, Dr. Olienyk has won numerous honors and awards

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including the College of Business Pinnacle Award in 2002, State Board of Agriculture Excellence in Undergraduate Teaching Award in 1998, and the Oliver P. Pennock Distinguished Service Award in 1981. He has been a valuable colleague in the Department and the College and an influential member of the campus community.

Robert Rademacher, Professor - Computer Information Systems

Dr. Rademacher served as a valued member of the Department of Computer Information Systems in the College of Business for 43 years. During that time he contributed in teaching, research, and service to Colorado State University.

His leadership, work ethic and professionalism are in no small measure the reason CSU was able to celebrate a distinguished 50-year history of the CIS discipline this past fall. In particular, Dr. Rademacher has initiated and developed project management as a thrust in both undergraduate and graduate programs. Additionally, the department could always rely on him to assist on any and all projects including teaching project management at a distance in the system engineering program well before the College of Business initiated their own program.

College of Engineering

Viswanthan Bringi, Professor - Electrical and Computer Engineering

Professor V. N. Bringi has been at Colorado State University since 1981. His research interests are in electromagnetics and polarimetric weather radar, being a pioneer in the latter field. Since 1990 he has been a Co-PI on the CSU-CHILL National Radar Facility, which is operated under a cooperative agreement with the National Science Foundation for the university weather radar community both nationally and internationally. The CSU-CHILL radar facility is at the cutting edge of research and provides for advanced education with the recent addition of the first 9 m dual-offset Gregorian antenna on a weather radar. Professor Bringi has served for four years as Editor of the Journal of Atmospheric and Oceanic Technology and is a Fellow of the American Meteorological Society. He is co-author of the book “Polarimetric Doppler Weather Radar” published by Cambridge University Press in 2001.

Wayne Charlie, Professor - Civil and Environmental Engineering

Dr. Charlie has been at CSU since 1976 and has been a Full Professor since 1990 (Geotechnical Program Leader from 1990-95). He has served on numerous committees for the department, college, and university and for several state, federal, and international committees. He has been active in education (outreach, teaching, and advising), research and reviewer of journal articles and research proposals.

At CSU he has been advisor to forty-four graduate students in Geotechnical Engineering and has served on numerous MS and PhD graduate committees in both the Civil and Geosciences

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departments. He has been active in research and has obtained funding from several sources including the National Science Foundation, U.S. Air Force Office of Scientific Research, Defense Nuclear Agency, Air Force Weapons Laboratory, Air Force Civil Engineering Support Agency, Bureau of Reclamation, State of Colorado and several private and public organizations.

He has published over fifty peer reviewed journal articles, over thirty peer reviewed conference papers, over thirty non-refereed publications, and prepared over thirty research reports. These journals and conferences were located in the United States, Canada, United Kingdom, Australia, France, Japan, and Sweden. In addition, he has given lectures at several universities including Cornell University, University of Rhode Island, University of Auckland (New Zealand), University of California (Berkeley), University of Maine, Duke University, University of Colorado (Boulder and Denver), University of Wisconsin (Madison), Michigan State University, University of Khartoum (Sudan), University of Syracuse, University of New Mexico, and the University of Hawaii. He received a patent for the Piezovane and conducted joint research with faculty from Egypt, Ethiopia, Sudan, Saudi Arabia, Canada, USA, UK, and New Zealand.

College of Health and Human Sciences

Molly Eckman, Professor – Design and Merchandising

Dr. Molly Eckman has been an extraordinary member of the Department of Design and Merchandising faculty for 21 years. As a professor of Merchandising, she has played a pivotal role in bringing international connections to the department as well as building international study opportunities for students, and in securing U.S. Department of Education Fulbright-Hays funding for international research and exchange. Dr. Eckman has conducted research and published numerous articles and a book on sustainability. Through her continual efforts over the twenty-plus years, the focus of the DM curriculum has been inclusive of international perspectives and sustainability issues.

Dr. Eckman has been an excellent teacher and advisor for both graduate and undergraduate students. In 2012, she received the *Best Teacher Award*, from the Alumni Association at Colorado State University. Many of her former graduate students have made significant contributions to research in their current roles as faculty at research-1 institutions. Several of her undergraduates are well-placed in the global textiles and apparel industry. Dr. Eckman is held in high esteem by her colleagues and has mentored many of the early career faculty in research collaborations and through co-authored research publications and grant proposals. She has represented CSU well as the President of her professional organization, The International Textiles and Apparel Association.

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Richard Feller, Professor – School of Education

As Professor of Counseling and Career Development in the School of Education since 1980, Dr. Feller has sought to influence the field of career counseling with innovative methods and resources and a boy of work that promotes designing one's life career and maximizing one's strengths. His focus has always been to promote lifelong learning, access to career options, and foster hope in changing times for clients, professional career counselors and specialists. His work in counselor education has been to articulate the need for strong career development efforts within counselor training.

During his career at CSU, Dr. Feller has written more than 100 publications including three books. He has contributed to many scholars' works, including Richard Bolles' best-selling book series, *What Color is Your Parachute?* He has produced numerous video and on-line resources for career development and counseling. *Tour of Your Tomorrow*, the film series DR. Feller produced with Joe Vasos, is now in its third edition. Today it is used in over 2,500 organizations and school systems to help middle school students to adults-in-transition who want to accelerate their career exploration, gain feedback about their career plans, and hear from real workers who have turned their strengths into career satisfaction. They also co-produced the well-received DVD, *Making the Most of Your Abilities*, which helps people identify and explore their abilities and relate them to specific education and career paths. He is also the co-author with Arthur O'Shea of the on-line Harrington-O'Shea Career Decision Making System (records report sales of over 14M purchased). In addition to equipping individuals with career development tools, Dr. Feller has endeavored to better prepare and equip professional school, career and college counselors. His recent work with NASA to better connect NASA to school, career, and academic counselors has led him to champion the cause for better STEM education awareness among counselors, parents, and students.

Dr. Feller's teaching career has focused primarily on graduate courses in career development, counseling, and organizational performance and change. He has been honored with numerous teaching awards, including the CSU Alumni Association's Best Teacher Award and Outstanding Faculty Award. He has had the privilege of serving in various Colorado State University leadership and honorary positions. This includes Director of the Student Affairs in Higher Education Graduate Program (1983-1990), University Distinguished Teaching Scholar, and the Oliver P. Pennock Distinguished Service Award. Most recently, his committee positions included chairing the School of Education Tenure and Promotion Committee and serving on numerous School of Education Search Committees.

More than \$1 million in funded grants resulted from his research, writing, and consulting while at CSU. He has consulted in D.C., Peru, Korea, Hungary, Canada, India, and Australia. Having gained insight from projects and presentations in China, Japan, Sudan, Thailand, Australia, Canada, and 49 states, he has consulted with groups ranging from NASA, the National Science Foundation and the U.N. to the Asian Development Bank, Japan Institute for Social and Economic Affairs, and South Carolina Educational TV.

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Dr. Feller is especially proud of his contributions to the National Career Development Association. He has been honored with the NCDA's Eminent Career Award and now serves as President for 2013, as NCDA celebrates its 100th anniversary. At a state level, the Colorado Career Development Association created the Rich Feller Leadership Award which is awarded each year at its annual conference.

Robert Fetsch, Professor - Human Development and Family Studies

Dr. Robert Fetsch was employed by CSU Extension and the Department of Human Development and Family Studies for 26 years. He used this time to address Colorado families' and individuals' educational needs with effective educational programs. The department fully supports the designation of Emeritus Professor.

Charles (Chuck) Smith, Assistant Professor – Construction Management

Dr. Smith has completed 32 years at CSU. The Construction Management Department recognizes his exceptional commitment, and passion as an undergraduate teacher and his contributions as a member of the CM team. Dr. Smith is a great educator and champion of undergraduate education and CSU. He is consistently ranked as one of the top faculty in the department by his students.

Ray Yang, Professor - Human Development and Family Studies

Professor Ray Yang was employed at CSU since 1989. The Department of Human Development and Family Studies fully supports the designation of Emeritus Professor.

College of Liberal Arts

Pattie Cowell, Professor - English

Dr. Cowell has been an active and valued member of the faculty of the English Department for 35 years, where she served as chair for ten years. Pattie is an exemplary teacher, scholar, and administrator.

In 2001, Professor Cowell was named a University Distinguished Teaching Scholar. She has taught 31 different graduate and undergraduate courses and, as the department nominating committee wrote when recommending her for the John N. Stern award, students rave about the courses and the professor. In 2011, students wrote of the Emily Dickinson course she taught: "Amazing course, one of the absolute best I've ever had!" "Best teacher I have ever had. Made me love English all over again." In addition, the quality of her advising was recognized with the Cermak Award for Outstanding Graduate Advising in 1991.

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In 2007, the Division of American Literature before 1800 of the Modern Language Association named her a Distinguished Scholar in Early American Literature. The MLA writes, “Pattie Cowell has made a career of challenging the early American archive to speak new stories; challenging her students to attempt more than they ever thought possible...and challenging herself to discover new stories to tell.” An article and a chapter are forthcoming, bringing to 22 the total number of articles, monographs, book chapters, invited entries, and reviews since 1991. She has also been extending her range, collecting stories of the Northern Plains from the first half of the 20th century, and writing essays, persona. Essays, and travel journalism.

Professor Cowell’s service has been extensive and meaningful, recognized with the Pennock Distinguished Service Award (2001) and the John N. Stern Award (2011). She was recognized for her work with various campus groups by the GLBT Ally Award (2001), the Service Integration Project Faculty Fellowship (2001-2002), and the Women’s Caucus Honor Award (1999). While she has said that she did not plan to be an administrator, this is probably the area of her greatest service to the university community. She has held administrative positions in the Graduate School, the Women’s Studies Program, the Department of Foreign Languages and Literatures, the College of Liberal Arts, and the new INTO CSU joint venture.

Lola Logsdon, Instructor – Art

Lola Logsdon has served Colorado State University and the Art Department with distinction as adjunct professor in both Pottery and Foundations for 15 years.

Originally teaching in 1995 as the sole Graduate Teaching Assistant in Sculpture, she was hired to teach in Pottery upon her graduation from the MFA program. Since then she served admirably in the Foundations program, teaching both a lecture course, ART100 – Introduction to the Visual Arts, and a studio course, ART 170 – 3D Fundamentals.

Professor Logsdon was nominated for a Best Teacher Award by the Colorado State Alumni Association in 2008, a high honor and definitive proof of her effective freshman-level teaching. Her most recent departmental review is glowing.

College of Natural Sciences

James Bamberg, Professor – Biochemistry and Molecular Biology

Dr. Bamberg has been a member of the Biochemistry and Molecular Biology faculty for over 40 years, and has been critical in elevating the Department in its recognition both on the CSU campus and nationally. Jim is recognized as an expert in the role of actin depolymerizing factors (ADF) and its related family member, cofilin, in regulating cell motility. Most recently, the work has been particularly relevant in the understanding of the molecular mechanisms

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associated with a number of neurodegenerative diseases, including Alzheimer's and Huntington's, and could help to establish treatments for such debilitating diseases. Over this period, he trained a large number of scientists at various levels, including 21 Ph.D. Students from the Department of Biochemistry and Molecular Biology and from the interdisciplinary Cellular and Molecular Biology Graduate Program, 20 M.S. students, over a dozen postdoctoral trainees, an army of undergraduate students, and a handful of secondary school teachers and high school students. Dr. Bamburg has published over 120 peer-reviewed manuscripts in excellent journals in the field, including *Nature*, *Nature Neuroscience*, the *Journal of Biological Chemistry*, and the *Journal of Neuroscience*. His recognition in the field is reflected in the large number of review papers he has been invited to write and the large number of journals that he serves as editor or on the scientific advisory boards for.

Dr. Bamburg has received a number of University, national, and international awards and recognitions, including a J.S. Guggenheim Memorial Fellowship, a Senior International Fellowship of the Fogarty Center at the NIH, the Cermak Outstanding Graduate Advising Award, and the Scholarship Impact Award at Colorado State University. He has served as the Assistant Chair and Interim Chair of the Department, and as Chair of the Cellular and Molecular Biology Interdisciplinary Graduate Program. He has been recognized for his service to CSU through the Oliver Pennock Award. In short, Professor Bamburg has been an invaluable asset to the department in instruction, advising, research, and service throughout his career, and CSU will greatly benefit from his continued participation and presence in the Department.

Hariharan Iyer, Professor - Statistics

Dr. Iyer came to CSU as a graduate student in 1977. He did his PhD under the guidance of Professor R. C. Bose. In 1980, following his PhD graduation, he joined the faculty of the Department of Statistics as Assistant Professor. Over the years he was promoted to the rank of Associate Professor and then Professor.

During his years at CSU, Dr. Iyer advised about 20 MS students and more than 15 PhD students. Many of his students have gone on to hold academic positions at various universities as well as important industry positions at well-known companies. He has served on numerous MS and PhD committees within the department and a large number of external MS and PhD committees.

Dr. Iyer has conducted collaborative research with faculty in other departments within the university (Mathematics, Plant Science, and Computer Science). He has served on several departmental committees (executive committee, graduate committee, undergraduate committee), and many university committees (search chair, scientific misconduct). Dr. Iyer founded the Graybill Conference series in 2001 and has served as the overall conference organizer for several years. During his CSU career, Dr. Iyer was elected fellow of the American Statistical Association and was awarded the "Youden Award" by the Technometrics

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committee. He was awarded the “Excellence in Graduate Teaching” award by the College of Natural Sciences.

College of Veterinary Medicine and Biomedical Sciences

Barry Beaty, Professor - Microbiology, Immunology, and Pathology

University Distinguished Professor Barry Beaty has had many contributions to his department, college, and the university throughout his 30-year tenure as Professor.

Dr. Beaty received his PhD from the University of Wisconsin in 1976 and then completed a NIH Postdoctoral Fellowship at Yale University. He went on to become an Assistant Professor at Yale from 1979-1982. He joined the faculty at Colorado State University in 1982 and over the ensuing 30 years as Assistant Professor through Professor of Arbovirology he became nationally and internationally recognized for his research and service. Dr. Beaty has published nearly 300 peer reviewed scientific papers, many in top-tier journals such as Science and Proceedings of the National Academy of Sciences. He has been continuously funded by numerous NIH grants since 1978 and along the way has received many grants from the USDA, CDC, and the Gates Foundation. He has served on several editorial boards and a dizzying array of important national and international scientific committees. His many honors include election to the National Academy of Sciences and American Academy of Microbiology, and of course, designation as a University Distinguished Professor at Colorado State University.

As an educator and research mentor, Dr. Beaty has had an enormous impact over his career. He has taught in a variety of virology and vector-borne disease courses and has trained 40 graduate students and 10 post-doctoral fellows. Through all these myriad professional activities, Dr. Beaty brought national and international recognition to CSU through his work in the lab and in the field in arbovirus epidemiology, diagnosis, and control. This includes his key role in establishing and serving as Director of the Rocky Mountain Regional Center of Excellence for Biodefense and Emerging Diseases.

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REPORT ITEM:

Report: Sabbatical Revisions Approved for 2013

EXPLANATION:

Presented by Rick Miranda, Provost and Executive Vice President

The recommendations for changes to sabbatical leaves previously approved for 2013-2014 are listed below. These revisions are reviewed at the Department, College, and University levels and have received approval at each level. The requests have been evaluated and judged appropriate with strict adherence to CCHE guidelines.

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**Colorado State University
 Sabbatical Leave Revisions 2013**

College of Agricultural Sciences

Marco Costanigro

Agricultural and
 Resource Economics

Change to AY 2013-2014 to
 Spring 2014

College of Liberal Arts

Anita Pena

Fabiola Ehlers-Zavala

Economics

English

Change to AY 2014-2015
 Cancel Fall 2013

College of Veterinary Medicine and Biomedical Sciences

John Rosecrance

ERHS

Change AY 2013-2014 to
 Spring 2014

Warner College of Natural Resources

Julia Klein

Ecosystem Science and
 Sustainability

Change to AY 2013-2014 to
 AY 2014-2015

MATTERS FOR ACTION:

CSU: Sabbatical Leave Recommendations

RECOMMENDED ACTION

MOVED, that the Board of Governors approve the recommendations for sabbatical leave for Academic Year 2014-2015 for the Colorado State University faculty listed on the following pages.

EXPLANATION:

Presented by Tony Frank, President

The purpose of sabbatical leave is to enhance the faculty member's professional growth, enhance the institution's reputation and the students' educational experience at the institution, and increase the overall level of knowledge in the faculty member's area of expertise.

The recommendations for sabbatical leave have been reviewed at the Department, College, and University levels and have received approval at each level. In every case, the proposal has been evaluated and judged appropriate with strict adherence to CCHE guidelines.

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<u>Name</u>	<u>Department</u>	<u>Proposed Leave Dates</u>
<u>College of Agricultural Sciences</u>		
Andales, Allan	Soil and Crop Sciences	Fall 2014
Bauerle, William	Horticulture and Landscape Architecture	Fall 2014
Cotrufo, M. Francesca	Soil and Crop Sciences	AY 2014-2015
Graff, Gregory	Agricultural and Resource Economics	AY 2014-2015
Kroll, Stephan	Agricultural and Resource Economics	Spring 2015
Qian, Yaling	Horticulture and Landscape Architecture	Fall 2014
Paustian, Keith	Soil and Crop Sciences	AY 2014-2015
<u>College of Business</u>		
Golicic, Susan	Management	AY 2014-2015
Markman, Gideon	Management	AY 2014-2015
Martin, Kelly	Marketing	Fall 2014
Maynard, M. Travis	Management	Spring 2015
Rankin, Frederick	Accounting	Spring 2015
<u>College of Engineering</u>		
Chen, Suren	Civil and Environmental Engineering	Fall 2014
Jayasumana, Anura	Electrical and Computer Engineering	Fall 2014

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<u>Name</u>	<u>Department</u>	<u>Proposed Leave Dates</u>
Maloney, Eric	Atmospheric Science	AY 2014-2015
Popat, Ketul	Mechanical Engineering	Spring 2015
Thompson, David	Atmospheric Science	AY 2014-2015
<u>College of Liberal Arts</u>		
Browne, Katherine	Anthropology	Fall 2014
Burghardt, Carl	Communication Studies	Fall 2014
Correa, Maite	Foreign Languages and Literatures	Fall 2014
Cross, Jennifer	Sociology	AY 2014-2015
Cutler, Harvey	Economics	Fall 2014
Davis, Charles	Political Science	Fall 2014
Doe, Sue	English	Spring 2015
Doenges, Judy	English	AY 2014-2015
Hempel, Lynn	Sociology	Spring 2015
Hollenbeck, Eric	Music, Theatre, and Dance	Spring 2015
Howkins, Adrian	History	Fall 2014
Huibregtse, Gary	Art	Fall 2014
Jones, Walton	Music, Theatre, and Dance	Spring 2015
Kim, Joon	Ethnic Studies	Fall 2014
Leal, Francisco	Foreign Languages and Literatures	AY 2014-2015
Leisz, Stephen	Anthropology	AY 2014-2015

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Little, Ann	History	AY 2014-2015
Long, Kelly	History	Fall 2014
Long, Marilee	Journalism and Technical Communication	Spring 2015
MacKenzie, Matthew	Philosophy	Spring 2015
Magennis, Ann	Anthropology	AY 2014-2015
McShane, Katie	Philosophy	Calendar Year 2015
O'Donnell-Allen, Cindy	English	Fall 2014
Ore, Janet	History	Spring 2015
Pedros-Gascon, Antonio	Foreign Languages and Literatures	Spring 2015
Prince, Eric	Music, Theatre, and Dance	Fall 2014
Raynolds, Laura	Sociology	AY 2014-2015
Ryan, Ajean	Art	Fall 2014
Sagas, Ernesto	Ethnic Studies	Spring 2015
Sibold, Jason	Anthropology	AY 2014-2015
Sommer, Peter	Music, Theatre, and Dance	Fall 2014
Steensen, Sasha	English	Spring 2015
Tornatzky, Cyane	Art	Fall 2014
Unnithan, N. Prabha	Sociology	Fall 2014
Velasco, Marcela	Political Science	Fall 2014
Yarrington, Doug	History	Fall 2014

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College of Natural Sciences

Bates, Daniel	Mathematics	Fall 2014
Cooley, Daniel	Statistics	Fall 2014
Finke, Richard	Chemistry	Fall 2014
Moore, Janice	Biology	Fall 2014
Pentilla, Tim	Mathematics	AY 2014-2015
Steger, Michael	Psychology	Spring 2015
Van Orden, Alan	Chemistry	Fall 2014
Wu, Mingzhong	Physics	Fall 2014

Warner College of Natural Resources

Kampf, Stephanie	Ecosystem Science and Sustainability	Spring 2015
Klein, Julia	Ecosystem Science and Sustainability	AY 2014-2015
Lefsky, Michael	Ecosystem Science and Sustainability	Spring 2015
Paschke, Mark	Forest and Rangeland Stewardship	AY 2014-2015
Schutt, Derek	Geosciences	Fall 2014

College of Veterinary Medicine and Biomedical Sciences

Mama, Kursheed	Clinical Sciences	7/1/14 – 6/30/15
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REPORT ITEM:

Report: Sabbatical Requests Approved for AY 2014-2015

EXPLANATION:

Presented by Rick Miranda, Provost and Executive Vice President

The purpose of sabbatical leave is to enhance the faculty member's professional growth, enhance the institution's reputation and the students' educational experience at the institution, and increase the overall level of knowledge in the faculty member's area of expertise.

The recommendations for sabbatical leave have been reviewed at the Department, College, and University levels and have received approval at each level. In every case, the proposal has been evaluated and judged appropriate with strict adherence to CCHE guidelines. As delegated by the Board of Governors, Dr. Tony Frank, President, has approved all of these sabbatical leaves.

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Colorado State University Sabbatical Leave Requests for AY 2014-2015

Requests were received for 67 Sabbatical Leaves to be taken during the academic year 2014-2015.

The College of Agricultural Sciences had seven requests. Three of them are for full year sabbaticals, three are for fall semester only, and one is for the spring semester only. All of the sabbaticals will be conducted off-campus.

The College of Business had five requests. Two of these are for full year sabbaticals, one is for the fall semester only and two are for the spring semester only. Three of the sabbaticals will be conducted off-campus and two will take place in part on campus and in part off campus.

The College of Engineering had five requests. Two of these are for the full academic year and two are for fall semester only, and one is for the spring semester only. All five will take place off-campus.

The College of Health and Human Sciences had no requests for this year.

The College of Liberal Arts had thirty six requests. Eight of these are for the full academic year, one is for calendar year 2015, seventeen are for the fall semester only, ten are for the spring semester only. Fifteen sabbaticals will be off campus and twenty one will have time spent both on and off campus.

The College of Natural Sciences had eight requests. One of these is for the full academic year, six are for fall semester only, and one is for spring semester only. Seven of these sabbaticals will be off campus and one will have time spent both on and off campus.

Warner College of Natural Resources had five requests. Two of these are for the full academic year, one is for the fall semester only, and two are for the spring semester only. Two of these sabbaticals will be off campus and three will have time spent both on and off campus.

The College of Veterinary Medicine and Biomedical Sciences had one request. This request is for the full academic year and will be spent off campus.

This number of sabbatical leave requests is the same as last year, but is somewhat higher than in the past as indicated in the table below. This might be attributable to the timing of faculty hires over the past several years. Another factor might be the change in the economic climate of the state and the university.

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Sabbatical Leave Requests by College and Year

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
CAS	2	3	2	5	4	7
CHHS	6	4	2	4	0	0
COB	4	1	2	4	3	5
COE	5	3	2	4	3	5
CLA	15	18	18	23	34	36
CNS	8	10	6	8	16	8
CVMB	2	1	0	0	3	1
WCNR	4	7	5	5	4	5
Libraries	0	0	1	2	0	0
Total	46	47	38	55	67	67

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Approved

MATTERS FOR ACTION:

Approval of Degree Candidates

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the granting of specified degrees to those candidates fulfilling the requirement for their respective degrees at the end of the Fall Semester 2013.

EXPLANATION:

Presented by Tony Frank, President

The Faculty Council of Colorado State University recommends the conferral of degrees on those candidates who satisfy their requirements at the end of Fall Semester 2013. The Office of Enrollment Services has processed the applications for graduation; only those individuals who complete all requirements receive degrees.

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Approved

REPORT ITEM:

Colorado State University – Academic Calendar – Fall Semester 2018 through Summer 2020

EXPLANATION:

Presented by Tony Frank, President.

The Colorado State University Academic Calendar, approved by the Colorado State University Faculty Council at its November 5, 2013 meeting, for Fall Semester 2018 through Summer Semester 2020 is as follows.

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**ACADEMIC CALENDAR
 FALL SEMESTER 2018 THROUGH SUMMER 2020**

Fall Semester 2018

Aug. 16-17	Thursday-Friday	Orientation
Aug. 20	Monday	Classes Begin
Aug. 24	Friday	End Restricted Drop
Aug. 26	Sunday	End Regular Add
Sept. 3	Monday	Holiday - University Offices Closed - No Classes
Sept. 5	Wednesday	Registration Closes – last day for dropping courses without record entry, changes in grade option, and tuition and fee adjustment
Oct. 15	Monday	End Course Withdrawal (“W”) Period
Nov. 17	Saturday	Fall Recess Begins, No Classes Next Week
Nov. 22-23	Thursday-Friday	Holiday – University Offices Closed - No Classes
Nov. 26	Monday	Classes Resume
Dec. 7	Friday	Last Day of Classes; University Withdrawal Deadline
Dec. 10-14	Monday-Friday	Final Examinations
Dec. 14-15	Friday-Saturday	Commencement
Dec. 18	Tuesday	Grades Due
Dec. 24-26	Monday-Wednesday	Holiday – University Offices Closed
(79 Days, Including Final Examinations)		

Spring Semester 2019

Jan. 1	Tuesday	Holiday – University Offices Closed
Jan. 17-18	Thursday-Friday	Orientation, Advising and Registration for New Students
Jan. 21	Monday	Holiday – University Offices Closed
Jan. 22	Tuesday	Classes Begin
Jan. 25	Friday	End Restricted Drop
Jan. 27	Sunday	End Regular Add
Feb. 6	Wednesday	Registration Closes –last day for dropping courses without record entry, changes in grade option, and tuition and fee adjustment
Mar. 16	Saturday	Spring Break Begins – No Classes Next Week
Mar. 25	Monday	End Course Withdrawal (“W”) Period
Mar. 25	Monday	Classes Resume
May 10	Friday	Last Day of Classes; University Withdrawal Deadline

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May 13-17	Monday-Friday	Final Examinations
May 16-18	Thursday-Saturday	Commencement
May 21	Tuesday	Grades Due

(79 Days, Including Final Examinations)

Summer Session 2019

May 20	Monday	1st 4 Week and 12 Week Term Begins
May 27	Monday	Holiday University Offices Closed - No Classes
Jun. 14	Friday	1 st 4 Week Term Ends
Jun. 17	Monday	2 nd 4 Week Term and 8 Week Terms Begin
Jun. 26	Wednesday	Census
Jul. 4	Thursday	Holiday – University Offices Closed - No Classes
Jul. 12	Friday	2 nd 4 Week Term Ends
Jul. 15	Monday	3 rd 4 Week Term Begins
Aug. 9	Friday	8, 12 and 3 rd 4 Week Terms End
Aug. 13	Tuesday	Grades Due

SUMMER WITHDRAWAL PERIOD: Because Summer classes have different time periods, the last day a student can withdraw from a course with “W” entered on the record is ten days into the session for a four-week course, 20 days into the session for an eight week course, and 30 days into the session for a 12 week course. If there are any questions, please consult the Registrar’s office.

Fall Semester 2019

Aug. 22-23	Thursday-Friday	Orientation
Aug. 26	Monday	Classes Begin
Aug. 30	Friday	End Restricted Drop
Sept. 1	Sunday	End Regular Add
Sept. 2	Monday	Holiday - University Offices Closed - No Classes
Sept. 11	Wednesday	Registration Closes –last day for dropping courses without record entry, changes in grade option, and tuition and fee adjustment
Oct. 21	Monday	End Course Withdrawal (“W”) Period
Nov. 23	Saturday	Fall Recess Begins, No Classes Next Week
Nov. 28-29	Thursday-Friday	Holiday – University Offices Closed
Dec. 2	Monday	Classes Resume
Dec. 13	Friday	Last Day of Classes; University Withdrawal Deadline
Dec. 16-20	Monday-Friday	Final Examinations
Dec. 20-21	Friday-Saturday	Commencement

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Dec. 23	Monday	Grades Due
Dec. 25-27	Wed-Fri	Holiday – University Offices Closed
(79 Days, Including Final Examinations)		

Spring Semester 2020

Jan. 1	Wednesday	Holiday – University Offices Closed
Jan. 16-17	Thursday-Friday	Orientation, Advising & Registration for New Students
Jan. 20	Monday	Holiday – University Offices Closed
Jan. 21	Tuesday	Classes Begin
Jan. 24	Friday	End Restricted Drop, Special B*
Jan. 26	Sunday	End Regular Add
Feb. 5	Wednesday	Registration Closes – last day for dropping courses without record entry, changes in grade option, and tuition and fee adjustment
Mar. 14	Saturday	Spring Break Begins – No Classes Next Week
Mar. 23	Monday	End Course Withdrawal (“W”) Period
Mar. 23	Monday	Classes Resume
May 8	Friday	Last Day of Classes; University Withdrawal Deadline
May 11-15	Monday-Friday	Final Examinations
May 14-16	Thursday-Saturday	Commencement
May 19	Tuesday	Grades Due
(79 Days, Including Final Examinations)		

Summer Session 2020

May 18	Monday	1st 4 Week and 12 Week Term Begins
May 25	Monday	Holiday - University Offices Closed - No Classes
Jun. 12		Friday 1 st 4 Week Term Ends
Jun. 15	Monday	2 nd 4Week Term and 8 Week Terms Begin
Jun. 24	Wednesday	Census
Jul. 3	Friday	Holiday – University Offices Closed - No Classes
Jul. 10	Friday	2 nd 4 Week Term Ends
Jul. 13	Monday	3 rd 4 Week Term Begins
Aug. 7	Friday	8, 12 and 3 rd 4 Week Terms End
Aug. 11	Tuesday	Grades Due

SUMMER WITHDRAWAL PERIOD: Because Summer classes have different time periods, the last day a student can withdraw from a course with “W” entered on the record is 10 days into the session for a four week course, 20 days into the session for an eight-week course, 30 days into the session for a 12-week course. If there are any questions, please consult the Registrar’s office.

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Approved

MATTERS FOR ACTION:

2013-14 Academic Faculty and Administrative Professional Manual Revisions:
Section F.3.4.1 – Conditions and Procedures for Granting Sabbatical Leave

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the proposed revisions to the Colorado State University Academic Faculty and Administrative Professional Manual, Section F.3.4.1 – Conditions and Procedures for Granting Sabbatical Leave.

EXPLANATION:

Presented by Tony Frank, President.

The proposed revisions for the 2013-2014 edition of the Colorado State University Academic Faculty and Administrative Professional Manual have been adopted by the Colorado State University Faculty Council. A brief explanation for the revisions follows:

The proposed revisions to the Academic Faculty and Administrative Professional Manual, Section F.3.4.1 – Conditions and Procedures for Granting Sabbatical Leave, are requested to place the decision for granting supplemental pay during a sabbatical leave at the department level.

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NOTE: Revisions are noted in the following manner:
 Additions - underlined Deletions - ~~overseered~~

ACADEMIC FACULTY AND ADMINISTRATIVE PROFESSIONAL MANUAL
 REVISIONS AND ADDITIONS – 2013-14

F.3.4.1 Conditions and Procedures for Granting Sabbatical Leave

(Last revised June 22, 2006)

- a. The faculty member seeking sabbatical leave shall follow the procedures established by his or her academic unit. College deans or the Dean of Libraries, shall forward to the Provost, the names of faculty members recommended for sabbatical leave along with a detailed sabbatical plan. The detailed plan shall specify how the sabbatical will result in the faculty member's professional growth, enhance the institution's reputation and the students' educational experience at the institution, and increase the overall level of knowledge in the faculty member's area of expertise.
- b. Administrative members of the faculty are not eligible for sabbatical leaves. Department heads shall be eligible for sabbatical leaves.
- c. Absence is to be for not more than two (2) academic semesters in cases of faculty members on nine (9) month appointments, and for not more than one (1) calendar year in cases of faculty on twelve (12) month appointments.
- d. A faculty member may elect to take his or her sabbatical leave in two (2) or more different time periods, instead of all at once, providing that he or she is able to show that this is a more beneficial arrangement for his or her professional development and for the needs of his or her department. The total of such time periods with full pay shall not exceed one-half (0.5) of the term of his or her annual appointment, whether it be nine (9) or twelve (12) months, and each grant of such total time for leave shall be made only after six (6) years of previous full-time employment.
- e. The salary of a faculty member while on sabbatical leave shall be either one-half (0.5) his or her base salary for one (1) year nine (9) or twelve (12) month appointments) or full salary for one (1) semester for nine (9) month employees or full salary for six (6) months for twelve (12) month employees (except as provided in item "j" listed below). The base salary

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shall be the salary scheduled for the year of the semester in which the leave is taken. A faculty member who participates in PERA and is on half-pay (0.5) will receive service credit towards PERA to the extent provided for in PERA's statutes and policies. A faculty member who participates in the Defined Contribution Plan (DCP) will receive continued contributions during sabbatical leave in accordance with the DCP plan description. Faculty members on sabbatical leave are eligible for all benefits.

f. As a prior condition to the granting of sabbatical leave, the faculty member must agree in writing that upon expiration of leave he or she will return to his or her employment with the University for at least one (1) year (two (2) semesters for nine (9) month employees), and, if the individual fails to conform to the requirement, he or she will refund to the Board in full the salary and such other fringe benefits the University has paid in the individual's behalf during his or her leave as a prior condition of his or her release from the agreement.

g. Absence must be planned to permit conduct of work of the department or section with least inconvenience and least additional expense during the faculty member's absence. If more than one (1) member from the same department or section desires leave at the same time and absence of two (2) members would constitute a hardship to the department or section, either by handicapping the work or by causing too great additional expense, priority for leave shall be given to the faculty member longest employed by the University on a continuous regular appointment since any such type of leave.

h. The accumulation of service for sabbatical leave is limited to six (6) years. Periods of temporary employment do not count toward the accumulation for service for sabbatical leave.

i. During sabbatical leave, faculty members are permitted to accept part-time employment from an employer other than Colorado State University when that employment is directly related to objectives of their leave. There is no limit on the amount of remuneration which may be received for such employment. Any part-time employment of a faculty member on leave shall be in the professional field of work of the faculty member and shall be approved by the department head, dean, and Provost prior to the leave.

j. With the approval of the Office of Sponsored Programs, faculty members on sabbatical leaves are permitted to accept additional salary compensation from grants and/or contracts administered by Colorado State University, as long as the total compensation from all University sources,

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including contracts and grants, does not exceed the full-time base salary during the period of their sabbatical leave. This additional salary, including cost of fringe benefits, must be fully funded by the grants and/or contracts.

~~k. Faculty members on sabbatical leave cannot receive supplemental pay for duties performed for Colorado State University.~~

lk. Sabbatical leave is not granted for the purpose of taking substantially full-time employment in another assignment regardless of how closely related such employment may be to the technical field of the faculty member. Special leave without pay is intended to be used in such cases. This limitation does not extend to employment as faculty assistant or fellows or the equivalent by faculty members whose sabbatical leave is authorized for the purpose of study toward a higher degree.

ml. Requests for sabbatical leaves to commence within any fiscal year shall be submitted in the preceding fiscal year through the department head and dean to the Office of the Provost. The submission deadline shall allow faculty members at least thirty (30) days following the beginning of the fall appointment period to prepare their requests. The submission deadline may be extended when there are extenuating circumstances.

nm. Normally, time spent on leave does not count toward the accumulation of service for sabbatical leave. However, in special cases, time spent on non-sabbatical leave may count toward the accumulation of service for sabbatical leave. This requires that the details and rationale regarding the accumulation of service be stated in writing in the request for non-sabbatical leave, and that they be approved in writing by the Provost prior to the beginning of the non-sabbatical leave.

on. The faculty member on sabbatical leave is on University business, and shall be eligible for promotion and salary raises while on leave.

po. Sabbatical leaves may be spent at any location.

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Approved

MATTERS FOR ACTION:

Approval of Degree Candidates

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the granting of specified degrees to those candidates fulfilling the requirement for their respective degrees at the end of the Winter 2013 A Term (ending 12/22/13).

EXPLANATION:

Presented by Dr. Becky Takeda-Tinker, President of CSU-Global Campus

The Faculty of Colorado State University – Global Campus recommends the conferral of degrees on those candidates who satisfy their requirements at the end of the Winter A Term as part of the term-based degree conferral. The Office of the Registrar has processed the applications for graduations; only those individuals who have completed all requirements will receive their degree.

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Approved

Stretch Goal: N/A

Strategic initiative: N/A

MATTERS FOR ACTION:

Sabbatical leave report from CSU-Pueblo for AY2012-2013

RECOMMENDED ACTION:

No action required – report only.

EXPLANATION:

Presented by Carl N. Wright, Provost and Vice President for Academic Affairs.

INTRODUCTION:

This report consists of summaries of the reports prepared by the ten CSU-Pueblo faculty who had sabbatical leaves in the 2012-2013 academic year.

Pursuant to Section 23-5-123, C.R.S., sabbatical leaves may be extended consistent with board and institutional policy as a privilege and a benefit to members of the institutional faculty. The CSU-Pueblo Faculty Handbook section 2.11.2 (Sabbatical Leaves) states,

“The purpose of sabbatical leave is to provide tenured faculty an opportunity to engage in research, scholarly or creative activity, or otherwise enhance professional stature as teachers and scholars.” 2.11.2.2.i states in part that “Sabbatical leaves will be granted on the merits of the faculty member's application, the availability of funds, and institutional priorities... Faculty members must demonstrate in writing, as part of their application, a well structured plan involving research, scholarly or creative activity, study for advanced degrees outside their primary discipline, or other activities which will result in the faculty member's professional growth, increase the overall level of knowledge in the leave holder's area of expertise, and enhance the institution's reputation, and the students' educational experience.”

Per section 2.11.2.4 of the CSU-Pueblo Faculty Handbook, faculty who received sabbatical leave must submit a final report within three months of the end of the sabbatical period to their department chair (who forwards it to the respective Dean and Provost), which includes a summary of activities undertaken and benefits accrued.

Peter J. Billington, Professor of Management. During the Spring 2013 semester, Dr. Billington researched the area of Massive Online Open Courses (MOOCs) resulting in his participation as a student in three MOOCs, a paper presentation, a manuscript acceptance in *Journal of Higher Education Theory and Practice*, and a survey designed to measure the extent of faculty knowledge of MOOCs. He also initiated research in the area of creativity and developed an undergraduate course to be offered at CSU-Pueblo during the Spring 2014 semester entitled, *Creativity and Innovation*. In addition, Dr. Billington presented on leadership topics, two presentations of which were at international venues.

Jane M. Fraser, Professor of Engineering. Dr. Fraser's Spring 2013 semester sabbatical resulted in an engineering probability and statistics textbook that includes data sets and problems specifically designed to be relevant for engineering students. She was also invited to participate as a member of an evaluation team of Americans and Vietnamese for the United States Agency for International Development (USAID). The team visited a number of sites in Vietnam including colleges and universities, government agencies, and the Intel plant as part of the process of evaluating a USAID-funded program for the improvement of engineering education in Vietnam.

Yuan Long, Associate Professor of Computer Information System. Dr. Long's year-long sabbatical resulted in research, consulting, and the publication of a manuscript in the *Journal of Industrial Management & Data Systems*. Dr. Long's research for Shanghai Volkswagen in China was funded by Shanghai Automotive Industry Education Foundation and resulted in a presentation to the company and an extensive report. She also presented a case based on this work at the Human Computer Interaction International Conference in 2013 in Las Vegas.

Further, she participated in several MBA and Executive MBA classes at Fudan University (China) to observe teaching and learning there and to inform her own pedagogical practices.

Igor Melnykov, Associate Professor of Mathematics. During his sabbatical for the 2012-2013 academic year, Dr. Melnykov joined the faculty in the Department of Mathematics at Nazarbayev University (NU) in Kazakhstan as a visiting professor. In this capacity, he conducted research, developed curriculum, and enhanced his teaching skills while teaching two classes each semester. He received a NU faculty development grant to respond to an invited presentation on the K-Means algorithm widely used in clustering, his area of research. He also collaborated with other colleagues to publish a manuscript in this area and to submit a second manuscript this fall. He engaged in developing a statistics track in the Department of Mathematics that has subsequently been implemented and he provides on-going consultation into curricular design, program development, and student advising.

Jenny A. Piazza, Associate Professor of Education. The focus of Dr. Piazza's fall semester sabbatical was on integrating physical education and core classroom content in elementary schools. She conducted a literature review and developed lesson plans, including a variety of activities and performance-based assessments, for using physical education to teach content in elementary school classes. Dr. Piazza consulted with teachers in area schools and with faculty from the CSU-Pueblo exercise science program to develop, review, and evaluate the activities developed. A manuscript for sharing these practices is currently under development and will be submitted for publication in the Spring 2013 semester.

Jonathan A. Poritz, Associate Professor of Mathematics. Dr. Poritz spent his sabbatical year in activities related to the development of his research area of quantum computing or non-classical models of computation. During the fall of 2012 he collaborated with colleagues at Princeton University and at the Institute for Advanced Study which resulted in participation in reviewing submissions for journal publication. He is also collaborating with a researcher in Germany to develop and submit a NSF grant application to support further collaboration. Dr. Poritz presented a paper, *Universal gates in other universes*, at the Reversible Computation '12 conference in Victoria, Canada. As a result of participation in the 2012 American Association of University Professors Summer Institute, he presented at the October 2012 AAUP Shared Governance Conference and is expanding this topic and preparing a manuscript for publication.

Jonathan Rees, Professor of History. The Fall 2012 sabbatical semester allowed Dr. Rees to initiate and complete a number of research and writing projects. He completed much of the research and the first chapter of a new biography of Harvey Wiley, the first head of what would eventually be called the Food and Drug Administration. He also completed *Refrigeration nation*, a book that will be published by the Johns Hopkins University Press this fall. His article on the historiography of the Ludlow Massacre entitled, *Stories unions tell*, has been accepted for the compendium of the conference at the Pike's Peak Library District's annual symposium in June 2014. Dr. Rees also participated in a world history MOOC and then blogged about his experience to share his experience.

Hailu Regassa, Professor of Finance. Dr. Regassa's Fall 2012 sabbatical involved research and extensive financial analysis of two large companies, manuscript development, and the
CSU-Pueblo AY 2012-2013 sabbatical leave report

publication of an article dedicated to gasoline price volatility. He researched YUM Brands and Apple, including in-depth financial calculations such as growth, beta, cost of equity, company value, stock price, and sales and earnings performance. This research resulted in two draft manuscripts: *Valuing YUM brands and investment decision-making: A case study* and *Apple's valuation conundrum and comparative analysis of its financial performance with competitors*. Abhay Shah, Professor of Marketing. Dr. Shah conducted research during his Spring 2013 semester sabbatical. He collected and analyzed data from 1995-2012 on U.S. companies such as General Motors, Chrysler, and General Electric, on German companies such as Daimler Benz, BMW, and Bosch, on Japanese companies such as Toyota, Mitsubishi, and Sony, and on South Korean companies such as Hyundai and Samsung. He completed a manuscript exploring the effect of myopic management practices across cultures on spending on research and development and marketing activities and in turn, on the long-term viability of firms. The manuscript, *Culture and its effect on management myopia and performance: Comparing companies from short-term oriented cultures to companies from long-term oriented cultures* is currently being prepared for publication submission.

Brian Vanden Heuvel, Associate Professor of Biology. The Spring 2013 semester sabbatical of Dr. Vanden Heuvel was dedicated to completing two manuscripts and submitting a grant proposal. *Tailed fruit, bitter-brush, and mountain misery: Phylogeny of the actinorhizal subfamily Dryadoideae (Roseaceae)* will be submitted for publication by the end of the year, and *Group 1 Frankia diversity in soil* will be submitted during spring 2014. His grant proposal, *Mechanisms and factors controlling uptake of organic contaminants in crops: Tools to mitigate human exposure to contaminants of emerging concern* was submitted to the USDA Agriculture and Food Research Initiative Program in the amount of \$300,000. While not funded, the proposal will be refined and re-submitted in 2014.

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Debra J. DiMatteo
Approved

MATTERS FOR ACTION:

Report of Colorado State University-Pueblo sabbatical leave applications for AY

2014-15

RECOMMENDED ACTION:

No action required – report only.

EXPLANATION:

Presented by Carl N. Wright, Provost and Vice President for Academic Affairs.

REPORT ON APPROVED SABBATICAL LEAVES FOR AY2014-15

Sabbatical leave request for AY2014-2015 were submitted in October 2013. Per section 2.11.2 (Sabbatical Leaves) of the Faculty Handbook,

“The purpose of sabbatical leave is to provide tenured faculty an opportunity to engage in research, scholarly or creative activity, or otherwise enhance professional stature as teachers and scholars.”
2.11.2.2.i states in part that “Sabbatical leaves will be granted on the merits of the faculty member's application, the availability of funds, and institutional priorities... Faculty members must demonstrate in writing, as part of their application, a well structured plan involving research, scholarly or creative activity, study for advanced degrees outside their primary discipline, or other activities which will result in the faculty member's professional growth, increase the overall level of knowledge in the leave holder's area of expertise, and enhance the institution's reputation, and the students' educational experience.”

Pursuant to the Faculty Handbook, faculty may submit an application for sabbatical prior to completing 12 academic semesters of service. Therefore, those applicants's approval is contingent on their completion of 12 academic semesters.

The following individuals submitted proposals that were reviewed and approved at the department, college and university levels.

Dr. Jacob Chi*	Professor of Music	fall 2014
Dr. Juyun (Joey) Cho*	Associate Professor of Computer Information Systems	fall 2014
Dennis Dalton	Professor of Art	spring 2015
Dr. Kevin Duncan*	Professor of Economics	spring 2015
Dr. Darren Funk-Neubauer*	Associate Professor of Mathematics	fall 2014
Dr. Brad Gilbreath*	Associate Professor of Management	fall 2014
Sandy Hudock	Professor of	spring 2015

Library Services		
Dr. Nebojsa Jaksic*	Professor of Engineering	academic year 2014-2015
Dr. Chad Kinney*	Associate Professor of Chemistry	academic year 2014-2015
Dr. David Lehmpuhl	Professor of Chemistry	fall 2014 or spring 2015
Dr. Patricia Levy	Associate Professor of Psychology	spring 2015
Dr. Timothy P. McGettigan*	Professor of Sociology/anthropology	fall 2014
Juan Morales*	Associate Professor of English/Foreign Languages	fall 2014
Dr. Steven Norman*	Associate Professor of Management	spring 2015
Dr. Tim Peters	Assistant Professor of Teacher Education	academic year 2014-2015
Dr. Marc Pratarelli*	Professor of Psychology	fall 2014

*Sabbatical is conditionally approved and contingent upon completion by the faculty member of the time requirement as stated in section 2.11.2.1 of the 2013 faculty handbook.

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Approved

Stretch Goal: N/A

Strategic initiative: N/A

MATTERS FOR ACTION:

Report on CSU-Pueblo program reviews completed in AY2012-2013

RECOMMENDED ACTION:

No action required -- report only.

EXPLANATION:

Presented by Carl N. Wright, Provost and Vice President for Academic
Affairs.

INTRODUCTION

This report consists of the outcome of our program review process in AY2012-2013.

REPORT ON PROGRAM REVIEWS COMPLETED IN AY2012-13

As outlined in 1.2.6.2 of the Faculty Handbook, the duties of the Curriculum and Academic Programs (CAP) Board include being responsible for review of existing academic programs. A new self-study process was implemented for those programs undergoing review in AY2011-2012. From the “Guideline for Academic Program Self-study” maintained by the CAP Board,

“The primary purpose of systematic self-study is to maintain and support academic departments: teaching and learning; research, professional, and creative activity; and university service, community service, and outreach. It’s a vehicle by which departments can better understand if and how well programs are achieving their purpose and if not, what courses of action to take to make them more successful. The program review process ... represents a shift away from input-based evidence to a learning centered, outcomes-based approach to on-going improvement and planning. It is a conceptual and practical change in emphasis from conducting a program review to a useful meaningful inquiry into the program’s purpose and its effectiveness in achieving that purpose. The results of the program review should be integrated into the department and campus process of planning and budgeting. It also represents a shift from an episodic snapshot of the program’s effectiveness to a more relevant and useful on-going, continuous plan of action the department can use for renewal and improvement. The conclusions drawn from the program review are to be informed by evidence; that is, all claims about a program’s strengths, weaknesses, and proposed improvements are to be supported by relevant, valid qualitative and quantitative evidence. This contrasts with program reviews that are largely descriptive and based on advocacy of the program.”

The timeline for self-study development begins in the fall semester with a data-driven self-study draft submitted to the dean, an external reviewer selected in consultation with dean and chair, a report prepared by the external evaluator after a site visit and examination of the self-study, the convening of a campus seminar panel, with the CAP Board final analysis sent to the Faculty Senate for approval at the last Senate meeting in the spring semester. The explicit contents of the self-study report are:

- I. Cover Page
 - A. Program name
 - B. Program college/school
 - C. Year of review
 - D. Date self-study submitted
 - E. Name of program chair

- II. Executive Summary (maximum of two pages)
 - A. Key findings
 - B. Planned action steps

- III. Response to Review Standards*
 - A. Response to each review standard

- B. Supporting documents and data
- IV. Supporting Documents
- A. External Reviewers Report
 - 1. Program strengths
 - 2. Program challenges, areas for improvement
 - 3. Summary of recommendations
 - B. Dean's Seminar Review Panel results summary
- V. Program Development Plan

*-standards are listed at the end of this document

All documents are maintained on the University's internal (I) drive, accessible by all campus faculty.

Programs within the following departments were reviewed by the CAP Board in spring 2013:

Civil Engineering Technology
 Engineering Mechatronics
 Industrial Engineering
 Masters in Industrial & Systems Engineering
 Exercise Science and Health Promotion
 English
 Political Science

*-Seven standards are addressed in the program review self-study narrative; departments provide information as follows:

Standard 1. The purpose of the program reflects and supports the mission and strategic vision of Colorado State University-Pueblo and the mission of its school or college.

Please reflect on the following:

1. Purpose of the program
2. Alignment of the purpose with the campus mission and the program's school or college
3. Distinctive aspects of the program
4. The primary strengths and challenges of the program

Required documentation:

1. Mission/purpose of the program
2. Campus mission statement
3. Campus strategic plan

Standard 2. The program engages in on-going, systematic planning that reflects the campus strategic priorities.

Please reflect on the following:

1. Program's goals (desired big-picture results or purposes) and objectives (specific, measurable things the program will accomplish, at least one of which will be related to teaching and learning)
2. Process for developing and revising the goals and objectives
3. Relationship of the programs goals and objectives to program activities (i.e., describe the activities that accomplish the goals and objectives of the program)
4. Process of implementing the program goals and objectives

Required documentation:

1. Description of the program's ongoing planning process
2. Program's strategic plan

Standard 3. The program provides and evaluates a high quality curriculum that emphasizes student learning as its primary purpose.

Please reflect on the on the following:

Curriculum

1. Alignment of the curriculum with disciplinary standards
 - A. Establishment of and adherence to pre- and co-requisite courses
 - B. Rationale for selection and organization of courses in the curriculum
 - C. Logic, sequence, and coherence of the curriculum
2. Amount of time needed to complete the program
3. Multi-or interdisciplinary strengths of the programs
4. Alignment of curriculum to meet general education needs
5. Role of service course offerings that support other programs
6. Statement of course objectives that reflect the expected student learning outcomes of the program in all syllabi, including general education course offerings
7. Internal processes employed by the program to modify the curriculum

Learning Outcomes Assessment

1. Learning outcomes are observable, measureable statements of what students will know or be able to do upon completion of the program
2. The curriculum (i.e., course objectives) is aligned with the program's student learning outcomes
3. Assessment measures effectively evaluate the student learning outcomes and inform curricular decision-making
4. Assessment results are consistently used to make changes to the curriculum

5. The assessment process, including program improvements, is documented

Required documentation:

1. Catalog copy of program curriculum
2. Curriculum and advising checklists
3. Frequency of course offerings and mean class size for each of the previous five years
4. Number of majors and minors for each of the last five years
5. Time to degree for program graduates for each of the previous five years
6. Program's current assessment plan
7. Program's assessment reports for the previous five years
8. Current curriculum map
9. Transfer Guide and Four-Year Plans

Faculty Resources, Teaching, Scholarship, and Service

Standard 4. The program has sufficient faculty resources to meet its mission and goals.

Please reflect on the on the following:

1. Credentials of full-time and part-time faculty and instructional staff
2. Appropriateness of background of faculty for teaching in the program
3. Representativeness of faculty in terms of demographics, tenure, and diversity
4. Continuing growth of faculty as teachers and scholars
5. Adequacy of professional and pedagogical development opportunities for faculty
6. Presence of a positive, productive work environment in the department
7. Evidence of equitable distribution of instructional loads among faculty
8. Standards for faculty review, tenure, and promotion
9. Orientation of faculty and instructional staff, including teaching assistants, to goals and student learning outcomes of program

Required documentation:

1. Distribution of age, tenure status, gender, and ethnic origin of faculty
2. Credentials for all full- and part-time faculty for the last academic year
3. Summary of sponsored research activities for all faculty
4. Summary of scholarly and creative activities by tenure-line faculty
5. Summary of service activities by tenure-line faculty
6. Current CV for full-time faculty
7. FTE for program faculty for previous five years
8. SCH production for previous five years
9. Course load by instructor for the past five years

Standard 5. The program attracts, retains, and graduates high-quality students.

Please reflect on the on the following:

1. Diversity of student populations
2. Enrollment patterns relative to institutional and national enrollment patterns
3. Future viability of the program in terms of enrollment
4. Academic qualifications of students admitted compared to those of all CSU-Pueblo students
5. Accuracy and consistency of student advising, mechanisms to monitor progress toward degree and use of training to provide quality advising
6. Opportunities for students to engage in faculty research, independent study, study abroad, internships, honors courses, student organizations and other enriching activities that promote retention and graduation
7. Processes and activities to recruit and retain students
8. Student performance on licensure or professional exams relative to regional and national standards
9. Adequacy of financial support/opportunities to recruit and retain high-quality students

Required documentation:

1. Five-year program profile to include 1) the number of women, first generation, ethnic minority, and international students in the program; and 2) number of students graduated each year
2. For programs with specified admissions standards, 1) entry requirements for admission to the program, 2) the number of applicants to the program, 3) the number of students admitted to the program, and 4) the academic qualifications of admitted students
3. Number and types of minors completed by students in the past five years
4. Employment or graduate degrees held (or in progress) by graduates
5. Summary of student, alumni, and/or employer survey responses

Administrative Structure and Operational Resources

Standard 6. The program has an administrative structure that facilitates achievement of program goals and objectives.

Please reflect on the following:

1. Processes in place to ensure efficient and effective decision-making, and shared governance
2. Support for department chairs/associate deans and others in department or program leadership roles
3. Faculty involvement in ongoing program activities such as assessment; curriculum development, review, and revision; and tenure and promotion standards
4. Involvement of students, alumni, and other program stakeholders in program decision-making
5. Evaluation of chairs/associate deans, faculty, and staff

Required documentation

1. Organizational chart
2. Minutes of relevant department meetings

Standard 7. The program has adequate resources to meet its goals and objectives.

Please reflect on the following:

1. Adequacy of the budget to support the mission and goals of the program
2. Currency and adequacy of facilities and laboratories, instructional technology, and library resources to support the mission and goals of the program
3. Documentable program faculty and staffing needs
4. Effective and appropriate use of faculty and staff

Required documentation:

1. Equipment, travel, technology, and operating budgets for the past five years
2. List of major facilities and equipment
3. List of major hardware and software used by the program
4. List of major library resources, databases, and journals
5. List of support personnel, including non-teaching graduate students

SUMMARY REPORT FOR PROGRAM REVIEWS 2012-2013

Civil Engineering Technology

Strengths:

- Strong reputation among local and regional companies that hire graduates and interns.
- Strong industrial advisory committee with representation from all of the Front Range.
- This is one of only two CET programs in the state of Colorado with the second being at Metropolitan State University of Denver. The closest similar program outside of Colorado is at New Mexico State University.
- Graduates very successful in obtaining positions in their discipline.
- Faculty meet ABET requirements including the three years of industrial experience.
- Well balanced learning outcomes that are developed throughout the curriculum with multiple exposures to content.
- Experienced leadership with significant experience in accreditation and experience managing a high quality program with limited resources.
- Aging infrastructure within the state and country will require significant investment to rebuild and requiring the services of graduates of disciplines such as Civil Engineering Technology.

Weaknesses:

- With one of the faculty members serving as the Department Chair and a second serving as a program chair, the program is understaffed, relying on part-time instructors to meet needed course scheduling.
- Program is having difficulty finding part-time instructors holding masters degrees.
- Enrollment is stable but marginal. Current enrollment numbers have resulted in a low number of graduates completing the program every year suggesting a need for growth.
- Program is hidden in a college and building without direct recognition or signage for the program.

Recommendations:

- Develop an enrollment management plan utilizing information regarding the success of CET graduates. The plan should focus on the southern Colorado region with particular emphasis on communities that have provided students in the past. This will require improving communications with graduates.
- Continue the review, updating, and implementation of assessment processes meeting the needs of both discipline specific accreditation such as ABET and institutional accreditation through the Higher Learning Commission.
- Expand outreach in the community through senior projects and club service projects increasing the visibility of the program in the community.
- Look for innovative ways to attract qualified civil engineering practitioners to teach design courses in order to enhance the breadth of CET Curriculum.

Engineering Mechatronics/Industrial Engineering*Strengths:*

- The curriculum is current with constant review and updating based on accreditation and professional standards.
- Strong ties with local industry including service on advisory boards, providing part-time faculty, sources for senior projects, and student internships.
- The popularity of automation and robotics leading to a growing enrollment particularly in the BSE.
- The faculty is active in program decisions and University level governance.
- Significant interaction between faculty and students keep students engaged in their learning.
- Stable faculty with a high percentage of full professors and tenured faculty.
- Availability of student support and tutoring through CO-AMP grant funding.

Weaknesses:

- Graduation rates which are being increasingly scrutinized.
- Need a better data management system.

- Need to address ABET weakness due to the lack of technical lab support.
- ABET Concern regarding technical writing skills.

Recommendations:

- Find an immediate solution to the weakness identified by the ABET accreditation process.
- Systematically track the employment and professional advancement of graduates and use this positive information to promote the program.
- Identify primary causes for students dropping out of college or changing majors out of engineering and attend to these causes when possible.
- Consider the role of distance education as a means to grow Industrial Engineering enrollment.

Masters in Industrial & Systems Engineering

Strengths:

- Highly qualified and committed faculty
- High scholarly productivity of faculty.
- Strong graduation rate and success of graduates
- Efficient scheduling and co-listing of courses reduces the faculty allocation to the graduate program to about 1.0 FTE
- Close collaboration with industry resulting in applied industrial research

Weaknesses:

- High cost of engineering programs
- The assessment plan in place during the review period was inadequate and poorly implemented
- Lack of funding for graduate students that is necessary to attract domestic students

Recommendations:

- Careful attention needs to be given to the new approved assessment plan. Evidence needs to be collected and analyzed to insure that the program is meeting its student and program outcomes. The assessment plan should also be reviewed and improved regularly with a clear understanding that outcome of assessment should be of value to the program providing a mechanism for continuous improvement.
- The two undergraduate programs in engineering have separate industrial advisory boards but the MSISE Program relies of feedback primarily from the BSIE advisory board. It may be helpful to have a separate and distinct advisory board for the graduate program with members from industry and higher education. Particular efforts should be made to distinguish this program from other similar programs in the state.
- The applied projects that graduate students have completed for industry, non-profits, government, and the community are not seen or understood by anyone outside of the

Engineering Department. Efforts should be made to compile these accomplishments with particular attention to activities that are newsworthy to increase the visibility of the department and engineering.

- Efforts should be made to increase the gender and ethnic diversity of the students in the program. The limited funds for student support should be strategically used to enhance this effort.

Exercise Science, Health Promotion, and Recreation

Strengths:

- The curriculum is current with constant review and updating based on accreditation and professional standards.
- The program has had an exceptional leader with passion for the program and the ability to get the most from faculty, staff, and students.
- Highly qualified and committed faculty that work together to improve student learning.
- High scholarly productivity of faculty.
- Growing enrollment.
- Multiple opportunities for students to have “hands on” experiential learning experiences.
- A very low cost per student FTE generated.

Weaknesses:

- Faculty and staff are overworked. Morale is declining with the high likelihood of burnout if nothing is done to add staff.
- Too many classes are taught by part-time instructors over extending the availability of qualified instructors.
- Classroom and laboratory space is at capacity for current number of students.

Recommendations:

- Demonstrate the need for an increase in staffing that includes the benefits that could be realized by the University as a result of this increase. Calculate the number of faculty that could be added to the program without the cost per FTE generated going above the low cost range. Estimate how many more students could be supported if that level of staffing were added to the program.
- Develop plans to cap enrollment and set benchmarks such as dates and/or enrollment numbers that will trigger the implementation of these enrollment cap measures.
- Expand the avenues by which part-time instructors can be certified as qualified to teach experiential courses.
- Systematically track the employment and professional advancement of graduates.

English

Strengths:

- The ranked faculty members show a versatility of expertise, and in conjunction with experienced lecturers occasionally teaching in their areas, the department is able to offer a wide range of courses to majors.
- It was noted by the external reviewer that the curriculum mirrors best practices in the discipline. While some departments nationally have been slow to expand their interests beyond literary criticism, the CSU-Pueblo English program offers tracks in literature, professional writing, creative writing, and secondary teaching.
- The major is healthy on campus, attracting and graduating students at a growing number.
- The program has had a history of a good assessment process, and stimulated conversation in the department that has led to program improvements.

Challenges:

- The number of faculty is limited to service all the tracks. While there are faculty members for each, best practice would be to have more than one in each area. This will always be a challenge for a relatively small department.
- The program has no physical space or place to call home. It may be beneficial if the faculty and students could find their own space as a “Home”. An alternative would be regular meetings somewhere to support and develop major esprit de corps.
- Many of the ranked faculty members are newly-hired, although they are making good progress to tenure and promotion.
- Long-time lecturers provide an important service to the department, but they are underpaid and need support for their work.

Recommendations:

- Improve assessment processes such that there is broader departmental participation/responsibility and that assessment data informs meaningful curricular changes and is reported annually.
- Develop a strong undergraduate research program and/or e-portfolio/e-journal opportunities for students.
- The program should seek to hire another faculty member to fill the vacant position. The expertise should be Post-Victorian British literature, but the department needs to find someone that has flexibility to contribute to other areas as well.
- Lobby to define and create a “Senior Lecturer” position with the Faculty Senate.
- Newly-hired ranked faculty should have a tenure and promotion plan worked out with the chair.
- The department needs to educate its students about career opportunities and the value of the English BA degree. This information should be included on the web site, and discussed in classes more often and more consistently.

Political Science

Strengths:

- The program is staffed by highly competent faculty members who work well together as a group.
- The program has added the Homeland Security certificate and minor, which are proving successful.
- The program is home to two research centers, which have potential for the future: Center for Homeland Security, and the Center for Leadership and Community Development.
- Despite the fact that the program is housed with another major program—History—in the same department, this administrative structure has not caused significant problems for the program.
- The program has a reputation for academic rigor and high expectations for its students.
- The four emphasis areas have been reevaluated and modified by the faculty, with catalog changes expected in print next year.

Challenges:

- The department has made progress in developing an assessment plan and at least two years of reports on those plans, but clarity and revision of student learning outcomes, and measurable performance on those outcomes are not clear or complete. Improvements in program assessment with faculty involvement are needed.
- The department has stable enrollment of majors over the last ten years, although the university has grown, and the national trend is for more majors in Political Science. In addition, the number of graduates within 4-6 years seems low for a program this size.
- The Centers administrated through the program have an ambiguous relationship to the teaching and learning mission of the department. Students have expressed an interest in undergraduate research, and discipline-based community involvement that is currently not being met.
- The program has a limited number of faculty members with enough teaching assigned time to service all of the upper-division courses.

Recommendations:

- The program coordinator and faculty members will revise, expand and improve their current assessment processes, leading to more reliable data to improve student learning. The dean, in conjunction with the Assistant Provost for Assessment, will hold a meeting within one year at which time Faculty in the program can report on their new/improved assessment plan and data inputs, and how it is improving the curriculum.
- The program will research and target a larger number of majors and larger number of students who graduate, and take whatever actions necessary to improve the number of majors and graduates from the program.
- The program will develop creative ways to incorporate community-based research, service-learning, and internship opportunities for students in conjunction with the Centers for Development of Leadership and Community and the Center for Homeland Security.

Board of Governors of the
Colorado State University System
December 3, 2013
Report Item


Approved

Stretch Goal: N/A

Strategic initiative: N/A

MATTERS FOR ACTION:

Report of the Colorado State University-Pueblo – University Calendar AY 2014-2015

RECOMMENDED ACTION:

No Action Required – report only

EXPLANATION:

Presented by Carl N. Wright, Provost and Vice President for Academic Affairs.

The Colorado State University-Pueblo University Calendar for AY 2014-2015 is as follows.

UNIVERSITY CALENDAR 2014-2015

FALL**2014*****Graduation Planning Sheets Due***

Jan. 31 (14)

Registration Begins

Mar. 10

Classes Begin

Aug. 25

End Add Period (full-term courses)

Aug. 29

End Drop Period (full-term courses)

Sept. 8

End of Full-term Course Withdrawal Period

Oct. 24

Thanksgiving Break

Nov. 24-28

Classes End

Dec. 5

Final Exams

Dec. 8-12

SPRING**2015*****Graduation Planning Sheets Due***

Sept. 12 (14)

Registration Begins

Oct. 20 (14)

Classes Begin

Jan. 12

End Add Period (full-term courses)

Jan. 16

End Drop Period (full-term courses)

Jan. 26

End of Full-term Course Withdrawal Period

Mar. 13

Spring Break

Mar. 23-27 (tentative)

Classes End

Apr. 24

Final Exams

Apr. 27-May 1

Commencement

May 2

SUMMER**2015*****Graduation Planning Sheets Due***

Jan. 30 (15)

Registration Begins

Oct. 20 (14)

First 4, 6 and 12-week Sessions

Classes Begin

May 11

Memorial Day (University Closed)

May 25

Classes End

First 4-week

June 4

First 6-week

June 18

12-week

July 30

Second 4-week Session

Classes Begin

June 8

Classes End

July 2

Independence Day Observed (University Closed)

July 3

Second 6-week Session

Classes Begin

June 22

Independence Day Observed (University Closed)

July 3

Classes End

July 30

Third 4-week Session

Classes Begin

July 6

Classes End

July 30

*** Note - These Calendars are planned in advance and are subject to change.
Unless otherwise stated, the University is open and classes will be held as scheduled.**

Board of Governors of the
Colorado State University System
December 3, 2013
Report Item


Approved

Stretch Goal: N/A

Strategic initiative: N/A

MATTERS FOR ACTION:

Career Center Report

RECOMMENDED ACTION:

No action required – report only.

EXPLANATION:

Presented by Carl N. Wright, Provost and Vice President for Academic Affairs.

INTRODUCTION:

This report is a summary of the structure and efforts put forth by CSU-Pueblo Career Center and Alumni Relations offices to support our students, alumni, campus community and community at-large as of November 2013. These two centers work in collaboration with all academic departments to provide a variety of services including advising, networking and placement opportunities to all students and alumni of our university.

Career Center

The Colorado State University-Pueblo Career Center supports the mission of the University in providing career services to all students and alumni. These services include but are not limited to assisting students in determining a major choice declaration, exploring majors, and deciding what to do with that major. Career coaching includes assisting students in developing a career objective, a career plan to get them there, providing information about obtaining relevant work experience, whether it be obtaining an internship, part-time, or full-time employment. Providing the opportunity to teach students the skills necessary to conduct a successful self-directed job search. This includes creating a professional Resume, practice with interviewing skills, phone interviews, Skype interviews, dressing for the interview and employment following college. Finally, coaching students and alumni on how to effectively search for a job in a highly technological competitive job market.

The current structure of our Career Center reports directly to the Provost & VP Academic Affairs, and is managed by one full time professional, Director, and two part-time work study students for Fall and Spring. (Summer one full time work study student). Internship and

Employer Relations Coordinator is currently vacant since July 2012, but plans are to hire in Spring 2014.

Over the past 16 years the Director of the Career Center has created a collaborative relationship with all academic departments across campus serving all 28 undergraduate majors and 10 graduate programs. In addition, to relying on building relationships with key faculty, the director handles Employer Relations activities as well. All calls from the University Operator that inquire about off campus employment of our students and alumni are routed to the Career Center. The Career Center responds to off campus employers and coordinates job posting and recruiting efforts. Working with employers to fulfill their staffing needs or assisting with all recruiting efforts. Coordinating classroom information sessions, or hosting on campus recruiting events and lunches with faculty.

The following information describes in greater detail the Career Center efforts and activities as they relate to assisting our students for career success and placement.

Location: Career Center, Library Academic Resources Center, Suite 187

Hours: 8:00 a.m. – 5:00 p.m. Monday-Friday

Web address: www.colostate-pueblo.edu/careercenter

Staff: Michelle B. Gjerde, Director, 16 years experience (1 FTE)
 Internship & Employer Relations Coordinator, (Vacant since July 2012)
 (2) part-time work-study, Student Employees (Career Assistants) Fall & Spring,
 (1) work-study in the summer.

CSU-Pueblo 2013 Career Center report

Mission: To provide career services to all students and alumni of Colorado State University-Pueblo. Serving a student population of approximately 5, 200. These services include assisting students to develop a career objective, obtain relevant work experience, and learn the skills necessary to conduct a successful self-directed job search.

Memberships: NACE, National Association Colleges and Employers
 CCSA, Collegiate Career Services Association of Colo. and Wyoming
 AAEE, American Association for Employment in Education
 SCIPMA-HR, Southern Colorado International Public Management Association for Human Resources

Career Planning: assist students in identifying their skills, values, and interests as they relate to their career or major choice. The career center offers web-based resources:

- **Strong Interest Inventory (STRONG) assessment** provides a powerful method for matching the interests of an individual with opportunities for jobs, education, and leisure activities.
 - **Effective 2012 - Student Financial Services** has added that students on academic probation are required to make an appointment with the Career Center and show proof of taking the Strong and a Career Plan to the appeals board.
- **What Can I Do With This Major?** Added to the Career Center webpage in 2008 on-line resource. There are 82 majors in the software program that assist with advising a student with what they can do with the major. Describes careers and employers that hire, and strategies to be best positioned to be hired by those various employer types.
- **Career Spots Videos** were added in 2012 to the Career Center webpage and available to academic advisors, faculty, and staff.
- **NACE Salary Calculator** added in 2012 to the Career Center webpage and available for students, faculty, staff and employers.
- Books, **Job Choices** magazines, Hispanic Business, Careers for Engineers, Computer and Science. Company literature & videos that provide valuable career planning information on specific majors.
- **Class Presentations** are conducted each semester by the Director on Résumés and Career related subjects as requested by professors. Especially included on syllabi in US 151, AIM 101, CET 101, CM 101, BusAd 101, & PLP. Senior Seminars AIM 405, Graphic Design, Mass Communications, History, Business, Psychology, English, EXHPR, CHAMPS, CET, CM, MSISE, PLP. Approximately 48 classes each year.

Career Development: Career Center works closely with all academic departments to coordinate internships. Internship offerings are available in the Career Center, on our website, and through academic departments. (Internship Coordinator position vacant since 7/2012)

Career Coaching: by appointment or on-line the director coaches/advises students in

developing successful job-search documents and skills:

- Résumés
- Cover Letters
- Interviewing Techniques
- Effective Job Search Strategies

Job Postings: Career Center is responsible for all **off campus** employment.

Postings can be found via the webpage: www.colostate-pueblo.edu/careercenter Career Twolves

Career Center assists Student Financial Services Student Employment with information on how to apply for Work-Study and creating a Resume for On-Campus Employment.

Career Websites: assist students in their search for internships and full-time employment, the Career Center currently sponsors several websites:

Career Center www.colostate-pueblo.edu/careercenter

Career Wolves www.myinterfase.com/colostate-pueblo.edu

GradSchools.com www.gradschools.com

Career Fairs:

The Career Center sponsors three large fairs each academic year.

- **Internship Fair** held annually in Fall with exception of Fall 2013 (no staff)
- **Spring Career Fair**, held first Wednesday, in March. *All students are encouraged to attend and learn about careers within their major, internship programs, summer jobs, and professional employment following graduation.*
- **Teacher Education Fair:** held every April. *Teacher qualified students, alumni, and community are encouraged to attend this event to interview for teaching positions in Colorado.*

On-Campus Recruiting:

Recruiting on campus by employers includes part-time jobs, seasonal and summer jobs, internships and full-time professional employment after graduation. All on campus recruiting activities by employers are coordinated by the Career Center. On campus recruiting happens in Fall and Spring.

- On campus interview program
- Employer Information Sessions
- Employer tabletop displays Recruiting in Occhiato Student Center or Library
- Classroom presentations at faculty discretion-career center director moderates.

***Fall 2013 On-Campus Recruiting Highlight Activities –**

- Advantage Technical Resourcing (Ford Motor Company) *36 AIM students attended Info. Session, 16 interviewed for Service Engineer Technical Hotline, both full-time and internships*
- Federal Reserve Bank of Kansas, *6 Business, MBA, Econ students interviewed*

- Colorado Department of Corrections, *Information Sessions 30-Nursing, Sociology, Criminology, Psychology students attended*
- Sherwin-Williams Automotive Finishes, *50 students attended Information Sessions, 3 AIM students interviewed for Management Trainee*
- Eaton Corporation, *40 students from AIM and Business attended Information Session, 12 students interviewed for Customer Service Internships and Truck Associates*
- Cummins, Inc. *40 students AIM, Business, MBA attended information session, 9 students interviewed for RapidServ Engineer*
- MHC, Murphy Hoffman Company, *45 students AIM attended information session, 13 students interviewed for Manager Trainee*
- Subaru of America, *40 students AIM, Mass Comm, Business, attended information session, 15 students interviewed for Regional Parts & Service Specialists*
- Reynolds and Reynolds, *60 students AIM & Business attended Information Session*
- El Pomar Fellowship Program, *Information Session, PLP, Open to all majors.*
- Enterprise Holdings, *Information Session, 50 Business students will attend Information Session, regarding Manager Trainee positions*
- U.S. Maries-Hosted *Information Table. All students*
- Northwestern Mutual Financial, *Information Table Great Hall, Financial Advisors and Internships, Open to all students.*

Career Related Seminars:

Each year the Career Center coordinates career related events, contracting speakers to present to the campus community. (These are coordinated as funds are available.)

- ***Fall 2013 Highlight Event. “Preparing for your Future-Dining For Success, Etiquette Training”.** Collaboration between Career Center, HSB, & Student Fees. Event is held annually for past 16 years. 120 students, community leaders, and staff. Dr. Jaki Taggart, Professor of Business, Pikes Peak Community College, was the trainer this year, the event was held at The Waterfront on the Riverwalk and The Center for American Values.
- **Pre-Law Advising Panel-**Students speak have an opportunity to ask a panel of attorneys about careers in law.

- **Investing 101**, presented by Security Service Credit Union, presented by Michael Salardino, Financial Advisor

Placement Data:

Annually the University administers a Graduation Survey on-line via the Student TWolf Portal to all students that have completed a Graduating Planning sheet. The survey is open November through July. Data is housed with the Institutional Research Office and the Alumni and Foundation Office. Placement of our graduates is gathered through multiple methods and reported to the Alumni and Foundation. The alumni office follows up with our graduates at various intervals. It is my understanding the Director of Alumni will be supplying the most current placement data available for this report.

It is my intention to reinstate a graduation survey this May 2014 to our graduates during the cap and gown pick-up process. Those efforts have been halted since 2009.

Alumni Relations

The CSU-Pueblo Office of Alumni Relations prides itself on being a resource to our students, alumni, campus community and community at-large.

Therefore, the ways that we are able to assist and track our students' career goals and achievements leading up-to and following graduation can be best explained under the headings of:

- How we assist current students in achieving their career goals
- How we track placement of our students/alumni
- Data supporting current efforts

How the Office of Alumni Relations Assists Current Students:

- Student to Business Annual Networking Mixer
 - During spring of 2012, the CSU-Pueblo Alumni Association Board of Directors engaged in a strategic planning process for the Alumni Association.
 - Goal number one of the plan was in reference to networking opportunities for both alumni and current students.
 - The Alumni Association established a Student to Business Annual Networking Mixer held in conjunction with the Spring Career Fair. This event brings together business leaders (majority of whom are alumni) and current students in a business mixer setting to teach students the benefits of networking and how to network in a social setting.
 - The event has proven quite successful and has become a signature event of the Alumni Association. In 2013, student participation at the event doubled from the previous year; event follow-up surveys from students provided positive feedback and appreciation for the event.
- Classroom Guest Speakers
 - In addition to the networking event, numerous alumni participate in panel discussions within many departments on campus.

- For example, within the Mass Communications Department, alumni are invited to the senior seminar class to speak about their career paths, discuss career opportunities and current trends in the field, and to give students an opportunity to meet with professionals and ask questions.
- Many times, these presentations connect alumni with students and ultimately provide internship, mentoring and job shadowing opportunities.
- One-on-One meetings
 - Also, through the Office of Alumni Relations, although it is not a formal program, the director will meet with students as requested and arrange meetings between working professionals and current students interested in a specific field.
 - Many times the end result of these meetings proves quite positive resulting in internship or mentoring opportunities or career placement.
- Additional Resources
 - Students also have the opportunity to request to be included in the Alumni Association's LinkedIn community.
 - This provides students an opportunity to connect directly with alumni and begin networking for employment opportunities.

Placement Tracking of Students/Alumni:

- Currently we track student (recent graduate) placement the following ways:
 - Students are asked to complete an electronic graduation survey when they pick up their cap and gown prior to commencement.
 - This survey requests employment and salary information.
 - Once students' degrees are conferred, their data, (including the graduation survey data), is exported directly to the alumni database.
 - When degrees are mailed to students, they receive a letter from the Alumni Association along with a hard copy of this survey as well.
- Tracking graduate/alumni placement data is an on-going effort through the Office of Alumni Relations.
 - The office receives alumni updates on a daily basis and all data is entered into the alumni database.
 - Updates are acquired through electronic and print means, along with telephone calls from alumni providing their updated information.
 - During 2014, the Office of Alumni Relations will be working with Harris Connect to compile data for the upcoming issue of the Alumni Directory.
 - Harris Connect will contact alumni for updated information as well and this information will be downloaded into the alumni database.

Data Supporting Current Efforts:

- Current placement data illustrates an approximate 27% response rate from the graduate surveys that were returned between 2009 - 2013.

- This number is based upon the number of graduates for the given years and the responses received either electronically or hard copy sent directly to the Office of Alumni Relations.
 - ***Please note this information is self-reported from the students; additional consideration should be given to where the graduate resides and the employment market for the graduates' particular major in their area.***
- This data illustrates that the salary range for those graduating from the University ranges between \$15,000 to over \$60,000
- The larger groups to respond to the survey consist of the following majors: sociology and social work, nursing, mass communications, EXHPR, civil engineering technology, business management and biology.
- With the importance in higher education that is being placed on graduate placement rates and the critical nature of capturing this information, I would be interested in discussing further campus collaboration for capturing this data in a comprehensive manner.
- Please note that over the past five years, the Office of Alumni Relations has continuously improved the gathering of data in relation to alumni employment and graduate placement rates.

CSU Career Center

Report for the Board of Governors

December 2, 2013

Mission

1. CSU student excellence in exploring, enhancing, explaining, and experiencing their future plans.
2. Relationships with a diverse-array of employers in every industry, educating them on best practices for hiring CSU students for internships and full-time employment.
3. Connect CSU students and employers through a variety of relevant and robust programs, events, and services.

Career Center by the Numbers

- **949** unique employers hired
- Rams accepted to **152** graduate schools
- **10,500** Job and Internship Postings
- Over **3,000** on-campus interviews
- Over **500** employers recruited on campus
- **12** unique career fairs
- **11,000+** students received 1:1 coaching
- **10,000+** students received group training

Vision + Top Goals for 2013-14

ENHANCE CAREER EDUCATION

- 24/7 Career Services
 - <http://customizeyourpath.colostate.edu/>
- Volunteer Career Coach Network
- Colorado Industry Tour

EMPLOYER STRATEGY & GROWTH

- Underrepresented Industry Recruiting
 - Bio Sciences & Life Sciences; Creative Industries; Health & Wellness; Human & Social Services; Natural Resources & Energy
- Engage Employers finances, time, and expertise in our:
 - Employer Advisory Board
 - Recruiting Partner Program
 - Career Center Renovation

THE STORY OF SUCCESS & THE BENEFIT OF CAREER SERVICES

- Hired Campaign
- Career e-newsletters in each Academic College and for International Students
- Peer-to-Peer Outreach to student organizations via our student ambassadors

First Destination Survey Results

- 70% of CSU students secured their first destination plans at graduation; 7% increase from 2011-12
- CSU is 5% above the national average of 65% at graduation (NACE data from 917 universities)
 - Last year CSU was equal to the national average at 63%
- 72% of those that secured employment indicated employment was related to their major
- 65% of students had an Internship prior to graduation – 10% above the national average

Section

1

Presidents' Reports and Campus Updates



Increase Attainment and Stakeholder Engagement

- CSU-Global has introduced itself, its data, and its mission to nine key military-veterans serving associations located in the Washington, DC area including the Student Veterans Association, the American Legion, the Iraq and Afghanistan Veterans of American, the Veterans of Foreign Wars, and the National Military Family Association. Ongoing activities have been planned or are being created to ensure consistency in outreach to the association members.
- All CSU-Global courses have been updated to include enhanced multimedia, HTML 5-based interactive exercises, ADA enhancements, and a new appearance. CSU-Global continues to update each of its courses a minimum of every 18 months for content relevance and course materials.
- The CSU-Global *Best Work Environment Ever* Task Force comprised of representatives from every CSU-Global department, has worked to provide their fellow colleagues with Lunch & Learns, new office welcome activities, flexible schedule proposals, and its own newsletter.

Improve Student Success

- CSU-Global was a panelist for the Educational Testing Service's (ETS) panel for the Chronicle of Higher Education. As a panel participant, CSU-Global discussed why it selected the ETS assessment and how the university incorporates the assessment into its student tracking processes. CSU-Global also shared its bachelor degree graduate average ETS scores which remain in the top 75-percentile for Critical Thinking, Math, Reading, Writing, Social Sciences, and Natural Sciences.
- The Tuition Planning Process and Student Support department implemented in June 2013 appears to be having a positive impact on retention as preliminary data reflects a increases in retention of both cash pay and Federal Financial Aid students during the Fall Trimester.
- The new process for counseling students not meeting Satisfactory Academic Process (SAP) has increased the number of students returning to active status from SAP warning by 16% and probation by 23% using intensive counseling and the development of student specific academic support plans.

Enhance Access and Reduce Attainment Gaps through Academic Excellence

- CSU-Global participated in the American Association of State Colleges and Universities conference. The conference also presented an opportunity to engage leaders from the Coalition for Adult Learners.
- The revised Faculty Portal was launched November 1. The new portal is designed to increase faculty interaction and communication to better coordinate student issues and help the growing number of CSU-Global faculty communicate more easily among each other.
- As part of the CSU-Global reinvestment into its mission, as approved by the CSU System Board of Governors, CSU-Global has initiated its outreach activity to underserved population students and through the first week of November has generated 194 applications and 85 new students. In addition, CSU-Global has facilitated university student success through the award of three scholarship programs. These programs are for courses needed to complete bachelor degrees for students who have reached their Federal Financial Aid lifetime cap, and to provide students with alternative credit options who would otherwise be unable to complete their degrees at CSU-Global. The campaign, approved at the October 2013 CSU Board of Governor's meeting, will run through June 2014.

Promote Affordability and Efficiency

- CSU-Global has moved to 7800 East Orchard Road, Ste. 200 in Greenwood Village (approximately 2 blocks from its previous space). The new building features a custom build-out that has 5 classrooms/meeting spaces for CSU-Global and CSU System needs; outdoor patios; and free parking for all staff, faculty, and visitors to the university.
- The university has completed its Experimental Project Proposal on alternative credit qualification for Federal loan dollars to reduce education costs and time to degree completion, and it will seek submission to the Department of Education in early 2014 following meetings with the Department in Washington, D.C. CSU-Global's program includes Prior Learning Assessment at \$150 for two attempts to demonstrate proficiency of course objectives and goals in a written Portfolio Project; and Credit by Exam at \$250 for two attempts at demonstrating proficiency of the same learning outcomes of CSU-Global's corresponding standard online class through a proctored assessment.
- CSU-Global was a participant in a Panel Presentation on "Addressing the Needs of Nontraditional Adult Learners" at the Western Interstate Commission for Higher Education's Annual Conference (WICHE) held on November 15, 2013.



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No. 154

M. F. B. D.
Senate

CONGRATULATING CSU-GLOBAL CAMPUS

Mr. BENNET. Mr. President, in an increasingly global economy, we must find ways to promote innovation, increase college access, and make college affordable so that our students can remain competitive. In light of today's Senate Health, Education, Labor, and Pensions Committee hearing which focused on these important topics, I want to recognize Colorado's own Colorado State University-Global Campus for their impressive work in this area. This year marks CSU-Global Campus' 5-year anniversary, and I would also like to congratulate them on reaching that milestone.

CSU-Global Campus, and its president, Dr. Becky Takeda-Tinker, have demonstrated a remarkable commitment to ensuring a quality education at an affordable price. As the first and only 100 percent online, fully accredited public, non-profit institution in America, students enrolling at CSU-Global today will not see any tuition increases as long as they take at least one class per year, even if tuition rates increase five years down the road. CSU-Global does this because it wants students entering today to be able to plan their education and anticipate the full cost of graduation.

CSU-Global Campus has been at the forefront of new innovative approaches to learning, including offering competency-based courses. Students have access to CSU-Global's full course content online for free and can receive academic credit for passing an exam with a score of 70 percent or better. A 3-credit exam costs \$250 and a 1-credit

costs \$150; the fee covers 2 exam attempts in 12 months. There is no additional fee for students to access the materials, faculty, and resources during their study period leading up to the exam. Many of these resources are innovations themselves and include a 24-7 online tutoring service, 24-7 tech support, and a virtual library.

Its students' progress are carefully tracked electronically and student support is a priority. Students partner with faculty or receive other student support if it seems they have struggled in a certain class. Students at CSU-Global are given the flexibility needed to accommodate the many demands on their time, but are still counseled through to completion.

Thirty-four percent of CSU-Global's students are first-generation college students and 23 percent are from the underserved population. Finally, at a time when our country continues to recover financially, 95 percent of CSU-Global graduates are working for pay as of February 2013.

As the cost of college continues to rise, CSU-Global Campus is an innovative alternative. After repaying its \$12 million start-up loan a year ahead of schedule in 2012, it now operates a sustainable model without future appropriations from the State of Colorado.

Mr. President, in April 2013, CSU-Global ranked seventh in U.S. News & World Report's ranking of the Best Online Bachelor's Programs. On the occasion of its fifth anniversary, I congratulate CSU-Global on its tremendous achievements.

**COLORADO STATE UNIVERSITY – PUEBLO
PRESIDENT’S REPORT**

I. ACADEMIC EXCELLENCE

A. American Indian Women are Focus of Publication

Social Work professor, Nancy Lucero, had her article, “It’s not about place, it’s about what’s inside: American Indian women negotiating cultural identity and connectedness in urban spaces”, accepted for publication in *Women’s Studies International Forum*.

B. Sociology Professor Publishes in both Print and Online Journals

Dr. Tim McGettigan had two articles recently published in the online publication, *The SocJournal*, and one article published in the print journal, *Studies in Sociology of Science*. The individual articles are entitled: “Mind Bombs: Searching for Truth in the Great Debate Between Einstein and Bohr”, “Planet of the Persnickety Apes: Darwin and the Aesthetics of Survival”, and “Condoning Criminality: Sam Harris’ Warped Determinism”.

C. History Professor Continues Scholarship on Mormons in U.S. History

Dr. Matt Harris, recently delivered two conference papers relating to his forthcoming book on Blacks and Mormons in American History, which will be published in 2014 by the University of Illinois Press. He is currently working on his next book titled The Ancient Curse is No More: Mormons, Blacks, and the Quest for Racial Equality.

D. Vocal Music Professor Conducts Brahms in Italy

Dr. Dana Ihm, Director of Choral Activities performed the Brahms Requiem in June with music students and members of the Pueblo Choral Society in Asiago, Verona, and Vicenza, Italy.

E. Chemistry Professor Publishes in Collaboration with U.S. Geological Survey and the Environmental Protection Agency

Dr. Chad Kinney’s article, “Dissipation of Contaminants of Emerging Concern in Biosolids Applied to Non-Irrigated Farmland in Eastern Colorado” will be published in the *Journal of the American Water Resources Association*. Dr. Kinney continues his research into water issues in Southeastern Colorado that have great potential to impact the future of farming and economic development in the area.

F. Chemistry, Biology and Math Students Present Research in Two Different Symposia

The 9th Annual Science and Mathematics Student Research Symposium was held in late October with research poster sessions presented by 10 undergraduates and 3 graduate students. In addition, the Chemistry Club partnered with the American Chemical Society to host its symposium with over 200 in attendance. Eight undergraduate students presented at the Chemistry Day poster sessions.

G. CSU-Pueblo and Ft. Collins Faculty Collaborate on Paper and Presentation

A paper was accepted for presentation at the American Chemical Society meeting involving the collaboration of CSU Ft. Collins faculty member, Dr. Debbie Crans and five CSU-Pueblo faculty: Jim Carsella, Dr. Sandra Bonetti, Dr. Scott Herrmann, Dr. Del Nimmo, and Dr. David Lehmpuhl. The paper is titled, “Bioaccumulation of selenium in the bryophyte *Hygrohypnum ochraceum* in Colorado.”

II. STUDENT ACCESS AND SUPPORT

A. President Di Mare Presents State of the University Address

President Lesley Di Mare presented her state of the university address on Sept. 25, using the national landscape of higher education to provide the context for the funding challenges that students and the university will face in the future. She emphasized that reduced funding of higher education at the state level continues to create economic challenges for students. To address these issues, she noted that CSU-Pueblo has implemented a new merit scholarship mix, and is also providing the SALT program free to students, which assists students in having a better understanding of their financial commitments made through financial aid and student loans.

She also thanked the CSU-Pueblo Foundation which has prioritized \$15 million for student scholarships in its \$25 million capital campaign, noting the major impact that such scholarships will have on students, their ability to fund college and graduate with minimal debt.

B. New Continuing Education Location in Colorado Springs Holds Open House

The university has moved its continuing education offices in Colorado Springs to a new 12-story high rise commercial building just east of Interstate 25. A ribbon cutting and open house were held on Oct. 24 and drew supporters from the Pikes Peak

Community College campus, as well as the military. CSU-Pueblo occupies the entire second floor of the facility with plans to expand course offerings during the day for Colorado Springs residents wanting to take classes from CSU-Pueblo.

C. CSU-Pueblo Hosts 700 High School Students at DECA Competition

Almost 700 high school students from throughout Pueblo County and including Lamar High school, spent Nov. 14 on the CSU-Pueblo campus competing in the DECA Regional Competition, hosted by the Hasan School of Business. DECA has traditionally offered marketing-oriented curriculum for high school students. At this year's competition, students participated in 30 different types of marketing challenges.

D. Wellness Fair Benefits Students

Over 150 students participated in free health screenings at the October Student Wellness Fair, sponsored by the Student Health Center, Alcohol and other Drug Programs, Parkview Medical Center, and the Diversity Resource Center.

E. Bike Share Program Implemented

Students, faculty, staff, and community members now have access to transportation for short trips or commutes with the addition of a new bike share program on campus. Beginning Nov. 1, SoCo Blue Bike began providing bikes that are located at various bike stations throughout Pueblo. They include the university, Sundance Bicycles, and Angelo's Pizza.

F. Psychology Honor Society Named a National Model Chapter

The student chapter of Psi Chi has been named a *Model Chapter* by the national Psi Chi Board of Directors in association with the American Psychological Association. Psi Chi is an international honor society that supports the psychological study of the individual. Founded in 1929, the Society now has more than 1,100 Psi Chi chapters located around the globe with more than 600,000 lifetime members. Last year, just 32 U.S. higher education institution chapters achieve the Model Chapter designation. The CSU-Pueblo chapter was established in 1968.

III. DIVERSITY

A. PBS Series Co-Producer Discusses Civil Rights and the Chicano Movement

John Valadez, who produced two hours of the six-hour PBS series *Latino Americans*, was on campus Oct. 23 to screen his new film, *American Exile*, about two deported military

veterans, the Valenzuela brothers. Valadez also showed his film, *Prejudice and Pride* about the critical role that Chicanos played in shaping American civil rights history.

B. Historically Black Sorority Established at CSU-Pueblo

The first historically Black sorority, Alpha Kappa Alpha, is now on the campus with 13 members. Additionally, two new interest-focused fraternities also plan to establish CSU-Pueblo chapters. They are Omega Delta Phi and Nu Alpha Kappa.

IV. IMAGE BUILDING

A. T-Wolves Football Team RMAC Champion for Third Straight Year

With its final game of the season on Nov. 16, CSU-Pueblo T-Wolves beat Western State 38-13, and with the win, claimed its third consecutive Rocky Mountain Athletic Conference Championship. They are now the number one seed in the Super Region Four in the upcoming Division II playoffs. The first round playoff game will be at CSU-Pueblo on Saturday, Nov. 30.

B. CSU-Pueblo a Finalist for “Best Under-the-Radar NCAA Football Atmosphere”

The university was one of only seven schools and the only Division II entry to be a finalist for the Enterprise Rent-a-Car campaign to determine the NCAA football team that captures the best essence of passionate fans, rocking crowds, and storied traditions that rival any football program in the nation. Although CSU-Pueblo didn't win the competition,, fans were proud the university football story was able to compete with Division I schools.

C. Student Radio Station Featured in Billboard Magazine

KTSC-FM, the “REV”, the 10,000 watt student radio station at CSU-Pueblo through the Mass Communications Department, was recently featured in Billboard Magazine as one of the most impressive college radio stations in the country that play Top 40 music.

The story profiled student radio stations and their department curriculum and facilities that focus on developing professionally competitive radio broadcasters, rather than many college stations which play alternative music formats and are less focused on professional career development in the industry. Billboard Magazine is the premier source for the nation's radio industry news, analysis, and chart information.

D. Men's and Women's Golf Among Best in Nation

The men's and women's golf teams are currently ranked among the best college golf teams in the nation. The men's golf team is ranked third while the women's golf team is ranked fifth in the nation.

E. CSU-Pueblo's Got Talent!

Over 450 students enjoyed 14 different performers at the CSU-Pueblo's Got Talent competition on Nov. 1. Top prize went to a dance performance, with second and third place going to student vocalists. All winners received cash prizes.

V. COMMUNITY OUTREACH

A. CSU-Pueblo Introduces Venture Capital Competition through the Hasan School of Business

The Healy Center for Business and Economic Research, located in the Hasan School of Business, recently announced the "Pueblo Future Entrepreneurs Business Plan and Venture Capital Competition".

The *Adult Venture Capital Competition* requires contestants to propose a plan in which they agree to own and operate a business in the Pueblo community. The plan must include the creation of primary jobs and show social entrepreneurship. As many as seven venture capitalists are prepared to provide equity capital from \$1000-\$250,000 for the competition's winner to get the business started.

The *Student Business Plan Competition* is in conjunction with the Pueblo chapter of Junior Achievement for students third through 12th grade who would like to submit an idea for a business. The winner will receive a \$1000 cash prize and a scholarship valued at \$4000 through the Hasan School of Business.

B. Speaker Series features First Medal of Honor recipient from Vietnam War

The Distinguished Speakers Series will end its fall semester schedule with Medal of Honor recipient Roger Donlon, who was the first Medal of Honor recipient from the Vietnam War. In the early hours of July 6, 1964, he heroically led the defense of the Special Forces camp at Nam Dong against a reinforced battalion of Viet Cong. His autobiography, *Beyond Nam Dong*, covers his 30 years in the Army, as well as details of his return to Vietnam as a civilian almost 20 years after his camp was attacked.

C. Veterans Day Significant for CSU-Pueblo and the Community

Two Veterans Day events brought the university and community closer together this year. President Di Mare spoke at the public event held that morning at the Historic Arkansas Riverwalk, as well as Medal of Honor recipient Drew Dix and U.S. Senator Mark Udall.

At 3 p.m. that afternoon, the university held a ceremony at the Vietnam Veterans Memorial Wall on campus, which stands as the only Vietnam memorial in Colorado to include the names of all Coloradans who lost their lives in the Vietnam War. A reception was held following the event at the Veterans Resource Center located on the campus. The CSU-Pueblo Chamber Choir performed at both events.

D. CSU-Pueblo Faculty and Staff Help Cleanup Fountain Creek

Students, faculty and staff gathered Friday afternoon, Nov. 15 to clean up litter and weeds along the Fountain Creek. The event was a collaborative effort between the university and the Pueblo Parks and Recreation Department. It represents just one activity related to the CSU-Pueblo “Stronger as a Pack” employee pride campaign occurring through the 2013-2014 academic year, that originated from the Marketing Task Force.

VI. RESOURCE MANAGEMENT

A. New Director of Equal Employment Opportunity/Affirmative Action and Title IX Named

Roosevelt Wilson joined CSU-Pueblo on Nov. 15 as the new EEO/AA/Title IX director. As a retired Air Force veteran, Mr. Wilson brings experience directing EEO positions at Bolling AFB in Washington, D.C., the RAF in Lakenheath, England, and Hill Air Force Base, near Salt Lake City, UT. While in England, his duties also included serving as Title VI and Title IX coordinator for the on-base Department of Defense Schools. He has background in Alternate Dispute Resolution, EEO training, and EEO formal and informal complaint counseling and processing, and Equal Opportunity and Treatment Incident clarification.

He holds a Bachelor’s of Science Degree in Management/Human Resources from Park University in Park, Missouri, and a Master’s Degree in Management/Leadership from Webster University, George Herbert Walker School of Business and Technology, in Colorado Springs.

B. New Budget Director Named

Meg Brewer has accepted the position of Budget Director as the university begins a process to create and implement a more data-driven and interactive budget process. Meg is a graduate of CSU-Pueblo and has been at the university for 20 years, serving previously as manager of finance and personnel for Continuing Education, accounts receivable specialist in Student Financial Services, and most recently, systems manager for Financial Aid.

C. 2013-2018 Strategic Plan Completes First Phase of Development Process

The CSU-Pueblo strategic planning task force presented the final draft of the planning document to the university and community members in early November, soliciting feedback and input on the current state of the plan. With “student success” as the overarching goal, the plan focuses on specific recruitment, retention and graduation outcomes over the next five years, and provides objectives and strategies for accomplishing the goals.

The plan is also consistent with the Colorado Department of Higher Education performance metrics for CSU-Pueblo through the CSU System. The specific metrics for each goal and objective are the next step in the process, along with identifying actual strategic and tactic implementation and persons responsible.

VII. GRANTS and CONTRACTS – RECEIVED ONLY:

Office of Research & Sponsored Programs

Submitted by Dr. Kristina Proctor, Interim Dean

College of Education, Engineering, and Professional Studies

Education

Sponsor:	AmeriCorps
Principal Investigator:	Dr. Victoria Marquesen
Project Title:	AmeriCorps Pass-Through
Award Dates:	8/19/2013 – 8/18/2014
Amount:	\$1,143

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Report Item

Engineering

Sponsor:	University of Colorado (NASA)
Principal Investigator:	Dr. Jude DePalma
Project Title:	COURSE
Award Dates:	5/19/2013 – 5/18/2015
Amount:	\$12,000

Library

Sponsor:	Colorado Department of Education
Principal Investigator:	Ms. Rhonda Gonzales
Project Title:	State Grants for Libraries
Award Dates:	10/1/2013 – 9/30/2014
Amount:	\$3,000

Sponsor:	Institute of Museum and Library Services
Principal Investigator:	Ms. Sandy Hudock
Project Title:	Aspire Project
Award Dates:	7/15/2013 – 10/23/2013
Amount:	\$1,000

University Total Received: **\$17,143**

COLORADO STATE UNIVERSITY PRESIDENT'S REPORT

Board of Governors of the Colorado State University System
December 4, 2013

I. TEACHING AND LEARNING: ASSURE EXCELLENCE IN ACADEMIC PROGRAMS

A. CSU among the Best Universities in the World for Business and Economics

Colorado State University's business and economics programs rank in the top 15 percent of the world's best universities for the quality of faculty research, the Academic Ranking of World Universities announced Nov. 1. CSU's programs placed 76th out of the top 500 universities included in the rankings released by Shanghai Jiao Tong University, China. The CSU programs were ranked at 101 last year – the first year they appeared on the list – based on objective measures of faculty research. Colorado State has appeared in the overall rankings since 2003 and in the Economics/Business category only since 2012. This year, the university's Life and Agricultural Sciences fields were ranked in the top 10 percent, while Chemistry was in the top 15 percent in subject areas.

B. CSU Equine Surgeon Honored for Research that Helps Horses and Humans

Dr. Wayne McIlwraith, a Colorado State University Distinguished Professor and world-renowned equine orthopaedic surgeon, in October received one of the highest honors in his field from the Academy of Surgical Research: the Jacob Markowitz Award for outstanding contributions to medicine through the art, science, and technology of experimental surgery. McIlwraith, who is founding director of the CSU Orthopaedic Research Center, gained the honor for pioneering, developing, and refining arthroscopic surgery in the horse. He also was recognized for leading the development of large-animal models for surgical repair of cartilage defects and evaluation of articular cartilage repair.

C. Diana Wall selected for Colorado Women's Hall of Fame

Dr. Diana H. Wall, world-renowned ecologist, Antarctic researcher, and University Distinguished Professor at Colorado State University, in November was named one of the 10 inductees to the Colorado Women's Hall of Fame for 2014. In November, Wall also received the Soil Science Society of America's highest honor, the Presidential Award. Founder and director of the School of Global Environmental Sustainability at CSU, Wall has spent 24 seasons in Antarctica researching microscopic worms called nematodes that play a vital role in soil nutrition and biodiversity. In Antarctica, the worms can be studied unhindered by plants and animal life. In 2005, Wall Valley in Antarctica was named for her achievements.

D. Catastrophic Wildfires Ignite New CSU Center for Managing WUI Wildfire Risk

Colorado State University's Department of Forest and Rangeland Stewardship this fall launched a new center dedicated to creating and applying the next generation of wildfire management solutions. The Center for Managing WUI Wildfire Risk will provide science-based answers to critical questions raised by the most destructive wildfires in Colorado's history. The Department of Forest and Rangeland Stewardship, part of CSU's Warner College of Natural Resources, has a long history of education and research programs in wildland fire and collaborative management solutions. The College has faculty expertise in wildland fire behavior and management, fuels management, fire policy, and fire economics and suppression. It also offers undergraduate and graduate degree programs in wildland fire and has a variety of research and extension initiatives dedicated to the issue. One of the Center's first assignments will be to characterize and map the wildland urban interface, or WUI, a term used to describe places where human development intersects with undeveloped lands.

E. Randall Honored by American Meteorological Society

Dave Randall, University Distinguished Professor of Atmospheric Sciences and director of the CMMAP NSF Science and Technology Center, has been named the 2014 recipient of the American Meteorological Society's Jule G. Charney Award. This award is granted to individuals in recognition of highly significant research or development achievement in atmospheric or hydrologic sciences. Randall's selection recognized his "transformative research into atmospheric convection and cloud processes and their improved representation in global weather and climate models."

F. Parsons Named one of 40 Under Forty in Northern Colorado

Vice President for University Operations Amy Parsons was named to the 40 Under Forty Leaders Honor Roll by the Northern Colorado Business Report. The Honor Roll recognizes people who are shaping and will continue to influence the future of Northern Colorado.

II. TEACHING AND LEARNING: INTEGRATE ACADEMIC AND CO-CURRICULAR EXPERIENCES

A. Little Shop of Physics Receives Grant to Expand STEM Outreach

Colorado State's Little Shop of Physics earned a \$25,000 grant from Halliburton to expand the university's Science, Technology, Engineering, and Mathematics (STEM) outreach to Native American reservations. The Little Shop of Physics, a traveling, hands-on, science-education program that presents school programs and teacher workshops, aims to make science accessible to all students through more than 100 interactive experiments. The program serves about 25,000 students annually. The new grant will support additional teacher workshops and visits to areas like the Wind River Reservation that were previously outside its reach. Last year, the program traveled to communities in Colorado, South Dakota, New Mexico, Arizona and Texas.

III. RESEARCH AND DISCOVERY: FOSTER EXCELLENCE IN RESEARCH, SCHOLARSHIP, AND CREATIVE ARTISTRY/FOCUS IN AREAS OF INSTITUTIONAL STRENGTH AND SOCIETAL NEED

A. Flood related access to tourist destination could have statewide impact

A drop in tourist visits to Estes Park as a result of flood-damaged roads could have a ripple effect through the rest of Colorado's economy, according to preliminary analysis conducted by the Regional Economics Institute at Colorado State. The report examined a variety of scenarios, including the possibility that tourist visits to the eastern gateway to Rocky Mountain National Park could drop between 30 and 100 percent because of road damage. If tourism activity in Estes Park were to decline 70 percent, it could translate into a loss of 1,111 jobs, a \$90 million decrease in state economic activity, and a \$46.1 million drop in real household income. The full report is available at <http://outreach.colostate.edu>, under the "Office of Engagement Spotlight" section.

B. CSU Researcher Tracks Chelyabinsk Meteor with Weather Satellite Images

The Chelyabinsk meteor, which caused an airburst explosion over Chelyabinsk, Russia, that damaged buildings and injured hundreds of people Feb. 15, 2013, was observed by several weather- and environmental-monitoring satellites as it entered the earth's atmosphere. A team of researchers from the Cooperative Institute for Research in the Atmosphere (CIRA) at Colorado State University, along with colleagues from the Cooperative Institute for Meteorological Satellite Studies at University Wisconsin-Madison and the National Oceanic and Atmospheric Administration, have published a paper detailing observations of the meteor's trajectory by several earth-viewing satellites. Colorado State Professor Steven Miller and his team were able to reconstruct a detailed trajectory for the meteor corroborated by independent surface-based estimates gleaned from an assortment of video dash-cams in Chelyabinsk. Miller, deputy director of CIRA, said the Chelyabinsk event is the first eye-witnessed large meteor known to cause significant property damage and injuries that was also seen remotely from space. The scientific paper appears in the October issue of the Proceedings of the National Academy of Sciences.

C. Measuring Methane Emissions from Natural Gas Gathering & Processing Facilities

Colorado State is leading a groundbreaking field study to quantify methane emissions associated with natural gas gathering and processing. In October, a team led by Anthony Marchese, mechanical engineering professor and new director of the CSU Engines and Energy Conversion Laboratory, began collecting data from potential methane sources associated with natural gas midstream facilities, between the wellhead and long-distance transmission pipelines. This study will concentrate on the second stage in the natural gas supply chain – gathering and processing. The results of this study will be linked to other studies already underway to allow an accurate, impartial, peer-reviewed and journal-published estimate of methane leakage throughout the entire natural gas supply chain. Sponsors of the \$1.9 million study include the Environmental Defense Fund; Access Midstream; Anadarko Petroleum Corp.; Hess Corp.; Southwestern Energy Co.; and Williams.

IV. RESEARCH AND DISCOVERY: IMPROVE DISCOVERY CAPABILITIES

A. CSU Researcher Seeks Antibiotics to Counter Bioterrorism in \$13.5 Million Project

CSU researcher Richard Slayden and his colleagues received a \$13.5 million grant from the Defense Threat Reduction Agency, an arm of the U.S. Department of Defense, to discover drugs that can effectively treat soldiers infected by lethal bacteria. The researchers hope their project will lead to discovery of antibiotics with wide application for military and civilian populations. Slayden is working with researchers at the University of California-Berkeley and Anacor Pharmaceuticals.

B. \$10 Million USDA Grant Aims to Convert Beetle-Killed Trees into Biofuel

The U.S. Department of Agriculture announced Nov. 6 that it awarded nearly \$10 million to an academic, industry, and government consortium led by Colorado State University to study the major challenges limiting the use of insect-killed trees in the Rockies as a sustainable feedstock for bioenergy. The award was made by USDA's National Institute of Food and Agriculture. CSU researchers, together with other scientists from universities, government and private industry in the region, created the Bioenergy Alliance Network of the Rockies (BANR) to address a range of challenges related to use of beetle-kill trees. CSU will collaborate with partners across four states to complete the project: University of Idaho, University of Montana, Montana State University, and the University of Wyoming; U.S. Forest Service Rocky Mountain Research Station; National Renewable Energy Lab, and Cool Planet Energy Systems.

C. Team Assessing Risk of Extreme Weather Events Gets \$4.9 Million Grant

A five-year, \$4.9 million CSU study will assess risks that could alert officials of the potential for disasters in specific areas. Dan Cooley, associate professor of statistics at CSU, will use statistical models to help determine the risk of extreme events like flooding, wildfires, and droughts in certain areas. Data will be mined from satellite images, climate models and other sources to assess the risk of natural disasters. The study is sponsored by the National Science Foundation and the Department of Energy. Cooley will work with scientists from the University of California-Berkeley, the University of North Carolina-Chapel Hill, and Lawrence Berkeley National Labs.

D. Natural Sciences Professors Awarded \$1.2 Million to Study Epidemic Outbreaks

Three Colorado State University professors have been awarded a \$1.2 million grant from the Department of Homeland Security's Long Range Program for a project to speed up forecasts of how disease epidemics spread, allowing public health workers to react to real-time data. Department of Computer Science Associate Professor Shrideep Pallickara and Assistant Professor Sangmi Pallickara, along with Statistics Professor Jay Breidt, will be working on creating analytical tools using large complex sets of data to plan for epidemic outbreaks.

E. Bioengineers Receive \$1.2 Million Grant to Help Knees Regrow Soft Tissue

Researchers in CSU's School of Biomedical Engineering are developing a material that can help injured knees regenerate soft tissue after reconstructive surgery. Principal Investigator Tammy Haut Donahue and Co-Investigator Ketul Popat, associate professors in the Mechanical Engineering department at CSU, are part of a three-year, \$1.2 million grant in conjunction with collaborators in Ireland and Northern Ireland. The CSU team is creating a new biomaterial that will be able to mimic regrowth of soft tissue in the knee. The interdisciplinary project incorporates materials research, engineering, cell biology, and biomaterials. Much of the research at CSU will be conducted in the recently remodeled Orthopaedic Research Center Bioengineering Lab.

V. SERVICE AND OUTREACH: PREPARE AND EMPOWER LEARNERS OUTSIDE THE CAMPUS ENVIRONMENT

A. CSU Veterinarians Provide Online Primer for Backyard Goat Farmers

To promote best practices in health and husbandry, the Colorado State University Veterinary Extension team has published a nine-page booklet, titled "Healthy Living with Goats: An Overview of Health Issues for the Backyard Farmer." It is available online for free. The booklet, by CSU veterinarians Ragan Adams and David Van Metre, is meant to help backyard farmers understand the risks and responsibilities of raising goats..

VI. SERVICE AND OUTREACH: ENGAGE CITIZENS THROUGH COMMUNITY INVOLVEMENT

A. Cans Around the Oval Collects 63,713 Pounds of Food and \$49,260 for Food Bank

Colorado State University's 27th annual Cans Around the Oval collected 63,713 pounds of food and \$49,260 during this year's food drive. As the largest one-day food drive in Northern Colorado, Cans Around the Oval is a partnership between the University and the Food Bank for Larimer County to raise food and monetary donations to help those in need in the community. Cans Around the Oval helps more than 40,000 people who depend on the Food Bank's resources.

B. Colorado State University Volunteers Assist Elderly Fort Collins Residents

Off-Campus Life at Colorado State University and the City of Fort Collins Neighborhood Services Office teamed up for the ninth annual Fall Clean Up event Nov. 2. More than 1,200 volunteers helped more than 170 residents who needed help getting their homes ready for winter. Students raked leaves, washed windows, trimmed bushes, cleaned gutters and more.

VII. RESOURCES AND SUPPORT: EXPAND FUNDRAISING

A. Malone Foundation Gives \$6 million to Equine Sports Medicine Program

The Malone Family Foundation, led by media magnate and philanthropist John C. Malone, in October donated \$6 million to Colorado State University's Orthopaedic Research Center to significantly advance the world-renowned center's scientific discovery and clinical expertise in equine sports medicine and rehabilitation. The transformational gift will establish the Leslie A. Malone Presidential Chair in Equine Sports Medicine and will expand the Orthopaedic Research Center's pioneering Equine Sports Medicine and Rehabilitation Program by supporting an additional faculty member and resident. The CSU Orthopaedic Research Center is renowned for solving problems in equine musculoskeletal disease and injury, with development of new diagnostic imaging and surgical techniques, as well as cutting-edge gene and stem cell therapies. The center's faculty members, led by Dr. Wayne McIlwraith, have worked with competitive race horses, cutting and reining horses, jumpers, and dressage horses.

B. CSU Dedicates Sonny Lubick Student Forum

Just before this year's Homecoming football game October 12, the Colorado State University College of Business dedicated the Sonny Lubick Student Forum on the lower floor of Rockwell Hall West. Lubick, who coached the CSU Rams football team for 15 seasons between 1993 and 2007, is now Community Outreach Director for the College of Business. As a coach, he won or shared six conference titles, took the Rams to nine bowl games, and was named National Coach of the Year by Sports Illustrated in 1994. Lubick has continued to inspire students in the College of Business and throughout Fort Collins with his philosophy that emphasizes responsibility, character, respect, and perspective. The space had been set aside for informal interactions among College of Business students, faculty and staff when the 54,600-square-foot expansion of Rockwell Hall opened in 2010.

C. Report on Private Support

	October 2013		FY14 (July - October)		FY13 (July - October)	
	Amount	Count	Amount	Count	Amount	Count
Contributions	\$3,349,306	5,015	\$32,329,914	11,496	\$24,339,719	12,088
Irrevocable Planned Gifts	-	-	-	-	-	-
Revocable Gifts and Conditional Pledges	\$300,000	3	\$12,340,000	32	\$454,127	4
Payments to Commitments Prior to Period	(\$1,188,396)	445	(\$2,124,319)	999	(\$1,251,726)	697
Total Philanthropic Support	\$2,460,909	4,615	\$42,545,595	10,675	\$23,542,121	11,508
Private Research	\$1,729,266	18	\$9,623,595	64	\$12,231,619	69
Net Private Support	\$4,190,175	4,631	\$52,169,190	10,728	\$35,773,740	11,564

Major Gifts – (\$100,000 +) Not Previously Reported

- \$9,000,000 pledge designated as \$7,000,000 to support *Kari's Fund*, \$1,500,000 to support *The Stuart Chair in Oncology Endowment*, and \$500,000 to support the *Stephen J. Withrow Presidential Chair in Oncology Endowment*, College of Veterinary Medicine and Biomedical Sciences
- \$5,000,000 pledge to support the *CSU Stadium*, Department of Athletics
- \$2,000,000 conditional pledge to support the *CSU Stadium*, Department of Athletics
- \$1,000,000 in gifts and conditional pledges to support the *CSU Stadium*, Department of Athletics
- \$750,000 pledge to support the *College of Natural Sciences – Research*
- \$500,000 conditional pledge to support the *CSU Stadium*, Department of Athletics
- \$250,000 conditional pledge to support the *CSU Stadium*, Department of Athletics
- \$250,000 pledge to support the *Animal Sciences Building Renovation and Expansion*, College of Agricultural Sciences
- \$200,690 planned gift to *Occupational Therapy*, College of Health and Human Sciences
- \$117,000 gift designated as \$102,000 to support *National Western Stock Show Scholarship*, \$11,000 to *Beef Industry Leadership Fellowship*, and \$4,000 to support the *National Western Stock Show/Jim Henry Scholarship*, College of Agricultural Sciences
- \$116,883 planned gift to support the *University Fund*, Office of the President
- \$100,000 gift to support *EECL Expansion at Powerhouse Energy Institute*, College of Engineering

VIII. RESOURCES AND SUPPORT: NURTURING HUMAN CAPITAL**A. CSU Head of Risk Management Named to Industry Leadership Board**

Sally Alexander, director of the Office of Risk Management and Insurance at Colorado State University, was recently inducted as a member of the board of directors of the University Risk Management and Insurance Association (URMIA) for 2013-2014 and will serve a three-year term. The association is a source of innovative and effective risk management ideas and solutions to the challenges facing institutions of higher education.

IX. RESOURCES AND SUPPORT: INCREASING AWARENESS

Colorado State University presents 2013 Natural Gas Symposium Oct. 15-16

The third annual Natural Gas Symposium took place on Oct. 15 and 16 at the Hilton Fort Collins. Featured speakers included Chuck Davidson, CEO of Noble Energy; Jeff Immelt, CEO of GE; John Minge, President and Chairman of BP America; Mark Brownstein of the Environmental Defense Fund; and U.S. Sen. Michael Bennet. The purpose of the symposium was to provide diverse and balanced stakeholder perspectives on emerging unconventional energy markets, with a particular emphasis on the natural gas economy and its impacts in Colorado, United States, and around the globe. The goal was to educate, inform, and discuss complex issues with the goal of finding viable solutions.

ADDENDUM
Preliminary Graduation Survey Results 2012-2013



Summary:

70% of Colorado State University students secured their first destination plans at graduation. This is a 7% increase from 2011 - 2012. Additionally, CSU is now 5% above this year's national average of 65% by graduation day (National Association of Colleges & Employers - NACE). Last year CSU was equal to the national average at 63%. This number also includes an overall 7% increase in response rate from 57% to 64% (n=3,019 respondents to the survey - a 428 student increase). Additionally, 72% of those that indicated they secured employment also indicated their employment was related to their major course of study.

CSU Undergraduates	2011 - 2012		2012 - 2013	
	Colorado State University	National Average	Colorado State University	National Average
Secured first destination plans	63%	63%	70%	65%
Employed	51%	42%	56%	46%
Continuing Education**	12%	21%	14%	19%
Number of respondents	2651 students	867 universities	3076 students	917 universities
% reporting	57%	n/a	64%	n/a

By College (2012 - 2013)	CHHS	CVMB	CNS	CLA	WCNR	COB	CAS	COE
Secured first destination plans	74%	70%	69%	61%	73%	76%	81%	72%
Employed	63%	22%	46%	48%	66%	66%	69%	57%
Continuing Education**	11%	48%	23%	12%	6%	6%	12%	15%
Employment Related to Major	81%	79%	68%	49%	81%	81%	82%	87%
Average Salaries (full-time, permanent)	\$44,817	***	\$45,919	\$37,255	\$35,347	\$48,094	\$37,235	\$59,324

* Percentage may not add up to rounding.

** Continuing Education includes graduate, veterinary, medical, and professional school as well as continuing education that is not graduate school.

***Not enough responses to generate reliable average.



By College, by Graduation Day, Year-to-Year Comparison

	HHS		CVMBS		CNS		CLA	
DATE	2011/12	2012/13	2011/12	2012/13	2011/12	2012/13	2011/12	2012/13
Secured first destination plans	52%	74%	65%	70%	54%	69%	54%	61%
Employed	45%	63%	22%	22%	40%	46%	40%	48%
Continuing Education**	7%	11%	43%	48%	14%	23%	14%	12%
number reporting (n=)	324	505	120	87	478	471	636	876
Employment Related to Major	84%	81%	83%	79%	60%	68%	46%	49%
Average Salaries (full-time, permanent)	\$43,730	\$44,817	***	***	\$47,735	\$45,919	\$37,470	\$37,255

	WCNR		COB		CAS		COE	
DATE	2011/12	2012/13	2011/12	2012/13	2011/12	2012/13	2011/12	2012/13
Secured first destination plans	62%	73%	82%	76%	71%	81%	65%	72%
Employed	52%	66%	73%	66%	53%	69%	52%	57%
Continuing Education**	10%	6%	9%	10%	18%	12%	13%	15%
number reporting (n=)	228	236	482	542	167	188	260	174
Employment Related to Major	79%	81%	85%	80%	84%	82%	96%	87%
Average Salaries (full-time, permanent)	\$41,062	\$35,347	\$44,057	\$48,094	\$35,823	\$37,235	\$57,885	\$59,324

* Percentage may not add up to rounding.

** Continuing Education includes graduate, veterinary, medical, and professional school as well as continuing education that is not graduate school.

***Not enough responses to generate reliable average.



Top 10 Locations (2012 - 2013)

Fort Collins, CO	34%
Denver, CO	14%
Loveland, CO	5%
Boulder, CO	2%
Englewood, CO	2%
Longmont, CO	2%
Littleton, CO	2%
Aurora, CO	1%
Colorado Springs, CO	1%
Greeley, CO	1%

Top 10 Locations Outside of Colorado (2012 - 2013)

Dallas, TX	0.52%
San Antonio, TX	0.52%
Washington D.C.	0.52%
Cheyenne, WY	0.44%
Orlando, FL	0.44%
Los Angeles, CA	0.37%
Seattle, WA	0.37%
Casper, WY	0.29%
Chicago, IL	0.29%
New York, NY	0.29%



How Graduates Found Jobs*

Family/friend/networking	457	34%
Internship or previous work experience	240	18%
Career fair	224	17%
Online job board	187	14%
Other (please specify)	147	11%
CSU faculty or staff	129	10%
CareerRAM	108	8%
Professional association	97	7%
Presentations/Employer Panels/Career Events	49	4%
Career counselor	29	2%
CSU Career-related Services	539	40%

Most Common Hiring Employers

949

Unique Employers

Beverage Distributors Company
Charles Schwab
City of Fort Collins
City Year
Coca-Cola
Colorado Parks and Wildlife
Colorado State University
Columbine Health Systems
Deloitte
Disney
EKS&H
First National Bank
FirstBank
Halliburton
Hewlett Packard
Hitachi Consulting
Lockheed Martin
Miramont Lifestyle Fitness
Northwestern Mutual
OtterBox
Peace Corps
RK Mechanical
Schneider Electric
Seagate Technologies
Target Corporation
TIC- The Industrial Company
Turning Point
US Air Force
US Army
US Department of Agriculture
US Engineering
US Geological Survey
USDA Forest Service
Vail Resorts
Verizon
Walmart Corporation
Wells Fargo
Woodward



Most Common Attending Schools

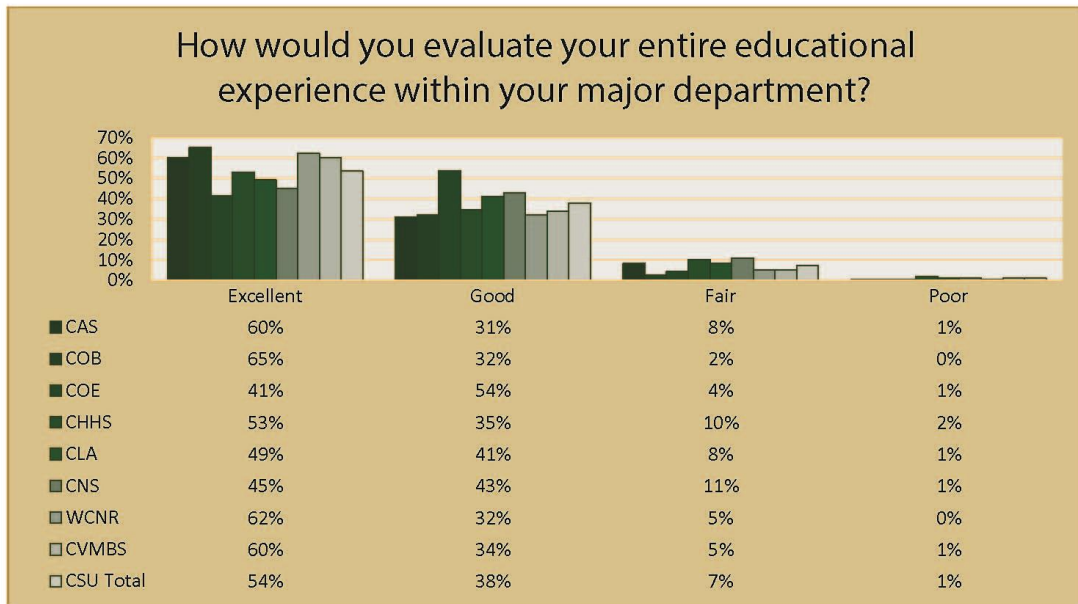
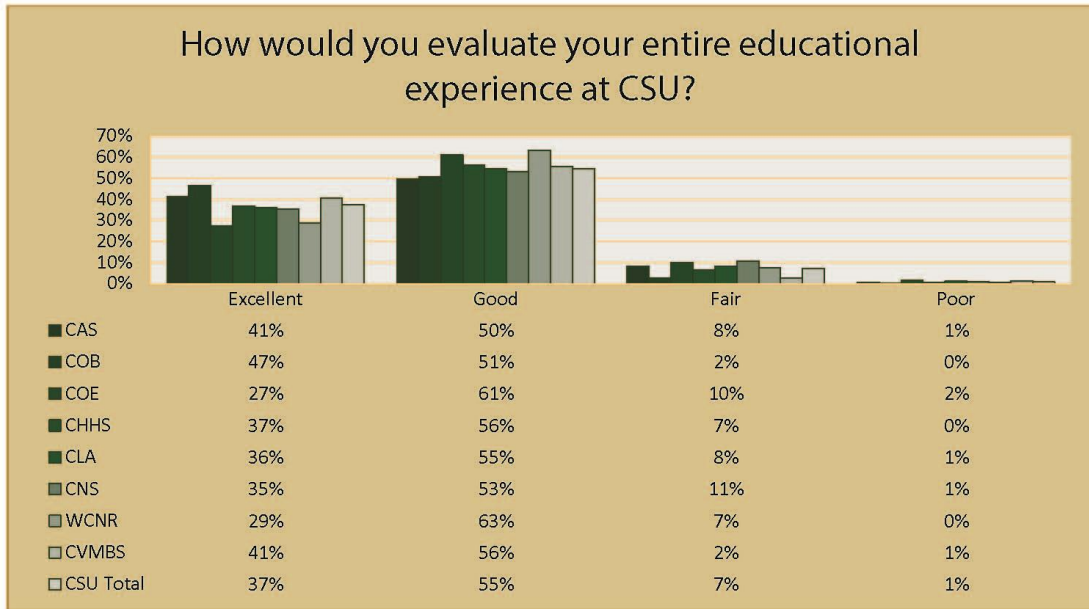
152

Unique Schools

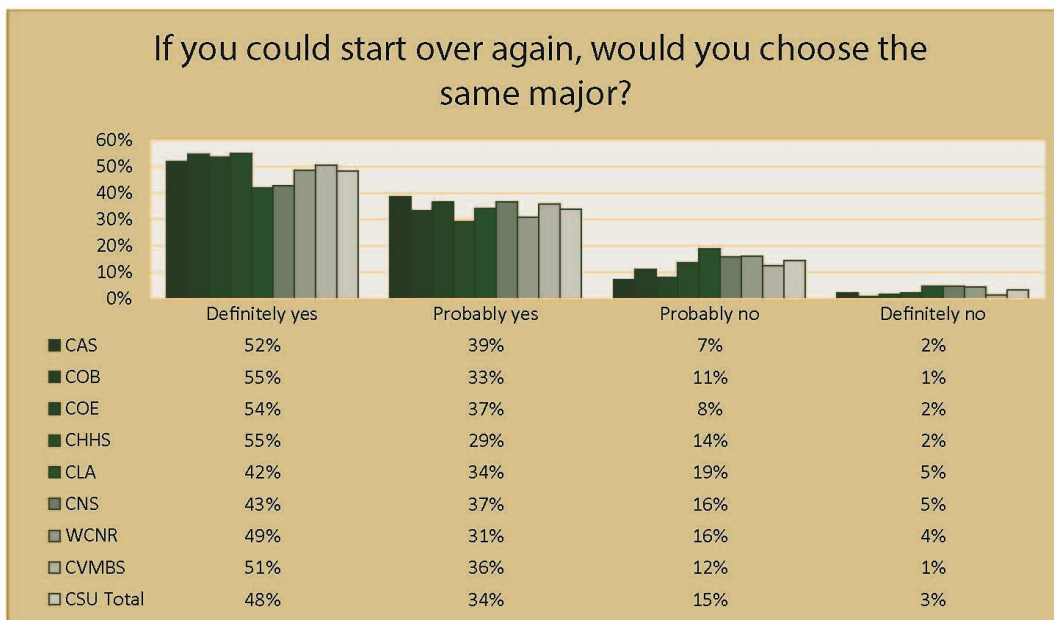
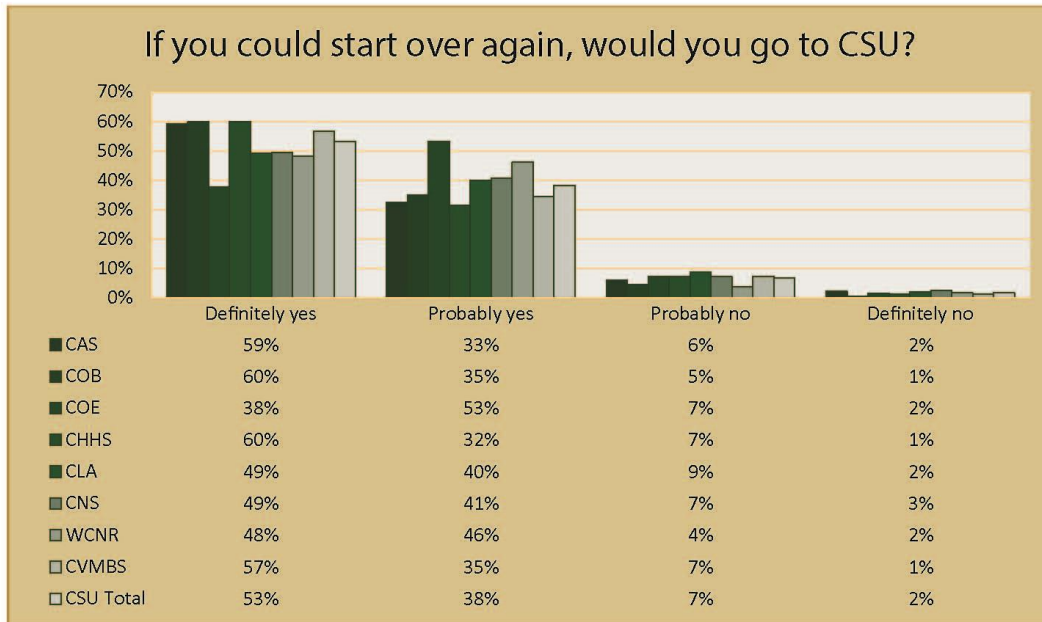
Colorado State University
Creighton University
Front Range Community College
Kansas State University
University of Arizona
University of California - Davis
University of Colorado
University of Colorado - Boulder
University of Colorado - Denver
University of Denver
University of Illinois - Chicago
University of Northern Colorado
University of Southern California
University of Washington
University of Wisconsin - Madison
Washington State University

5

**CSU GRADUATION SURVEY SATISFACTION QUESTIONS
 UNDERGRADUATE 2012-2013**

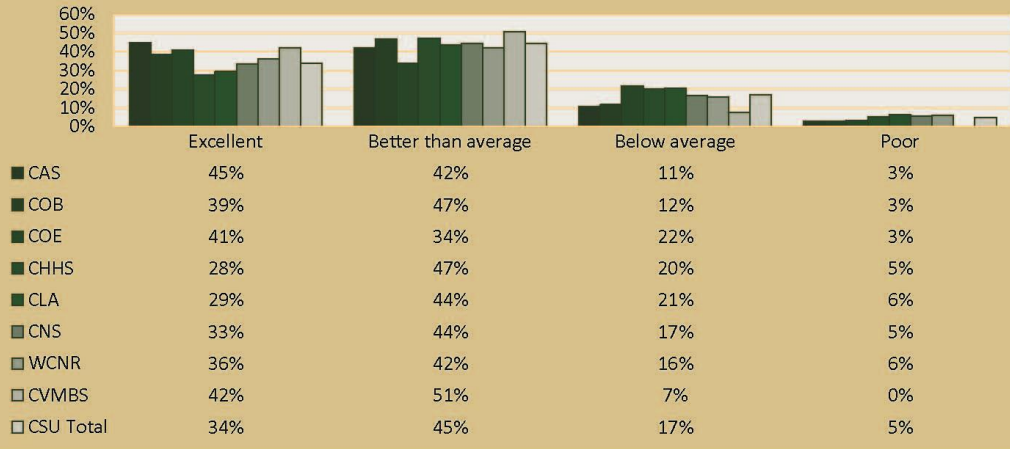


Institutional Research

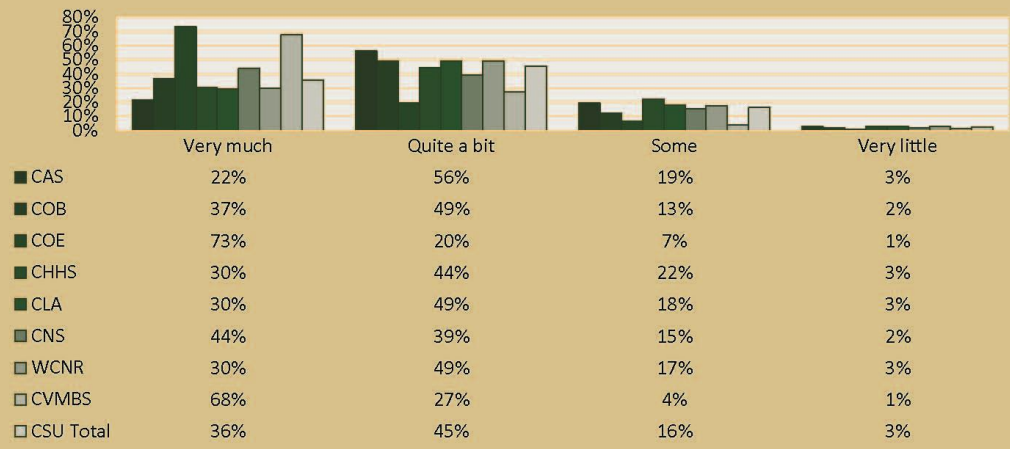


Institutional Research

How would you rate your satisfaction with your advising related to courses, scheduling, and selecting a major?



To what extent did your department emphasize spending significant amounts of time studying and on academic work?



Institutional Research

GRADUATION SURVEY ANALYSIS OF OPEN ENDED QUESTIONS UNDERGRADUATE 2012-2013

The current report provides a summary of the analysis of the open ended question on the graduation survey sent to undergraduates who graduated in the 2012-13 academic year. Students were asked to respond to a question which inquires if students want to provide any additional information about their experiences at CSU. A total of 984 undergraduates responded to the question, which is about 20% of all bachelor degrees awarded in 2012-13. Over half (54%) of the 984 responses were openly positive and 39% were undoubtedly negative. About 7% of the responses had both positive and negative elements.

Among the positive responses, there were testimonies of support towards CSU in general.

- I enjoyed every minute, the challenges and the faculty.
- It has been a very good experience in terms of figuring out what I want in life and who I am as a person.
- Thanks for a great education.
- Thanks for making my college career awesome! Miss it already!
- I wouldn't change anything in what I have received here at CSU...thank you so much.
- Best experience of my life
- I want my name on the \$1,000,000 donor board within 10 years!

Also among the positive responses, there were declarations of support regarding students' department of major.

- I absolutely love my department! Everyone is so understanding, they will work with you and they really care about the students. I am so lucky and blessed to be a part of this department and hope that someday I can repay the favor and donate to my department.
- The Fish and Wildlife Dept. is by far one of the top in the nation and I am proud to have been a part of it.
- The connections, friendships and mentors I found within the sociology department are what inspired me to network and go for opportunities that I would not have otherwise. Through their faith in me and open discussions I learned so much!
- The Computer Science Department is a fantastic department with friendly professors who are more than willing to help their students excel and truly help students submerge themselves in the culture of Computer Science.
- The chemistry department here at CSU is amazing. **The staff are intelligent, friendly, and approachable. There are so many opportunities in research for undergraduates.**
- The English department is AMAZING here at CSU. I was able to work with so many amazing writers and I am truly inspired to continue pursuing my writing career after graduation.
- Anthropology has some of the most amazing professors who deserve the utmost gratitude. The department is full of open minded educators that do not hold back. Thank you.

The remaining analysis presented in this report was organized around six themes that were derived from the positive results as well as the negative and mixed responses.

Institutional Research

CURRICULUM

Approximately 14% of the 984 responses were related to university curriculum. The majority (86%) of the responses related to curriculum were negative. In regards to curriculum, students tended to speak about either the core (AUCC or Honors) curriculum or upper level curriculum specific to their major.

CORE CURRICULUM

A general theme regarding both the AUCC and Honors core curriculum was that students' did not understand its importance to their major. Students also reported dissatisfaction with several specific courses such as CO 150, CO 300, and JTC 300. However, it should be noted that the overall positive responses (that did not specifically mention curriculum) most likely included students who were happy with their general education courses.

UPPER LEVEL CURRICULUM

Students had very specific recommendation to their departments regarding curriculum specific to their major. Specific professors, courses, and course sequences were mentioned in both positive and negative remarks. As a part of CSU's effort towards continuous improvement, departments should review these open ended questions in order to assess the feasibility of some of these suggestions. There were three general themes in regards to upper level curriculum.

- Upper division courses in some departments were repetitive in their content and assignments.
- Courses should not be listed in the catalog if they are not being offered on a regular basis.
- Many students suggested additional courses/subject areas that should be taught within departments.

ADVISING

Approximately 10% of the 984 responses were related to advising. A majority (66%) of these comments were negative. Some general themes in regards to improving advising at CSU are listed below.

- Students often reported that advisors did not respond to their questions in a timely manner.
- Students also felt that their advisors did not understand the requirements of their majors and advised them to take the wrong classes, which increased time to graduation.
- Issues with advising seemed to be most prevalent in students' initial time at CSU and tended to improve as students moved to advisors within their department.

Some positive advising comments are listed below.

- We have the best advising team on campus. They are so knowledgeable and should set the example for every other advising department. Without them I would not have gotten through my undergrad.
- I had an amazing advisor and wonderful professors.
- There were exceptional people in the Business College of CSU, Very helping! Also, AAC and RDS did an exceptional job of advising and helping people. Both career centers were also very helpful. (COB and Lory Student Center)

Institutional Research

SUPPORT FOR STUDENT SUCCESS

Approximately 16% of the 984 responses were related to the general level of support students felt from faculty, staff, and university policy. There were an equal number of positive and negative responses within this category. The analysis for this broad topic, support for student success, is divided into three sub-areas.

POLICY

All of the comments regarding policy at CSU were negative. Students had specific complaints about departmental requirements. For instance, one student felt that his department should not accept D grades in prerequisite courses because this hurt him academically that he was allowed to go on unprepared for the next course. Students also had complaints about financial aid policies regarding scholarship renewals, major restrictions for course registration, and changes/misunderstandings in the course work required for their major.

FACULTY

A common theme was for students to comment on the quality of teaching and their relationships with faculty members. Among all of the responses regarding faculty about 40% were negative. Many students named specific faculty members by name (for both negative and positive comments). There were three prevalent negative themes regarding faculty.

- ☒ Student often commented that they felt some faculty members were not interested in teaching (they focused solely on their own research). They also felt that CSU should focus faculty hires on quality of teaching rather than research productivity.
- ☒ Student felt that their comments on course evaluations are ignored. Multiple students commented that professors who consistently receive negative reviews should be hired.
- ☒ There was also the complaint that political opinions enter the classroom too often and some students felt that they endured prejudice from faculty.

On the other hand, there were many outstanding reviews of faculty members. Here are several examples of the positive comments students had regarding their faculty.

- ☒ The Warner College of Natural Resources has some incredible professors.
- ☒ **I went through some difficult situations while** at CSU and the professors in my major were so understanding and wonderful. Their positive guidance will stay with me for the rest of my life!
- ☒ I had an amazing advisor and wonderful professors.

CAMPUS CLIMATE

Many students identified as a transfer, first generation, international, veteran, or non-traditional/older student in their open ended responses. Among these students the majority of the comments were negative in regards to the support they felt CSU offered them. Areas for improvement include offering better support for newly transferred students, first generation students, and veterans. Additionally, multiple comments stated that CSU needs more diversity (in terms of gender and ethnicity) in its students, faculty, and staff. The Academic Advancement Center was mentioned multiple times as fundamental support system for these students.

Institutional Research

CAMPUS FACILITIES AND FUNDING PRIORITIES

A smaller number of students (about 4% of the 985 responses) commented about facilities, construction, and CSU's funding priorities.

FUNDING FOR SPECIFIC DEPARTMENTS

Among these responses the majority of students used this open ended response to make a plea for more funding for their specific department. These requests included hiring more professors in their department, paying faculty members in their department more, and improving the buildings and technology for their department. Overall, students felt that CSU should fund academics first.

FRUSTRATIONS WITH CONSTRUCTION

Multiple comments expressed frustration with the amount of construction on campus. Several students stated that they do not want CSU to build an on-campus stadium and feel that parking on campus is inadequate.

TUITION

Students also commented on the amount tuition increased during their undergraduate studies. A common theme among these comments is that they do not feel like they have gotten their money's worth from CSU. Several students said they were disappointed in the lack of availability of grants, scholarships, and work-study funds.

FUTURE OPPORTUNITIES

Approximately 6% of the 985 responses focused their open ended response on the future opportunities available to them as a CSU graduate. Again the majority of these comments were negative. Graduates are concerned about their ability to gain employment after college. The following lists several themes that students suggested as ways CSU could improve their graduates' chances of getting a job after graduation.

- Departments and colleges need to put more emphasis on career planning and networking.
- Multiple students commented that they wish they had gotten practical knowledge of their field through internships and other professional experiences.
- Certain majors should focus less on the research in their field and more on the applied aspects of their field.

However, some graduates feel that their education at CSU set them up perfectly for life after their undergraduate degree. Here are several examples of the positive comments students had regarding their future opportunities.

- As a non-traditional student my **experience here was both inspiring and well received. I'm confident I have the knowledge to enter the workforce with the tools needed to succeed.**
- Overall, it has been the greatest experience of my life, and I feel it has completely prepared me for my career as a future educator.
- My research experience I gained at CSU is the reason I got into top ten PhD programs in chemistry.

Institutional Research

HIGH IMPACT ACTIVITIES

A small number of students (about 2% of the 985 responses) commented on their involvement in high impact educational activities. All of these responses were positive towards CSU.

CO-CURRICULAR

Here are some of the comments regarding the positive influence of co-curricular activities.

- To CSU, **I would like to share that the SLICE office is a HUGE asset to this campus, and SLICE programs have** changed my perspective and my life; of these, Alternative Breaks is one of the most amazing of all. Please preserve these trips for future generations of students.
- Pi Kappa Phi is the reason I am in the position I am today. I became a leader, a mentor and a better individual
- Love the student organizations I was a part of
- I found extracurricular clubs to be invaluable to both my collegiate experience and job placement.

EXPERIENTIAL LEARNING OPPORTUNITIES

Here are some of the experiential learning opportunities students felt were most influential for their education.

- Legends of Ranching Sale was the best part of my experience (as part of sales class)
- Education really went beyond the classroom for me and I am glad that I had the opportunity to do that.
- The National Collegiate Sales Competition was the most exciting and beneficial event I did at csu. It opened up** many opportunities for me.
- I have really enjoyed attending CSU. I have gained valuable knowledge and skill sets that I will utilize in future **employments . . . The CSU affiliated Study Abroad Program to Alcalá de Henares, Spain that I participated in** was excellent and I would strongly recommend this **program, or any other CSU affiliated study abroad** program, to others. Thank you for all the great memories!

CONCLUSION

Overall, the open ended responses in the graduation survey reflect positively on CSU. There are some areas for improvement. Particular areas of interest from this analysis are: upper level curriculum, faculty interactions with students, advising, and providing more applied focus (rather than research focus) in some majors.

This report focuses on the overall themes found in these student responses. However, students were very specific in their suggestions for improvement and also with their praises. Specific courses, faculty members, and advisors were listed by name. It is important that these responses are distributed at the department level so the concerns raised by students can be properly assessed within the department's context. Additionally, department distribution will also allow credit to be given to the advisors and instructors whom students accolade.

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Report Item

Approved

Stretch Goal or Strategic Initiative: N/A. Board approval of this administrative action is required by statute, CCHE, Board, or university policy.

MATTERS FOR ACTION:

Nondelegable Personnel Actions

RECOMMENDED ACTION:

MOVED, that the Board of Governors of the Colorado State University System approve nondelegable personnel actions as submitted by Colorado State University – Fort Collins.

EXPLANATION:

Presented by Tony Frank, President

At its May 3, 1995 meeting, the Board approved a policy delegating personnel power to the institutional presidents with the exception of specific personnel actions. This agenda item allows for action on such personnel decisions.

Board of Governors of the
Colorado State University System
Meeting Date: December 3, 2013
Report Item

	NAME	DEPARTMENT	FROM	TO	TYPE	LEAVE TYPE
1	Barrett, Mary F	Hartshorn Health Services	8/1/13	8/21/13	12/Reg	LWOP/Workers Comp
2	Anderson, Kelley L	CEMML	9/1/13	9/30/13	12/Spec	LWOP/Personal
3	Oaks, Anne-Laure MA	Continuing Education-Administration	8/29/13	10/31/13	12/Reg	LWOP/Maternity-Paternity
4	Crausbay, Shelley Denise	Horticulture & Landscape	9/10/13	10/12/13	12/Temp	LWOP/FMLA
5	Allen, Ashlee	English	8/16/13	12/31/13	9/Spec	LWOP/Personal
6	Troyer, Nicole	CEMML	8/13/13	9/12/13	12/Spec	LWOP/FMLA
7	Bringi, Viswanathan N	Electrical & Computer Engineering	9/3/13	9/16/13	9/Spec	LWOP/FMLA
8	Barela-Bloom, Carla	CASA	8/22/13	8/22/13	12/Reg	LWOP/FMLA
9	Wang, Fang	CIRA	8/16/13	9/6/13	12/Temp	LWOP/FMLA
10	Gleave, Gloria	English	8/16/13	10/18/13	9/Spec	LWOP/Personal
11	Kohn, Benjamin David	Chemical & Biological Engineering	7/1/13	7/31/13	12/Spec	LWOP/Personal
12	DeRosby, Stephanie F	University Counseling Center	8/12/13	8/15/13	12/Reg	LWOP/Personal
13	Lively, Lisa	University Counseling Center	8/7/13	8/7/13	12/Reg	LWOP/Personal
14	Wolters, Jill Elaine	CVMBS College Office	9/6/13	9/10/13	12/Reg	LWOP/Personal
15	McSherry, Edith M	CSU Extension	10/11/13	4/11/13	12/Reg	LWOP/Personal
16	Lowrey, Robert C Jr	Student Legal Services	9/3/13	10/29/13	12/Reg	LWOP/Departmental
17	Orswell, Forrest M	Student Legal Services	9/5/13	10/24/13	12/Reg	LWOP/Departmental
18	Malik-Carson, Tonya C	Alumni Relations	9/20/13	9/24/13	12/Reg	LWOP/Personal
19	Preston, Ayla Renae	Clinical Sciences	10/7/13	10/11/13	12/Temp	LWOP/FMLA
20	Catton, Kimberly Bernadine	Civil & Environmental Engineering	10/7/13	12/31/13	9/Spec	LWOP/FMLA
21	Wang, Fang	CIRA	9/28/13	10/27/13	12/Temp	LWOP/Maternity-Paternity
22	Wyman, Kathleen Elizabeth	Communications & Creative Services	8/9/13	99/99/99	12/Reg	LWOP/Maternity-Paternity
23	Elwyn, Laurie L	Hartshorn Health Services	9/30/13	9/30/13	12/Reg	LWOP/Personal
24	Higgins, Jane A	Hartshorn Health Services	9/20/13	9/23/13	12/Reg	LWOP/Departmental
25	Yurk, Howard C	Hartshorn Health Services	9/18/13	9/19/13	12/Reg	LWOP/Personal
26	Borch, Thomas	Soil & Crop Sciences	2/1/14	6/30/14	12/Reg	LWOP/Special
27	Lively, Lisa	University Counseling Center	9/3/13	9/5/13	12/Reg	LWOP/Personal
28	Ruffner, Rory G	CEMML	10/19/13	10/31/13	12/Reg	LWOP/Layoff
29	Andrews, Lisa M	CEMML	10/11/13	11/8/13	12/Spec	LWOP/Layoff
30	Stersic, Matthew D	CEMML	10/7/13	10/7/13	12/Spec	LWOP/Special
31	Henry, Asma Khalid	MIP	10/22/13	12/1/13	12/Spec	LWOP/Personal
32	Gonzalez, Carmen Devon	Academic Advancement Center	9/23/13	99/99/99	12/Reg	LWOP/FMLA
33	Oaks, Anne-Laure MA	Continuing Education-Administration	10/9/13	10/27/13	12/Reg	LWOP/Maternity-Paternity
34	Moore, Robin Kandilyn	CEMML	9/3/13	9/17/13	12/Spec	LWOP/illness
35	Nelson, Peter August	Civil & Environmental Engineering	12/6/13	12/21/13	12/Reg	LWOP/FMLA
36	Applegate, Donald Robert Jr	CEMML	10/30/13	11/30/13	12/Spec	LWOP/Layoff
37	McQuarrie, Matthew J	Information Systems	10/8/13	10/18/13	12/Reg	LWOP/Personal
38	Spencer, Kenneth A	CEMML	9/25/13	10/2/13	12/Spec	LWOP/Personal

BOARD OF GOVERNORS
December 2-3, 2013
Colorado State University System, Denver

TUESDAY, December 3, 2013

- Board of Governors Working Breakfast with the CSUS Leadership Team** 7:30 a.m. – 9:00 a.m.
- BOARD OF GOVERNORS MEETING** (*reconvened*) 9:00 a.m. – 2:30 p.m.
2. **Public Comment** (*10 min.*) 9:00 a.m. – 9:10 a.m.
 3. **Board Chair’s Agenda** (*20 min.*) 9:10 a.m. – 9:30 a.m.
 4. **Executive Session** (*1 hr.*) 9:30 a.m. – 10:30 a.m.
 5. **Committee Reports** (*40 min.*) 10:30 a.m. – 11:10 a.m.
 - A. **Evaluation Committee** (Mary Lou Makepeace, Chair) (*10 min.*)
 - B. **Audit and Finance Committee** (Dennis Flores, Chair) (*10 min.*)
 - C. **Real Estate/Facilities Committee** (Scott Johnson, Chair) (*10 min.*)
 - D. **Academic and Student Affairs Committee** (Rico Munn, Chair) (*10 min.*)
 6. **Approval of Resolutions and Consent Agenda** (*5 min.*) 11:10 a.m. – 11:15 a.m.

Consent Agenda Items:

 - A. Colorado State University System
 - Minutes of the October 3, 2013 Evaluation Committee Meeting
 - Minutes of the October 3, 2013 Academic and Student Affairs Committee Meeting
 - Minutes of the October 3, 2013 Audit and Finance Committee Meeting
 - Minutes of the October 3, 2013 Real Estate/Facilities Committee Meeting
 - Minutes of the October 4, 2013 Board of Governors Breakfast Meeting
 - Minutes of the October 4, 2013 Board of Governors Meeting
 - Equipment Leasing-Colorado State University System/CSURF Line of Credit Program
 - B. Colorado State University
 - Approval of Degree Candidates – Fall Semester 2013
 - Approval of Faculty Manual Changes – Section F.3.4.1
 - C. Colorado State University-Global Campus
 - Approval of Degree Candidates – Fall 2013 A Term
 7. **Faculty and Student Representatives’ Reports** (*1 hr.*) 11:15 a.m. – 12:15 pm.
 - A. Faculty Reports
 - CSU-Global Campus: Faculty Report – Presented by Nella Anderson (*10 min.*)
 - CSU-Pueblo: Faculty Report – Presented by Frank Zizza (*10 min.*)
 - CSU: Faculty Report – Presented by Alexandra Bernasek (*10 min.*)
 - B. Student Reports
 - CSU-Global Campus: Student Report – Presented by Brad Schiffelbein (*10 min.*)
 - CSU-Pueblo: Student Report – Presented by Vanessa Emerson (*10 min.*)
 - CSU: Student Report – Presented by Nigel Daniels (*10 min.*)
- Working Lunch/Break (*15 min.*) 12:15 p.m. – 12:30 p.m.

Colorado State University System
Board of Governors Meeting Agenda
December 2-3, 2013

- | | |
|--|-------------------------|
| 8. Chancellor's Report (25 min.) | 12:30 p.m. – 12:55 p.m. |
| 9. System Wide Discussion Items (1 hr. 30 min.) | 12:55 p.m. – 2:25 p.m. |
| A. Legislative Issues | |
| B. President Obama's Higher Education Plan | |
| 10. Board Meeting Evaluation (5 min.) | 2:25 p.m. – 2:30 p.m. |
| Adjournment | 2:30 p.m. |

Next Board of Governors Board Retreat/Meeting: February 12-14, Location TBD

APPENDIX

- Board Correspondence
- Construction Status Reports
- Readings on Higher Education

Section

2

Public Comment

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Section

3

Board Chair's Agenda

BOARD OF GOVERNORS MEETING BOOKS OPTIONS
December 2013

GOAL: To implement an affordable, effective and efficient multi-platform electronic board book solution and electronic calendar.

<u>Options</u>	<u>Features</u>	<u>Comments</u>	<u>Costs</u>
<p>Current "hard copy" books</p> <p>'73 Volkswagon Superbeetle – reliable relic from a bygone era.</p>	<p>Binders of paper</p>	<p>Updates or additions result in handouts. Move to electronic format would be efficient and economical, and better for the environment.</p>	<p>Annual cost for printing, supplies and shipping - \$5,000-\$6,000</p>
<p>NASDAQ OMX Directors Desk Attachment 1</p> <p>"Cadillac" - top of the line for electronic board books with numerous functions and "gadgets."</p> <p>Housed solution at Directors Desk data center, maintained developer.</p>	<p>Numerous features including:</p> <ul style="list-style-type: none"> • Board Books and Agendas • Document Management • Calendar/Events • Secure Email • Online Voting • Attendance • Online Discussions • Surveys 	<p>HD app for IPAD</p> <p>24/7 support with unlimited training</p> <p>Varying permission levels.</p> <p>Books need to be compiled from .pdf documents.</p>	<p>One time cost of \$1050 to build site – approximately 2-4 weeks to develop.</p> <p>\$19,000 annually for 25 licenses – 2013 education/nonprofit pricing. Price will increase in 2014.</p>
<p>BoardDocs Attachment 2</p> <p>"Lexus" – luxury electronic board books with wide range of functions and "gadgets."</p> <p>Housed solution on BoardDocs servers.</p>	<p>Numerous features including:</p> <ul style="list-style-type: none"> • Board books • Library • Online voting • Events management • Different levels of access • Meeting control panel • Scoreboard 	<p>Different format than Directors Desk.</p> <p>Three basic permission levels with public option.</p> <p>Currently used by University of Colorado</p> <p>Six to seven weeks to build site before training; two days of on-site training.</p> <p>24/7 support</p> <p>Hosted through their technology partners</p> <p>Documents need to be created as .pdf and uploaded.</p>	<p>\$1,000 implementation fee</p> <p>\$12,000 annually.</p>
<p>University of Northern Colorado - developed internally by UNC IT staff utilizing SharePoint – Peer institution Demo Attachment 3</p> <p>"Smart Car" - simple but cost effective and efficient.</p>	<p>Basic meeting documentation and calendar. Software allows for customization.</p> <p>Library has previous meetings and materials.</p> <p>Different levels of access with external site for Trustees and</p>	<p>Meets the two main requirements specified by their Trustees: meeting book and calendar.</p> <p>Meeting documents are .pdf format with individual documents for each "meeting tab" rather than one large</p>	<p>Licensing through SharePoint Foundation.</p>

	through internal site for approved administrators.	document. Hosted by UNC.	
<p>Hybrid Model 1</p> <p><i>"Prius"</i> – SharePoint 365 Office – economical, highly efficient, and very adaptable.</p> <p>External site development by Blue Margins; maintained by CSU IT Support.</p> <p>Site would be hosted at Microsoft Data Center.</p> <p>Support through CSU IT Support.</p>	<p>Build to order, highly customizable.</p> <p>Initial focus on the two targeted areas of meeting books and calendar with five levels for committees, executive session, full board meeting.</p> <p>Can be expanded to include other features such as email and document sharing.</p> <p>Web apps from any device.</p> <p>Secure external housing on Microsoft server.</p> <p>Backup and Disaster recovery solutions</p> <p>Phase 2 could build public portal through SharePoint.</p> <p>Access through link CSUS website.</p>	<p>Documents in .pdf format uploaded in to meeting "tabs" or sections. Could also upload one large combined file.</p> <p>Varying levels by permissions by document libraries. In addition to Board and CSUS Leadership, additional staff or guests can be "invited" to view specific documents and folders – allows for serial collaboration.</p> <p>Different credentials other than eID from CSU.</p> <p>Eliminates the SharePoint Administrator need.</p> <p>Possibility for archiving past board meeting documentation.</p> <p>Hands-on training and on-time support. Preliminary training available from Blue Margin.</p>	<p>Costs of site development and SharePoint License: TBD</p> <p>Free: 10GB + 1/2 GB per user, 1TB of storage is \$200 per month</p> <p>25GB personal space per board member.</p>
<p>Hybrid: Model 2</p> <p><i>"Ford Fusion"</i> - add intranet to new CSUS website – external development by Rabble+Rouser.</p> <p>Economical and "fuel efficient" with good potential for expansion.</p> <p>Housed solution at CSU Data Center; maintained by CSU IT Support & Developer.</p>	<p>Customized to CSUS specifications with capability to expand with additional features.</p>	<p>Documents would be .pdf format – could be set up with individual documents for each "tab" as well as a complete book document.</p> <p>Basic secure site to post meeting materials and calendar.</p> <p>Public meeting materials would be posted on main website under "meetings" tab.</p>	<p>Onetime \$6,000+ to develop site.</p> <p>Maintain as needed.</p> <p>Annual costs and time to develop TBD</p>

Attachment 1

DIRECTORS DESK FEATURES

PLUG YOUR BOARD OF DIRECTORS IN WITH A COMPLETE SUITE OF TOOLS ALL IN ONE PLATFORM.

Streamlining workflow and communications not only saves time, but saves money by cutting costs involved in printing and mailing board documents. Devote your energy to developing strategies and procedures that will take your business to the next level. Features include:

Calendar and Event Management	Manage Board related events with a centralized virtual conferencing facility and a user-friendly online calendar that seamlessly integrates with Microsoft Outlook for each director.
Online Agendas	Produce meeting materials faster and easier with SmartAgenda SM , which creates an electronic agenda that automatically links to supporting documents and their agenda items.
Board Books	Create fully paginated, printable and electronic board books that can be updated in less than one minute, saving countless hours of copying, collating and binding meeting materials.
Document Management	Manage documents online in organized repositories with sophisticated rights management down to the per-user/per-document level.
Secure Email	Communicate sensitive information to board members within this secure web-based system — eliminating potential exposure to the public internet or unintended recipients.
Online Discussions	Conduct fully interactive discussions where all users can start new topics of conversation and contribute to existing discussions.
Voting	Streamline document approvals and shorten or even eliminate meetings by conducting voting online. Complete unanimous written consents or cast binding votes with the electronic signature option.
Surveys	Complete, and tabulate D&O questionnaires, conflicts of interest, and Board evaluations in minutes.
Attendance Tracking	Simplify your reporting requirements with this SEC-compliant attendance tracking and reporting system.
Integrated Conferencing	Improve meeting attendance or conduct entirely virtual meetings with real-time conferencing.
Contact Management	Access key information about all Board members and company executives, including committee assignments.
Corporate Secretary's Toolkit	Control all aspects of your account with powerful and intuitive tools that let you manage user accounts, set up Boards and committees and delegate administrative rights to any user.
Enterprise Management System	Simplify management of multiple enterprise or multiple subsidiary entities with one-click publishing.
Director Qualifications Module	Track director term information, skills, qualifications and diversity information in one convenient tool. Run reports with one click and even track your current board and committee composition to better plan for recruiting of new directors.



For more information or to schedule a Directors Desk demonstration, visit our website at www.nasdaqomx.com/corporatesolutions, email at learnmore@nasdaqomx.com or call +1 800 990 6397.



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NASDAQ OMX | DIRECTORS DESK

DIRECTORS DESK HD

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Introducing Directors Desk for the iPad, a state-of-the-art App engineered with the utmost care for today's discerning board members. A robust tool set prepares you for the meeting and thoughtful design features maximize your experience including: interactive live-meeting functionality to keep everyone on the same page, private notes, a convenient meeting bookshelf, even find your way to the meeting with integrated directions powered by Google Maps.

THE DIRECTORS DESK APP EXPERIENCE

Balance ease of use and security

- > Sign in quickly and easily
- > Follow a registration process for enhanced security

Convenient, time-saving functionality

- > Convenient dashboard view allows users to see everything on one screen
- > Access step-by-step directions to the meeting with a single click powered by Google maps
- > Toggle between board accounts without signing in and out

Access important Directors Desk features on-the-go

- > Read and reply to secure email messages
- > Cast votes with a single tap
- > Connect with other members through an embedded contacts roster

Read materials offline without a WiFi or 3G connection

- > Save meeting books to your device and read them without an Internet connection
- > Keep important reference documents synced at all times in a secure Briefcase

Interact during the meeting for enhanced productivity

- > Send a quick message to board admins
- > Tap another attendee's name to ask them a question
- > Let any executive or attendee lead as the presenter from their own device

Take notes on specific meeting book pages

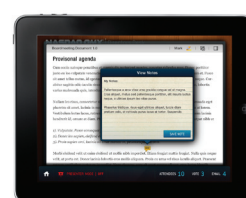
- > Make notes on any page - on top of specific text, charts, or numbers
- > View meeting notes on one screen
- > Automatically delete all notes via a custom mobile retention rule

Keep attendees in sync with Presenter Mode

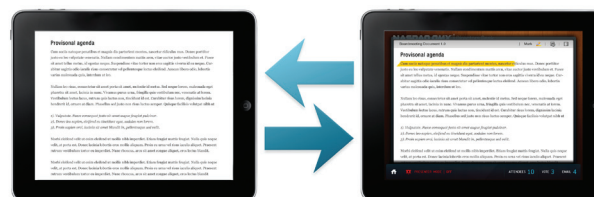
- > Automatically keep everyone on the same page during the live board meeting
- > Continue to see your private notes on each page while in Presenter Mode
- > Navigate away to multi-task without missing a beat upon return



Main Screen



Notes Screen



Presenter Screens





1 Intuitive “Zero Click” Book Shelf Interface

The unique meeting bookshelf gives directors instant access to the important meeting details.

2 Download Content for Offline Access

Meeting books are kept in a secure local cache on the iPad, ready to read even without an internet connection.

3 Real-Time Meeting Presenter Mode

An innovative, iPad-centric way to conduct real-time meetings, keeping everyone on the same page.

4 Powerful Note-Taking Features

Prepare for the meeting, then bring up notes on one consolidated sheet.

5 Access and Archive Contacts and Documents

Access contacts and important reference documents such as Bylaws or Charters.

6 Cast Votes and Send Mail

In just minutes, cast an unanimous written consent (UWC) or regular vote, and respond to secure email messages.

More Information

For more information or to schedule a Directors Desk demonstration, visit the Directors Desk website at www.directorsdesk.com, email sales@directorsdesk.com or call +1 866 895 3375.

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Attachment 2



About BoardDocs Pro

The Most Advanced Solution Available

As the pioneer of eGovernance, BoardDocs has always provided the most advanced, comprehensive suite of tools available. Our flagship service, BoardDocs Pro is the fastest, easiest and most powerful paperless agenda solution on the market. By leveraging state-of-the-art, cloud-based technology, BoardDocs Pro does things no other paperless solution can for a price no other paperless solution can match. Give us a call to arrange a convenient Web demonstration. We promise you'll be amazed!

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- Integrated Board Goals Management and Tracking
- Separate, Customizable Packets for the Board, Staff and Public
- Private Document Annotations for Governing Body Members
- Advanced Document Workflow with Support for Unlimited Number of Document Submitters
- Customizable Approval Trees and Collaborative Annotations
- On-line or Manual Voting with Support for Virtually Any Type of Vote
- Automated Minutes Generation and Release
- "Follow Me" so Governing Body Members Will Never Get Lost
- Automated Public ScoreBoard, with Voting Results and Speaker Timers
- 100% Web-based for access from Windows, Macintosh, Linux and iPad devices
- Integrated Audio Player - Listen to Meetings Indexed by Agenda Item
- Meeting Video simplifies the task of managing and associating videos for private or public meetings
- Access to BoardDocs MetaSearch
- Search Functionality for Consolidated Searches on Any Content
- 7 x 24, Secure, Power-redundant Hosting with Daily Backups
- Up to 20 Years of History with DVD Archiving of Data beyond 20 Years
- User and Security Administration via People Manager
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- Social Sharing via Twitter, Facebook and eMail
- Development, Publication and Tracking of Strategic Plan
- No Extra Charge On-site Training
- 7 x 24, Toll-free, US-based End-user Technical Support
- No Extra Charge for Customization
- Access to All Software Enhancements, Including Version Updates and Fixes for the Term of the Agreement

Board of Trustees Documents

<input type="checkbox"/> Name	File Size
Meeting Date : 11/15/2013 (7)	
Meeting Date : 9/13/2013 (9)	
Meeting Date : 6/7/2013 (16)	1 - 30 ▶

[Add document](#)

Finance Audit Committee Documents

<input type="checkbox"/> Name	File Size
Meeting Date : 10/30/2013 (7)	
Meeting Date : 8/28/2013 (5)	
Meeting Date : 5/15/2013 (7)	
Meeting Date : 2/6/2013 (9)	
Meeting Date : 10/31/2012 (7)	1 - 30 ▶

[Add document](#)

Other Committee Documents

<input type="checkbox"/> Name	Meeting Date	File Size
There are no items to show in this view of the "Shared Documents" document library. To add a new item, click "New" or "Upload".		

Attachment 3

Section

4

Executive Session

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Section

5

Committee Reports

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Section

6

Consent Agenda

A. Colorado State University System

- Minutes of the October 3, 2013 Evaluation Committee Meeting
- Minutes of the October 3, 2013 Academic and Student Affairs Committee Meeting
- Minutes of the October 3, 2013 Audit and Finance Committee Meeting
- Minutes of the October 3, 2013 Real Estate/Facilities Committee Meeting
- Minutes of the October 4, 2013 Board of Governors Breakfast Meeting
- Minutes of the October 4, 2013 Board of Governors Meeting
- Equipment Leasing-Colorado State University System/CSURF Line of Credit Program

B. Colorado State University

- Approval of Degree Candidates – Fall Semester 2013
- Approval of Faculty Manual Changes – Section F.3.4.1

C. Colorado State University-Global Campus

- Approval of Degree Candidates – Fall 2013 A Term

**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM
EVALUATION COMMITTEE MEETING MINUTES
Lory Student Center, Colorado State University-Fort Collins
October 3, 2013**

CALL TO ORDER

Board Chair Dorothy Horrell convened the Board meeting at 8:02 a.m. and reviewed the October 3rd meeting agenda. Board Chair Horrell asked Committee Chair Mary Lou Makepeace to convene the Evaluation Committee.

Committee Chair Mary Lou Makepeace called to order the Evaluation Committee meeting at 8:05 a.m.

ROLL

Committee members present: Mary Lou Makepeace, Chair; Mark Gustafson, Vice Chair; Dennis Flores; Dorothy Horrell; Scott Johnson; Ed Haselden; William Mosher; Joseph Zimlich; Michael Nosler, CSUS General Counsel (assigned staff).

Governors present: Alexandra Bernasek, Faculty Representative, CSU-Fort Collins; Frank Zizza, Faculty Representative, CSU-Pueblo; Nigel Daniels, Student Representative, CSU-Fort Collins.

Administrators present: Michael Martin, CSUS Chancellor; Tony Frank, President, CSU-Fort Collins; Lesley Di Mare, President, CSU-Pueblo; Becky Takeda-Tinker, President, CSU-Global Campus; Allison Horn, CSUS Director of Internal Auditing; Rick Miranda, CSUS Chief Academic Officer and Provost and Executive Vice President, CSU-Fort Collins; Rich Schweigert, CSUS Chief Financial Officer.

System Staff present: Adam Fedrid, IT Manager; Melanie Geary, Executive Assistant to the Chancellor; Allen Sneesby, IT Technician; Sharon Teufel, Executive Assistant to the Board of Governors.

Committee Chair Makepeace first reported that the committee met with the Chancellor, Presidents and Appointees during the August meeting with a follow-up letter sent summarizing the committee's findings. The remaining work for the committee is to discuss goals for the coming year.

Committee Chair Makepeace asked CSUS General Counsel Nosler to read the meeting into executive session. General Counsel Nosler read the meeting into executive session for the purpose of discussing and evaluating public officials and professional staff employees of the Board relating to all matters set forth and made confidential pursuant to C.R.S. § 24-6-402 (3) (b) (I) (2013). **Motion/Action:** The motion was made, seconded and carried unanimously to convene in Executive Session. The meeting went into executive session at 8:08 a.m. and reconvened in the open public session at 9:50 a.m.

Committee Chair Makepeace reported the goals were presented to and accepted by the Evaluation Committee with a few modifications suggested. She noted this was the first time in many years that a process was fully implemented, laying the groundwork for effective evaluation feedback. Committee Chair Makepeace commented on the outstanding CSU System leadership and thanked the Chancellor, Presidents and Appointees for their hard work.

With no further business to conduct, the Evaluation Committee adjourned at 9:56 a.m.

**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM
ACADEMIC AND STUDENT AFFAIRS COMMITTEE MEETING MINUTES
Lory Student Center, Colorado State University-Fort Collins
October 3, 2013**

CALL TO ORDER

Committee Vice Chair Mary Lou Makepeace called to order the Academic and Student Affairs Committee meeting at 9:58 a.m.

ROLL

Committee members present: Mary Lou Makepeace, Vice Chair; Mark Gustafson; Alexandra Bernasek, Faculty Representative, CSU-Fort Collins; Ann Leslie Claesson, Faculty Representative, CSU-Global Campus; Nigel Daniels, Student Representative, CSU-Fort Collins; Vanessa Emerson, Student Representative, CSU-Pueblo; Frank Zizza, Faculty Representative, CSU-Pueblo; Rick Miranda, CSUS Chief Academic Officer and Provost and Executive Vice President, CSU-Fort Collins (assigned staff).

Governors present: Dennis Flores; Ed Haselden; Dorothy Horrell; Scott Johnson; William Mosher; Joseph Zimlich.

Administrators present: Michael Martin, CSUS Chancellor; Tony Frank, President, CSU-Fort Collins; Lesley Di Mare, President, CSU-Pueblo; Becky Takeda-Tinker, President, CSU-Global Campus; Allison Horn, CSUS Director of Internal Auditing; Michael Nosler, CSUS General Counsel; Rich Schweigert, CSUS Chief Financial Officer.

System Staff present: Adam Fedrid, IT Manager; Melanie Geary, Executive Assistant to the Chancellor; Allen Sneesby, IT Technician; Sharon Teufel, Executive Assistant to the Board of Governors.

Guests: Jon Bellum, Provost, CSU-Global Campus; Johnna Doyle, CSUS Deputy General Counsel, CSU-Pueblo; Marty Hanifin, Vice President of Finance and Administration, CSU-Pueblo; Kathleen Henry, President/CEO, Colorado State University Research Foundation; Blanche Hughes, Vice President of Student Affairs, CSU-Fort Collins; Nancy Hurt, Managing Director, Colorado State University Research Foundation; Jason Johnson, CSUS Deputy General Counsel, CSU-Fort Collins; Lynn Johnson, Chief Financial Officer, CSU-Fort Collins; Rick Kreminski, Acting Director of Institutional Research, CSU-Pueblo; Jennifer Mullen, Chief of Staff, CSU-Pueblo; Paul Orscheln, Vice President of Academic and Student Affairs, CSU-Pueblo; Alan Rudolph, Vice President for Research, CSU-Fort Collins; Carl Wright, Provost, CSU- Pueblo.

Prior to convening the Academic and Student Affairs Committee meeting, Board Chair Dorothy Horrell asked President Lesley Di Mare to introduce the CSU-Pueblo management team. President Di Mare introduced Paul Orscheln, the new Vice President of Academic and Student Affairs; Carl Wright, Provost; Jennifer Mullens, Chief of Staff; Marty Hanifin, Vice President of Finance and Administration; and Rick Kreminski, Dean of the College of Science and Math and Institutional Research Director. Board Chair Horrell asked Governor Makepeace, Vice Chair of the Academic and Student Affairs Committee, to convene the meeting since Committee Chair Rico Munn was unable to attend the meeting.

Posthumous Degree: Committee Vice Chair Makepeace convened the meeting and reported the first agenda item was consideration of approval on the consent agenda of a posthumous degree. Information on

the posthumous degree was provided in a confidential packet to be discussed during the executive session the next day in the regular Board business meeting. President Tony Frank, CSU-Fort Collins, explained that the Board had approved the process for moving forward a posthumous degree and all steps in the process were completed.

Approval of Degree Candidates: Dr. Rick Miranda, CSUS Chief Academic Officer, asked Dr. Jon Bellum, Provost, CSU-Global Campus, to present the consent agenda item for approval of degree candidates. Dr. Bellum reported that approval of degree candidates is brought to the Board six times per year. The approval was being sought for the Fall C term that ends October 27, 2013, with 225 potential candidates. The only formal commencement is held in the spring with the most recent ceremony held in June. Approval of the degree candidates was moved forward on the consent agenda.

Dr. Miranda introduced Dr. Alan Rudolph, the Vice President for Research at CSU-Fort Collins. Dr. Rudolph expressed his excitement and appreciation for the opportunity to join the faculty at CSU. He noted faculty is an important asset to research and his role is to facilitate, mobilize, and motivate the faculty.

Enrollment Reports: Vice Chair Makepeace indicated the next agenda item was the campus reports for enrollment.

CSU-Fort Collins: Dr. Miranda reported the vital statistics for the enrollment report for CSU-Fort Collins was provided in the three categories of undergraduate, graduate and professional veterinary medicine. The Fall 2013 census report reflects over 27,000 students which is an enrollment record and is slightly higher than the previous year. Five-year changes have occurred in every category. Minority enrollment increased by 6% from the previous year. International enrollment for the first time exceeded 1,500 due to the internal efforts of CSU and the INTO program. The gender balance remains stable at 49% male/51% female.

There was a slight decrease in new freshmen which was the only category that decreased from the previous year. Nonresident freshmen enrollment is stable and minority enrollment increased by 5% from the previous year. The average ACT score is stable at 24.7 and the average high school class GPA increased slightly. CSU will be examining the resident recruitment from the past year and the yield rate from applicants remains stable.

Chancellor Martin noted that the most recent Colorado Commission Higher Education (CCHE) report to the legislature indicated a slight decline in total high school graduation and a slight increase in the number leaving the state. There is also a general decline in the average ACT scores so there are fewer qualified students remaining in the state.

Dr. Miranda added that another factor is, as the economy has improved, more students have opted to go out of state. The number of the returning sophomores reflects an all-time high of 86.6% which is 2% higher than the previous year. Dr. Miranda commented on President Frank's challenge to the campus to improve the retention rate to 90% by 2020 and attributed the improvement in retention and graduation rates to the campus leadership and community by putting into place an array of academic and co-curricular support mechanisms.

President Frank indicated that between now and the December meeting the National Clearinghouse data will be analyzed including an analysis of why CSU and other Colorado universities are losing resident students. Improvements in diverse enrollment are of critical importance in looking to the future, and the changes in the state demographics and international trending are good. The five-year enrollment growth at

8% puts into perspective the projected enrollment growth by 2020. Focusing on non-residents may be a good fiscal perspective; however, the role and mission of CSU as the state's land grant institution is to provide access to Colorado.

When asked about the overall underrepresented minority rate, Dr. Miranda responded that the rate is between 11% and 13% for the entire institution and continues to increase annually, especially with the incoming freshmen. President Frank indicated a detailed enrollment report is posted on the institutional research website annually and the link will be sent to the Board when the report is available for the current year. CSU has one of the lowest gaps between diverse and non-diverse students in the country and, when economic status is factored in, the gap is essentially zero.

CSU-Pueblo: Dr. Carl Wright explained that CSU-Pueblo has a very diverse population, from honor students to migrant workers. As a Hispanic Serving Institution, more than 30% of the students have a Hispanic background and there are students who are not international whose first language is not English. Retention strategies are diverse and retention has improved since the previous year. There is a culture at CSU-Pueblo that understands retaining students, not just recruitment, can increase enrollment. Efforts are being put in place to deal with issues such as remediation. Dr. Wright asked Dr. Rick Kreminski to review the enrollment report.

Dr. Kreminski reported there was growth over the past five years at both the undergraduate and graduate level. The enrollment report pertains to resident instruction which has an official state definition for state funding for undergraduate classes and typically face-to-face graduate classes, and not literally Colorado residents. There are a significant number of students taking resident instruction classes, including continuing education, that are not seeking a degree.

Dr. Kreminski reported enrollment remains stable in gender with the retention rate significantly higher for females. The undergraduate FTE for Hispanics is at 31% which exceeds the federal requirement for a Hispanic Serving Institution of 25%. The student population is generally financially needy with over half of the students Pell eligible which has been consistent over the past several years. One-quarter of the students self-identify as first generation.

The First-Time-Full-Time (FTFT) retention rate has rebounded from under 60% last year to 63.2%. Retention rate for Hispanics is 65%; 67% for African Americans; and 61% for white females which is 7 to 8 points higher than males. International enrollment has increased to 100 and the English Language Institute enrollment has increased but was not counted since these are not degree seeking students. Academic preparedness has been stable. The average ACT score is 20.7 and the average high school GPA has increased from 3.10 last year to 3.17. Graduation rates for six years remain consistent.

When asked about why freshmen students do not return, Dr. Kreminski responded there were a multitude of reasons including finances, transferring to community colleges or out of state, moving, and military connections. The deans have tasked the department chairs to conduct consultations, but half of the students did not respond. The National Clearinghouse data will be reviewed.

CSU-Global Campus: Dr. Jon Bellum, Provost, CSU-Global Campus, reported that, with new students every month, the fall enrollment period does not close until the last term at the end of December. There has been stable and reasonable growth over the past five years with an overall growth of 387%. The report does not include Fall 2008 when students first began to enroll.

There has been progressive growth in under-represented minorities, which includes racial and ethnic minorities, with an overall percentage of enrollment at 22% for Fall 2012. The largest group represented

is Hispanic at 10.7%. The female to male ratio fluctuates around the 50-50 mark. Charts on retention and graduate rates were provided. Initially there were high retention rates and low graduations rates that have moved towards more stable retention and increased graduation.

Data on new student demographics was provided for 2012-13 which was the most recent complete academic year. As of the end of June 2013, new enrollment for both undergraduate and graduate was at 4,338 with approximately 362 per term. Demographics include 43% self-report as first generation; 18% military; 25% under-represented minorities; 52% are from Colorado; and the cohort continues to change rapidly.

President Becky Takeda-Tinker reported a new support group that falls between student advising and enrollment has been initiated to ensure new students receive extra attention. Efforts are also being made to stabilize and increase retention. Continuous re-engagement has also been reinstated to move students towards graduation.

Governor Horrell observed that the consistent format for the three reports was helpful.

Accreditation Site Visit: Dr. Miranda reminded the Board of the upcoming Higher Learning Commission accreditation site visit in early November. The site visit team will meet with the Board on Tuesday, November 5th, at noon at a location to be determined on the CSU-Fort Collins campus. Flash drives with the self-study were distributed to the Board.

With no further business to conduct, the meeting adjourned at 10:37 a.m.

**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM
AUDIT AND FINANCE COMMITTEE MEETING MINUTES
Lory Student Center, Colorado State University-Fort Collins
October 3, 2013**

CALL TO ORDER

Committee Chair Dennis Flores called to order the Audit and Finance Committee meeting at 10:38 a.m.

ROLL

Committee members present: Dennis Flores, Chair; Joseph Zimlich Vice Chair; Ed Haselden; Alexandra Bernasek, Faculty Representative, CSU-Fort Collins; Nigel Daniels, Student Representative, CSU-Fort Collins; Allison Horn, CSUS Director of Internal Auditing (assigned staff); Rich Schweigert, CSUS Chief Financial Officer (assigned staff).

Governors present: Dorothy Horrell; Mark Gustafson; Scott Johnson; Mary Lou Makepeace, William Mosher; Ann Leslie Claesson, Faculty Representative, CSU-Global Campus; Vanessa Emerson, Student Representative, CSU-Pueblo; Frank Zizza, Faculty Representative, CSU-Pueblo.

Administrators present: Michael Martin, CSUS Chancellor; Tony Frank, President, CSU-Fort Collins; Lesley Di Mare, President, CSU-Pueblo; Becky Takeda-Tinker, President, CSU-Global Campus; Rick Miranda, CSUS Chief Academic Officer and Provost and Executive Vice President, CSU-Fort Collins; Michael Nosler, CSUS General Counsel.

System Staff present: Adam Fedrid, IT Manager; Melanie Geary, Executive Assistant to the Chancellor; Allen Sneesby, IT Technician; Sharon Teufel, Executive Assistant to the Board of Governors.

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AUDIT REPORT

Committee Chair Flores reviewed the audit agenda items and asked Ms. Allison Horn, CSUS Director of Internal Auditing, for her report.

Status of FY 2014 Audit Plan: Ms. Horn reported no reports have been issued since the last meeting. Exit meetings have been scheduled for a few audits and the reports will be forthcoming. There are six audits in progress. The Internal Audit Department (IAD) has implemented the first of two new software tools and the staff has attended training. From a professional standard, the new software will assist to make the audits more thorough and consistent.

Past Due Recommendations: Ms. Horn was pleased to report there was only one past due recommendation which is related to the strategic plan for the College of Veterinary Medicine due to the deadline being set to allow time for the new Dean. The fact that there is only one past due recommendation is attributable to the hard work of numerous people. When setting goals for the IAD office for the coming year, the challenge was to consider what are audits supposed to do, and how does IAD measure whether the audits added value, and provided information and reassurance to management and the Board that mitigates risks at the CSUS institutions. Ms. Horn commented the energy and focus that people have put forward in implementing these audit recommendations may be the measure.

Current IAD Projects: Ms. Horn reported one of the IAD goals for the coming year is related to professional development. The staff turnover during the past year resulted in a change in the professional certifications with the loss of the certified fraud examiner and the need for a certified information systems auditor. There is an auditor that will soon receive certification in fraud examination.

Committee Chair Flores inquired about the carry forward audit from last year on tax issues. Ms. Horn explained that, while overall as a state entity the institutions are tax exempt, there are activities that are taxable, i.e., payroll taxes, tax for unrelated business income, and sales tax on some operations. The audit was basically a survey of what issues are out there and to determine that there programs in place to ensure compliance with all of the relevant statutes. Ms. Horn indicated a report will probably be issued before next meeting.

FINANCE REPORT

Committee Chair Flores reviewed the finance agenda items and asked Rich Schweigert, CSUS Chief Financial Officer, for his report.

Update on State Revenues: Mr. Schweigert explained how the quarterly state revenue projections for the current and coming year are forecast by the Governor's Office of State Planning and Budgeting (OSPB) and the Legislative Council. The September forecast from the Legislative Council is projecting over \$1 billion in new additional revenue; the OSPB forecast projects under \$675 million. The quarterly projections for the past year have continued to increase. There are statutory funding requirements for K-12, Medicaid and other areas, and the potential for additional higher education funding appears positive. Mr. Schweigert reviewed the Legislative Council's September 2013 General Fund Overview.

Historical Higher Education Per Student Funding: Mr. Schweigert remarked that Colorado ranks nationally between 48th and 50th on funding for higher education on per student basis. Conversely Colorado is one of the most efficient states in degree granting which is not generally universally accepted by the rating agencies. Mr. Schweigert commented on how filters such as income statements, balance sheets and ratios can affect debt capacity.

State funding comparisons on a per student basis from FY 2001 to FY 2013 for Colorado institutions and by type of institution were provided. There has been a general decline in enrollment at all institutions in Colorado with only three institutions experiencing an increase. Mr. Schweigert noted that, adjusted for inflation, a student at CSU is being educated for approximately the same amount as 10 years ago. State funding of higher education, especially in the research system, is being replaced with tuition charges and improving the bottom line has largely occurred through increased efficiency.

Bond Financing Update: Mr. Schweigert reported that a bond sale for renovation of the CSU-Pueblo University Student Center (USC) occurred since the last Board meeting and interest rates increased from 3.3% in March to 5%. A portion of the sale was done on a taxable basis due to the private corporations

that provide services in the USC to allow these entities to continue and expand operations. A financing packet for projects at CSU will be presented for the Board's consideration at the December meeting.

Debt Capacity Presentation: Mr. Schweigert provided an overview on how rating agencies determine debt capacity with only 30% of the rating based on financial statement analysis. Both Moody's and Standard and Poor's will be holding meetings with the senior management team on the CSU campus to discuss the forecast for the next 10 years which will account for 20% of the debt capacity rating. Continuing challenges with the rating agencies include the view that enrollment growth is an indicator of a healthy institution and the issue of state funding.

Mr. Schweigert provided an overview of the Moody's and Standard and Poor's rating scales and indicated the CSUS ratings were currently at Aa3 and A respectively. Generally CSUS has experienced great investor interest with several massive institutional investors, which is positive for selling fixed rate debt and for consistently coming into the market. In several years, CSUS bond sales experienced triple over subscription or three buyers for every bond to be sold.

Mr. Schweigert explained the state intercept and underlying rates. The majority of CSUS projects are sold under the state intercept program. Currently based on a statutory formula, the CSU System has \$1.1 billion additional capacity under the state intercept program. While there is a statutory limit of pledging 10% of tuition revenues, there have been conversations on allowing governing boards to raise that limit based on internal calculations and thereby increasing debt capacity.

The Master Resolution approved by the CSUS Board defines how bonds are sold and the debt service coverage. As an organization, CSUS is very diligent and conservative. Before presentation to the Board, internally a ten-year pro forma is created on every single project with an average of 125% coverage ratio to ensure adequate coverage with a sufficient revenue source to cover the debt payments which are typically over 30 years. When asked for an example of when a project was voted out of intercept, Mr. Schweigert responded the USC at CSU-Pueblo in order to get the project to market before rates increased.

Mr. Schweigert reviewed a FY 2008 to FY 2012 chart of revenues pledged to investors and noted that investors want to see diverse and reliable sources of revenue. There is the potential for legislation during the coming year to allow greater flexibility for higher education governing boards on net pledged revenue. Discussion followed on whether such legislation will include all higher education institutions in Colorado and the large amount of debt per student being incurred at some state institutions.

Mr. Schweigert reported that independent studies from underwriters and the CSUS financial advisor reflect a general agreement that CSUS has \$400 million to \$450 million debt capacity left before there would be a rating downgrade. A graph on the growth of the CSUS debt burden from 2008 to 2013 indicates CSUS has \$628 million in outstanding debt as of September 15, 2013.

Mr. Schweigert reviewed a range of current anticipated capital needs for 2014-2017 and reported that a list of projects in the \$135 million to \$146 million debt financing range might be brought to the Board at the December meeting. President Frank provided clarification on the PERC greenhouses that are tied to the potential new stadium and explained the generic placeholders from the CSU 2020 model, such as an academic building and utilities. The Board was previously presented the CSU Master Plan and campus parking plan with parking as an ongoing issue.

In response to questions, President Frank explained the program plans approved and to be brought forward for financing in December include the Aggie Village, two parking structures and the Eddy Hall renovation. The addition to the Natural Resources building is being designed and would be 50% donor funded. The chemistry building had been at the top of the state's capital construction list until capital

funding was frozen four years ago and would not have an impact on the CSUS debt burden if the state moves forward with funding. The biology building has also been one of the highest priority academic buildings for the past several years.

Ms. Amy Parson, Vice President for Operations, CSU, explained there are also smaller renovations around the campus for aging buildings that will be occurring. The chemistry building program plan will be updated and program plans are available on the facilities website.

Mr. Schweigert described how the capital construction list previously was a more formalized process through the Colorado Commission on Higher Education (CCHE) and flexibility has been given to governing board through subsequent legislation. With the current revenue forecasts, there appears to be a good potential for funding of capital construction. The CSU chemistry building for which \$44 million was requested is number three on the list.

When asked about the Belmont Residence Hall at CSU-Pueblo, President Di Mare explained that the facility is still functional and asked Mr. Marty Hanifin, Vice President of Finance and Administration, CSU-Pueblo, to comment. Mr. Hanifin indicated that Belmont is an older residence facility that had been placed on the anticipated capital needs list as a placeholder. The facility can probably be maintained for the next three to five years before any major capital repairs are needed. At that point, discussion may need to occur on whether to renovate Belmont, build more campus housing or develop more partnerships.

Currently there are approximately 300 students living in Belmont. Besides the view, providing single occupancy rooms and the sports area in the downstairs make the facility attractive to some students. Current capacity is approximately 400 but, depending on the configuration, capacity could be increased to potentially 1200. Occupancy in the new campus housing is at 80 to 90%. Refunding was completed in March to level off the debt payment to provide time to improve enrollment.

Mr. Schweigert explained the bond issuance procedures are very dynamic and thorough; the procedures can work in sequence or be ongoing at the same time. He highlighted that, once a program plan has been presented to and approved by the Board, the project is approved to move forward and initiates all the subsequent processes, including the financing plan that requires Board approval.

Governor Horrell suggested that a tracking system on program plans be developed and periodically updated for the Board, and inquired about how often a program plan is refreshed. Mr. Schweigert indicated a list could be developed and updated on an ongoing basis. There is the two-year cash fund list that is approved annually during the budgeting process. Mr. Schweigert reviewed the process to receive all of the statutorily required approvals. Other factors such as donor participation or student preferences may also result in the plan being refreshed.

Mr. Schweigert explained how the market may influence the timing of the actual financing package. A Master Resolution was approved by the Board that defines how bonds will be sold. Each supplemental resolution is specific on the projects to be funded and is an official statement to the investment community. There are occasions when provisions need to be amended. The funding package is very involved with input from underwriters, financial advisors and legal counsel. Once the funding package has been approved, a date is selected and the bonds are sold, initiating an internal accounting process during the construction including reports to the IRS. Mr. Schweigert reiterated that approval of the program plan is the key point as to how the whole process is initiated.

In response to questions on the two projects at CSU-Pueblo, Mr. Schweigert explained the academic classroom building has been approved for state funding and the \$26.5 million bond sale was completed on

the University Student Center. Bid packets are being prepared and the Request for Proposals will be sent out soon.

In a response to a question, Mr. Schweigert confirmed that the two-year list of anticipated capital needs and the Master Plan are two ways of providing visibility before a program plan is presented to the Board for approval. Given the Master Plan is an extensive omnibus, a list to provide the Board with information on an intermediate planning basis will be developed.

Mr. Schweigert provided in-state comparisons with sister higher education institutions on debt service as a percentage of operations, debt to operating revenue, and debt per FTE. Discussion followed on debt ratios and construction at various institutions; aging facilities; the possibility of granting greater latitude to governing boards on debt incurred; the national trend of how increasing debt helps ratings; how the state intercept rating is structured; and the dynamics of how highly leveraged institutions in the state can have an adverse effect on good management within the CSU System.

Mr. Schweigert provided an overview on the CSUS ratio analysis at the current debt level with comparisons to the Moody's median. Comparisons on expendable resources to debt at peer institutions for CSU were provided. While state support is significantly greater for some of the larger peer institutions, improvements in endowments at CSU have been and will continue to be made. Mr. Schweigert commented on the difficulty in comparisons to institutions such as Texas A&M where state FTE funding is \$10,000 compared to \$1,900 for CSU. President Frank added that the peer list includes AAU institutions and noted that, to put the ratios in perspective, CSU is one of the smallest institutions on the list.

Conversation followed on the peer comparisons in terms of the location on the spectrum; the impact on rating due to the amount of state funding; comparison with the University of Colorado that has a medical school; and additional debt without building capacity. President Frank pointed out that the CSU 2020 plan was a road map, not a specific year-by-year plan, and that debt will not be taken on if the growth does not occur. Mr. Schweigert commented on the stringent due diligence done internally to ensure a project can be paid for and the high standards of the Board on coverage ratios. Only 25% of tuition is pledged towards projects. Additional debt of \$400-\$450 million could be assumed without changing the CSUS bond rating.

With no further business to conduct, the Audit and Finance Committee meeting was adjourned at 12:15 p.m.

**BOARD OF GOVERNORS OF THE
REAL ESTATE/FACILITIES COMMITTEE MEETING MINUTES
Lory Student Center, Colorado State University-Fort Collins
October 3, 2013**

CALL TO ORDER

Committee Chair Scott Johnson called to order the Real Estate/Facilities Committee meeting at 1:00 p.m.

ROLL

Committee members present: Scott Johnson, Chair; William Mosher, Vice Chair; Ed Haselden; Ann Leslie Claesson, Faculty Representative, CSU-Global Campus; Frank Zizza, Faculty Representative, CSU-Pueblo; Vanessa Emerson, Student Representative, CSU-Pueblo Kathleen Henry, President/CEO, Colorado State University Research Foundation (assigned staff).

Governors present: Dennis Flores; Mark Gustafson; Dorothy Horrell; Mary Lou Makepeace; Alexandra Bernasek, Faculty Representative, CSU-Fort Collins; Nigel Daniels, Student Representative, CSU-Fort Collins;; Joseph Zimlich.

Administrators present: Michael Martin, CSUS Chancellor; Tony Frank, President, CSU-Fort Collins; Lesley Di Mare, President, CSU-Pueblo; Becky Takeda-Tinker, President, CSU-Global Campus; Allison Horn, CSUS Director of Internal Auditing; Rick Miranda, CSUS Chief Academic Officer and Provost and Executive Vice President, CSU-Fort Collins; Michael Nosler, CSUS General Counsel; Rich Schweigert, CSUS Chief Financial Officer.

System Staff present: Adam Fedrid, IT Manager; Melanie Geary, Executive Assistant to the Chancellor; Allen Sneesby, IT Technician; Sharon Teufel, Executive Assistant to the Board of Governors.

Guests: Jon Bellum, Provost, CSU-Global Campus; Doug Brobst; Chris Carter; Jean Christman, Attorney, CSUS Office of General Counsel; Johnna Doyle, CSUS Deputy General Counsel, CSU-Pueblo; Marty Hanifin, Vice President of Finance and Administration, CSU-Pueblo; David Haase, Blanche Hughes, Vice President of Student Affairs, CSU-Fort Collins; Steve Hultin, Facilities Director, CSU-Fort Collins; Nancy Hurt, Managing Director, Colorado State University Research Foundation; Jason Johnson, CSUS Deputy General Counsel, CSU-Fort Collins; Lynn Johnson, Chief Financial Officer, CSU-Fort Collins; Rick Kreminski, Acting Director of Institutional Research, CSU-Pueblo; Ben Morgan; Jennifer Mullen, Chief of Staff, CSU-Pueblo; Kris Nulander, Paul Orscheln, Vice President of Academic and Student Affairs, CSU-Pueblo; Alan Rudolph, Vice President for Research, CSU-Fort Collins; Carl Wright, Provost, CSU-Pueblo; Bob Vangermeersch, SOSH; Linda Vrooman, SOSH; Bill Woods, CSU-Pueblo; Anita Wright, SOSH.

Committee Chair Johnson reviewed the meeting agenda and explained the procedure for the stadium report by President Frank would be any Board member can ask questions or comment during the report, but no questions would be accepted from the public. Members of the general public can comment during the time designated for public comment at the Board meeting the next day.

Stadium Report: President Frank distributed a written report that would be posted on the website. The report addresses six key points: 1) what has been done to decrease costs; 2) additional non-athletic uses; 3) an update on the timeline; 4) update on the finances; 5) update on issues related to Hughes Stadium; and 6) next steps. President Frank reported that it had been a year since his written recommendation was

articulated to the campus and the community. The Board at that time supported the recommendation to go forward with the fundraising and planning on the new stadium.

Cost: During the past year, the project management team has been able to decrease the \$246 million projected cost in the feasibility study to \$226.5 million. The basic design, location, quality standards, availability of seating products, and revenue assumptions will be maintained.

Facility Uses: Ms. Amy Parsons, Vice President of Operations, CSU-Fort Collins, reviewed four renderings of the new design for the proposed stadium in the same location with the same orientation. The design was modified to include 55,000 sq. ft. of academic space.

President Frank reported the design allows for a variety of events, including retreats and conferences. The CSU 2020 projections anticipate the need for 1 million sq. ft. of new academically oriented space over the next 10 to 12 years to maintain current ratios if growth expectations are met. By utilizing the infrastructure of the stadium facility, the academic space can be built more economically. The cost for building the academic space is \$17.5 million, or approximately 73 cents on the dollar for stand-alone space, resulting in a savings of \$6.5 million. Academic units have expressed interest in the space and the typical campus allocation process on how the space is assigned would be followed. The cost of the athletic portion of the stadium does not include the academic space.

In response to questions, President Frank confirmed the new design was created with the potential academic space, but could be redesigned if the decision was made not to include the academic space. The savings is forecasted in today's dollars for a 2014 purchase with escalation and a 5% contingency.

When asked about the stadium location and the long term Master Plan on desirability of academic space, President Frank responded the stadium site is centrally located so alumni will come back and see the investments that have been made on the campus. The desirable central location is also the main driver for the discussion on the academic space.

President Frank reported discussions on potential uses for the stadium facility have included such areas as fashion merchandising that uses large bays; health/exercise science and training programs; additional dining capacity; and the university's teaching restaurant for the hotel and restaurant management program. Other than location, there would be no advantage or disadvantage to having classrooms in the facility. Chancellor Martin commented on two successful models at other universities with such a location for the universities' hospitality programs.

Finances: President Frank reported that different financial models have been examined, but there is no reason to move away from the 50-50 model for the athletic portion of the facility with 50% through private sources including philanthropy and 50% through bonding against revenues of the new stadium. With the redesign, the revenue scenarios still reflect the ability to support \$125 million in bonds based on the low case scenario of the revenue model. Fundraising efforts continue and there is a reasonable level of confidence that one-third of the goal will be achieved by the end of this year. When asked about costs for offsite improvements included in the initial cost proposal, President Frank responded that no additional detail can be added at this point.

Timeline: The schematic design phase that was entered based on the fundraising success in July will end in November. During the next 30 to 60 days, based on the fundraising results, a decision will need to be made on whether to enter the design development phase that would run through April 2014. During the design development phase, CSU will work closely with the City of Fort Collins on such issues of impacts, mitigations, and engagement of the neighborhoods.

When asked about parking, President Frank confirmed that parking is a separate issue from the stadium and, through the Master Plan and the Parking Master Plan, program plans have been brought forward for three separate parking garages. While the argument could be made that the proposed new stadium would impact parking, the overall growth of the university with or without the stadium is driving the parking discussions and the parking funding models.

When asked about fundraising without specifics, President Frank responded that the amount of both cash and pledges, including some irrevocable pledges, provides the confidence to move forward with the schematic design and the design development phases. There are conceptual pledges that could turn into actual funding amounts if the stadium goes forward. President Frank commented that Jack Graham, CSU Athletic Director, has been leading the fundraising effort and asked Mr. Graham to comment.

Mr. Graham reported the fundraising has been almost exclusively in the quiet phase with potential donors who have the economic capability to give significant gifts. The process requires a long lead time for relationship building and education. There has been interest and curiosity as to the design, and general enthusiasm to have the stadium on the campus. Mr. Graham expressed confidence in achieving success.

Mr. Brett Anderson, Vice President for University Advancement, CSU-Fort Collins, agreed with Mr. Graham that large gifts for the university's fundraising require long lead times. He reported the stadium campaign was going well and momentum appears to be building.

Hughes Stadium: President Frank reported that a CSU facilities report and an independent third party analysis of that report resulted in slightly different but close cost projections. Essentially Hughes Stadium will need close to \$30 million in deferred maintenance over the next decade, which includes basic infrastructure improvements such as plumbing.

Next Steps: President Frank reported his next step would be to move forward with the design development phase. Several Board members commented positively on the advisability of moving to this next phase. The Board encouraged President Frank to continue to engage the community around the topics of impacts and mitigations in moving forward.

Following President Frank's report, Committee Chair Johnson asked for a motion to convene in executive session. **Motion/Action:** Governor Zimlich made the motion, Governor Makepeace seconded, and the motion was carried unanimously. General Counsel Nosler read the meeting into executive session for the purpose of discussions relating to the purchase of property for public purpose or sale of property at competitive bidding if premature disclosure of such transaction would give a competitive advantage to the other party, confidential pursuant to C.R.S. § 24-6-402 (3) (a) (I) (2013). The meeting convened in executive session at 2:00 p.m. and reconvened in open public session at 2:42 p.m.

Ms. Amy Parsons, Vice President of Operations, CSU-Fort Collins reviewed program plans to be brought forward at the December meeting to be prepared should state funding become available. The program plans will be posted on the website when ready for review and the Board will be sent the link. President Frank indicated he would work with Ms. Parsons on developing a list of program plans that have been approved and projects planned for the next two to five years.

Action Items: Committee Chair Johnson reported the next agenda item was approval of the two action items discussed in executive session: the oil and gas lease in Washington County, Colorado, and the water rights portfolio transactions. **Motion/Action:** Governor Zizza made the motion to recommend the action items for Board approval. Governor Haselden seconded and the motion was unanimously carried.

Committee Chair Johnson indicated the meeting was concluded and tours of the Durrell Center and the Bioengineering Building were next. Board Chair Dorothy Horrell asked Dr. Blanche Hughes, Vice President for Student Affairs, CSU-Fort Collins, to comment on the Durrell Center. Dr. Hughes gave an overview of the location and the revitalized building. Board Chair Horrell provided brief details on the timing for the tours and the Board dinner that would honor Dr. Diana Wall, and a preview of the next day's agenda. The meeting was adjourned at 2:54 p.m.

**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM
BOARD BREAKFAST MEETING MINUTES
Lory Student Center, Colorado State University
October 4, 2013**

CALL TO ORDER

Chair Dorothy Horrell called the breakfast meeting to order 7:30 a.m.

ROLL

Governors present: Dorothy Horrell, Chair; William Mosher, Vice Chair; Dennis Flores, Treasurer; Scott Johnson, Secretary; Mark Gustafson; Ed Haselden; Mary Lou Makepeace; Joseph Zimlich; Alexandra Bernasek, Faculty Representative, CSU; Ann Leslie Claesson, Faculty Representative, CSU-Global Campus; Frank Zizza, Faculty Representative, CSU-Pueblo; Nigel Daniels, Student Representative, CSU; Vanessa Emerson, Student Representative, CSU-Pueblo.

Administrators present: Michael Martin, CSUS Chancellor; Tony Frank, President, CSU; Lesley Di Mare, President, CSU-Pueblo; Becky Takeda-Tinker, President, CSU-Global Campus; Rick Miranda, CSUS Chief Academic Officer and Provost and Executive Vice President, CSU; Michael Nosler, CSUS General Counsel.

Guests present: Craig Beyroudy, Dean, College of Agricultural Sciences, CSU; Joyce Berry, Dean, Warner College of Natural Resources, CSU; Ann Gill, Dean, College of Liberal Arts, CSU; Jeff McCubbin, Dean, College of Health and Human Sciences, CSU; David McLean, Dean, College of Engineering, CSU; Ajay Menon, Dean, College of Business, CSU; Janice Nerger, Dean, College of Natural Sciences, CSU; Mark Stetter, Dean, College of Veterinary Medicine and Biological Sciences, CSU

Chair Horrell welcomed the Deans and remarked the meeting was an opportunity for the Board to thank the Deans for their work and to learn about their respective colleges. Chair Horrell recognized Dr. Rick Miranda for his leadership and for organizing the meeting. She asked Dr. Miranda for his comments and to introduce the Deans.

Dr. Miranda reported that two of the Deans were unable to attend. He commented that the Deans are the heart of the university providing leadership in all academic matters, student affairs, facilities and other areas. Following the introduction of the Deans, Board members and staff present, Chair Horrell asked each of the Deans to share what was happening within their colleges and issues that the Board should be aware of.

Dr. Janice Nerger commented on the eight departments of the College of Natural Sciences. The College has great diversity in research and has been awarded \$15 million in grants during the first three months of the academic year. The College's Biology Major is one of the largest for the university and the Statistics Major within the Mathematics Dept. is being reinstated. Plans are being made for expansion with a new chemistry building and an additional biology building.

Dr. Ann Gill remarked that highlights for the College of Liberal Arts include adding additional Ph.D. programs, some of which are interdisciplinary. One of the most overwhelming tasks is to provide 33% of student credit hours taught through 13 departments. The University Center of the Arts has transformed the

arts at CSU and the creative writing programs have been enhanced with the hiring of new poetry faculty. Funding continues to be a challenge.

Dr. Ajay Menon shared a profile of the College of Business with enrollment statistics, an overview of the distance MBA program, and the success of graduates in certification and employment. He commented on recognition of the Global Social and Sustainable Enterprise program. With enrollment growth, expansion is needed in both terms of physical space and the distance platform. He remarked that college students learn differently today and there is a need for facilities, technology and professors trained to deliver content in a manner to ensure student success. Dr. Menon remarked on the outstanding faculty and vibrancy of the College of Business.

Dr. Joyce Berry reported the Warner College of Natural Resources is one of the largest and most comprehensive in the country, and one of the oldest with the first class in forestry taught in 1904. After a decrease during the economic downturn, undergraduate enrollment has increased by 50% over the past few years with a current all-time high level. The College has been reorganized into five departments with a wide range of programs to address the planet's population in a comprehensive way. Dr. Berry commented on the strength of the College's research. Highlights include a new director for the Colorado State Forest Service and the Pingree Campus upcoming 100th anniversary. Fundraising is underway for a new building close to the Natural Resources Commons building and plans are being made for an additional building.

Dr. David McLean explained the College of Engineering has a strong emphasis on both undergraduate education and research in areas such as environment, water, and atmospheric sciences. There is an increased focus on health and environmental impact issues and collaboration is done with several of the university's colleges. The greatest asset is the faculty that has contributed to a 40% growth over the last five years in research activity. Enrollment growth reflects improved quality and diversity of the undergraduate students and an increase in the number of out-of-state students. Coping with the growth has been challenging financially. The College is examining ways to diversify revenues and to partner with businesses.

Dr. Mark Stetter provided an overview of the College of Veterinary Medicine and Biomedical Sciences, interdisciplinary programs, and collaborative efforts. Challenges include continued strategic growth after several years of contracture. Dr. Stetter provided recent examples of collaborative program growth. Health assets at CSU, such as human health, environmental health and animal health, could be combined to reach out to the local community and the state of Colorado.

Dr. Jeff McCubbin described the breadth and enrollment of the College of Health and Human Sciences through eight departments with a wide range of academic programs. He noted the name change was positive and most of the programs directly impact health in a variety of ways. Health-related programs across the country have grown more rapidly than other academic programs in the past decade creating challenges in terms of resources and facilities. Improvements have been made through corporate partnerships, particularly through the Construction Management program. Highlights include plans for a new museum aligned with the University Center for Arts that focuses on the rich cultural history in textiles through the Dept. of Design and Merchandising. Enhanced fundraising, both in terms of staffing and energy, communications, and engagement of alumni and community are needed to support the College.

Dr. Craig Beyrouthy explained how agriculture is an integrated component of the fabric of society and provided examples of how the College of Agricultural Sciences works closely with the other colleges. The College is also working with the University of Wyoming to identify opportunities for joint

appointments and to work collectively with limited resources to meet the needs of stakeholders. Dr. Beyrouthy shared the College's five strategic initiatives on water; land use; sustainable and economically viable beef and dairy production; food safety; and food and nutrition. These initiatives can be looked at through both a systems approach and a multi-disciplinary approach with agriculture as a fundamental component that goes beyond the College of Agricultural Sciences.

Chair Horrell thanked the Deans for their comments and opened the conversation to questions and comments from the Board. Chancellor Martin observed the toughest and most important job on the campus is that of the Deans who are, in some respects, caught between the aspirations and demands of the faculty and students, and the constraints and realities of the administration to run the university. He commented on how fortunate Colorado State University is to have strength at both the level of the President and Provost and with the Deans who serve a critical role at the institution.

Governor Makepeace commented on a growing awareness of the food supply and inquired on global production as part of the curriculum within agricultural education. Dr. Beyrouthy explained the focus is on the whole food system from production to consumption and is very broad-based, encompassing different aspects such as humans, food, environment and animals. He commented on how CSU has one of the top programs in the nation on organic agriculture and remarked on efforts to work collectively to advance the food system through curriculum, outreach and research. In response to a question on the politics of food systems, Dr. Beyrouthy explained the issue is woven into the curriculum. He commented on a recent student internship in Washington, DC and the desirability of those kinds of opportunities, both at the state and national level, to involve students with legislators.

Governor Haselden remarked that part of the role as the governing board is to understand trends in higher education and inquire as to what trends the Deans foresee for higher education in 2020. Responses included recognizing changing student demographics to recruit, retain and be supportive of students in a variety of ways; embracing and adapting technology, strategies such as MOOCs, curriculum and teaching methodology; financial independence, both in terms of partnerships with corporations and other entities to provide support; and responding to the Colorado paradox by addressing educational gaps through collaborative efforts with community colleges and other four-year universities, both within the state and beyond.

One observation was CSU students are very service-oriented and, while they want a good salary, making an impact is important. With increasing costs of higher education, there will be a demand for access to high quality, low cost, accredited education and different options, such as online and hybrid, need to be explored and expanded.

Governor Johnson expressed his appreciation for how worthwhile the conversation has been and that it provided an excellent opportunity for Board education. He commented that President Frank and Chancellor Martin had previously mentioned aspirations for CSU possibly seeking AAU status and asked for the Deans' comments. The Deans responded positively and indicated such status is attainable. When asked what is needed to achieve AAU status, responses include brand reputation building through marketing and communication, and more investment in resources. Another possible way is through faculty recruitment.

Chair Horrell inquired as to what the Deans are hearing from the faculty in terms of college preparedness of incoming freshmen and initiatives that CSU has with K-12 schools. The Deans commented on how students process information differently as a result of changing communication technologies and CSU is adapting. The School of Education, located within the College of Health and Human Sciences, is relatively small and is currently focused primarily on early childhood education and adult education.

However, there are teaching licensure programs across the university and faculty is engaged in teaching CSU students in the public schools on an ongoing basis. STEM-related education and opportunities are shared across the university and more teachers are needed in those areas. One challenge is in mathematics preparation and mathematics faculty is engaging more with K-12, particularly high schools.

Through Agricultural Sciences, there is a strong education program for K-12 with the 4-H programs through the Extension Offices that offer community development programs at schools, in cities as well as rural communities. The National Western Complex also offers an educational opportunity. Training the next generation of teachers is a critical mission for CSU. CSU through the Environmental Learning Center works directly with the Poudre School District providing an opportunity to learn about environmental stewardship.

Chair Horrell concurred with Governor Johnson's comments on the value of meeting with the Deans and commented the information shared will add to the Board's ability to communicate to policy-makers and the broader general public the role of higher education and the great work being accomplished at CSU. She shared information on a presentation at a recent Association of Governing Boards meeting on how college students learn differently today with technology.

Chair Horrell remarked on the positive relationships and collaborative spirit that exists across the colleges. She thanked the Deans on behalf of the Board for their dedication, leadership and contributions to the students, the university, and the State of Colorado. With no further conversation, the breakfast meeting was adjourned at 8:50 a.m.

**BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM MEETING MINUTES
Lory Student Center, Colorado State University
October 4, 2013**

CALL TO ORDER

Chair Dorothy Horrell called to order the Board of Governors meeting at 9:02 a.m.

ROLL

Governors present: Dorothy Horrell, Chair; William Mosher, Vice Chair; Dennis Flores, Treasurer; Scott Johnson, Secretary; Mark Gustafson; Ed Haselden; Mary Lou Makepeace; Joseph Zimlich; Alexandra Bernasek, Faculty Representative, CSU; Ann Leslie Claesson, Faculty Representative, CSU-Global Campus; Frank Zizza, Faculty Representative, CSU-Pueblo; Nigel Daniels, Student Representative, CSU; Vanessa Emerson, Student Representative, CSU-Pueblo.

Administrators present: Michael Martin, CSUS Chancellor; Tony Frank, President, CSU; Lesley Di Mare, President, CSU-Pueblo; Becky Takeda-Tinker, President, CSU-Global Campus; Allison Horn, CSUS Director of Internal Auditing; Rick Miranda, CSUS Chief Academic Officer and Provost and Executive Vice President, CSU; Michael Nosler, CSUS General Counsel; Rich Schweigert, CSUS Chief Financial Officer.

System Staff present: Adam Fedrid, IT Manager; Melanie Geary, Executive Assistant to the Chancellor; Allen Sneesby, IT Technician; Sharon Teufel, Executive Assistant to the Board of Governors.

Guests: Doug Brobst; Johnna Doyle, CSUS Deputy General Counsel, CSU-Pueblo; Mark Gill, Chief of Staff, CSU; Marty Hanifin, Vice President of Finance and Administration, CSU-Pueblo; Scott Harris, Police Department, CSU; Kyle Henley, Public Relations Director, CSU; Kathleen Henry, President/CEO, Colorado State University Research Foundation; Mel Hilgenberg, Legacy Leadership Center; Blanche Hughes, Vice President of Student Affairs, CSU; Jason Johnson, CSUS Deputy General Counsel, CSU; Carl Kichinko, Communications and Creative Services, CSU; Rick Kreminski, Acting Director of Institutional Research; Louis Scharf, Professor of Mathematics, CSU; Ben Morgan; Jennifer Mullen, Chief of Staff, CSU-Pueblo; Andrew Olson, ASCSU Vice President, CSU; Paul Orscheln, Vice President of Academic and Student Affairs, CSU-Pueblo; Tony Phifer, Public Relations, CSU; Norm Rasulis; Ken Tharp; Bob Vangermeersch, SOSH; Sean von Wedel, student, CSU; Linda Vrooman, SOSH; Carl Wangsvick; Bill Woods, CSU-Pueblo; Anita Wright, SOSH; Carl Wright, Provost and Vice President, Academic Affairs, CSU- Pueblo.

Chair Horrell convened the meeting, recapped the previous day's meetings, and reviewed the agenda.

PUBLIC COMMENT

Chair Horrell reported there was an update from President Frank on the proposed new stadium during the Real Estate/Facilities Committee meeting the previous day. There were 50 minutes allocated to the public comment. Ten individuals signed up to address the Board and each was allocated a maximum of five minutes. Chair Horrell asked that speakers not repeat comments that had been previously made and that any written statements be provided to Sharon Teufel for distribution to the Board.

The following individuals commented in opposition to the new proposed on-campus stadium: Linda Vrooman, Bob Vangermeersch, Louis Scharf, Anita Wright, Ken Tharp, Sean von Wedel, and Doug

Brobst. Comments by Ben Morgan on how to use the stadium to engage and grow CSU were interrupted by a fire alarm at 9:44 a.m. and the building was evacuated. The meeting was reconvened at 10:18 a.m. and Mr. Morgan was given one minute to conclude his remarks. Carl Wangsvick and Norm Rasulis both commented in opposition to the new stadium.

BOARD CHAIR'S AGENDA

Chair Horrell reported Governor Jerry Purvis, the student representative for CSU-Global Campus, resigned his position due to relocation to Florida for new employment. The Board was asked to review and submit any additions/changes to an acronyms list which is a continuing work in progress. In response to the June Board retreat, a draft Board work calendar was distributed to the Board. Chair Horrell encouraged the Board to review the correspondence and higher education readings in the Board book.

Chair Horrell highlighted several upcoming campus events and noted a revised list will be distributed to the Board. Board members who are able to participate in the December commencements at CSU in Fort Collins were asked to submit their role preferences. Due to the fire alarm and the inclement weather, the meeting agenda was adjusted and the System wide discussion items including the legislative update and President Obama's plan for higher education were postponed until the December meeting.

EXECUTIVE SESSION

Prior to convening in Executive Session, Chair Horrell asked General Counsel Nosler and his staff to present the Clery campus fire and safety reports for Colorado State University and Colorado State University-Pueblo. Board members were asked to hold any specific legal questions on the reports until the executive session. General Counsel Nosler indicated that Jason Johnson, Deputy General Counsel, CSU, would present the CSU campus report and Amy Parsons, Vice President for Operations, CSU, would introduce the new police chief. Ms. Johnna Doyle, Deputy General Counsel, CSU-Pueblo, would present the report for CSU-Pueblo.

Mr. Johnson explained the requirements under the Clery Act for higher education institutions to annually publish campus security reports by October 1st. The reports include information on campus safety; security policies and programs; information on the campus police department and campus public safety team; and crime and fire statistics for the last three years. The purpose of the Clery Act is to promote campus safety and to provide parents, students and employees an opportunity to review crime and campus safety statistics. Three major components include the daily crime log that is maintained by the campus police department; the requirement that institutions send out campus notifications in the event of an emergency; and the required annual security report.

Mr. Johnson reported the CSU Police Department does the majority of the work in preparing the report and asked Ms. Parsons to introduce the new CSU Police Department Chief. Ms. Parsons introduced Scott Harris who expressed his appreciation for the opportunity to represent the CSU Police Department. He commented the Police Department can be educators, mentors and partners with every campus group in a community-wide effort to ensure health, safety and security. Chair Horrell and the Board welcomed Mr. Harris.

Ms. Doyle explained CSU-Pueblo also completes the annual Clery report and there were no significant changes or increases in incidents since the previous year, even with the acquisition of the Walking Stick Apartments. An article in the *Durango Herald* this past year indicated that CSU-Pueblo is one of the safest campuses in Colorado. At CSU-Pueblo the local sheriff's department is contracted to provide law enforcement with 24/7 protection and threat assessment in all of the campus areas. One of the deputies is

a veteran and is involved with veterans in post-traumatic stress issues. The relationship with the sheriff's office is positive and works well for the CSU-Pueblo campus.

Chair Horrell asked for a motion to convene in executive session. **Motion/action:** Governor Haselden made the motion; Governor Flores seconded; and the motion was carried unanimously. General Counsel Nosler read the meeting into executive session for the consideration of nominations for the awarding of honorary degrees or consideration of proposals for the naming of any building for a person or persons, to receive the litigation report and to receive legal advice on specific legal questions to C.R.S. § 24-6-402 (3) (a) (II) (2013). The meeting moved into executive session at 10:45 a.m. The Board recessed for a break at 12:17 p.m. and reconvened in the open public meeting at 12:25 p.m.

COMMITTEE REPORTS

Evaluation Committee: Committee Chair Makepeace reported the committee met the previous day to complete the evaluation process for the past academic year by accepting, modifying and approving the goals for the Board Appointees and Presidents for the existing academic year and going forward. There were no action items to be moved forward for Board approval.

Audit and Finance Committee: Committee Chair Flores reported there were no action items brought forward for Board approval. Ms. Allison Horn, CSUS Director of Internal Auditing, provided updates on the 2014 audit plan, past due recommendations with only one past due item which was an all-time low, and the current Internal Auditing Department projects. Mr. Rich Schweigert, CSUS Chief Financial Officer, provided an update on the State budget forecast, a general fund overview, an historical report on higher education funding, and a presentation on debt capacity.

Academic and Student Affairs Committee: Vice Chair Makepeace reported the committee met and consent agenda items moved forward were approval of a posthumous degree and the degree candidates for CSU-Global Campus.

Real Estate/Facilities Committee: Committee Chair Johnson reported the committee began the meeting in open session where President Frank, with support of additional staff, provided an update on the proposed new stadium. The consensus after the report was the Board continues to support President Frank and his staff as the process moves forward to the design development phase of the planning for the stadium. The committee convened in executive session and moved back into open session to approve moving forward two action items on water rights and an oil and gas lease. The committee also received a report on program plans that will be presented to the Board at the December meeting.

Approval of Board of Governors Policy Manual: Chair Horrell reported the Policy and Procedures Manual (Manual) has been a work in progress for several months. Board members received an electronic version of the Manual and could request a paper version if desired. The Manual after approval will be posted on the Board's website.

General Counsel Nosler reported the current version of the Manual distributed to the Board by electronic transmission incorporated all of the suggested changes received from Board members and minor typographical corrections. The intent of the Manual is to assemble in one place the policies that guide the Board. The Manual is designed as a living document so that the policies can be amended and additional new policies added through time. The Manual also incorporates all of the prior Board policy resolutions upon which the Board has acted.

RESOLUTIONS AND CONSENT AGENDA

Chair Horrell indicated General Counsel Nosler would read all of the resolutions into the record and then, unless an item needs to be pulled out for individual action, the resolutions and consent agenda will be approved en masse. The consent agenda included the minutes of the previous committee and Board meetings, the awarding of a posthumous degree at CSU, the appointment of the new Vice President of Student Services and Enrollment Management at CSU-Pueblo, and approval of the degree candidates for CSU-Global Campus.

General Counsel Nosler read the matters for action as follows:

1. Property: Approval of Water Rights Portfolio Transactions.
2. Land: Oil & Gas Lease on Approximately 160 Mineral Acres in Washington County, Colorado.
3. CSU: Approval of the Acceptance of Gifts and Naming Opportunity relating to the conference room in the Suzanne and Walter Scott, Jr. Bioengineering Building in the College of Engineering.
4. CSU-Pueblo: Approval of Revisions to the Naming Policy.
5. CSU System: Approval of the Colorado State University System Board of Governors Policy and Procedures Manual.

Motion/Action: Governor Makepeace made the motion to approve the resolutions and consent agenda. Governor Zimlich seconded and the motion carried unanimously.

PRESIDENTS' REPORTS:

CSU-Global Campus: President Takeda-Tinker reported that, at the June Board retreat, the Board discussed reinvesting in CSU-Global Campus. A 10-minute video presentation was viewed by the Board to address the market place challenges and the activities that CSU-Global Campus will be undertaking with the investment. Following the video, Governor Haselden remarked that, according to his math, the investment is approximately \$216 per student to basically gain potential access to 1,500 new students, which reflects a positive investment. Chair Horrell noted that, at the retreat, the Board had talked about the importance of reinvesting in the CSU-Global Campus enterprise and the other purpose of CSU-Global Campus as a source of resources to invest in other new initiatives.

President Takeda-Tinker reported the link for the video was sent to the Board prior to the meeting with additional information that lays out the foundation for alternative types of credit for learning and different options for adult learners to be able to successfully complete their Bachelor's degrees. In the area of scholarships, the proposal outlined that awards would only be given upon successful course completion or when a student successfully passes an exam. For the underserved student outreach work, pre-tests have been conducted in identified markets and CSU-Global will ensure that projected costs are not exceeded. Fiscal year end results will be evaluated to determine continuation of the proposed programs.

President Takeda-Tinker thanked that Board for supporting the reinvestment in CSU-Global Campus and for examining the issue of reserves. In August, the Higher Learning Commission (HLC) had requested that CSU-Global provide a response to its Criterion #5 to ensure that "the institution's resource allocation process ensures that its educational purposes are not adversely affected by elective resource allocations to other areas or disbursement of revenue to a super ordinate entity." For its response, CSU-Global provided minutes from the June retreat and a brief supplemental explanation to the HLC.

When asked about efforts to support veterans, President Takeda-Tinker reported CSU-Global Campus was invited to join the Coalition for Adult Learners and, following a meeting of the coalition in Washington, DC, she has eight meetings scheduled with various military groups. A meeting has already been held with the IAAVA that supports over 400,000 military personnel and veterans. Currently 18% of the CSU-Global Campus's population is military or dependents. Time to degree completion is comparable to its non-military and veteran students and the retention is 73% over a three-year period for either graduated or still actively taking classes.

Chair Horrell reported that, in preparation for this meeting, President Takeda-Tinker communicated with her staff and faculty what the Board had requested from the retreat. The response was positive with an abundance of ideas. President Takeda-Tinker added that the addition of the university's new student support department and its continuous re-enrollment campaign were also ideas from the staff and faculty based on the Board's interest and commitment in CSU-Global's future.

Chancellor Martin reported he and President Takeda-Tinker have begun conversations with legislative leaders on the prospect of expanding the CSU-Global Campus mission to increase CSU-Global Campus's ability to provide affordable access to higher education to adult students in Colorado and beyond. The Board will be having further conversation on the topic at the December meeting.

CSU: President Frank highlighted from his written report that CSU hosted its first community open house and ice cream social. A President's community lecture series will be launched this semester and be available as a free ticketed event. An arrangement has been made with *The Coloradoan* for a series of CSU-related inserts in the newspaper with the first insert on the upcoming CSU Homecoming activities. CSU was a sponsor for the USA Pro Cycle Challenge and the associated advertisements were effective. A branch of the CSU Bookstore called Ram Zone opened in Old Town and has been well received.

President Frank asked Amy Parsons, Vice President of Operations, CSU, to report on the Ripple Effect, a women's initiative that evolved out the President's Fall Address from the previous year. Ms. Parsons explained the charge President Frank had issued was to transform CSU into the best place for women to work and learn in any capacity. To be successful, the philosophy was to engage all of the campus community. Progress has been made through technology and a Ripple Effect website was launched last month. Ms. Parsons demonstrated the various resources on the landing page.

The Office of Equal Opportunity, Institutional Research, and Human Resources have combined forces to examine gender gaps. Findings indicate CSU has done a good job analyzing data for the faculty, but now needs to examine administrative professional, state classified and other categories of university employees, which will be a big initiative for the coming year. The gender gap includes more than just salaries, such as start-up packages and other areas, to ensure an equitable work place. With the assistance of the Student Affairs Office and different student groups, a segment specific to the female student population will be launched.

Ms. Parsons explained linkage from the website's event tab to other organizations and the Mindmixer function that creates a platform for the community to share suggestions or comments. CSU is collaborating with other Colorado organizations on activities that will be launched around International Women's Day on March 8th.

Funding for the project has been provided through the strategic partnership with First National Bank. In response to the suggestion on male involvement, Ms. Parsons explained the messaging and other ways to provide more male involvement are being explored to ensure the initiative is community-wide.

CSU-Pueblo: President Di Mare reported efforts to attract or increase different demographics include a Director of Veterans Affairs was hired as of September 1st; a Veterans Student Resource Center has been created through a donation by Home Depot to assist veterans; and there are a number of different programs, such as Upward Bound Veterans and other campus initiatives, to assist veterans. Training has been provided to faculty and staff to better understand how to relate to and understand the particular circumstances of veterans. Currently there are 300 veteran students and there will be more recruiting efforts for veterans.

The *On the Move* capital campaign kickoff was a huge success and the campaign has moved out of the silent phase. Over \$5 million of the \$25 million goal has been raised to this point with \$15 million of the campaign to be directed to student scholarships. There are approximately 10% more international students on the CSU-Pueblo campus this fall with students for the first time from Brazil, Columbia, Peru, Ecuador and Venezuela. The mix of international students is a positive way for the campus to experience a global village and a way to continue to attract additional international students.

CSU-Pueblo is one of two state institutions with programs focused on improving students' financial literacy. The SALT program assists students with financial aid and education beyond the campus's financial aid office. The service is free and results will be tracked.

President Di Mare reviewed the new scholarships that were launched this academic year. A video prepared by a graduate student on what the scholarships mean to the recipients was shared with the Board. Following the presentation, Governor Zizza remarked the video was shown at a donors' luncheon that was a wonderful event with the ballroom filled with the students who won the awards and their sponsors.

FACULTY AND STUDENT REPORTS

Dr. Alexandra Bernasek, Faculty Representative, CSU, reported the Faculty Council had an INTO update that will be included in her next written report. Upcoming issues for the Faculty Council include examining MOOCs and what it would take for CSU to be invited to the AAU.

Dr. Ann Leslie Claesson, Faculty Representative, CSU-Global Campus, remarked she did not have anything to add to her written report. She explained students come first at CSU-Global Campus and the reason she was late the previous day was due to a student issue that was positively resolved.

Dr. Frank Zizza, Faculty Representative, CSU-Pueblo, reported highlights since his written report was prepared include Dr. Carl Wright, the new Provost, attended the September 9th Faculty Senate meeting with the message that retention was everyone's job. There was also discussion on increasing the number of assessments faculty perform on students and using technology to further engage students. The Faculty Senate approved the conflict of interest forms that have been forward to the Department Chairs and Deans. The Faculty Policies and Procedures subcommittee has begun work on the issue of extending multi-year contracts to lecturer positions.

The Graduate Studies Board discussed continuous enrollment and tracking of graduate students that are not registered for courses. Curricular changes for the coming academic year are being discussed in the Curriculum and Academic Programs Board in order to get changes reflected in next year's catalog. An update was provided to the Faculty Senate on the CSU Metro South project. On September 30th, the retention consultant was on campus to review the progress from the previous year with the retention rate up to 63.2% this year.

Nigel Daniels, Student Representative, CSU, highlighted from his written report that there have been ongoing discussions with Transfort on a potential on-campus circulator, and there are several initiatives

within Environmental Affairs to encourage students to bike to campus and to understand bike policies. Discussions have been held with Chancellor Martin on a conference to convene student leadership from Colorado to discuss issues, such as the state budget, federal policy, and the state infrastructure for higher education, and to consider possible actions steps for the future. For-Ever Green t-shirts were distributed to the Board.

Vanessa Emerson, Student Representative, CSU-Pueblo, reported she had the honor to speak at the *On the Move* campaign kickoff. Committee assignments have been made for the Associated Students' Government senators and directors. She commented on how the active involvement in the committees is one of the privileges of serving in student government.

CHANCELLOR'S REPORT

Chancellor Martin remarked that a formal resolution was not requested for approval of the strategic plan presented by President Takeda-Tinker but, based on the discussion, the understanding was there was consensus to move forward.

A new CSUS marketing campaign, including a new web page and visibility at Denver International Airport, has been launched with the theme of "there is a place for every student and a way to serve every citizen."

Chancellor Martin reported the meeting with the CSU Faculty Council was positive and constructive. He will be meeting similarly with CSU-Pueblo and CSU-Global Campus faculty. In addition to the written report, a PowerPoint presentation had been prepared, but will be distributed to the Board electronically in order to conserve time. Highlights on the South Metro project include the initiative is moving forward with Dr. Ajay Menon, CSU College of Business, as the coordinating dean; a meeting was held with CH2M Hill who has expressed interest in hosting the engineering program; and President Takeda-Tinker reconfigured her new office space to include classroom space.

The CSU System took the leadership role in a statewide higher education symposium that was held for the first time. Observations by Chancellor Martin include that there is a level of distrust between the institutions, and that the Colorado Commission on Higher Education (CCHE) has expressed becoming more actively engaged in setting the policy framework for higher education in the state. Overall there were good outcomes, good speakers and good information. An update on the Venture Capital Fund is also included in the PowerPoint presentation.

Chancellor Martin reported he had previously shared electronically with the Board an Association of Governing Boards' (AGB) recently released report entitled "The 10 Things Boards Should Be Concerned About" and the CSU System efforts to address those issues. Chancellor Martin and Chair Horrell will be attending an AGB Leadership Institute in December. An AGB report on intercollegiate athletics that was published two years ago will be circulated to the Board.

BOARD MEETING EVALUATION

As part of the continuous improvement process, Chair Horrell asked for feedback on the Board meeting. Governor Makepeace apologized if there was not sufficient time for presentations and noted there were more citizen participation and a fire alarm during the meeting. She also expressed appreciation for the two campus tours and suggested that it has been a while since the Board met with students. Chair Horrell commented on the special events, including the dinner with Dr. Wall and the breakfast with the Deans, and indicated other such opportunities to connect on a deeper level will be planned for the other campuses.

Chancellor Martin thanked Governor Zimlich and Governor Johnson for attending the *Denver Business Journal* event that honored Chancellor Emeritus Blake and others as the first Legacy winners. Governor Mosher commented the debt capacity presentation during the Audit and Finance Committee meeting was very helpful and informative on a broad issue. Governor Johnson suggested a tour of the Welcome Center at CSU.

Chair Horrell reported the next meeting will be held at the CSU System office in Denver on December 2nd-3rd. There will be a holiday celebration and an opportunity to acknowledge Governor Haselden for his service on the Board. Chair Horrell thanked the System and institutional staff for their assistance with the Board meeting.

With no further business to conduct, the meeting adjourned at 1:47 p.m.

Stretch Goal: N/A Strategic Initiative: N/A

MATTERS FOR ACTION:

EQUIPMENT LEASING-COLORADO STATE UNIVERSITY SYSTEM/COLORADO STATE UNIVERSITY RESEARCH FOUNDATION LINE OF CREDIT PROGRAM
Approval of resolution for Colorado State University Research Foundation to Undertake Certain Borrowing and Equipment Lease/Purchase Transactions on Behalf of the Board of Governors of the Colorado State University System to Acquire Equipment at Colorado State University, Colorado State University – Pueblo and Colorado State University – Global Campus.

RECOMMENDED ACTION:

Approval of the attached resolution.

EXPLANATION:

Submitted by: Dr. Anthony A. Frank, President

For several years Colorado State University Research Foundation (CSURF) has held a Line of Credit (with a tax-exempt interest rate) with First National Bank of Fort Collins, for the purpose of providing a lease/purchase mechanism for the Board of Governor's to acquire much needed equipment for use in departments/programs at Colorado State University, Colorado State University – Pueblo and CSU-Global Campus. CSURF acquires the equipment (valued at \$50,000 or less) (specified by a particular department or program) and leases it to the Board of Governors on an annual appropriation basis for a term of not more than five (5) 1-year periods. The Board of Governors makes lease payments to CSURF which CSURF then uses to repay First National Bank. When the lease is retired, and the equipment amount has been fully paid, CSURF conveys title on the equipment to the Board of Governors. The Board of Governors has been provided a quarterly activity report on the CSURF leases since the program's inception. Such reporting will continue in the future.

Approval to continue the lease/purchase arrangements through the line of credit must be obtained from the Board of Governors yearly. The total amount of the line of credit permitted to be outstanding at any time is \$1,000,000. Amounts previously drawn under the Line and currently outstanding total approximately \$357,560. Therefore, moneys available under the Line for calendar year 2014 are approximately \$642,440. CSURF will consult with the respective representatives of each Institution to discuss needs and allocations of available amounts.

The total amount financed through the Leasing Program in thousands of dollars by year is as follows:

<u>YEAR</u>	<u>TOTAL AMOUNT</u>
1976-77	\$ 188
1977-78	198
1978-79	321
1979-80	75
1980-81	144
1981-82	342
1982-83	193
1983-84	161
1984-85	400
1985-86	200
1986-87	149
1987-88	38
1988-89	242
1989-90	300
1991	210
1992	566
1993	16
1994	584
1995	321
1996	215
1997	112
1998	97
1999	17
2000	0
2001	71
2002	196
2003	95
2004	171
2005	260
2006	87
2007	119
2008	50
2009	67
2010	125
2011	108
2012	121
2013	242

Mr. Dave Scott of Hogan & Hartson will be providing the tax exempt opinion on the 2014 Line of Credit. In order to comply with the applicable federal tax requirements for an "on behalf of" financing in support of the tax exempt opinion, the attached resolution must be approved by the Board of Governors. The attached resolution and accompanying documents referenced in the resolution have been reviewed by the Board of Governors General Counsel.

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The Board of Governors of the Colorado State University System (the "Board") of the State of Colorado met in regular open session, pursuant to due notice and call, at the Colorado State University System office, 410 17th Street, Suite 2440, in Denver, Colorado, on December 2-3, 2013.

The following members of the Board were present constituting a quorum:

Chair:	Dorothy Horrell
Voting Members:	Dennis E. Flores Mark A. Gustafson Ed J. Haselden Scott C. Johnson Mary Lou Makepeace William E. Mosher Demetri E. "Rico" Munn Joseph C. Zimlich
Non-Voting Members:	Alexandra Bernasek Ann L. Classon Nigel Daniels Vanessa Emerson Jerry Purvis Frank Zizza

Absent:

Also present:

Secretary: Scott C. Johnson

Thereupon the following proceedings, among others, were had and taken.

Member _____ introduced and moved the adoption of the following resolution:

A RESOLUTION, FOR PURPOSES OF COMPLYING WITH REVENUE RULING 63-20, APPROVING THE PURPOSES AND ACTIVITIES OF THE COLORADO STATE UNIVERSITY RESEARCH FOUNDATION AND APPROVING CERTAIN BORROWING TRANSACTIONS BY SAID FOUNDATION ON BEHALF OF THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM FOR THE PURPOSE OF ACQUIRING EQUIPMENT TO BE USED BY AND FOR COLORADO STATE UNIVERSITY, COLORADO STATE UNIVERSITY - PUEBLO AND COLORADO STATE UNIVERSITY – GLOBAL CAMPUS (THE "INSTITUTIONS"); AUTHORIZING CERTAIN REPRESENTATIVES OF THE INSTITUTIONS TO EXECUTE AND DELIVER LEASE AGREEMENTS RELATING TO SUCH EQUIPMENT; AND AUTHORIZING, APPROVING AND PROVIDING FOR OTHER DETAILS RELATING TO THE FOREGOING.

WHEREAS, the Board of Governors of the Colorado State University System (the "Board") of the State of Colorado (the "State") is the body corporate under the Constitution and laws of the State, and pursuant to said Constitution and Article 30 of Title 23, Colorado Revised Statutes, as amended, the Board has the power to take, hold and sell personal property and to contract and be contracted with and cause to be done all things necessary to carry out the provisions of such statutes; and

WHEREAS, the Board has general control and supervision of Colorado State University ("CSU"), in Fort Collins, Colorado, Colorado State University – Pueblo ("CSU-Pueblo") in Pueblo, Colorado and Colorado State University – Global Campus ("CSU-Global") in Greenwood Village, Colorado (together, CSU, CSU-Pueblo and CSU-Global are herein referred to as the "Institutions"); and

WHEREAS, the Colorado State University Research Foundation (the "Foundation") is a non-profit corporation organized for charitable, educational and scientific purposes, including among other purposes, entering into agreements relating to the physical plants of the Institutions and for that purpose lending its credit and evidencing the same by such obligations or forms of indebtedness as may be approved by the Foundation's Board of Trustees (the "Trustees"); and

WHEREAS, the Trustees have authorized, or, prior to the making of any draw thereunder, will authorize, the Foundation to enter into a line of credit agreement with First National Bank of Fort Collins, N.A., Fort Collins, Colorado (the "Bank") to obtain a line of credit (the "Line of Credit") in order for the Foundation to finance the acquisition of equipment to be used by and for the Institutions; and

WHEREAS, there have been filed with the Secretary of the Board:

- (i) The articles of incorporation and bylaws of the Foundation;

(ii) Proposed forms of "Business Loan Agreement: Line of Credit" and "Revolving Loan Committal Agreement" (collectively, the "Line of Credit Agreements") between the Foundation and the Bank;

(iii) A proposed form of security agreement (the "Security Agreement") between the Foundation and the Bank;

(iv) A proposed form of Promissory Note (together with any extension or renewals thereof, the "Note") from the Foundation to the Bank; and

(v) A proposed form of lease agreement ("Lease Agreement") between the Board as lessee and the Foundation as lessor.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM OF THE STATE OF COLORADO:

Section 1. The Board hereby approves the purposes and activities of the Foundation.

Section 2. For purposes of satisfying the requirements of Revenue Ruling 63-20, 1963-1 C.B. 24, the Board hereby approves the Line of Credit Agreements, the Security Agreement and the Note, in substantially the forms filed with the Secretary, and the Board hereby approves the execution and delivery by the Foundation of the Line of Credit Agreements, the Security Agreement and the Note and the issuance by the Foundation, on behalf of the Board, of the Note (provided, however, that the Board shall have no obligation to make any payment on the Note, which shall be solely the obligation of the Foundation, and the Board shall be obligated only to the extent provided under Lease Agreements entered into by the Board as provided in Section 3 hereof). The Foundation may make draws on the Line of Credit and thereby incur obligations to make payments on the Note from time to time, within one calendar year following the adoption of this resolution by the Board, but only for purposes of acquiring tangible personal property consisting of scientific, administrative support and research equipment to be used by and for the Institutions (the "Equipment"), and only with the written approval of the President or authorized delegate of CSU for Lease Agreements relating to CSU, the President or authorized delegate of CSU-Pueblo for Lease Agreements relating to CSU-Pueblo and the President or authorized delegate of CSU-Global Campus for Lease Agreements relating to CSU-Global Campus (together, referred to herein as the "Representatives" or, individually, a "Representative"), which written approval may be made by the execution of the corresponding Lease Agreement or in such other manner as the respective Representative may deem appropriate. Subject to the foregoing provision, the Note is hereby approved in a total principal amount not to exceed \$1,000,000 outstanding at any time (the unused loan commitment being increased by repayments on the Note as provided therein), bearing interest at a rate determined in accordance with the provisions of the Note and the Line of Credit Agreements but in no event to exceed eighteen percent (18%) per annum, and maturing on the calendar anniversary of the date on which it is executed and delivered by the Foundation (but no later than December 31, 2014).

Section 3. Requests for Equipment to be financed through the Line of Credit shall be submitted to the respective Representative of the Institution requesting the Equipment. Upon approval of any such request, such Representative is authorized and directed to cause a Lease Agreement to be entered into for such Equipment on behalf of the respective Institution. Upon execution and delivery of such Lease Agreement to the Foundation, the Foundation shall draw on the Line of Credit for the amount necessary to acquire such Equipment, which moneys shall be used to acquire such Equipment as soon as practicable; and the Board shall pay to the Foundation, from legally available moneys of the Board (but not from moneys drawn under the Line of Credit) an amount equal to the greater of \$800 or 4% of the amount so drawn, as compensation for the Foundation's administrative expenses and services in connection with the Line of Credit. Payments under a Lease Agreement shall be made from the Board to the Foundation either quarterly or semiannually, as negotiated between the Representative of the Institution on behalf of which the Lease Agreement has been entered and the Foundation, over a term to be negotiated between such Representative and the Foundation, but not exceeding the useful life of the Equipment (as determined by such Representative), and in no event to exceed five (5) years (subject, however, to the provisions of Section 7 of the Lease Agreement), and in such amounts as to provide for repayment of the principal amount drawn under the Line of Credit for such equipment, plus interest at rates to be determined as follows:

(a) The initial rate of interest for Lease Agreements to be entered into during calendar year 2014, which rate shall be effective for each such Lease Agreement from the date of delivery thereof through December 31, 2014, shall be 4.75 % per annum (subject to increase as provided in paragraphs (b), (c) and (d) below).

(b) During the month of December in 2014 and in each subsequent year while any Lease Agreements are in effect, the Foundation shall, based upon information furnished to it by the Bank and such other information as the Foundation may deem relevant, estimate the Average Rate of interest expected to accrue on the Note, in accordance with the current or anticipated terms of the Line of Credit Agreements, during the following calendar year. The Foundation shall notify the Board of such estimated average rate of interest on the Note, and the rate of interest for Lease Agreements to be effective during the following calendar year shall be such estimated average rate of interest on the Note plus .5% per annum (the .5% increment being added to provide for the possibility that interest on the Note will be higher than estimated).

(c) Notwithstanding the provisions of (b) above, the increment which is to be added to the estimated average interest on the Note to determine the rate of interest on Lease Agreements may be higher than .5% per annum to the extent that the Foundation certifies to the Board that such higher increment is necessary to make up, over the course of the following calendar year or such longer period as the Foundation may agree to, any excess of interest actually paid by the Foundation on the Note over the total interest received by the Foundation on the Lease Agreements; provided, however, that the higher increment certified to the Board shall not exceed 1.5% per annum.

(d) In the event that the rate of interest on the Note is increased as the result of a determination that such interest has lost its exclusion from gross income for federal income tax purposes under the Code (as defined in Section 7 hereof), or is treated as an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations (except with respect to corporations, as such interest is required to be taken into account in determining "adjusted current earnings" for the purpose of computing the alternative minimum tax imposed on such corporations), the rate of interest on the Lease Agreements shall immediately be further increased to the average rate of interest expected to accrue on the Note for the remainder of such calendar year on such "taxable" basis, as estimated by the Foundation in substantially the same manner as provided in paragraph (a) above, plus the increment in effect immediately prior to such increase as determined pursuant to paragraphs (b) and (c) above, plus any additional increment necessary to make up, over the course of the remaining calendar year or such longer period as the Foundation may agree to, any retroactive additional interest owed or paid by the Foundation to the Bank pursuant to the Note as a result of such determination.

(e) Notwithstanding any other provision hereof, the rate of interest on the Lease Agreement shall not exceed eighteen percent (18%) per annum. Notwithstanding any other provision thereof, all payment obligations of the Board under any Lease Agreement shall be subject to renewal and appropriation or availability of funds as provided in Sections 7 and 10 of the Lease Agreement. The Lease Agreements shall be in substantially the form filed with the Secretary, and the appropriate Officers of the Board, the Institutions and the State are hereby authorized to execute and deliver such Lease Agreements as may be approved by the Representatives or any one thereof. Any other obligations issued by the Foundation either to make improvements to the Equipment or to pay principal or interest on the Note will be discharged no later than the latest maturity date of the Note (including renewals).

Section 4. The Board shall have the exclusive beneficial possession and use of any Equipment financed through the Line of Credit (except to the extent that the Bank may enforce its security interest in the Equipment in the event of a default by the Foundation under the Line of Credit Agreements, the Security Agreement, or the Note, and subject to the Bank's right to inspect the Equipment at any reasonable time as provided in the Line of Credit Agreements). When all payments due under a Lease Agreement have been made by the Board, or when payments on the Note allocable to the draw on the Line of Credit for the related Equipment have otherwise been made, full and unencumbered legal title to such Equipment shall be conveyed by the Foundation to the Board, without demand or further action on the part of the Board, and the Board shall then accept such title to any Equipment (including any additions thereto). This Section 4 shall operate independently of the Lease Agreements and notwithstanding any failure to enter validly into any Lease Agreement. Prior to making any draw under the Line of Credit, the Foundation shall furnish to the respective Representative an instrument of grant from the Foundation to the Board confirming the provisions of this Section 4.

Section 5. All proceeds of the Line of Credit, and investment income thereon (if any), shall be used to provide tangible personal property for use by the Board. If any excess proceeds of the Line of Credit or investment income thereon, if any, remain after full payment of the costs of acquiring the related Equipment, such excess proceeds shall be applied to make payments or prepayments on the Note as soon as practicable, and the schedule of rental payments under the corresponding Lease Agreement shall be adjusted accordingly. Prior to making any draw under the Line of Credit, the Foundation shall furnish to the respective Representative a certification confirming the provisions of this Section 5.

Section 6. The proceeds of any fire or other casualty insurance policies received in connection with damage to or destruction of any Equipment financed through the Line of Credit, including any additions thereto, will, subject to any claims of the Bank, at the direction of the respective Representative, either (a) be used to repair or replace the Equipment, regardless of whether the insurance proceeds are sufficient for such repair or replacement, or (b) be remitted to the Board.

Section 7. The Board acknowledges that one of the purposes of this resolution is to establish that interest paid by the Foundation on the Note is not included in gross income under present federal income tax laws pursuant to the Code (as defined below), subject to certain exceptions, conditions and limitations as further set forth below, thereby resulting in more favorable interest rates on the Note and more favorable payment terms to the Board under the Lease Agreements. Accordingly, the Board hereby covenants for the benefit of the Bank and its successor and assigns that it will not (i) make any use of the proceeds of the Line of Credit or any other funds of the Foundation; (ii) make any use of the Equipment; or (iii) take (or omit to take) any action with respect to the Note, the proceeds of the Line of Credit, any other funds of the Foundation, or the equipment, or otherwise, if such use, action or omission would, under the Code, cause the interest on the Note to be included in gross income for federal income tax purposes or be treated as an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals, trusts, estates and corporations (except, with respect to corporations as defined for federal alternative minimum tax purposes, as such interest is taken into account in determining adjusted current earnings for purposes of computing the alternative minimum tax imposed on such corporations). The Board further covenants, represents and warrants that the procedures set forth in a Federal Tax Exemption certificate hereby authorized to be signed by an Officer of the Board or Representative of the Institution implementing the above covenant shall be complied with to the extent necessary to maintain the above-described exclusions from gross income and alternative minimum taxable income or to avoid the application of any penalties under the Code (except to the extent noted in the foregoing provisions of this Section). The foregoing covenants shall remain in full force and effect notwithstanding the payment in full or defeasance of the Note until the date on which all obligations of the Board in fulfilling the above covenants under the Code and Colorado law have been met. References to the "Code" in the foregoing covenant and in Section 3(d) hereof shall mean the Internal Revenue Code of 1986, as amended, and all regulations and rulings promulgated or proposed thereunder or (to the extent the same remain applicable) under any predecessor thereto.

Notwithstanding any other provision hereof, this Section 7 shall be in all respects subject to the Board's right to decline to renew any Lease Agreement as provided in Sections 7 and 10 of the Lease Agreement. Prior to making any draw under the Line of Credit, the Foundation shall have received from the respective Representative a certification confirming the provisions of this Section 7.

Section 8. Appropriate Officers of the Board, the Institutions, the State and the Foundation are hereby authorized and directed to execute such documents and instruments and generally to take such actions as may be necessary or appropriate to effectuate the transactions contemplated by this resolution. The Officers of the Board, the Institutions and the Foundation with the advice of counsel executing the Line of Credit Agreements and the Lease Agreements hereby approved may make such necessary or appropriate variations, omissions and insertions in such documents as may be required or appropriate under the circumstances, so long as such variations, omissions and insertions are not inconsistent with this resolution. In the event of any inconsistency between this resolution and any document or instrument hereby approved, the provision of this resolution shall be controlling.

Section 9. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 10. All bylaws, orders and resolutions, or parts thereof, inconsistent with this resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution, or part thereof, heretofore repealed.

Section 11. This resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED this December _____, 2013.

(SEAL)

THE BOARD OF GOVERNORS
OF THE COLORADO STATE
UNIVERSITY SYSTEM

Chair

ATTEST:

Secretary

The motion was duly seconded by Member _____ and put to a vote, the members of the Board as follows:

Those voting YES:

Voting Members:

Those voting NO:

Thereupon the Chairman declared the motion carried and the resolution adopted, and the Secretary was directed to enter the foregoing proceedings and resolution upon the minutes of the Board.

After consideration of other unrelated matters, the meeting was adjourned.

(SEAL)

THE BOARD OF GOVERNORS
OF THE COLORADO STATE
UNIVERSITY SYSTEM

Chair

ATTEST:

Secretary

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

Board of Governors of the
Colorado State University System
Meeting Date: December 2-3, 2013
Consent Item

I, Scott C. Johnson, Secretary of the Board of Governors of the Colorado State University System of the State of Colorado, do hereby certify that the foregoing pages numbered 1 through 8, inclusive, constitute a true, correct and complete copy of the resolution and proceedings set forth therein; that such resolution was adopted and such proceedings occurred at a regular meeting of the Board held at _____ in Denver, Colorado on December 2-3, 2013 as recorded in the regular official records of proceedings of the Board, kept in my office; that said proceedings were duly had and taken; and that said meeting was duly held in compliance with Section 24-6-402 of the Colorado Revised Statutes, as amended, and the persons therein named were present and voted at said meeting, all as therein shown.

WITNESS, my hand and the seal of the Board this December _____, 2013.

Secretary
Board of Governors of the
Colorado State University System

(SEAL)

MATTERS FOR ACTION:

Approval of Degree Candidates

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the granting of specified degrees to those candidates fulfilling the requirement for their respective degrees at the end of the Fall Semester 2013.

EXPLANATION:

Presented by Tony Frank, President

The Faculty Council of Colorado State University recommends the conferral of degrees on those candidates who satisfy their requirements at the end of Fall Semester 2013. The Office of Enrollment Services has processed the applications for graduation; only those individuals who complete all requirements receive degrees.

MATTERS FOR ACTION:

2013-14 Academic Faculty and Administrative Professional Manual Revisions:
Section F.3.4.1 – Conditions and Procedures for Granting Sabbatical Leave

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the proposed revisions to the Colorado State University Academic Faculty and Administrative Professional Manual, Section F.3.4.1 – Conditions and Procedures for Granting Sabbatical Leave.

EXPLANATION:

Presented by Tony Frank, President.

The proposed revisions for the 2013-2014 edition of the Colorado State University Academic Faculty and Administrative Professional Manual have been adopted by the Colorado State University Faculty Council. A brief explanation for the revisions follows:

The proposed revisions to the Academic Faculty and Administrative Professional Manual, Section F.3.4.1 – Conditions and Procedures for Granting Sabbatical Leave, are requested to place the decision for granting supplemental pay during a sabbatical leave at the department level.

NOTE: Revisions are noted in the following manner:
Additions - underlined Deletions - ~~overseered~~

ACADEMIC FACULTY AND ADMINISTRATIVE PROFESSIONAL MANUAL
REVISIONS AND ADDITIONS – 2013-14

F.3.4.1 Conditions and Procedures for Granting Sabbatical Leave

(Last revised June 22, 2006)

- a. The faculty member seeking sabbatical leave shall follow the procedures established by his or her academic unit. College deans or the Dean of Libraries, shall forward to the Provost, the names of faculty members recommended for sabbatical leave along with a detailed sabbatical plan. The detailed plan shall specify how the sabbatical will result in the faculty member's professional growth, enhance the institution's reputation and the students' educational experience at the institution, and increase the overall level of knowledge in the faculty member's area of expertise.
- b. Administrative members of the faculty are not eligible for sabbatical leaves. Department heads shall be eligible for sabbatical leaves.
- c. Absence is to be for not more than two (2) academic semesters in cases of faculty members on nine (9) month appointments, and for not more than one (1) calendar year in cases of faculty on twelve (12) month appointments.
- d. A faculty member may elect to take his or her sabbatical leave in two (2) or more different time periods, instead of all at once, providing that he or she is able to show that this is a more beneficial arrangement for his or her professional development and for the needs of his or her department. The total of such time periods with full pay shall not exceed one-half (0.5) of the term of his or her annual appointment, whether it be nine (9) or twelve (12) months, and each grant of such total time for leave shall be made only after six (6) years of previous full-time employment.
- e. The salary of a faculty member while on sabbatical leave shall be either one-half (0.5) his or her base salary for one (1) year nine (9) or twelve (12) month appointments) or full salary for one (1) semester for nine (9) month employees or full salary for six (6) months for twelve (12) month employees (except as provided in item "j" listed below). The base salary

shall be the salary scheduled for the year of the semester in which the leave is taken. A faculty member who participates in PERA and is on half-pay (0.5) will receive service credit towards PERA to the extent provided for in PERA's statutes and policies. A faculty member who participates in the Defined Contribution Plan (DCP) will receive continued contributions during sabbatical leave in accordance with the DCP plan description. Faculty members on sabbatical leave are eligible for all benefits.

f. As a prior condition to the granting of sabbatical leave, the faculty member must agree in writing that upon expiration of leave he or she will return to his or her employment with the University for at least one (1) year (two (2) semesters for nine (9) month employees), and, if the individual fails to conform to the requirement, he or she will refund to the Board in full the salary and such other fringe benefits the University has paid in the individual's behalf during his or her leave as a prior condition of his or her release from the agreement.

g. Absence must be planned to permit conduct of work of the department or section with least inconvenience and least additional expense during the faculty member's absence. If more than one (1) member from the same department or section desires leave at the same time and absence of two (2) members would constitute a hardship to the department or section, either by handicapping the work or by causing too great additional expense, priority for leave shall be given to the faculty member longest employed by the University on a continuous regular appointment since any such type of leave.

h. The accumulation of service for sabbatical leave is limited to six (6) years. Periods of temporary employment do not count toward the accumulation for service for sabbatical leave.

i. During sabbatical leave, faculty members are permitted to accept part-time employment from an employer other than Colorado State University when that employment is directly related to objectives of their leave. There is no limit on the amount of remuneration which may be received for such employment. Any part-time employment of a faculty member on leave shall be in the professional field of work of the faculty member and shall be approved by the department head, dean, and Provost prior to the leave.

j. With the approval of the Office of Sponsored Programs, faculty members on sabbatical leaves are permitted to accept additional salary compensation from grants and/or contracts administered by Colorado State University, as long as the total compensation from all University sources,

including contracts and grants, does not exceed the full-time base salary during the period of their sabbatical leave. This additional salary, including cost of fringe benefits, must be fully funded by the grants and/or contracts.

~~k. Faculty members on sabbatical leave cannot receive supplemental pay for duties performed for Colorado State University.~~

lk. Sabbatical leave is not granted for the purpose of taking substantially full-time employment in another assignment regardless of how closely related such employment may be to the technical field of the faculty member. Special leave without pay is intended to be used in such cases. This limitation does not extend to employment as faculty assistant or fellows or the equivalent by faculty members whose sabbatical leave is authorized for the purpose of study toward a higher degree.

ml. Requests for sabbatical leaves to commence within any fiscal year shall be submitted in the preceding fiscal year through the department head and dean to the Office of the Provost. The submission deadline shall allow faculty members at least thirty (30) days following the beginning of the fall appointment period to prepare their requests. The submission deadline may be extended when there are extenuating circumstances.

nm. Normally, time spent on leave does not count toward the accumulation of service for sabbatical leave. However, in special cases, time spent on non-sabbatical leave may count toward the accumulation of service for sabbatical leave. This requires that the details and rationale regarding the accumulation of service be stated in writing in the request for non-sabbatical leave, and that they be approved in writing by the Provost prior to the beginning of the non-sabbatical leave.

on. The faculty member on sabbatical leave is on University business, and shall be eligible for promotion and salary raises while on leave.

po. Sabbatical leaves may be spent at any location.

MATTERS FOR ACTION:

Approval of Degree Candidates

RECOMMENDED ACTION:

MOVED, that the Board of Governors approve the granting of specified degrees to those candidates fulfilling the requirement for their respective degrees at the end of the Winter 2013 A Term (ending 12/22/13).

EXPLANATION:

Presented by Dr. Becky Takeda-Tinker, President of CSU-Global Campus

The Faculty of Colorado State University – Global Campus recommends the conferral of degrees on those candidates who satisfy their requirements at the end of the Winter A Term as part of the term-based degree conferral. The Office of the Registrar has processed the applications for graduations; only those individuals who have completed all requirements will receive their degree.

Section

7

Faculty and Student Representative Reports

**Colorado State University-Global Campus
Faculty Driven P³ Instructional Model**

The CSU-Global Faculty set Colorado State University-Global Campus apart from its for-profit online university competitors. CSU-Global Faculty ensures that courses are designed and delivered in ways that are Purposeful, Participatory, and Project-Based.

Purposeful

- Faculty are current professionals in their field and recognize career goals of the student body, acknowledge that time plays a critical factor in achieving those goals, and many serve as formal career coaches in their disciplines through the CSU-Global Academic Success Program.
- Faculty support our goal of offering “every course, every term” for promotion of swift degree completion by teaching courses with as few as 1 student.

Participatory

- Faculty engage students in highly collaborative coursework designed with activities that spark motivation, encourage collegial networking, and develop socially engaged intelligence.
- Faculty build opportunities to create community and academic self-efficacy by providing students with timely and explicit feedback that extends and expands on their learning.
- Faculty seek ways to increase interactions between students and instructors, students and their classmates, and students and the technology and achieve high levels of interaction in courses by participating in on-going professional learning themselves on the most effective ways to engage students in the learning process.
- Faculty celebrate a cross-cultural, media-infused yet human-driven, positive sense of community by initiating contact with students one-on-one when needed to ensure student success.
- Faculty use strategies that include problem-solving, critical thinking, and questioning skills during course interaction with students to make learning rigorous and relevant.

Project-Based

- Faculty promote student-center learning that engages students in sustained, cooperative investigation through learning focused on solving realistic problems.
- Faculty consider different perspectives and build deeper knowledge on the various subject areas.
- Faculty connect disciplinary knowledge to real-world problems, thus increasing students' motivation to learn.

CSU-Global faculty expertise, career relevant discipline experience, and level of engagement with students have resulted in consistently high rate of student success.

COLORADO STATE UNIVERSITY – PUEBLO
FACULTY REPORT
DECEMBER 2013

This report covers the highlights since the October 2013 Board of Governors meeting.

Faculty Senate Items

Senior Lecturer Positions

The Faculty Policies and Procedures Committee has been investigating the role of lecturers on the campus. CSU-Pueblo has a number of temporary faculty that have, through years of repeated renewal of contracts, become more permanent members of the campus. They are loyal and highly valued employees. The Committee has proposed the creation of a new Senior Lecturer position to which eligible faculty may be appointed. This position would offer some lecturers an employment contract of 3-5 years. The chairs of the committee have met with the Provost and with the President for their feedback. An initial draft of the Faculty Handbook policy has been created and will begin circulating to the Faculty Senate, the Office of General Counsel, University Administration, and if successful to the CSU-System Board of Governors for final approval. The current timeline expects implementation by July 1, 2014.

Academic Initiatives

During the Faculty Senate meeting of November 4, the Provost outlined the following eight proposals:

1. Hiring 14 Faculty Tenure-track Positions that were Previously Frozen
2. Restructuring of Summer School to Include Universal Class Time Slots and Sessions
3. Restructuring of Class Meeting Days and Time Slots for Fall and Spring Semesters
4. A Community Time Block on Wednesdays
5. Moving to 16-week Semesters
6. A three-year Academic Calendar and two-year Course Schedule
7. Revising the Standards for Syllabi Development
8. Creating a Faculty Development Center [Center for Transformational Learning]

There were many visitors in attendance at the meeting and there was much discussion. The Provost expressed his gratitude to the Faculty Senate for the opportunity to share his thoughts on the academic proposals. After considering the feedback, the Provost decided to withdraw the proposals until there is the opportunity for in-depth discussions and analysis. He said that he looks forward to continuing to work with faculty and students on new initiatives that will be of greatest benefit to the students at Colorado State University-Pueblo.

Provost Commission on Academic Scheduling

The Provost is forming a commission to study the academic calendar and to make recommendations concerning the proposals related to the calendar mentioned in his Senate presentation of November 4, 2013.

Provost's Commission on Outreach Expansion

The commission has twenty members from across the university. Faculty Senate Co-Presidents Margie Massey and Susan Calhoun-Stuber represent the faculty. They requested that other faculty members volunteer on this commission to give the faculty more voice in the decisions made regarding online learning and distance learning. A study was conducted regarding the possibility of increasing active military enrollment. Deployment of active military is possible at any time, and if a deployment occurs military students might be able to continue taking their classes if those classes are offered through distance education or online. An expansion of the online and distance course offerings will involve resolving some accreditation issues.

Accreditation

The Provost's Higher Learning Commission Steering Committee has held several Quality Initiative Forums. The campus has identified Experiential Education (EE) as its HLS Quality Initiative. During the sessions, feedback from the entire campus was reviewed and priorities for developing the HLC QI proposal and for implementing EE were established. The Steering Committee Members are Professors Moussa Diawara and William Folkestad, Deans Rick Kreminski and Roy Sonnema, Assistant Provost Erin Frew and Provost Wright.

Continuous Enrollment

The Senate approved the proposal to offer graduate students the option of "Continuous Registration." All students admitted into a graduate program at Colorado State University-Pueblo must be registered continuously throughout their degree program. The policy applies from the time they first enroll through their graduation term. Students may fulfill the requirement by registering for any graduate credit-bearing course. As a new alternative, students may opt for Continuous Registration (CR) status. Registration for CR status is accomplished in the same way as registration for regular courses. Students registering for CR will be assessed a small fee for each semester of CR registration, but they do not enroll in classes. Departments with graduate programs sought this new alternative as a way to track students in the program not enrolled in courses.

Retention Efforts

Many of the changes made last year under the guidance of the retention consultant have met with success, in some cases too much. Lower Performing Students Task Force made changes to the Early Alert System (EAS) process. Those changes resulted in a 300% increase in EAS student referrals as of November 4, 2013. The increase in referrals and the new procedures adopted have dramatically increased the workload on Student Academic Services and now new

distributions of the workload are being created to more evenly distribute the task of advising the students receiving these referrals. Also, the task force recommended streamlining and other improvements to the tutoring services offered across campus. Oversight of the campus tutoring services is now institutionalized in the Tutoring Council. The council has representatives from all the departments that offer student tutoring.

Diversity

The campus has revised its policy regarding Diversity and Equality. The University Board on Diversity and Equality serves as a broad-based advisory group for the President on matters of diversity and equality to create and maintain an inclusive, respectful and welcoming environment for students, faculty, staff and visitors. The Board's charge is to facilitate the institution's commitment to accountability at all levels by engaging in comprehensive analysis of diversity issues, facilitating the University's diversity planning, and ensuring an active development of necessary policies and procedures. The Board may be asked by the President to review Affirmative Action complaints and make recommendations on possible solutions.

At the present time the Board is preparing a campus climate survey. The proposed survey was endorsed by President Di Mare as a means for determining issues with the contingent faculty. The discussion on this topic has included senior lecturer positions, extended contracts, increased pay, paths to obtaining terminal degrees, and access to grievance processes.

Equity Study

The Fox Lawson consulting firm is performing a salary equity study for faculty and administrative/professional positions. The schedule for the project has been determined through December 2013, when the consultant will be gathering and reviewing salary information that is pertinent to the equity study. In recent discussions between the Cabinet and the consulting firm, the decision was made to include salary information about adjunct faculty, lecturers and other non-tenure track faculty as part of the project.

Respectfully Submitted,

A handwritten signature in black ink that reads "Frank Zizza" with a long horizontal flourish extending to the right.

Frank Zizza, Ph.D.
BOG Faculty Representative

Report by the Faculty Representative from CSU – Fort Collins to the Board of Governors

December 2-3, 2013, Denver

1. October 1, 2013 Faculty Council Meeting:

There was not much business to take care of at this meeting. The main item on the Agenda was an update on the status of the INTO CSU initiative. Center Director Dr. John Didier and Academic Director Dr. Fabiola Ehlers-Zavala made a presentation to Faculty Council and answered questions. The following is a summary (the power point presentation is available on the Faculty Council website):

Students are involved in the INTO program at CSU in three capacities:

- (1) General English (in Fall 13 15 students entered)
- (2) Academic English (in Fall 13 320 students entered)
- (3) The Pathways program – (a) undergraduate (in Fall 13 57 students entered) and (b) graduate (in Fall 13 34 students entered).

The majority of students in all programs are from China.

The pathways programs have lower enrollments than anticipated, and compared with initial predictions the program is apparently about one year behind schedule.

Data was presented on progression through the pathways programs. Numbers are small but the progression rate for undergraduates was 83% and for graduates was 100%.

There were numerous questions from members of faculty council. The details are in the minutes of the meeting on the Faculty Council website. Questions included:

- (1) What kind of student is admitted to the Pathways program?
Answer: Students whose TOEFL scores are too low for direct admission to academic programs but who show “academic potential”.
- (2) What is used to determine “academic potential”?
Answer: GPAs, coursework taken, specific requirements of the academic units with pathways programs.
- (3) Why are INTO students given preferential treatment over domestic students in overcrowded classes?
Answer: In order to attract students into the pathways programs they have to guaranteed seats in the courses that make-up the program. With small numbers INTO “buys” seats in those courses at \$176 per credit hour. When enrollments get bigger they anticipate paying instructors for extra sections.
- (4) Will they pay for tenure track instructors or adjuncts?
Answer: Some mix is most likely.
- (5) Are students being admitted to graduate programs after completing the Academic English program (instead of being admitted through a pathways program?)

Answer: Yes, the students who complete Academic English are encouraged to apply to academic programs at CSU.

- (6) Are under qualified students leveraging their INTO Academic English program to gain admission to graduate programs they would not typically be admitted to (there seems to be evidence of this)?

Answer: Not to their knowledge. There may be an issue with the academic advising they are receiving. There is only one academic advisor for all the INTO students. Individual experiences should be brought to the attention of Dr. Didier and Dr. Ehlers-Zavala.

- (7) When is the current funding model going to shift to the planned funding model (with more tuition dollars flowing to academic units where students are being admitted to)?

Answer: When enrollment numbers increase.

2. Summary of action items from the November, 2013 Faculty Council Meeting.

a. New Programs:

- (i) B.S. in Neuroscience with concentrations in Behavioral and Cognitive Neuroscience and Cell and Molecular Neuroscience. This degree reflects the norms in the profession and CSU will be the only public university in CO to offer the degree.
- (ii) B.S. in Statistics. CSU offered this major until 2000 when CCHE required discontinuing the major due to low enrollments. Since 2000 it has been a concentration in the Math major. The demand for statisticians in the US has been increasing dramatically and it is expected that the number of students majoring in Statistics will increase significantly.

b. Changes to the *Manual*:

- (i) Section F.3.4.1 – Changes to “Sabbatical Leave”; to move decision-making authority for approval/denial of payment of supplemental income when a faculty member is on sabbatical to the level of the Department.

c. Approval of the Academic Calendar for Fall 2018 through Summer 2020.

3. Interesting things happening at CSU:

The department of economics has a successful joint program for the BA in economics with Foreign Trade University in Hanoi, Vietnam. Faculty from the economics department at CSU teach courses in Vietnam and FTU students come and spend there last year of college taking courses on campus in Fort Collins. The project is in its 6th year. Dr. Robert Kling is the coordinator of the program. A significant percentage of the increase in enrollment of international students at CSU is from the Vietnamese students from FTU. For more information see: <http://central.colostate.edu/news/economics-partnering-with-university-in-vietnam/>

In recognition of its progress in internationalizing the campus CSU is being awarded a Simon Award by NAFSA. The link to the report is:
http://www.nafsa.org/_/File/_/itc2013.pdf

Respectfully submitted by,
Dr. Alexandra Bernasek, Faculty Representative to the Board of Governors from
CSU.



CSU-Global Campus Updates for Student Convenience and Ease of Campus Navigation

CSU-Global has been working to enhance and advance its capabilities for student-related services. The latest advancements include its new student portal, its technology-driven transcript evaluation process, and the creation of its Student Veteran's Organization.

- CSU-Global's new student portal now provides all university services under one login. The portal uses advanced technology to be a one-stop location for all student needs including: course access, degree audit information, university contact information, email, calendar, social networking, and learning resource access. The new portal design was created from CSU-Global student and alumni feedback, focus group information, staff and faculty input, and CSU-Global department needs. The university's goal of the re-designed portal is to enhance student satisfaction, facilitate student academic and workplace success, and to enhance communication between university stakeholders.
- CSU-Global has integrated new technology for transcript review. For its Bachelor's degree mission work, CSU-Global accepts on average 2 transcripts per new student and for 23% of its new students it accepts 3 or more transcripts. The new technology implementation allows for automatic scanning and recording of transcript information for Bachelor's and Master's degree-seeking students for faster and more accurate transcript assessments to facilitate increased transparency and student understanding of what to expect upon enrollment into the university.
- Established November 6, 2013, the new Student Veteran's Organization (SVO) at CSU-Global provides a peer-to-peer network to enhance student veteran academic success, and to promote their collegiality and empowerment. CSU-Global's SVO is available at no charge for its participating veteran students, and is one of the first Student Veteran Association's (SVA) online chapters. CSU-Global's SVO is now part of the SVA's national network of affiliates.



Student Representative's Report

Colorado State University-Pueblo

Vanessa M. Emerson

This has been an active semester for student government. My meetings with President Di Mare, VP Orscheln and Provost Wright have strengthened our effort in working together to provide a vibrant and engaged student community. ASG representatives have attended fora and candidate interviews to provide student input in decision making of the university.

The ASG Vice President, Speaker, Pro Tem and I attended the *Colorado State Summit for Student Government Associations* in September. We are working together to advocate for students in Colorado.

"The Colorado Student Government Coalition founded in 2013 is a coalition of student governments from public four-year institutions of higher education within Colorado. The CSGC seeks to represent the students of Colorado institutions through advocacy on important state and federal bills that impact higher education and voicing the concerns and sentiments of its constituency. CSGC will maintain a non-hierarchical representative structure with each member of the board holding equitable power. The CSGC will strive to effect the continued efficacy and meaningful change on behalf of its constituents and higher education as a whole."

Committees that I serve on:

- *Pizza with the President and Stakeholder meetings*
- *University Leadership Team*
- *University Budget Board*
- *Alumni Association Board of Directors*
- *Athletics Board of Control*
- *Student Life Leadership Team*

- *Search and Screen - Director of Diversity and Inclusion*
- *Strategic Planning Taskforce - What does Supportive Student Life Mean to You?*
- *New General Classroom Building Design Committee*
- *Student Fee Governing Board*
- *Student Center Advisory Committee*
- *Facility Fee Advisory Committee*
- *Child Care Center Advisory Committee*
- *Dining Services Advisory Committee*
- *ASG Executive Cabinet*
- *On-on-one meetings with ASG President's Cabinet members*

Safety Walk – ASG conducted a walk around campus after dark with the Director of Facilities, VP of Student Services and Sheriff's department to identify areas of concern for campus safety.

Academic Senator Training for Course and Program Fee Review – Training was provided to academic senators to inform them of their responsibilities as listed in the *CSU-Pueblo Institutional Plan for Student Fees and Charges*.

CURRENT ASG PROJECTS

Vice President

Bi-weekly Pay for student employees

ASG Director of PR

Dinner ASG/Forum to collect student opinion

Post Bio of ASG members on Facebook/Twitter

Going into the classrooms to discuss school matters

Promotion of the next pizza with the president to get more student participation

High School connection with student governments

College Fee communication to students

Developing new ASG promotional flyers and social media

ASG Director of Academic Affairs

Machinery Repair in the College of Science and Mathematics

Promotion of Course Evaluations

Student rating system for courses for student access

Deans Advisory Council grant - gathering and review of information

Bookstore meeting about books in classes

National Survey of Student Engagement (NSSE) - support on promotion

ASG Director of Institutional Technology

Campus Calendar – replace campus calendar with a student user-friendly version

ASG Website

*Wolfie list

*Ask Wolfie

*Student Discounts

Student Emails - how to improve and decrease spam issues

IT issues on campus

Campus IT regular meetings with ASG

ASG Director of Student Affairs

Promotion of direct deposit for student employees

Promotion of Emergency Text Messaging



ASCSU Student Body President

Board of Governors December 2013 Report

Student Representative: Nigel Daniels

Colorado State University-Fort Collins

Colorado Summit Conference:

- Gathered together student leaders from all across the state of Colorado to discuss issues and challenges facing students in higher education today
- Student representation from Colorado State University- Fort Collins, Colorado State University-Pueblo, University of Colorado-Boulder, Metropolitan State University, University of Northern Colorado, Fort Lewis College, Mesa State University, and Colorado School of the Mines
- Guest Speakers from the Department of Health and Human Services, the Department of Education, the National Campus Leadership Conference, the Chancellor of the CSU System Mike Martin, the CSU System CFO Rich Schweigert, State Legislators, and a Political Science Professor Dr. Strayyer
- Had both large and small breakout session to discuss trends in higher education:
 - State Policy: The impacts of TABOR and rising tuition cost for students in Colorado and remaining accessible as a public institution of higher education
 - State Infrastructure: The potential impacts in the proposed changes to the infrastructure in Colorado, specially the issue of Community Colleges offering four-year degrees
 - Federal Policy: With the Higher Education Reauthorization Act we want to ensure student are both aware and at the fore front of the conversation to provide collective perspective and insight
- Discuss next steps and future goals in creating a student coalition to stay unified and collective on issues pertaining to student leaders in Colorado

University Affairs:

- Course Evaluations
 - Working with the Faculty Council to develop a process to encourage students to fill out their course evaluations at the conclusion of the course.
 - Exploring ways to put more of an emphasis on the evaluations themselves.
 - Consolidate all of the evaluations to be easily accessible and summarized a resource for both faculty and students.
- Senate Credit Hour
 - Working with the University Curriculum Committee and ASCSU advisors to develop a credit hour for student Senators.
 - The hope is to help incentivized Senator Recruitment and Retention.
 - Help with holding Senators accountable and to help compensate them for the time they contribute.

Presidents Student Financial Advisory Council:

- Held two meetings with Dr. Miranda, Dr. Ellis, Dr. Hughes, CFO Lynn Johnson, the student leaders and faculty support from the University Technology Fee Advisory Board, University Facility Fee Advisory Board, and the Student Fee Review Board
- Discussed the Strategic Planning Area Review Committees and ensuring student involvement in the budget recommendation process from each committee
- Reviewed Dr. Franks budget proposal to the student Senate and working to compile a student recommendation

Governmental Affairs

- Review trends in the overall Transfort ridership data
- Working with Transfort report ridership statistics for the Late Night Bus Route:

Route	Green & Gold					
	October 2013		October 2012		Regular % Change	Senior/Disabled% Change
	Regular	Senior/Disabled	Regular	Senior/Disabled		
Gold-1	718	1	657	0	9.3%	N/A
Gold-2	804	0	610	0	31.8%	N/A
Green-1	315	0	330	0	-4.5%	N/A
Green-2	259	0	232	0	11.6%	N/A
TOTAL	2,096	1	1829	0	14.6%	N/A
TOTAL RIDERS	2,097		1,829		14.7%	

- Presentation for the State Legislator Listening Tour with other influential business, campus, and community members to discuss student priorities
- Discussing the next steps to take with the Colorado Student Government Coalition

RamRide

- RamRide’s 10th Birthday on October 24th, 2013
- Focused the ASCSU Networking event on fundraising and acknowledging RamRide and the implementation of the new dispatch system
- Average rides given per night by 58. The first night we implemented the dispatch system, we gave 90 rides to 225 people, which is almost double the numbers of an average Thursday before the implementation of the new dispatch system, which is 42 rides to 104 people.

RamRide Rides

TOTAL PEOPLE GIVEN RIDES YTD	AVERAGE PEOPLE GIVEN RIDES BEFORE DISPATCH SYSTEM	AVERAGE PEOPLE GIVEN RIDES AFTER DISPATCH SYSTEM
11,018	340	499

RamRide Overall Average

TOTAL RIDES SINCE 2003	TOTAL RIDES THIS SEMESTER	AVERAGE INCREASE IN RIDES DUE TO NEW DISPATCH SYSTEM
192,671	4,006	58

Higher Learning Commission Accreditation

- Attend the Welcome dinner for the accreditation team for the accreditation review of Colorado State University
- Provided feedback with other undergraduate and graduate student leaders
- Reviewed the accreditation packet for detail

Best Regards,

Nigel Daniels, President

Associated Students of Colorado State University

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Section

8

Chancellor's Report



COLORADO STATE UNIVERSITY SYSTEM

Colorado State University • Colorado State University - Pueblo • CSU Global Campus

COLORADO STATE UNIVERISTY SYSTEM CHANCELLOR'S REPORT

Board of Governors of the Colorado State University System
December 3, 2013

1. CSU-System Wide:

South Metro Initiative: Have met with Lt. Governor Joe Garcia, Jennifer Sobanet, Steve Jordan and Michele Lucero to iron out misconceptions of our South Metro Initiative. Additionally Jill Terry and I met with some senior leadership from Charles Schwab who are interested in creating a stronger relationship with Colorado schools, and CSU in particular. The company is facing succession issues as the older workers retire. Schwab sees this partnership as a strategic play to win the war for talent by creating a partnership with CSU. Focus Groups were conducted around the name of this initiative and overwhelmingly preferred CSU South Denver Metro.

Venture Capital Fund: The first round of progress reports are due to the System office on January 31, 2014 and we will provide an update to the Board at our February 12-14, 2014 meeting.

CSU and UTEP Water Initiative: We are working through the Colorado Water institute and CSU-Office of Engagement to form a water related partnership with the University of Texas-El Paso. The Business and Higher Education Forum has offered assistance in ongoing funding.

2. CSU-Pueblo:

CSU-Fort Collins is providing support and assistance as CSU-Pueblo converts to the Quali Financial Management System. This should improve financial management and reporting for Pueblo.

3. CSU-Global Campus:

We continue to work with CSU-GC to maximize intra system collaboration and assist in adjusting to a dynamic on-line national market. I have been working with a potential donor who is interested in assisting in the continued development of Global and enhancing the students it serves. We are assessing potential changes in Global's role and Mission in light of significant changes in the on-line education market.

4. CSU Fort Collins:

Ongoing discussions focus on CSU-FC leadership continuing to expand System services to the Greater Denver area. There has been special emphasis on a CSU presence at a

revitalized National Western Center as well as a collaborative educational venture in South Metro.

5. Community Engagement:

Presented to the Inverness Group, CSU Alumni Association Wine Tasting, ARCS (Achievement Rewards for College Scientists). Serving as one of the 100 for the Next 100 Red Cross Centennial celebrations host committee. Have continued to interact on an informal basis with community and business leaders.

6. Fundraising:

Along with supporting the CSU-Pueblo Capital Campaign I've devoted some attention to fundraising for our Excellence in Leadership Fund as well as some donor stewardship for CSU-Global.

7. CSU System Government Affairs:

We have convened our System-wide group to monitor and respond to bills that arise. We are also proactively meeting with Legislators on an ongoing basis.

Federal: November 11, 2013 Tony and I had a productive meeting with Senator Michael Bennet's new Legislative Aid for Education, Juliana Herman. We are in the planning stages of our Annual Legislative trip to Washington DC in early February with Becky, Lesley and Tony. We are meeting with Alan Rudolph regularly and streamlining our federal lobbying efforts. With assistance from Rich Schweigert I have been meeting with key members of the State's General Assembly to discuss both CSU and higher education issues likely to come up in the 2014 session.

8. State and National Involvement:

I attended and participated in annual HACU (Hispanic Association of Colleges and Universities) and APLU (Association of Public and Land Grant Universities) meetings. Both focused on continued challenges facing higher education including the impacts of sequestration and the implications of the Obama-Duncan higher education reform agenda. HACU will meet next October in Denver. We will likely join other state institutions offering some form of special highlight on Colorado HSI's. Of course I continue to actively participate in DHE's CEO group and the Colorado Education Leadership Council.

PERFORMANCE CONTRACT CRITERION	STRATEGIC PLAN AREA REVIEW ANALOG	CONNECTION TO FY15 DRAFT BUDGET
Goal 1: Increasing Attainment		
1.1 Increase undergraduate credentials awarded by 1 percentage point per year	Goal 10, Strategy 10.3 Begin funding and implementation of new Student Success Plan by FY14. <i>Related activities: New degree programs in Statistics, Neurosciences, Ethnic Studies, Biomedical Engineering, among others.</i>	Budget line: enrollment growth – colleges and provost
1.5 Annually increase proportion of undergraduate credentials awarded in STEM disciplines	Goal 10, Strategy 10.3 Begin funding and implementation of new Student Success Plan by FY14. <i>Related activities: Student Success focus on STEM including additional pipeline courses, enhanced recruitment in WCNR and Engineering.</i>	Budget line: enrollment growth – colleges and provost
1.6 Annually increase graduate degree productivity as measured by # of graduate credentials awarded compared to the # of graduate students (FTE) enrolled	Goal 13, Strategy 13.2 Enhance retention/degree completion rates for all graduate students to meet then exceed national rates. <i>Related activities: Addition of new and expanded master's degrees including options in Greenhouse Gas Management, Occupational Therapy, CIS.</i>	Budget line: Graduate school tuition pool for GTA/GRAs
1.7 Annually decrease the median time/credits to graduation for undergraduate resident students	Goal 10, Strategy 10.3 Begin funding and implementation of new Student Success Plan by FY14. <i>Related activities: Continued implementation of Academic Support Coordinators plan; created new and revised program guides for every UG major.</i>	Budget line: enrollment growth – colleges and provost
Goal 2: Improving Student Success		
2.1 Annually increase the successful completion (C or better) of introductory gtPathways courses in English and Mathematics	Goal 10, Strategy 10.3 Begin funding and implementation of new Student Success Plan by FY14. <i>Related activities: Implementation of advising initiatives; new resources in CO150.</i>	Budget line: enrollment growth – colleges and provost
2.5 Annually increase retention rates across all	Goal 10, Strategy 10.3 Begin funding and	Budget line: enrollment growth – colleges and

student levels (e.g. soph., junior, senior)	implementation of new Student Success Plan by FY14. Related activities: <i>Implementation of advising and retention initiatives; improved assessment and tracking</i>	provost
2.6 Annually increase the proportion of freshman cohort students who accumulate at least 30 credit hours by the beginning of the 3 rd semester	Goal 10, Strategy 10.3 Begin funding and implementation of new Student Success Plan by FY14. Related activities: <i>Implemented changes in advising policies/practices to ensure students are encouraged to take 15 credits a semester.</i>	Budget line: enrollment growth – colleges and provost
Goal 3: Reducing Gaps		
3.1 Annually reduce disparities in graduation rates between resident underserved and resident non-underserved students	Goal 10, Strategy 10.3 Begin funding and implementation of new Student Success Plan by FY14. Goals 35-37 Initiatives related to campus climate and diversity. Related activities: <i>Implementation of advising and retention initiatives; better coordination and consolidation of Access Center activities.</i>	Budget line: enrollment growth – colleges and provost
3.2 annually reduce disparities in degree completion (graduates per 100 FTE) between resident underserved and resident non-underserved students	Goal 10, Strategy 10.3 Begin funding and implementation of new Student Success Plan by FY14. Goals 35-37 Initiatives related to campus climate and diversity. Related activities: <i>Implementation of advising and retention initiatives.</i>	Budget line: enrollment growth – colleges and provost
3.4 annually increase the proportion of newly enrolled resident students who are from resident underserved populations	Goal 4, Strategy 4.1 Increase the percentages of first-generation, low-income, and ethnically and racially diverse resident, full-time students. Goals 35-37 Initiatives related to campus climate and diversity. Related activities: <i>Targeted efforts by Office of Admissions and expanded recruiting and marketing efforts, particularly in Denver and with Alliance schools.</i>	Budget line: financial aid/scholarship inflation
3.8 Annually increase the proportion of	Goal 11, Strategy 3: Increase numbers of	Budget line: Graduate school tuition pool for

<p>resident underserved students who earn graduate-level degrees</p>	<p>underrepresented and RI graduate students over the next five years. Related activities: <i>Exploring expanded degree options and enhanced graduate student support. VP for Grad. Affairs and VP for Diversity working in partnership on this.</i></p>	<p>GTA/GRAs</p>
<p>Goal 4: Restoring Fiscal Balance</p>		
<p>4.1 Maintain the institution’s rank relative to peers re: # of degrees awarded per \$100k in total operating (E&G) revenues</p>	<p>Goals 31-34: Related to operational efficiencies, improvements, and sustainability. Related activities: <i>Ongoing attention to improved services, operational efficiencies, and development of alternative funding sources.</i></p>	
<p>4.5 Annually decrease the proportion of E&G revenues derived from CO resident tuition</p>	<p>Goal 3, Strategy 3.1.a. Attract and enroll more non-resident students; Goal 29: Expand institutional private support. Related activities: <i>Campaign preparations and ongoing development of alternative funding sources; exploring next generation of learning management systems; initiatives to expand non-resident and international student recruiting.</i></p>	<p>Budget line: New Resources: Non-resident tuition</p>
<p>4.6 Expand research and engagement efforts with external funding sources that leverage institutional investments to enhance our mission of discovery, yield increased community engagement, and promote lifelong learning of the citizens of Colorado</p>	<p>Goal 15, Strategies 15.1 (Expand portfolio of federal funding partners) and 15.2 (Increase non-federal funding of research including industrial, state, local, and foundation funding). Goals 19-27: Focus on Extension and outreach activities. Related activities: <i>Extension planning and support and development of Master Gardener badge curriculum; Coloradoan partnership to support enhanced community engagement.</i></p>	<p>Budget line: Commitments/Quality Enhancements: Base commitments for research, start-ups, faculty retention, advancement</p>

<i>CSU-Pueblo 2013-2018 Strategic Plan</i>	<i>State of Colorado Department of Higher Education Performance Contract</i>	<i>CSU-Pueblo FY15 Budget</i>
<u><i>Colorado State University Pueblo 2013-2018 Strategic Plan</i></u>		
<i>Ensuring Student Success: Preparing Students for the 21st Century as Educated, Ethical, Responsible and Engaged Citizens</i>		
<u>Major Outcomes for this Strategic Plan</u>		
<u>Outcome One: Recruitment</u> Increase full-time equivalent (FTE) enrollment, while strengthening the average admissions index score of incoming students.		Budget line: marketing
Moderate resident undergraduate tuition increases when state general fund revenues increase above inflation.	Goal #4 Restoring Fiscal Balance 4.2	
Increase institutional need-based financial aid expenditures (per FTE) at a rate at or above tuition increases for resident undergraduate students.	Goal #4 Restoring Fiscal Balance 4.4	Budget line: institutional aid
<u>Outcome Two: Retention</u> Increase the first-time, full-time freshman (FTFTF), sophomore and junior retention rates.		Budget line: retention
Annually increase the successful completion (C or better) of introductory Pathways courses in English and Mathematics.	Goal #2 Improving Student Success 2.1	Budget line: Provost instructional lines

Annually increase the proportion of students who accumulate at least 24 credit hours	Goal #2 Improving Student Success 2.2	Budget line: Provost/advising
<u>Outcome Three: Graduation</u> Increase the number of degrees awarded.		
Increase undergraduate credentials awarded.	Goal #1 Increasing Attainment 1.1	Budget line: retention/advising
Annually increase the graduation rate of transfer students.	Goal #1 Increasing Attainment 1.4	Budget line: retention/advising
Annually reduce disparities in degree completion (graduates per 100 FTE) between resident underserved and resident non-underserved students.	Goal #3 Reducing Gaps 3.2	Budget line: retention
Annually increase the number of resident underserved students who earn postsecondary credentials in STEM disciplines.	Goal #3 Reducing Gaps 3.5	Budget line: retention/marketing
Increase the 4 year and 6 year graduation rates		Budget line: retention/advising

Colorado State University-Global Campus Performance Metrics to Goals | **FY14**

CCHE PERFORMANCE CONTRACT CRITERION	CSU-GLOBAL STRATEGIC PLAN GOAL	CONNECTION TO FY14 DRAFT BUDGET
Goal 1: Increasing Attainment		
1.1 Increase undergraduate credentials awarded by 1 percentage point per year	Goal 1.1-2 Develop new market-critical programs that meet industry accrediting standards while evaluating existing program relevancy.	Budget line: Instruction
1.2 Maintain excellence by conferring undergraduate credentials per 100 students enrolled at a level at or among the top 25% of peer institutions	Goal 1.1-1 Enhance degree programs and specializations to address future workplace needs.	Budget line: Instruction
1.3 Maintain excellent by maintaining graduation rates at or among the top 25% of peer institutions.	Goal 4.4-2 Enhance abilities to help students be successful college students with little to no college experience.	Budget line: Student Services
1.4 Annually increase the graduation rate of transfer students.	Goal 4.4-1 Promote degree planning and the inclusion of credits from ACE, prior learning, and competency-based activities.	Budget line: Student Services
Goal 2: Improving Student Success		
2.2 Annually increase the proportion of students who accumulate at least 24 credit hours.	Goal 1.1 Ensure rigorous, relevant, and innovative academic programs that address current and future adult and nontraditional student demands.	Budget line: Academic Support
2.6 Annually increase the successful completion (C or better) of introductory courses in English and Mathematics.	Goal 2.1-1 Identify and maintain best-in-class embedded technology to support course content and delivery, and to increase learning outcomes achievement.	Budget line: Academic Support
Goal 3: Reducing Gaps		
3.1 Annually reduce disparities in graduation rates between resident underserved and resident non-underserved students	Goal 4.2-3 Adjust advising to support student preparation, establish realistic expectations, and foster self-direction.	Budget line: Student Services
3.2 Annually reduce disparities in degree completion (graduates per 100 FTE) between resident underserved and resident non-underserved students	Goal 4.2-1 Refine and expand tuition planning to provide college readiness support and incorporate student education on financial planning.	Budget line: Student Services

Colorado State University-Global Campus Performance Metrics to Goals | **FY14**

CCHE PERFORMANCE CONTRACT CRITERION	CSU-GLOBAL STRATEGIC PLAN GOAL	CONNECTION TO FY14 DRAFT BUDGET
<p>3.7 Annually reduce disparities in retention rates among resident underserved students and resident non-underserved students across all levels (sophomore, junior, senior).</p>	<p>Goal 4.2-2 Refine and expand programs for at-risk students and those that have fallen below standards for Satisfactory Academic Progress (SAP).</p>	<p>Budget line: Student Services</p>
<p>Goal 4: Restoring Fiscal Balance</p>		
<p>4.1 Maintain the institution’s rank relative to peers re: # of degrees awarded per \$100k in total operating (E&G) revenues</p>	<p>Goal 5.5-1 Continue to develop and evolve CSU-Global’s strategic IT roadmap to enhance efficiencies while increasing effectiveness of student success activities.</p>	<p>Budget line: Institutional Support</p>
<p>4.3 Increase expenditures for instruction (per FTE) at a rate that is equivalent to or greater than tuition increases for resident undergraduate students.</p>	<p>Goal 1.2-3 Provide enhanced management tools to increase faculty satisfaction and instructional abilities.</p>	<p>Budget line: Instruction</p>

Section

9

System Wide
Discussion Items

FACT SHEET on the President's Plan to Make College More Affordable: A Better Bargain for the Middle Class

A higher education is the single most important investment students can make in their own futures. At the same time, it has never been more expensive. That's why since taking office, President Obama has made historic investments in college affordability, increasing the maximum Pell Grant award for working and middle class families by more than \$900, creating the American Opportunity Tax Credit, and enacting effective student loan reforms eliminating bank subsidies and making college more affordable.

However, despite these measures, college tuition keeps rising. The average tuition at a public four-year college has increased by more than 250 percent over the past three decades, while incomes for typical families grew by only 16 percent, according to College Board and Census data. Declining state funding has forced students to shoulder a bigger proportion of college costs; tuition has almost doubled as a share of public college revenues over the past 25 years from 25 percent to 47 percent. While a college education remains a worthwhile investment overall, the average borrower now graduates with over \$26,000 in debt. Only 58 percent of full-time students who began college in 2004 earned a four-year degree within six years. Loan default rates are rising, and too many young adults are burdened with debt as they seek to start a family, buy a home, launch a business, or save for retirement.

Today, President Obama outlined an ambitious new agenda to combat rising college costs and make college affordable for American families. His plan will measure college performance through a new ratings system so students and families have the information to select schools that provide the best value. And after this ratings system is well established, Congress can tie federal student aid to college performance so that students maximize their federal aid at institutions providing the best value. The President's plan will also take down barriers that stand in the way of competition and innovation, particularly in the use of new technology, and shine a light on the most cutting-edge college practices for providing high value at low costs. And to help student borrowers struggling with their existing debt, the President is committed to ensuring that all borrowers who need it can have access to the Pay As You Earn plan that caps loan payments at 10 percent of income and is directing the Department of Education to ramp up its efforts to reach out to students struggling with their loans to make sure they know and understand all their repayment options.

A Better Bargain for the Middle Class: Making College More Affordable

Paying for Performance

- Tie financial aid to college performance, starting with publishing new college ratings before the 2015 school year.
- Challenge states to fund public colleges based on performance.
- Hold students and colleges receiving student aid responsible for making progress toward a degree.

Promoting Innovation and Competition

- Challenge colleges to offer students a greater range of affordable, high-quality options than they do today.
- Give consumers clear, transparent information on college performance to help them make the decisions that work best for them.
- Encourage innovation by stripping away unnecessary regulations.

Ensuring that Student Debt Remains Affordable

- Help ensure borrowers can afford their federal student loan debt by allowing all borrowers to cap their payments at 10 percent of their monthly income.

- Reach out to struggling borrowers to ensure that they are aware of the flexible options available to help them to repay their debt.

PAY COLLEGES AND STUDENTS FOR PERFORMANCE

The federal government provides over \$150 billion each year in student financial aid, while states collectively invest over \$70 billion in public colleges and universities. Almost all of these resources are allocated among colleges based on the number of students who enroll, not the number who earn degrees or what they learn. President Obama's plan will connect student aid to outcomes, which will in turn drive a better, more affordable education for all students:

- **Tie Financial Aid to College Value:** To identify colleges for providing the best value and encourage all colleges to improve, President Obama is directing the Department of Education to develop and publish a new college ratings system that would be available for students and families before the 2015 college year. In the upcoming reauthorization of the Higher Education Act, the President will seek legislation allocating financial aid based upon these college ratings by 2018, once the ratings system is well established. Students can continue to choose whichever college they want, but taxpayer dollars will be steered toward high-performing colleges that provide the best value.
 - New College Ratings before 2015. Before the 2015 school year, the Department of Education will develop a new ratings system to help students compare the value offered by colleges and encourage colleges to improve. These ratings will compare colleges with similar missions and identify colleges that do the most to help students from disadvantaged backgrounds as well as colleges that are improving their performance. The results will be published on the College Scorecard. The Department will develop these ratings through public hearings around the country to gather the input of students and parents, state leaders, college presidents, and others with ideas on how to publish excellent ratings that put a fundamental premium on measuring value and ensure that access for those with economic or other disadvantages are encouraged, not discouraged. The ratings will be based upon such measures as:
 - Access, such as percentage of students receiving Pell grants;
 - Affordability, such as average tuition, scholarships, and loan debt; and
 - Outcomes, such as graduation and transfer rates, graduate earnings, and advanced degrees of college graduates.
 - Base Student Aid on College Value by 2018. Over the next four years, the Department of Education will refine these measurements, while colleges have an opportunity to improve their performance and ratings. The Administration will seek legislation using this new rating system to transform the way federal aid is awarded to colleges once the ratings are well developed. Students attending high-performing colleges could receive larger Pell Grants and more affordable student loans.
- **Engage States with a Race to the Top for Higher Education that Has Higher Value and Lower Costs:** The President requested \$1 billion in Race to the Top funding to spur state higher education reforms and reshape the federal-state partnership by ensuring that states maintain funding for public higher education. About three-quarters of college students attend a community college or public university, and declining state funding has been the biggest reason for rising tuition at public institutions. The Race to the Top competition will have a special focus on promoting paying for value as opposed to enrollment or just seat time. States typically fund colleges based on enrollment rather than on their success at graduating students or other measures of the value they offer. There are notable exceptions, like Tennessee, Indiana and Ohio, which fund colleges based on performance. To build on their examples, the President's plan would also encourage states to provide accelerated learning opportunities, smooth the transition from high school to college and between two- and four-year colleges, and strengthen collaboration between high schools and colleges.
- **Reward Colleges for Results with a Pell Bonus and Higher Accountability:** To encourage colleges to enroll and graduate low- and moderate-income students, the President will propose legislation to give colleges a bonus based upon the number of Pell students they graduate. And the Administration will prevent the waste of Pell dollars by requiring colleges with high dropout rates to disburse student aid over the course of the semester as students face expenses, rather than in a lump sum at the beginning of the semester, so students who drop out do not receive Pell Grants for time they are not in school.

- **Demand Student Responsibility for Academic Performance:** To ensure students are making progress toward their degrees, the President will also propose legislation strengthening academic progress requirements of student aid programs, such as requiring students to complete a certain percentage of their classes before receiving continued funding. These changes would encourage students to complete their studies on time, thereby reducing their debt, and will be designed to ensure that disadvantaged students have every opportunity to succeed.

PROMOTE INNOVATION AND COMPETITION

A rising tide of innovation has the potential to shake up the higher education landscape. Promising approaches include three-year accelerated degrees, Massive Open Online Courses (MOOCs), and “flipped” or “hybrid” classrooms where students watch lectures at home and online and faculty challenge them to solve problems and deepen their knowledge in class. Some of these approaches are still being developed, and too few students are seeing their benefits. The federal government can act as a catalyst for innovation, spurring innovation in a way that drives down costs while preserving quality.

To promote innovation and competition in the higher education marketplace, the President’s plan will publish better information on how colleges are performing, help demonstrate that new approaches can improve learning and reduce costs, and offer colleges regulatory flexibility to innovate. And the President is challenging colleges and other higher education leaders to adopt one or more of these promising practices that we know offer breakthroughs on cost, quality, or both – or create something better themselves:

- **Award Credits Based on Learning, not Seat Time.** Western Governors University is a competency-based online university serving more than 40,000 students with relatively low costs— about \$6,000 per year for most degrees with an average time to a bachelor’s degree of only 30 months. A number of other institutions have also established competency-based programs, including Southern New Hampshire University and the University of Wisconsin system.
- **Use Technology to Redesign Courses.** Redesigned courses that integrate online platforms (like MOOCs) or blend in-person and online experiences can accelerate the pace of student learning. The National Center for Academic Transformation has shown the effectiveness of the thoughtful use of technology across a wide range of academic disciplines, improving learning outcomes for students while reducing costs by nearly 40 percent on average. Carnegie Mellon University’s Open Learning Initiative has developed a hybrid statistics course used at six public universities, and its students performed as well as their peers in a traditional course in only 75 percent of the time. Arizona State University’s interactive algebra lessons helped students perform 10 percent better, despite meeting half as often, and at a lower cost. The University of Maryland redesigned an introductory psychology course, reducing costs by 70 percent while raising pass rates. New York’s Open SUNY initiative brings together every online program offered system-wide, helping students complete more quickly.
- **Use Technology for Student Services.** Online learning communities and e-advising tools encourage persistence and alert instructors when additional help is needed. Technology is enabling students from across campuses and across the world to collaborate through online study groups and in-person meet-ups. MOOC-provider Coursera has online forums in which the median response time for questions posed by students is 22 minutes. To help students choose the courses that will allow them to earn a degree as quickly as possible, Austin Peay State University has developed the “Degree Compass” system that draws on the past performance of students in thousands of classes to guide a student through a course, in a similar manner to the way Netflix or Pandora draw on users’ past experience to guide movie or music choices.
- **Recognize Prior Learning and Promote Dual Enrollment.** Colleges can also award credit for prior learning experiences, similar to current Administration efforts to recognize the skills of returning veterans. Dual-enrollment opportunities let high school students earn credits before arriving at college, which can save them money by accelerating their time to degree.

To help colleges innovate and improve quality and outcomes, the Administration will:

- **Empower Students with Information:** New college ratings will help students compare the value offered by different colleges. The Department of Education will enlist entrepreneurs and technology leaders with a “Datapalooza” to catalyze new private-sector tools, services, and apps to help students evaluate and select colleges. The effort will be

complemented by earnings information by college that will be released for the first time on Administration's College Scorecard this fall.

- **Seed Innovation and Measure What Works:** To demonstrate what works, President Obama has proposed a new \$260 million First in the World fund to test and evaluate innovative approaches to higher education that yield dramatically better outcomes, and to develop new ways for colleges to demonstrate that they are helping their students learn. In addition, the Department of Labor is planning to grant an additional \$500 million to community colleges and eligible four-year colleges and universities next year. A portion of these resources will be used to promote accelerated degree paths and credentials that would drive more high-quality and affordable options for adult workers and students. Through these efforts, the Administration will work with business and philanthropy to support industry partnerships to enrich student learning with valuable job exploration and experience.
- **Reduce Regulatory Barriers:** The Department will use its authority to issue regulatory waivers for "experimental sites" that promote high-quality, low-cost innovations in higher education, such as making it possible for students to get financial aid based on how much they learn, rather than the amount of time they spend in class. Pilot opportunities could include enabling colleges to offer Pell grants to high school students taking college courses, allowing federal financial aid to be used to pay test fees when students seek academic credit for prior learning, and combining traditional and competency-based courses into a single program of study. The Department will also support efforts to remove state regulatory barriers to distance education.

Finally, the President will challenge leaders in states, philanthropy, and the private sector to make their own commitments to improve college value while reducing costs. For example, states can redesign the transition to postsecondary education and commit to strategies to improve student learning and enhance student advising, such as hybrid learning pilots, adaptive learning platforms, and digital tutors. Philanthropists can create initiatives, pilots and prizes for colleges that advance competency-based education, accelerated degrees, and the integration of new technologies into on-campus teaching and learning. Investors and entrepreneurs can directly support and develop new technologies and innovations that accelerate student learning while evaluating the effectiveness of different approaches. And employers and industry groups can collaborate with postsecondary institutions and new providers to develop high-quality, low-cost degrees in growing sectors of the economy, offer work-based learning experiences to students, and hire graduates who demonstrate the knowledge and skills employers need.

ENSURE STUDENT DEBT IS AFFORDABLE

While bringing down costs for current and future college students, President Obama will also help students with existing debt to manage their obligations. Income-driven repayment plans allow borrowers to take responsibility for their federal student loan debt with more flexible repayment terms, while helping professionals like teachers and nurses who take on critical jobs in our society that require significant education but may result in modest salaries. These plans allow students to fully repay their student debt on a sliding scale that adjusts monthly payments based on changing income and growing families. Nearly two-thirds of people that currently participate in the income-driven repayment plans make less than \$60,000 a year. Currently, over 2.5 million of 37 million federal student loan borrowers are benefitting from income-driven plans.

- **Make All Borrowers Eligible for Pay As You Earn:** To make sure that students and families have an easy-to-understand insurance policy against unmanageable debt now and in the future, the President has proposed allowing all student borrowers to cap their federal student loan payments at 10 percent of their monthly income. Currently, students who first borrowed before 2008 or have not borrowed since 2011 are not eligible for the President's Pay As You Earn plan. In addition, the Administration will work with Congress to ensure that the benefits are targeted to the neediest borrowers.
- **Launching an Enrollment Campaign for Pay As You Earn:** Beginning this fall, the Department of Education will contact borrowers who have fallen behind on their student loan payments, undergraduate borrowers with higher-than-average debts, and borrowers in deferment or forbearance because of financial hardship or unemployment to ensure they have the information they need to choose the right repayment option for them. Starting in 2014, the Department of Education and the Department of Treasury will work to help borrowers learn about and enroll in Pay As You Earn and Income-Based Repayment plans when they file their taxes. And to assist guidance counselors and other advisers who guide students through the process of selecting and financing their higher education, the Administration will launch a "one-stop shop" that will include important resources for choosing among various income-driven repayment options.

Section

10

Board Meeting
Evaluation

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Appendix

Board Correspondence

CSUS Board of Governors Correspondence Received 9/20/13 - 10/2/13

<u>Date Received</u>	<u>Email/Letter/ Handout</u>	<u>From</u>	<u>Subject</u>	<u>attachments</u>	<u>Response Sent</u>
11/17/2013	email	Larry Redd	CSU stadium		11/19/2013
11/16/2013	email	Tom Linnell	CSU stadium	letter to Governor Hickenlooper	11/19/2013
11/16/2013	email	Kevin Lundberg	re: letter from Tom Linnell (above) to Governor Hickenlooper		
11/17/2013	email	John Kefalas	re: letter from Tom Linnell (above) to Governor Hickenlooper		
11/11/2013	letter	Edmond F. Noel, Jr.	meeting of past and present board members		11/18/2013
11/7/2013	email	Chuck Minks	CSU stadium		11/11/2013
11/5/2013	email	Fenwick Carlile	CSU adjunct professors		11/15/2013
10/27/2013	email	Bob Vangermeersch	CSU stadium-10/4/13 letter request for meeting with BOG		10/29/2013
10/29/2013	email	Anne Hudgens	re: email from Scott Evans re: compulsory health insurance (next email)		
10/21/2013	email	Scott Evans	compulsory health insurance		10/22/2013
10/28/2013	email	Carl Wangsvick	CSU stadium	Q&A _Stadium Cost Overruns	10/28/2013
10/22/2013	email	Anne Macdonald	CSU stadium		10/22/2013
10/18/2013	email	Carl Wangsvick	CSU stadium	Don't ram through an unethical stadium plan	10/28/2013
10/15/2013	email	Judy Berndt	CSU stadium		10/16/2013
10/14/2013	email	Ken Tharp	CSU stadium		10/16/2013
10/12/2013	email	Wade Troxell	City Council-stadium recommendations		10/13/13 by President Frank
10/8/2013	email	Zane K. Bamesberger	communication with the Board		10/8/2013
10/8/2013	email	Norm Rasulis	CSU stadium		10/9/2013
10/7/2013	email	Louis Scharf	previous emails to Board		10/10/2013
10/7/2013	email	Louis Scharf	CSU stadium	BOG_Oct_4_2013	10/8/2013
10/4/2013	handout	Linda Vrooman	CSU stadium		
10/4/2013	handout	Anita Wright	CSU stadium		

10/4/2013	handout	Ken Tharp	CSU stadium		
10/4/2013	handout		CSU stadium		
10/7/2013	email	Carl Wangsvick	CSU stadium	Addendum_#3_-_CMGC_-_Stadium; Booster Clubs-NFHS colo; Booster Clubs and Title IX; Philanthropy Assists a Spork Bucknell University; SECTION iX donation form; NCAA General Equity Manual	10/8/2013

Teufel, Sharon

From: CSUS Board
Sent: Tuesday, November 19, 2013 9:49 AM
To: larry
Subject: RE: Concerns re: the "New Stadium"

Good morning, Mr. Redd:

This acknowledges receipt of your email to the Board of Governors of the Colorado State University System regarding the issue of a proposed on-campus stadium at CSU in Fort Collins. Your correspondence will be shared with the Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel
Office of the Board of Governors
Colorado State University System
410 17th Street, #2440
Denver, CO 80202

-----Original Message-----

From: larry [<mailto:larryredd@earthlink.net>]
Sent: Sunday, November 17, 2013 6:29 PM
To: CSUS Board
Cc: kweitkunat@fcgov.com; ghorak@fcgov.com; boverbeck@fcgov.com; lpoppaw@fcgov.com; gcampana@fcgov.com; wtroxell@fcgov.com; rcunniff@fcgov.com; joann.ginal.house@state.co.us
Subject: Concerns re: the "New Stadium"

Dear CSU Board of Governors –

Please stop all consideration of building a new football stadium on the campus of CSU. Everyone knows this new stadium is a bad idea. Several thorough and credible studies, done by very reputable people including CSU professors, have reached this inevitable conclusion.

I have children college age and younger, and if the new stadium continues to be seriously considered, I will seek other universities for them to attend. I will encourage other parents to do the same due to the misplaced priorities. In my opinion the focus of a university should be academics, and if time, effort, and resources were spent on academics instead of this new stadium, that would be a very good idea.

I am joining the already sizeable group of Fort Collins citizens in opposing the project. I have been a professional engineer for decades, and have managed and studied the risks of large construction projects, and written several papers on the subject. The studies I have seen on the new stadium point to only one conclusion – the project would be a financial and community disaster. Please stop the new stadium.

Thanks for your consideration,

Larry Redd, P.E.
Redd Engineering, LLC
970-219-4732

Teufel, Sharon

From: CSUS Board
Sent: Tuesday, November 19, 2013 10:54 AM
To: Tom Linnell
Subject: RE: Copy of letter to Governor Hickenlooper

Mr. Linnell,

The December 3rd date is correct and the meeting will be here in Denver. The agenda is being finalized and will be published, as usual, at least 24 hours in advance. The business meeting will probably start at 9:00 a.m., but I would recommend checking the agenda once it is posted online.

Sharon

Sharon Teufel
Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

-----Original Message-----

From: Tom Linnell [<mailto:at.linnell@gmail.com>]
Sent: Tuesday, November 19, 2013 10:20 AM
To: CSUS Board
Subject: Re: Copy of letter to Governor Hickenlooper

Sharon,

Thank you.

Could you also confirm that the next Public Comment opportunity will be on December 3 at 8:00 am in Denver? If this date is incorrect, please let me know when the Board will receive public comment. Thank you.

Tom Linnell

On 11/19/13, CSUS Board <csus_board@mail.colostate.edu> wrote:

> Good morning, Mr. Linnell:

>

> Your email and the attached letter to Governor Hickenlooper regarding
> the proposed stadium at Colorado State University will be distributed
> to the Board of Governors.

>

> Sincerely,

>

> Sharon Teufel
> Office of the Board of Governors
> Colorado State University System
> 410 17th Street, Ste. 2440
> Denver, CO 80202
> 303-534-6290

>

>

> -----Original Message-----

> From: Tom Linnell [<mailto:at.linnell@gmail.com>]
> Sent: Saturday, November 16, 2013 1:03 PM
> To: presofc; CSUS Board; ASCSU President; john.kefalas.senate; kevin;
> vicki.marble.senate@state.co.us; perrybuck49@gmail.com;
> brian@briandelgrosso.com; joannginal <; Rep. Randy Fischer
> Subject: Copy of letter to Governor Hickenlooper
>
> Please accept this copy of my letter to Governor Hickenlooper, for
> your information, as well as for any assistance you might be able to offer.
> Tom Linnell
>

November 16, 2013

John Hickenlooper, Governor
136 State Capitol
Denver, Colorado 80203-1792

Dear Governor Hickenlooper,

I am writing to ask for your advice and possible help regarding an area of state governance.

I am writing on behalf of the group, "Save Our Stadium-Hughes" (SOSH), whose purpose is to stop Colorado State University from building a new football stadium on the main campus in Fort Collins. We believe the stadium proposal is based on a flawed business plan, fueled by an emotional commitment to the football program without adequate reality-testing regarding funding.

SOSH represents twenty weekly participants, two thousand supporters on an email list, and ten thousand citizens who signed a petition against the stadium in 2012. We are a very diverse group, but we are united in our fear that building this stadium will cost citizens and students significant amounts of money in taxes, tuition and fees, despite CSU's assurances to the contrary.

We understand that the appropriate place to express this concern would be the CSU Board of Governors. Accordingly, members of SOSH have attended regular Board meetings in Pueblo, Denver and Fort Collins over the past eighteen months. We have asked the Board to allocate time on their agenda to present our analysis of the financial plan for the stadium and engage with us in a discussion of the details. The Board has denied this request both verbally and in writing four times. Instead, they have directed us to utilize the "public comment" section of the meeting to make our statements. We have done so. However, three-minute segments simply do not allow for adequate presentation of the analysis. Even more importantly, Board members have never responded to the statements we have offered.

We have sent the Board all of our materials in electronic, print and video formats. The executive secretary has acknowledged receipt and stated that the materials have been distributed to Board members. Not one member of the Board has acknowledged receipt of the materials or asked further questions. We have no idea whether the members have looked at the information at all.

As your appointees, members of the Board of Governors are sworn to ensure that the University fulfills its mission in a fiscally sound manner. It is our opinion that the Board may be failing to perform due diligence in this matter. When the Board voted (unanimously) in October of 2012 to authorize CSU to proceed to the next phase of the project, they did so on the basis of reports from paid consultants and staff of the University, each of them with an obvious bias in favor of building the stadium, without any indication that they had considered any other economic analyses.

Meanwhile, the CSU stadium proposal is now receiving national attention (and critical review) in publications including the *Wall Street Journal*, *Bloomberg News*, and *Inside Higher Ed* among many others. The three nationally recognized sports economists whom we consulted also raised serious concerns about the financial assumptions that CSU has made.

Your appointees are all clearly well-qualified in diverse disciplines, many of them in business and finance. It may be that they have discussed the financial pros and cons of the project in great detail already. If so, we are puzzled by their refusal to speak with us and share the benefit of their perspectives. We do not need them to agree with us-- but we would appreciate some reassurance that our input has been heard.

Hence, we turn to you for a little help. We are not asking you to step in and stop the project. We are asking you to inquire into the reasons for the Board refusing our request for time on their agenda, and to give us whatever guidance you can with regard to making our input as concerned citizens.

Sincerely,

Tom Linnell
1524 Wildwood Court
Fort Collins, Colorado 80521
at.linnell@gmail.com
970-988-9954

cc: Senator John Kefalas
Senator Kevin Lundberg
Senator Vicki Marble
Representative Perry Buck
Representative Brian DelGrosso
Representative Randy Fischer
Representative Joann Ginal
President Tony Frank, CSU
Dorothy Horrell, Chair, Board of Governors
Nigel Daniels, President, Associated Students of CSU

Teufel, Sharon

From: solidprinciples@gmail.com on behalf of Kevin Lundberg <kevin@kevinlundberg.com>
Sent: Saturday, November 16, 2013 5:29 PM
To: Tom Linnell
Cc: presofc; CSUS Board; ASCSU President; john.kefalas.senate; kevin; vicki.marble.senate@state.co.us; perrybuck49@gmail.com; brian@briandelgrosso.com; joannginal <; Rep. Randy Fischer
Subject: Re: Copy of letter to Governor Hickenlooper

Thank you for your keeping me apprised of this situation. I will follow this as best I can.

-Kevin Lundberg

On Saturday, November 16, 2013, Tom Linnell wrote:
Please accept this copy of my letter to Governor Hickenlooper, for your information, as well as for any assistance you might be able to offer.

Tom Linnell

--
Senator Kevin Lundberg
Colorado State Capitol
200 E Colfax Ave., Rm 336
Denver, CO 80203
303-866-4853

Teufel, Sharon

From: John Kefalas <jkefalashd52@frii.com>
Sent: Sunday, November 17, 2013 12:13 PM
To: 'Tom Linnell'; 'presofc'; CSUS Board; ASCSU President; 'john.kefalas.senate'; 'kevin'; vicki.marble.senate@state.co.us; perrybuck49@gmail.com; brian@briandelgrosso.com; 'joannginal <'; 'Rep. Randy Fischer'
Subject: RE: Copy of letter to Governor Hickenlooper

Tom,

Thank you for including us in this letter to Governor Hickenlooper, and let me know what response you receive. You may also want to send this letter to Lt. Governor Joe Garcia since he heads the CO DEpt. Of Higher Education.

Sincerely,

Sen. John Kefalas

-----Original Message-----

From: Tom Linnell [<mailto:at.linnell@gmail.com>]
Sent: Saturday, November 16, 2013 1:03 PM
To: presofc; csus_board; President; john.kefalas.senate; kevin; vicki.marble.senate@state.co.us; perrybuck49@gmail.com; brian@briandelgrosso.com; joannginal <; Rep. Randy Fischer
Subject: Copy of letter to Governor Hickenlooper

Please accept this copy of my letter to Governor Hickenlooper, for your information, as well as for any assistance you might be able to offer.

Tom Linnell



BOARD OF GOVERNORS *of the*
COLORADO STATE UNIVERSITY SYSTEM

410 Seventeenth Street, Suite 2440 • Denver, Colorado 80202
Phone (303) 534-6290 • FAX (303) 534-6298 • www.csusystem.edu

November 18, 2013

Mr. Edmond F. Noel, Jr.
The Noel Law Office, LLC
Office Court on Inverness
88 Inverness Circle East
Building A, Suite 203
Englewood, CO 80112

Dear Buddy:

Thank you for your letter. It was a pleasure to have you and other former Board members join us for the CSU-Nevada football game. I agree that our presence must have contributed greatly to the Rams' victory!

Your suggestion to periodically have a more formal meeting to share information and gather feedback is appreciated. While there are sometimes "fresh" issues, you are correct that tapping the historic knowledge and insights of previous Governors would be valuable. Based on your idea, Chancellor Martin and I have already begun to explore timing for such a gathering.

The leadership provided by the Board of Governors has had a significant positive impact on the growth and success of Colorado State University and the Colorado State University System. Please know that your continuing interest is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Dorothy A. Horrell".

Dorothy A. Horrell
Chair



THE NOEL LAW OFFICE, LLC

EDMOND F. NOEL, JR.

November 11, 2013

Ms. Dorothy A. Horrell
Chair of the Board
Colorado State University System Board of Governors
410 Seventeenth St., Suite 2440
Denver, CO 80202

Dear Dorothy:

Thank you for the invitation to be a part of the CSU System Board reunion at the CSU-Nevada football game last weekend. Clearly our presence contributed to the victory! It was fun to see old and new friends. I'm sorry we missed President Frank, but I hope he and other administrators can join us in future years. My mother was a member of CU's Board of Regents, which has long had a history of bringing former Regents back to the fold and I'm glad we are now following in that tradition.

As the likely "senior" board member present (1975-1983), I suggest that we may want to have a more formal meeting at least every two or three years, with the current board, during which the Administration might give us a "State of the School" summary and get our reactions. I think we would be surprised to see how much our collective experience might contribute and how much "reinventing the wheel" might be avoided – just a thought. Thanks again.

Sincerely,

Edmond F. Noel, Jr.

Office Court on Inverness
88 Inverness Circle East
Building A, Suite 203
Englewood, CO 80112

Telephone: 303-800-1009
Fax: 303-416-4310
Cell Phone: 303-882-1408

Email: buddynoel@noellawoffice.com
Web: www.noellawoffice.com

Teufel, Sharon

From: CSUS Board
Sent: Monday, November 11, 2013 11:56 AM
To: Chuck Minks; CSUS Board
Cc: Frank, Tony
Subject: RE: The Coloradoan E-Edition Article

Good morning, Mr. Minks:

This acknowledges receipt of your email to the Board of Governors of the Colorado State University System regarding the issue of a proposed on-campus stadium at CSU in Fort Collins. Your correspondence will be shared with the Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

From: Chuck Minks [mailto:blueskydude@centurylink.net]
Sent: Thursday, November 07, 2013 11:00 AM
To: CSUS Board
Cc: Frank, Tony
Subject: Fw: The Coloradoan E-Edition Article

----- Original Message -----

From: [Chuck Minks](#)
To: csu_board@mail.colostate.edu
Cc: tonyfrank@colostate.edu
Sent: Thursday, November 07, 2013 10:40 AM
Subject: Fw: The Coloradoan E-Edition Article

Dear Board Of Governors,

I assume all that live outside of Fort Collins subscribe to the local news paper, assuming is a bit uncertain so forwarding the article in todays paper is the safe position and needs to be considered.

Dr. Frank is a person of integerty and highly respected by most accounts. Yet everyones decision making is in question at times . The new on campus stadium has caused his decision to be put into question among a large percentage of the Fort Collins population. The university may be a stand alone institution for the most part, but it is still dependent on the people of Fort Collins in a big way.

The term "Due Diligence" is being used quiet often the days. It seems that the CSU Adminstration has "zero accounability " to few outside of the college it's self, the burden falls on the BOG. You need to take the fuduciary and legal obligation responsibility seriously to make sure the new on campus stadium is in the best interest of the university system as a whole. This should include the well being and risk to student athletes first.

Regards, C. Minks

**Fort Collins Coloradoan
11/07/2013, Page A07**

HARLAND RANNEY

SOAPBOX: CONCUSSIONS AND CTE

Physical, mental toll of brutal sport not worth risking

Warning: Football can injure your brain. This should be the final straw in breaking the back of the ill-conceived future CSU oncampus Frank Field. A recent PBS “Frontline” twohour special “League of Denial — the NFL’s Concussion Crisis” on Oct 8 focused on CTE, chronic traumatic encephalopathy. This is defined as a progressive degenerative disease, likened to dementia, found in brain biopsies of a number of former football players. This is now beyond dispute — the NFL recently paid a \$750,000 settlement in a lawsuit by injured players. Not a king’s ransom, though, in view of their their \$12 billion revenue last year.

Tragically, it isn’t just the highly paid pros that are suffering. CTE has been found in the brain of an 18year-old football star. And it isn’t just the key players “getting their bell rung”; it can be caused by repeated lesser injuries (subconcussive hits), such as any football game can create.

The trauma a football player experiences in a hard tackle has been likened to running head first at 35 mph into a brick wall! I understand that “targeting” or “leading with the head” are now outlawed, but a lot of roughness can occur on a football field to create “cartoffs” and other means for the almighty win. It has been reported that after great touchdown passes and runs, dramatic “hits” are what spectators watch for, complete with pregame sound effects to arouse fans.

On the “Frontline” program, there was a discussion with the great Dallas quarterback Troy Aikman. He suffered a brutal concussion in a Super Bowl victory and he didn’t even know his team won — and repeated, “Did we win?” several times. This was truly shocking and should be a true wake-up call. Not the sort of statistics that sports broadcasters will publicize, but “Frontline” has a professional football

“Concussion Watch” that currently is averaging 7.2 per week. A Google search will lead you to this site.

High school and college football players are at greater risks financially than the pros. Any insurance terminates with leaving school — these terrible side effects usually are delayed a few years. By then it’s too late to seek compensation. It should be bad enough that virtually every football player leaves the game with knee and shoulder injuries that will cause future health problems, but CTE is truly a monster. Sadly, something for former players to reflect on.

Parents: Is it really so smart for your young men to take this enormous risk for some very shortlived team sport satisfaction? Aren’t there other exercise or team activities that won’t lead to lifeshortening injuries?

I read Larry Watson’s excellent soapbox on Oct. 13, and he reported the drop-off in high school football participation due to brain injury risk.

Why not be like Gonzaga University, as Larry reports, and cancel the entire program? Perhaps the Hughes site could be sold for big bucks and funds directed to a research center to attract high tuition foreign students, which is reported as a goal by admissions. They surely aren’t drawn to CSU for an unfamiliar game.

I don’t realistically expect our national love of football to end despite the brutality of the sport, but junior high, high school and college students shouldn’t be exposed to this risk. Tennis, anyone?

Harland Ranney is a Fort Collins resident.

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agreement to the Terms of
Service and Privacy Policy,
updated March 2009. 11/07/2013*

Teufel, Sharon

From: CSUS Board
Sent: Friday, November 15, 2013 2:50 PM
To: fcarlile@ymail.com
Subject: RE: CSU Adjunct-Professors.

Good afternoon, Mr. Carlile:

This acknowledges receipt of your email regarding compensation for adjunct professors at Colorado State University. Your correspondence will be shared with the Colorado State University System Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel
Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

Notice: This email (including attachments) is protected by the Electronic Communications Privacy Act, 18 USC 2510-25221. It is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited.

-----Original Message-----

From: fcarlile@ymail.com [<mailto:fcarlile@ymail.com>]
Sent: Tuesday, November 05, 2013 12:57 PM
To: CSUS Board
Subject: CSU Adjunct-Professors.

Tu05Nv13

To: email: Colorado State University; CO-Sen. Cheri Jahn, -Rep. Max Tyler.
From: Fenwick Carlile, fcarlile@ymail.com, Lakewood CO 80226-3835

Subject: Adjunct-Professors at CSU.

Good Sirs: I heard on CPR about the relatively poor total Compensation for Adjunct-Professors at CSU, so Internet-entered this topic: <http://www.collegian.com/2013/10/adjunct-faculty-see-changes-at-csu/47509/>, by Journalism Student, & <http://www.coloradoan.com/article/20130904/NEWS01/309040024/>, by CSU's President, among others which I did not read.

Apparently R1-HighSchools, perhaps-Union, pay better than CSU pays about 3/8s of its 'FullTime'-Professors: Pay deliberately set-Low to avoid FedGov MedicalBenefits, which, I thought, isNow-Illegal;

apparently a Legislated-Situation enabling-CSU to EvadeColorado CompensationLevel of MoralResponsibility.

I can still vividly-recall a UC at LA (the OldCarBarn at Laurence & Arapahoe) FluidMechanics-nitecourse, learning from a reallyTalented--because He-Patiently-Explained all manner of complicated-interactions' Cause/ Consequence, NotCovered-ByBook--'Doctor'Professor;

a genuineGuy, who related to usYounger with Wife/ Kids at home; he in jeans and tattered-coat, but Enormously-Respected for Unmistakeable-Ability; providing-Us Useable/ Necessary-Comprehension;

relativelyCheep, but-Priceless, when EarningALiving, using WhatHeTaught.

We-attended (for several-semesters, mostly-'Registered') because WorkOthers had-Told: 'ThisGuyKNOWS'; AND-HE-DID!!

I'm 'Concerned' now--in reading these articles--wondering, was this GreatHuman's-coat in TatteredCondition-Because--as I then-presumed--It & He wereComfortable-Together---Or??, BecauseHe-was PoorlyPaid;

because, HeWAS a 'goddamedGod', for/to-Us--WeAbleThen to BetterQualify (and ShowOthers)-AtWork.

Jahn & Tyler, I hope YouAtLegislature, haveAbility toComprehend: 'UniversityValue';

Otherwise--YouSimply DON'T-BELONG. fc

Teufel, Sharon

From: CSUS Board
Sent: Tuesday, October 29, 2013 1:47 PM
To: bobvangermeersch@aol.com
Subject: RE: Oct. 4 Letter

Good afternoon, Mr. Vangermeersch:

I have discussed with Chair Horrell your letter addressed to her and the following response is being sent on her behalf.

Sharon Teufel

Dear Mr. Vangermeersch:

In response to your letter dated October 4, 2013, we must respectfully decline your request on behalf of SOSH to meet and discuss the economics and financial analysis regarding the proposed main-campus football stadium with the Colorado State University System Board of Governors. As you are fully aware, the Board convenes regularly scheduled meetings to discuss Board business and receive public comment. As you are also aware, if you want to submit written materials to the Board, you may do so at any time and these materials will be included in the Board books for the next regularly scheduled meeting. And has been our consistent practice, you and members of SOSH may continue to address the Board during public comment at upcoming Board meetings pursuant to the Board of Governors' External Relations Policy.

Sincerely,

Dorothy Horrell
Chair of the Board of Governors

*Sent by Sharon Teufel
on behalf of Chair Dorothy Horrell
Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290*

From: bobvangermeersch@aol.com [<mailto:bobvangermeersch@aol.com>]
Sent: Sunday, October 27, 2013 6:46 PM
To: CSUS Board
Subject: Fwd: Oct. 4 Letter

Hi Sharon
When may I expect a reply?
Thanks
Bob Vangermeersch

-----Original Message-----

From: bobvangermeersch <bobvangermeersch@aol.com>

To: csus_board <csus_board@mail.colostate.edu>

Sent: Sat, Oct 19, 2013 5:03 pm

Subject: Oct. 4 Letter

G'Day Sharon

Hope all is well with you. At the BOG meeting I hand delivered the attached letter to the board. (Ms Horrell)

Would you please let me know when I may expect an answer.

Thanks

Bob Vangermeersch

SOSH

970-223-0493

Save Our Stadium Hughes
C/O 4405 Upham Ct.
Fort Collins CO. 80526
970-223-0493
bobvangermeersch@aol.com

4 Oct. 2013

CSU System Board of Governors
410 17th St. suite 2440
Denver Colorado 80202

Ms Dorothy Horrell Chairperson of the Board

RE: request for a meeting with the board

Dear Ms Horrell

The Save Our Stadium Hughes is hereby requesting a meeting with the CSU System Board to discuss the economic and financial analysis regarding the proposed main-campus football stadium. The objective would be to present our analysis and discuss with the board the risks involved with this capital venture.

We anticipate at least a hour meeting in order to adequately cover the information with a amicable but frank debate.

We will be willing to meet at your specified time and place. I am looking forward to a positive response.

Sincerely



Bob Vangermeersch SOSH

Teufel, Sharon

From: Hudgens, Anne
Sent: Tuesday, October 29, 2013 9:53 AM
To: Scott Evans
Cc: Teufel, Sharon; Jarnot, Kacee; CSUS Board; presofc@lamar.colostate.edu; chancellor@colostate.edu
Subject: RE: response to your concern regarding compulsory health insurance // please cc the CSU Board of Governors

Dear Mr. Evans,

Thanks very much for response. We will keep your perspective in mind as we implement and evaluate the policy over the coming year.

Best,
Anne Hudgens
Executive Director
CSU Health Network

From: Scott Evans [mailto:admin@denverbusinessbroker.net]
Sent: Monday, October 28, 2013 10:10 PM
To: Hudgens, Anne
Cc: Teufel, Sharon; Jarnot, Kacee; CSUS Board; presofc@lamar.colostate.edu; chancellor@colostate.edu
Subject: Re: response to your concern regarding compulsory health insurance // please cc the CSU Board of Governors

Dear Ms. Hudgens,

Thank you for taking the time to explain your and CSU's position.

I remain unconvinced. CSU's position is one of over-reach, arrogance, and ignorance. CSU claims to want to help students, especially poor students, yet your strategy is to increase their costs by thousands of dollars a year. In fact, your reasoning is also flawed by the fact that very few students leave CSU for medical cost reasons. You said that 85% already have quality insurance. Another 10% percent have lower quality insurance, but insurance nonetheless. And so we are talking about maybe 1500 students who don't have insurance, and we know the vast majority of them do not have large medical bills. They don't have insurance by choice. It is certainly available to the vast majority at low cost. Yet they choose to forgo it. You will collectively increase their costs by over \$3 million. And you think this will not drive students out of school?

It is quite odd that you are willing to sit in the driver's seat and tell students what their risk profile should be, and what their insurance should be. Your edict is that a \$2500 deductible is correct. Obviously this costs more than a \$5000 deductible. In your book \$2500 is okay, but \$5000 is not. I guess you are free to make that choice because you are not the one paying the premiums. Who cares if a student has to work until midnight instead of 10:30 each night, just to pay increased premiums. Or pay any premiums for that matter.

Another point I wish CSU would consider is that Higher Education is in an increasingly precarious position. The cost/benefit ratio is no longer there for most students. Many will be saddled with years of debt that some may never pay off. Indeed, the only way CSU can drive up costs like this is by getting barely-of-majority-age young people to take on a lifetime of debt. Your insurance is just another piece of this. You and your colleagues talk about disadvantaged students, but your policies will only push the disadvantaged further behind. And create disadvantaged graduates. But this is not my point. The real question is at what point do you suppose that students will have enough of your meddling? I am resolved to give my two kids the opportunity to attend CSU, but I can assure you, that if I were their age, I would avoid CSU at any cost. I love CSU, but attending is not worth the aggravation. In fact, it is possible to receive

the equivalent of a full engineering degree with free online courses. I have taken them, so I know. The only thing they lack is a credential, but the providers are soon going to fix that. My point is, why would CSU add to student costs and the school's meddlesome regulations, when CSU's relative value proposition is slipping fast. Talk to department heads-- and I do-- they know the coming risks.

You may think I am just an assertive parent. I am actually a large booster for CSU. I sit on two boards that benefit CSU and my wife and I have recently donated money. I hate to see the school make such bad decisions, and then back those decisions with an arrogance and meddlesomeness that is not only wrong, but extremely off-putting.

Regards,
Scott Evans
970-669-5303

PS My Fortune-150 corporate health insurance does not meet your \$2500 deductible limit. Best case, your policy is going to waste my time as I convince your proxies that my insurance is okay. Worst case, I will buy my kids your school insurance and my wife and I will go without. Thank you.

PPS I know the CSU Health Network to be a fine organization; I am aware of your good work. So it is a double shame that your group is involved in this wrong-headed insurance requirement.

On 10/28/2013 1:31 PM, Hudgens,Anne wrote:

Dear Mr. Evans,

I recently received a copy of your email expressing concern regarding the all university insurance requirement. I want to respond briefly to your concerns but would also be happy to talk more with you about the changes.

CSU has had an insurance requirement in place for international students and graduate students for many years. Our office of Student Financial Services raised the question with our Insurance Advisory Board regarding the possibility of implementing an all university insurance requirement. Colorado State University was the only major university in Colorado and the only one among our peer institutions that did not have an all university insurance requirement. The disadvantage to low-income students was that they were unable to get financial assistance to purchase the insurance plan since it was not required. Additionally research has indicated that one significant factor in students leaving higher education relates to unexpected medical bills that derail a student from being able to continue at school. Health Insurance helps protect a student's academic investment.

After careful consideration, CSU decided to implement an all university insurance requirement to coincide with the implementation of the Affordable Care Act. The vast majority of undergraduate students are covered under their parents' health insurance. Low-income families will now have more choices related to health insurance with the expansion of Medicaid or may qualify for subsidies through the insurance exchanges. Non-traditional aged students or emancipated students may shop in the insurance market place or they may choose the CSU plan. Because we've made this a requirement, we may also now be able to work with students through the financial aid process to ensure they have the resources to obtain a minimal level of coverage. We have partnered closely with the Larimer County Health District to provide joint presentations related to the Connect for Health Colorado Program. –

CSU contracts with an outside vendor (currently Nationwide Insurance) to provide the best coverage at the lowest possible premiums. We believe the CSU plan is a gold level plan at bronze level pricing. The premiums are paid directly to Nationwide. There is no financial motive or benefit for CSU.

More than 85% of the students, that responded last semester with information regarding their health insurance, indicated that they had insurance coverage with a deductible at or below \$2,500.

Students will receive an email from Ascension, the third party administrator that CSU contracts with along with Nationwide, asking for information regarding insurance coverage. Any insurance policy at the \$2,500 deductible level will be automatically waived from the CSU plan. All others will be contacted directly to discuss their circumstances—such as health savings plans etc. There is no goal to find other insurance plans unacceptable; we absolutely recognize that different families have different options and choices when it comes to covering health care expenses. Our only goal is to ensure that all our students have health insurance coverage that protects them from high out-of-pocket expenses that could prevent them from continuing their education. This is the first year of this plan, and we adopted the \$2,500 as a standard that's in line with what our peer institutions do. We will consider comments like yours and other feedback this year as we evaluate the implementation of this new requirement.

I hope this information is helpful and addresses your concerns.

Sincerely,

Anne G. Hudgens
Executive Director
CSU Health Network

970-491-6914

--

Scott Evans
Executive Vice President
ASG Business Brokers, LLC
(970) 669-5303

Teufel, Sharon

From: CSUS Board
Sent: Tuesday, October 22, 2013 10:28 AM
To: Scott Evans
Subject: RE: a CSU health insurance policy that needs management oversight and re-consideration

Good morning, Mr. Evans:

This acknowledges receipt of your email regarding your concerns on the CSU health insurance policy. Your correspondence will be shared with the Board of Governors of the Colorado State University System.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

From: Scott Evans [mailto:admin@denverbusinessbroker.net]
Sent: Monday, October 21, 2013 10:27 PM
To: Teufel, Sharon; CSUS Board
Cc: Jarnot, Kacee
Subject: a CSU health insurance policy that needs management oversight and re-consideration

Dear Ms Teufel,

I am writing you to ask you to please forward this email to all the members of the Board of Governors.

I am writing to express grave concern about a new CSU policy that has been unilaterally imposed on students and their parents. This is a material issue that could increase student expenses by tens of millions of dollars at CSU Fort Collins alone. I believe it is in the University's interest to head off this issue before it becomes a black eye for the system and a contentious issue with parents.

I have copied here my brief email to Ms. Collard, the person who sent the original broadcast email to the parents, as well as her original email. I have copied her on this email, as a courtesy to her. Obviously, she is implementing and communicating the policy, not making it.

Any board member may call or email me at any time to discuss this.

Thank you for your consideration.

Regards,
Scott Evans
970-669-5303

Dear Ms. Collard,

My wife and I are not happy with this new development. We do not like the imposed requirement, the mandating of specific coverage that is obtuse enough that you cannot even enumerate it in your email, and the fact that CSU is using an outside contractor to handle the waivers. I get the impression I am going to have to spend hours filling out coverage forms to justify my Fortune 500 health insurance. Suppose they disapprove of my insurance, what recourse will I have? What if my deductible is \$500 too high. Or they don't like HSAs?

This policy and implementation is a betrayal of the CSU students and their parents. And it is odd, don't you think, that CSU can impose this requirement mid-stream on students who have already begun their studies at CSU. What other new requirements and material costs are you going to unilateral impose?

Sincerely,
Scott Evans

--
Scott Evans
(970) 669-5303

-----Original Message-----

From: CSU Parent and Family Programs
[<mailto:parentfamilyprograms@colostate.edu>]
Sent: Monday, October 21, 2013 4:18 PM
To: CSU RamSelect Recipients
Subject: Colorado State | New CSU Health Insurance Requirement, Insurance Marketplace & Info Sessions

Dear Parents & Families of CSU Students -

Your student received following information from CSU Health Network regarding the new CSU health insurance requirement for domestic undergraduate students. Because health insurance is required, there are some action steps required by students during their Spring 2014 registration process. Please take a few minutes to read the information below and have a conversation with your student regarding the best course of action to take during registration. Additional information can be found online at either: <http://parents.colostate.edu/hot-topics> or through the links below.

Questions on this topic should be directed to CSU Health Network at either 970-491-2457 or at CSUHN_Insurance@mail.colostate.edu.

best, Kacee

NEW CSU HEALTH INSURANCE REQUIREMENT

Colorado State University is implementing an all-student health insurance requirement beginning with the Spring 2014 semester. This requirement is new for domestic undergraduate students and will only affect those students taking 6 or more resident instruction credits. Information about the requirement will be provided during Registration Ready.

The Student Insurance Office will be accepting waivers from international students. Ascension, a CSU contracted vendor, will be managing the insurance waiver process for domestic students. Students will receive an email from Ascension 1-2 weeks after registering for classes. Please click on the link

provided in the email to go to a secure portal where you will complete the waiver process. ****It is important to respond promptly with your health insurance information if you wish to avoid being automatically enrolled in the CSU Student Health Insurance plan (CSU SHIP).****

The health insurance waiver deadline for Spring 2014 is February 5, 2014.

Students receiving financial aid may qualify for additional financial aid to help purchase the CSU SHIP.

For detailed information about this requirement, implementation and the CSU SHIP, log on to www.health.colostate.edu.

INFORMATIONAL SESSIONS

ASCSU will be hosting three informational sessions in conjunction with the CSU Health Network, the Student Health Advisory Council and the Health District of Northern Larimer County regarding the all-student health insurance requirement. These meetings will provide information about how this policy will affect CSU students and will educate students about how to compare insurance plans.

The meetings will be held on the following dates:

- . October 21, 2013, 6 - 8 p.m., Behavioral Sciences Building 131
- . November 13, 2013, 6 - 8 p.m., Clark A 101
- . November 14, 2013, 7 - 9 p.m., Clark A101

No RSVP is necessary.

AFFORDABLE CARE ACT (ACA)

The implementation of the new CSU health insurance requirement coincides with the implementation of the Patient Protection and Affordable Care Act (PPACA), also known as the Affordable Care Act (ACA) or "ObamaCare."

The main goals of ACA are to:

- 1) decrease costs of health care and insurance to consumers
- 2) improve the quality of health care services and
- 3) increase access to health care for Americans without it

The requirement for all persons to carry health insurance begins January 1, 2014.

Insurance marketplaces became available for enrollment October 1, 2013. These marketplaces allow for comparative shopping for insurance plans and feature live chat to answer your questions in real time.

The marketplace in Colorado is called Connect for Health Colorado - www.ConnectforHealthCO.com

The Larimer County Health District is responsible for educating persons in Larimer County about the ACA and how to use Connect for Health. Insurance guides will work with students, as well as other Larimer County residents, to answer questions and help them navigate Connect for Health Colorado. They will have information regarding the CSU SHIP and help students compare plan costs and benefits.

To use this service, contact Larimer Health Connect - (970) 472-0444, www.LarimerHealthConnect.org

Persons may qualify for subsidies to help them purchase insurance through Connect for Health Colorado.

Proof of minimum insurance required must be turned in with your tax return.

Kacee Collard Jarnot, M.S.
Director of Parent & Family Programs
kacee.collard@colostate.edu

Parent and Family Programs
Office of the Vice President for Student Affairs Colorado State University
201 Administration Building
Fort Collins, CO 80523
(970) 491-6680

No virus found in this message.

Checked by AVG - www.avg.com

Version: 10.0.1432 / Virus Database: 3222/6269 - Release Date: 10/21/13

Teufel, Sharon

From: CSUS Board
Sent: Monday, October 28, 2013 11:55 AM
To: Carl Wangsvick; CSUS Board
Cc: Frank, Tony
Subject: RE:

Mr. Wangsvick,

This acknowledges receipt of your email and the attached article which will be shared with the Board of Governors. Thank you for your continuing interest in Colorado State University.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

-----Original Message-----

From: Carl Wangsvick [<mailto:cwangsvi@yahoo.com>]
Sent: Monday, October 28, 2013 9:17 AM
To: CSUS Board
Cc: Frank, Tony
Subject:

Dear Board:

Here is an article recommending Mr. LePatner's book Broken Buildings, Busted Budgets. An expert voice, widely acclaimed. It would be a good read before committing to a project that, by every other historical example, will double in cost from around \$ 250 million to .5 billion by completion. His book explains why, and what can be done, given that there is still time to retract some of the mistakes already made, esp. the "fast track" plan and the vague descriptions of the facility that put the builders into the driver's seat to charge almost anything they like later on. Any research into cost overruns shows an absolute doubling of costs, with owners needlessly at the mercy of stadium builders.

Carl Wangsvick

Teufel, Sharon

From: Frank, Tony
Sent: Monday, October 28, 2013 10:28 AM
To: Carl Wangsvick
Cc: CSUS Board
Subject: Re:

Thanks, Carl. I know the system office will also acknowledge receipt. Best - tony

Sent from my iPhone

On Oct 28, 2013, at 9:17 AM, "Carl Wangsvick" <cwangsvi@yahoo.com> wrote:

> Dear Board:

>

> Here is an article recommending Mr. LePatner's book Broken Buildings, Busted Budgets. An expert voice, widely acclaimed. It would be a good read before committing to a project that, by every other historical example, will double in cost from around \$ 250 million to .5 billion by completion. His book explains why, and what can be done, given that there is still time to retract some of the mistakes already made, esp. the "fast track" plan and the vague descriptions of the facility that put the builders into the driver's seat to charge almost anything they like later on. Any research into cost overruns shows an absolute doubling of costs, with owners needlessly at the mercy of stadium builders.

>

> Carl Wangsvick

> <Q&A_ Stadium Cost Overruns | Commercial Property Executive.pdf>

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August 17, 2010

Q&A: Stadium Cost Overruns

August 17, 2010

By Barry LePatner, Construction Attorney, LePatner & Associates

In recent years, the New York Metro market has seen a remarkable spurt of major-league sports construction—five new facilities opening in the past few years, to be followed soon by a new arena for the NBA's Nets. At a time when almost any development is welcome, these projects represent several billion dollars of investment. Yet some of these projects are also raising concerns about cost escalation. For example, would you outline the situation regarding the new football stadium for the Jets and Giants? What are the issues there?



BBL: The fact that a non-domed stadium built predominantly for NFL football teams can end up costing \$1.4 – \$1.7 billion is a precise example of why construction costs in this nation have risen to unacceptable levels. When initially agreed upon, the project was billed as a \$998 million design/build concept, i.e. one that was awarded to a construction team made up of an architect/engineer and construction manager who bid to develop the completed project—for a fixed, specified price. Yet the project as completed added over a half a billion dollars in change order costs to complete.

To finance these cost overruns, the football team owners each embarked on a program to sell expensive seat licenses to season ticket holders, the cost of which was over and above the price of the annual tickets for each season. Purportedly, this license fee arrangement netted hundreds of millions of dollars for the NFL teams to pay for cost overruns not contemplated at the outset of the project. In addition, the costs of all other fan amenities—

from parking fees to the cost of food and drink, as well as t-shirts, jerseys and the like—will invoke premium prices that all make it more difficult than ever for families to take their children to a professional football game.

That new football stadium—like others of its kind around the country—is a huge, complex project. Why isn't it reasonable to expect that any development of that scale will probably go over budget?

BBL: There is no reason for projects of this scale not to be built to the exact design specifications that were submitted, for a true complete price. Once construction begins, there is simply no reason for the construction team to submit change orders to the owner, adding new items not originally contemplated in the contract price.

However to do so, owners must eschew the commonplace demands of construction managers who frequently urge that these large projects be carried out as "fast track" projects—to begin construction before the project's design is fully completed and coordinated. As a result of starting construction before the designs are complete, everyone in the construction world knows that excessive change orders—resulting from additional design drawings that are completed as the project proceeds—will drive the total project price up by 20 to 30 percent or more. Plus, the project undergoes substantial schedule delays.

As an industry, we must move to a system in which contractors must bid on jobs with

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complete design documents. Only then will they be required to do the work for a complete, set price—and to meet a defined schedule of completion. If the contractors were contractually obligated to hit their deadline targets—and stay within budget—in order to make a profit, each project, and the industry at large, would improve immensely.

Granted, the new Giants/Jets facility is a different kind of project from a master-planned mixed-use development or an office complex in a central business district. That said, are there any lessons learned that builders, lenders and other stakeholders can take away?

BBL: Today, private owners are finding it difficult to raise capital for every type of project. Moreover, lenders are making it increasingly harder to secure construction funding. The prospect of major cost overruns and project delays are issues that lenders and owners must address for new projects. With governments at all levels pulling back from funding projects, which raise the prospect of being subject to cost overruns (see the issues being raised as the City of Seattle struggles with anticipated cost overruns for its new downtown tunnel), the need for construction cost certainty has become the new imperative.

As I describe in my book, *Broken Buildings, Busted Budgets: How to Fix America's Trillion Dollar Construction Industry*, when an owner signs a fast track project for a so-called "guaranteed maximum price," it starts down the slippery slope of losing control over the all-critical role of the project's final cost. Today, lenders are requiring owners and developers to provide 40—50 percent of the equity for the right to secure a construction loan. If there are cost overruns, not only are there no mezzanine lenders readily available to provide additional financing for the difference, but margins on these projects are smaller than in the boom years of the early twenty-first century.

These new financing constraints are going to force a change to the industry. Contractors typically win jobs by submitting the lowest bid. But owners can no longer assume the financial risks of accepting these low bids—often below market price—which typically come with numerous subsequent change orders from contractors once construction begins. Once the project is underway, owners have very few remedies against change orders. The best way to prevent them is to contractually agree that the project will begin—and funds will be made available—only for projects built from complete designs.

In your experience, why do real estate development projects most often go over budget? What are the most common errors that owners, designers, contractors and other stakeholders make these days?

BBL: The reality is that very few owners and their representatives have detailed knowledge about how construction in the U.S. is priced. This asymmetry of information puts the owner at a distinct disadvantage, since it prohibits the owner from engaging in a proper negotiation over the best construction pricing for the project. Only when the owner engages in a program that prices the design of the project as it proceeds—and has precise pricing for each trade and material supplier in hand before the project goes out to bid—can there be assurances that the construction bidders are providing valid and market-driven bids that reflect the actual cost of the work. Absent this critical step, no owner can merely rely on the bids received from the construction industry.

Are some project types—whether retail centers, office or anything else—more likely to exceed estimates than others?

BBL: All projects are equally subject to cost overruns. Owners of any project must proceed fully equipped with accurate information and with the knowledge that they will likely see their actual budgets explode if they agree to fund a project based on incomplete designs.

What are the consequences of excessive project costs to developers, lenders and equity partners?

BBL: When cost overruns occur on a project—whether public or private—everyone pays for it in increased costs. For a manufacturer, those additional costs are added on to the

price of the products it produces. For the landlord, those costs get added to the rent a tenant is charged. For governmental projects, it is clear that the public pays directly for these cost overruns in the form of increased taxes, reduced services, or both, or the need to borrow funds that will tax future generations. There is no escape from the process. These excess costs are estimated to easily exceed \$120 billion annually in impact on our national economy.

What would be an example or two of recent high-profile projects that went over budget, and what do those projects tell us about this issue?

BBL: The Cleveland Cavaliers' Gund Arena incurred cost overruns of 50 percent when its initial price went from \$152 to \$228 million. The Seattle Mariners' Safeco Field went from an initial \$417 million to \$517 million, and the recently completed Yankee Stadium and Mets' Citi Field both reported cost overruns of \$300 million. The recently completed Dallas Cowboy indoor stadium, initially budgeted at \$650 million, ended up costing far in excess of \$1 billion.

As development activity ramps up over the next few years, what are the main issues that stakeholders ought to bear in mind about cost control?

BBL: We are at a critical inflection point in the real estate and construction industries. The abuses of the "fast track" and so-called "guaranteed maximum price" cost structure have been shown to be illusory and counterproductive to owners and contractors alike. Today, fewer construction lenders and limited budgets will no longer allow for the cost overruns that have run rampant in past years. Standard form agreements permit these tactics to persist. They will not ensure against delays to projects and attendant claims that drive up the contract price.

If we are to break free of the grossly mismanaged system plaguing the construction industry and secure the final cost of a construction project then we will need to address these issues with true, complete pricing agreements and methodologies as set out in the LePatner C3 Method. The time to end these debilitating practices is now. The national economy will pay a dear price if new methods to control costs are not put in place.

Teufel, Sharon

From: CSUS Board
Sent: Tuesday, October 22, 2013 3:29 PM
To: Anne Macdonald
Subject: RE: CSU Stadium

Good afternoon, Ms. Macdonald:

This acknowledges receipt of your email to the Board of Governors of the Colorado State University System regarding the issue of a proposed on-campus stadium at CSU in Fort Collins. Your correspondence will be shared with the Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

From: Anne Macdonald [<mailto:abmac@frii.com>]
Sent: Tuesday, October 22, 2013 1:56 PM
To: CSUS Board
Cc: randyfischer@frii.com
Subject: CSU Stadium

Board of Governors,

I am not a member of the Save Our Stadium group, nor am I active in any way opposing the CSU on-campus stadium. However, my husband (CSU Ph.D. Atmospheric Science) and I (CSU M.A. History) have become very concerned about the divisive nature of this debate. There is a growing number of CSU alumni among our acquaintances who no longer send donations to CSU and considering calling for Tony Frank's resignation.

A convoluted and self-centered idea, bordering on corrupt, is always going to end up badly. There have been very earnest and intelligent, well-researched and fact-based arguments for not building the on-campus stadium. They have seemed to be completely ignored for a convoluted, strained argument steeped in a 1950s society. We are in the 21st century, where engineering, science and math are the future, not football. No matter how you stir it or strain it, college football is all about the past, not the future.

Too, the growing division between the community and CSU, and the growing division between the faculty and the CSU administration is reaching a point where it serves no one. The corruption potential seems to be growing every day— CSURF buying up property at extremely inflated prices, season ticket buyers having to “donate” \$100/season ticket in order to get the season ticket, this “classrooms are not part of the stadium so not part of the private donation count” and the “parking lot is not part of the stadium so is not part of the private donation count” are simply the makings of a corrupt outcome. The cost and the justifications have become so convoluted it would be laughable were they not so fraudulent.

I agree with others that it is time the Board of Governors and the CSU Chancellor call for Tony Frank's resignation. He is obviously resistant to any arguments against the stadium, and appears to be enamored by Jack Graham and his money. Tony Frank (whom I thought would make a great CSU president) is obviously stuck in the 1950s while the rest of us have moved well into the 21st century. We sent our daughter to CU for astrophysics not football. Our son will be going to CSU for mechanical engineering not football. Their friends all chose colleges (CU, Mines, Princeton, Purdue, Berkeley) for sciences not football. They are our future not football.

There is no need to respond to this email. I appreciate that you have read it.

Sincerely,

Anne Macdonald

Teufel,Sharon

From: CSUS Board
Sent: Monday, October 28, 2013 11:51 AM
To: Carl Wangsvick
Subject: RE: Unethical Stadium Contract Process

Good morning, Mr. Wangsvick:

This acknowledges your email regarding the proposed on-campus football stadium at Colorado State University in Fort Collins. Your communication and the attachment will be shared with the Board of Governors.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

-----Original Message-----

From: Carl Wangsvick [<mailto:cwangsvi@yahoo.com>]
Sent: Friday, October 18, 2013 6:41 PM
To: CSUS Board
Subject: Unethical Stadium Contract Process

Sharon,

Please see that your members receive this soon. This process needs to be stopped or the pr damage will not.

Carl Wangsvick



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Don't ram through an unethical stadium plan

October 18, 2013

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Enough already.

Colorado State University made a decision months ago to ask contractors for cash and in-kind contributions as part of their bids to build the proposed stadium. It was a bad idea from the get-go. This kind of "pay-to-play" positioning is out of place in a public contracting process. It makes it appear as if only contractors willing to shell out big-time cash are eligible to win.

The university has won interest from seasoned, ethical, high-performing companies. Not the kind that pay bribes to win projects.

In addition, it distorts the pricing of such projects and requires contractors to massage their bids in ways that allow them – behind the scenes – to cover the cost of those so-called charitable contributions. This likely means the public isn't getting the best price for the project.

This week, CSU acknowledged the error and agreed that it would not ask contractors for cash contributions. But that's not enough.

The university continues to maintain that it's OK to ask for non-cash contributions. It's not. Here's why.

Contractors going after this stadium project are going to spend weeks and thousands of dollars to craft competitive bids. If they must, at the same time, figure out how to provide significant in-kind donations – even though the university now is saying those donations can be made after the contract is awarded – the builders still are going to be searching for ways to cover the costs of these non-cash contributions.

The university is wasting the companies' time and ours by asking them to perform these financial gyrations, all in the name of building a high-profile football stadium.

Asking these contractors to change their pricing approach now, weeks into the bid-development schedule, while necessary, means that it will take even more time and money to go back and reconfigure bids.

Even though this proposed stadium is to be partially built with private funds, the university and its staff are still supported by public tax dollars. It's time to start adhering to the principles that govern such public undertakings: straightforward competitive bidding and full disclosure. Without these, the university should not be allowed to proceed with the stadium plan.

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HANG SENG INDEX	23340.1	245.219	(1.06%)
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Teufel, Sharon

From: CSUS Board
Sent: Wednesday, October 16, 2013 8:12 AM
To: Judy Berndt
Subject: RE: proposed CSU stadium

Good morning, Ms. Berndt:

This acknowledges receipt of your email to the Board of Governors of the Colorado State University System regarding the issue of a proposed on-campus stadium at CSU in Fort Collins. Your correspondence will be shared with the Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel

Sharon Teufel
Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

From: Judy Berndt [<mailto:judyberndt@gmail.com>]
Sent: Tuesday, October 15, 2013 12:03 PM
To: CSUS Board
Subject: proposed CSU stadium

Dear members of the CSU Governing Board:

As a long-time resident of Fort Collins and a CSU retiree, I am appalled by the plans to construct an on-campus stadium. I will not reiterate all of the reasons that so many persons oppose these plans. As you no doubt know, today's *Coloradoan* reported on the University administration's failed attempt to force construction companies to donate money to the project in order to be considered in the bidding process. This is outrageous! It should not be up to citizen watchdog groups to stop such unethical behavior. Please stop this foolish plan to build a stadium and please do your jobs and monitor this administration so that they cannot attempt other illegal or unethical behavior.

Yours truly,

Judy Berndt

Teufel, Sharon

From: CSUS Board
Sent: Wednesday, October 16, 2013 8:13 AM
To: Kenneth L. Tharp
Cc: pres.ofc@colostate.edu
Subject: RE: CSU'S FUTURE AND ITS STADIUM

Good morning, Mr. Tharp:

This acknowledges receipt of your email to the Board of Governors of the Colorado State University System regarding the issue of a proposed on-campus stadium at CSU in Fort Collins. Your correspondence will be shared with the Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel

Sharon Teufel
Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

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From: Kenneth L. Tharp [<mailto:kentharp@hotmail.com>]
Sent: Monday, October 14, 2013 4:08 PM
To: pres.ofc@colostate.edu; CSUS Board
Subject: CSU'S FUTURE AND ITS STADIUM

601 Birky Place

Fort Collins, CO 80526
October 14, 2013

Honorable Dr. Tony Frank and Board of Governors
Colorado State University

Subject: CSU's Future and its Stadium

Honorable Citizen Leaders,

Thank you for striving to fulfill the goal of the Land Grant University, to make college accessible to all capable students who wish to learn, regardless of economic and social status.

Land Grant universities and the G.I. Bill have made this country great. Another great step forward will be your support for Massachusetts Senator Elizabeth Warren's idea that the Federal Reserve should make educational

loans available at the same low rate given to major banks. Her new idea is less absurd than to gamble with CSU's and students' future with a new stadium.

Are you getting all the information needed to make a wise decision about the stadium? The Athletic Director's early statement about "rolling over" the opposition makes one wonder. Are his recent statements about faculty and student support truthful? What was the outcome of public discussions and surveys conducted by the Center for Public Deliberation?

Have each of you pondered the book, "Higher Education? How Colleges Are Wasting Your Money and Cheating Your Children"? Twenty colleges were favored for different reasons by its authors. Western State was the only Colorado college cited: In-state students could graduate without a heavy debt.

University athletic programs rarely pay their own way. CSU should find other ways to make college affordable. Please bring the best faculty and student minds together through the Extension Service to determine the best ways to finance CSU's future. Its duty is to make the University's knowledge available to the public, and to make statewide needs known to the University. Your researchers and public relations faculty and students can help us understand the importance of college as a public good, for our state and nation's future.

Thank you for serving the world through CSU students!

Kind regards,

Ken Tharp
kentharp@hotmail.com
970-484-7033

Ken Tharp
kentharp@hotmail.com
970-484-7033

Teufel, Sharon

From: Frank, Tony
Sent: Sunday, October 13, 2013 12:32 PM
To: Wade Troxell
Cc: CSUS Board; City Council; Darin Atteberry
Subject: RE: Fort Collins City Council Work Session - Follow Up on Recommendations

Hi, Wade. I agree, it was beautiful day and a fun game for folks and, yes, a tough loss for the team as well.

I'm sorry to hear about your discussion with Tom. It's my hope that there was a healthy dose of miscommunication involved as it is not my intention, nor Tom's I believe, to ever challenge the position of any elected official. We may or may not agree on a particular issue, but you should always expect our respect for your position as someone representing your constituents as you best see fit.

With regard to your three points below, I have passed them on to the Board. I suspect we may see these issues differently.

I understand the SPAR process and, as you know, the University has voluntarily gone through this process for facilities off our main campus. The University has never undergone such a process within the main campus (core annexation area) and it is my opinion that the Board would not support this precedent. I would recommend against it on the basis of precedent alone.

On the issue of visiting other communities to assess impacts of stadiums, my sense is that through existing analyses and working through the design/development process, including engagement with the city staff as is appropriate at this stage, we'll have the needed information to make appropriate decisions going forward. I will make sure that the Board is aware of your suggestion here, and if they wish to engage this process, I'll of course be back in touch to get that ball rolling.

I have passed onto the Board your request for a meeting with the Council. I imagine one issue the Board will weigh is the fact that they represent every community in the state of Colorado, although obviously there is a special relationship with the cities of Fort Collins and Pueblo where physical campuses are located. The Board's position in the past has been that they expect the president will be in the best position to manage the communications with the elected officials of the City. If there is interest in a meeting as you suggest, I'll work with Darin to set that up.

Wade, regardless of whether or not we end up acting on these recommendations in the manner you'd like, I hope I am able to convey the deep sense of respect that I have for you and your colleagues on the Council in discharging your responsibilities on behalf of the city of Fort Collins. This is important work and, as we noted the other evening, we remain closely aligned on any number of significant issues. It remains my hope that we can respectfully work our way through the stadium discussions in a way that maintains our close working relationships and respects the roles and responsibilities we each have as independent governmental entities.

With my best wishes - tony

Anthony A. Frank, President
Colorado State University

-----Original Message-----

From: Wade Troxell [mailto:WTroxell@fcgov.com]
Sent: Saturday, October 12, 2013 6:19 PM
To: Frank, Tony

Cc: CSUS Board; City Council; Darin Atteberry
Subject: Re: Fort Collins City Council Work Session - Follow Up on Recommendations

Dear Tony:

As I was leaving the homecoming game, I was confronted by VP Tom Milligan in the parking lot about some of the things discussed last Tuesday night at the City Council work session. He made assertions that were false. I called him on them as being BS.

Tony, this is exactly the divisiveness being fostered by the stadium issue. I would hope we can have more a productive discussion in the future and not confrontational antagonism.

Although it was a tough loss, it was a beautiful day for a football game at Hughes Stadium and a good game to watch.

Regards,
Wade

Wade O. Troxell
CSU alumnus 1980, 1982, 1987.
City Council, District 4
City of Fort Collins

> On Oct 12, 2013, at 10:33 AM, "Wade Troxell" <WTroxell@fcgov.com> wrote:

>

> Dear Tony:

>

> Thank you for coming to the City Council work session last Tuesday night to provide an update on the on-campus stadium. We all agree that having a good relationship between CSU and the City of Fort Collins is important. It is incumbent on us to continue to build on the many positive aspects that benefit both government entities and those we serve.

>

> Unfortunately from the first words uttered by the AD when he was appointed by you, the stadium issue has been generally viewed as a done deal. Any stadium decision is now framed as a "lose, lose" proposition. This is unfortunate particularly since the reasons for building a another stadium are a non sequitur. The reasons can equally be applied to Hughes Stadium. This single issue has caused considerable division in our community. The division has been my main concern I have expressed to you in our various discussions over nearly a two year period.

>

> Below are three recommendations I made at the work session.

>

> 1) The new stadium is to be located at the south edge of main campus, adjacent to a single family residential neighborhood and in close proximity to the Sheely Historical District. At the October 3-4 meeting of the CSU System Board of Governors, they directed you to begin community outreach on the proposed on-campus stadium. I encourage CSU to voluntarily engage in a Site Plan Advisory Review (SPAR) process. A SPAR process will provide impacted neighbors and interested community members a chance to review and provide comment on the development of the on-campus stadium. As a State institution this review would only be advisory. A City-led SPAR would give independence to the public input process on the project impacting neighbors and the community. Currently, Front Range Community College in Fort Collins has chosen to go through this process as part of its proposed expansion in close proximity to single family residential neighborhoods in my district. CSU should do the same. City Manager Atteberry can provide the details of what the SPAR process entails and how to begin.

>

> 2) I recommend the City Council visit at least two municipalities that are undergoing or have undergone a comparable expansion of athletic facilities funded in large part by private donors. You can choose one community you feel is the

best example of the benefits your purport. As for my choice, I would like to visit Stillwater, Oklahoma and talk to the City Leaders about the kinds of impacts, both positive and negative, in their community. City Manager Atteberry can work with you to coordinate the extent of your involvement in these visits.

>

> 3) Representation on the CSUS Board of Governors has only one member from City of Fort Collins. The impacts of the on-campus stadium and the division caused to the citizens of Fort Collins is unlike other municipalities around Colorado. I request an opportunity for the City Council and the Board of Governors to have a face-to-face meeting to discuss the impacts and the depths of division this issue has caused in our community. City Manager Atteberry can schedule a time and place for a meeting that is convenient to both governing bodies.

>

> Thank you for your serious consideration of these three recommendations. I hope we can continue to work together for the mutual benefit of the City of Fort Collins and Colorado State University.

>

> Regards,

>

> Wade

>

> Wade O. Troxell

> CSU alumnus 1980, 1982, 1987

> City Council, District 4

> City of Fort Collins

>

Teufel, Sharon

From: Teufel, Sharon

Sent: Tuesday, October 08, 2013 10:13 AM

To: 'Zk Bamesberger'

Subject: RE: Question regarding student communication with the Board.

Good morning, Mr. Bamesberger:

You may email your comments to the Board at csus_board@mail.colostate.edu. You are correct that the next Board meeting in Fort Collins is in May. If you have any other questions, please let me know.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

From: Zk Bamesberger [<mailto:adidajudo@msn.com>]

Sent: Tuesday, October 08, 2013 10:05 AM

To: Teufel, Sharon

Subject: Question regarding student communication with the Board.

Hello Ms. Teufel,

My apologies if I am contacting the wrong person about this matter but I just wasn't sure where to start and I saw that you are the Executive Assistant to the Board, so I thought I would give this a shot.

My name is Zane Bamesberger, I am a student at CSU Fort Collins and I was wondering if there is a more proper or preferred way to communicate with the Board regarding the proposed On-campus stadium.

I read an article in the October 7th issue of The Rocky Mountain Collegian about the Board being divided regarding the new stadium and the article stated that "the Board of Governors is receptive to hearing the public voice" and that "several Board members wish to involve the community with further plans." (article author - Caitlin Curley)

I would really like to know how I may communicate with the Board regarding this issue. Would emailing a statement with concerns be preferred or even possible? Will the Board be planning another meeting with community members regarding the Stadium at a later date? Or is it too soon to say?

I reviewed the meeting schedule and I see that the Board will not be meeting in Fort Collins again until May.

Thank you so much for your time, I really appreciate it.

Zane K. Bamesberger

Teufel, Sharon

From: CSUS Board
Sent: Wednesday, October 09, 2013 10:17 AM
To: Norm Rasulis
Subject: RE: BOG presentation -- 3rd try

Good morning, Mr. Rasulis:

Per our telephone conversations, I am confirming that your third try was successful. Your email regarding the proposed stadium at CSU in Fort Collins will be shared with the Colorado State University System Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

From: Norm Rasulis [<mailto:nrasulis@gmail.com>]
Sent: Tuesday, October 08, 2013 3:10 PM
To: CSUS Board
Subject: BOG presentation -- 3rd try

Sharon:

I have my fingers crossed.

From: Norm Rasulis <nrasulis@gmail.com>
Date: October 8, 2013 12:47:09 PM MDT
To: <csu_board@mail.colostate.edu>
Subject: **Presentation to BOG 10/4/13**

Hello, again, Sharon:

If you have any questions, call me at 970-484 8421.

Here's my second try:

Norm Rasulis

University

Lessons from CMU for CSU: A Stadium is Not a

As a new Fort Collins resident and retired university professor from Michigan where I taught for more than thirty years at Central Michigan University, I'm no stranger to the tension between academic missions and athletic ambitions. So watching CSU trying to impersonate a big time athletic school is poignant. My school, CMU, is comparable to CSU in enrollment and athletic standing: both are NCAA Division One teams, but with decidedly second tier standing in the football world of collegiate athletics.

Whereas CMU usually does well against its MAC rivals, it harbors no further athletic pretensions. But CSU apparently dreams of big-time athletics. My former university regularly plays one of the downstate juggernauts -- namely, Michigan or Michigan State -- but CMU is just a warm up for their serious games against Ohio State and Wisconsin. Can the CSU game against Alabama two weeks ago be dignified as anything more than a scrimmage for Alabama?

Back in the halcyon days of state funding for universities at 80% while state residents paid the other 20%, CMU (and schools like it) could expect to play on a level financial field with Michigan and MSU. Now, that distribution has reversed, with students having to pay for 80% of their education. Is it any wonder that most of them finish their degrees with burdensome debt? Understandably, therefore, with its enrollment worries and money getting scarcer, CSU is grasping for a quick fix.

I discussed this state of affairs with my daughter-in law, Tiffany, last night who, along with my daughter, is visiting me. Both work for the University of Michigan in Ann Arbor, where Tiffany represents the provost's office at the Dearborn campus and knows the financial picture for Michigan. Since the start of the recession in 2007, Michigan has weathered that storm without touching its substantial endowment. In fact, the President of Michigan, Mary Sue Coleman, began hiring faculty from distressed institutions and building on Michigan's academic programs. She's a university president who knows what a university is supposed to be.

Not only has Michigan increased its world class academic status, but it also fills the Big House in Ann Arbor, the largest football stadium anywhere. Nor does it hurt that alums pay \$75 to \$1,000 per ticket, while also showering largess on the university.

This morning's Coloradoan carried a story on the ongoing decline of attendance at CSU football games - not a pretty picture. Everywhere one looks, the big schools thrive, and the smaller schools shrink. No other teams will get into the Big Ten (Penn State was a big mistake). CSU will not be invited -- ever -- into the PAC 12. It's all in the money; and CSU will never be in that kind of money.

Given this sad picture, CSU should remember that its faculty is the real life blood of the university. An article in the current North Forty News describes how English professors John Calderazzo and Sue Ellen Campbell have ventured far beyond their discipline to include many other faculty in developing programs on environmental issues, principally climate change. CSU should recognize and value this sort of initiative. CSU's strong research record could also be leveraged to CSU's advantage, for this too, is based in faculty initiatives.

So the CSU Board of Governors should steer CSU away from athletic dreams and back to academics. For standing by the CSU faculty, most of whom oppose a new stadium, will bring out the best in the university.

Norman A Rasulis

Teufel, Sharon

From: scharf@engr.colostate.edu
Sent: Thursday, October 10, 2013 5:44 PM
To: CSUS Board; Scharf, Louis (EID); Louis Scharf
Subject: Re: Previous emails to BOG

Prof Zizzi has seen none of my materials, even tho he has been on the BOG for several years. That is my understanding, but perhaps there is some confusion on my part. You may want to clarify the situation with him.

I have sent him the materials in separate emails.
Sent via BlackBerry from T-Mobile

-----Original Message-----

From: CSUS Board <csus_board@mail.colostate.edu>
Date: Tue, 8 Oct 2013 15:40:05
To: Scharf, Louis (EID) <Louis.Scharf@colostate.edu>
Subject: RE: Previous emails to BOG

Dr. Scharf,

Correspondence and related attachments are provided to all members of the Board and included in the appendix of the Board meeting materials. Since faculty and student representatives are appointed annually, it could be a timing issue with the person to whom you spoke on Friday. If you know the name of the faculty representative, I would be happy to forward a copy of your presentation and previous emails to that individual. Please let me know if I can assist you further.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

-----Original Message-----

From: Louis Scharf [<mailto:Louis.Scharf@ColoState.edu>]
Sent: Monday, October 07, 2013 4:54 PM
To: CSUS Board; 'Louis Scharf'
Subject: Previous emails to BOG

Dear Secretary to the BOG: One of the members of the BOG approached me on Friday, Oct 4, 2013 to tell me that he had not seen any of my previous emails and powerpoint slides on the main campus stadium. This member was a faculty representative to the Board. Should I be concerned that my materials are not getting through, or that they are getting through to only a subset of the Board? Louis Scharf

Teufel, Sharon

From: CSUS Board
Sent: Tuesday, October 08, 2013 9:23 AM
To: Scharf, Louis (EID)
Cc: Frank, Tony
Subject: RE: BOG Mtg, Oct 4, 2013

Good morning, Dr. Scharf:

This acknowledges receipt of your email to the Board of Governors of the Colorado State University System regarding the issue of a proposed on-campus stadium. Your correspondence and the attachment will be shared with the Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel
Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

-----Original Message-----

From: Louis Scharf [<mailto:Louis.Scharf@ColoState.edu>]
Sent: Monday, October 07, 2013 4:45 PM
To: CSUS Board; Frank, Tony; 'Louis Scharf'
Subject: BOG Mtg, Oct 4, 2013

President Frank and Members of the CSU System Board of Governors:

Thank you for the opportunity to speak during the Public Comment segment of the BOG meeting on Friday, October 4, 2013. If I understand correctly, I am permitted to submit a written copy of my remarks. The attached file contains my remarks, although to come in under the 5 minute time limit, I did not get to the remarks about out-of-state students.

Kindly distribute the attached file, and this email, to members of the BOG. Thank you. Louis Scharf

1. Good morning Pres Frank and Members of the BOG. I'm Louis Scharf, Research Professor of Mathematics at CSU. I'm the person who has sent to you over the past many months several powerpoint analyses of the proposed main campus football stadium. I have made stand-up presentations from these materials to Faculty Council, Society of Senior Scholars, a legislative delegation, three members of City Council, the Coloradoan Editorial Board, and SERTOMA, a local service club. This month I will make a presentation at the Plymouth Congregational Church on Prospect, within earshot of the proposed main campus stadium. In every one of these presentations, I have met with an audience receptive to my concerns about the unsubstantiated claims of benefit, abandoned assurances, budget deficits, sampling methods, and social risks of the proposed stadium. Neither Prof. Roger Noll of Stanford nor Prof Andrew Zimbalist of Smith College, both respected sports economists who have read my materials, has found any fault with my analysis. Prof. Noll says, and I quote, "I hardly know where to begin. If anything your analysis vastly understates the financial risks... there is no reality to the revenue numbers."

I renew my offer to meet with you individually or collectively to review my arguments.

2. It seems to me that we are being told a just-so story of perennial top-25 football, perennial sweet-16 basketball, with a National Championship in sight, corporations buying up naming rights and luxury boxes, the Big-12 or Pac-12 coming knocking, and so on. On an athletic budget twice the current budget, but still half the budget of perennial powers. This story is based on a SAC report of unsubstantiated revenue assumptions, unexamined sampling methods, accounting errors and oversights, and discounted risks. A report beneath the standards of this great research university. Let me be a little more specific.

3. Pres Frank said at the Oct 2012 BOG meeting, and I quote, "If this main campus stadium costs one dime of public money, we will have failed." According to my analysis of the budget, using the SACs own baseline numbers, but correcting an accounting error and an accounting oversight, this project will drain between \$3M and \$5M from the General Fund. That's public money, and that's a lot of dimes.

4. I have met with the Professor Laureate in the College of Natural Sciences, a Professor of Statistics and an international expert in sampling theory. We have gone over the sampling results in the SAC report. They do not speak to hypothetical bias, sampling bias, non-response corrections, sensitivity analysis, and so on. Using two standard methods for computing margin of error, we have been unable to reproduce the SAC results. We do not know what their margins of error even refer to. If the sampling results in the SAC report mean anything, they mean this: only one class of fans indicated they would attend fewer games in a main campus stadium than they attend at Hughes: non-donor season ticket holders, validating what we have always known. This is a stadium for donors.

This brings an important question: why doesn't CSU use the resources of this fine research university to go over the SAC report with a fine-tooth comb, so that we have a clear-eyed view of risks and pay-outs? We have experts in statistics, engineering, finance, and economics. Let's use them in an open atmosphere of inquiry, faithful to the ideals of this university.

5. If the WSJ article, "A College Bets on a Stadium to Fill its Coffers," is accurate when it says the President remains skeptical that a new stadium can translate directly into an enrollment boom, then we too may be skeptical. But there is more than skepticism here. Last Spring the Provost told Faculty Council that the distribution of 8000 new students at CSU was to be this: 3000 new in-state, 2500 new foreign, and 2500 new domestic out-of state. So the target is 2500 new domestic out-of-state students who would be attracted to CSU for the cache that its football stadium brings, not 5000. If you read the 133 Comments on the recent WSJ article, you might conclude that very few of these will come from families who subscribe to the WSJ. These comments were overwhelmingly negative, suggesting in the main that it was high-quality academics at an affordable cost that matters, not frills and football stadiums. Prof. Zimbalist makes the point that students who are attracted to a university for its athletics are not students who raise the academic quality of an institution. I think it is agreed by all that no out-of-state students would be admitted whose credentials were weaker than those of an in-state student who was denied admission, further complicating the argument that this stadium can translate directly into an enrollment boom in out-of-state students.

6. Following my own presentation to SERTOMA, AD Graham was invited to speak. He presented his just-so story. He then said, and I quote, "Every Dean on campus supports this project." This is provably false. Tim Gallagher, Prof of Finance and Chair of Faculty Council has it right when he is quoted in the WSJ: "I would say that the majority of the faculty on this campus are clearly against it."

The AD further complicated the issue of a main campus stadium when he told SERTOMA, and I quote: "Over my dead body this thing does not get done." It is easy to overlook the fractured syntax, but not so easy to overlook the suggestion that the decision to proceed is his to make.

As a post-script to my own remarks at the Oct 4, 2013, BOG meeting, please allow me to comment on a public comment made at the meeting in support of the main campus stadium. It was said that this was a calculated risk. I think we need to draw a distinction between a calculated risk of private money, using private land, with a miscalculated risk of public money, using public land. This is a particularly important distinction when we have been assured that not one dime of public money will be considered or spent. How do I justify the claim that risk is miscalculated? There is a large and increasing volume of analysis and commentary suggesting that the risk environment for universities and for big-time college sports is higher than it has ever been. Nowhere in the SAC report is this risk environment addressed. This compounds the problem of unsubstantiated revenue assumptions, accounting errors, sampling problems, and social risk.

October 4, 2013

Good Morning,

My name is Linda Vrooman. On September 26 I sent an email to Dr. Frank and the CSUS Board members. Dr. Frank's kicked back as being considered spam. I am not sure if the Board members' received it so I have included a copy of the email at the end my comments, which I have copied for each of you.

In December, 2012, in my statement to the Board in Denver I said that I thought the stadium train had left the station. More and more information has been written in the national media supporting my comment. Below is a list of the headlines of the most recent articles for you:

- * Hard Knocks for America's Game, Wall Street Journal, 9/21-22/2013, page C5
Reviews 3 books: "The King of Sports" by Gregg Easterbrook
"The System" by Jeff Benedict and Armen Keteylan
"The War on Football" by Daniel J. Flynn
- * Movement to pay college athletes could leave CU in the lurch, 9/22/2013, Denver Post, page D1; Includes this quote: "Using figures compiled on 225 public universities by USA Today, only 22 athletic departments generate enough revenue to cover their expenditures without extra help."
- * Down With Tomato Cans, Wall Street Journal, 9/23/2013, which has an explanation for CSU playing Alabama.
- * College Football, Minus the Students, Wall Street Journal, 9/26/2013, page D5, College students, even in the football ravenous US southeastern states, are not showing up for football games.
- * College Sports Goes on the Offensive, Wall Street Journal, 10/2/2013, page D6, that includes the quote, "You put them in a room and pull down the shades, and most university presidents would love to find a way to spin it off," Michigan president emeritus James Duderstadt said.
- * A College Bets on a Stadium To Fill Its Coffers, Wall Street Journal, 9/28-29/2013, Front Page, The most precious part are the comments about the article.
- * The Atlantic, October 2013,
Page 44, How the NFL Fleeces Taxpayers, and
Page 72, The Case Against High School Sports

The place that sports has in our universe is changing and there are many questions about the future of its place in our schools and lives. This is not the time to bet on a new stadium. Dr. Frank spoke yesterday about Hughes, which is about 46 year old. If this stadium is built and should last that long, it will have outlived football.

Regarding Hughes Stadium – at many SAC meetings, and again by Dr. Frank yesterday, the \$30M deferred maintenance to Hughes infrastructure was discussed. Was there no sinking fund, no savings that was set aside for maintaining Hughes? Why was the maintenance deferred? Why was such a large facility neglected?

Yesterday, Dr. Frank, you said...“I am in the same spot as I was before..” I believe you are correct. You are between a rock and a hard place.

Email of September 26:

Declining Student Attendance Hits Georgia – At Campuses Across the Country, More Reasons Than Ever to Skip the Game, Wall Street Journal, September 26, 2013

This is not news to those of us who have tried to educate ourselves about this behemoth threatening the center of our beloved city. Dr. David Ridpath, Jay Coakley, Dr. Andrew Zimbalist and other experts in their fields of sports and economics have been predicting the above headline as the future.

It is obvious to those of us who are concerned about the proposed on-campus stadium that the people who should be most informed and most open to hearing both sides of the issue, have refused opportunities to listen or take part in dialog.

Were you aware that respected sports economist Dr. Andrew Zimbalist spoke in Fort Collins on Monday, September 23, to an estimated crowd of over 200 people? You were sent invitations and there was no response.

Power point presentations challenging the proposed financial numbers of the paid consultants have been seen by groups around Fort Collins. At each showing the question is asked, "Have Tony Frank and Jack Graham seen this information?" Each time the answer is no - it has been offered but they, and the BOG, have declined.

Of all of those involved in this decision, shouldn't representatives of the education system, where free thinking and debate are revered, be the first to read and see all of the details about the costs and risks?

Please allow yourselves to hear arguments against this stadium. Please do not just rely on information "fed" to you by those who have everything from egos to

checkbooks on the line to get this thing built.

Oh, by the way - re: the WSJ article. Throwing more millions into better cell phone reception isn't going to be the answer.

Thank you for your time,

Linda Vrooman
P. O. Box 1328
Fort Collins, CO 80522

Colorado State University Board of Governors,

10/4/2013

One year ago, this governing body gave conditional approval for an on-campus stadium to be built, as long as half of the cost of the project would be raised in private donations within two years. The projected cost used was \$246 million, which Dr. Frank has revised to \$226.5 million, and he has suggested that only \$113 million in donations be expected to be raised (rather than \$125 million) in that time period. Of this projected cost for the stadium project, the only costs included were for the stadium structure, one parking garage, relocating part of the Plant Environment Research Center, and \$2.5 million for improvements to one intersection. The impacts of this proposed stadium would be extremely difficult to mitigate, and the City of Fort Collins and its taxpayers would need to expend tens of millions of dollars to provide the necessary road improvements, emergency access for the Sheely Addition, additional parking, utilities expansion, safety improvements, and so forth. None of these expenses are included in the stadium project's cost projections for this "nuisance" that Colorado State University would be imposing upon the City.

On October 4, 2012, this Board's resolution regarding the on-campus stadium proposal stated, "Further, President Frank is directed to work closely with the City of Fort Collins and all campus and community constituents to attempt to minimize any negative impact of the stadium." Explain that, please. Does this mean that CSU will actually pay for all of the mitigation necessary, or just attempt to mitigate one or more of the many impacts? There has been absolutely no agreement by CSU to provide any, much less all of the funds necessary for such mitigation. Any expectation on the part of Dr. Frank to proceed with this project must be based upon receiving donations within the two-year window for at least half of the entire cost of this project, including all of the mitigation costs. Not only that, but ICON's contingency for cost overruns of 5 percent is very low for a project of this magnitude. According to the nation's leading sports economist, Dr. Andrew Zimbalist, sports stadiums/arenas virtually always cost at least 40 percent more than the projected costs.

Thus far, the proposed on-campus stadium's cost and revenue projections have been provided by three companies, all of which have a conflict of interest in seeing this project go forward. The Colorado Constitution and the Colorado Revised Statutes vest the supervision and control of the CSU System in this Board of Governors. As a part of the Audit Charter, your fiduciary responsibility encompasses reviewing the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information.

On September 23, 2013, Dr. Andrew Zimbalist presented to the Fort Collins community an in-depth analysis of the proposed CSU on-campus stadium, along with current developments in collegiate football that are increasing the risk substantially of this being a successful project, much less a disaster for CSU. Dr. Zimbalist was introduced as "the country's leading sports economist" on Public Broadcasting's Wall Street Week, with Fortune. He has written 21 books and has been called upon to provide expert witness research data. Dr. Zimbalist was willing to provide his in-depth analysis of the CSL Consulting survey data, Populous/ICON cost and revenue estimates, and site logistics without compensation of any type. His presentation was videotaped, and I respectfully request that as a part of fulfilling your fiduciary responsibility, you each review this videotape, which you will be receiving very soon. You will find it extremely beneficial in your oversight responsibilities of performing due diligence as you learn what an "objective" expert has to say about Jack Graham's big idea.

This Board has also received objective analyses by others, including Dr. David Ridpath (associate professor of sports management at Ohio University and CSU alum), and Dr. Joel

Maxcy (associate professor and V.P. of the International Assn. of Sports Economists, Temple University). Both of these professors have analyzed the CSL data and found CSL's revenue projections based upon only 9% of survey recipients to be extremely over-optimistic. Both of these professors met with Dr. Frank and advised him to not proceed with this high-risk, problematic on-campus stadium project. At least four other economists that I have spoken with have expressed the same concerns.

So do you think it is more prudent to believe an "insurance salesman" and his drinking buddy, Tony Frank, or unbiased experts in sports economics? I'm sorry, but when Jack Graham makes public statements such as "all of the deans at CSU are in support of this project," which is not true, his credibility takes a nose dive. In fact, most CSU faculty and staff are opposed to this proposed stadium. They are aware of the tremendous unmet needs on campus, such as the academic/research buildings in need of maintenance and updating, budget cutbacks, salary freezes, inadequate housing and parking, etc. Why would a land grant university expend hundreds of millions of dollars on such an unnecessary facility that is used only six times per year? Of course when presenting his vision for the new stadium, Jack Graham described how the community would really want to utilize this facility for other purposes—festivals, weddings, concerts, holiday celebrations—in fact, he described his vision of "Santa coming down in his sleigh and landing in the middle of the stadium."

Jack Graham is obviously very passionate about football, and he and his wife, Ginger, want to bring the "big football" culture they experienced in Arkansas, Louisiana, Alabama, and so forth, to Fort Collins, where Jack would prefer to retire. Unfortunately, the "big football" culture does not fit well in Fort Collins, Colorado, where the population enjoys a huge variety of recreational opportunities besides being a spectator of "big-time sports" in the already sports-saturated front range. As an example, last Saturday was a beautiful fall day in Fort Collins, so I took a short hike up the foothills just west of Hughes Stadium (which was half full). What did I see?—numerous college-aged young people mountain biking, running, hiking, road biking, and boating in Horsetooth Reservoir. As I approached a parking area overlooking the picturesque reservoir, I found the quintessential Colorado wedding about to take place (not in a stadium)! On my way back down, I spoke with a young man who was mountain biking. Robert was a Ph.D. student, and was taking advantage of the tremendous trail system adjacent to Hughes Stadium. I commented—why you're not at the game!? He laughed. Then I asked why he chose to come to Colorado State University—was it football? He laughed again. No, he said, it was because of the great research faculty and department. He could have picked another university, but he felt CSU offered the best academic/research experience. He felt that Hughes Stadium was in a great location, and was sorry to see plans for an on-campus stadium location.

I tell you this not to bore you, but to impress upon you the magnitude of Jack's misguided vision for CSU. Dr. Frank believes that fancy football stadiums will attract better players, which in turn will win more games, which in turn will attract more non-resident students and TV revenues. Unfortunately, research simply does not support this claim, and the University of Minnesota and Cal Berkeley have seen this myth played out. What students and their parents find attractive about Colorado State University is its excellence in academics and its vast recreational opportunities. To capitalize upon these strengths is what other universities can only partially attain. CSU has its special game-day traditions and does not need Jack and Ginger Graham's "big-football" culture to replace them. During a meeting of concerned community members, a young mother with two small children spoke passionately about her experiences in the southern U.S., where people "worship football". She said that it was absolutely horrible—everything was centered on football—and she moved to Fort Collins to get away from that culture. At this point,

she was in tears as she pleaded, "don't let them do it--don't let them build that stadium and bring 'big-football' here and ruin this wonderful city!"

Dr. Frank wishes to attract more non-resident students who pay higher tuition. But just because CSU enrolls another 5000 students, that does not compute to additional revenue of 5000 times the tuition. By adding more students, CSU must also provide more classrooms, faculty, staff, housing, research facilities and parking. The net revenue is much lower than what Dr. Frank is touting to be the benefit of attracting more students. Non-resident students, by the way, can attain residency in many cases, which defeats the hope of greater tuition revenue. And according to the sports economists, such as Dr. Zimbalist, any additional applications resulting from football success are generally "not students with the highest ACT scores."

I am sure you have heard many of the citizens of Fort Collins' concerns regarding this proposed stadium. With the growth in student population, the pressure on surrounding neighborhoods, roads, parking, housing, and so forth will only get much worse. Certainly, there has not been an appropriate traffic study, cost-benefit analysis, safety and crime analysis, or environmental impact study. Have the police departments of CSU and the City been consulted? Imagine bringing 40,000 rowdy fans into an academic/research environment where women's dorms and neighborhood residents put up with drinking, littering, urinating, noise, inappropriate behavior, vandalism, vehicle emissions, extreme congestion, inadequate parking, and interference with studying/research activities, to name a few. And when the alumni come on campus to experience how wonderful it is, will this be an energizing experience—sitting in traffic gridlock, peeking into the shabby buildings' interiors, poor tailgating, total confusion on how to negotiate parking/ingress/egress, exhaust fumes, paying higher ticket prices, etc.? And if you wish to pursue academic activities as a student or faculty, such as visiting the library, your office/lab, or working on homework in your dorm room, how are you going to be able to do so with every parking space taken by game attendees or the noise level interfering?

There are many ways of energizing students, alumni, businesses and community members, but subjecting them to a chaotic nightmare is not how you do it. For example, instead of building a huge 42,000 seat football stadium, build a 5-to 6000 capacity state-of-the-art music/theater venue (perhaps with an acoustically acceptable outdoor, as well as indoor seating area) that would engage students, alumni and community members to enjoy great performances on the main campus.

A year ago when this Board of Governors gave its conditional approval to move forward with the on-campus stadium project, I overheard someone in a restaurant say, "Can you believe it? The Board of Governors just gave approval for the stadium—how ridiculous!" Certainly, this stadium proposal has ripped this community apart. As you have sensed, there is an overwhelming majority of residents, students, faculty and staff who are opposed to Jack's big idea. As Tony Frank stated in the Winter, 2013 Colorado State magazine for alumni and friends, "The last thing we want to do is divide the community over this project." Is that a joke? As Gina Janett, a prior city council member stated, "there has not been any issue in this community in the last four decades that has created this much spontaneous opposition!" There are so many competing demands for limited resources in this region and nation, that building a completely unnecessary nuisance that will not contribute positively to CSU's mission or economically to the City is simply malfeasance. The \$300+ million that would be spent on a football stadium could be spent on rebuilding the 200 miles of roads and 50 bridges that were recently destroyed by flooding in Larimer County. Maybe Jack Graham, the catastrophic insurance salesman, could provide a more positive contribution to northern Colorado than imposing a huge carbon footprint.

-- Anita Wright

COLORADO STATE UNIVERSITY, ITS STADIUM AND ITS FUTURE

Two historic steps in U.S. education made the U.S. the world leader: (1) Land Grant colleges made college accessible to students from all economic levels. (2) The G.I. Bill after World War II, financed college for all who had served honorably in the military.

Please take this historic step: Support Massachusetts Senator Elizabeth Warren's idea for the Federal Reserve Bank to make educational loans available at the same low rate given to major banks.

Instead of raising \$250 million for a NEW stadium, restore Hughes Stadium. Raise \$250 million to reduce tuition, provide more scholarships and a low-cost revolving loan fund for students.

It is said that \$125 million, one-half the cost of a new stadium will be from private funds. How much has been raised? Will the estimated total price of \$250 million (\$6,000 per seat?) include new water and sewer lines, parking, street and electrical improvements? How will the remaining \$125 million be paid? Tuition increases? Legislative bailout? Privatization? How much more will state and local taxpayers owe?

Please consider these matters as you plan CSU's future:

- a. The effect of MOOCs, open on-line courses, on attendance and tuition.
- b. Greatly increasing payments to college administrators, athletic directors, coaches and athletes.
- c. The fact that very few university ~~football~~ ^{athletic} programs earn enough to pay their way.
- d. The university's primary goal of making college accessible to all who are competent and wish to learn

Thank you!

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Handout 10/4/13 meeting

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Home Sports Gophers Nathaniel Hood

Nathaniel Hood

Nathaniel Hood is a transportation planner and blogger living in St. Paul. He writes for Strong Towns and Streets MN.

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Why is TCF Bank Stadium such a failure?

Posted by: Nathaniel Hood under Gophers sports, Physical infrastructure, Sports, TCF Bank Stadium Updated: August 18, 2012 - 2:00 PM

33 comments print

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"Build it and they will come" is how the University of Minnesota approached the building of TCF Bank stadium. Clearly, the fans and students expect more...and it's not just about winning more games, it's about creating a lasting game day experience that fosters school pride, passion for the Gophers, and the creation of lifelong memories. So far after 3 years, our beautiful TCF Bank Stadium has done little of that."

Nadine Babu is correct. TCF Bank Stadium is a failure.

It's not just the Gopher's new football stadium that's a loser. It's stadiums in general, especially the 'build it and they will come' stadiums.

The proponents, and the status quo of thinking, are typically accompanied by a handful of dead arguments. One of the most prominent being that of associated economic development. *If we build it, the developers will come!* Unfortunately this commonplace argument is based little in reality. In fact, based on the large subsidy and lost opportunity cost, the argument can be made that places like TCF Bank Stadium actually have a negative economic impact (*if you're looking for proof, just view the before and after photos of stadium development*).

The same argument is made with athletes. If we build it, they will come. We'll get better recruits? That's not true either. History tells us otherwise.

That's not what Babu is talking about. She wants a better game day experience. Unfortunately her suggestions are unlikely to help much.

1. We lose, a lot.

It's true that Gopher football is awful, especially when compared to the rest of the Big 10. College football is a cultural experience, and she's right in pointing out that it is missing at the University of Minnesota. Part of the problem is that the University of Minnesota has a much different setup than other large universities: *it's in the city*.

If you live in Iowa City, you go to the Hawkeye's game. That's it. That's your option. The same holds true for most all large universities with big football programs (*with a few notable exceptions*). The urban city campus gives students options not available at other universities - that is competition for time and money. This breeds differing wants and needs - many of which are not associated with collegiate sports.

2. Cost.

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Minnesota	W-L	4-1			0
Michigan	W-L	4-0			0

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Babu seems to think that \$91 is too much. Considering the \$300 plus million dollar taxpayer-funded stadium, \$91 is a more than reasonable price. Students are on a budget. I get it. That was me once, but \$91 seems more closely aligned with a bi-weekly beer budget than an excuse not to attend home football games.

3. Lack of tailgating options. Who doesn't love a good tailgate?

Back in the mid-2000s, I'd head to baseball games at the Metrodome with a handful of friends, grab a grill, some cheap beer and countless numbers of brats and burgers. We'd post up in the parking lot that's now Gold Medal Park and we'd eat, drink and occasionally make it to a Twins game.

Tailgating is not only fun, but it's synonymous with red, white and blue. It's become a new American tradition that is seamlessly being integrated into new stadium plans. The Minnesota Vikings proposal is no exception. But, tailgating lots in an urban area? That's a terrible use of a valuable limited resource: *land*.

The problem with tailgating downtown is that it isn't very productive. Having open-surface parking lots in near stadium village (or in a downtown) designed for the sole purpose of grilling 10 days a year seems unwise, even for something such as tailgating which is now deemed as a worthwhile cultural endeavor. Even if you consider that people will use the space for parking during the other 355 days a year, it still falls short. This is especially true when you consider the apartment housing boom currently underway in Stadium Village and Dinkytown.

4. The overall game day experience. There is none. Well, that's not true. Walk into Stub & Herbs before a game and tell me there isn't atmosphere. However, the spirit of Gopher football is fatalistic. You can't build a team on that. Part of the problem is that of expectation. The reality is that we've build up Gopher football bigger than it ought to be.

The State of Minnesota and the University of Minnesota collaborated to bring us a new stadium that the market could not bear. Now it's empty. The solution isn't financial for students. It has nothing to do with lowering ticket prices, offering specials, give-away's, bundles or giving away food or young alumni points. That ain't going to do the trick.

What was suppose to bring us pride has brought us embarrassment. Gopher football just can't compete against a campus and its robust surroundings that give students options not available at a lot of other universities. Gopher football is indirectly competing against a robust urban area that offers many entertainment options.

Follow Nathaniel Hood on Twitter at @Nathaniel1983

33 Comments

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Morg
Aug 18, 12
2:28 pm

Win and they will come. MN fans are notorious bandwagon jumpers. I was at the game against Michigan 7-8 years ago or so when the Gophers were in the top 20 and killing the Wolverines 31-14 late in the game. In one of the worst collaspes in team history they ended up losing 41-38 I believe, and they have never recovered. But the point is, by winning up to that point the Dome had sold out. There was electricity in the air. Winning that game could have possibly altered the course of the team's history. Losing plunged them back into mediocrity. In a way, the urban location of the campus should work for it, not against it. Given the choice to go to Boise or some other out of the way podunk town or a vital, major city one would think the choice would be a no-brainer. Why would anyone pick Boise over the Twin Cities??? Winning will solve alot. It will help recruiting and it will fill the seats. As long as they keep winning, MN's fair weather fans will jump ship just as easily. It's not just the students who have myriad options for their entertainment dollar. Win.

Report as inappropriate
23 5

highabove
Aug 18, 12
3:50 pm

Average Attendance last year was approximately 94% of capacity. That's hardly empty. The problem is the drop off in the student section. Most Professional sports owners would love to sell 94% of their tickets. Hood should get his facts straight.

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St. Louis - WP: A. Wainwright	9	
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Patrick Reusse from Oct. 10, 2003: For a while, we actually believed

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question of the day

Poll: Who will win their football games this weekend?

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👍 31 🗑️ 5

nmhood
Aug 18, 12
4:27 pm

It should be noted that the author of this piece does not comment on average attendance in relation to the capacity. He merely states that the new stadium has failed to live up to expectations and the suggestions offered by the other Star Tribune blogger are unlikely to improve student participation at the stadium, around the stadium or away from the stadium. The author also brings forth the argument that new stadiums do not necessarily help improve a team's record or its environs.

Report as inappropriate

👍 5 🗑️ 8

jeffthompson
Aug 18, 12
4:32 pm

I don't think it's the stadium. The main culprit is 40 years of abject failure on the field.

Report as inappropriate

👍 24 🗑️ 0

elctrk
Aug 18, 12
5:38 pm

Is that really 94% attendance? Or tickets sold? Sold tickets that go unused do not portend a bright future.

Report as inappropriate

👍 6 🗑️ 9

buyonegetone
Aug 18, 12
6:27 pm

Commuter school + losing team = weak support.

Report as inappropriate

👍 14 🗑️ 6

richieswenson
Aug 18, 12
6:39 pm

This may come as a shock to some, but for many of us being a spectator at football (and other sports) is not more important than oxygen. In fact, it doesn't even crack the Top 20 List of things I like to do.

Report as inappropriate

👍 10 🗑️ 10

chiefwiggum
Aug 18, 12
7:15 pm

highabove - I believe Hood is talking about business development surrounding the stadium as the "they" in "if you build it, they will come". Yes, fans come to the stadium, but the promised economic development does not.

Report as inappropriate

👍 8 🗑️ 5

apeeboy
Aug 18, 12
7:17 pm

As a season ticket holder, I was at all but one game last year. Other than the student section, the rest of the stadium was pretty much full. The only exception was the Illinois game at the end of the season. It is the student section that is the problem. I think when the team starts winning, that section will fill up.

Report as inappropriate

👍 15 🗑️ 3

chiefwiggum
Aug 18, 12
7:17 pm

oh, and highabove, you mention the dropoff in student attendance. That's the "they" that Nadine Babu is referring to as well. So in both respects, I do not believe this article is about the raw attendance numbers.

Report as inappropriate

👍 9 🗑️ 2

jneau
Aug 18, 12
8:08 pm

I don't think the price is the issue. If the tickets were free, the student section wouldn't be full.

Report as inappropriate

👍 8 🗑️ 4

swmguy
Aug 18, 12
9:08 pm

The Gophers' main revenue sports are making the same mistake the other big-time sports are making here. They're pandering to the high rollers and turning up their noses at the rank and file fans. You can't stand up and cheer at Gophers' hockey or basketball games, or Twins games, or you'll get kicked out. I've heard the same

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- Vikings win, Gophers lose
- Gophers win, Vikings lose
- Both teams lose

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about Gophers' football. Not sure about Wild games. They'll probably do the same thing at the new Vikings Palace, too. They're trying to create a comfortable environment for the over-50, wealthy, corporate audience because they have the money. They don't care about the fans who don't want to buy seat licenses and season tickets and in-stadium club memberships. That's filling their pockets in the here and now, but their fan base is getting old and dwindling. They're alienating the next generation of fans. They'll be sorry. And we as a community should never have put up so much money to build these sports-themed amusement park/tourist traps.

Report as Inappropriate
 17 4

ddellwo
 Aug 18, 12
 9:18 pm
 There's nothing wrong with Gopher football that a little winning won't fix.
 Report as Inappropriate
 24 1

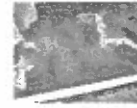
prdaley
 Aug 19, 12
 2:21 am
 How is being a college student in Minneapolis any different than in any other B1G city? Yeah, Minneapolis has a lot to offer as a city if you can afford it. I doubt most kids on campus are spending their Saturdays going to expensive dinners downtown followed by a show at the Guthrie. Most of them stick around campus just like their brethren across the B1G. That is those of them who don't go home every weekend.
 Report as Inappropriate
 13 3

Rosberg
 Aug 19, 12
 6:55 am
 NFL football attendance has been in steep decline for years. Therefore, is it surprising that we would not see the same drop off in interest in college football? Besides, this area is supersaturated with sports and alternative entertainment. With this much competition they are all going to show only marginal financial performance. The idea that we should build multimillion dollar facilities to provide an "experience" for general fans is thinking that became outdated as soon as games started being televised since to many people paying to sit out in the elements in a cramped seat doesn't compare favorably to watching a game on HDTV sitting in a recliner. As another commenter astutely pointed out the impetus for building stadiums seems to be to provide lavish amenities for wealthy alumni who are continually declining in number. That being the case it would have made more sense to build a much smaller facility consisting mainly of suites and provide streaming video of the games to students over the U's network.
 Report as Inappropriate
 4 7

gregory58
 Aug 19, 12
 8:17 am
 No, WIN, and they will come. Proof? Anyone remember Joe Salem? MN was ranked 17th in the nation, they played Illinois to a packed stadium, when the Gophers scored the place went wild, anyone remember 2003? Michigan? Both teams ranked and undefeated, place was sold out and loud. Of course the Gophers spit the bit and lost both games.....
 Report as Inappropriate
 14 2

bayfield63
 Aug 19, 12
 9:53 am
 I agree with highabove. TCF is not far away from being sold out. The UM brass needs to create places for the students to congregate and have fun on gameday. Maturi's face painting and state fair games was feeble and not what will draw the students. Tailgating and the OK to have a brew is what it will take. Will the UM remain one of the campuses that shut that down or will they lower their standards to allow such a thing? Madison did it and it seems as is every piece of real estate withing a mile or so of Camp Randall has some sort of gathering.
 Report as Inappropriate
 11 0

matthewcw
 Aug 19, 12
 10:23 am
 richieswenson wrote "This may come as a shock to some, but for many of us being a spectator at football (and other sports) is not more important than oxygen. In fact, it doesn't even crack the Top 20 List of things I like to do" and nearly immediately two people disliked this comment. I think this explains something important about what is wrong with this discussion. Many people here seem to find it to be simply inconceivable that college students aren't rabid Big 10 football fans--or if they are, that something must be wrong (in this case, the ailment is diagnosed as a losing team...fix the losing and students will return to their natural state of being rabid football fans). Well, perhaps. But after teaching at the U for 8 years, and working in



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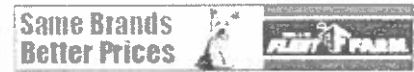


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predominately freshman environments, I don't think it is quite that simple. The U simply does not have a culture that reveres the collegiate athlete (especially football players) as Gods-Among-Mere-Mortals like you might have found at PSU. Is it because we're an urban campus? I'm sure that has more than a little to do with it. Is it because we're a big school in terms of enrollment? Probably a little. Is it because we have a sports saturated market relative to population size? That too, I'm sure. The point being, what we have here is a very passionate group that simply cannot fathom that they are actually a small minority that values such a "game-day culture." They want something like you'd find in Iowa City, or Madison, or Ann Arbor, and it is simply beyond them that others may simply not care. They just cannot fathom that. However, of all the Big 10 schools, the closest one we have in regard to an urban setting is...Northwestern. Now, you don't see these fans thinking of Northwestern as the model we should aspire to. And even Northwestern is on the far reaches of Chicago. Speaking of which, the closest model we have IS the University of Chicago. But what they did with football is probably something no one wants to hear.

Report as inappropriate
 👍 10 🗨️ 5

cpcasserly
 Aug 19, 12
 11:14 am

The scoreboard is too large and distracting. I don't care to view a twirling 'M' logo a million times. And the stadium should have been built like Memorial, a single-bowl, one deck. It would have been awesome.

Report as Inappropriate
 👍 1 🗨️ 8

pitythefools
 Aug 19, 12
 1:38 pm

Students aren't going because they don't care. College isn't like 20 or 30 years ago. The on-campus experience is no longer a bunch of collegial parties and roustabouts looking for a good time. Walk the dorms some time. Now days, students are more likely to be in their rooms, playing World of Warcraft against/with the student in the next dorm, and people around the world. Watching a bunch of people chase a ball around a field just isn't the same social experience. The U should have known that before blowing a ton of cash on an unneeded stadium.

Report as inappropriate
 👍 7 🗨️ 3

prdaley
 Aug 19, 12
 5:35 pm

It's a culture problem, not a venue problem. Someone needs to figure out how to make this campus FUN.

Report as Inappropriate
 👍 7 🗨️ 2

Chen1
 Aug 19, 12
 7:13 pm

well said matthewcw. The competition for the sports entertainment dollar and the fact that the team is not the main show in town is pretty simple to understand. Of course, a winning team will bring bandwagon fans as it always does. I'm not a bit Gopher fan and went to a game at TCF Stadium a couple years ago. My impressions ... it's vanilla ... manufactured spirit, nothing like old Memorial Stadium. Maybe if they dropped the music and over-the-top production, it will feel more raw and more pure energy. But it just feels plastic to me just like at the Metrodome.

Report as Inappropriate
 👍 4 🗨️ 3

guidera
 Aug 19, 12
 8:41 pm

It is like anywhere in the country. Win and there will be atmosphere. People want to be associated with a winner.

Report as Inappropriate
 👍 6 🗨️ 1

paguy
 Aug 19, 12
 10:32 pm

All UVA students attend games at no charge. Minn needs to do the same....at least until the team becomes more competitive. When it comes to D1 sports, universities are in the entertainment business. If Minn wants to attract more spectators, it will have to provide a more entertaining product, especially since its sports programs are competing with all the many other activities the Twin Cities offer.

Report as inappropriate
 👍 3 🗨️ 2

podman64
 TCF is not the failure, the team is. It's a great stadium, the parking lots are fun for

Aug 20, 12
8:11 am

tailgating, it's the losing that's not fun. Cheering, when winning and watching a game with an excitement high, brings the fans. Sitting there watching the Gophers lose to the Dakotas and hammered 50 zip to Wisconsin is not. If the Gophers were constantly playing for meaning full bowl games instead of fighting for a spot in a toilet bowl, fans and students would be there.

Report as Inappropriate
👍 3 🗨️ 1

a98charlie
Aug 20, 12
8:34 am

I don't really care about football, but it seems to me that having a party atmosphere and having a competitive team are much more important than location. USC and UCLA run successful programs in dense urban centers. Their formula - have winning teams and encourage massive amounts of tailgating on campus.

Report as Inappropriate
👍 3 🗨️ 0

jswanick
Aug 20, 12
8:54 am

The student attention span for a team that isn't even going to win is very low. Especially when there are bars a few blocks away.

Report as Inappropriate
👍 2 🗨️ 0

sticksalute
Aug 20, 12
9:12 am

The author mentions how it is stupid to dedicate large amounts of land to tailgating lots in such a dense area. This is absolutely correct, but that's where we have to get creative. In the smaller college towns, they can afford this because space is not at such a premium. We need to start using more of the space we already have. Open up the campus' green space. Let people set up tents and games and grills on the lawns at Mariucci and Williams. Open up the large lawn at McNamara for the same. And like others have said, don't make all of it the kid-friendly face painting stuff. I think that needs a place, it's great to have an area for that for some. But there needs to be some places set aside to just let people come gather a party, near the stadium. Heck, it really isn't all that ridiculous to close down Oak St. between Washington and University. I know the traffic isn't ideal, but all the more reason to get there early and join in. And I'll just add in, that I agree with some of the other comments here, the atmosphere inside the stadium is entirely fake and manufactured. Get the ads out of there as much as possible, let the band play and the fans stand up and be loud. We don't go to Gopher games to feel like we're at a Vikings, Jr. game.

Report as Inappropriate
👍 4 🗨️ 1

reggie12
Aug 20, 12
10:51 am

I fully disagree with the lack of tailgating options. For the past 3 years you can pay \$10 to park in the East River Flats. It's hardly ever full, for some reason people would rather park in a parking garage. It's easily the most scenic tailgating spot in the Big Ten and could become everything that we want around game day experience. It's less than 1 mile from the stadium and even offered a shuttle bus last year.

Report as Inappropriate
👍 5 🗨️ 0

grmartin23
Aug 20, 12
10:52 am

I'd put it down to two interrelated factors: culture and the team. It takes time to build tradition, the stadium is just too new to be called a "failure" because it just hasn't been fully integrated into the culture of student life, yet. HOWEVER, the reason it hasn't been integrated into that student culture has been the haplessness of the team. If Minnesota could put up a 5 or 6 year run where they were a good team, student traditions would change. The thing is that the entire population turns over every 4-5 years. Going to the game can become "the thing everybody does since before anyone can remember" in only 6 or 7 years.

Report as Inappropriate
👍 2 🗨️ 0

ericaloee
Aug 20, 12
1:03 pm

50 yrs since last Rose Bowl. No hope for any fans that aren't baby boomers. The longer we go w/o a hope for a Rose Bowl, the harder it will get to sell tickets. 20 years from now, attendance won't be 50% of capacity if something does not change soon. Split Big 10 into high/low tiers rather than Legends & Leaders?

Report as Inappropriate
👍 1 🗨️ 1

cpcasserly
Aug 21, 12
5:25 pm

If East River Flats is so scenic, why didn't they build the stadium there? Plus no charcoal grilling at that site, when it is permitted in almost every Minneapolis park!

Report as Inappropriate
1 0

icruse
Aug 25, 12
11:47 am

The stadium has only minor drawbacks; for example, the concourses are far too narrow for vendors and fan movement pre-game and at half time. Tailgating is not easy, but I personally don't miss it. The main problem is losing, and a team that has appeared to be unprepared and undisciplined. As a season ticket holder for several years I believe the students will show up when a good team shows up. Also, the stadium announcer needs to stop the "Another Golden Gopher First Down!" celebration. That sets the lowest possible expectation for the team and the fans. It's pathetic.

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Teufel, Sharon

From: CSUS Board
Sent: Tuesday, October 08, 2013 9:10 AM
To: Carl Wangsvick
Subject: RE: Title IX problems and documents

Good morning, Mr. Wangsvick:

This acknowledges receipt of your email to the Board of Governors of the Colorado State University System regarding the issue of a proposed on-campus stadium at CSU and the Title IX issues. Your correspondence and the attachments will be shared with the Board of Governors.

Thank you for your interest in Colorado State University.

Sincerely,

Sharon Teufel

Office of the Board of Governors
Colorado State University System
410 17th Street, Ste. 2440
Denver, CO 80202
303-534-6290

From: Carl Wangsvick [mailto:cwangsvi@yahoo.com]
Sent: Monday, October 07, 2013 10:41 AM
To: CSUS Board
Subject: Title IX problems and documents

Ms Horrell and Board Members:

I much appreciated the Board's congenial attitude and awarding of time to citizens speaking on the stadium issue, and your invitation to send more of comments and documents. Though we disagree with you folks on the stadium issue, evidently, we are merely trying to save CSU a .5 billion dollar unneeded investment. We are aware, as supporters seem not to be, that the money discussed Friday is only the tip of the iceberg. After all, the only comparable project at Minnesota, done also by Populus, was projected at 234 million and cost at least 491 million. Luckily the U got stuck with only 150 million, thanks to their State Legislature's 250 million and their 250,000 member in town alum base, with its all time record donations of 91 million (raised over 7 years). Student fees now pay about 3 million a year for the next 30 years, covering about 90 million of the U's debt, leaving only 60 million. No one these days has ever done a concrete stadium project for less money than the 491, nor raised anything close to the 91 million. (Discount Ok State's bizarre funding of their renovation.) If we could get a stadium project for 60 million, who could complain? But we cannot. Buying this stadium without great long term debt of hundreds of millions will be as difficult as building an underwater campus in Horsetooth Reservoir, and far less useful.

Dr. Frank has promised us 37 million by year's end, garnered by picking the low hanging fruit of donors and forcing contractors to donate (see atch), a practice now under review by state legislators, state administrators, federal offices, and even Colorado Ethics Watch. Contractor "donations" are therefore iffy. However, the point of this letter is to provide more on the Title IX ramifications of getting donations for and building a new facility for half the school's NCAA male athletes, leaving 75 % of women athletes in substandard facilities. (An analysis confirmed by expert sources.) Dr. Frank needs to tell us where the 37 million for women's facilities

will come from for this year, as well as the extra several hundred million needed later to match what will be bonded for the football stadium. That match is the law. Administrations elsewhere have policies to keep these things in balance, but it appears CSU's Title IX compliance officer has not set that up here. It needs to be done immediately, and plans must be laid to fund women's facilities at the same rate and in the same timeframe as a football stadium. To fund women's facilities equitably will be a hardship, of course, and especially at the superexpensive level of a new stadium.

What will be needed for women? Proportionality would require new facilities for women's teams to match those for the number of male athletes receiving them. About half. And not shared facilities either. That would mean a new pool, new softball complex, new soccer complex, and new track lockers at a minimum. And soon. The new tennis facility at 2 million means CSU already has half of 1 % covered. Still, all these facilities combined mean less expense than a new football stadium project, even if 15 % of that project is designated "academic," a rather transparent ploy here. These new women's facilities should be finished when the stadium is, or within a year, so 2016 or 2017. Courts are insistent on timely recompense involving Title IX violators. Choosing the current stadium will help Dr Frank out in this regard, in that he will only need to come up with another 30 million over the next ten years, to match the upkeep money spent on Hughes. (His assertion that the new stadium will be easier to fund at 300 million now than the Hughes maintenance at 30 million over ten years--about what new stadium maintenance and required mistake fixing will cost anyway--beggars belief. CSU is currently contracting for 90 million in parking at the moment. And several donors I talked to, one at \$ 10, 000, gave money without any strings attached to a new stadium. (You might check with Mike Hooker about that; he should know.) That statement, made to you, was a real low point for the integrity of this project.

As you may know, the CSU Athletic Department is already on probation until 2016 for inequitable funding of female athletes. (If you do not know that fact, you may wish to find out why you do not.) CSU is already a landmark case in violating Title IX rights, in *Roberts vs CSU* in '97, so this probation is strike two. We need no strike three.

Several publications exist to help school administrators learn how to stay out of these situations, like the attached NCAA guide (see p. 15 particularly) that your folks should have, and one key is training fundraisers and boosters to recognize the requirement for equity, rather than exploiting that ignorance. (Note the Bucknell story.) I have included info supplied both to administrators and donors. Note that the sources repeat what I mentioned, that donors do not get to decide that unequal benefits will exist, and note that Title IX law does not care where money comes from, just where it is spent, and note that benefits of donations or loans must be provided equally to men and women.

Schools with big football expenses have the hardest job here. Evidence shows, however, that most of what were once called Division II schools do this just fine, as do schools in the Ivy League, with its nonscholarship policy. (Schools like CSU could actually create a league with similar policies.) The benefits are terrific. Harvard has 42 NCAA teams, for example, gender balanced, in every imaginable sport, for 18 million a year. Their big expense is rowing. (Check Equity in Athletics when the shutdown is over, to verify.) One of every six Harvard undergrads is an NCAA athlete, compared to CSU's one of every 600. And Harvard has club sports that serve a huge number of the rest of the students as well, as does CSU, whose club teams are fantastic.

Finally, a push for equitable benefits for women athletes is the only way I know that CSU athletics can help repair its horrific image problem in the community. Unfortunately, the stadium issue has bought the bugs out of the floor here, and in the social media debate raging in town, CSU's position is represented only by rude, wooden headed young men eager to trash others, Hughes stadium, academics, esteemed sports economists, you name it. Others in support keep quiet, a very silent minority. A very unpopular idea has become extremely unpopular, one few want to be associated with. I have attached copies of the CSU survey of CSU affiliated folks and of students, done early in the process. Note that while alums who had decided were 50/50 on the project, almost all groups surveyed in Northern Colorado are strongly opposed. And this survey of over 100,000 folks

did not even include citizens who were not CSU affiliated, a group that is certainly opposed. A significant number of folks needed surveyed needed more information, but a new survey would show, I have no doubt, that they mostly moved to negative. The ASCSU study included showed 67% of students against, actually the best result the stadium got of four student surveys, with the others showing about 80 % opposed regardless of promises of 100 % private funding. You should take the time to read the student responses.

Relations between CSU and the citizens have never been worse, unfortunately, because of this issue.(Professional polling done on this subject showed a that a referendum opposing the project would pass about 4 to 1.) CSU football fans who oppose the stadium are canceling season tickets and staying home on Saturdays. As are most students and other "townies." (I enjoy going, but only go to games we are likely to win and when it is warm!) Again, the public image of a stadium supporter is a rude young man, beer in hand, telling people to pay for what he wants regardless. As I said, to improve the situation, football mania must be balanced with Title IX fairness, and done so publicly and actually, not simply with promises. It is, after all, the law.

Thank you for listening, and hopefully reading. I am sure you are busy, so thanks for what you do, and what I hope you will do, for CSU.

Carl Wangsvick



REQUEST FOR PROPOSALS
Construction Management/General Contractor (CM/GC)
State of Colorado
COLORADO STATE UNIVERSITY
Notice Number: B300776

Addendum #3
September 3, 2013

Project No: 11-059
Project Title: New Multi-Purpose Stadium on Main Campus

General:

1) Section IV.B.6 – As described in Addendum #2 is modified as follows:

1. Upon subsequent conversations with the Office of the State Architect, CSU has determined to remove all strategic partnerships, best value considerations from the selection process.
2. After selection of the General Contractor, Colorado State University is interested in soliciting material donations from suppliers and subcontractors. Donations of materials from suppliers and subcontractors are encouraged and we anticipate the process for this will be similar to that used by the Office of the State Architect for the Capital Dome project. CSU will develop participation guidelines for the donation of in-kind goods with the selected CM/GC and the Office of the State Architect after award of the CM/GC contract.

2) Schedule modifications for the RFP process are as follows:

Advertisement	8/5/2013, 8/12/2013
RFP Document Release	8/5/2013
Written Questions (Clarifications)	8/15/2013 @ 4pm
Written Responses Issued	8/19/2013
Submittals Due (Prequalification: Step I)	8/23/2013 @ 2pm
Interview Short List Announced	9/13/2013
Sealed Proposal Due (Evaluation and Award: Step II)	TBD
Oral Interviews	TBD
Selection Announced	TBD
Construction Commencement	October 2014
Substantial Completion	May 2016
Final Completion	July 2016

To insure proper proposal procedures, please acknowledge receipt of this proposal within your proposal response.

End of Addendum #3

Outside Sources of Funds – Are They Really Under Title IX?

By Rhonda Blanford-Green

The answer to the question in the headline is a resounding “Yes.” In recent years, more Title IX court cases have centered on outside funding being used to support interscholastic and sport-specific teams. From team uniforms to upkeep of grounds, booster clubs and outside sources of funds play a pivotal role in creating disparities within interscholastic programs once the funds are used to meet individual team needs.

The Office for Civil Rights’ (OCR) position on booster clubs, donations and outside source of funding has not been challenged. The OCR has stated that “attributing inequities from booster-raised funds does not absolve schools from providing equitable treatment to student-athletes – regardless of gender.

Paraphrased, OCR has said that the private funds used to support or activate athletics programs, though they come from non-school budgets, can cause unequal benefits under Title IX Law. School administration must be involved on every level of how funds are used to conduct their athletic programs.

Recently, a parent called because he wanted to purchase warm-up suits for his son’s high school soccer program. He said that the school informed him that he could make a monetary donation to the school’s general booster fund and his dollars would be distributed per the policies adopted by the school in conjunction with the booster club committee. He was informed that his dollars had no guarantee of being used specifically for the boys soccer team. He said he thought that was the dumbest thing he had ever heard. He couldn’t believe that he could not commit thousands of dollars and dictate where he wanted his money to go. His last comment before abruptly ending his conversation was “You people need to use common sense.”

Common sense and abiding by Federal Law can present some challenges. Now more than ever, school funding and athletic budget cuts are a reality. Athletic administrators are cutting coaching staffs, reducing games, eliminating or combining lower-level teams, mandating payment for transportation, and implementing “pay-to-play” fee structures. Booster clubs and outside sources of funds have changed from being complimentary gifts to enhance the athletic team budget, to being the primary source for meeting the team’s operational needs.

From the perspective of a parent, fund raiser or donor, it looks pretty simple: “The team has needs. I or we have the means or connections to make that happen, so what is the problem?”

Accepting funds and creating equitable opportunities for all student-participants should never be a problem. Equity experts advise you to take every dollar offered to your school or athletic programs with the understanding that if you don’t manage the distribution of those funds, then you become liable for the use of those funds that cause red flags with across-the-board participation.

More and more Title IX cases have been argued in court over the use of donated dollars to operate predominantly male programs. In Colorado, we had a case in which one of our professional sports teams donated a baseball field – with all the bells and whistles – to one of our local high schools. The only request was that the field be named for one of the school’s outstanding players. So, obviously, the school accepted the donation.

The parents of the softball players, however, felt that their daughters were being asked to play on fields and at a site that didn’t come close to the facility in which the boys baseball team played. They communicated their concerns to the athletic administration and were told that the current budget didn’t include scheduled upgrades to the softball field. The parents filed a complaint with OCR.

The school argued that the donation from the professional team was an honor and boost to the school and community so it accepted – not realizing it would have an obligation to improve facilities or commit to comparable upgrades for the under-represented gender. The school claimed and provided documentation that the district had no funds to meet the softball needs in the fiscal year.

The school lost its complaint and were told that the girls softball team was entitled to equitable standards, and that they had a certain timeline (not at the fiscal year’s budgeting meeting) to find the funds and make improvements. Lack of education or funding doesn’t bode well in OCR court cases.

This issue is about administrative control and education of all parties involved or who want to become involved with the school’s athletic programs. It is also about developing written policies and procedures to ensure that benefits to gender equity are maintained whenever the district or individual schools make budgetary decisions on the distribution of funds from outside sources.

Educating all district activity/athletic administrators, principals and coaches regarding the acceptance of outside assistance in relation to their district or school contract or budget is a must, as well as having written copies of the policies distributed to booster club presidents and members, team sponsors and potential donors. Also, district and school policies should be posted on the Web site, and, finally, everyone should be reminded that this is not just about Title IX, but about sending the message that all sports and all athletes matter.

The Colorado High School Activities Association Legislative Council passed Bylaw 1640.12 in 2009 that stated “any benefits provided by the outside organizations, which could include monetary contributions, facility improvements, equipment, transportation, awards, additional team support, etc. are subject to State/Federal Regulations.” It continues with “All booster club and similar donations to sport-specific teams or general athletic/activity funds by outside organizations must be approved by school and/or district administration.

This bylaw has empowered our athletic administrators to break from booster club or donor traditions, such as The Helmut Boosters or The Home Run Club, to re-organize and set policies that benefit all their school programs. It also holds them accountable to monitoring outside funds, equipment, assistance, etc. that impact their programs.

When the question comes, "Why can't I support my son's football team,?" you can explain the Federal Law, recent court loses and OCR statements on school accountability or you can explain about the mission of athletics within your school and district and end with, "It's is the right thing to do for all student participants in our programs."

Rhonda Blanford-Green is associate commissioner of the Colorado High School Activities Association. She is a former track and field athlete at the University of Nebraska and is one of this country's Title IX experts at the high school level.

Booster Clubs and Title IX: Tough Times and Tough Decisions

By Peg Pennepacker, CAA

The current difficult national economy may be the driving force in many school budgets more so than federal and state policies. However, it is equally important for schools to understand and process the effect on Title IX compliance in an athletic program relative to booster club activity.

Booster clubs, alumni and in some instances corporate sponsors contribute to athletic program budgets. These groups may raise money for sport-specific teams or for the overall athletic program. As a result, a school may have a greater amount of resources for some teams or programs.

Boys programs have typically received more of these resources because they have been around longer and men earn more than women on average in this country. In many cases, the booster clubs may provide benefits or services to the boys teams that the girls teams do not receive.

Title IX does not require boys and girls budgets to match dollar for dollar; however, the bottom line is that the benefits provided must be equal. According to the interpretation of Title IX by the OCR (Office for Civil Rights), "Educational institutions cannot use an economic justification for discrimination."

When a school accepts funding from an outside source such as fundraising, corporate sponsors, booster clubs or private contributions, the school can use the money in the manner specified by the outside source. However, the school cannot use the circumstance or condition as a reason or excuse for discrimination. If the school accepts funds from any of these outside sources and the source benefits a boys sports program, the school is obligated by law to find resources somewhere to ensure that the girls program has the same benefit.

When considering all boys and girls sports, a school is obligated to distribute all of its resources including outside funding in a non-discriminatory method. A school may accept outside funding and/or donations and, depending upon the circumstances, may be used as the donor specifies. The outside funding cannot result in disparities between the boys and girls programs. If the outside sources results in an inequity between boys and girls programs, the school must correct the inequity using its own funding, if necessary.

According to the OCR:

"The private funds that are used to support district athletic programs, although neutral in principle, are likely to be subject to the same historical patterns that Title IX was enacted to address. In the experience of the OCR, sponsors, as a whole, are more

interested and willing to assist boys teams than girls teams, and male-oriented 'booster' activities generate more public interest than girls activities. If all benefits are not considered in examining interscholastic athletics, the purpose and effect of the Title IX requirements could be routinely undermined by the provision of unequal benefits through private financial assistance." -1

"While it may appear that this policy is discouraging private initiatives (which are unquestionably valuable to recipients and students), we cannot diminish the protection of Title IX by exempting benefits, treatment, services or opportunities provided to athletes through the use of private funds. Private fundraising, including student-initiated fundraising, has been, and continues to be, permissible under Title IX.

It should also be noted that this does not mean that teams must "share" proceeds from fundraising activities. It does, however, place a responsibility upon the district to insure that benefits, services, treatment and opportunities overall, regardless of funding sources, are equivalent for male and female athletes." -2

The bottom line is that the source of funds is irrelevant. The benefit provided is the measure. Booster club funds or monies designated for a particular purpose or team does not relieve the school's obligation to provide equal benefits.

Title IX attorneys have long considered booster club money clandestine financing for major school sports programs, most of which are overwhelmingly male. According to federal law, booster club money is equivalent to regular taxpayer dollars. So, in effect, booster club money or any outside resource must be used to support each gender.

Generally speaking, athletic directors and superintendents as well as school boards have a difficult time understanding the concept of booster clubs and their effect on Title IX. It is often difficult for them to understand why a particular booster club that works hard to raise funds for a particular sport can cause a Title IX disparity.

While the OCR acknowledges that this policy may be seen as discouraging private initiatives that are arguably valuable to students, the protection of Title IX cannot be diminished by exempting benefits, treatment, services or opportunities provided to student-athletes through the use of outside resources.

To reiterate, outside resources are permissible. Teams need not "share" proceeds from fundraising. However, it is the responsibility of the school to ensure that benefits including services, treatment and opportunities regardless of the sources are equivalent for male and female student-athletes.

This is a difficult conversation to hold given the difficult economic times in this country. As a result, school districts tend to avoid implementing a plan for overseeing booster clubs and monitoring their activity. Many school districts will maintain that booster clubs are not their responsibility and that they are groups that function on their

own. Simply operating under the “that’s the way we have always done things” mentality is not an acceptable practice.

It is important for school boards, superintendents and athletic directors to keep fairness in mind while juggling limited budgets, a greater emphasis on academics, and the realization that one unhappy parent can be the catalyst in triggering a federal investigation. The key in monitoring a school’s Title IX compliance process in its athletic program is to support the athletic endeavors of girls, while not limiting the progress of boys. It is a delicate process that will require good governance and making difficult decisions in economically challenging times while following the law.

Footnotes

1 See Jurupa Unified School Dist., OCR File No. 09-01-1222 (Feb. 7, 1995).

2 Id.

Peg Pennepacker, CAA, is director of athletics at State College Area High School, State College, Pennsylvania, and has been in public education for 30 years and a high school athletic director for 20 years. She is an advocate for Title IX at the high school level and serves as a Title IX consultant for the Pennsylvania State Athletic Directors Association. She can be contacted through email at: ppackt9@yahoo.com.



Philanthropy Assists a Sport That Struggles with Title IX

by Susan Crawford, chair of Bucknell's Board of Trustees

Wrestling is the world's oldest sport. It was part of the ancient Olympic Games. It is the sixth most popular boys' high school sport, and its participants at the national high school championship level maintain a 3.0 grade-point average.

Unfortunately, at the collegiate level, wrestling has been "pinned" under the weight of tough decisions caused by legislation and tight budgets.

To comply with a key aspect of Title IX (requiring equitable accommodation of the interests and abilities of both sexes), many universities nationwide have striven to achieve "substantial proportionality" – that is, having women represented among all varsity athletes to the same degree that they are represented among all students at the school. This has forced those institutions to cut male sports or strip them of varsity status.

Since Title IX was enacted in 1972, more than 1,000 men's college sports programs have been eliminated. College wrestling programs have been particularly hard hit.

According to the National Wrestling Coaches Association, more than 430 college wrestling teams have been cut nationwide, including 34 in Pennsylvania alone. Swimming and tennis also rank high among discontinued men's college teams.

Being able to offer many sports to meet the varied interests of male and female students and still provide equal opportunities as required by Title IX is a challenge. Private gifts and the wise use of them are one way to maintain as many sports as possible for both males and females, generally to improve collegiate sports programs, and to avoid diverting scarce resources from other educational efforts.

At Bucknell University, we worked for years to reshape our athletics program to reach compliance with Title IX and the principles of gender equity. We added women's teams and tightly managed men's roster sizes.

One of the most difficult steps we took came in 2001, when we chose to discontinue wrestling and men's crew as varsity sports and reclassified them as club-varsity, meaning they would not draw direct university support.

We regretted that this step disrupted the plans of students, some of whom chose to leave Bucknell to continue collegiate wrestling careers elsewhere. Yet, we were able to achieve "substantial proportionality" under Title IX, with men's and women's participation rates of 51 percent and 49 percent, respectively.

Last month, we were pleased to announce the acceptance of a \$5.6 million donation by William Graham, chairman and chief executive officer of The Graham Company in Philadelphia.

The gift, split equally between men's and women's sports, will provide for restoring wrestling as a varsity sport, growing the novice component of women's crew, and better supporting other women's sports.

Ironically, this infusion of funds for women's sports has enabled Bucknell to reinstate men's varsity wrestling.

Philanthropy is a great way to help prevent particular sports programs from losing varsity status and generally to bolster athletics programs. Our experiences with Mr. Graham suggest several steps to take:

Educate likely donors about your needs. Mr. Graham, a 1962 graduate, was an outstanding wrestler and team captain at Bucknell. He is a longtime supporter of sports programs here. But while his interest in wrestling was deeply rooted, we also were able to help him understand that by assisting women's programs, he could help perpetuate men's opportunities as well.

Make sure the effects of donations follow Title IX guidelines. We will add a comparable number of athletes in wrestling and women's crew during the next four years.

Don't close doors. Bucknell worked hard to keep the door open for an act like Mr. Graham's, facilitating club-varsity wrestling even when varsity status could not be maintained.

Subscribe to the scholar-athlete model. Bucknell led all the nation's colleges and universities with a 100 percent graduation rate among student-athletes last year, and it ranks third in Division I in producing Academic All-Americans. Keeping athletics in perspective not only is best for students, but also appeals to enlightened donors such as Bill Graham.

Donors' generosity can be integral to the improvement and success of collegiate wrestling programs.

The need exists for more Bill Grahams to step up to support women's programs so that worthy endeavors like wrestling are not affected.

With the right amount of planning, the impact of working with donors can lead to maximum benefits for collegiate wrestlers and many other student-athletes over a long period of time.



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VIRTUAL TOUR

SCHOOL BOARD POLICY MANUAL

SECTION 9 TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

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SECTION IX

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

9.1 TITLE IX POLICY

The Board of Education for the House Municipal Schools finds that the House Municipal Schools must provide equivalence of benefits in all its boys' and girls' athletics, academics, and training programs as required by Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), which prohibits discrimination on the basis of gender by educational institutions that receive federal funds directly or indirectly. The Board of Education further acknowledges that the School District must undertake a

continuous evaluation of its compliance with Title IX, and that the School District must therefore take care to maintain a balance in the benefits provided by the boys' and girls' programs.

To promote compliance with Title IX, it is the Board of Education's purpose through this Policy to help maintain the overall equivalence of opportunity for male and female students and employees to participate in athletic programs, academic programs, and training within the School District.

9.1.1 Nondiscrimination Policy under Title IX

The House Municipal Schools is committed to the philosophy of equal opportunity/equal access in all its employments, educational programs, activities and services. All students shall have the opportunity to participate in and receive benefits from all programs or activities including, but not limited to, course offerings, graduation requirements, athletics, counseling, employment assistance, extra-curricular and other school-related activities. Discrimination in education or employment because of race, color, national origin, ancestry, religion, creed, sex, age, physical or mental handicap, marital or parental status, pregnancy, sexual orientation, or veteran status is prohibited.

9.1.2 Sexual Harassment Policy under Title IX

The House Municipal Schools is committed to a positive and productive working and learning environment free of discrimination. Discrimination adversely affects morale and interferes with employee and student ability to work and learn. The House Municipal Schools prohibits sexual harassment of its employees or students, whether committed by a co-worker, supervisor, subordinate, contractor, volunteer or student. Such behavior may constitute a basis for disciplinary action up to and including discharge or expulsion. Whereas sexual harassment substantially compromises the attainment of educational excellence, the House Municipal Schools will not tolerate such behavior between members of the same or opposite sex.

The House Municipal Schools also prohibits retaliation against

9.1.1.a. any employee or student for having made a report of alleged sexual harassment, and

9.1.1.b. against any employee or student who has testified, assisted or participated in the investigation of a report.

Retaliation is itself a violation of State and Federal regulations prohibiting discrimination and may constitute a basis for disciplinary action up to and including discharge or expulsion.

This Policy applies to individuals attending any events on the property of the House Municipal Schools, whether or not school-sponsored and to any school-sponsored events regardless of location. Any complaints of sexual harassment in violation of this Policy should be reported within 20 calendar days of occurrence.

A copy of the House Municipal Schools' Sexual Harassment Policy may be obtained at the school-based principal's office. Nothing in this Policy applying to Title IX is intended to alter the House Municipal Schools' Sexual Harassment policies as set forth in Policy No. 5.3.2 (employees) and Board of Education Policy No. 7.13(students).

9.1.3 Creation of Title IX Coordinator and Grievance Procedures for the House Municipal

Schools

9.1.3.a. The Superintendent shall:

9.1.3.a.i. designate an appropriate certified staff member within the School District to act as the School District's Title IX Coordinator for a period of not less than two years or until the end of the designee's employment which ever is shorter;

9.1.3.a.ii. ensure that the Title IX Coordinator has sufficient authority to continuously evaluate the School District's compliance with Title IX, conduct necessary investigations and issue reports to the Superintendent regarding the School District's compliance with Title IX, and ensure that he or she has sufficient authority and the necessary procedures to investigate and report on all written complaints of alleged violations of Title IX or the School District's policies regarding Title IX;

9.1.3.a.iii. promulgate grievance procedures that allow any student or employee of the House Municipal Schools who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any School District education program or activity on the bases of sex in violation of this Policy or Title IX, to file a written complaint with the Title IX Coordinator;

9.1.3.a.iv. ensure that the grievance procedures provide for a thorough and objective investigation and review of all written complaints by the School District's Title IX Coordinator and that the procedures also provide for notice and an opportunity for hearing on all written complaints by the creation of a hearing committee to hear matters unresolved by the Title IX Coordinator and provide for an opportunity to present evidence.

9.1.3.a.v. ensure that the grievance procedures provide for a final appeal on all unresolved matters to the Board of Education.

9.2 GIFTS AND DONATIONS POLICY

The Board of Education for the House Municipal Schools finds that private gifts and donations provided to the various athletic or academic programs of the School District could potentially alter the equivalence of benefits required to be provided to boys' and girls' athletics, academics, and training required by Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), which prohibits discrimination on the basis of gender by educational institutions that receive federal funds directly or indirectly. The Board of Education further acknowledges that contributions of gifts and donations must be included in the School District's ongoing evaluation of its compliance with Title IX, and that the School District must therefore take care to maintain a balance in the benefits provided by the boys' and girls' programs.

To promote compliance with Title IX, it is the Board of Education's purpose through this Policy to help maintain the overall equivalence of opportunity for male and female students and employees to participate in athletic programs, academic programs, and training within the School District.

9.2.1. Donor Responsibilities.

A donor must fully complete and submit to the Superintendent or his or her designee the Gifts and Donations Form provided in Appendix A of this policy. The receipt of the fully completed Gifts and Donations Form and the approval of the gift or donation by the Board of Education is required before the gift or donation may be accepted by the House Municipal Schools.

9.2.2. Anonymous Donors.

The Gifts and Donations Forms cannot be kept confidential should the donor wish to be anonymous. However, the School District will refrain from publicizing the name of donors who wish to remain anonymous.

9.2.3. Procedures for Determination of Acceptance.

9.2.3.a. The Superintendent or his or her designee shall:

9.2.3.a.i. ensure that the Gifts and Donations Form provides notice to the person, persons, group or organization donating to the House Municipal Schools that acceptance of all gifts and donations is conditional on the determination that such provide a benefit to the overall academic or athletic programs of the House Municipal Schools, and that the donation shall not be limited to any one team, sport, class, seminar, athletic program or academic program;

9.2.3.a.ii. ensure that all gifts and donations offered to School District schools will be considered in regard to Title IX requirements and any gift or donation that would result in the School District's violation of Title IX will be declined, except as otherwise provided in this policy;

9.2.3.a.iii. ensure that all gifts and donations provide an overall benefit to the academic or athletic programs of the School District .

9.2.3.a.iv. ensure that the gift or donation is not directed to any one team, sport, class, seminar, athletic program, or academic program.

9.2.3.a.v. provide the Board of Education with a written recommendation regarding acceptance of each gift or donation, and its effect on the School District's compliance with Title IX.

9.2.3.b. The Board of Education shall meet in open session to consider the Gifts and Donations form and the recommendation of the Superintendent, and to act upon such recommendation regarding acceptance or non-acceptance of a gift or donation by the School District pursuant to an action item on the meeting agenda.

9.2.4. Gifts or Donations affecting Title IX Compliance.

9.2.4.a. If the Superintendent finds that the School District’s acceptance of a gift or donation will create an imbalance of benefits provided to male or female students such as to violate Title IX, the Superintendent will develop and recommend to the Board of Education a proposal for the redistribution of sufficient School District funds to offset the benefit provided to students of one gender over those of the other by the donation.

9.2.4.b. The Board of Education shall ensure that no gift or donation will be approved for acceptance that will make the school district fail to comply with the requirements of Title IX unless the Board of Education redistributes sufficient School District funds to offset the benefit provided by the donation to one gender over the other returning the School District into compliance with Title IX.

GIFTS AND DONATIONS FORM House Municipal Schools

To ensure the School District’s compliance with federal law prohibiting gender discrimination in educational institutions, it is the policy of the House Municipal Schools that there be the overall equivalence of opportunity for male and female students and employees to participate in athletic programs, academic programs, and training within the school district. Accordingly, it is the policy of the School District that acceptance of all gifts and donations are conditioned upon the gift or donation providing an overall benefit to the academic or athletic programs of the School District and school and that the donation shall not be limited to any one team, sport, class, seminar, athletic program or academic program except as otherwise provided in the Board of Education’s policies.

All gifts and donations to the House Municipal Schools will be reviewed by the Superintendent and considered by the Board of Education for acceptance. **Accordingly, please do not attach your gift or donation to this form.**

Please complete this form and submit it to the Superintendent’s Office. Thank you for your generosity!

Name: _____

Mailing Address: _____ City _____ State _____

Telephone: _____ E-Mail: _____

Please describe your proposed gift or donation: _____

Are there any conditions or limitations to your gift or donation? _____ Yes _____ No

Please describe any conditions. _____

Signature _____

Date _____

9.3. POLICY ON BOOSTER CLUBS AND PARENT TEACHER ORGANIZATIONS

9.3.1. Purpose.

The Board of Education recognizes the importance of athletic and extracurricular activities in the well-rounded development of public school students. Participation in such athletic and activities programs builds character, a sense of responsibility and discipline, and promotes proper conduct, all of which are central to the educational mission of the public schools and the Board of Education.

The School Board further recognizes the contribution and support which its athletic, extracurricular activities and educational programs receive from parents and members of the community who have organized booster clubs, parent-teacher organizations (PTO's) and other support groups with similar purposes. This Policy is adopted to define the relationship between the Board of Education and athletic booster clubs, PTO's and similar groups whose purpose is to support the School District's athletic activities and educational programs Board.

9.3.2. Group Status.

Booster clubs and parent-teacher organizations (PTO's) are neither school-sponsored clubs or student-initiated clubs as those clubs or groups are defined in Board policy. See Policy No. 7.5.12B. Booster clubs and PTO's shall constitute "outside clubs or groups" which are school-related but must meet the terms of this Policy in order to use the School District's or an individual school's name, mascot or logo and to use School District facilities as a school-related organization.

9.3.3. Booster Clubs.

Booster clubs for athletics, marching band, drill team, cheerleading, drama, choir, or other athletic, fine arts or academic activities are welcome to form, support and assist such student activities or programs, both financially and with volunteer assistance. Booster clubs must comply with the requirements of this Policy in order to use the name of the individual school or School District, school or School District mascots or logos, and to have access to School District facilities as a school-related organization.

A booster club must prepare and submit to the Board of Education a copy of its organizational bylaws and constitution by presenting the same to the Superintendent of Schools prior to initiating such support or assistance. All booster organizations must operate within the applicable standards and guidelines set by the New Mexico Activities Association, and shall not either promote, encourage or acquiesce in any violation of student or team eligibility requirements, conduct codes or sportsmanship standards.

Upon formation and annually thereafter, each booster club shall provide the Superintendent with the names, telephone numbers and addresses of each officer of the booster club, and the position held.

9.3.4. Parent Teacher Organizations.

The Board of Education encourages the formation and operation of parent-teacher organizations in the School District to provide financial support or volunteer assistance to the school. Parent-teacher organizations must comply with the requirements of this Policy in order to use the name of the individual school or School District, school or School District mascots or logos, and to have access to School District facilities as a school-related organization. Each parent teacher organization shall prepare and submit to the School Board a copy of its organizational bylaws and constitution to the site administrator and the Superintendent prior to initiating such support or assistance. Upon formation and annually thereafter, each organization must provide the site administrator and the Superintendent with the names, telephone numbers and addresses of each officer of the organization, and position held.

9.3.5. Accounting by Booster Clubs and PTO's.

Each booster club or parent teacher organization must have its own checking account and the bylaws for the group must require two signatures for any disbursement from that account. Booster club or PTO funds and accounts are not School District accounts and will not be included in the School District's budgeting and accounting for annual School District audit purposes. Funds collected by the booster club or PTO are not to be deposited into the School District's student activity accounts.

However, as an express condition to the School Board's consent for the booster club or parent teacher organization to use the School District's name, school name, school or district mascots or logos, or to use School District facilities as a school-related organization, the booster club or PTO shall conduct an annual accounting or audit of its receipts and disbursements and submit a financial or audit report, performed in accordance with generally accepted auditing principles, to the Superintendent of Schools by October 1 of each calendar year. In the alternative, the booster club or parent teacher organization shall permit the school finance director or designee to audit the accounts of the booster club or PTO on request, no less than annually. Officers of a booster club or PTO shall be responsible for safeguarding any funds raised by the organization and to ensure that funds are spent only for purposes related to the goals and objectives of the booster club or PTO, and the published or advertised reasons for the particular fund-raising activity. The organization's bylaws shall specify reasonable procedures for internal financial control which shall be reviewed by the School District's finance director.

The booster club or PTO shall not represent or imply that its activities, contracts, purchases, or financial commitments are made on behalf of or binding upon any school of the School District or the School District itself. Such a statement shall appear on all purchase orders, contracts or other forms of financial commitment issued by the booster club or PTO.

9.3.6. Fundraising.

Booster clubs and PTO's shall notify and obtain the approval of the Superintendent of Schools or his or her designee to assure that scheduling of fundraisers does not conflict with School District programs or activities, and that the fund-raising process is consistent with the goals and mission of the school or School

District. All fundraising activities shall comply with state and federal law, and in particular, shall assure compliance with any applicable provisions of the New Mexico Bingo and Raffle Act, N.M. Stat. Ann. §§ 60-2B-1 to 60-2B-14 (1978), as amended or recodified in the future. School employees, including athletic coaches, trainers or sponsors of school-sponsored student groups, shall not act as the primary organizers or spokespersons for any booster club or PTO fundraising event. Participation in fundraising activities by a booster club or PTO shall not be considered as a factor in a student's level of participation in any school activity or athletic program.

9.3.7. Title IX Compliance.

The School Board discourages the formation or organization of booster clubs which sponsor, assist or support student activities or athletic programs which predominantly serve student participants of a single sex. In order to assure that contributions or support by booster clubs and PTO's do not create inequities or significant disparities in the program, equipment and facilities made available to students participating in single sex sports, the booster club or PTO shall only donate funds or tangible personal property contributed to the School District's educational, extracurricular or athletic programs, by program or sport, through Board Policy No. 9.2. Support provided to a single athletic program, regardless of source, must be included in the School District's evaluation of its overall athletic program and the comparability of benefits made available to male versus female athletes.

9.3.8. Notice of Compliance.

At the beginning of each school year, the School District will publish the names of those booster clubs and PTO's which are in compliance with this Policy in the student handbook for the school or School District. Groups or organizations which are not in compliance will not be identified, and the Superintendent may refuse the consent of the School District to use of the School District's name, school name, campus or School District mascot and logos or the use of School District facilities as a school-related organization.

9.4 TITLE VI POLICY

9.4.1. The purpose of this Policy is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 to the end that no employee or student of the School District shall; on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any educational program or activity of the School District.

9.4.2. The Superintendent shall:

9.4.2.a. designate an appropriate certified staff member within the School District to act as the School District's Title VI Coordinator for a period of not less than two years or until the end of the designee's employment which ever is shorter;

9.4.2.b. ensure the Title VI Coordinator's identity and contact information is published in such a manner to ensure availability of this information to each employee and student and his or her parent(s)/guardian(s) of the School District annually;

9.4.2.c. ensure that the Title VI Coordinator has sufficient authority to continuously evaluate the School District's compliance with Title VI, conduct necessary

investigations and issue reports to the Superintendent regarding the School District's compliance with Title VI, and ensure that he or she has sufficient authority and the necessary procedures to investigate and report on all written complaints of alleged violations of Title VI or the School District's policies regarding Title VI.

9.4.3. Any employee or student who believes he or she has been denied any service or benefit because of race should contact the Title VI Coordinator for the School District as identified by the School District or by obtaining the contact information from the Superintendent of Schools.

First Reading	16 June 2008
Second Reading	
Adoption	16 June 2008

GENDER EQUITY IN INTERCOLLEGIATE ATHLETICS



A Practical Guide for
Colleges and
Universities

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Gender Equity in Intercollegiate Athletics: A Practical Guide for Colleges and Universities

Title IX

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

The IX of the Educational Amendments

The Test

An athletics program can be considered gender equitable when the participants in both the men's and women's sports programs would accept as fair and equitable the overall program of the other gender. No individual should be discriminated against on the basis of gender, institutionally or nationally, in intercollegiate athletics.

NCAA Gender-Equity Test Force

Equal Pay Act

No covered employer... shall discriminate... between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on job the performance of which requires equal skill, effort, and responsibility, and which is performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system, (ii) a merit system, (iii) a system that measures earnings by quantity or quality of production; or (iv) a differential based on any other factor than sex.

Title IX Athletics

- A. Title IX Implementing Regulations
- B. 1979 Policy Interpretation
- C. Title IX Investigators Manual
- D. 1988 Clarification
- E. 1993 Clarification
- F. 2003 Gender Certification
- G. 2004 Title IX Grievance Procedures, Postsecondary Education

Title IX Harassment

- 2001 Revised Sexual Harassment Guidelines: Harassment of Students by School Employees, Other Students or Third Parties

Employment

- 1987 EEOC Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions

Response

The last section includes a list of nonprofit legal and women's centers and attorneys who provide legal assistance to colleges. Also included are the addresses and telephone numbers for the regional offices of the Office for Civil Rights. In addition, e-mail addresses, relevant Web sites and pertinent legal citations have been included.

Gender Equity in Intercollegiate Athletics: A Practical Guide for Colleges and Universities

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- I. Introduction
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- I. Introduction
- II. Title IX, Title VII, the Equal Pay Act and OCR Guidelines
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6. Gender-Equity Plans, Audits, Policies and Training

- I. Gender-Equity Plans
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- An Athletics Director's Summary Guide

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- Frequently Asked Questions

10. Appendices

Introduction

In the spring of 1992, the NCAA created a Gender Equity Task Force in response to growing gender-equity concerns that were amplified by the 1992 NCAA Gender-Equity Study. The study indicated that despite the relatively even distribution of membership undergraduate enrollment by gender, males constituted nearly 70 percent of intercollegiate athletics participants and received nearly 77 percent of the athletics operating budgets, 70 percent of scholarship funds and 83 percent of recruiting dollars.

The task force report in July 1993, in which it concluded that "intercollegiate athletics offer increased and able students opportunities to experience the lessons of competition, develop physical and leadership skills, be part of a team and enjoy themselves. Good intercollegiate athletics programs require competitive play, universal and consistently applied rules, and an opportunity to participate. For many years, the NCAA has sought to assure those conditions for all students who wish to participate in intercollegiate athletics programs."

In order to address and remedy this inequity, the task force issued several recommendations to NCAA member institutions, the media and the general public. One recommendation in particular advocated for the creation of a gender-equity source book for member institutions. The task force believed that such a book could provide the complex and evolving landscape of gender-equity law, while also providing practical advice and strategies to the member institutions.

Accordingly, this manual was written with college and university administrators, general counsel, faculty athletics representatives, Title IX and equal opportunity officers, athletics administrators, staff, and student-athletes in mind. It is not intended to provide the lone standard by which an institution should be judged. It is a resource that can be used in a variety of ways. This manual explains the law in a way that is accessible to those seeking to understand the law, to incorporate gender-equitable policies into existing athletics programs and to evaluate their implementation in a meaningful way.

Since this manual was first published in the fall of 1994, the NCAA has continued to work with member institutions, the media and the general public in collaboration with the research staff, has created a women's resource center at the NCAA national office. This manual, the seminar, the resource center and the Web site are four services intended to provide a greater understanding and a clearer perspective on the need to ensure equitable opportunities and treatment for female student-athletes at all NCAA member institutions.

On March 29, 2005, the United States Supreme Court issued its opinion in *Jackson v. Birmingham Board of Education*. In ruling 5-4, the court narrowly sought redress in the courts for instances of retaliatory conduct resulting from efforts to allocate the mandates of Title IX. In this case, Roberta Jackson, a male high school coach, was terminated from his position as a result of his efforts to remedy the inequities faced by his girls' basketball team. In that Title IX provides for a cause of action to address retaliation, the majority ruled that "reporting incidents of discrimination is integral to Title IX enforcement and would be discouraged if retaliation against those who report went unpunished. Indeed a retaliation claim is an integral part of Title IX enforcement." The court held that Title IX is alive and well – a fact that would no doubt have pleased one of the law's staunchest advocates – Congresswoman Patsy T. Mink. Unfortunately, Congresswoman Mink passed away September 28, 2002, during the commission process and before the further clarification letter was published. On October 29, 2002, President George W. Bush renewed Title IX as the Patsy T. Mink Equal Opportunity Act of 2002. This Act, which was signed into law by President Bush and Representative Edith Green, have resulted in athletics opportunities for 2.1 million high school girls and just fewer than 165,000 collegiate women as of 2005-06.

For further information regarding this publication and other gender-equity concerns, please contact Karen Morrison, NCAA director of education services at 317/917-8222 or via e-mail at kmorrison@ncaa.org.

I. A Brief History of Title IX

In 1972, Congress passed Title IX of the Education Amendments to the Civil Rights Act of 1964. This law facilitated tremendous growth in women's athletics participation during the 1970s. By 1978, the number of female high school student-athletes had grown from 300,000 to more than two million. Participation in intercollegiate athletics also grew significantly. In 1971, there were 187,000 female intercollegiate athletes in 1971 to more than 44,000 in 1977. However, in the early 1980s, the rapid rise in participation began to level off when the United States Supreme Court ruled that the law applied only to those programs or activities that directly received federal funding. Since most collegiate athletics programs did not receive federal money directly, funding inequities were distributed and the dramatic expansion of women's athletics opportunities stalled for nearly ten years.

In 1989, the Supreme Court ruled in *Cornell University v. Eder* that the Civil Rights Act of 1988, which amended Title IX's prohibitions to include recipients of federal funding, including collegiate athletics departments.

Enforcement of the law was bolstered in 1992 when the Supreme Court decided in *Franklin v. Gwinnett* that successful Title IX plaintiffs could recover monetary damages and attorney fees for intentional discrimination. This case followed by *Wells* still left the central question of Title IX decision out of the case – how to determine if an institution is a recipient of federal funding.

In 1993, the Supreme Court ruled in *Swain v. Howlett* that Title IX's prohibitions on athletics extended for men and women across the country. Lewatits was filed by both those attempting to enforce the law and by those challenging it. Every appellate court that reviewed the law and its application to high school and college athletics programs upheld Title IX. These judicial opinions further defined the obligations of schools under the law.

In 1994, the Supreme Court issued the *Swain v. Howlett* decision, which held that opportunities in athletics to study the impact of Title IX on college athletics. After holding controversial hearings over an eight-month period, the commission presented Department of Education Secretary Robert P. Paige with a report titled "Open to All: Title IX at Thirty." Two commission members, Donna DeVore and Julie Foucy, then released a minority report containing their separate recommendations. The report was widely distributed and received significant media attention. The report, titled "Open to All: Title IX at Thirty," was widely distributed and received significant media attention. The report, titled "Open to All: Title IX at Thirty," was widely distributed and received significant media attention.

Speculation over the immediate future of Title IX ended July 11, 2002, when the Supreme Court ruled in *Swain v. Howlett* that Title IX's prohibitions on athletics extended for men and women across the country. Lewatits was filed by both those attempting to enforce the law and by those challenging it. Every appellate court that reviewed the law and its application to high school and college athletics programs upheld Title IX. These judicial opinions further defined the obligations of schools under the law.

In 1994, the Supreme Court issued the *Swain v. Howlett* decision, which held that opportunities in athletics to study the impact of Title IX on college athletics. After holding controversial hearings over an eight-month period, the commission presented Department of Education Secretary Robert P. Paige with a report titled "Open to All: Title IX at Thirty." Two commission members, Donna DeVore and Julie Foucy, then released a minority report containing their separate recommendations. The report was widely distributed and received significant media attention. The report, titled "Open to All: Title IX at Thirty," was widely distributed and received significant media attention.

II. Overview of the Manual

Chapter 1: Sources of Law
Gender-equity law comes from a variety of sources, including legislation, agency regulations, policy interpretations and clarifications, and Title IX itself. This chapter provides a summary of these sources, which will be referenced throughout the book.

Chapter 2: Understanding Title IX Athletics Compliance – A Step-by-Step Guide
This chapter breaks down complex standards for athletics participation, compliance and enforcement into a series of steps that can be used to help assess compliance and to implement equity on campus.

Chapter 3: Gender Equity and the NCAA, Including the EADA
Some NCAA initiatives have gender-equity components. This chapter explores how those initiatives compare with standards set forth in gender-equity law and provides information to help ensure that institutions are consistent in their reporting and compliance efforts.

Athletics Certification
The manual's newest section summarizes portions of the Equity and Student-Athlete Involvement (EADI) Division's Athletics Certification process. This process is designed to help ensure that institutions are consistent in their reporting and compliance efforts.

Emerging Sports
This section provides basic information regarding those sports that have been identified as "emerging" pursuant to legislation adopted at the 1984 NCAA Convention. Athletics programs can adopt these sports as a way to increase participation opportunities for student-athletes. Much of the information in this section was obtained from individual sport's national governing bodies. Also included is an explanation of relevant NCAA legislation regarding sport sponsorship.

Equity in Athletics Disclosure Act (EADA) and NCAA Financial Reporting, Filings and Forms
All colleges and universities that receive federal funds are required to file an annual EADA report and financial report with the U.S. Department of Education. At NCAA member institutions also are required to file

Office for Civil Rights. Reynolds made the following key points: (1) The three-part test for assessing compliance with the participation portion of Title IX provides schools with flexibility. (2) Title IX does not require the creation of separate teams and that such a practice is disfavored. (3) Although the OCR will "aggressively enforce Title IX standards, including implementing sanctions for institutions that do not comply," it will also work with schools to achieve compliance and thereby avoid such sanctions. (4) Private donations to athletics programs are not exempt from Title IX equity considerations, and (5) OCR will continue to work with schools to achieve compliance. The OCR also clarified its interpretation and the 1988 Clarification. Meanwhile, a closely watched legal battle loomed in the federal courts in the District of Columbia. The National Wrestling Coaches Association (NWCA), concerned about decisions to discontinue wrestling at some institutions, filed a complaint with the District of Columbia Circuit Court of Appeals. The NWCA argued that the District of Columbia Circuit Court ruled that the NWCA could not show that Title IX caused or required the elimination of men's athletics teams or that changing Title IX's enforcement scheme would lead to their reinstatement. In reaching the decision, the court stated that schools make independent decisions about which teams to fund based on a variety of factors that may or may not include gender-equity considerations. The Supreme Court may return to hear the case and decide the NWCA's petition for certiorari.

On March 17, 2005, the OCR issued a subsequent clarification: "Additional Clarification of Intercollegiate Athletic Policy: Three-Part Test – Part Three" (Additional Clarification). In this guidance, purportedly designed to make it easier to assess interest and ability on campus consistent with the mandate of Title IX, the OCR set forth a sample e-mail survey, appendix containing a list of questions, and a third method of achieving Title IX participation compliance: the affirmative accommodation of the athletics interests and abilities of the under-represented sex. This additional clarification stated that the OCR will deem schools to be in compliance with Title IX if the school uses the OCR-provided e-mail survey and most courts there is no remedy for the school's failure to use the survey. The OCR will permit schools to count a no response to the e-mail survey as an affirmative indication of "no interest" in participation. This guidance has been lauded by those opposing the current Title IX enforcement methodology and strongly criticized by others, including NCAA President Ilyse Brand, the NCAA Executive Committee, the Knight Commission and at least one member of the Congressional Sports Administration (COSA) staff, the former U.S. Olympic Committee's former U.S. Olympic Committee co-director, the former Stanford University director of athletics.

A similar report with the NCAA. This chapter highlights the differences between the two reports and offers practical suggestions to help institutions provide an accurate picture of their athletics interests and commitment to gender equity.

Chapter 4: Harassment Issues Facing Colleges and Universities Under Title IX
Title VII and Title IX prohibit sex-based harassment on campus. This chapter explains the law and the enforcement standards applicable to colleges and universities.

Chapter 5: Employment Issues
Gender-equity in employment in educational institutions is governed by a variety of federal and state laws, including Title IX, Title VII and the Equal Pay Act. Each of these laws has specific requirements and enforcement standards. This chapter helps schools understand the federal laws as they apply to athletics staff.

Chapter 6: Gender-Equity Plans, Audits, Policies and Training
Gender-equity plans, department audits, policies and related training issues are valuable tools provided they are written, presented and/or implemented soundly. This chapter explores the value of equity audits, gender-equity plans, clear policies and training to ensure compliance with the law.

Chapter 7: Case Law
This chapter contains an in-depth look at the critical developments in gender-equity case law as it applies to intercollegiate athletics. The cases provide a practical insight into the real life applications of the laws discussed in this manual.

Chapter 8: An Athletics Director's Summary Guide
This guide to the key gender-equity issues – while not meant as a substitute for this manual as a whole – is provided as a helpful quick reference resource.

Chapter 9: Title IX Flowcharts
Sorting through all of the components of Title IX compliance can sometimes be overwhelming. This section provides flowcharts that help schools assess their compliance through the law, regulations and policies where they stand in the larger gender-equity picture at any given time.

Chapter 10: Frequently Asked Questions
The NCAA has collected questions asked by the membership at NCAA Gender-Equity Forums (or years). This section provides answers to those questions that have been asked frequently.

- Title IX Athletics
- A. Title IX Regulations
- B. Title IX Guidance
- C. Title IX Athletics Investigations Manual
- D. Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test
- E. Dear Colleague Letter, 1988 Clarification
- F. Dear Colleague Letter, 2003 Further Clarification
- G. 2004 Title IX Grievance Procedures, Postsecondary Education

Title IX: Harassment

- 2001 Revised Sexual Harassment Guidelines; Harassment of Students by School Employees, Other Students or Third Parties.

Employment

- 1977 EEOC Enforcement Guidelines on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions.

Additional Resources

- List of nonprofit legal and women's organizations, coaches associations and national governing bodies, plus a list of personnel about women in sports and their contact information.
- List of members for the regional offices of the Office for Civil Rights. In addition, e-mail addresses, relevant Web sites and pertinent legal citations have been included.

Sources of Law

I. Introduction

Throughout the manual, there are references to a wide variety of legal resources, including laws, regulations, policy interpretations, administrative and judicial opinions, and agency guidance. For readers who have not yet had the pleasure of attending law school, this section provides a legal overview of the relevant sources of gender-equity law and the authority of each.

A. The United States Constitution

The United States Constitution is the fundamental document upon which the United States federal government is founded. It is the "supreme law of the land" and sets forth the three separate but equal branches of government: the executive, legislative, and judicial branches. The Constitution cannot be taken by congressional action or judicial opinion. The only way to alter Constitutional protection is through the passage of a Constitutional amendment. Courts that have interpreted Title IX have found that, as applied, it does not conflict with the equal rights provision of the Constitution and that it is a viable statute.

B. Statutes

Statutes are laws written and passed by the legislative arm of the government. Federal laws are passed by the United States Congress and state laws are passed by the individual state legislatures. The statutes referenced in this manual, including Title IX, Title VII, the Equity in Athletics Decisions Act, and the Education Amendments of 1972, are federal laws. These laws affect public and private colleges and universities for a variety of reasons, including the fact that schools receive federal dollars. Although beyond the scope of this manual, many state gender-equity laws also apply to athletics programs offered by colleges and universities. Because the language contained in these laws may differ from Title IX or any other federal laws discussed herein, it is important for athletics administrators to consult with their own state and federal laws of their state and federal government. When state and federal laws differ, the state law generally must comply with the most generous provisions of both, even if one permits a lower standard of compliance. Accordingly, the federal law requirements discussed in this manual set the floor for gender-equity compliance. State laws may require more exacting standards.

C. Regulations

Many laws or statutes will contain language that grants an agency the authority to issue regulations interpreting the statute and to set forth an

that it was a "quota system" that disadvantaged male programs. A careful reading of the clarification and the fact that schools have relied upon and been found compliant under each of the three prongs, demonstrates that each prong offers safe harbor, provided schools meet the respective tests.

• 1998 OCR Letter on Financial Aid

On the OCR's release of Title IX, the National Women's Law Center filed complaints of financial aid discrimination with the OCR against 25 colleges and universities in the mid-1990s. The OCR issued a letter stating that financial aid disparities are calculated by comparing the percentage of the total financial aid dollars awarded to each sex with their respective financial aid student-athlete percentage rate. For example, if females make up 46 percent of the student-athlete population, but only receive 44 percent of the total financial aid dollars, then financial aid would be a disparity of three percent. It further states that the OCR will presume discrimination where there exist unexplained disparities of greater than one percent.

• The 2003 Further Clarification

After the Title IX case, the OCR, in 2001, substantiated specification enforcement of Title IX laws. These concerns were taken by the appointment of a commission charged with reviewing current law and recommending improvements in the law. This guidance, set forth in a "Dear Colleague" letter, supported current agency enforcement policies and practices and contained the following points: (1) The three-part test for assessing compliance with the participation portion of Title IX provides schools with assistance in determining whether they are complying with Title IX. (2) Title IX does not require the cutting or reduction of teams and such practices is disfavored; (3) Although the OCR will "progressively enforce" Title IX standards, including implementing sanctions for institutions that do not comply, it will also work with schools to achieve compliance and thereby avoid such sanctions; (4) private donations to athletics programs are not exempt from Title IX equity considerations; and (5) OCR enforcement will incorporate the enforcement framework as set forth in the 1979 Policy Interpretation and the 1996 Clarification.

• Title IX Grievance Procedures, Postsecondary Education

On August 4, 2004, the OCR issued the Title IX enforcement guidance, "Investigative and Enforcement Procedures." This guidance requires schools to "designate a Title IX coordinator, adopt and disseminate a nondiscrimination policy, and put grievance procedures in place to address complaints of discrimination on the basis of sex in educational programs and activities." The agency noted that several recent investigations had revealed that institutions were deficient in this area.

enforcement scheme. For example, Congress expressly delegated to the Department of Education the authority to promulgate regulations and issue orders for determining whether an athletics program complies with Title IX. Accordingly, HEW's dated regulations (34 C.F.R. §108.41 et seq.) were adopted by the Department of Education through its Office for Civil Rights, the federal agency charged with administering Title IX. Courts have afforded these regulations "controlling weight" and have found that they are not "arbitrary, capricious, or manifestly contrary" to the underlying statute. [See, e.g., *Cobian v. Bismarck*, 101 F.3d 135 (1st Cir., 1997)]. The Title IX regulations prohibit individuals from participating in or being denied the benefits of intercollegiate athletics.

D. Policy Manuals

Policy manuals are not laws, but may influence how laws are interpreted and applied by both the executive agencies and the judicial branch. Policy manuals are not laws, but may influence how laws are interpreted and applied by both the executive agencies and the judicial branch. For example, HEW published a Policy Interpretation (44 Federal Register 71,413) for public comment December 11, 1979. After receiving more than 700 comments reflecting a broad range of opinion and visiting eight universities over the summer of 1979 to see how the proposed policy and budgeted salaries would apply to their programs, HEW issued the final Policy Interpretation on December 11, 1979. This document defines Title IX athletics compliance into three areas: athletics financial assistance (scholarships), equitable accommodation of student interests and abilities (participation). The key factors that are to be reviewed and assessed in each area are set forth in the Policy Interpretation. The Policy Interpretation also provides for the assessment of compliance with the effective accommodation of student interests and abilities requirement (the participation test). This analytical model has without numerous court challenges because, as noted by Assistant Secretary for Civil Rights Gerald Reynolds, it provides institutions with flexibility "to consider which of the three prongs best suits their individual situations." (See July 11, 2003, *Further Clarification*, discussed more fully below).

Other examples of relevant policy manuals include:

• 1994 OCR Policy Clarification

In response to numerous requests by schools for guidance in the early 1990s, Norma Cantu, assistant secretary for civil rights, issued a document titled "Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test." This guidance was issued in 1994. It set forth the three prongs of Title IX that its reference to prong one only a strict numbers-based proportionality test – as a "safe harbor" was outlining and led schools to delegating prongs two (history of expansion) and three (meeting interest). Opponents of the law argued

Monte County Board of Education (student-on-student harassment); and *Grain Valley School District v. Stinson, Inc. (same-sex sexual harassment)*. The guidance is designed to help schools "take a course through what can sometimes be a very complex area of the law.

• **Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions**

This guidance, published by the Equal Employment Opportunity Commission in 1997, sets forth the Commission's position on the issue of a violation of Title IX that results from the unequal pay for Title IX and Title VII to the compensation of coaches at educational institutions.

E. Case Law

The judicial branch of the government is charged with interpreting law. Court opinions, when published, become case law and may be cited by other courts. Decisions and how specific courts have interpreted certain aspects of gender-equity law. Judges look to statutes, regulations, policy interpretations and prior case law when adjudicating the facts brought before them. Often, courts must reasonably interpret statutes in order to apply the law to questions presented that are not plainly answered by the language of the statute. Case law that DC Circuit and the 9th federal district courts. By the same token, case law decided by the federal appellate courts is controlling for all federal district courts in the respective circuit. For example, decisions issued by the Court of Appeals for the First Circuit, such as *Cobian v. Bismarck*, control the federal district courts in Maine, New Hampshire, Massachusetts, Rhode Island and Puerto Rico, but do not control federal district courts in other states. Other courts often rely on the case law of other circuits and, in some instances, may be influenced by and cite opinions of courts outside their circuit.

F. Secondary Sources

This manual, along with the myriad of law review articles and other commentary discussing gender equity in athletics, are secondary sources. Secondary sources are not law, but are useful in determining the law. Accordingly, secondary sources may offer legal analysis, but no legal authority. Every effort has been made to ensure the accuracy of the information provided in this manual. It is not intended, however, to provide legal advice regarding the specific application of any law to any individual circumstance.

I. Introduction
The OCR has issued a series of fact-based descriptions in educational programs, including athletics, and requires that each institution designate at least one Title IX coordinator to oversee compliance. Title IX measures gender equity in athletics in three distinct areas: (1) participation; (2) scholarship; and (3) other benefits, including the provision of equipment and supplies, scheduling, travel, tutoring, coaching, locker rooms, facilities, medical and training facilities and services, publicity, recruiting, and support services. The OCR has also issued guidance on the policy of equal opportunity in athletics, which equity in athletics should be to be addressed to set forth below.

II. Title IX Coordinator and Notices Obligations
By its regulations, Title IX mandates that institutions designate at least one employee to coordinate the Title IX compliance responsibilities on campus. In addition, schools must effectively disseminate notices of the Title IX coordinator's name and contact information to all members of the campus community. Schools also have a prevention procedure in place. Finally, Title IX regulations mandate that institutions publish a notice that it does not discriminate on the basis of sex in admission to or employment in its education programs or activities and that the notice be displayed prominently in each announcement, bulletin, calling or application form used in connection with recruitment of students or employees. The OCR has also issued guidance on the prevention procedure, the name, office address and telephone number of the Title IX officer on campus.

III. Effective Accommodation of Interests and Abilities – The Participation Test
One of the fundamental requirements of Title IX is that equitable opportunities in intercollegiate sports must be offered to members of each gender. This does not mean that schools must offer identical athletics teams for males and females, or identical numbers of athletics participation opportunities. Rather, Title IX provides three separate ways to meet this mandate. In order to assess compliance in this area, however, it is necessary to first determine whether a program or activity meets the Title IX definition of a sport, and, if so, how to count team members as participants for purposes of the IX.

A. What is an "athletics team" for purposes of Title IX?
When assessing compliance in the area of athletics participation, it is first necessary to determine what teams "count." This sport test is designed to determine whether or not programs or activities outside those sponsored by the

NCAA – such as men's rowing – also qualify for inclusion when determining equity. The NCAA has sought to make the analysis easier in certain women's sports, including archery, badminton, equestrian, rugby, squash, synchronized swimming and team handball by designating them as emerging sports regardless of whether they are currently sponsored by the NCAA.
Although men's rowing is currently not on the list, the status of other team activities such as competitive cheerleading, dance squads, rodeo and judo are not clear. The OCR has taken them position that cheerleading squads, for example, are support services and not varsity programs. This view has begun to change as competitive opportunities for cheerleading have increased nationally and as schools offer coaching, practice time, equipment and scholarship opportunities to cheerleaders. The OCR has also issued guidance on the matter and universities should be noted that the OCR and its regional offices have not uniformly accepted competitive cheerleading as a sport under Title IX, but rather continue to evaluate each program on a case-by-case basis.

The OCR has provided some guidance in this area. It will consider the following factors when determining whether or not it will consider a program a "sport" for Title IX purposes:

- Whether participation for the team is based upon objective factors related primarily to athletics ability;
 - Whether the team prepares for and engages in competition in the same way as other teams in the athletics program with respect to coaching, recruitment, budget, inputs and facilities; length and frequency of practice sessions; and
 - Whether the activity is administered by the athletics department;
 - Whether the primary purpose of the activity is athletics competition or the support or promotion of other athletics or athletics teams.
- The OCR has stated that it may also consider the following:
- Whether the activity is recognized as an athletics sport;
 - Whether the activity is recognized as part of the intercollegiate athletics program by the athletics conference to which the institution belongs and by organized national intercollegiate athletics associations;
 - Whether national and conference championships exist for the activity;
 - Whether national or conference rule books or manuals have been adopted for the activity;
 - Whether there is national or conference regulation of competition officials along with standardized criteria upon which the competition may be judged; and

• Whether participants in the activity/sport are eligible to receive scholarships and athletics awards (e.g., varsity awards).
Schools can seek an OCR determination of whether or not it would consider a particular activity to be part of the athletics program for purposes of Title IX. The OCR will consider the following factors in making its determination for inclusion, reviewed by counsel, that tracks the factors listed above.
Designating a sport as a competitive team is not enough. Schools must also support the team in an equitable fashion. In *Bizzozzi*, for example, the First Circuit refused to recognize donor-funded teams and their team members for purposes of Title IX participation comparisons. In short, men participating on varsity teams at a college are not entitled to the same level of support as their female counterparts. The OCR and courts do not allow institutions to offset varsity teams of one sex by junior varsity teams of the other sex for purposes of Title IX participation analysis.

B. Who is an athletics participant for Title IX purposes?
After determining which teams are to be included in the count, a school must determine whether the individuals on those teams are eligible to be counted. The Policy Interpretation and the 1985 Clarification define a participant as one:

1. Who receives the institutionally sponsored support normally provided to athletes competing at the institution involved, e.g., coaching, equipment, medical and training room services on a regular basis during a sports season; and
 2. Who receives the institutionally sponsored support normally provided to athletes competing on a regular basis during a sports season; and
 3. Who is listed on the eligibility or squad lists maintained for each sport; or
 4. Who, because of injury, cannot meet 1, 2 or 3 above but continues to practice with the team.
- According to the 1985 Clarification, participants are those who are listed on the NCAA squad lists as of the first date of competition in the sport. It should be noted, however, that at least one court case has taken a slightly broader view on the definition. It defined a participant as one who participated for the majority of the season. The more accurate test is a combination of the two, using the first date of competition as the baseline. Typically, the OCR will determine the first date of competition, especially in sports such as crew and track and field. As a general rule, coaches and compliance officers must be aware that the names listed on squad lists as of the first date of competition are significant for gender-equity purposes, but also mindful that additions or cuts after the first date of competition should be documented and may be included in the mix, depending on the circumstances.

2. Part Two – History and Continuing Practices of Program Expansion
The second-prong asks whether an institution has a history and continuing practice of program expansion that is "demonstrably responsive" to the developing interests and abilities of the under-represented sex. Institutions seeking to comply with the test must first determine whether the interests and abilities of the under-represented sex have developed. The OCR's athletics history would detail when teams were added or discontinued, the institutional reasons for doing so and the effect the respective additions and/or deletions had on the overall athletics participation numbers for men and women. Many institutions do not have this information readily available and therefore cannot know whether or not they comply with this test. For the reason above, schools should compile a detailed chronology of the changes to their athletics program.

Once the historical data have been gathered, a school must determine whether there has been a net expansion of athletics opportunities for the under-represented sex and, if so, whether the expansion was demonstrably responsive to students' developing interests and abilities. In short, there must be some causal connection between the opportunities added and the expressed or unexpressed interests and abilities of the under-represented sex. The school must also raise questions about good-faith compliance and may compromise an institution's compliance with this test.

While there is no fixed time period within which an institution must have added participation opportunities, isolated years without any plans for future expansion may be sufficient to show that the institution has not been responsive following when assessing an institution's "history" and "continuing practice" of expansion.

- History
- Record of adding intercollegiate teams by sex.
 - Record of updating team membership lists by sex.
 - Record of updating the number of participants of the under-represented sex.
 - Alternative response to requests by students or others to add or eliminate sports.

- Continuing Practices
- Current implementation of a policy or procedure for repeating the expansion of sports that includes the elevation of clubs or intramural teams.
 - Effective communication of that policy or procedure to students.
 - Current implementation of a plan or program expansion that is responsive to developing interests and abilities of the under-represented sex.
 - Demonstrated efforts to monitor intercollegiate athletes and athletes (and timely reaction to the results of those efforts).

1. Part One – Participation Opportunities Proportionate to Enrollment
A school can demonstrate compliance with the first part of the three-part test if it can show that the athletics participation rate of the under-represented sex is substantially proportionate to the school's full-time undergraduate enrollment. The OCR has related to institutions that it is to be determined on a case-by-case basis. Accordingly, institutions are left to their own best judgment when deciding whether or not their numbers are "substantially proportionate." In addition, the fact that OCR offices and courts throughout the country have interpreted this requirement in slightly different ways, only continues to complicate the process. The 1985 Clarification Letter recognized that these have become a significant problem for institutions and pledged to enforce the law in a more uniform fashion in the future.

Although federal courts have approved settlement agreements in cases with participation variances as great as five percent (ranging back to the 1980s), the OCR, through its 1985 Clarification, has taken a more conservative approach. It cites the following examples of substantial proportionality: (1) exact parity; (2) a 10 percent variance; and (3) a 15 percent variance. The OCR's pursuit of proportionality over a five-year period and in the final year – when proportionality would otherwise have been reached – enrollment of the under-represented sex increased so that there was a two percent disparity. While these examples are illustrative only, they suggest a more exacting standard than that often by which one percent would raise flags.

Of course, percentage-point disparities represent varying numbers of actual participants depending upon the overall size of the athletics program. Where there exists a disparity that translates into a number less than that required to field a viable team (in other words – not enough who have both the interest and the ability), the law prescribes that the program is in compliance and that the school is not liable.

Finally, both the OCR and the courts have recognized that schools should be permitted to determine how they comply with this prong. Although strongly disfavored, schools may choose to implement a roster management system or eliminate programs instead of expanding opportunities to the under-represented sex. Such a practice will not, however, add compliance under either the history or interest and ability prongs. The OCR has also issued guidance on the matter, including the allocation of additional funding or by reallocating existing resources without eliminating viable programs for either sex.

When counting participants for a Title IX participation analysis (and not for the financial aid analysis, as discussed later), it is important to remember that every time a student-athlete occupies a spot on an intercollegiate varsity team, he or she is to be counted as a participant. Accordingly, multi-sport athletes count more than once. A student-athlete who runs on the cross country, indoor and outdoor track and field teams, for example, would count as a participant three separate times. There are three different definitions of participant used in gender-equity analysis: 1) one for the participation analysis under Title IX; 2) one for purposes of Title IX financial aid analysis; and 3) one for EADA purposes. Each is defined in the relevant section of the manual.

C. Full and Effective Accommodation of Athletics Interests and Abilities
– The An institution's athletics program will be determined to offer non-discriminatory participation opportunities if it can demonstrate that: 1) its intercollegiate level participation opportunities for male and female students are "substantially proportionate" to their respective full-time undergraduate enrollments; 2) it has a "history and continuing practice of program expansion" for the under-represented sex; 3) it is actively and effectively accommodating the interests and abilities of the under-represented sex.

This three-part test first appeared in the 1979 Policy Interpretation and was expanded further in the 1985 Clarification. In its transmittal letter accompanying the 1986 Clarification, the OCR created some confusion by referring to one prong only – the substantial proportionality test – as a "safe harbor." According to the 2003 Policy Interpretation, the safe harbor only applies to schools that have demonstrated compliance with the safe harbor measure by opening the door for some to argue that the law required quotas. A careful reading of the 1986 Clarification, however, shows that no part of the test is favored over another. In an effort to put this controversy to rest once and for all, Assistant Secretary Reynolds' Further Clarification clearly defines the OCR's approach.

"A school does not satisfy the 'substantial proportionality' prong, if it would still satisfy the three-prong test if it maintained a history and continuing practice of program expansion for the under-represented sex, or if the interests and abilities of the members of [the under-represented sex] have been fully and effectively accommodated by the present program. Each of the three prongs is thus a wall, and a school may find that the test is satisfied in the alternative and therefore provides schools with sufficient flexibility to implement it as they see fit. A discussion of each of the three tests is detailed below, along with some practical compliance tips.

of either sex unless there exists interest, ability and a reasonable expectation of intercollegiate athletics competition in the institution's normal competitive geographic area for the under-represented sex. In other words, there is only a participation issue under Title IX where it can be shown that there are (most commonly) no varsity teams for the under-represented sex. If a school already operates a disproportionate number of the existing participated the equipment, services, etc.) in an effort to demonstrate Prong 2 compliance. While the OCR has praised institutions that have upgraded programs without adding participation opportunities, it has also stated that such improvements will not lead to a finding of compliance for purposes of participation. Rather, the upgrades will be viewed as complimentary to participation.

- 3. The OCR set forth the following examples of compliant and non-compliant programs for purposes of Prong 2. Please note that eight years have been added to the dates contained in the examples to make up for the eight years that have passed since the Clarification was written.
- At the inception of its women's program in the early 1980s, Institution A's varsity team consisted of three teams and coaches in 1988. It upgraded a women's club sport to varsity team status and increased the size of several varsity sports played by women in the region, Institution D offered to add three new women's teams by 2005. It added a women's team in 1998 and 2002. Institution D is implementing a plan to add a women's team in 2005. By the year 2005, Institution D's program has grown to include 20 teams. Institution D is in compliance with part two because it has a continuing practice of program expansion that is responsive to the developing interests and abilities of its women's program.

3. **Part Three – Effective Accommodation of Athletics Interests and Abilities.**
This is the part of the Title IX that has seen the most controversy in recent times. On March 17, 2005, the Department of Education issued an "Additional Clarification of Intercollegiate Athletics Policy: Three-Part Test - Part Three." The additional guidance provides schools with those specific factors the OCR will consider when determining if an institution is in compliance with Prong 3 to provide accommodations. Participation opportunities to its under-represented sex are one of the following:
• The percent of male and female students enrolled at the school or institution who are members of the under-represented sex.
• The school has a history and continuing practice of expanding the participation opportunities to its under-represented sex.
• The school has and continues to accommodate the interests and abilities of the under-represented sex.
The Additional Clarification changes and in some instances narrows the scope of inquiry an institution must make in order to satisfy its obligation to assess the potential interest of the under-represented sex. The following are examples of accommodations that are not sufficient to satisfy the obligations attached to the Additional Clarification. According to the OCR's guidance, the presumption of compliance raised by a "properly administered" model survey may now rely on a Web-based model survey, provided in the user's guide to the institution's Web-based survey. The survey must be administered in a manner that allows for a Web-based model survey, provided in the user's guide to the institution's Web-based survey, to be used as a recent determination of a viable team for the under-represented sex or a recent elimination of a viable team for the under-represented sex. Schools cannot rely on the survey to eliminate a viable intercollegiate team for the under-represented sex even where the survey appears to indicate that there is no interest in the sport. Participation is presumed sufficient to satisfy the requirements of Title IX.

In the mid-1980s, Institution C established five teams for women. In 1987, it added a women's varsity team. In 1992, it upgraded a women's club sport to varsity team status. At that time, it increased the number of varsity teams that had full athletic scholarships from three to seven. In 1997, it added a women's basketball team that was identified by a significant number of its enrolled and incoming female students when surveyed regarding their athletics interests and abilities. During the time, it also increased the size of an existing women's team to provide opportunities for women who expressed interest in playing that sport. Within the past year, it added a women's tennis team based on interest from its female students. In 1998, it expanded its program by adding a women's volleyball team. In 2005, it added a women's tennis team based on requests of students and coaches. It upgraded a women's club sport to varsity team status and expanded the size of several varsity sports played by women in the region, Institution D offered to add three new women's teams by 2005. It added a women's team in 1998 and 2002. Institution D is implementing a plan to add a women's team in 2005. By the year 2005, Institution D's program has grown to include 20 teams. Institution D is in compliance with part two because it has a continuing practice of program expansion that is responsive to the developing interests and abilities of its women's program.

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The Additional Clarification allows non-response by students to the model survey to be counted as an "actual lack of interest" when the students have an "every opportunity to respond." — the purpose of the consent has been made clear, and students have been informed that the school will take non-response as an indication of lack of interest." The Additional Clarification provides that other students would be required to actively oppose the survey to register for classes or "opt-out" of the survey. If a school's school sport team "assesses interest" to follow up with those who do not respond.
The Additional Clarification states that while institutions may use methods other than the model survey to assess interest, the OCR will not presume that the other methods standing alone are adequate to measure student interest under part three. Only then will the OCR look to the "broader range of factors" that the institution has taken into consideration. The OCR will not presume that the Additional Clarification provides that schools may determine interest simply by distributing an e-mail survey to all current and admitted students and tabulating the responses, or as the case may be, the non-responses. However, the new guidance also recognizes that where surveys show full and effective accommodations, existing interest may still be demonstrated by club team requests to become varsity or the tacit elimination or elimination of a viable team.

- Under the policy interpretation, the institution may also be required to actively encourage the development of intercollegiate competition for a sport for members of the under-represented sex when overall athletics opportunities within its competitive region have been historically limited for members of that sex.
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who criticize the new policy argue that it deviates drastically from past guidance and precedents. They argue that it will remove, and in some instances, exacerbate existing disparities. It will, they argue, no longer require schools to "consider" the interests and abilities of potential students in assessing the interest that may already exist on campus or would exist if schools recruited students to participate in intercollegiate competition. They argue that the OCR's guidance will force institutions to normal recruiting needs. "Under the new policy, both male and female self-select. They go where their interests and abilities – both academic and athletic – will be accommodated. Their interest in standing and playing does not become a factor unless they decide to go where their sport does not already exist. For the time being, OCR investigators are bound to follow the Additional Clarification. The OCR will not presume that the additional guidance is not a distant future if it is not rescinded or overturned by legislative action. There is already a bipartisan bill pending that seeks to do just that. If it reaches the courts, they will have to determine if it is a reasonable interpretation of the law and whether it is arbitrary and capricious and thus not to be afforded deference.

- 6. The NCAA Response
The NCAA has come out strongly against the Additional Clarification as follows:
• The NCAA Executive Committee sent the following resolution signed by Chair Carol Christ to Secretary of Education Margaret Spellings opposing the Clarification:
Whereas the U.S. Department of Education, without notice or opportunity for public input, issued an "Additional Clarification of Intercollegiate Athletics Policy: Three-Part Test - Part Three," on March 17, 2005, which Clarification allows schools to gauge female students' interest in athletics and to decide whether to provide participation opportunities to its under-represented sex based on the results of a survey; and
Whereas the Additional Clarification is inconsistent with the 1988 Clarification and with basic principles of equity under Title IX because it, among other things, (a) requires schools to determine whether there is an "actual lack of interest" in sports; (b) conflicts with a key purpose of Title IX – to encourage women's interest in sports and eliminate stereotypes that discourage them from participating; (c) allows schools to restrict surveys to enrolled and admitted students, thereby permitting them to evade their legal obligation to measure interest broadly; (d) authorizes a biased survey methodology; (e) shifts the burden to female students to show that they are entitled to equal opportunity.

It is unclear whether the burden analysis will be persuasive to courts considering the issue. If so, the burden allocation would be consistent with the *Balducci v. Boston* decision ("...the district court erred in placing upon Brown the burden of proof under prong three of the three-part test.") and inconsistent with the court's decision in *Balducci v. Boston*. District Courts have the burden of proof in *Balducci v. Boston*. The OCR will not presume that the Additional Clarification provides that schools may determine interest simply by distributing an e-mail survey to all current and admitted students and tabulating the responses, or as the case may be, the non-responses. However, the new guidance also recognizes that where surveys show full and effective accommodations, existing interest may still be demonstrated by club team requests to become varsity or the tacit elimination or elimination of a viable team.

- Under the policy interpretation, the institution may also be required to actively encourage the development of intercollegiate competition for a sport for members of the under-represented sex when overall athletics opportunities within its competitive region have been historically limited for members of that sex.
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and (f) makes no provision for the Department of Education to monitor schools' implementation of the survey or its result.

Whereas for these reasons, the Additional Clarification provides the opportunity to avoid the legal obligation to provide equal opportunity in sports and activities, Department's 2003 commitment to strongly enforce long-standing Title IX standards.

Now, therefore, be it RESOLVED that:

- NCAA members are urged to devote use of the procedures set forth in the attached NCAA Recommended Pre-3 Compliance Methods Manual to ensure that the 2003 Clarification is strictly enforced regarding women's interest in sports under the third prong of the three-part test, which standards anticipate the use of a multiplicity of tools and analyses to measure that interest;
- The NCAA Executive Committee, on behalf of its members, should advise the Department of Education of its best efforts to reach the Additional Clarification and to honor the Department's 2003 commitment to strongly enforce the standards of long-standing Title IX, athletic policies, including the 1988 Clarification.

NCAA President Miles Brand issued the following statement regarding the Department of Education's clarification of Title IX with respect to the use of interest in athletics:

"I am disappointed in the way the Department of Education promulgated its clarification of Title IX regulations with regard to interest in athletics. The Department's clarification has caused its clarification without benefit of public discussion and input. The e-mail survey suggested in the clarification will not provide an adequate indicator of interest among young women to participate in college sports, nor does it encourage young women to participate in college sports, nor does it stymie the growth of women's athletics and could reverse the progress that we have made. I hope the Department will reconsider its proposal. I want to see the Department understand the difficulty and uncertainty to understand the effect of encouragement for women to participate, the high level of play at which women compete and the public interest in women's athletics."

* Several former members of the Commission on Opportunity in Athletics, appointed in 2001 to study possible reforms of the Title IX law, sent a letter to college administrators opposing the March 2005 Title IX clarification issued by the Department of Education. The former members, including Jack Garin, athletics director at the University of New Hampshire, and Jack Little, former director of the Office of Opportunity in Athletics for the commission, Jane Foady, former captain of the U.S. women's soccer team and past president of the Women's Sports Foundation; Muffet McGraw, women's basketball coach at the University of Notre Dame; Paty Baker, faculty athletics representative from the University of Michigan; and Donna DeVerna, Olympic gold medalist and past president of the Women's Sports Foundation, issued a statement urging NCAA member institutions to disregard the OCR clarification.

c. NCAA-Recommended Pre-3 Compliance Methods
As most schools have and as courts have observed, keeping up to date on interest and ability is no small task. Schools that wish to rely upon the factor of interest and ability to determine whether a particular sport or activity is a break (or underrepresented) must be proactive. Courts are not persuaded by arguments that sporting teams failed to knock on the proper doors to request intercollegiate opportunities. Instead, schools that implement the following will have a good idea of where they stand with respect to interest:

1. Distribute athletic interest surveys to all current and admitted students of the college.
2. Monitor the interest in the sport as a scheduled process whereby incoming and current students can request to add or elevate sports (and evaluate and respond to all such requests);
3. Conduct ongoing reviews of the school's club or intramural sport participation levels;
4. Keep up to date on the high school sports and their respective participation levels;
5. Track the non-athletic efforts participation of admitted students; and
6. Conduct interviews and meetings with students, admitted students, coaches, administrators and others regarding interest in particular sports.

Although it should be fairly obvious, the OCR and the courts state that when a school's athletic program is underrepresented in the way that cannot claim compliance with this portion of the three-part test. The outcome is premised on the underlying point that if there is an existing team, it is usually undisputed that there is demonstrated interest in that particular team. The subsequent elimination of that team significantly undermines a claim that the substantial elimination of that team significantly accommodates the athletic interests and abilities of the under-represented sex.

In schedule, the OCR takes the position that if money is budgeted, it should be awarded whether or not coaches believe that the dollars should be awarded.

The OCR will not accept a school's mere declaration that its award methodology is nondiscriminatory. Rather, schools must be able to demonstrate that inequalities, if any, are the result of gender-neutral policies or events. The 1988 Clarification offers the following examples:

- Examples of Legitimate Non-Discriminatory Practices:
- Actions taken to promote athletics program development;
 - Differences between in-state and out-of-state tuition;
 - Unanticipated fluctuations in the participation rates of males and females;
 - Fluctuation in athletics scholarships pursuant to a plan to increase enrollment.

If a college consistently awards a greater number of out-of-state scholarships to men, it may be required to demonstrate that this does not reflect discriminatory treatment practices. Similarly, a university that awards an equal number of scholarships to its men and women, but that does not have a program to demonstrate that the time frame for the phasing-in of scholarships is reasonable in light of college sports practices, it aggressively recruit athletes to build start-ups teams quickly.

Finally, the OCR offers the following justifications for implementing such a high standard for compliance in this area: it is recognized that it is difficult to create a uniform standard for all schools, and that the OCR's standards are therefore "broad simply is not a possible explanation for disproportionate aid to men and women. The OCR will not make a determination as to whether a school's aid to sex-segregated teams, the burden should be on the college to provide legitimate, nondiscriminatory reasons for the disproportionate allocation."

- Treatment
- (1) Provision and maintenance of equipment and supplies;
 - (2) Scheduling of games and practice times;
 - (3) Provision and maintenance of equipment and supplies;
 - (4) Opportunity to receive coaching, and assignment and compensation of coaches;
 - (5) Provision of locker rooms, practice and competitive facilities;
 - (6) Provision of medical and testing services and facilities;
 - (7) Provision of housing and dining services and facilities;

Where interest is identified, the institution must determine if a viable team could be fielded and whether there is a sufficient likelihood of competition. The OCR and courts have held that the athletics ability analysis should focus on whether athletes can play the sport and not whether they will be successful. In the OCR's opinion, if the interested students have the potential to sustain an intercollegiate team, as evidenced by the following factors, the team generally will be successful:

1. The athletics experience and accomplishments in intrascholastic or club sports;
2. Child or intramural competition of students and admitted students interested in playing the sport;
3. Coaches or advisors at the institution are interested in the sport and are reporting whether interested students and admitted students have the potential to sustain a viable team, and if the team has previously competed at the club or intramural level, and whether the competitive experience of the team indicates that it has the potential to sustain an intercollegiate team;
4. Whether the competitive experience of the team indicates that it has the potential to sustain an intercollegiate team.

Finally, the OCR notes that institutions should also have a reasonable expectation of intercollegiate competition in the institution's normal competitive region. The 1988 Clarification provides that the following factors should be taken into account:

1. The competitive opportunities offered by other schools at the geographic level;
2. The institution's geographical area, including those served by schools in that area;
3. Whether the institution does not now compete.

If competition is scarce and that fact can be traced to historical limitations, however, institutions may be required to initiate discussions in their regional and national conferences about adding the sport in question.

Moreover, schools are not required to offer participation opportunities to other students if they have not received the appropriate percentage in the full-time undergraduate community.

IV. Financial Aid
Institutions that provide financial aid to students on the basis of their athletic ability (i.e., athletics scholarships) are required under Title IX to award such aid on a non-discriminatory basis. The OCR has clarified its position on this issue in the following manner:

On the 25th anniversary of Title IX and after the National Women's Law Center (NWLC) filed 28 complaints with the OCR alleging discrimination in the awarding of athletics scholarships to 25 intercollegiate athletics programs, Bowling Green State University asked the OCR to clarify its expectations under Title IX of intercollegiate athletics programs that have a non-discriminatory awarding methodology. The OCR responded by letter and then by a Manual that clarified its position. Manual referenced that compliance should be measured using a statistical test

- (8) Provision of housing and dining services and facilities;
- (9) Publicity;
- (10) Support services; and
- (11) Recruiting.

The availability, quality and kinds of benefits, opportunities, and treatment programs are equal for men and women. Compliance can only be established if the men's overall program and the women's overall program are equal in effect. The law does not mandate identical benefits, opportunities or treatment in each area but rather provides that where members of one sex enjoy more favorable treatment in one area, such benefit must be "offset" by treatment in another area that favors members of the other sex. The OCR thinks the investigator's Manual is the best way to form the three-step process. It states that OCR Manual in the manual.

Step 1: As described more fully below, each treatment area has a list of facts to be evaluated. OCR investigators will "obtain and analyze information under each of the factors" and "determine for each factor whether the benefits or services provided favor the men's program, favor the women's program, or the same or, if different, have a negative effect on the women's program."

Step 2: Once step one is completed, the investigator will make an overall determination for that one program component (e.g., equipment and supplies) as follows. Are factors that favor one sex "offset" by factors favoring the other sex? Offsetting factors "need to have the same relative impact within the particular program component (for example, uniforms). Thus, disparities need not necessarily be equal in number to offset each other, such as two factors favoring men are offset by two factors favoring women." Where there is no adequate offset, the OCR will find a disparity for that program component that favors one sex over the other.

Step 3: After analyzing each of the program component areas, the investigator will then compare the results of each of the program component areas to determine if there are any disparities favoring the men's program with those disparities favoring the women's program. Compliance is found where the disparities offset each other. Where greater disparities exist on one side and the "difference results in lack of equal opportunity for one sex," the investigator will find overall noncompliance.

This flexibility sometimes falls schools into relying upon equitable budgeting for programs of each sex and then leaving it to the coaches to decide how best to spend money. While this approach certainly empowers coaches and encourages them to make responsible decisions, it can lead to treatment programs that are not equitable. For example, some coaches may practice at certain times and in certain locations, some the parabolic strands of equipment; and

- Do male and female athletes use similar amounts of academic time due to practices and games?
- Are we being fair in the allocation of preseason and postseason opportunities?
- Are the lengths of the season equivalent for both the men's and women's teams?
- Are we achieving the same number of competitions?
- Do we leave the control of the use and access of our facilities to our coaches or does the athletics department (or some other entity) control use?
- Do we have a master scheduling program for all of our facilities?

2. Areas to Review for Each Team:

- Practices:
 - Begin and End Dates
 - Days of Week
 - Time
- Games:
 - Preseason
 - Days
 - Times
 - Number of Competitions
 - Opportunities Denied?
 - Regular Season
 - Times
 - Postseason
 - Days
 - Times
 - Opportunities Denied?

C. Travel and Per Diem Allowance

The Policy Interpretation provides that the following five factors be addressed when assessing compliance in this area: modes of transportation, housing furnished during travel; length of stay before and after competitive events; per diem allowances and dining arrangements. Before turning to the specific questions, it is important to note that the following questions are intended to help you travel early to ensure that differences, if any, are legitimate and not the result of inequitable funding or discriminatory decisions with regard to the availability of administrative or medical assistance on the road.

- Air
- Charter
- Hotel Accommodations
- Dining:
 - Meals
 - Per Diem Allowances
 - Programs and Programs
 - Restaurants
 - Catered
- Length of Stay:
 - Before
 - After
- Budget

D. Opportunity to Receive Academic Tutoring, Assignment and Compensation of Tutors

A review of this program component involves an analysis of the number, quality, compensation, employment conditions and availability of tutors. Does the institution have a policy regarding the provision of tutoring services and how tutors are hired and assigned? If tutoring services are offered, there should be a nondiscriminatory policy setting both the criteria for accessing tutors and for the assignment of tutors. Departmental oversight of an athletics tutoring program is critical. If the program is established with a single set of policies that are uniformly applied to members of each sex, and there is oversight in essence, the OCR wants to stress that services, if any, are available to all student-athletes on the same terms and conditions. Avoid specific team-based arrangements that are beneficial unless other teams are made aware of those arrangements and are offered the same opportunity for access to those services. Tutors are assigned to specific teams, their qualifications and their compensation should be established and made available to all student-athletes so that each team receives quality tutoring services. Similarly, the compensation of tutors should be based on a uniform scale and should not differ based upon the team for which services are being provided. The availability of both group and one-on-one tutoring sessions should be the same for both sexes. As in other areas discussed in this manual, this area can be measured easily. Were student-athletes with the opportunities offered, or was there an open-door policy that one team had access to the qualified tutors and the rest of the student-athletes were left to fend for themselves?

1. Modes of Transportation
Team transportation varies depending upon a number of factors including the number in the travel party, the distance traveled and the requirements of the sport. For example, a football team may require a charter bus for the entire season, while a basketball team may require a charter bus for the entire season. Each team group out of state, while other teams are traveling in buses or flying to contests. Many institutions run into problems in this area because of informal travel policies that depend on the ingenuity of the individual coach or team manager. A better option is to have a formal travel policy that sets forth guidelines for travel. For example, such a policy could specify that the school will also be available to have such a policy approved by in-house counsel, especially for teams that are authorized to travel in private vehicles or vans.

2. Housing on the Road
When evaluating this factor, money is less of an issue than the comparative quality of the accommodations. For example, a team that stays in a hotel with a pool and a restaurant is likely to have a more enjoyable experience than a team that stays in a budget motel with no amenities. In addition, teams with large squads may find it easier to find hotels in order to find appropriate meeting space. Again, schools should have clear policies regarding housing on the road including, but not limited to, the maximum number of student-athletes permitted in each room. Some schools have discovered when assessing this area that coaches have used their housing budget for other program expenses and requested to double up or stay in a budget motel. If a school has a policy regarding housing, it should be uniformly applied without administrative approval and student-athletes, particularly those who are in trouble. Also, some programs run into trouble because they house certain teams in hotels or motels before home contests. If this is not offered to members of each sex on an equitable basis, it is problematic. Remember, Title IX compliance is assessed through the eyes and experiences of all student-athletes.

3. Length of stay
The length of stay before and after competitions is a sensitive issue for student-athletes, especially when some teams are permitted to arrive the day before competition when other teams are required to travel on the game day. Schools should have clear policies regarding the length of stay before and after contests, ensure travel, academic schedule and team schedule generally are in good shape in this area, provided the factors are uniform and non-discriminatory. Some schools have attempted to justify trip extensions by pointing to outside funding for such trips. As is discussed elsewhere in this manual, all benefits provided by the school - no matter what the source of their funding - must be equitable.

Checklist for Opportunity to Receive Tutoring, Assignment and Compensation of Tutors

- Key Questions:
 - Are the same services available to all student-athletes?
 - Is the same quality tutoring services provided to all student-athletes?
 - Are the tutors compensated on the same basis?
 - Are any teams provided special services?
- Areas to Review for Each Team:
 - Number of Student-Athlete Recipients
 - Tutors:
 - Availability
 - Qualifications
 - Experience
 - Rate of Pay
 - Number
 - Location of Instruction
 - Group
 - Individual
 - Budget:
 - Source
 - Amount

E. Opportunity to Receive Coaching, Assignment and Compensation of Coaches
A full assessment of this area requires a review of each coach's availability, assignment and compensation. The OCR will assess the relative availability of full-time, part-time and graduate or student assistants. Assignment refers to the training, experience and other professional qualifications of the coaches. The OCR has recognized that there are many legal reasons for pay discrepancies and, as such, will look only to see if the compensation structure at the school is affecting the quality of coaching provided to the men's and women's programs. Nonetheless, the basis and justification for compensation decisions should still be analyzed for Title IX, Title VII and Equal Pay Act purposes. For further information, see the section on Equal Pay Act. With respect to availability, institutions should review the number of coaches that they have for each team and for the respective men's and women's programs overall. While not controlling, it is also advisable for "calculation purposes" to convert all the part-time positions into full-time equivalents, combine that with the full-time coaches and then calculate the ratio of coaches to male student-athletes and then to female student-athletes. There also needs to be

4. Per Diem and Dining Arrangements
Members of all teams should be fed equitably when on the road. This relatively simple issue, however, is complicated by the timing of team departures, the stability of on-campus dining opportunities, big lunches and the availability of off-campus dining opportunities. The availability of off-campus dining and quality of restaurants and meals that are made available need to be reviewed. Do teams of one sex regularly eat fast food or sandwiches while teams of the other sex visit "sit down" restaurants? Do teams have programs and programs meals? If so, can the institution articulate a good reason for the discrepancy?

In addition, schools need a comprehensive travel policy that is fair and equitable in application. This is a good area for academic discussions with student-athletes. Do they feel that the travel policies are fair and appropriate? If they have legitimate concerns, schools should address them sooner rather than later.

Checklist for Travel and Per Diem Allowance

- Key Questions:
 - Do we have a uniform travel policy and does it cover all aspects of travel?
 - Are we applying it consistently?
 - Do we have a consistent approach to travel party size and composition?
 - Do we have a consistent approach to travel party size and composition for different teams?
 - Do we provide the same type of transportation to our teams?
 - Do we provide the same type of housing and dining arrangements for the teams when they travel?
 - When male and female student-athletes travel to games, do they get the same quality of accommodations?
 - Are programs meals and snacks provided on an equitable basis to male and female student-athletes?
- Areas to Review for Each Team:
 - Travel Party Size and Composition:
 - Student-athletes
 - Coaches
 - Support Staff
 - Others
 - Modes of Transportation:
 - Van
 - Bus
 - Standard
 - Tour

overnight regarding the number and assignment of volunteer coaches to avoid creating an unintended imbalance. Next, the relative level of accessibility of the coaches to the student-athletes must be assessed. Balance on part-time head and assistant coaches is not an issue. The relative level of accessibility of the coaches to the student-athletes is an issue. For example, if the same degree full-time coaches are even where full-time coaches have additional, non-team-related job responsibilities. Students interact with their coaches at times other than formalized practice times. Coaches who have offices in the department and who are on campus are much more accessible than those who work elsewhere. It is also important to review assistant coach staffing decisions to ensure that they are equitable. The number of assistant coaches should be the same for both sexes. The same number of assistant coaches and when women's teams have fewer assistants overall.

An analysis of assignment of staff, experience and qualifications also is merited. Providing well-qualified coaches for teams of one sex but not the other is dangerous. This is not to say that a school will not have some coaches who are superior to others. However, institutions should apply relatively uniform standards to all coaches. The OCR has recognized that there are many legal reasons for pay discrepancies and, as such, will look only to see if the compensation structure at the school is affecting the quality of coaching provided to the men's and women's programs. Nonetheless, the basis and justification for compensation decisions should still be analyzed for Title IX, Title VII and Equal Pay Act purposes. For further information, see the section on Equal Pay Act.

Although the OCR will not probe far into compensation matters during a review, compensation is a hot-button issue in athletics and will soon become even more of an issue now that the NCAA is requiring institutions to report their pay to the public. The OCR has recognized that there are many legal reasons for pay discrepancies and, as such, will look only to see if the compensation structure at the school is affecting the quality of coaching provided to the men's and women's programs. Nonetheless, the basis and justification for compensation decisions should still be analyzed for Title IX, Title VII and Equal Pay Act purposes. For further information, see the section on Equal Pay Act.

Administrators should do the following to ensure that their compensation practices are equitable:

- List those factors that go into compensation decisions for coaches. Such a list might include job responsibility, past experience, tenure and demonstrated success at the institution.

team-assignment process that places student-athletic trainers primarily with women's teams. At the same time, institutions should review their practice, competition and travel assignment process to ensure that the same is not done when women's teams are disproportionately assigned student-athletic trainers or no athletic trainers for their away competitions and a heavy reliance is placed on the certified athletic trainer of the host institution. Although "coverage" is typically provided in those instances, as a practical matter, the student-athletes who require pre-competition athletic training services are frequently placed at a distance from the host institution and are not "in" by the host athletic trainer. These athletes should be closely monitored.

Access to the team doctors and specialists also needs to be provided on an equitable basis. Appointments should be made available to members of both sexes. Any requirements that exist regarding access to the doctors and appointments should be applied on a uniform basis. Finally, the OCR has recognized that some sports are inherently more dangerous than others and should have doctors or more experienced trainers in attendance.

Checklist for Medical and Training Facilities and Services

1. **Key Questions:**
 - How do we assign athletic trainers to teams for practices and competition?
 - Are teams assigned a disproportionate number of student-athletic trainers?
 - Do we apply the same policy on the level of athletic trainers and medical personnel to away competitions?
 - Is there equal access among the sexes to the newest and best-equipped athletic training rooms?
 - Are there equal access to the preferred areas for athletic training or athletic training rooms?
 - Is there equal access to doctors and specialists?
 - Are the strength and conditioning facilities equally available to the women's teams?
 - Is the quality of strength and conditioning coaching that is provided equal for the women's teams?
 - Are the strength and conditioning coaches have no adverse effect on women's teams?
 - Are the burdens of any understaffing in the training area shared equitably among the teams?
2. **Areas to Review for Each Team:**
 - Team Doctor
 - Specialists
 - Nurse

1. **Key Questions:**
 - Availability of Each
 - Quality of Each
 - Athletic trainers:
 - Certified
 - Student
 - Available
 - Team Assignment
 - Quality
 - Strength and Conditioning Coach:
 - Availability
 - Team Assignment
 - Schedule
 - Quality
 - Experience
 - Medical and Athletics Training Facilities:
 - Type
 - Machines
 - Equipment
 - Quality
 - Size
 - Condition
 - Proximity to Locker Rooms, Practice Facilities, Competitive Facilities
 - Scheduling Issues
 - Access

H. **Provision of Housing and Dining Facilities and Services**
This factor involves an analysis of the housing that is provided to the student-athletes (as well as any related arrangements ranging from laundry facilities, to parking spaces and maid services) and the dining services provided, if any. This program component applies to those schools that provide student-athlete housing if such a system exists. It does not apply to schools that do not provide housing for their student-athletes. Problems arise when members of one sex are disproportionately housed in the newest and the most desirable accommodations. An analysis of dining provisions must be made for the type of meal plan that is provided to the respective teams. A uniform approach in this regard is essential.

1. **Key Questions:**
 - Are housing assignments made on a fair and equitable basis?
 - Are members of any teams given preferential housing assignments either on campus or off campus?
 - How comparable are the housing rates that are provided?
 - Are any items provided (such as cleaning services) made available to all student-athletes on an equitable basis?
 - Does the athletics department control the housing assignments for student-athletes?
 - Are the same meal plans made available to both the men's and women's programs?
 - Are any items provided (preferential dining arrangements)?
2. **Areas to be Reviewed for Each Team:**
 - a. **Housing:**
 - Assignment Status
 - Assignment Location
 - College
 - Student-athletes
 - Team
 - Location
 - Proximity
 - Condition
 - Age
 - Special Features
 - Summer/Break Periods
 - Dining:
 - Meal Plan
 - Quality
 - Team Meals
 - Catered
 - Game Day
 - Program
 - Summer/Break Periods

I. **Publicity**
In the area of publicity, the following three factors will be considered: the availability and qualifications of sports information personnel; the nature, quantity and quality of the publicity; and other promotional devices featuring men's and women's programs.

Institutions typically have underfunded and under-staffed sports information and marketing departments. Nonetheless, the services that are provided must be equitable. With respect to SID-related services, institutions should review their policies and practices on assigning SID personnel to both men's and women's teams. If the same SID personnel are assigned to both teams and provided a certain level of support, the women's teams should be afforded the same treatment. To the extent that interns or students are used to provide these services, care must be taken so that they are not assigned in a disproportionate manner to the women's teams. The strengths and weaknesses of the SID personnel and services must be shared among all the teams.

All team-related publications should be distributed on a non-exclusivity program. All team-related Web site materials should be of the same quality and size and provided in sufficient quantity to reach each team's needs. Opportunities arise when the content, packaging and distribution of the publications are different. A stereotypical problem exists when the men's basketball team, for example, has a large hard-bound guide and the women's team has a small soft-bound guide. In addition, the timing of the distribution of the publications should be equitable. The most noticeable differences exist in the provision and quality of game programs.

The publication of press releases should be similar in quality and quantity for both the men's and women's teams. This is not to say that special circumstances will not arise necessitating a particular focus on a specific team or individual. In those instances, an imbalance may be justified. However, the underlying approach to the publication of press releases should be the same for both teams. While an institution cannot dictate or control the content of those publications, it can routinely provide media information about the various programs via releases. Ultimately, this approach serves both an SID function and a marketing function.

The area of "other publicity and promotional resources" is often a broader area of controversy and contention. A common complaint by the women's teams

is that they do not feel that they are provided the same level of marketing support as the men's teams. They usually begin by pointing to the absence of any press releases for the women's teams. They also point to the absence of any team-focused marketing plan, and the absence of continuous contact and promotional efforts during the season by the individuals responsible for the athletics department's marketing efforts. A common institutional response is "market driven." In short, some SIDs believe that they need to invest their limited resources in the areas that will generate the largest return on their investment. For many institutions, this means investing money in personnel in the marketing department. Although this approach may be understandable from a business perspective, it fails to incorporate an institution's obligations under federal law. As a result, the institution is mandated to provide both financial and human resources to market the women's programs. Some institutions have begun to outsource the marketing needs of individual or entire programs. While that approach is completely acceptable, institutions must remember that it does not relieve them of compliance in the area of marketing. The best way to deal with the requirement is to incorporate the requirement of providing equitable treatment into the contract with the marketing vendor. If the vendor fails to provide equitable treatment, the institution must file the void in-house.

Checklist for Publicity

1. **Key Questions:**
 - Do we provide the same level of SID support to the women's teams?
 - Do we have a policy for SID support at home and away competitions?
 - Are the men's and women's teams provided the same level of marketing material to the men's and women's programs?
 - Do we deliver our promotional materials to all teams in a timely manner?
 - Do we issue the same number of press releases for both men's and women's teams?
 - If we contract out our marketing efforts, are we requiring our contractors to produce results for the entire program or just selected portions of it?
 - Do our SID and marketing personnel meet regularly with our coaches?
 - Are we taking actions to generate more interest in the women's programs among the student body and the community?

2. **Areas to Review for Each Team:**
 - a. **Services:**
 - Games
 - Home
 - Away
 - Web site
 - Employees
 - Contractors
 - Number
 - Quality
 - Team Assignment
 - Availability
 - Promotions
 - Media Guides
 - Web Site
 - Schedule Cards
 - Promotional Items
 - Quality
 - Size
 - Number
 - Fun Clubs
 - "Facts Club"
 - "Buckin'"
 - Game-Day Promotions
 - "Give-always"
 - Attendance Banners
 - Double Headers
 - Sharing Prime Time
 - Media Relations
 - Newspaper, Radio, TV Stories, Ads
 - Local/Regional
 - Broadcast of Games

2. Areas to be reviewed for each team:
 - a. Administrative Assistance
 - Type
 - Proximity
 - Availability
 - Amount/Number
 - Services
 - Contact/Deals by Coaches
 - Office Space
 - Coaches
 - Head
 - Assistants
 - Staff
 - Evaluation of User/Shared
 - Condition
 - Location
 - Locker/Showers Facility
 - Saunas
 - Privacy
 - Video Room
 - Office Equipment
 - Furniture
 - Amount
 - Condition
 - Technology/Electronics
 - Computer
 - Television/Video
 - Cell Phones/PDA's
 - Laptop
 - Telephone Lines
 - Fax
 - Storage
 - Files
 - Equipment

With respect to clerical support, an analysis is necessary to determine whether those services are being provided on an equitable basis to the men's and women's programs. While it is understandable that some teams require greater assistance than others, the overall support should be provided on an equitable basis. While it is true that men's teams are not likely to have any clerical support, it is not equitable if the women's teams are not provided with the same level of support. Problems sometimes arise when more than one program is assigned to a particular support person. Although on the surface the arrangement can be self-providing on an equitable fashion, if the end result is an insufficient amount of support to be provided to the teams of one sex over the other, this type of allocation will need to be reviewed.

An institution also needs to look at the equity associated with the location, size and quality of the office space that is assigned to the coaches, the furniture that is provided and the number of coaches assigned to particular offices. Offices in "premium" locations should be allocated on an equitable basis. When constructing new facilities, thought should be given to the equitable nature of office assignments. Technological support (laptops and internet) and laptop carts should also be reviewed and assessed so that they are made available on an equitable basis.

Checklist for Support Services

1. Key Questions:
 - Is there a level of administrative support from the various areas within the athletics department available for all teams?
 - Which teams report directly to the AD?
 - Which teams report directly to the SWA or another associate or assistant AD?
 - Do all teams have direct access to the AD?
 - Are the men's and women's teams provided the same level of administrative assistance?
 - Which teams have administrative assistants assigned solely to them?
 - Which teams have secretarial/personnel assigned solely to them?
 - Are the location, proximity, size and quality of the coaches' offices equitable?
 - Are all coaches provided technology (computers, faxes, cell phones, pagers, internet, e-mail) on an equitable basis?
 - Are the teams and coaches provided equitable access to the use of video equipment?

4. Support Services
 - Television
 - Radio
 - Local/Regional
 - College Station
 - Webcasts
 - Publicity/Press
 - Marketing Contracts and Media Contracts
 - Team-Specific Marketing
 - Merchandising
 - Marketing Budget

The level of equity under this program component are the amount of administrative assistance provided to men's and women's programs and the amount of secretarial and clerical assistance provided to men's and women's programs.

These areas are important from the perspective of equity in general, but in addition, because the level of support that is provided can provide coaches more free time to devote to their coaching functions that, in turn, can affect the overall effectiveness of the program.

Administrative assistance should be viewed in a broad sense. Assessment of compliance under and justification of this assignment process should be made. If particular men's teams have them, the institution should be making a determination if they should be provided to certain women's teams even if they haven't asked for them. The key point here, which is present in all areas, is that the institution should be providing equitable support and strategic assessments of its programs and shape it for the future.

Administrative assistance also encompasses the various support services provided by the athletics department. An institution should review the manner in which support services are requested and provided to ensure that they are being provided on an equitable basis. In the area of administrative assistance, the institution can be placed in a regulatory position. The institution must be asked whether any specified lines of supervision impede the access to and provision of support services by the athletics department. In this regard, an institution should place all of its teams on a flow chart that shows their hierarchical line of supervision. If a review of the document reveals that women's sports are report to the SWA and not only football and basketball report directly to the AD, the institution must be asked how they are being supported. The bottom line is that even though there may be specified reporting hierarchies, all coaches must still have a sufficiently open line of communication to the athletics director so that if they feel they are not receiving the support they need and/or deserve, they will be able to raise that concern directly with the athletics director.

K. Recruiting

In the area of recruiting, the following three factors are reviewed: whether coaches or other professional athletics personnel in the programs serving male and female athletes are provided with substantially equal opportunities to recruit; whether the financial and other resources made available for recruitment in male and female athletics programs are equitably adequate to meet the needs of each program; and whether the effectiveness of the recruitment efforts are disproportionately being affected upon the recruitment of students of either sex.

Schools often argue that all coaches have an equal opportunity to recruit, but that some just put in greater effort in the area. While that may be true in some cases, further investigation often shows that the recruiting budgets, support networks and time available to recruit are not equal. Full-time versus part-time coaching staffs and the number of coaches on staff are also factors that can affect the "effectiveness" of the recruiting effort. This school is obligated when teams are in season, need to recruit for their competitors and yet have to find time to devote to recruiting efforts. Thus, the number and quality of assistant coaches plays a significant role in seeing the burden. In addition, if a coach has other significant duties other than coaching, a determination has to be made if those duties effectively deprive the coach of the opportunity to recruit. If so, and if coaches of teams of the opposite sex are not being recruited, the institution should be asked how they are being recruited. In addition, the presence or absence of an institutionally owned vehicle to use while recruiting could have a significant impact on a coach's ability to recruit.

Budgetary amounts and limits on expenditures are always an important area to review. Although institutions understandably want to limit their expenditures, the allocation of recruiting dollars should be done on an equitable basis. If the institution is not providing equitable support to all coaches, the coaches from this approach, those reasons should be carefully scrutinized.

Finally, the treatment afforded prospective student-athletes should be relatively similar. In the wake of recent recruiting scandals, every institution should review and implement recruiting policies in addition to meeting with those involved in the process to avoid the problems that some institutions have faced.

Checklist for Recruitment

1. Key Questions:
 - Do we provide equitable recruiting budgets to the men's and women's programs?
 - Have both the men's and the women's program been provided the same opportunity and tools to recruit?
 - Are both programs given the same administrative support to recruit?
 - Do we have a policy (or lack) by prospective student-athletes?
 - Are prospective student-athletes treated in the same manner when they visit?

2. Areas to be Reviewed for Each Team:

- a. Personnel
 - Number
 - Other Duties
 - Percent of Time
- b. Allocation
 - Regional
 - National
- c. Methods
 - Telephone
 - Mail
 - Text/Text messaging
 - Travel
 - School/Home
 - Tournament
 - Event
 - Camp
 - Carpool Visits
 - Unsubsidized
 - Number
 - Quality
- d. Budget/Expenses:
 - Amount
 - Limitations

L. Other Issues

Although not specifically covered above, the issue of fund-raising is an important and frequently misunderstood. All institutions should have a uniform approach to fund-raising. Institutions should use the concept of contacts to assist in fund-raising. Fund-raising should be done on an equitable basis. All institutions should be aware that even though targeted donations are received for a particular purpose, all of the money that comes in is considered the institution's money as a whole. As a result, the institution may need to reallocate some budgeted money from men's programs to women's programs in order to offset the effect of a targeted donation.

B. Tipping

Another issue that has received significant attention and scrutiny is tipping. Tipping is the process by which institutions place their respective teams into different levels or tiers within the athletics department for funding and support purposes.

For an institution's definition of tipping, see our web to review: "What is a Tipped Sports Program?" by Charles Zittel, Director of Athletics, DePaul University.

many institutions have formalized the process over the last five to 10 years. The underlying concept of tipping is that it enables institutions to treat the teams within each tier on an equitable basis, but it also allows the institution to treat each tier differently. This approach is particularly helpful in an era of limited resources. The approach is to divide the institution's resources into several distinct tiers. In this manner, there is a logical and justifiable basis for the differing levels of support that are provided from tier to tier. In many respects, the formalization of these types of systems and the open discussion of where the teams are placed within the respective tiers enables the team members, their supporters and the collegiate community as a whole to understand that their support levels to the IK program are based on a comprehensive treatment of the institution's resources. It is important to note that it is not the amount of support that is provided to each team that is the focus of the tiering process, but the relative proportion of support that is provided to each tier. In other words, because the higher-tiered teams receive more support and the lower-tiered teams receive less, tipping becomes inequitable if the support is not distributed on an equitable basis. As a result, the tiering process must be carefully reviewed.

There is no specific formula for creating a tiered program. Instead, the decision on the number of tiers that should be created and the selection of teams for inclusion within them is an institutional decision. As a result, an institution that decides to pursue a tiered athletics program should create a system that reflects its own philosophy and priorities. It is important to note that it is not the amount of support that is provided to each team that is the focus of the tiering process, but the relative proportion of support that is provided to each tier. In other words, because the higher-tiered teams receive more support and the lower-tiered teams receive less, tipping becomes inequitable if the support is not distributed on an equitable basis. As a result, the tiering process must be carefully reviewed.

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IIIA. NCAA Issues

1. Division I - Athletics Certification Program
Conversion as an effort to ensure the NCAA's fundamental commitment to equity in intercollegiate athletics. Set forth in Bylaw 22 of the NCAA Manual, the program is structured to achieve its goal in several ways, one of which is by setting standards (called operating principles) for the operation of Division I athletics programs. These main areas are covered: (1) governance and administration; (2) equity in intercollegiate athletics; (3) student-athlete well-being; (4) gender equity; and (5) financial aid and student-athlete well-being. Division I is entering the third cycle of certification in the fall of 2008 and may add requirements for institutions in all areas.

- A. Committee on Athletics Certification
The Division I Athletics Certification Committee is responsible for appointing an athletics certification committee. The committee is composed of a minimum of 12 members, including at least one president or chancellor, one faculty athletics representative, one director of athletics, one senior women administrator and one conference commissioner from Division I member institutions or conferences.
The outline of the NCAA Division I Committee on Athletics Certification are:
a. To select and assign peer-review teams to each institution;
b. To determine the schedule of participating institutions;
c. To modify and refine standards and procedures for the peer-review evaluation visit as necessary;
d. To establish and maintain procedures for the preparation of peer-review team reports and to review team chair's comments related to an institution's compliance with the standards;
e. To establish and maintain procedures for determining if intermittent peer-review visits should be conducted as a result of changes in an institution (e.g., new personnel);
f. To determine the certification status of member institutions, per Bylaw 22.3;
g. To review and recommend changes in the certification cycle if appropriate; and
h. To carry out any other duties directly related to the administration of the Association's athletics certification program.
Although the requirements of Title IX and the gender-equity aspect of the athletics certification program are not the same, it is important to recognize that the athletics certification process asks institutions to review the 10 program areas

All student-athletes and staff, including women and minorities." It should also include explicit reference to the physical, emotional and social welfare of student-athletes, including gender issues, ethnic diversity and sexual orientation related issues." Each institution is asked if in the last year it has complied with its gender-equity plan and whether the gender-equity plan has been reviewed, changed or updated within the last two years. The gender-equity plans cover all documents developed through broad-based campus participation with measurable goals and timelines for completion of those goals.
Each institution is also asked about inclusion of the senior woman administrator (SWA) on the athletics senior management team. Institutions are expected to provide the SWA with resources (e.g., time, authority, administrative support) to ensure that she is able to effectively perform her duties. Institutions have substantial responsibility for the conduct and administration of the overall athletics program, with her gender not dictating only gender-specific duties.

III. Emerging Sports
An "emerging sport" is a sport recognized by the NCAA that is intended to provide additional athletics opportunities to female student-athletes. Institutions are asked to list any emerging sports that have been recognized by the NCAA. At present, the NCAA recognizes the following as emerging sports: archery, badminton, equestrian, rugby, squash, synchronized swimming and water polo (newly added as fully sanctioned NCAA sports).
The process of NCAA recognition of a sport as an "emerging sport" is a multi-step process. It begins with a request for recognition by a member institution through the submission of a request. Assuming that the activity meets the definition of a sport, then a proposal requesting the sport's recognition by the NCAA as an emerging sport and 10 letters of support are submitted to the NCAA Committee on Women's Athletics (CWA).
The written proposal must be supported by the CWA. It must contain supporting information that includes the following information:
a. The reasons why the sport is an emerging sport;
b. The current status of the sport; and
c. The reasons why the sport is an emerging sport.
The CWA's criteria are as follows:

- There must be 20 or more varsity teams and/or competitive club teams that currently exist on college campuses in that sport.
• Other data exist that demonstrates support for the sport. For example:
o Collegiate recreation and intramural sponsorship.
o High school sport sponsorship.

compliance and its athletics participation ratios are allowed, the mere mirroring of the participation ratios may not be enough. In those instances, more support of the women's program may be necessary in order to improve the institution's level of compliance. As a result, there may be instances in which a greater percentage of female student-athletes receive benefits at a higher tier than do their counterparts. The underlying ratios are taken, however, to bring the overall participation ratios into compliance.
The bottom line is that funding approaches and programs are extremely varied. Regardless of the approach that is undertaken, it must be understood that because of its relationship with the financial aid and treatment components, the funding process must always be reviewed with Title IX in mind.

- 1. Identification of the issues/problems - the plan shall state solutions to address problems identified by the institution in the self-study.
2. Specific institutional goals - the plan shall state solutions to address the issues/problems identified by the institution in the self-study.
3. Individual or office responsible for taking specific actions - the plan shall identify specific staff members or campus entities who will carry out the proposed solutions.
4. Specific timetables for completing the work - the plan shall establish specific timetables for completing the work.
5. Institutional approval - the plan shall be formally adopted by the institution's final authority in such matters to ensure that it carries the commitment and support of the entire institution. Means for funding the implementation of the plan is included in institutional approval.
Such means should help an institution assess and select where it is currently, where the institution wants to be and how the institution intends to move from one status to the other.
II. Divisions II and III Self-Study Requirements
Divisions II and III institutions are required to conduct a comprehensive self-study every five years. The self-study process is outlined in the NCAA's Institutional Self-Study Guide (ISSG). The ISSG is a tool designed to help institutions analyze institutional administrators and staff to potential problems; identify potential problems; and guide an institution toward actions to help prevent or minimize the severity of those problems. The ISSG contains negative and positive indicators that have been found to be associated with the presence or absence of institutional problems. The ISSG also contains self and peer review questions that assess the institution's potential for addressing institutional problems. The ISSG also contains a list of institutional problems and the positive indicators that exist. The bottom line potential for addressing institutional problems is to identify the institutional problems and the positive indicators that exist. The bottom line potential for addressing institutional problems is to identify the institutional problems and the positive indicators that exist. The bottom line potential for addressing institutional problems is to identify the institutional problems and the positive indicators that exist.
The institution is asked if it has a written statement of philosophy for its athletics program. The statement of philosophy should support "equitable opportunity (as defined under Title IX and the Office of Civil Rights guidelines) for

set forth in Title IX. It is required to assess whether the institution has (a) thoroughly studied itself in the area and described how it studies each area; (b) compiled complete data demonstrating its current status and commitment; and (c) established a complete plan for making or maintaining progress with its gender-equity positions. Even though the 10 program areas will be reviewed, the institution is asked to identify the areas that are most critical to its Title IX success. Instead, the focus is on whether the school has thoroughly addressed its relative standing in each Title IX area.

B. "Gender Issues" Operating Principle
The "Gender Issues" operating principle in the section on equity and student-athlete well-being (Section 22.3) of the NCAA Manual is subject to review by peer-review teams and the Committee on Athletics Certification. Evidence of the implementation of approved gender-equity plans from its previous self-study and, if not carried out fully, an explanation from appropriate institutional authorities.
2. Demonstration of a commitment to, and progress toward, fair and equitable treatment for both male and female student-athletes and institutional administrators.
3. Institutional plans for maintaining a program, or continuing progress toward a program that is equitable for both genders.
The Committee on Athletics Certification's deliberations, and its instructions to peer-review teams, reflect the committee's position that current circumstances (actions that already have been taken or that currently are underway) and future actions should be considered both in evaluating conformity with these operating principles.

C. Continuity of Plans
The committee has a general expectation that each institution will continue to monitor and review its operating principles. Where goals have not been achieved or have been changed, the institution should be prepared to explain both the outcome and the rationale for the change in the plan.

D. Basic Requirements of an Institutional Plan
The plan must satisfy the following requirements for a plan:
1. The plan must be committed in writing to paper and be a stand alone document.
2. Develop the plan through a process that reflects broad-based campus participation - the plan shall be developed with opportunities for significant input from appropriate constituent groups inside and outside of athletics.

• Other data exist that demonstrates support for the sport. For example:

- Non-scholastic competitive programs.
• Association and organization support.
• U.S. Olympic Committee support (e.g., classified as an Olympic sport, national governing body support, and grants).
• Conference interest in sports sponsorship.
• Coach's association support.
• Professional sports support.

There is a demonstrated understanding that once identified as an emerging sport, the institution must take steps to ensure that all its athletes, but not only by all NCAA regulations, which include limits on playing and practice seasons, recruiting regulations and student-athlete eligibility.
Emerging sport proposals must include information on general championship rules fact format for the sport.

As indicated above, in addition to the written proposal, 10 letters of support must be submitted from member institutions that sponsor or intend to sponsor the sport as an emerging sport. The letters must be signed by the institution's president and include the name of the institution's director and dated within one year of the submission of the proposal.
The contact at the NCAA for emerging sports is:
Karen Morrison
Director of Education Services
NCAA
1190 North Dearborn Street, 6222
Indianapolis, Indiana 46208-4222
E-mail: kmorrison@ncaa.org

IV. The Equity in Athletics Disclosure Act (EADA) and the NCAA Financial Report and the Implications of Each for Purposes of Gender-Equity Compliance
The Equity in Athletics Disclosure Act requires colleges and universities that receive federal financial assistance and that sponsor intercollegiate athletics to report annually to the Department of Education on athletics participation, staffing issues, revenues and expenses. The data, reported by sex, is then used

by the Department of Education to prepare its annual report on gender equity in intercollegiate athletics to Congress. According to one of the co-authors of the 1996 law, Rep. Candice Collins (D-Ill), the intent of the law is to provide a way to determine if schools that receive federal money treat student-athletes equitably. The law requires that the EADA report be made available to the general public October 15 and submitted to the Department of Education by October 30. Each school must also submit a copy of the report to the OCR. There were no additional reporting requirements for private schools.

The NCAA revenues and expenses reporting requires the same institutions to submit similar but not identical information to the NCAA annually. The NCAA report, however, is not due until January 10 annually to allow institutions to have an accounting firm or state auditor complete the financial audit of the most recent year. The NCAA report also includes information about the fact of uniform reporting has relieved the financial membership data to include, by way of example, third-party guaranteed income to staff, an accounting of athletics student aid provided to non-athletes and capital expenditures for athletics facilities—items that are not required to be reported on the federal form. In addition, the NCAA recently set forth new "Agreed-Upon Procedures" in an attempt to improve some standardization in the reporting of such items as transfers. None of these NCAA-recommended reporting requirements apply to the EADA.

- According to a USA Today report, for example, "some schools pay the athletics department's electricity bill and can't break out athletic share, let alone what portion was spent for women's teams. So the cost of electricity might be included in one school's EADA report but not in another's." (USA Today, October 2005).
- In the same article, it was reported that one-third of the 119 Division I-A schools had data errors, including one error in the amount of 24 million dollars.
- David Berenson, policy and budget development director of the Education Department's office of postsecondary education and a past presenter at the Department of Education's annual meeting, said that the EADA report data, and therefore does not make changes to the data once it is posted on the Web for purposes of reporting to Congress.
- Although the Department of Education posts EADA data on its Web site, it does not post one of the most critical portions of the EADA report—the non-discriminatory reasons for what may otherwise be perceived to be inequities evidenced by the data. The failure to include a school's commentary seriously impedes an accurate collection of the data for disclosure to the public and for the accounting to Congress.

Chapter 4

Harassment Issues Facing College and Universities Under Title IX

I. Introduction

Sexual harassment in educational institutions is a form of sex-based discrimination prohibited by Title IX. The OCR, having long recognized that sexual harassment in schools is a serious problem, has issued guidance on this issue since 1977. It then was revised January 19, 2001, in response to interim Supreme Court cases on the subject. (*Harassment Sexual Harassment Guidelines: Harassment of Students by School Employees, Other Students, or Third Parties*, 68 Fed. Reg. 5612 at 6025 (2001)). The OCR issued the initial guidance after discovering that a significant number of schools had been not only in violation of Title IX, but also that sexual harassment in schools is an intrusive and pervasive problem that can interfere with students' academic performance and emotional and physical well-being, and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn and in which student-athletes can compete.

The OCR's Revised Sexual Harassment Guidelines is intended to "inform educational institutions of their obligations under Title IX to prevent, investigate and remediate claims of sexual harassment of students." It also clarifies the types of claims that fall within Title IX's protection. For example, Title IX covers claims made by students alleging harassment not only by professors, administrators, coaches and peers, but also by third parties including, by way of example, a visiting professional speaker or members of a visiting audience team. The Revised Guidelines is not prohibited by Title IX (although it may be prohibited by municipal or state law and generally is prohibited by school policy), harassment involving conduct of a sexual nature is prohibited by Title IX notwithstanding the sex, gender or sexual orientation of the harasser or the individual experiencing the harassment. The rule of thumb appears to be that when schools become aware of harassing conduct of a sexual nature directed at a student, they have a duty to take prompt and effective action under the law to stop the offensive conduct and remedy the situation promptly.

While OCR guidance is instructional, readers should keep in mind that it is merely the OCR's interpretation of how Title IX should be applied to claims of sexual harassment and now the agency will apply it to OCR investigations. Accordingly, the Revised Guidelines is not necessarily indicative of the way a particular jurisdiction may interpret Title IX. However, the Revised Guidelines will minimize their exposure and, more importantly, protect their students. Many of the conflicts will soon be decided because, although Title IX sexual harassment law is still in its relative infancy (for the most part, claims are resolved internally

EADANCAA Practice Pointers

1. Ensure that you are using the correct definition of participant and note where there are differences under Title IX and the EADA.

- Definition of "Participant" under Title IX for Participation Purposes
 - a. Participant is defined under the Policy Interpretation to include those student-athletes:
 - i. Who are receiving the institutionally sponsored support normally provided to athletes competing at the institution involved (e.g., coaching, equipment, medical and training room services, on a regular basis during a sport's season); and
 - ii. Who are participating in organized practices, seasons, and other team meetings and activities on a regular basis during a sport's season; and
 - b. Who are listed on the eligibility or squad lists maintained for each sport; or
 - c. Who are listed on the eligibility or squad lists maintained for each sport; or
 - d. Who, because of injury, cannot meet a, b, or c above but continue to receive financial aid on the basis of athletic ability.

Each sport occupied counts once. In other words, an athlete who competes on cross country, indoor and outdoor track occupies three participation spots.

- Definition of "Participant" for Title IX Financial Aid Analysis
 - a. Participant is defined differently when determining equity in the area of athletically related financial aid awards. For financial aid compliance purposes, student-athletes are counted once no matter how many sports they play. If possible, run an alphabetical list of your student-athlete participants as defined above and check for doubles.

• Definition of Participant under the EADA

Participant is defined to include students who, as of the day of a variety of events, are listed by the institution on the varsity team's roster; a. Are listed by the institution on the varsity team's roster; b. Receive athletically related services; and c. Coach with the varsity team and receive coaching from varsity coaches.

Any student who satisfies one or more of the above criteria is a participant. This includes a student on a team the institution designates or defines as junior varsity or freshman or a student withheld from competition to preserve eligibility (red shirt) or for academic, medical or other reasons.

2. Use the comment section when reporting to both the NCAA and the government to explain data that are misleading.

- 3. Publish EADA reports using the format that is most easily read and that provides the most information. If the format of the report is not clear, a comment section needs to be very clearly in favor of one program over another but it is the result of seniority, a contract buyout or other non-discriminatory reason, place the comment directly under the section that contains the compensation data.
- 4. When there are pending discrepancies that cannot be explained, figure out how the discrepancy is being resolved with the institution. The report is published or at least have a process in place to conduct a review.

Contact at the NCAA for EADANCAA Reporting:

Maria Durazo
mdurazo@ncaa.edu
 913.287.7688

Under the Revised Guidance, sexual harassment is defined as unwelcome physical advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when (1) submission of such conduct is made either explicitly or implicitly a term or condition of a student's participation in an educational program or activity; (2) submission to or rejection of unwelcome sexual advances, requests for sexual favors, or other verbal or physical harassment of a student is used as a basis for decisions on educational decisions; or (3) such conduct has the purpose or effect of unreasonably limiting a student's ability to participate in or benefit from an educational program or activity or creating an intimidating, hostile or offensive environment.

Active sexual harassment liability has been defined as either: 1. Does harassment exist? 2. If so, does it deny or limit students' ability to participate in or benefit from an educational program or activity? 3. Welcome? 4. What is the nature of the relationship between the parties? 5. Harassment? 6. Response?

Quid Pro Quo Harassment is the most identifiable type of sexual harassment. It is a demand for sexual favors in exchange for the opportunity to participate in the educational context when express or implied requests of a sexual nature are made a term or condition of, or have an effect on, educational opportunities. For example, quid pro quo harassment encompasses situations in which a coach tells an athlete that he or she will have the inside track on a starting position provided the student sleeps with the coach, or in the alternative, a coach tells a student that he or she will be given a letterman award if the student's harassing conduct is not explicitly or implicitly conditioned upon a decision or benefit. It is considered a hostile environment and harassment.

Hostile Environment Harassment is the more pervasive type of sexual harassment. It is conduct that is so persistent or pervasive enough to limit a student's ability to participate in or benefit from the educational program or to create a hostile or abusive educational environment. In other words, conduct that is sufficiently severe, but not persistent or pervasive, can still result in a hostile environment sexual harassment claim. Similarly, conduct that does not appear to be severe but rather is persistent and/or pervasive may also result in a valid claim.

In order to prevail on a claim of hostile environment sexual harassment, one must show that the harassing conduct was objectively both to the individual and to the "reasonable person." Recognizing that men and women may experience the same conduct differently, some courts have reasoned that the proper means to evaluate each claim of harassment objectively is to determine whether the conduct would be offensive to a reasonable man or a reasonable woman. In other words, a jury would be asked to determine whether a reasonable woman (or man, depending upon the gender of the victim) would be offended. Hence, a male jury member could be asked to review the facts through the eyes of a woman. In addition to establishing objective severity or pervasiveness, the complaining student must also show that he or she subjectively perceived the conduct as threatening or abusive.

- The degree to which the conduct effects one or more student's education.
- The type, frequency and duration of the conduct.
- The identity of and relationship between the alleged harasser and the subject or subjects of the harassment.
- The age and sex of the alleged harasser and the subject or subjects of the harassment.
- The site of the school, location of the incidents and context in which they occurred.
- Other corroborative evidence.

While both *quid pro quo* and hostile environment harassment is difficult to monitor, hostile environment harassment is uncommonly dangerous in that it may be perpetrated by a supervisor, coach, peer or even a non-employee such as an alumna, member of a visiting team, or a fan. Generally, schools will be held liable for both forms of sexual harassment when the school knew about the harassment and failed to take prompt remedial action. In the employment context (for-on-the-job harassment), schools may be held liable when they "should have known."

- Welcomes: No matter what the form, in order to prove harassment, the underlying conduct must be unwelcome and not a condition of employment. In addition, the subjective and objective inquiries are complicated. In particular, a victim's seemingly "voluntary" submission to sexual advances has no bearing on a determination of subjective "welcomes." In other words, the mere act of compliance does not necessarily indicate consent. In addition, the fact that a student may have willingly participated in the conduct on one occasion does not

prevent him or her from charging that similar conduct is unwelcome when encountered at a subsequent time. Conduct is unwelcome if the victim did not request or invite it and regarded the conduct as undesirable or offensive. Unwelcomesness need not be expressed verbally. The issue of welcomeness becomes more complicated where there exists in power differential (such as between a coach and athlete), a prior consensual relationship or questionable conduct on both sides.

The OCR Guidance provides that the following factors should be considered when determining welcomeness in all cases involving post-secondary students:

- The nature of the conduct and the relationship of the school employee to the student, including the degree of influence, authority and control that the employee has over the student.
- Whether the student was legally or practically unable to consent to the sexual conduct in question.
- Statements by any witnesses to the alleged incident.
- Evidence about the relative credibility of the allegedly harassed student and the alleged harasser.
- Evidence of any prior validated complaints of harassment against the alleged harasser.
- Evidence of the allegedly harassed student's reaction or behavior after the alleged harassment.
- Evidence about whether the student claiming harassment filed a complaint or took other action to protest the conduct soon after the alleged harassment.
- Other contemporaneous evidence.

- Retaliation: The law also protects students who file complaints of sexual harassment from unlawful retaliation, even when the retaliatory harassment complaint may later be found to be unfounded. In order to make such a claim, the student must show that (1) he or she engaged in a protected activity (e.g., filed a complaint); (2) he or she suffered an adverse action (e.g., was fired, cut from the team, benched); and (3) there is a causal link between the protected expression and the adverse action. In order to prevent retaliation and its resulting damage, a complainant and alleged harasser should be placed in a restorative context that will not be based on and that restores or restores to the reported immediately.

- School Liability: There are two distinct avenues of enforcement of Title IX's prohibition against sexual harassment: administrative enforcement and private litigation for monetary damages. Although the OCR assigns responsibility for sexual harassment to school personnel who knew or should have known of the

offending conduct constituting a hostile environment and failed to take prompt remedial action to stop the abuse, a recent Supreme Court decision has set forth a more limited liability standard for lawsuits seeking monetary relief. In *Gibbs v. Ledgedale Independent School District*, United States Supreme Court No. 96-1604 (1996), the Supreme Court ruled that a school district is liable for sexual harassment only when a school employee actually knew of the abuse, had the power to end the abuse, and failed to do so. The institution cannot be charged with actual knowledge of the abuse. To rule otherwise, the Court reasoned, would "frustrate the purposes of Title IX." Because Title IX was enacted to prohibit the use of federal resources to support an institution's discriminatory practices. Obviously, when a recipient institution is made aware of the harassment, it has a duty to take prompt remedial action to support such allegations and should not be punished with monetary damages.

Moreover, the Supreme Court opined that the purpose of Title IX is to prohibit prospective discrimination and cited as evidence Title IX's express enforcement mechanisms through the Office for Civil Rights that are "backed up upon notice to all appropriate persons" and an opportunity to rectify any violation. 20 U.S.C. §1981. The Court also cited the legislative history of Title IX. In fact, the Court outlined that absent a showing of "outrageous indifference" to the discriminatory conduct (i.e., a decision not to act to end the harassment), a school will not be deemed to have violated Title IX's mandates. Schools will be deemed to have notice of harassment if an agent or representative of a school district or a school employee has knowledge of the reports or rumors. The Court in *Gibbs* ruled that the knowledge of the wrongdoer himself, however, is not sufficient even when he is in a position of power and authority over his victim. A school that takes prompt remedial action upon learning of hostile environment harassment of *quid pro quo* will be protected even though the harassment may occasionally occur. However, the effects of harassment including a victim's professional counseling and other necessary services.

The *Gibbs* standard of liability was reaffirmed by the Court when deciding *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999), a case involving student-on-student sexual harassment. It is important to note, however, that the Court's decision in *Gibbs* is not binding on all courts. In *Davis*, the Court ruled in *Gibbs* that its decision would not

At the very least, a school must aggressively pursue all complaints of harassment, meet out discipline consistently and meaningfully where harassment has been substantiated, and work to follow those procedures put in place to prevent the objectionable behavior in the first place. In order to guard against retaliation, both the accused harasser and the victim should be informed that the school has taken prompt remedial action and that severe and specific consequences could result from such behavior.

Informing the victim of those disciplinary steps that have been taken against the harasser is a complicated undertaking. At the very least, the school should inform the complainant of its determination regarding the underlying claim. If the school finds harassment and punishes the harasser, there is some discretionary authority to inform the victim of the school's findings. The OCR's *Privacy Act (FERPA)*. The FERPA prohibits (with some exceptions) the disclosure of information from a student's education record without the consent of the student or parent. It has not yet been decided whether information regarding the outcome of a sexual harassment complaint is an education record covered by FERPA. It is the OCR's position that FERPA prohibits a school from releasing information to a complainant's parent. (1) The information concerning the complaint, for example, an order requiring the student harasser not to have contact with the complainant; or (2) the harassment involves a crime of violence or a sex offense in a post-secondary institution. In any event, schools should consult with their general counsel before releasing such information.

Conclusions: As is usually the case, active education and investigation are a school's most effective way to ward off intractable and potentially illegal behavior. As the *Gibbs* Court underscored, sexual harassment of students in schools is an all-too-frequent occurrence. Institutions must review their policies, educate their employees and students, and keep an eye out for inappropriate conduct. The OCR's *Guidance* provides a number of examples of best practices. If schools follow the Revised Guidance's advice, harassment has occurred, doing nothing is always the wrong response.

necessary to prevent recurrence of any harassment by taking prompt remedial action. The policy and procedures must be widely distributed and they must be read. Mere inclusion in a student's college orientation package is not enough. The policy and procedures should be used as the basis for the athletics department's annual sexual harassment awareness training for students and staff.

- Responses to Complaints: Prompt and Effective Remedial Action and Privacy Concerns: Once a complaint has been filed or a school has reason to know that harassment is occurring or has occurred, the school is legally obligated to investigate the complaint.
 - Formal complaint
 - Informal complaint
 - Media report
 - Flyers
 - Graffiti in public areas

A school should have known about the harassment if a "reasonable standard" would have revealed it. Many times, colleges and universities have received reports of sexual harassment from students, parents, faculty, and athletics administrators. However, it is most likely that the complaint will be filed with someone within the department. Resolving a complaint generally is not an easy task. Many times complaints involve those one knows (or thought one knew) well. Moreover, the filing of a complaint can be an awkward and uncomfortable situation for the complainant.

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If, after an investigation, a school determines that sexual harassment has occurred, it should take prompt remedial action to prevent the harassment from continuing. The type of action required will vary with the individual facts involved. The Seventh Circuit in *Davis* suggests that there is a school only one right answer. Instead, it advised that a school should only choose "one plausible decision toward putting an end to the known harassment."

hidden with a federal administrative agency's power to write and enforce rules that consent with the law's prohibition of sexual discrimination even when the individual circumstances would not otherwise lead to an award of damages in court. The Revised Guidance are just that – rules that go beyond the case law and provide that as a condition of federal funding, schools must take affirmative and reasonable steps to prevent and eliminate sexual harassment.

- The school should have known about the harassment if a "reasonable standard" would have revealed it. Many times, colleges and universities have received reports of sexual harassment from students, parents, faculty, and athletics administrators. However, it is most likely that the complaint will be filed with someone within the department. Resolving a complaint generally is not an easy task. Many times complaints involve those one knows (or thought one knew) well. Moreover, the filing of a complaint can be an awkward and uncomfortable situation for the complainant.

When a school is able to show that it has or is in the process of complying with all of the above, the OCR most likely will not take any further action other than continuing to monitor the institution.

The Title IX regulations provide that schools must have a policy against sexual harassment, including sexual harassment. They further provide that the policy must be provided to students and must contain grievance procedures outlining a framework for prompt and equitable resolution of sexual harassment complaints. Finally, the regulations state that schools must designate a Title IX officer – the person charged with coordinating Title IX compliance and overseeing the school's efforts to prevent and eliminate sexual harassment. The Title IX regulations also require schools to have in place a prompt and equitable grievance procedure providing for the resolution of sex discrimination complaints, including complaints of sexual harassment. 34 C.F.R. §102.91(a)(5) (1997). Such a policy is a school's best defense. If written properly, it will encourage students and employees to report harassment. If a school does not have a policy, it will send a strong message to both employees and students that harassment will not be tolerated. At a minimum, the policy should define harassment, give relevant examples, provide notice of the school's complaint procedure and give an assurance that the school will take steps

Employment Issues

I. Introduction
 discrimination, including retaliation for reporting discrimination, and other gender equity issues of concern for athletic departments. As the recent United States Supreme Court decision in *Jackson v. Birmingham* demonstrates, the law protects coaches and athletic staff from employment discrimination based upon sex, and from retaliatory employment action directed toward one who has raised issues of gender inequity.

II. Title IX, Title VII, the Equal Pay Act and OCR Guidelines

A. Title IX and Employment Discrimination
 There are a variety of laws that apply in this area. First, Title IX (which prohibits gender-based discrimination in educational institutions receiving federal financial assistance) prohibits sex-based employment discrimination. Title IX applies to all educational institutions receiving federal financial assistance, but not to private employers. Coaches and athletic staff may be subjected to discrimination in employment, and that incidents of federal funding "shall not make or enforce any policy or practice which, on the basis of sex: (a) makes distinctions in rates of pay or other compensation; (b) results in the payment of wages to employees of one sex at a rate less than that paid to employees of the opposite sex for equal work on the job; the performance of which requires equal skill, effort and responsibility, and which are substantially equal in value; or (c) requires the employment of one sex where another federal agency, the Equal Employment Opportunity Commission (EEOC) and not the OCR.

As discussed in Chapter Two of this manual, discrimination in coaching is an area of review under the treatment area of athletics compliance. As discussed more fully therein, the OCR's evaluation is less about the individual coach, and more about the institution's policies and procedures. It is important to note that the OCR is concerned with whether the student-athletes is discriminated against on the basis of gender in the provision of coaches. In other words, are the men's program and the women's program provided coaches of equivalent talent? In making this determination, the OCR concludes that there are a wide variety of nondiscriminatory reasons for pay discrepancies and does not appear to undertake a comparative analysis of the pay of coaches. However, the OCR does encourage treatment of athletes when it comes to opportunity to receive coaching. That area is probed in the context of the impact of that treatment on the operation of the athletic program – as opposed to an analysis of whether the conduct amounts to employment discrimination.

Title IX does protect one area of employment discrimination, retaliation directed toward an employee of either sex because he or she complained of sexual discrimination in violation of Title IX. This was the issue in *Jackson v. Birmingham Board of Education*, when a male coach of a female high school basketball team alleged that he was relieved of his coaching responsibilities after he complained of sexual harassment by a female coach. The court found that the services as those provided to the male basketball team. As discussed more fully in the case law chapter of this manual, both the federal district court and the federal appellate courts dismissed Mr. Jackson's case after finding that he did not have any standing to proceed. Both courts found that Mr. Jackson was not a member of the class of persons that Title IX was intended to protect, i.e., a student-athlete. The court also found that Mr. Jackson was not a "teacher" under Title IX had no provision for Mr. Jackson's case. The Supreme Court disagreed, in a 5-4 ruling, the majority ruled that Mr. Jackson could proceed with his claim of retaliation because if the employment relationship was the direct result of Mr. Jackson's attempts to ensure that his athletes received the protections of Title IX, he should also receive those same protections because he is the direct victim of the discrimination. The court also found that Mr. Jackson was a "teacher" because they are often in the best position to vindicate the rights of their students because they are better able to identify discrimination and bring it to the attention of administrators." To fail to protect them and allow institutions to retaliate against "those who dare to complain" would be to subvert the statute's enforcement scheme.

B. Title VII and Employment Discrimination

Title VII, 42 U.S.C. § 2000e, is the federal law that prohibits gender-based discrimination in all aspects of the employment relationship. Title VII has a comprehensive procedure that covers the filing and investigation of employment-based discrimination claims. The EEOC is the federal government's investigatory agency that processes employment discrimination claims. The law specifies the procedure that must be followed before the commencement of litigation. The procedure is as follows: (1) The employee must file a charge of discrimination in employment and generally have analogous procedures that must be followed. Because the proactive governing discrimination claims are so comprehensive and well established, numerous courts have rejected claims of employment discrimination that have been brought under Title IX and required that they use the existing procedures under Title VII. This can make it difficult to litigate Title IX claims. Some courts have held that Title VII can make it difficult with the EEOC and be processed with that agency at least six months before a lawsuit can be started. In addition, compensatory and punitive damages under Title VII are capped at \$300,000. This IX does not have a similar administrative filing requirement and has no cap on damages. It should be noted that not all courts have adopted this approach and disparate treatment may exist in which a Title IX claim related to an employment decision can still be pursued.

merit system, a system that measures earnings by quantity or quality of production or other differential based on "any factor other than sex."

Cases arising under the EPA involve a direct comparison between two or more positions and thus, coaches of similar sports are ideal comparisons. The jobs do not have to be identical, but merely substantially equal. When analyzing this, the relative skills, efforts and level of responsibility are the working conditions, the physical demands of the job, the educational requirements, the consideration of such factors as the employee's experience, training, education and ability. Effort involves a consideration of the physical and mental exertion involved in performing the job. Responsibility involves the consideration of factors such as the level of the employee's accountability and the importance of the job.

D. EEOC Guidance – Bringing the EPA and Title VII Together in a Meaningful Way
 In October 1997, the Equal Employment Opportunity Commission's (EEOC) published guidance titled "Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions." The EEOC described the guidance as an attempt to describe the proper framework for applying the EPA and Title VII law to claims of pay disparities based on gender. The document provides the following guidance for the institution to both interpreting and litigating:

Recent studies show substantial differences in salaries paid to head and assistant coaches of women's and men's teams in educational institutions. For example, according to a recent National Collegiate Athletic Association study, men's sports receive 90 percent of the head coaches' salaries, while women's receive only 10 percent. A confidential survey of 87 universities recently conducted by the University of Texas at Austin athletics department supports these findings, showing dramatic differences in salaries paid to men's and women's coaches. The coaches of men's teams also often receive better benefits than coaches of women's teams. A U.S. General Accounting Office (GAO) survey for our report found that 25 percent of the head and assistant coaches of men's basketball, including such benefits as housing, travel, free transportation, free tickets to sporting events and club membership.

These discrepancies pay disparities between the coaches of men's and women's teams are of concern to the Equal Employment Opportunity Commission (EEOC) because the overall pattern of employment of coaches by educational institutions is not gender-neutral. Women by and large have been limited to coaching women, while men coach both men and women. For example, in 1990, 47.7 percent of the head coaches of

Title VII resolves all aspects of the employment relationship, including pay. In a Title VII compensation discrimination case, a plaintiff must demonstrate four things: (1) That he or she is in a protected class (her sex); (2) That he or she was qualified for and occupied a particular position; (3) That despite his or her qualifications, he or she received less favorable terms of her compensation or benefits than those received by her male counterpart; and (4) That there is an inference of unlawful discrimination. If he or she provides this evidence, the institution, as the employer, must be able to articulate a legitimate nondiscriminatory reason for the differing treatment. The plaintiff/employee is then left with the burden of demonstrating that discrimination was the reason for the employer's differential compensation. To do so, the plaintiff/employee must show that the compensation received by his or her counterpart is not the result of a compensation differential and was just a pretext for discrimination.

In addition, several courts have dismissed employment discrimination claims under Title IX because of the existence of the remedy under Title VII. While some courts have allowed the plaintiff to pursue a claim of retaliation under Title IX, the majority of courts have not. The Supreme Court's decision in *Jackson v. Birmingham* case decided by the Supreme Court in 2005 is precisely this type of case.

Regardless of whether a claim may ultimately be brought under Title IX, the fundamental issue that remains is that discrimination on the basis of one's gender in any aspect of the employment relationship is unlawful. If an employer is not able to provide a legitimate nondiscriminatory reason for the hiring context, it is critically important that the most qualified individual be selected and that the employer is able to articulate the reasons that the selected candidate was the best-qualified applicant. This requirement is particularly important in the context of coaching because of the public nature of the selection process. Although diversity is always important, an articulated preference for hiring a candidate of a particular sex is a red flag for decision makers. The generation of a diverse and qualified applicant pool is generally where the emphasis on diversity will be placed. From that point forward, the selection of the best-qualified candidate from among the applicants is the objective in the selection process. If you terminate a female coach for having had three successive losing seasons, but you have made coaches who have had the same issues and you did not terminate any of them for the same substandard performance, you have a situation in which it appears as if you have treated someone differently based on gender. In other words, you have not uniformly applied the same standards to all coaches. If you have not uniformly demonstrated how representative treatment – even if it is not meant to be

women's intercollegiate teams at NCAA schools were females, but only about two percent of the head coaches of men's teams were females. At the high school level, as of 1990, more that 40 percent of girls' teams were coached by men, but only two percent of boys' teams were coached by women.

While claims of compensation discrimination in coaching can arise in a number of factual contexts, they often arise when women coaches of women's teams allege that men coaches of men's teams earn greater compensation in violation of the law.

Important questions are raised regarding the proper analysis of these pay disparities under both Title VII of the Civil Rights Act of 1964, as amended (Title VII), 42 U.S.C. § 2000e et seq., and the Equal Pay Act (EPA), 29 U.S.C. § 206 (9)(1). There are only a limited number of cases that apply Title VII and/or the EPA to questions of pay discrimination in coaching and a number of them either present unclear facts or, in the Commission's view, are inapplicable to the facts of the present case. The Commission's interpretations that are often raised in considering these pay disparities misconceptions that are often raised in considering these pay disparities. The EEOC is issuing this guidance in order to set out the proper framework for applying the EPA and Title VII to claims of gender inequity in the compensation of coaches.

See EEOC Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions, October 25, 1997 (Internal Guidance only).

The EEOC's guidance sets forth numerous examples under each of the EPA factors that describe the types of situations that the EEOC would not find permissible for compensation differences. When reviewing these examples, however, please keep in mind that every coach's compensation is unique. The examples are intended to illustrate the types of situations that are involved, they are not determinative of future cases. Instead, the individual facts and the context in which they arise will be critically important. One final caveat about the examples is in order. In certain instances, they represent slight variations on actual cases in which the outcome may have been different. The EEOC is issuing this guidance in order to set out the proper framework for applying the EPA and Title VII to claims of gender inequity in the compensation of coaches. Please note that the EEOC's internal guidance and guidance in its advisory.

1. Comparable jobs

A woman coaches field hockey. She earns \$30,000 per year. She contends that her job is substantially equal to the job of the men who

coach, increase (\$40,000 salary), boys' volleyball (\$50,000 salary) and basketball (\$60,000 salary). The criteria of skill, effort, responsibility and working conditions should be examined for each of the positions to determine whether her job is substantially equal to the job of any or all of the three male coaches.

2. Substantially Equal

a. Equal Responsibility
A woman coaches women's field hockey and a man coaches men's soccer. Each team has approximately the same number of athletes. Both coaches train and coach their athletes in public relations, and are responsible for the day-to-day operations for their programs such as supervising equipment and arranging travel. Both spend approximately the same number of hours coaching during the school year. The man also has the title of coordinator of physical education, but has only insignificant duties in that position. The woman is head coach of a women's volleyball team. At a large university, a man is head coach of football and a woman is head coach of women's volleyball. Both teams compete at the most competitive level and there are substantial pressures on both coaches to produce winning teams. The football coach has five assistants and the team has a roster of 120 athletes. The volleyball head coach has a roster of 20. Both coach each game, while 200 attend each volleyball game. The football games, but not the volleyball games, are televised. In comparing the man and woman, the man supervises a much larger staff and a much larger team. In addition, the football team's its greater spectator attendance and media demands create greater responsibility for the man. The football coach has more responsibility than the volleyball coach, and, as a result, the job is not substantially equal under the EPA.

3. Affirmative Defense

a. Revenue as a Factor Other Than Sex
A man coaches men's basketball and a woman coaches women's basketball. Both coaches train and coach their athletes in public relations, and are responsible for the day-to-day operations for their programs such as supervising equipment and arranging travel. Both spend approximately the same number of hours coaching during the school year. The man also has the title of coordinator of physical education, but has only insignificant duties in that position. The woman is head coach of a women's volleyball team. At a large university, a man is head coach of football and a woman is head coach of women's volleyball. Both teams compete at the most competitive level and there are substantial pressures on both coaches to produce winning teams. The football coach has five assistants and the team has a roster of 120 athletes. The volleyball head coach has a roster of 20. Both coach each game, while 200 attend each volleyball game. The football games, but not the volleyball games, are televised. In comparing the man and woman, the man supervises a much larger staff and a much larger team. In addition, the football team's its greater spectator attendance and media demands create greater responsibility for the man. The football coach has more responsibility than the volleyball coach, and, as a result, the job is not substantially equal under the EPA.

1. Disparity in Other Compensation

At a mid-sized university, the male coaches of the men's baseball and ice hockey teams receive bonuses for winning seasons while none of the female coaches of the women's teams receive bonuses for winning seasons. Even if the job are not substantially equal, it is unfair for an employer to give men and women different benefits unless it can be justified by a legitimate business purpose. *See* *Wright v. University of Texas*, 803 F.2d 1111 (5th Cir. 1986).

These examples suggest that in structuring compensation, the EPA can be a very useful guide. Please note that in this area of the law every case is very fact-specific and the smallest of differences can change the outcome. For example, a team of men's basketball players who are coached by a woman, if the team's record is poor, may not be able to attract as many fans as a team coached by a man. In this case, the fact that the woman coaches a team that is less successful may be a factor other than sex on the grounds that the man raises substantially more revenue than the woman. However, an investigation shows that the university provides

- a. Experience
 - In coaching field hockey
- b. Longevity with the university
 - Type, quantity and quality of experience in coaching field hockey
- c. Education
 - Special qualifications and skills (such as revenue generation or public image)
- d. Degree of skill, effort and responsibility
- e. Responsibility for the success of the team
- f. Public relations, promotional and fund-raising activities to generate revenue
- g. Team success
- h. Intensity and quantitative amount of promotional/television/rating activities
- i. Promotional involvement/commitments (such as services on NCAA television)
- j. Public image/relations figure (relative desirability of the person and benefit to the school)
- k. Responsibility to generate revenue (based on team performance and other activities)
- l. Ability to generate revenue and donations
- m. Ability to generate media coverage
- n. Productivity
 - Team success
 - Individual student-athletes success
 - Conference/regional/national awards/recognition

substantially more support to the man to assist him in raising revenue than it provides to the woman. In addition to these assistant coaches, it provides him with a staff of 10 people to assist him in raising revenue. The woman is also an assistant coach, but she has only one assistant coach. The man is also responsible for scheduling, media interviews and speaking engagements, and to handle the sports information function. The woman is allocated one less assistant coach and no dedicated marketing or sports information staff although she has requested it. Instead, she must rely on the staff that is generally available in the athletics department. In addition, the man receives a bigger budget for his department than the woman. The man is also responsible for scheduling interviews and speaking engagements, develop promotions for specific games and start a booster club. However, she has not been successful in raising significant additional revenue. Revenue is not a factor other than sex that would justify the wage disparity since the woman is not given the equivalent support to enable her to raise revenue.

b. Marketplace as a Factor Other Than Sex

A mid-sized college hires a man as head basketball coach for its men's team. It pays him a starting \$100,000 base salary because "that is the going rate" and until the salary for his position has risen to \$120,000. The woman is also a head basketball coach (a women's basketball coach) in the same market. The man's salary is not substantially equal. However, the man's higher salary is not justified by any particular type of experience, expertise or skills required to coach the men's team but not the woman's team. Nor does the particular man head have job-related skills that marketplace rates would justify. The man's salary is not a factor other than sex. "Marketplace" is not a factor other than sex.

A college is recruiting a coach for its men's gymnastics team, which it is seeking to improve and bring up to the higher competitive level of its women's team. One of the applicants is a man, the other is a woman. The man is a former member of the national men's artistic gymnastics team. The college readily offers to pay him the same salary it pays the coach of the women's gymnastics team, because the job is substantially equal. The applicant reports that he has received a higher salary offers from two other schools and is inclined to accept one of those offers. The college may offer him the higher salary because he has a higher level of experience and skills than the other applicants. The man's higher salary is necessary to hire him. "Marketplace" is a factor other than sex.

- Academic performance of student-athletes
- Compliance with university policies and procedures
- Compliance with conference and NCAA rules
- Managerial abilities
- Student-athletes
- Student support
- Budget
- Performance history
- Marketplace value of the skills of the particular individual

The law, the guidance and these factors suggest that substantive attention must be given to the amount of compensation provided to all coaches at an institution. If an educational institution unequally compensates the coaches of the men's and women's teams, the institution must carefully evaluate the basis for those differentials. An even higher level of scrutiny is required when there are differentials among male and female coaches of the same sport. The basis for any differences in compensation must be clearly articulated, and not unarticulated. If the differences are not articulated, the institution should undertake efforts to address and rectify those disparities.

p.

- Academic performance of student-athletes
- Compliance with university policies and procedures
- Compliance with conference and NCAA rules
- Managerial abilities
- Student-athletes
- Student support
- Budget
- Performance history
- Marketplace value of the skills of the particular individual

c. Reliance on the Employer's Prior Salary as a Factor Other Than Sex

A college advertises for coaches for its men's and women's basketball teams. The jobs are substantially equal. A man applies to coach the men's team. The college hires him and pays him \$100,000 per year salary because that was the salary he earned in the prior coaching position. It hires a woman to coach the women's team and pays her \$85,000 per year salary because that was the salary she earned in the prior coaching position. The man's salary is not substantially equal to the woman's salary. The employer did not consult with either the man's or the woman's previous employer to determine the basis for either the initial or final salary or whether either's prior salary accurately reflected their ability based on education, experience or other relevant factors. Based on these facts, prior salary is not a factor other than sex. Moreover, there is nothing about the man's or woman's prior salary that would justify the wage disparity for the non-coaching job coaching men's teams. Thus, even if the employer had consulted with the prior employer as to the basis for the man's salary, since the woman's prior salary was influenced by sex discrimination, it is not a factor other than sex.

d. Experience, Education and Ability as a Factor Other Than Sex
At a university, a man coaches the men's baseball team and a woman coaches the women's softball team. Their jobs are substantially equal. Both have had approximately the same number of years of experience as coaches. The man had insurance for five years after college before becoming a coach. The fact that the man may have developed certain general skills through insurance work does not justify the wage disparity. The man's salary is not a factor other than sex. The employer is not entitled to pay the man more for this experience.

At a college, a man coaches cross country and track and a woman coaches volleyball. Their jobs are substantially equal. The man has a bachelor of arts degree and has coached at the college level for 10 years. The woman has a master's degree in education and has coached at the college level for 10 years. If the employer bases salary on experience, the employer may pay the woman more than the man based on her greater experience.

The breadth of Title VII encompasses a wider variety of claims of discriminatory treatment than the narrower scope of the EPA. The Commission also provides an example of a more expansive compensation issue that would involve Title VII as opposed to the EPA.

Chapter 6

Gender-Equity Plans, Audits, Policies and Training

1. Gender-Equity Plans

Although a gender-equity plan is not affirmatively required by any federal rule or regulation, its creation and implementation at an institution can be immensely helpful. Similarly, Division II and III self-study guidelines expect each institution to have a gender-equity plan. The plan should be developed in accordance with the plan's timeline. Although adherence to the plan's requirements is not an outright excuse for noncompliance with Title IX, both the existence and good-faith progress with a plan could help derail an OCR complaint or lawsuit. Given such a positive advantage, and because a highly helpful in a self-study process, it is recommended that each institution must also be viewed as a two-edged sword. In particular, if the institution fails to make progress in accordance with the timeline and/or fails to accomplish some of the specified goals, especially if there is no sound rationale, the lack of progress and these deviations and/or failures will provide further evidence of an institution's noncompliance with Title IX.

Plan timelines are tailored to fit the needs and requirements of the individual institution. They can run from a comprehensive plan that addresses each area within Title IX to being very specific and focused on a particular area or area of concern. Plans have a variety of different structures and formats. Some institutions prefer them in a chart format and others prefer a standard report format. Regardless of the approach, the plan should contain the following categories within each area of concern under the current statute:

- The goal or objective for improvement in that area;
- The timeline for accomplishment;
- The individual(s) responsible for accomplishing the goal or objective.

The time frame for a plan also is flexible. Although the NCAA suggests a one-year timeline, it is not required. It is recommended that the institution so that it is responsive to the particular issues and compliance status at the institution. The concept behind a directional time period for a plan is that short term, mid-range and long-term goals be established, pursued and achieved. Initially, the plan's content can be compiled and drafted by one or more sources: the athletics department, the general counsel, the campus gender-equity committee, the campus diversity and inclusion committee, the campus equity committee that oversees athletics; a committee appointed by the president, the general counsel's office or legal affairs office, the campus equal opportunity office, or an outside consultant, among others. Regardless of the initial source of

Once the plan is in place, periodic audits of the institution's compliance with the plan are necessary because they enable an institution to evaluate its progress, recognize its strengths, and identify areas that need improvement. The institution should be prepared to change conditions. Whether conducted internally or externally, the audits will keep the focus on achieving and/or maintaining gender equity.

- III. Policies, Procedures and Training
 1. Although not stated within the regulatory provision that directly pertains to athletics, the regulations governing Title IX have several critical requirements that all other Title IX regulations share.
 - a. First, the regulations require that an institution designate a Title IX coordinator. The occupant of this position is responsible for all compliance responsibilities imposed by Title IX and for coordinating any Title IX complaints that are initiated.
 - b. Second, each institution must have a policy against sex discrimination that prohibits sex discrimination in all programs and activities. In addition, it must contain a statement that any inquiries concerning the subject may be directed to the Title IX coordinator (with that individual's name and contact information). The policy must be included in any documents used to recruit students and faculty.
 - c. Third, the institution must have a grievance procedure that is designed for the prompt and equitable resolution of any Title IX complaints.

Given the importance of Title IX within the athletics context, every athletics director should be familiar with the institution's policy and grievance procedures and the regular contact with the institution's Title IX coordinator.

A training and education program is an essential component to any comprehensive Title IX compliance effort. Over the years, a significant amount of erroneous information regarding Title IX has surfaced in athletics departments, often creating false impressions, misperceptions and unnecessary friction among students, coaches and staff. To change this dynamic, an institution's representation of an athletics training program can significantly and positively impact the institution's Title IX compliance efforts. The program should include making the requirements more accessible and acceptable as another part of daily athletics administration.

As a result, most myths, rumors and misinformation are replaced with a targeted understanding of Title IX and gender equity. The better informed the athletics community is, the more likely the institution will be able to identify student-athletes of others and to seek in addressing potential legalities, and

Current Case Law

C. Effective Accommodation
Colburn v. Brown, *University*, 991 F.2d 689 (1st Cir. 1993); 101 F.3d 135 (1st Cir. 1996).

Faced with budget constraints, Brown decided to discontinue four sports from its varsity to club status: women's volleyball and gymnastics, and men's golf and water polo. The projected savings were approximately \$75,000. The decision applied to 28.6 percent of the student body, which included the full-time undergraduate student, resulted in an 11 percent participation disparity. In response, members of the women's volleyball and gymnastics teams filed a class-action Title IX suit against Brown claiming that the program eliminations placed the university even further out of compliance.

A preliminary injunction hearing, which lasted 14 days, resulted in a decision. A preliminary injunction was granted, which required Brown to restore women's teams to varsity status pending the outcome of the case, and Brown appealed. On appeal, the First Circuit recognized that it was essentially interpreting the requirements of Title IX in the athletics context on a comparative basis for the first time.

In its opinion, the court quickly concluded that Brown could not meet part two of the three-part test because it had not shown that the elimination of the four sports was necessary to the university's financial health. The court also found a disparity under part one; and the absence of any program expansion in the last 12 years was insufficient under part two. The court turned its focus to part three, which requires a showing by the plaintiffs that the interests and abilities of the under-represented have not been fully and effectively accommodated by the sport offerings within the present athletics program. The court acknowledged that the university had not shown that the elimination of the four sports was necessary to the university's financial health, and that they must continually focus on the issues and propose themselves as second offerings.

Brown relied upon an argument that colleges should only be required to accommodate the students' athletic interests in direct proportion to their participation in the sport. However, the court rejected Brown's argument, stating that the comparative analysis of interests and abilities should be based on the ratio of interested and able women to interested and able men. Brown wanted to disregard the relative percentages that women composed of the full-time undergraduate population and stated use as the comparative percentage of interested and able women. The court rejected this creative approach to the issue because it would read the term "full" out of "full and effective accommodation." The court stated that the regulation requires a "relatively simple assessment of whether there is unmet need in the

belonged, offered such a championship. In response to Colgate's argument that the sport was only played at 16 colleges in the northeast, the court noted that those colleges were all within one day or overnight travel of Colgate. In addition, the court stated that the program involved participation by a large number of student-interest schools and was not a niche sport. Finally, the court rejected the argument that the program would be expensive to add. In response, the court stated that if financial constraints were allowed to justify disparate treatment, Title IX would become meaningless. The court recognized that equity sometimes required difficult choices, particularly in difficult economic times.

Colgate appealed the decision to the Second Circuit Court of Appeals, where the plaintiffs had predicted the current hockey season had ended and the remaining two plaintiffs were scheduled to graduate in a few months. Because none of the plaintiffs could benefit from an order requiring equal athletics opportunities for women ice hockey players at Colgate, the action was moot and the case was dismissed. Nevertheless, the district court's decision is instructive.

Grandon v. University of Minnesota, *Duluth*, 272 F.3d 568 (8th Cir. 2001).
The university initially settled a complaint with the OCR in 1999 that required certain changes and the provision of status reports in each of the next four-year periods. In the midst of this process, the plaintiffs initiated a lawsuit in federal court in 1997 and the court rejected the settlement. The court action resulted in a comprehensive settlement with the OCR. Nonetheless, the appeals court upheld the district court's denial of the motion for class certification because it was filed late and denied the request for injunctive relief because the plaintiffs lacked standing (three no longer had NCAA eligibility and the team was no longer a student).

The court also noted that the plaintiffs had not put the university on claim for money damages because the plaintiffs had not put the university on actual notice of the complaints before initiating the suit. This approach is similar to an approach that has been used in sexual harassment cases (see the actual notice requirements that were described by the Supreme Court in *Caballero v. Idaho State University*, 524 U.S. 274, 141 L.Ed.2d 277, 116 S.Ct. 1989 (1999)). The court stated that the plaintiffs' failure to provide actual notice of the complaints filed by others was sufficient to place the university on notice of the specific problems of these plaintiffs.

Pedraza v. University of Nevada, *Reno*, 201 F.3d 396 (ninth circuit and replaced by: 213 F.3d 925 (9th Cir. 2000)).
The University of Nevada State University declined a request to add varsity soccer and basketball to the varsity sports program. The University of Nevada State University was not one of the few schools that have Title IX lawsuits filed by members of each team, and they were processed as one case. The

court ruled that LSU violated Title IX by failing to accommodate the interests and abilities of certain female students. In addition, it concluded that the discrimination was intentional.

The decision also included a discussion of several complex legal issues involving class certification and student matter jurisdiction. Among other things, the court held that the female students' claims were not barred by a statute of limitations. In order to establish standing, all but the plaintiffs had to allege that by failing to field the soccer team, the university failed to effectively accommodate the interests and abilities of the female students. The court said that the plaintiffs' skill and ability level was not an issue for standing purposes, but rather was part of their claim in court. In other words, the plaintiff only needs to show that she is able and ready to compete for a position on an athletic team.

With respect to the claim that LSU violated the "treatment" aspects of Title IX, the appeals court upheld the dismissal of this claim on the basis that the plaintiffs did not have standing to challenge the treatment received by varsity athletes because they were not varsity athletes.

Turning to the substantive Title IX participation claim, the court quickly determined that LSU was unable to defend itself under each part of the standard set forth in *Edwards*. The court ruled that LSU had not shown that it had 20 percent disparity. It followed, imposed a quota requirement because in its view women were less interested in athletics. The court provided no substantive discussion of part two other than to observe that in 1983 LSU had eliminated fast pitch softball, one of the two teams that it had declined to sponsor to varsity status and concluded that LSU had not demonstrated compliance with Title IX. The court ruled that there was ample evidence of intentional sex discrimination. The remainder of the decision focused on whether the discrimination was intentional. The appeals court rejected the argument that because the athletics director was ignorant of the university's level of compliance with Title IX, there was no intent to discriminate. In short, the court rejected the "head in the sand" defense.

The court based its finding of intentional discrimination on numerous factors including "isolated," "sarcastic" and "outraged" treatment and attitudes by LSU toward women; the athletics director and others referred to female athletes with derogatory nomenclature; the athletics director said he would not voluntarily add more women's sports at LSU, but would if he was topped to; the director returned to one of the female athletes' letters; the director assured that she would be able to look out for the interests of the women's athletic department staff; the athletics director appointed a low-level male athletics department staff member to the position of senior woman administrator; LSU consistently approved larger budgets for travel, personnel and training facilities for men's teams; and LSU compensated coaches of women's teams at lower rates.

II. Program Elimination
Kelly v. Board of Trustees of the University of Illinois, 35 F.3d 265 (7th Cir. 1994), cert. denied, 115 S.Ct. 839 (1995).

The University of Illinois eliminated four varsity sports programs, including men's swimming, former members of the men's swim team subsequently filed suit. The court ruled that the university had violated Title IX. The district court granted summary judgment in favor of the university. The court ruled that the university's Board of Trustees of the University of Illinois, 35 F.3d 265 (7th Cir. 1994) and the court of appeals affirmed the dismissal of the case. The court observed that the university was well within its rights because even after elimination of the program, the men's participation levels in athletics would continue to be more than substantially proportional.

Hancock v. Illinois State University, 35 F.Supp. 2d 1116 (C.D. W. 1999), affirmed, Bouabach v. Illinois State University, 199 F.3d 653 (7th Cir. 1999).

In response to the elimination of the men's wrestling and soccer teams, members of those teams brought suit alleging that the action violated Title IX. The court ruled that the university's actions were not intentional and that the university had the underlying intention to make the men's participation levels in athletics more proportional to those of women in athletics. The court ordered to increase the proportionality ratio of women in athletics. The court rejected their argument and cited *Cabran v. Brown, 991 F.2d 688 (1st Cir. 1993)*, *Edwards v. Colorado State Board of Regents, 988 F.2d 824 (10th Cir. 1993)* and *Kelly v. Board of Trustees, 35 F.3d 265 (7th Cir. 1994)* (and several lower court cases), for the proposition that the elimination of men's programs was an intentional action that the institution was required to use the least discriminatory method to achieve compliance because the law did not contain such a requirement, it did create the internal decision process that was used. In particular, Illinois State had considered 10 different options before deciding to pursue program elimination.

Chalmers v. University of North Dakota, 201 F.3d 1042 (8th Cir. 2000).

A group of wrestlers initiated the lawsuit to respond to the elimination of the program because of gender-equity concerns. The court rejected the claim because an institution seeking compliance under part one of the three-part test had the discretion to eliminate a program in order to achieve proportionality. The fact that the institution could have pursued compliance under one of the other two parts of the test does not prevent it from pursuing compliance under part one. The institution was allowed to phase the participation opportunities in the manner that it desired in order to come into compliance. The wrestlers also argued that the possibility of outside funding that might be used to continue the program should have cast doubt on the reasons given for the program's elimination. However, the court stated that it was unclear how much potential outside funding actually existed and that even if it was unclear,

Barnes v. West Chester University of Pennsylvania, 2003 WL 2280377 (E.D. Pa. 2003).

At the end of April 2003, West Chester University of Pennsylvania announced that it would increase its women's gymnastics and men's lacrosse programs. The university announced that the increase would be the result of decreases in funding of the university by the state and a decision to increase the athletics department to operate within a smaller budget. Before this announcement, West Chester had 22 teams - 10 for men and 12 for women. In response, members of the women's gymnastics team wrote to the president and asked him to reconsider. They did not receive a response to the letter. At the beginning of May, one of the parents filed a complaint with the OCR. The university denied the complaint. West Chester's attorney filed a lawsuit with the federal court in Pennsylvania and sought a preliminary injunction ceasing the realignment of the team. Because the case was framed as a request for a preliminary injunction, the gymnastics team was required to demonstrate a likelihood of success on the merits and a probability of irreparable harm. In addition, a reviewing court is required to weigh the equities and determine whether preliminary injunctive relief would have on other interested persons and the public interest.

The gymnastics team alleged that West Chester violated Title IX by having failed to provide equal treatment and equal accommodation. With respect to the equal accommodation claim, the court quickly concluded that West Chester failed to meet all three prongs of the accommodation test. Not only did West Chester fail to accommodate the gymnastics team, but the court also found that West Chester had discriminated against the team in the recruitment of part one of the test. Even with that stipulation, the court still observed that before the team eliminations, West Chester was out of compliance by 18.2 percent and that after the program change, a still would have a 12 to 13 percent disparity.

Although West Chester argued that it complied with the second and third prongs of the accommodation test, the court ruled that West Chester's history and supporting process of program elimination, West Chester's reliance on its formation of a Sport Equity Committee. The court turned that reliance on its head by highlighting an earlier warning from the committee that West Chester's inaction on Title IX issues could expose the university to litigation, or an investigation by the OCR. Specifically, with respect to compliance with part two of the test, the court also cited the committee's 2000 report that stated: "WCU does

under state law, each money immediately because the property of the university as a whole, and not the wrestling program in particular. As a result, those funds would need to be included in the overall assessment and support of the athletics program as a whole in a manner consistent with Title IX.

Marion University Wrestling Club v. Marion University, 202 F.3d 606 (6th Cir. 2002). The court ruled that the university's decision to eliminate the wrestling and soccer programs constituted discrimination on the basis of gender in violation of Title IX. The university took the action as part of a comprehensive plan to address a substantial imbalance in participation opportunities and to further develop the women's program. The court of appeals upheld the district court's dismissal of the claim observing that Title IX does not bestow rights on the over-represented gender. Because the program eliminations were implemented to bring the university into compliance, they were permissible.

Omey v. Drake University, 879 F. Supp. 1000 (S.D. Iowa 1995).

A decision to eliminate the wrestling program triggered a lawsuit by four members of the men's wrestling team that the action violated Title IX and the Equal Protection Clause of the United States Constitution. The court disagreed and held that the university's decision to eliminate the wrestling program was not discriminatory. The court ruled that the university was not required to maintain a 50/50 ratio of men's to women's participation. The court also rejected the plaintiffs' constitutional challenge and concluded that while consideration of gender in the application of Title IX may work to the immediate disadvantage of males under the facts of this case, that fact alone did not support a challenge under the Equal Protection Clause.

III. Roster Management
Neal v. Board of Trustees of California State University, Bakersfield, 198 F.3d 783 (9th Cir. 1999).

This landmark case dealt with the appropriateness of the use of team membership limits or "capping" as a type of roster management. In this case, members of the university's wrestling team filed suit claiming that the university's decision to cap the number of athletes on the team violated Title IX. The district court concluded the plaintiffs' argument and therefore violated Title IX. The university appealed from the district court's decision. The district court concluded that the university was not required to cap the men's teams. The court ruled that the university's decision to cap the men's teams constituted implementation of a quota based on gender in violation of Title IX. The court ruled that the plaintiffs' constitutional challenge was not valid under the facts of this case. The appeals court observed that several courts had expressly ruled that Title IX permits a university to decrease athletics opportunities for the over-represented sex (in this case men) in order to bring the university into compliance with the requirements of Title IX. Next, the court ruled that the district court had failed to give deference

not have continuing program expansion for women (the under-represented sex). The court observed that the most recent addition to the women's program was soccer in 1982 and the next most recent addition was cross country in 1979. The court concluded that spans of more than a decade are too long to constitute continued expansion.

The court also discussed the argument that program expansion could somehow be established by improvements that had been made to the coaching for the women's teams, the equalization of space and equipment and creation of a plan to deal with remaining program inequities. Basically, the court found that these improvements were helpful, but were not relevant to an analysis of program expansion.

Focusing on the third part, the gymnastics team was able to demonstrate that the university had discriminated against the team by reducing gymnastics training hours and their commitment to continue to compete as a team regardless of any setbacks (such as the absence of a coach for a period of time in the prior year that led to an inability to use the West Chester facilities, during which time they drove one hour each way to a public gym to train at their own expense). They also provided ample evidence of their safety to compete.

West Chester is unable to demonstrate that the university discriminated against the gymnastics team because it had simply replaced the participation opportunities in gymnastics with those of the future women's golf team. This argument was soundly rejected because there still remained a significant disparity between the two teams. The court also found that the university had a significant history and tradition with a new team that had yet to be established and that was to be coached by the men's team coach, who only knew the names of a few female students who might be interested in the team (and their level of ability was unknown).

West Chester also argued that it had simply replaced the participation opportunities in gymnastics with those of the future women's golf team. This argument was soundly rejected because there still remained a significant disparity between the two teams. The court also found that the university had a significant history and tradition with a new team that had yet to be established and that was to be coached by the men's team coach, who only knew the names of a few female students who might be interested in the team (and their level of ability was unknown).

to the policy interpretation set forth by the OCR and stated that the plain meaning of Title IX does not prohibit remedial actions (such as roster management or program elimination) that are designed to achieve substantial proportionality.

Chalmers v. University of North Dakota, 201 F.3d 1042 (8th Cir. 2000). The court ruled that the university's decision to eliminate the wrestling and soccer programs constituted discrimination on the basis of gender in violation of Title IX. The university took the action as part of a comprehensive plan to address a substantial imbalance in participation opportunities and to further develop the women's program. The court of appeals upheld the district court's dismissal of the claim observing that Title IX does not bestow rights on the over-represented gender. Because the program eliminations were implemented to bring the university into compliance, they were permissible.

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particularly meaningful and neither was SRU's plan to achieve proportionality through the use of roster limits. The court also found that SRU had not been compliant with Title IX in twenty-five years and "having a plan to ameliorate inequities is not the same as having ameliorated them."

"Further, the increase in roster size for the majority of women's teams represented a significant increase in participation for those teams. The court noted that SRU's plan to increase participation was based primarily on the number of positions that coaches wanted to make available to female athletes. There certainly was no indication that there had been a sudden increase of interest by SRU's female students in these programs. Nor did SRU proffer any evidence that it had increased the budget for recruiting or the scholarship funds for these programs. The court noted that SRU had not established that SRU could not satisfy the second prong of program expansion history (no women's team had been added since 1984) nor the third prong because it has eliminated two viable women's teams which the student body has demanded be reinstated. The court found that SRU was not fully and effectively accommodating the interests of its female students. SRU was preliminarily enjoined from eliminating the women's teams. The court also preliminarily enjoined SRU from reducing the 2006-2007 early athletic bids. To be consistent with the court's findings, the court ordered SRU to provide the teams with funding, staffing and all other benefits commensurate with their status as intercollegiate teams. However, should SRU be able to demonstrate that its roster management approach to Title IX compliance has actually succeeded, the court would consider a modification of its order.

IV. History and Continuing Practice of Program Expansion

Boudreau v. Syracuse University, 84 F.3d 113 (2nd Cir. 1999).
Ms. Boucher and seven other female student-athletes brought suit under Title IX claiming that the university failed to effectively accommodate the interests of the female students and failed to provide equal athletics benefits to female students. The court found that the university had not effectively accommodated the interests of its female students. The court also found that the university had not provided equal athletics benefits to female students. The court ordered the university to provide the teams with funding, staffing and all other benefits commensurate with their status as intercollegiate teams. However, should SRU be able to demonstrate that its roster management approach to Title IX compliance has actually succeeded, the court would consider a modification of its order.

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response to requests by students or others for addition or elevation of teams. Unfortunately, this conclusion by the district court was not addressed on appeal. Nonetheless, the underlying facts of the case are somewhat helpful in attempting to evaluate the circumstances under which part two of the three-part test will be satisfied. In *West Chester University v. National Collegiate Athletic Association*, 1977, the court found that the university had not effectively accommodated the interests of its female students. The court also found that the university had not provided equal athletics benefits to female students. The court ordered the university to provide the teams with funding, staffing and all other benefits commensurate with their status as intercollegiate teams. However, should SRU be able to demonstrate that its roster management approach to Title IX compliance has actually succeeded, the court would consider a modification of its order.

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After the plaintiffs appealed their loss, the federal court of appeals issued a decision in which the lower court decision on unequal treatment (no standing) was upheld, the portion dealing with the increase players' accommodation claim was dismissed, but the portion dealing with the increase in participation claim was affirmed. The court found that the university had not effectively accommodated the interests of its female students. The court also found that the university had not provided equal athletics benefits to female students. The court ordered the university to provide the teams with funding, staffing and all other benefits commensurate with their status as intercollegiate teams. However, should SRU be able to demonstrate that its roster management approach to Title IX compliance has actually succeeded, the court would consider a modification of its order.

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V. Treatment Issues

Barnes v. West Chester University, 2003 WL 22903477 (E.D. Pa. 2003).
As indicated above, two claims were advanced in this case: one involving the university's failure to effectively accommodate the interests of the female students and failed to provide equal athletics benefits to female students. The court found that the university had not effectively accommodated the interests of its female students. The court also found that the university had not provided equal athletics benefits to female students. The court ordered the university to provide the teams with funding, staffing and all other benefits commensurate with their status as intercollegiate teams. However, should SRU be able to demonstrate that its roster management approach to Title IX compliance has actually succeeded, the court would consider a modification of its order.

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The court of appeals said the second one was the intended meaning of the statute. Thus, the court ruled that a university could exclude one sex from trying out for a contact sport. However, once it allowed the opposite sex to try out for a single-sex team in a contact sport, subsection (i) of the regulation is no longer applicable. The court found that the university had not effectively accommodated the interests of its female students. The court also found that the university had not provided equal athletics benefits to female students. The court ordered the university to provide the teams with funding, staffing and all other benefits commensurate with their status as intercollegiate teams. However, should SRU be able to demonstrate that its roster management approach to Title IX compliance has actually succeeded, the court would consider a modification of its order.

VII. Retaliation

Jackson v. Birmingham Board of Education, 125 S. Ct. 1497 (2005).
Jackson, an Birmingham Board of Education, sued the United States Supreme Court resolved a conflict among the federal circuit courts by ruling that Title IX even if they are not the direct victims of the underlying discrimination. In this case, the Court considered the case of Jackson Jackson, a high school teacher and former girls' basketball coach. Jackson alleged that the school board retaliated against him by removing him from the coaching duties because he complained that the girls' basketball team was not being treated or supported equitably by the school district. In particular, Jackson stated that the school district had not provided equal treatment to the girls' basketball team compared to the boys' basketball team. Jackson filed a complaint in the federal district court alleging that the termination violated Title IX. He argued that he was fired in retaliation for complaining about the inequitable treatment of his team and his players. Both the district court and the Eleventh Circuit Court of Appeals dismissed Jackson's case. These federal courts found that Title IX does not provide a private cause of action for retaliation. The Supreme Court granted Jackson's petition for a writ of certiorari. The Supreme Court affirmed the lower courts' decision. The Supreme Court held that Title IX provides a private cause of action for retaliation against an individual because the or else complainant about sex

recognize the need for an institution to be flexible and to increase its financial allocations for women so that it could, in turn, increase their participation level. Needless to say, the case arose before the publication of the 1998 OCR letter on Title IX containing the one percent parameter.

VIII. Separate Programs

Mazzoni v. Duke University, 190 F.3d 643 (4th Cir. 1999).
A female football player (also known) claimed that Duke violated Title IX when it refused to allow her to continue to participate on the football team. Marcor had been an all-state kicker in high school. She practiced with the football team over her first 2 years at Duke and then was told that she was no longer on the team. Duke cited the contact sport regulation as the reason for its decision. The court found that the university had not effectively accommodated the interests of its female students. The court also found that the university had not provided equal athletics benefits to female students. The court ordered the university to provide the teams with funding, staffing and all other benefits commensurate with their status as intercollegiate teams. However, should SRU be able to demonstrate that its roster management approach to Title IX compliance has actually succeeded, the court would consider a modification of its order.

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IX. Financial Aid

Sarno v. Duke University, 679 F. Supp. 1000 (S.D. Iowa, 1985).
Although this case primarily involved the propriety of the university's decision to eliminate the women's basketball team, the court's decision also had a secondary impact on the issue of financial aid. The court found that the university's decision to eliminate the women's basketball team was an independent violation of the law. The district court, however, disposed of that argument quickly. The thrust of the court's ruling was that the claim was an attempt to essentially look to place a financial aid distribution ratio that was steady out of proportion. The court

leave in the case was whether the school had even been placed on notice of the harassment. In this regard, Turner claimed that the athletics director and board of trustees knew of the inappropriate relationship because officials score records of football games and their coach had access to the records. The court, however, said the evidence there was insufficient and dismissed the case.

XI. Challenge to the Three-Part Test
National Wrestling Coaches Association v. United States Department of Education, 263 F. Supp. 2d 82 (D.D.C. 2003); 309 F.3d 930 D.C. Cir. 2004, *en banc*; 363 F.3d 1347 (D.C. Cir. 2004); 453 U.S. 901 (U.S. Cir. 2005) (U.S. en banc); 453 U.S. 901 (U.S. Cir. 2005); 453 U.S. 901 (U.S. Cir. 2005) (NO. 04-822) (en banc); 138 S. Ct. 12 (U.S. Aug. 01, 2005) (NO. 04-822).

The plaintiffs were a group of membership organizations that represent the interests of collegiate men's wrestling coaches, athletes and alumni. They claimed that they had been injured by the elimination of the men's varsity wrestling programs at certain universities. In the case, they sought to challenge the three-part test set forth in the 1975 Policy Interpretation and bylaws of the National Wrestling Coaches Association (NWCA) and the Administrative Procedure Act (APA). The IX, the 1975 regulations and the Administrative Procedure Act (APA).

The district court dismissed the suits that the plaintiffs lacked standing and rejected the separate claim under the APA that the department unlawfully denied their petition for amendment or repeal of the enforcement policies.

The court of appeals affirmed the district court's decision. The court concluded that the plaintiffs failed to establish that the elimination of educational institutions that chose to eliminate or reduce the size of men's wrestling teams in order to comply with Title IX. Even assuming that this allegation constituted an injury-in-fact, the court also noted that the plaintiffs lacked standing because they were unable to demonstrate how a favorable judicial decision could redress their alleged injury. The court noted that the plaintiffs failed to establish that the elimination of men's wrestling programs at educational institutions to make different decisions on wrestling programs in the future, importantly, because they did not challenge the constitutionality of Title IX or the regulations, those mandates would remain in effect. Under the law and the regulations, all schools would still have the discretion to eliminate men's wrestling programs in order to comply with Title IX. As a result, a decision striking down the 1975 Policy Interpretation and the 1965 Clarification would not effectively change anything.

Alternatively, the court held that even if the plaintiffs had standing, their claims were barred by §704 of the APA because the availability of a private cause of action under Title IX directly against a university is an adequate remedy that precludes judicial review under §704. The court also rejected the claim that the department unlawfully denied the plaintiffs' petition for repeal or amendment of the enforcement policies.

Gender Equity – Summary Guide

I. Effective Accommodation of Athletics Interests

1. Is the student-athlete participation rate of each sex proportionate to the total enrollment rate of each sex? If the difference is five percent or less, check with comment to determine if the program is compliant. If not, consider options 2 and 3 below.
2. Have you been adding sports for women in recent years? (History and Continuing Practice of Program Expansion).
3. Do the current sport offerings satisfy the interests of the student-athlete population? (Does the program include the addition of a new sport? Relevant evidence includes surveys of the student body and incoming students, club/sports participation levels, student requests to add/delete sports, and sport participation levels in high schools in the recruitment area).

II. Financial Aid

1. Is the percentage of the athletically related financial aid awarded to female student-athletes within one percent of their student-athletes participation rate?
2. If not, are there some nondiscriminatory reasons that would explain the difference such as the impact of out-of-state tuition rates or decisions to support a team's award of scholarships?

III. Equivalency of Treatment in Support of the Respective Programs

1. You do not have to provide mirror images of benefits to each sex. Benefits may be better for one sex in one area and better for the other sex in another area. Check, compare, and contrast the benefits of each sex. Although you make team-by-team comparisons, you are ultimately assessing the athletics programs for men and women as a whole. Differences justified by nondiscriminatory reasons (such as event management) are permissible. Has student-athletes had every difference remembered? Has benefits provided to the teams.
2. If you see a difference in any treatment area from one sport or team to another, ask why it exists.
3. Treatment Areas: Review the availability, quality and kinds of benefits, opportunities and treatment provided to members of both sexes in each of these areas.
4. Equipment, Uniforms and Supplies

Jennings was a member of the North Carolina women's soccer team from August 1996 until May 1998 when she was dismissed from the team. She brought suit alleging, among other things, that she was subjected to sexual harassment in violation of Title IX. The essence of her claim was that she was sexually harassed by her coach and that the university failed to take appropriate action to redress the harassment. Jennings named as defendants the coach, the university, and the athletic director. She alleged that she was sexually harassed by the coach and that the university failed to take appropriate action to redress the harassment. Jennings named as defendants the coach, the university, and the athletic director. She alleged that she was sexually harassed by the coach and that the university failed to take appropriate action to redress the harassment.

In evaluating her Title IX sexual harassment complaint, the court recognized that while inappropriate in some respects and quite possibly offensive to Jennings, the contact was not so severe, pervasive or objectively offensive to the point of depriving her of an educational opportunity. The court found the social context and setting of the majority of these comments important. They were not derogatory or demeaning. The court also found that the comments were not the most offensive question that was directed at Jennings while they were alone, use the only comment of a sexual nature directed at her and the discussion topic apparently changed when she responded in the manner that she did. Because the court did not believe that the claim constituted an actionable claim of sexual harassment in violation of Title IX, it entered judgment in favor of the University.

James v. McQuarrie, 79 F. Supp. 2d 911 (N.D. Ill. 1999).

Turner sued her former basketball coach, university (Chicago State University) and the trustees for several claims, including sexual harassment in violation of Title IX, arising out of an alleged consensual relationship with her basketball coach.

Turner was a student at Chicago State in February 1998 until she graduated in January 1997 and played on the women's basketball team in February and March of 1997. In February, McQuarrie, her coach, allegedly initiated a sexual relationship with her that lasted throughout her enrollment. Turner claimed that she would not have entered into or continued a sexual relationship with her coach, but feared that a refusal would have resulted in the loss of her athletics and academic scholarships, among other things. The pivotal

Chapter 6

An Athletics Director's Summary Guide

Every athletics director is encouraged to read the publication carefully and to put the principles set forth in these chapters into practice. However, the publication is not intended to be a substitute for the expertise and judgment of the athletics director. The publication is intended to provide a summary of the principles and best practices of Title IX compliance. The issues have been amplified and in some cases presented in a short-hand manner. Nothing replaces a thorough and complete understanding of the issues, and this reference tool is not meant to understate the issues. Rather, we hope to provide the athletics director with a quick and handy, yet useful, summary guide to the major points contained within this manual.

- a. Scheduling of Games and Practice Times
- b. Travel and Per Diem Allowance
- c. Housing
- d. Locker Rooms, Practice and Competitive Facilities
- e. Medical and Training Facilities and Services
- f. Housing and Dining
- g. Support Services
- h. Recruiting

IV. Gender-Equity Plans

1. Good-faith progress under a gender-equity plan can save an athletics department.
2. Ask – Do I have a plan and does it address each area under Title IX?
3. Ask – When was the last time it was updated? When was the last time we audited our compliance level? Can we justify deviations from the plan?

V. Equity in Athletics Disclosure Act (EADA) Forms

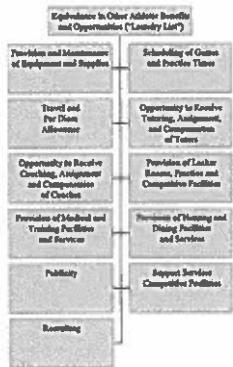
1. Use the comment section to put any issues into the proper context for the athletics director's response.
2. Review the form for apparent problem areas and address them.

VI. Training

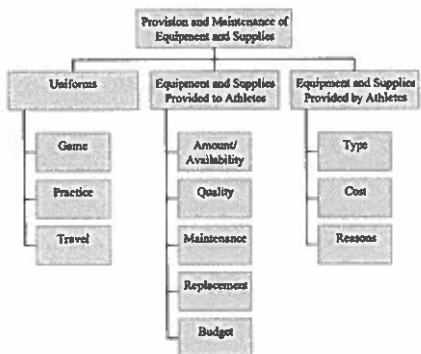
1. Education and training on gender-equity issues and obligations to department staff reflect the department's commitment in the area.

VII. Employment

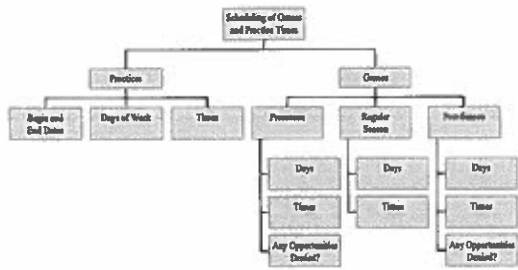
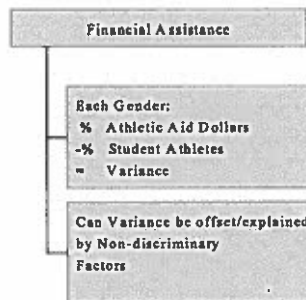
1. Always hire the most qualified person for the job regardless of gender.
2. The matter is a wide field in establishing salaries.
3. Review salaries with the coaches.
4. Review basis for salary and contract differences among coaches.



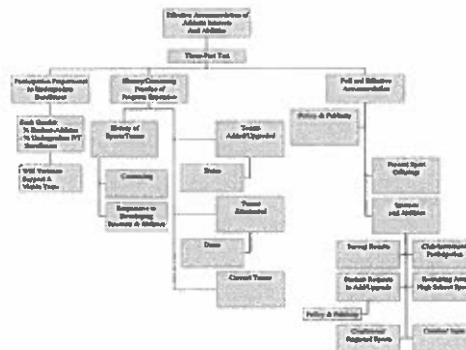
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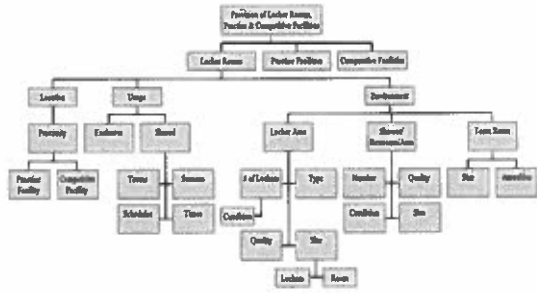


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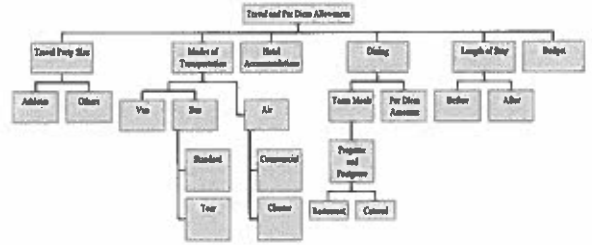
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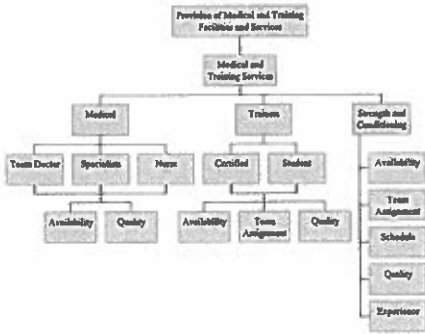
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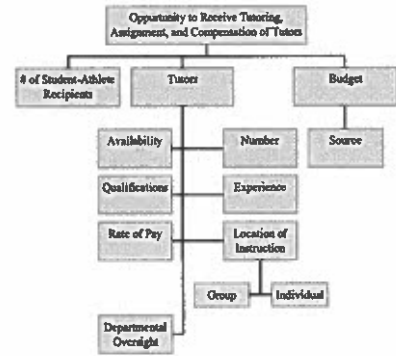
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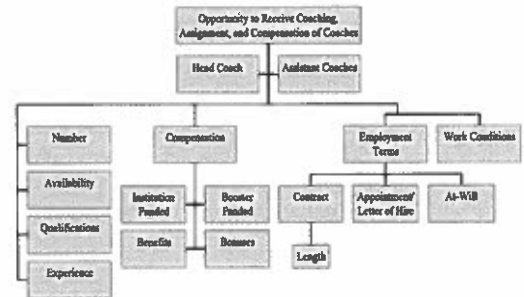
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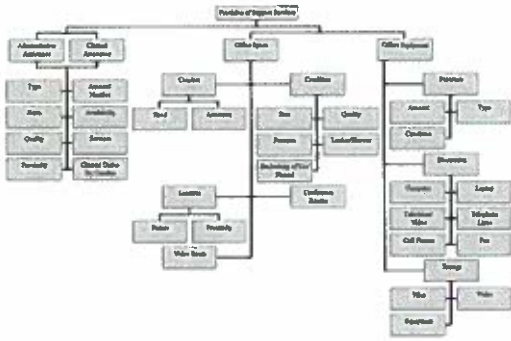


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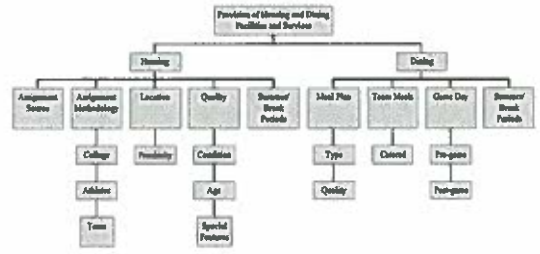


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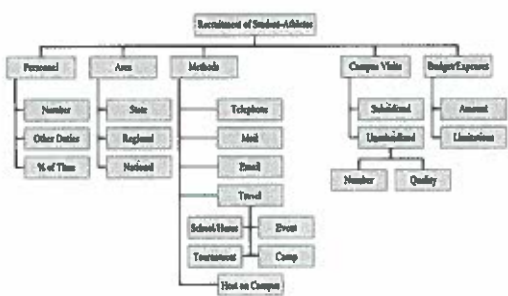




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Gender Equity Question & Answer Topics

The following questions and answers, addressing contemporary issues regarding gender equity and the ethics of Title IX on intercollegiate athletics were featured in a series of installments in The NCAA News. The feature appeared in the membership information section of The NCAA News and was designed to help athletic administrators understand institutional gender-equity and Title IX-related issues.

Answers are provided by Christine Grant, associate professor at the University of Iowa, and Janet Judge, attorney with Venable & Davis LLP.

For additional gender-equity resources, including newly created video segments featuring Christine Grant and Janet Judge, visit www.ncaa.org/gender-equity.

- Dropping agents to reach Title IX compliance
- Compliance efforts
- Using the Second and Third Prongs for Title IX Participation
- Is it possible to determine compliance with Title IX through statistics on the men's and women's athletics programs?
- The shortcomings and disadvantages to "coaster management"
- The shortcomings and disadvantages to Title IX
- How does cheerleading fit with Title IX?
- Testing Analysis
- Junior Varsity Teams
- The Concept of Proportionality
- The 2009 Academic Classification of Intercollegiate Athletics Policy: The Impact on Title IX
- Does Title IX protect those who raise concerns about equity in their athletics programs?
- Title IX and Sexual Harassment
- Is Title IX the only law that imposes gender-equity requirements on equipment and supplies?
- How do you measure equity in the provision and maintenance of equipment and supplies?
- How do you measure equity in the scheduling of games and practice times?
- Is your travel and per diem allowance equitable?
- How do you measure equity in the provision of emergency to medical care and the assignment and compensation of coaches?
- How do you measure equity in the area of lodging?
- How is equity evaluated in the area of locker rooms and practice and competitive facilities?

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- How is equity measured in the provision of medical facilities and strength training services?
- How is equity measured in the area of publicity?
- How is equity measured in the area of recruiting?
- How is equity measured in the area of support services?

Q: There appears to be a trend toward dropping men's nonrevenue sports in order to achieve gender equity for women. What is the stance of the Office for Civil Rights (OCR) on dropping these sports and what are the facts about this trend?

A: In the 1980 Letter of Clarification, Norma Casey, assistant secretary for civil rights, noted that the OCR has never required nor recommended institutions to eliminate or cap men's teams to comply with Title IX. In the 2003 Report of the Commission on Opportunity in Athletics, it is also clearly stated that cutting men's sports is "a discredited practice" (Recommendation 5).

The following quote from the clarification letter supports that reason: "OCR hereby clarifies that nothing in Title IX requires the cutting or reduction of teams to demonstrate compliance with Title IX, and that the elimination of teams is a discredited practice. Because the elimination of teams diminishes opportunities for students who are interested in participating in athletics instead of enhancing opportunities for students who have suffered from discrimination, it is contrary to the spirit of Title IX for institutions to eliminate or cap men's sports in order to demonstrate compliance with Title IX. The OCR's policy will be to seek remedies that do not involve the elimination of teams."

Despite the perception that men's teams are being eliminated in record numbers, the latest NCAA statistics indicate that there was a net gain of 61 men's teams between 1989 and 2002:

NCAA all divisions

Men's teams dropped and added 1989-2002

Added teams 1,938

Dropped teams 1,877

Net gain +61 teams

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- Up-to-date implementation of a plan of program expansion.
 - Efforts to gauge the developing interests and abilities through regular assessments of enrolled and incoming female students.
 - Timely actions taken based on the results of the assessments.
- It is unlikely that an institution would be found in compliance with Prong 2 by only reducing the participation opportunities for the over-represented sex. Nor would it be in compliance by promising the addition of a sport sometime in the future.
- Prong 3 tests whether the institution is fully and effectively accommodating the needs and abilities of women who have been admitted but are not yet enrolled. The needs and abilities being assessed include currently enrolled female students and women who have been admitted but are not yet enrolled.
- It is quite possible that an imbalance of participation opportunities exists (compared to enrollment figures) on a given campus, but that the imbalance may not reflect discrimination. In this instance, an institution must provide evidence that the needs and abilities are being met using currently enrolled female students and women who have been admitted but are not yet enrolled.
- The responses to these questions will determine whether the institution is in compliance with Prong 3.

1. Is there sufficient unmet interest to support an intercollegiate team?

Factors to be considered include the following:

- Requests to add or upgrade a team.
- Results of questionnaires to determine interests.

• Previous participation in intramathletic sports by women already admitted to the institution.

• Participation in amateur athletics sports or community leagues.

Questionnaires need not be anonymous or time-consuming, but they should be confidential and the results dealt with in a fair and timely fashion. An open forum also may be used for potentially interested students.

2. Is there sufficient ability to sustain an intercollegiate team?

Further research, however, identified that while net gains for men's teams were made in both Divisions II and III, there was a net loss of men's teams in Division I:

Men's teams dropped and added 1989-2002

Division III

Added 1,002

Dropped 790

Net gain +212 teams

Division II

Added 484

Dropped 471

Net gain +123 teams

Division I

Added 442

Dropped 616

Net Loss -174 teams

When Division I data are further analyzed, the greatest losses are found in Division I-A:

Division I-A/AA -31 teams

Division I-AA -38 teams

Division I-A -109 teams

In addition, an analysis of NCAA revenues and expenses data shows that Division I-A institutions have lost more revenue than they have gained. The data also show an increasing portion of the men's athletics budget and net men's nonrevenue sports with much smaller allocations.

Also contributing to the financial problem is the pattern of increasing deficits occurring in every division:

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Factors that would be considered to provide indications of ability include:

- Past experiences of individuals in intramathletic, club or intramural sports.
- Past experiences of club or intramural teams.
- A poor competitive record or inability to play at the same competitive level as other current varsity teams is not enough to deny an expansion of opportunities for the under-represented sex. It is sufficient to determine that interested students have the ability to sustain an intercollegiate team.

3. Is there a reasonable expectation of competition for the team?

Generally, an evaluation will look at the competitive opportunities in the geographic area in which the current varsity teams compete (for example, the offerings at institutions in a conference and the offerings at institutions in the area in which the varsity teams generally compete).

The interest at a specific university could be considered met when surveys indicate no interest to add or upgrade a sport to varsity status. Surveys should be conducted for the enrolled female student body, and especially among female club sport participants and intramural participants. The OCR also would expect surveys to include women already admitted to the university, but as yet not enrolled. If no individuals or no teams file the appropriate request, or several or many requests are filed but not acted upon, the institution may be required to be said to have been fully and effectively accommodated by the current varsity program.

It is a common misconception that ultimately an institution must be in compliance with Prong 1 (that is, when the athletics population ratio is similar to the undergraduate population). This is incorrect. It is true that an institution may be in compliance with Prong 1, but it is not necessary for an institution to be in compliance with Prong 1. However, this is not inevitable.

It is possible for an institution to be in compliance with Prong 2 but then find that, despite an imbalance of participation opportunities, there are no female students who are interested in participating in a sport. The institution would then be in compliance with Prong 3. Providing that regular assessments continue to confirm this fact, that institution would remain in compliance with Prong 3.

In an October 2004 speech titled, "Achieving Fiscal Responsibility in Athletics," NCAA President Hayes Brauer noted: "... if there are not concrete solutions brought forth within a reasonable time frame, financial pressures will reshape college sports in ways that will threaten the integrity of the college game and the ability of the sport to be a viable and exciting part of the college experience. College sports will take on the characteristics of professional sports and, with that, its place on university campuses will be lost."

It also is key to point out that there would be strong legal ramifications on any campus where football and men's basketball are the only sports protected from budgetary cutbacks.

This growing financial problem in athletics could have severe future consequences for both men's nonrevenue sports and also for the continued development of truly gender-equitable sports programs.

Q: What specific evidence would an institution have to present to satisfy Prong 2 of the three-prong test? What is acceptable evidence that an institution is "fully and effectively" accommodating interests of students (Prong 3)?

A: To satisfy the second prong of Title IX, an institution needs to provide evidence that it is fully and effectively accommodating interests of students. Opportunities for the under-represented sex. When an institution is assessing whether it has been historically responsive to the developing interests and abilities of women, some of the factors to consider include:

- The record of upgrading teams from club or intramural status.
- The record of adding teams.
- The increase in the number of participants (that is, on current teams).

• The number of positive responses to requests to add teams or upgrade. Factors to be considered when evaluating whether there is a continuing practice of program expansion include:

- Clear policies for requesting the addition or upgrade of a sport.
- Effective dissemination of these policies to appropriate groups (for example, club sports, intramural teams).

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Q: Is it possible to determine compliance with Title IX through statistics on the men's and women's athletics programs?

A: The Office for Civil Rights (OCR) would likely begin an investigation with a review of pertinent statistics before moving into a greater in-depth analysis of all factors that affect male and female athletes participants in an institution's athletics program selected. A similar percentage to the male/female undergraduate population, there would be a presumption of compliance in the area of participation without the need for further inquiry. If, however, an institution claimed to be in compliance with Prong 2 (a history and continuing practice of program expansion) or Prong 3 (fully and effectively accommodating interests of students), the OCR would conduct additional non-statistical investigations to determine compliance.

Generally speaking, statistics alone are not enough to determine if an institution is in compliance with Title IX, although the availability of annual statistical reports over a period of time can present an overall indication of an institution's commitment to and progress toward equal opportunity.

An analysis of the NCAA statistical data on men's and women's athletics programs also sheds light on national trends.

In the area of participation, playing opportunities for women at the collegiate level have certainly increased over the years. Title IX was passed in 1972 and almost 1575. High schools were to be in compliance by June 1979 and universities by 1979.

In 2001-02, 30 years later, college women in NCAA institutions constituted 54.5 percent of the undergraduate population and about 42 percent of the athletics population, a difference of 12.5 percent.

Table 1

Undergraduate - Female population - participation	
Division I-A	62%
Division I-AA	45%
Division I-AAA	55%
Division II	46%
Division III	56%
Source: 2001-02 NCAA Gender-Equity Report	

Some of the disparity in participation opportunities may be because of the number of institutions that are lagging in compliance with Prong 3 (that is,

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institutions that are fully and effectively accommodating the interests and abilities of the under-represented sex despite an imbalance of participation opportunities for men and women).

On the other hand, an analysis of women's participation over the past 20 years has shown that the number of women participating in intercollegiate sports has increased. There has been no indication that a decline in interest may be developing. Hence, one may anticipate that at some institutions, there will be a need to continue to comply with Proq 2 (that is, to exhibit a history and a continuing practice of program expansion for women).

All these institutions, it should be noted that a university athletics population is reduced about every five years. Thus, at some schools, six generations of women have been affected by a lack of real equal opportunity to compete. As a result, some young women have turned to the courts for relief and in those instances, women have seldom lost. As parents become more educated about the rights of their talented daughters and more aware of the disparities that exist between men and women's sports at some institutions, the likelihood of legal action will increase.

In the area of financial aid, the law requires the athletics scholarship allocation for women to be not less than 1 percent from the participation percentage unless there is a legal and legitimate reason for the disparity. For example, if there are more out-of-state scholarships awarded to men, and the number of women is smaller, the school would be required to award a larger percentage of its total out-of-state female student-scholarships, a difference of more than 1 percent in scholarship expenses for women may well be acceptable. Legitimate and non-discriminatory reasons for any differences will be fairly considered by the OCR. In the latest data collection, only in Division I-A is the allocation less than what is required by law.

Although per capita expenditures are not required to be allocated according to the participation proportionality, the differences between male and female resource distributions in recruiting and total expenses in Division I-A have been consistently and significantly well below participation figures. The allocations in the other divisions have been more equitable.

Table 2
Female percentages of expenses

Participation -- Scholarships -- Recruiting -- Total expenses	
I-A	43 41 39 30
I-AA	42 43 35 39

Q: What are the advantages and disadvantages to "roster management"?

A: Unfortunately, there currently appears to be a negative connotation when the term "roster management" is used. However, it should be stressed that roster management has been used for decades because it has not been possible in most instances to allow all who wish to participate in intercollegiate athletics to do so, hence, the reason for rosters.

Today, roster management most often refers to setting caps on the number of young men who can participate in each varsity sport. In some institutions, roster management may also set minimum numbers for each varsity team in the women's program.

The benefits of using a program like this is that money saved from the elimination of some spots on men's teams can be used to fund more opportunities for women. Because men traditionally have enjoyed a much higher percentage of participation slots than their percentage of the undergraduate population, the transfer of opportunities would boost the number available to women without eliminating any men's sports.

Additionally, the practice of adding spots to current women's teams increases women's opportunities without adding a brand-new women's sports team, which carries the challenge of securing money for salaries for a new staff, operating budget and sometimes new facilities. However, if additional slots are allocated to larger teams such as rowing, more funds also must be transferred to support more assistant coaches, support personnel and team expenses (travel costs, program meals, equipment, uniforms, etc.).

The negative of roster management includes the fact that, overall, some opportunities are lost for men. It also is possible that so many roster spots are eliminated that a team may be rendered non-competitive. A way to solve this problem would be to use the divisional team average of roster spots as a method to reasonably and fairly cap men's teams.

The opposite problem could occur in women's teams. Roster-management minimums for women's teams may be so high that there are too many people on a team for it to be a meaningful experience for all. Using the divisional number could be a way to reasonably and fairly construct roster management numbers for women's teams as well.

In summary, if maximums for men and minimums for women are truly fair, this practice can assist administrators in predicting more accurately future expenditures in each sport, while simultaneously permitting a more equitable distribution of the financial resources between men and women. Additionally,

I-AAA	50	55	44	49
II	39	42	36	41
III	40	NA	34	41

Source: 2001-02 NCAA Gender-Equity Report

According to NCAA researcher Daniel Fular statistics in 1989 the average expense per male student-athlete in Division I-A was \$24,000, compared to \$10,000 for the average female student-athlete, a difference of \$14,000. By 2001, that difference in per capita spending had increased to \$14,000.

Table 3
Per capita expenditures on student-athletes

Division	Male S-A's	Female S-A's	Difference
I-A	\$24,000	\$20,000	\$14,000
I-AA	\$11,000	\$10,000	\$1,000
II-IV	\$13,000	\$2,000	\$2,000
II-IV	\$6,000	\$4,000	\$2,000

*Not available

Source: 2001 NCAA Revenues and Expenses of Division I and II Intercollegiate Athletics Programs

One year later, in 2002, the difference in the expenditures on men and women is actually increasing rather than diminishing over the years.

The following data show not only the disparity in spending between men's and women's enter programs, they also demonstrate the priorities of budget allocations:

Table 4
2002 NCAA Gender Equity Report

Division I-A	Average # Participants	Average Per Student
Football	110	\$6,500,100
Football	110	\$6,500,100

such a practice is infinitely preferable to the elimination of men's teams, which seems to be the expedient route taken by some Division I-A institutions at which escalating salaries and other rising costs are causing severe budget problems.

Q: Do all schools have to be compliant by a certain date? What are the consequences of not meeting Title IX, and are they different across divisions?

A: Title IX regulations were finalized in 1975. At that time, K through 12 educational institutions were to be in compliance by June 1976; colleges and universities by June 1978. The penalty for non-compliance for any institution was removal of all federal funds. That action has never been taken.

Consequences include the possibility of a complaint being filed with the Office for Civil Rights (OCR) or a lawsuit being filed against the institution. The latter action became more prevalent after 1992 when the Franklin v. Oviatt lawsuit ruled that monetary damages could be awarded in Title IX cases.

It also should be noted that equity is a cornerstone in the NCAA certification program for all Division I schools. It is important to note that "the (ethics certification) committee will not be evaluating... whether an institution is in legal compliance with Title IX; rather it and peer reviewers will be evaluating the institution in terms of whether the school has thoroughly addressed its standing in such Title IX suit.

Failure to become certified can mean severe penalties, including ineligibility for NCAA championships or removal from active membership. Equity also must be evaluated in the Divisions I and III self-studies that must be completed every five years. The NCAA Committee on Women's Athletics has attempted to make the questions an equity similar across all divisions.

Q: Across the country, cheerleading squads operate as a part of their respective athletics departments and are treated like all of the other teams. These squads provide athletics opportunities for young women and some men, but are not recognized as a sport, although they generally use university (athletic) funds for expenses. How does cheerleading fit with Title IX?

A: Over the years, several institutions have inquired about the possibility of counting cheerleading squads or dance teams as varsity sports. The abbreviated response is that if such groups exist primarily to support varsity teams (as spirit squads), then their groups will not be recognized as varsity sports. However, if

Baseball	16	\$2,113,200	\$132,075
Other Sports	186	\$2,951,200	\$15,057
Totals	300	\$11,997,600	\$35,144

Women

Average Cost	Average # Participants	Average Budget	Per Student Athlete
Baseball	16	\$1,200,300	\$75,250
Other Sports	234	\$5,049,800	\$20,180
Totals	250	\$5,049,800	\$20,180

There are several important points to be made with regard to this table. First of all, the OCR does not conduct a comparison of expenses on a sport-by-sport basis; the comparison is made between the expenses of the total men's program and the total women's program. In this comparison, the expenses of football and basketball are the largest for men and women, respectively. The disproportionate on men and women must not be the result of discriminatory practices.

For example, if an institution decides to "test" sports (that is, to make resource allocations to sports in a disparate fashion), there must be overall equity for women. What is clear in Table 4 is that football, men's basketball and women's basketball are the largest sports for men and women, respectively. The resource allocations to men and women sports. What will be of concern to the OCR is the imbalance of men and women enjoying the benefits of being in these high-priority sports.

Since in Division I-A, women constitute 43 percent of the athletics population, they should be afforded 43 percent of the total athletic budget. The OCR would like to see that. So, if football and men's basketball on average have 134 male athletes (football 118, men's basketball 16), then there should be 101 women (43 percent) in high-priority sports rather than the 18 percent they currently have. This would necessitate elevating 85 additional women into the high-priority classification.

In summary, although statistics cannot determine an institution's compliance with Title IX, both the individual institution and the Association itself can benefit from an analysis of annual reports over the years that provide statistics on the treatment of male and female student-athletes in athletics programs.

is possible under certain circumstances to have them accepted as bona fide varsity teams.

The following is excerpted from the Department of Education Office for Civil Rights April 11, 2000, letter on the definition of varsity sport:

"In determining whether an activity is a sport OCR will consider on a case-by-case basis:

- Whether selection for the team is based upon factors related primarily to athletic ability; and,
- Whether the activity is sponsored for the primary purpose of preparing for and engaging in athletic competition against other similar teams; and
- Whether the team prepares for and engages in competition in the same way as other teams in the athletic program (for example, receives coaching, conducts practices, engages in regular practice sessions, and has regularly scheduled athletic competitions); and,
- Whether national, state and conference championships exist for the activity; and
- Whether the activity is administered by the athletics department.

By contrast, if the purpose of the team is primarily to support and promote other athletes, then the team will not be considered to be engaged in a sport.

The OCR also may consider other evidence relevant to the activity, which might demonstrate that it is part of an institution's athletics program.

A non-exhaustive list of the evidence that may be considered includes:

- Whether the activity is recognized as part of the intercollegiate or intercollegiate athletics program by the athletics conference to which the institution belongs and by organized state and national intercollegiate or intercollegiate athletics associations;
- Whether organizations knowledgeable about the activity agree that it should be recognized as an athletic sport;
- Whether there is a specified season for the activity that has a recognized commencement and end to a championship.

* Whether there are specified regulations for the activity governing the activity such as coaching, recruitment, equality, and length and number of practice sessions and competitive opportunities;

* Whether a national, state or conference rules book or manual has been adopted for the activity;

* Whether there is national, conference or state regulation of competition officials along with standardized criteria upon which the competition may be judged; and

* Whether participants in the activity/report are eligible to receive athletics awards (for example, varsity awards).

The OCR's position on cheerleading is supported by the Universal Cheerleaders Association, the American Association of Cheerleading Coaches & Advisors and the National Federation of State High School Athletic Associations.

O: An institution has "declared" football and men's basketball as its tier 1 men's sports and has declared women's basketball and volleyball as its tier 1 women's sports. The number of female participants is about 180 fewer than the male participants on these combined tier 1 teams. Will the institutions have to raise other women's teams to tier 1 to account for the same number of males and females on the tier 1 level?

A: A tier system means that an institution treats sports in significantly different ways. For example, tier 1 sports may have maximum NCAA scholarships, a nationally competitive schedule and expenses that allow for national and even international recruiting. Tier 2 sports may have 50 percent of the maximum NCAA scholarships, regional competition and expenses for regional recruiting. Tier 3 sports may have 25 percent scholarships, regional competition and expenses for regional recruiting and expenses primarily for in-state recruiting.

For the situation in the above question, let's assume that there are 130 men in tier 1 (115 football and 15 basketball players) and 30 women (15 basketball and 15 volleyball players). If the institution's athletics population is 50 percent male and 50 percent female, then an additional 100 women would need to be added to tier 1 to meet the gender parity goal. The number of men and women in tier 1 about collect about the same ratio that exists in the entire athletics program. For example, assuming that the number of male student-athletes in tier 1 remains constant (that is, together the number of football and basketball players constitute 130), then the number of women in tier 1 would change according to the percentage of female student-athletes in the entire athletics population.

O: How did the concept of proportionality in relationship to the student body population of the institution, be it male/female, be established in the "three-part test" for gender equity when very few schools choose this as a means to measure their attempt to comply with Title IX?

A: The easiest way to justify using the undergraduate population as the standard in Prong 1 is to note that athletics ability, its intelligence, is equally distributed between males and females.

That being the case, it is logical to establish the male/female undergraduates ratio at a given university as the appropriate measure for the establishment of athletics opportunities at that institution.

Layers in their explanation of the Prong 1 standard would stress that the Title IX standard is not meant with the essence of other anti-discrimination laws that it assures equal access without regard to irrelevant characteristics such as race, nationality, religion and gender.

It is important to point out that institutions fully control and proscribe the major female sports athletes play in the United States. The only sport that is not under male control is soccer. For an institution offering football in Division I, an under-represented team is not possible because at least 100 male student-athletes in that sport; a school adding women's golf can predict that about eight women will be on that team. The institutions also control the ratio by the depth of commitment to the recruitment of student-athletes in each sport, as well as their commitment to provide athletics scholarships. Since institutions control these factors, proportionality is the best evidence that these decisions are being made in a non-administrative way.

Prong 1 is necessary because there has to be a specific limit to having a "continuing practice" of expanding the opportunities for the under-represented sex (Prong 2). An institution cannot keep adding teams ad infinitum.

It is important to note again that an institution is not required to comply with the methods of program expansion, but institutions may and do comply with Prong 1 or if they finish by complying with Prong 3 (fully and effectively accommodating the interests and abilities of the under-represented sex) before it reaches proportionality.

It may be the perception of some that "five schools" meant to comply with Prong 1. This perception is inaccurate. According to the 2004 data in the Chronicle of Higher Education database, 61 percent of the institutions in the Big Ten, Pacific-10 and Big 12 Conference are within 5 percent of the undergraduate

TIER 1

Total participants, girls, girls/athletes	130
40%male/60%female	130
55%male/45%female	130
50%male/50%female	130

Participants in all other tiers also should reflect the overall male/female athletics ratio.

O: Some schools in our conference are questioning whether JV numbers (and costs) should be counted for Title IX purposes. According to EADA instructions, we are not to count them. Where does the OCR come down on this?

A: As we have discussed before, Title IX compliance may be measured and achieved in a number of different ways. Each method of compliance requires that an institution count all of its student-athletes accurately and consistently. As described more fully below, the Title IX and the EADA definitions of participant, although similar, are not identical. These differences have led to some confusion about how to count JV athletes. The OCR's position is that counts for both the EADA terms should be based on an institution's Title IX compliance. This is one of many reasons why it is so important to make use of the comment section on the EADA forms.

Moreover, the EADA provides that the comments may be placed within the EADA form team with the information it is intended by the institution. The EADA instructions do not prohibit an institution from providing information presented in this way. It is more likely to be read and incorporated in the reader's assessment of the program than if it is placed in a summary form at the end of the document.

For purposes of Title IX, a participant is defined under the Policy Interpretation and the Classification Letter to include those athletes who:

- * Receive the institutionally sponsored support normally provided to athletes competing at the institution involved (for example, coaching, equipment, medical and training room services) on a regular basis during a sports season; and
- * Participate in organized practice sessions and other team meetings and activities on a regular basis during a sports season; and

male/female population, and fewer than one-quarter have a greater than 7 percent point difference with the undergraduate population.

O: On March 17, the Department of Education issued an "Additional Clarification of Interpretation of the Policy Interpretation – Part Three." What does this clarification change, if anything?

A: The clarification provides schools with those specific factors the OCR will consider when determining whether an institution is in compliance with prong three of Title IX's three-part test. Under the three-part test, a school is presumed to provide noncontingent participation opportunities to its student athletes if it satisfies any one of the following:

- * The percentage of male and female athletes is substantially proportional to the percentage of male and female students enrolled at the school; or
- * The school has a history and continuing practice of expanding participation opportunities for the under-represented sex; or

The school is fully and effectively accommodating the interests and abilities of the under-represented sex.

The clarification changes and in some respects narrows the scope of inquiry an institution may use to determine whether it is in compliance with prong three of the under-represented sex. The following are some important issues raised by the new guidance:

- * To assess interest sufficient to sustain a varsity team, an institution may now rely on a web-based survey, provided in the user's guide attached to the clarification. According to the clarification, the participation interest raised by an additional varsity team for the under-represented sex "can be overcome only if the OCR finds direct and persuasive evidence of unmet interest sufficient to sustain a varsity team, such as the recent elimination of a viable team for the under-represented sex or a recent, broad-based petition from an existing club team for elevation to varsity status."

Schools cannot rely on the survey to eliminate a viable intercollegiate team for the under-represented sex even where the survey appears to indicate that there is no interest in the sport. Participation is expressed interest sufficient to satisfy the requirements of Title IX.

- * Are listed on the eligibility or squad lists maintained for each sport; or
- * Because of injury, cannot meet the three points above, but continues to receive financial aid on the basis of athletics ability.

Each sport a student athlete occupies counts one time. In other words, an athlete who competes on cross country, indoor and outdoor track occupies three participation spots. Where junior varsity athletes meet these criteria they may be counted as varsity athletes. The OCR does not require that a school look at JV programs closely to ensure that varsity participants are not offset by junior varsity participants of the other sex. Accordingly, schools with junior varsity programs should use the living model as a guideline to determine how junior varsity athletes fit within a program's overall Title IX compliance review.

In addition, the reader is correct in stating that the EADA definition of participant generally does not include junior varsity athletes. Junior varsity athletes may be included, however, where they routinely practice with the varsity and are listed on the varsity squad list. The EADA defines participants to include those students who, as of the day of a varsity team's first scheduled contest:

- * Are listed by the institution on the varsity team's roster;
- * Receive athletically related student aid; or
- * Practice with the varsity team and receive coaching from one or more varsity coaches.

Any student who satisfies one or more of these criteria is a participant, including a student on a team, or a student designated or defined as junior varsity, freshman, or novice, or a student withheld from competition to preserve eligibility (that is, a redshirt), or for academic, medical or other reasons (see 34 CFR 608.47).

As discussed above, junior varsity student-athletes who do not meet this definition should be included on the comment section of the EADA form to let prospective student-athletes and their families know that junior varsity opportunities are available.

The EADA defines varsity teams as those that are designated or defined by its institution or an intercollegiate athletic association as varsity teams. Other teams that are designated or defined by their institutions or athletics associations as varsity teams.

* The clarification allows non-responses by students to the survey to be counted as an actual lack of interest. The clarification provides that either students should be required to actively respond to the survey to register for classes or when the team lists by name on the roster, a school must take "reasonable steps" to follow up with those who do not respond.

* The clarification states that while institutions may use other methods other than the survey to assess interest, the OCR will not presume that the other methods standing alone are adequate to measure student interest under part three. Only if the OCR took to the "broader range of factors drawn from previous OCR guidance on the three-part test."

* The clarification provides that schools may determine interest simply by distributing an e-mail survey to all current and admitted students and tabulating the responses, or as the case may be, the non-responses. However, the new guidance also recognizes that where surveys alone fail and where a school requests to become varsity or the recent creation or elimination of a viable intercollegiate team.

* Survey response rates – a critical issue in Barrett v. West Chester, a recent decision from the federal circuit court of appeals. The court stated that a school's failure to respond to the e-mail survey may be counted as a "no interest" response. In Barrett, the district court held that a 39 percent survey response rate was too low to validate the survey and therefore the school could not rely on the results to demonstrate compliance with prong three.

* According to the clarification, schools no longer need to take into consideration the effect of the school's interest when assessing full and effective accommodation. The guidance is in contrast to the 1980 version of the Title IX Athletic Investigator's Manual, the agency's internal roadmap for OCR investigators that instructs investigators to consider, among other things, institutional surveys or assessments of students' athletics interests and student interest in the under-represented sex. The clarification also states that schools should not use programs as "tester" schools, community and regional sports programs, and physical education classes. This was reaffirmed in the 1998 clarification, which in turn was supported by the Department of Education in July 2003.

Although the 1998 policy interpretation does not require an institution to accommodate the interests and abilities of prospective students, it does state that an institution may do so through a variety of means, including through, for example, linking at feeder schools and recreational leagues

* The clarification states that "but three imposes no obligation on an institution to generate interest among its students of its under-represented sex." This clearly is at odds with the 1995 clarification stating that "Under the policy interpretation, the evaluation may also be required to actively recruit for the under-represented sex when overall athletics opportunities within its competitive region have been historically limited for members of that sex."

* The clarification also places a high burden on those who seek additional participation opportunities. It states that the OCR (in an OCR investigation) or students (in an on-campus Title IX grievance investigation) bear the burden of proof as to the extent of the institution's participation opportunities. Institutions demonstrate such compliance unless and until there is "actual evidence" of interest and ability among the under-represented sex. More specifically, the guidance states that the OCR will find an institution to be in compliance with the participation portion of the law "unless there exists a sport(s) for the under-represented sex for which all three of the following conditions are met:

- (a) interest sufficient to sustain a varsity team in the sport(s);
- (b) sufficient ability to sustain an intercollegiate team in the sport(s); and
- (c) reasonable expectation of intercollegiate competition for a team in the sport(s) within the school's normal competitive region.⁴

It is unclear whether it would be complied with courts considering the issue. If so, the burden allocation would be consistent with the Cohen v. Brown decision (1975), the district court erred in placing upon Brown the burden of proof under prong three of the first prong. The Supreme Court affirmed the district court's decision in Cohen v. Brown (1975), but the burden of proving that the school has failed to meet the first prong, if successful, the burden then shifts to the [school] who bears the burden of proof under the second and third prongs.⁵ Although the allocation of such a burden may appear to be an insignificant issue, a impact in the burden analysis contained in the clarification, as indicated above, the OCR is likely to place a high burden on those who seek additional participation opportunities. This is likely to be a Title IX office and a grievance procedure in place. In addition, students still need to know who the institution's Title IX officer is and how to go about seeking compliance with the law. Moreover, the 1995 clarification provided that schools should have effective policies in place for the alleviation or elimination of these barriers. These procedures still are an important way for schools to determine interest (or the lack thereof) and should not be ignored. They also help

Q: What does Title IX have to do with sexual harassment?

A: Both the Department of Education and the United States Supreme Court have found that sexual harassment is a form of sexual discrimination prohibited by Title IX. In January 2001, The Department of Education issued its *Guidance for Schools on Sexual Harassment and Gender Discrimination*. This guidance updates and revises the original 1997 guidelines to incorporate and discuss important Supreme Court cases that were decided on the subject in the interim: *Cobase v. Lago Vista Independent School District* (a claim involving a teacher and student); *Devis v. Moore County Board of Education* (student-on-student sexual harassment); and *Johnson v. University of Texas at Austin* (sexual harassment of a student). The guidance is designed to help schools chart a course through what can sometimes be a very complicated area of the law.

Schools have an obligation under Title IX to have a well-publicized policy against sexual discrimination, including sexual harassment, enforce that policy, and designate an Title IX officer. The Title IX officer should know enough about Title IX to ensure compliance with the law generally, including oversight of investigations into noncompliance complaints. While the Title IX officer must be knowledgeable about harassment investigations, he or she also must be the point person for other Title IX compliance concerns such as equitable athletics participation, student organizations, and Title IX grievance procedures, among other things, as well as the "sanctity" of the law (for example, equipment, facilities, travel, publicity, etc.).

So what is sexual harassment anyway? It is defined as "unwelcome conduct of a sexual nature" that may include "unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature." Sexual harassment is based on sex or sexual stereotyping, and has the effect of interfering with a student's ability to participate in or benefit from a school program, such as participation in athletics. Traditionally, courts have recognized two types of sexual harassment: quid pro quo and hostile-environment sexual harassment. Where compliance is limited, either directly or indirectly, to a benefit or detriment (for example, the awarding of a scholarship or the issuance of a letter of recommendation), the harassment is quid pro quo. Other forms of sexual harassment generally fall into the hostile-environment area. Harassment may include behavior between students, between staff and students, between staff, and may occur between members of the opposite sex or between members of the same sex.

schools show compliance with the second part of the test — history and continuing practice of expansion of opportunity for the under-represented sex. The OCR will consider evidence with regard to a complicated portion of the three-part test. The Department of Education states that the new guidance is consistent with its past practice.

Those who criticize the new policy argue that it diverts drastically from past guidance and practice and, further, that it will reinforce and in some instances exacerbate existing disparities. It will, they argue, no longer require schools to consider the entire male or female population when determining whether to participate in a sport not currently offered but popular among potential students in the institution's normal recruiting area. Talented athletes — male and female — self-select. They go where their interests and abilities — both academic and athletics — will be accommodated. Their interest in attending and playing does not become a factor unless they decide to go where their sport does not already exist. The OCR investigators are bound to follow the clarification when conducting investigations. In light of the controversy, it appears that less guidance will also be issued in court sometime in the not so distant future. At that time, courts will determine if it is a reasonable interpretation of the law whether it is arbitrary and capricious and thus not to be afforded deference.

Q: Does Title IX protect those who raise concerns about equity in their athletics programs?

A: In an opinion issued March 29, 2005, the United States Supreme Court reversed a circuit court among the federal circuit courts by ruling that Title IX prohibits discrimination against those who raise concerns about equity in their athletics programs, even if they are not the direct victims of the underlying discrimination.

In *Jackson v. Birmingham Board of Education*, the court considered the case of Robert Jackson, a high-school teacher and former girls' basketball coach. Jackson alleged that the school board relieved him of his coaching duties because he complained about the school's athletic program. Jackson alleged that his team did not receive equal funding or equal access to facilities and equipment when compared with the boys' program.

Jackson filed a complaint in the federal district court alleging that his termination violated Title IX. He argued that he was fired in retaliation for complaining about the school's athletic program. The Supreme Court affirmed the district court's ruling. The 11th Circuit Court of Appeals dismissed the case. These federal courts found that Title IX does not provide a private right of action for individuals to allege

Once a school learns that a complaint of harassment exists, it has an obligation to investigate the incident(s) promptly. When determining whether hostile-environment harassment has occurred, a school should (and OCR will consider) the totality of the circumstances surrounding the alleged incidents including, but not limited to, the following factors:

- * The degree to which the conduct affected one or more students' education.
- * The type, frequency, and duration of the conduct.
- * The identity of and relationship between the alleged harasser and the subject(s) of the harassment.
- * The number of individuals involved.
- * The age and sex of the alleged harasser and the subject(s) of the harassment.
- * The size of the school, location of the incidents and the context in which they occurred.
- * Other incidents at the school.
- * Incidents of gender-based, but nonsexual harassment.

Where a school determines that harassing behavior occurred, it still must determine whether the behavior was welcome. For example, if a student normally tells sexually explicit stories or jokes, it would be difficult for that student to show that similar stories or jokes told by others are "unwelcome." That said, a student who does not tell the jokes or stories but merely is present when someone tells the behavior was "unwelcome" even if he or she did not object to the language at the time.

If a school determines that sexual harassment is in violation of Title IX (or its own school policy, which may be more restrictive than Title IX), the institution has an obligation to take immediate and effective corrective action. It must stop the harassment, limit its effects, and ensure that the institution's policies and procedures are those who are responsible for investigating and resolving complaints of sexual harassment. It also contains a thoughtful discussion of the implications of sexual harassment that may be implicated in an harassment investigation, such as student-record confidentiality, due process and freedom of speech. That certainty goes beyond the scope of this discussion.

retaliation in court. The 11th Circuit further found that even if retaliation was not the purpose of the Title IX complaint, the school's actions to investigate the complaint were not a pretext, and not the direct, victim of the underlying complaint of discrimination.

The Supreme Court disagreed. In a 5-4 opinion, the court noted that prior decisions made clear that Title IX provides a private cause of action against federal funding recipients who intentionally discriminate on the basis of sex. The court found that the school's actions were not a pretext for discrimination. The court reasoned, in part, that the school's actions were not a pretext for discrimination because it is an intentional response to an allegation of sex discrimination.

The Supreme Court then turned its attention to the 11th Circuit's finding that Jackson was not the victim of Title IX's prohibitions because he was not the direct victim of the original complaint of sex discrimination. Again, the Supreme Court disagreed. It found that Title IX's prohibitions extend to those who oppose sex discrimination and who then suffer discriminatory retaliation as a result — regardless of whether they are the direct victims of the original complaint. The court reasoned the following hypothetical, voted by the majority of the court: To illustrate the rationale that would result from the 11th Circuit's reasoning:

* If the male captain of the boys' basketball team and the female captain of the girls' basketball team together approach the school principal to complain about discrimination against the girls' team, and the principal retaliates by firing the girls' coach because he was not pleased with the girls' team, and the male captain has been "discriminated" against "on the basis of sex."

To rule otherwise, the Supreme Court reasoned, would make those in the best position to witness sex discrimination — students, coaches and teachers — "vulnerable to retaliation." If retaliation against these individuals and seeks to remedy sex discrimination were not prohibited, "Title IX's enforcement scheme would be eviscerated."

The Supreme Court then took the case back to the lower court to determine actually whether the school board fired Jackson as the girls' basketball coach because he complained about sex discrimination against his program. In the meantime, the Jackson decision appears to all educators and administrators who feel that they are being discriminated against because of their concern over someone who files a complaint of Title IX discrimination — because they file the complaint — be prohibited by Title IX.

Sexual harassment continues to be a concern on college campuses. Policies and grievance procedures are great, but they typically do not prevent harassment. Prevention programs are also important. Some schools have implemented prevention programs that are subject often misunderstood by students and staff members. Accordingly, athletics departments should consider conducting annual training on the subject using actual cases from the athletics world. Staff and students who are trained in a way that permits men and women to ask questions without being judged, to voice opinions, to work through difficult hypothetical situations, to discuss policies and the reasons behind them, and to work through potential scenarios for resolution are better equipped to make informed decisions in the arena.

Q: What does OCR evaluate to determine Title IX compliance?

The following factors, also collectively referred to as the "sanctity" list,⁶ are those identified by the Department of Education's Office for Civil Rights as the areas to be evaluated for purposes of Title IX compliance:

- * Equipment and supplies
- * Scheduling of games and practice times
- * Travel and per diem expenses
- * Academic tutors
- * Coaches
- * Facilities
- * Medical and training services
- * Housing
- * Publicity
- * Support services
- * Recruiting

Although compliance often has been filed under only one area, both the men's and women's programs must be evaluated overall to determine whether a Title IX violation occurred. Although sport-to-sport comparisons may indicate disparities, the

differences become problematic only if they are not offset by differences in other areas.

For example, differences in equipment between the men's and women's basketball teams that benefit the women may be offset by the difference between the equipment provided for men's and women's ice hockey that benefits the men. In addition, differences in equipment between the men's and women's tennis teams may impact on athletes of one sex when compared with the benefits or services available to athletes of the other sex.

Keep in mind, however, that some differences are permissible. It would be reasonable, for example, for the men's basketball team to need additional recruiting funds in a year when all of the starting players are graduating seniors. It would also be reasonable for the men's basketball team to have a larger and better stocked team. To be actionable, the difference must be so substantial as to deny equal opportunity to members of one sex.

Both OCR guidance and case law have set forth those components to be evaluated under each factor. Of course, no one list can cover all of the unique circumstances that occur on campuses across the country.

In an effort to help institutions evaluate their current programs, however, the next few Gender-Equity Q&As (beginning in September) will discuss each of the areas in light of the guidance and existing case law. Schools should feel free to add additional pertinent factors or to tailor the existing factors to their particular programs.

Q: Is Title IX the only law that imposes gender-equity requirements on colleges and universities?

A: The answer is a word in "No." Many states have also applied to schools in their laws more similar to Title IX. But even the laws that impose obligations on these laws may differ from Title IX. It is important for athletics administrators and general counsels to be familiar with the laws of their state to ensure that they are in compliance with all of the laws that affect their programs. Where state and federal laws differ, schools generally must comply with the most generous provisions of both, even if one requires a lower standard of compliance.

For example, in 1989, the state of Washington passed two laws relating to gender equality in higher education. Both laws apply to intercollegiate athletics programs in the state. One prohibits discrimination based on gender in athletics, and the second provides a method whereby four-year institutions may access tuition waivers to comply with the law. The first law

further requires schools to provide copies of the legislation to all students, and it requires the higher education governing board to report every four years to the legislature and governor on gender equity. It also states that complaints may be filed with the Washington Human Rights Commission. Finally, the law requires institutions to "attempt to provide some credits and administrative of each gender to act as role models for male and female athletes."

Florida laws require that each community college and state university develop and file a gender-equity plan. The law expressly states that the plan must consider "equity in sports offerings, participation, availability of facilities, scholarship offerings, and funds allocated for administration, recruitment, and equipment." The law also requires that each institution file a report annually and forwarding the findings to the state board of education. Where institutions are found not to be in compliance with Title IX and the Florida Educational Equity Act, the state board of education has the authority to deplete the institution's budget for state grants and withhold funds sufficient to obtain compliance and the school comes into compliance or develops an approved compliance plan.

Additional examples include:

- Miami law requires equal opportunity in athletics programs at public institutions and provides that state grants of financial assistance shall not be provided to any recipient engaged in discriminatory practices.
- Discrimination on the basis of sex is prohibited in all extracurricular activities including athletics and athletics grant-in-aid by Rhode Island law.

In addition, as the following law demonstrates, it pays -- literally -- to know the state laws that apply in this area.

- Idaho's Sport Equity in Intercollegiate Athletics law extends grant tuition waivers in an amount not to exceed 1 percent of all tuition income to help schools attend gender equity in athletics.
- Tuition waivers are available for female student-athletes under Louisiana law.
- Public institutions of higher learning in Arkansas may access additional state funding to provide gender equity in intercollegiate athletics.
- In Utah, state institutions of higher education "shall annually use for the purpose described in Title IX . . . an amount of revenue equal to the total amount of state and use tax" collected on admission to athletics events.

Q: How do you measure equity in the scheduling of games and practice times?

A: The 1979 Policy Interpretation specifically lists the following five areas to be reviewed when determining whether teams are scheduled equitably:

1. Are there equitable numbers of competitive events offered per sport?

First, it helps to assemble a list of the maximum number of contests permitted in each sport per conference rules. Men's and women's teams should be provided the same number of contests in like sports (for example, men's and women's basketball) and where they do not, schools will be expected to provide nondiscriminatory reasons for the difference. In some instances, the reasons may be from the perspective of the student-athletes. In other words, are the student-athletes being given equivalent opportunities? It is not enough to leave the decision to the coach without careful administrative follow-up to determine the reason for the request for fewer games.

2. Are practice opportunities equivalent in number and duration?

Would your like teams be satisfied with the practice schedule of the opposite sex? This is a good test when trying to decide if one team is given more and better practice opportunities than another. This analysis is fairly straightforward. Compare the number of practices per season and length of practices. Investigate the scheduling of practice times. Schools must ensure that the coach they provide for each sport is able to be on campus regularly to provide sufficient and equitable practice opportunities.

Are teams permitted to return to school before the start of school in the fall and/or during winter break? Are teams permitted to be scheduled during the same time period? Are all teams permitted to return to school as easily as their sport will allow or do schools place restrictions on the number of preseason practices? Many departments have policies with regard to fall preseason (due to the high cost associated with housing and feeding student-athletes on campus before school begins). Are those policies applied equitably?

In the seasons, institutions need to look at all sports and not just those that are able. For example, if football is the only program brought back early, the fact that there is no fall program will not excuse the school's decision to bring back members of one sex and not the other. Clearly, all fall programs benefit from preseason training. So when conducting a review in this area, it is important to ask whether programs are given equitable opportunities to come back early to

Obviously, it is beyond the scope of this piece to set forth and analyze the myriad of state laws that regulate the provision of gender-equitable athletics programs and the case law and administrative actions that have resulted. The laws set forth in this article are intended to provide a general overview of the issues covered by state law that apply to intercollegiate athletics. There are many state laws that apply to the areas of housing, harassment and employment in athletics as well.

suffice it to say that Title IX is not the only law determining whether men's and women's teams are given equitable opportunities. It simply is a good place to start when discussing obligations that apply across the board.

(Note: In response to a number of inquiries, The NCAA News featured a recap of the individual treatment areas covered by Title IX. The *IX* treatment areas are compiled in these separate articles presented in this special section. It is important to remember that although each area should be reviewed individually, it is the treatment of the men's and women's programs overall that is dispositive for compliance purposes. Accordingly, a disparity in one area that favors one sex may be offset by a similar disparity in another area that favors the opposite sex. The following gender-equity questions are intended to provide a general overview of the unique characteristics and other review will have to be tailored to the circumstances of the program in question.)

Q: How do you measure equity in the provision and maintenance of equipment and supplies?

A: The first of the treatment areas, equipment and supplies, includes but is not limited to uniforms, other apparel, sport-specific equipment and supplies, instructional devices, and conditioning and weight-training equipment. In assessing compliance, the following factors are reviewed: quality, amount, suitability, maintenance and replacement, and suitability of equipment and supplies.

With respect to uniforms and apparel, the common issues that often arise involve the number of game uniforms provided to the respective teams, the type and amount of practice clothing (numbers of shirts, shorts, etc.), the type and amount of footwear, the availability and amount of travel warm-ups, the availability of laundry service and the related turnaround time, and the types and availability of travel bags and gear.

practice or are some given priority over others. By the same token, more and more teams are taking advantage of the opportunity to practice during the off-season. When are teams permitted to practice off-season? Are there equitable opportunities, and are coaches, athletic trainers and tutors available?

3. Are competitive events scheduled at comparable times?

Which teams are given the prime-time contest slots? The equitable assignment of the best (and worst) days and times for competitive events requires significant advance planning and coordination with conferences and other schools. In addition, what may be considered prime time for one team may not be prime time for another. In this area, it helps to meet with each coach of like sports to get a sense of particular games and special schedule requests. It also is important to check with male and female student-athletes to make sure they feel that their schedules and their sports are treated fairly.

4. Are teams given equitable practice times?

Sometimes there is a tendency to follow historical assignment patterns when facing field or facility availability limitations even though the schedule is not equitable. Institutions with limited facilities must be assigning the "prime" practice times equitably. Some form of rotation system should be implemented so that teams of each sex are equally advantaged (and disadvantaged) as the case may be.

In addition, institutions with limited indoor facilities face particular problems with the allocation of equitable practice times during the winter and/or periods of inclement weather. Institutions should look carefully at any comparative or preferential conditions that may exist. For example, if one team has access to weight facilities around the clock when others must use them during specific times? Also, are the machines and weights provided useful for the variety of sport programs offered at the institution and the needs of the individual team members? Again, where it can be demonstrated that weight training is integral to one program and not to another, differences may be justified.

5. Do programs have equal opportunities to engage in available preseason and postseason competition?

Here, schools should review their policies with regard to off-season and postseason competition. Complete spring trips for the baseball and softball teams. Are they equitable and equitably funded? Where does the money come from to fund the trip? What rules govern when and where teams are permitted to travel outside of their normal competitive region?

The second part of this analysis is a look at the word "available," when reviewing pre-season and postseason opportunities. For example, if a school has a department policy stating that all teams that qualify for NCAA postseason competition get to participate – and more men's teams than women's teams qualify – there is not a Title IX issue. However, if there are other postseason opportunities that are not pursued for members of one sex but are pursued for members of the other sex, the institution could have a Title IX problem. In short, this laundry-list area involves a fairly straightforward analysis. Is scheduling done fairly in the department or is one program given preference over another?

Ask your coaches and your students. They know.

Q: Is your travel and per diem allowance equitable?

A: The Policy Interpretation provides that the following factors be addressed when assessing compliance in this area: (1) modes of transportation, (2) housing furnished during travel, (3) length of stay before and after competitive events, and (4) per diem allowances and dining arrangements. Before answering these questions, it is important to determine whether the institution's travel policy is meant to assure that differences, if any, are legitimate and not the result of inequitable funding or discriminatory decisions.

* Modes of transportation. Team transportation varies depending upon a number of factors, including the number in the travel party, the distance traveled and the degree of difficulty of the terrain. For example, a team of 15 may be more easily accommodated traveling to three or four different events at the same time and may be sending each small group in cars, while other teams are traveling in buses or flying to contests. Many institutions run into problems in this area because they have informal travel policies that depend on the legitimacy of the individual coach or team manager. A better option is to have a formal travel policy that sets forth the rules. It should be clear that the institution's travel policy should be applied to both men and women's teams. It also is wise to have such a policy approved by in-house counsel, especially when teams are authorized to travel in private vehicles or vans or when student-athletes are needed to assist with the driving. In the latter instance, providing a relief driver not associated with the team would be a safer alternative.

* Housing on the road. When evaluating this factor, money is less of an issue than the comparative quality of the housing. For example, it costs more to house a team in some areas than others. In addition, teams with larger squads may find it more difficult to find adequate lodging. Again, teams have to stay in larger hotels to find appropriate meeting space. Again,

coaches of women's teams would have the same percentage of time allocated for coaching. If not, then it would be desirable to have a policy that allocates coaches of non-comparable sports in such a way that the overall result is equitable.

Allocating differing percentages is permissible provided that student-athletes of one gender are not discriminated by receiving a lower percentage of coaching opportunities. For example, if a school has 10 coaches for men's and 10 coaches for women's sports, it would be equitable to allocate 10 percent of the total coaching staff to men's sports and 10 percent to women's sports.

Having non-comparable teaching loads also would be of concern. For example, it would be inequitable to have coaches of men's sports teaching sport-draft classes and coaches of women's sports are teaching intramural courses, such as Boreamatics, which require much more preparation time.

The overall allocation of graduate assistants to the men's program and the women's program also should be equitable, and the institution again can be guided by the NCAA rules and regulations in this area.

Assignment

The assignment of coaches deals with the professional qualifications of coaches (for example, their educational preparation, their experience and their achievements in their careers). One way to help develop similarly well-qualified coaches for both men's and women's sports is to advertise coaching positions with the same required and desired qualifications and to have competition amongst qualified individuals for both programs.

A common problem is created when salaries for women's sports fail to attract quality coaches with the result that female student-athletes do not receive the high-quality coaching afforded their counterparts in men's sports. While years of experience should be one factor in the search for good coaches, the proven academic and athletics success record of an individual or the potential for success in the future should be an important factor in the selection process. Years of experience do not necessarily correlate well with success.

Compensation

The area of compensation in athletics is complex. Disparities in coaches' salaries cannot be used as a basis for Title IX complaints. However, a lower quality of coaching for student-athletes of one gender, in this instance, the complaint would have to come from the affected student-athletes since the coaches cannot assert a compensation discrimination claim under that area of Title IX. Title VII and the

schools should have clear policies regarding housing on the road including, but not limited to, the maximum number of student-athletes permitted in each room. Many institutions offer monetary guidelines for travel costs to promote equity in the area. Some schools have discovered when assessing this area that coaches are not being reimbursed for travel expenses. Some schools have policies that require coaches to reside on or stay in alumni housing when on the road. If those choices are made by coaches uniformly without administrative approval and uniform student-athlete buy-in, these programs can find themselves in trouble.

Also, even though the leader-athlete heading when teams are on the road, it is important to make sure that the coach is not being treated differently than the student-athletes. For example, if a coach is not offered the same per diem as the student-athletes, it is problematic. Remember, Title IX compliance is assessed through the eyes and experiences of all student-athletes.

* Length of stay. The length of stay before and after competitions is a sensitive issue to student-athletes. Coaches often are required to travel on game day, and this can be a problem. Coaches often are required to travel on game day. Schools with uniform policies with regard to travel depending upon the time of contest, distance traveled, academic schedule and team schedule generally are in good shape in this area. Provided the factors are uniform and nondiscriminatory. Some schools have attempted to justify trip expenses by pointing to outside funding for such trips. All benefits provided by the school, however, no matter the source of their funding, must be equitable.

* Per diem and dining arrangements. Members of all teams should be fed equitably when on the road. This relatively simple issue, however, is complicated by the timing of team departures, the availability of on-campus dining opportunities, long lunches, and the inability of athletes to find dining opportunities. It is important to make sure that all teams have access to the same dining opportunities. Do teams of one sex regularly eat fast food or sandwiches while teams of the other sex visit "sit-down" restaurants? Setting financial guidelines for in-state and out-of-state meals helps ensure equity in this area. Do some teams have programs for the difference in treatment of teams? Institution articulate a good reason for the difference in treatment of teams?

In short, schools need a comprehensive travel policy that is fair and equitable. In addition, it must be applied uniformly. Deviations must be approved and justified. And finally, this is a good area for occasional discussions with student-athletes. Do they feel that the travel policies are fair and appropriate? If they have legitimate concerns, schools should address them sooner rather than later.

Equal Pay Act are the appropriate avenues for coaches to resolve salary disputes if no resolution can be reached at the institutional level.

For institutions wishing to avoid salary disputes, criteria for the establishment of base salaries should be created. Factors taken into consideration could include areas such as educational preparation, years of coaching experience, academic success of student-athletes, athletics success and achievements.

Supplemental sources of income could include areas such as sports camps, television and radio shows, and speaking engagements, as well as incentives in specific areas (for example, graduation rates). Whenever possible, the institution should treat the coaches of men's teams and women's teams in a similar fashion. It is important to avoid using the number of spectators as a factor in determining salary practices (for example, the number of spectators at athletics events).

Additionally, courtesy care and cell phones, which can be viewed as fringe benefits when available for coaches' personal use, should be equitably shared between men's and women's coaches. These benefits also can be used to ensure that no reasonable distinction can unfairly impact the recruiting of the students of one gender.

The length of coaches' contracts often is another area of concern. Again, having all coaches on the same length of contract avoids problems. However, having some on 12-month contracts and others on nine-month contracts is permissible provided that the institutions have a policy that allows for the possibility of extending the length of coaches' contracts. If the percentage of men's coaches on the 12-month contract should be the same (or as close as is possible) as the percentage of women's coaches on the 12-month contract, the same holds true for coaches on multi-year contracts.

Where possible, teams for the renewal of contracts for coaches should be the same or very similar for coaches of men's and women's sports.

Having similar responsibilities for all coaches additionally helps avoid problems related to treatment of personnel. Moreover, working conditions and other conditions of employment should be equitable. For instance, in the area of concern, some coaches of men's sports are compensated for this responsibility.

It is recommended that the advice of the university legal counsel be sought when dealing with the area of compensation.

Q: How do you measure equity in the area of opportunity to receive coaching, and the assignment and compensation of coaches?

A: In intercollegiate athletics programs, equal access for male and female student-athletes to equitably qualified coaches is a Title IX requirement. Establishing this fair situation, however, can sometimes be tricky. The good news is that after an athletics department has analyzed its own personnel system and implemented a fair plan that incorporates the elements listed below, any further analysis usually is unnecessary unless changes occur that affect the equitable balance between the coaching staffs for men's and women's sports.

The Policy Interpretation outlines three factors to be assessed when measuring the opportunity to receive coaching: (1) relative availability of full-time coaches, (2) relative availability of part-time and assistant coaches and (3) relative availability of graduate assistants.

Two factors are listed when measuring the assignment of coaches: (1) training, experience and other professional qualifications and (2) professional standing.

Seven factors need to be assessed when dealing with the compensation of coaches: (1) rate of compensation, (2) duration of contracts, (3) conditions relating to contract renewal, (4) experience, (5) nature of coaching duties performed, (6) relative standing and (7) degree of responsibility and nature of employment. (The IX Athletics Investigation Manual, 1990, p. 65.)

Availability

In Division I, where most of the head and assistant coaches are in full-time coaching positions, an equal number of coaches in each sport is not required. In comparable sports, the total number of coaches in a men's sport program should be the same as in the women's sport program (for example, each basketball program having a total of four coaches).

In non-comparable sports, a wise policy would be to use the NCAA coaching guidelines as a guide since the organization has attempted to identify for each the number of coaches necessary to adequately perform the responsibilities associated with that sport. A common problem is to have the maximum number of coaches for some men's sports and fewer than the maximum for women's sports.

In other divisions where many of the coaches may not be full-time, the analysis is more complex. The number of coaches should be the same for head coaches and assistant coaches, likewise, in all sports the coaches of men's teams and the

Q: How do you measure equity in the area of tutoring?

A: One of the first policy decisions to be made in this area is the selection of content by which student-athletes are evaluated. If the program is to be an equal opportunity program, then the program should be designed to be an equal opportunity. Restricting it only to scholarship athletes also would be in compliance with the law. If additional restrictions are imposed, such criteria must be nondiscriminatory in nature (for example, all male and female student-athletes below a specified grade point average). The criteria should be applied to all student-athletes of both sexes. The institution should establish procedures on how to obtain the assistance of tutors.

The number of tutors available should be sufficient to meet the demand and to ensure that both genders are accommodated with no priority given to any team or teams. Sometimes a compliance problem occurs when specific tutors (for example, graduate assistants) are available for tutoring. Regularly assigning the best qualified tutors to these teams also would create a problem.

It should be noted that when evaluating equity in tutoring, the number of male and female student-athletes availing themselves of this benefit is important, providing there is equal access to tutoring. The institution should also try to make use of the male and female tutors in the laundry list.

As a cost-saving measure, some institutions encourage group tutoring sessions so that one tutor can assist several student-athletes simultaneously. While such a practice is acceptable, the department should make sure that one-on-one tutoring sessions are equally available to both genders when they are requested.

Care should be taken to provide to each gender tutors who are well qualified in their specialty areas and who are well trained in how to successfully assist in the learning process. To meet those criteria, some institutions require all tutors to be graduate students or teachers who have had teaching experience. From a rules compliance standpoint, the tutors also must be clear on what is legally and ethically permitted in the tutoring process.

The appointment of a tutoring coordinator can help ensure that the assignment of tutors to male and female student-athletes is fair and equitable.

In the compliance area, many institutions have instituted the same pay scale for all tutors regardless of the subject matter. This is not necessarily a problem of experience. If, however, there is a distinct pool of tutors for upper-level classes or

specific areas, a higher pay scale may become necessary to attract well-qualified candidates. In this case, the department should monitor the assignments of those people to ensure that one gender is not benefiting more than the other.

The satisfaction of male and female student-athletes in the area of lodging can be quantified and compared to determine relative evaluation. The following process to provide tangible evidence of equitable treatment.

Q: How is equity evaluated in the area of locker rooms and practice and competitive facilities?

A: When evaluating whether men's and women's programs are provided comparable locker rooms and practice and competitive facilities, the following factors should be assessed:

- * Quality of the facilities
- * Availability of the facilities
- * Exclusivity of the facilities

Additionally, for practice and competitive facilities, one would assess maintenance and preparation of the facilities.

As is stated in Title IX reviews, the assessment focuses on the men's facilities overall compared to the women's facilities overall. It is therefore possible to have a disparity in a facility for one gender providing that is offset by an advantage to that gender in a different sport facility or offset by a comparable disparity in a facility for the other gender.

Locker rooms

Quality in the area of locker rooms, the quality can be gauged by noting the number of student-athletes assigned to a given locker room in relation to the size of the area. The number of lockers as well as the size and type of locker used will be useful in determining the quality of the facility. The number of showers, sinks, towels, and dryers and the room should be compared to the number of student-athletes in the room. The type of furniture in locker rooms also should be comparable.

Problems arise when institutions create spacious and well-furnished locker rooms for football and men's basketball and no similarly appointed locker rooms

Whether it is the field of cutting the grass for outdoor sports or setting up water and power tables for locker rooms, both men's and women's comparable sports should experience similar responsibilities in this area. As in the maintenance of facilities, a common concern is related to equitable support systems for women's sports.

Q: How is equity measured in the provision of medical facilities and strength training services?

A: Five factors must be assessed when evaluating whether comparable benefits, services and treatment are provided to men's and women's programs:

- * Availability of medical personnel.
- * Availability and qualifications of athletic trainers.
- * Availability and quality of athletic training facilities.
- * Availability and quality of weight training facilities. (In the investigator's Manual, the qualifications of weight trainers are not mentioned, just the release weight and conditioning programs were not as popular at that time only.)
- * Health, accident and injury insurance coverage.

Because times have changed, we have included some guidance on the qualifications of these specialists.

Before assigning medical personnel, it is prudent to categorize sports according to the likelihood of injury in each sport and the severity of common injuries in each sport. That is a more defensible approach than assigning personnel based on traditional practices. When armed with those data, administrators are more likely to meet the needs of all sports. After that, an easy way to make sure that all sports are given the same quality of care is to assign equally qualified personnel. For noncomparable sports, the goal is to meet their unique needs.

Medical personnel

Ideally, male and female student-athletes should have equal access to medical personnel. For the assessment and treatment of injuries and for surgeries. Care should be taken to ensure that certain teams are not given higher priority than others in this critically important area. For example,

for women's teams. There is concern as well when science locker rooms are provided to a disproportionately higher percentage of male student-athletes (for example, to football and men's basketball teams in Division I, which include about 130 student-athletes) and to women's basketball and volleyball teams (about 30 student-athletes).

Access to luxury items in locker rooms also creates compliance problems when those are not distributed equitably between men's and women's teams. At some institutions, such items may include televisions, VCRs, stereos, saunas, hot tubs and lounge areas, even if those items come from outside sources.

Availability. The availability of locker rooms relate to whether there is equitable access to locker rooms for both men's and women's teams. Locker rooms may be shared by teams for example, used in the fall semester for one team and by another team in the spring semester. Certainly the sharing of locker rooms is acceptable if both genders are fairly treated. Another factor to consider is how convenient the locker rooms are to the practice and competitive facilities and to training rooms. It is unacceptable if teams of one gender have more convenient locker rooms than the other gender.

Exclusivity. Exclusivity is closely related to availability in that an assessment is made of the number of men's teams with exclusive use of their locker rooms compared to the number of women's teams. It is not only the concern that some women's teams may be sharing locker rooms with other university women's teams, but sometimes women's teams are expected to move out of their locker rooms to make way for men's teams. This is unacceptable because of Title IX only if men's teams are unfairly inconvenienced because of visiting teams.

Practice and competitive facilities

Quality. Ideally, comparable men's and women's teams should have access to the same quality of practice facilities. Practice facilities include swimming pools, swimming teams, soccer teams, tennis teams, etc.). In non-comparable sports, the evaluation of facilities is more complex, but basically there should be comparable quality of facilities for the practice and performance of the sports. For example, the playing surfaces of football fields and field hockey pitches may be very different, but they should be of the same relative quality.

Quality also necessitates evaluating whether there is equitable accommodation of spectators and media and their needs (for example, seating capacity for spectators, restrooms, concession stands, press boxes, public address systems, electronic scoreboards, lighting, etc.). Problems can arise when several men's

the hours that doctors are available should not be scheduled around the practice times of one team.

The assignment of physicians to games and/or practices also should be equitable. In football, where the risk for injury is high and where the sheer size of the team makes it unique, it would be defensible to have a physician at all games and practices. At other sports, it may be more defensible to have a team physician available for the men's team and to have only an athletic trainer at women's games or to have a physician only at home games.

Certified athletic trainer

The challenge here is to allocate fairly to men's and women's programs full-time certified athletic trainers. Because of the nature of the sport and the risks involved in the sport and because of the size of the team, men's programs may require more consideration in the allocation of certified athletic trainers, the safety needs of specific women's sports can not be ignored. As has been stated before, assigning equally qualified athletic trainers to the same sports is a defensible way to ensure equity in the treatment of student-athletes. Equally important, travel policies for athletic trainers of comparable sports should be the same.

What cannot be justified is having professional full-time athletic trainers working with football and men's basketball and having women's sports serviced mainly by an untrained athletic training student serving in a first-responder capacity. It also would be difficult to justify having different travel policies for athletic trainers of men's and women's sports.

Athletic training facilities

The size of an athletic training facility should be directly related to the number of student-athletes being serviced at that facility at one time. The number and qualifications of athletic trainers assigned to that facility also should be related to the number of student-athletes being serviced. Athletic training facilities should be taken to ensure comparable access to comparable facilities and personnel since the health and safety of student-athletes is the core concern.

The quality of the equipment is another area of potential concern, especially when there are several teams. Access to equipment for football and men's basketball is equipment to that found in athletic training facilities for women's sports (for example, a rehabilitation lap pool).

sport facilities cater well to spectators and the media but the women's facilities lack such amenities.

Availability. This area is directly related to a previous Gender-Equity OIA (October 10 issue of The NCAA News) about the scheduling of games and facilities for men's and women's sports. In each specific question posed to whether there are any discriminatory practices:

- * Are practice opportunities equivalent in number and duration?
- * Are competitive events scheduled at comparable times?
- * Are teams given equitable practice times?

If equitable scheduling has occurred, one other area that bears investigation is the convenience of facilities for student-athletes. Practicing and/or competing off campus may create an unfair inconvenience to members of one gender (for example, leaving an on-campus baseball stadium and an off-campus football stadium to practice at a different location may be an inconvenience for one gender acceptable for example, leaving teams traveling off campus to a lake or river).

Exclusivity. The common problem in this area is similar to that noted in the locker room section (for example, when some men's teams enjoy the benefits of having facilities exclusively for their use while women's teams do not).

Maintenance of facilities. In some sports, it is common to have professional grounds people and support personnel maintain the facilities, while in other sports, coaches, athletes, work-study students or hourly wage workers are assigned to tend to the needs of other facilities. Providing the teams of both genders are treated in comparable fashion, that arrangement is acceptable. However, leaving the facilities of non-comparable facilities in an average state of maintenance, leaving the facilities of non-comparable facilities in an average state of treatment. For noncomparable teams, there should be equivalent maintenance for men's and women's sports.

A common area of concern occurs when coaches and student-athletes of men's sports do not have to assist in the maintenance of their facilities while coaches and student-athletes of women's sports are expected to do so.

Preparation of facilities. In the preparation of practice and competitive facilities, having the same support personnel for comparable teams alleviates problems in this area.

At some institutions, student-athletes are permitted to use the athletic training facilities on a drop-in basis; at others, specific times are scheduled for specific teams. If the latter, it is prudent to have shared or rotating times for teams to ensure that no athletes are advantaged or disadvantaged by this practice. Yet another factor to consider is the proximity of athletic training facilities to the practice and competitive facilities. Problems may occur when selected teams of one gender are given the more convenient locations.

Strength and conditioning rooms

Since all coaches do not require a strength training regime for their student-athletes, a starting point would be to determine which coaches do require strength training and then assess whether the needs of the women's sports are being accommodated equitably.

Like athletic training facilities, the size of weight rooms should be related to the number of student-athletes using the facility at one time. On a similar note, the number of strength training personnel should be related to this factor as well as the amount of the equipment available in each facility for strength training. The same is true for the availability of equipment. Problems may occur when selected teams of one gender are given more equipment (described by football may be redirected to strength training rooms for women's sports even though those machines may be inappropriate for those sports).

A common problem that seems to be existing in terms of the larger institutions is the availability of weight training facilities for women's sports. Coaches with their own staff, their own equipment and their own budget. Compounding this potential problem of preferential treatment for football is the tendency to then treat comparable sports in similar ways and view that as being in compliance with Title IX (for example, comparing weight training for men's and women's tennis teams, men's and women's basketball teams, etc.). A well-equipped, well-lit and well-maintained weight training room for men's sports may be a good idea, but it should be included into the overall evaluation between the men's and women's programs.

According to several strength training specialists, having a large facility such as the football strength training room is the most efficient use of both staff and equipment since such a facility can accommodate several teams simultaneously. In comparison, having several smaller facilities may be more efficient, but it does not allow for enough oversight or guidance of junior staff.

Another possible problem occurs when strength training personnel who have focused on performance training for football are reassigned to performance training for other sports. That practice has escalated in recent years because it

has become fairly common at some institutions to reassign the football strength training staff when a new football coach is hired. The imposition of football performance training regimes, which largely focus on strength and power, is not necessarily an appropriate approach for other sports.

Research has been conducted that to get around the limitations on the number of coaches permitted in each sport, some administrators are permitting a coach to hire someone in a strength and conditioning position specifically for that sport. In reality, that person is then used as a coach, although he/she is counted as a strength and conditioning specialist. Not only is this practice unethical and in violation of NCAA rules, it also prevents a fair evaluation of the strength training programs for male and female student-athletes.

Finally, the institution must determine whether performance training practices are done on a drop-in basis or on a scheduled basis. If the latter, then preferred times must be shared or rotated to ensure fair access to both genders.

Insurance coverage

Institutions today are required to certify that student-athletes are insured against athletics injuries. Until recently, many programs, after claiming through the insurance plan paid by the athlete's family, assumed responsibility for any remaining costs. With tightening athletics budgets, however, student-athletes at some institutions are being asked to help shoulder those costs. In that instance, the athletics policies for male and female student-athletes should be the same.

For student-athletes who arrive on campus not covered by their parents' insurance, the policies for male and female athletes must also be equitable.

Athletics administrators also should ensure that gymnological care is covered for female student-athletes since this is an area that has created an equity problem in the past.

Q: How is equity measured in the area of publicity?

A: These factors need to be addressed when evaluating whether there is equitable treatment of men's and women's programs in this area.

- Quality and availability of sports information personnel.
- Access to other publicity resources for men's and women's programs.
- Quantity and quality of publications and other promotional devices.

Other publicity/promotional resources

Some institutions have been successful in publicizing, promoting and marketing their women's teams and are now reaping the positive benefits of increased spectatorship and sponsorship. The minimum threshold for compliance in this area is that the effort made by the institution to publicize, promote and market its women's program is at least equivalent to the effort made by the institution in the same category of effort that will be assessed rather than the results.

A common problem arises when an athletics director determines that only the few sports that have the potential to bring in revenue will be promoted and marketed. For example, there would be a compliance problem if football, men's basketball, men's ice hockey and women's basketball were assigned the bulk of the institution's promotional budget. The athletics director's promotional efforts should be "fair" and "equitable" in that the effort should be being used in all sports in order to ensure that the women's program is receiving an equitable share of the personnel and the finances in that area.

When it comes to the medium used for publicity (for example, newspapers, radio and TV), again, there should be no bias in the way that the men's and women's programs are promoted. For example, if the men's program is promoted more than the women's program, then the women's program should be promoted more than the men's program. A common problem occurs when men's events are promoted through paid advertisements in the newspapers, on radio or on television. Another compliance problem arises if a university pays, or helps pay, for a coach's show on radio or on television in any of the men's sports but fails to do so for any women's sport.

As for support groups, the basic rule of thumb is that they should be made equally available for men's and women's events, both at home and away. These groups usually include cheerleaders, mascots, marching band or pep band, and dance squads.

It would be prudent to have written policies in all areas related to publicity to ensure compliance with the law.

Q: How is equity measured in the area of recruiting?

A: Evaluating equity in this area is a complicated task. To do it properly, administrators should evaluate the recruiting efforts for each program on an annual basis. Recruiting decisions and decisions made for each program on an annual basis. Although it should be fairly easy to track dollars spent in this area (notwithstanding some of the creative accounting methods used by some schools

Unfortunally, many outside media personnel have chosen not to publicize and/or promote women's sports to the same degree as they have supported men's sports. In addition, some college athletics departments have relied upon such practices as justification for providing less media attention and advertising to women's sports. While Title IX does not require institutions to advertise over the general media, it does apply to colleges and universities and, more specifically, to the provision of publicity to both the men's and women's programs.

While no athletics department can guarantee coverage of women's teams in the same way that it can guarantee coverage of men's teams, the institution should require that departments strive to meet the overall goal of equivalent publicity for men's and women's sports overall.

Sports information personnel

At most institutions, there are likely to be few full-time professional sports information personnel, but they are assisted by several students with varying degrees of experience and expertise. One fair way to make team assignments is to have the professional staff supervise the same number of men's and women's teams and to share equitably the student pool between the men's and women's programs.

The quality of the work should be comparable if the aforementioned method of assignment is used. Compliance issues arise when professional personnel are assigned to football and men's basketball while students are assigned to cover the women's teams. It also would be problematic, for example, to have the professional staff assigned to three men's teams and only one women's team.

The availability of personnel can be established by investigating the number of home events and the number of away events scheduled by the sports information person assigned to each sport. A common problem is found when men's teams have support people both at home and away events while women's teams have them at home events only. Another problem arises if the professionals cover the men's teams on the road while students travel with the women.

Certainly some allowances may be acceptable where media demands for one sport may be greater than for other sports, but it is important to treat carefully here. The OCR has recognized that a disparate amount of time and effort may be directed toward a particular athlete up for a national award. Each case is evaluated on its own merits; however, and it is important to have a nondiscriminatory policy that ensures that the same amount of time and effort of the able athletes of either race, in general, it would be prudent to analyze overall the

responsible only for one program. In addition, if such a coach is somehow able to put in the time necessary to recruit well, he or she most likely would not be available to the current team members to the same extent that other coaches may be, and that would affect the coaching analysis.

Similarly, coaches who have significant out-of-season responsibilities other than coaching on campus may limit his or her recruiting opportunities. Obviously, part-time coaches are at a disadvantage as well. Depending on the size of the athletics department and its resources, many programs may face significant recruiting obstacles. Those hurdles are significant for Title IX purposes only when they affect the overall program of one sex as compared to the overall program of the other sex.

Athletics administrators often state that all coaches have an equal opportunity to recruit and that those who are successful simply put in greater effort. They argue that schools should not be held responsible for inadequate efforts of those who are given equitable opportunity. While that may be true, it does not mean that schools should not take steps to ensure that all coaches have the same level of resources and time available to recruit due to full-time versus part-time coaching assignments and availability of assistant coaches account for at least some of the "effort" disparity.

Some programs' recruiting efforts are bolstered by the assistance of full-time clerical or administrative help. Coaches that do not have to spend time on such tasks are able to devote more time to recruiting. Some schools have also had coaches' calls or scheduling appointments to meet with prospective parents and players can spend their time more productively on their program in their recruiting efforts. This is compounded for those whose season runs concurrently with the high recruiting period. When there are in-season recruiting efforts, the availability of assistant coaches who can take on recruiting responsibility plays a significant role in easing the burden.

The more difficult issue to address is the coach who is given equitable opportunity and simply does not put in the necessary and equitable effort. The reality is that schools are responsible for the effort that is made by the individual on the team. An institution cannot excuse its failure to comply with Title IX by hiding behind the standard performance or poor decision-making of an employee it hired in the first place. Coaches are agents of their schools, and therefore schools for the most part must take responsibility for actions (or inactions as the case may be) performed by a coach within the scope of his or her employment. Accordingly, administrators must evaluate the relative share of

Publications

At some universities, publications may include media guides, game programs, schedule cards, posters and press releases. When attempting to assess the quality of these publications, one should consider such factors as the size of the book and which. The quantity can be assessed by checking with the coach to find out if the team's needs are being met.

A common way to ensure equitable treatment is to provide equivalent quality of media guides to the same number of men's and women's teams. Identical pictures of media guides is not required since media guides are published at different intervals. For example, a full-season media campaign for a football team would not necessarily be offset by a campaign for a smaller women's team. The numbers — both in terms of dollars and personnel hours — would show a disparate amount of time, energy and money devoted to the men's program in the area.

A common problem occurs when football and men's basketball have a higher quality of media guides than women or when more men's teams have a higher quality of media guides. A recent problem also has been developing in that football at some institutions now has a media guide for the fall season, a different media guide for a bowl game and a third media guide for the spring football game. The time, energy and money required to produce these guides in one year for one team may be creating a compliance problem at those schools.

For game programs, two practices can help create fairness in this area. First, issue press releases for all teams in season at the same intervals, and second, issue press releases for the same teams in similar quantities and to similar locales.

There is an area where the institution can help the media identify an imbalance in coverage. For example, if the institution has a policy that the institution will do so, there is little hope of achieving greater media coverage for women's sports.

all departmental employees to ensure that coaches are performing to a certain standard and to take remedial steps when they are not.

- Is your school conducting equivalent financial and other resources to meet the needs of the men's and women's programs respectively?

Budgetary amounts and links on expenditures are always an important area to review. The allocation of recruiting dollars should start with equal dollars to the programs based on respective numbers of student-athletes. If 150 percent of the budget is allocated to the men's program, the women's program should get 60 percent of the recruiting dollars -- to start with. Schools may then adjust the allocations based on the particular non-discriminatory needs of the particular programs.

Money is tight in most athletics departments. Some have cut costs in the recruitment area and have had to find other ways to attract student-athletes to coaches and may allow them to forgo expensive visits to evaluate prospects. While Title IX certainly does not require that institutions find alumni to match those efforts, reviews should take such advantages into account and ensure that coaches without such systems have the opportunity and funding to make trips that others may not need.

Some programs have supplemented their recruiting efforts with the donations of their respective booster or friends programs. It is important to remember that all benefits, goods or services provided to programs are subject to the mandates of Title IX, no matter the source of the funding. Accordingly, outside funding that may not show up in the budgetary analysis must be counted. By the same token, in-kind donations that benefit teams in the area of recruiting (for example, car rentals, video equipment and other recipients) must also be taken in account and analyzed for purposes of equity.

When conducting a review in this area, remember to include coaches. Do they believe that they have sufficient opportunity and the necessary support to recruit? It is something that should be an area of evaluation of each coach for employment purposes anyway, and many administrators are sensitive to the needs of the recruiting program may be taken away from the coach's assessment.

Use the coaches to help in this area. One school in particular did just that. This Division I school faced significant financial difficulties and needed to do a lot with a little. Coaches were brought into the discussions and in the area of recruiting, they were given the opportunity to share their own ideas and experiences. Coaches shared decisions and in many instances came up with creative solutions of problems facing colleagues. Some were able to look at

Chemical and secretarial support

Again, the need for the type of support may vary from team to team, but in general similar areas should be examined. Secretarial support often is overlooked in the assessment process, although it would also be necessary to evaluate the public relations demands for certain sports.

Problems occur when football and men's basketball teams are each assigned one or more full-time secretaries and women's teams must share secretarial services with other sports. In such situations, the women's programs may be at a disadvantage to ensure that the sharing is done on an equitable basis between the men's and women's programs to prevent an unfair advantage to the coaches in one program.

Office space and equipment

When assessing whether comparable offices are provided to men's and women's coaches, the offices for similar sports should be evaluated and the expectation would be that they would be similar in size and with an equivalent quality of furnishings (for example, desks, chairs, computers, sofas, televisions, telephones, carpeting, lighting and windows). Other factors to consider include assessing the convenience of the head coaches' offices to the offices of assistant coaches and to the secretarial support personnel to an administrator's office. Offices should be similar in size and quality. Offices for non-similar sports, equitable offices would be expected.

Problems often arise when football and men's basketball are furnished with office space rather than individual offices. These teams, with their very high recruiting demands, may be able to share office space with other men's and women's programs. Similarly, if sharing of offices is necessary, that sharing must be done in an equitable manner between the men's and women's programs.

Additional support personnel

Particularly in Division I, there is an increasing trend to assign specialists to football and men's basketball. An example of such a specialist would be an audio-visual expert who may videotape practices and games and create attractive highlight videos that can be used for various promotional or PR purposes. In some instances, this AV unit may include more than one full-time person. Another example would be a recruiting coordinator. While it is possible to have a part-time person or a student manager, it is not recommended that a person be designated or predominantly for the men's program. At some institutions,

other help when on recruiting trips. Others agreed to forgo some funding in one year for budgetary reasons in subsequent years. They agreed to forgo the ability to make it through a difficult financial time with a positive athletics staff. While that might not work everywhere, it shows that equity can work when the people involved work with it.

Finally, the treatment afforded prospective student-athletes on campus should be reviewed. Prospective student-athletes should be treated equally. Coaches should be advised to have a recruiting policy that sets forth rules and regulations for hosts and prospects alike. Exit interviews with all recruits will not only shed light on potential liability issues, but also highlight those practices that work. In addition, all student hosts and recruits should have an emergency phone number of a responsible athletics administrator for those times when emergencies arise. Such policies should apply to all programs equally.

For additional gender-equity resources, including newly created video segments featuring Christine Grant and Janet Judge, visit www.ncaa.org/gender_equality.

Recruiting checklist

1. Key questions:
 - Are men's and women's programs provided equitable recruiting budgets?
 - Have the men's and women's programs been provided the same opportunity and tools to recruit?
 - Are both programs given the same administrative support to recruit?
 - Is there a school policy for visits by prospective student-athletes?
 - Are prospective student-athletes treated in the same manner when they visit?

2. Areas to be reviewed for each team:

- a. Personnel:
 - Number
 - Other duties
 - Percent of time
- b. Area:
 - State
 - National
- c. Methods:

graduates assistants or part-time employees also are hired to provide additional support for football and men's basketball. That is certainly allowable, but only if women's programs are equitably supported. An assessment of the time spent by coaches on recruiting should be conducted with it essential to determine if women's programs are being fairly supported.

- Telephone -- School/home
 - Mail -- School/home
 - E-mail -- E-mail
 - Travel -- Camp
- d. Campus visits:
- Subsidized -- Number
 - Unsubsidized -- Quality

e. Budget/expenses:

- Amount
 - Limitation/reason for limitation
- Q: How is equity measured in the area of support services?
- A: When evaluating whether men's and women's programs are provided comparable support services, the following factors should be assessed:

- Administrative support
- Clerical and secretarial support
- Office space and equipment
- Additional support personnel

As is usual in Title IX reviews, the assessment focuses on the support systems provided to the men's programs overall compared to the systems provided to the women's sports overall. A disparity that benefits men in one area may be offset by a comparable benefit to women in another area.

Administrative support

The need for administrative support varies from team to team. Looking at the number of student-athletes on teams and the coach-to-student ratio may help assess if comparable administrative support is being given. Centralized administrative support may be provided to all sports. Centralized arrangements or the ordering of equipment and uniforms should be similar for the same sports and equitable for non-similar sports.

Problems occur when the so-called revenue-producing sports are given administrative assistance and women's sports have no such assistance or coaching time for student-athletes. Less recruiting time to build successful programs of inadequate time for other responsibilities.

Appendix A

[Code of Federal Regulations]
[Title 34, Volume 1, Parts 1 to 200]
[Revised as of July 1, 1998]

From the U.S. Government Printing Office via GPO Access
[GPO: 1998-108-671]
[2000-2000]

TITLE 34--EDUCATION

CHAPTER I--OFFICE FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION PART 106--NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION, PROGRAMS, AND ACTIVITIES CONCERNING OR BENEFITTING FROM FEDERAL FINANCIAL ASSISTANCE--Table of Contents

Subpart D--Discrimination on the Basis of Sex in Education Programs and Activities Prohibited

(a) General. No person shall, on the basis of sex, be excluded from participation in, or denied the benefits of, be treated differently from another person or persons be discriminated against in any intercollegiate, intracollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide any such athletics separately on such basis.

(b) Separate teams. Notwithstanding the requirements of paragraph (a) of this section, a recipient may operate separate teams for each sex where selection for each team is based upon competitive skill or the activity involved is a contact sport. However, where a recipient operates or sponsors a team in a particular sport for members of one sex but operates or sponsors no such team for members of the other sex, and athletic opportunities for members of that sex have previously existed, members of the excluded sex must be allowed to try out for the team offered.

Unless the sport involved is a contact sport. For the purposes of this part, contact sports include boxing, wrestling, rugby, ice hockey, football, basketball and other sports the nature of which require that participants be in physical contact. (C) Equal opportunity. A recipient that operates or sponsors intercollegiate, club or intramural athletics shall provide equal athletic opportunity for

EFFECTIVE DATE: December 11, 1979
FOR FURTHER INFORMATION CONTACT: Colonel O'Connor, 330 Independence Avenue, Washington, D.C. (202) 245-6871

SUPPLEMENTARY INFORMATION:

1. Legal Background

A. The Statute

Section 901(a) of Title IX of the Education Amendments of 1972 provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Section 844 of the Education Amendments of 1974 further provides:

The Secretary of HEW shall prepare and publish (1) proposed regulations implementing the provisions of Title IX of the Education Amendments of 1972 relating to the prohibition of sex discrimination in federally assisted education programs which shall include with respect to intercollegiate athletic activities reasonable provisions containing the nature of particular sports.

Congress passed Section 844 after the Conference Committee deleted a Senate floor amendment that would have exempted revenue-producing athletics from the jurisdiction of Title IX.

B. The Regulation

The regulation implementing Title IX is set forth, in pertinent part, in the Policy Interpretation below. It was signed by President Ford on May 27, 1975, and submitted to the Congress for review pursuant to Section 431(d)(1) of the General Education Provisions Act (GEPA).

During this review, the House Subcommittee on Postsecondary Education held hearings on the regulation on July 15 and 16, 1975. The Congress did not disapprove the regulation within the 45 days allowed under GEPA, and it therefore became effective on July 21, 1975.

To demonstrate that it was effectively (and equally) accommodating the athletic interests and abilities of students, particularly as the interests and abilities of women students developed.

While the basic considerations of equal opportunity remain, the final Policy Interpretation sets forth the factors that will be examined to determine an institution's actual, as opposed to presumed, compliance with Title IX in the area of intercollegiate athletics.

The final Policy Interpretation does not contain a separate section on institutions' athletic interests and abilities. However, institutions remain obligated by the Title IX regulation to accommodate effectively the interests and abilities of male and female students with regard to the selection of sports and levels of competition available. In most cases, this will entail development of athletic programs that substantially expand opportunities for women to participate and compete at all levels.

The major reasons for the change in approach are as follows:

(1) Institutions and representatives of athletic program participants expressed a need for more definitive guidance on what constitutes compliance with the final Policy Interpretation of a program besides the meaning of "equal athletic opportunity" in such a way as to facilitate an assessment of compliance.

(2) Many comments reflected a serious misunderstanding of the presumption of compliance. Most institutions based objections to the proposed Policy Interpretation in part on the assumption that the Department would have automatically resulted in a finding of noncompliance. In fact, such a failure would only have occurred upon an institution of the benefit of the presumption that it was in compliance with the law. The Department would still have had the burden of demonstrating that the institution was actually engaged in unlawful discrimination. Since the purpose of issuing a policy interpretation was to clarify the meaning of existing actual compliance factors, it would be more useful to all concerned.

(3) The Department has concluded that purely financial measures such as the per capita fee do not in themselves offer conclusive demonstration of compliance with the regulation, except where the benefits of the per capita fee are a direct result of the institution's compliance with Title IX. Consequently, in the final Policy Interpretation, the Department has deleted the factors to be considered in assessing actual compliance. While per capita breakdowns and other devices to examine expenditure patterns will be used as tools of analysis in the Department's investigative process, it is achievement of "equal opportunity" for

Appendix B
A Policy Interpretation: Title IX and Intercollegiate Athletics

Federal Register, Vol. 44, No. 239 - Tuesday, Dec. 11, 1979

Intercollegiate athletics policy interpretation: provides more specific factors to be reviewed by OCR under program factors listed at Section 106.41 of the Title IX regulation; explains OCR's approach to determining compliance in intercollegiate athletics; sets forth the factors to be reviewed; clarifies requirements for athletic scholarships - 34 C.F.R. Section 106.37(C). The document contains dated references, and footnote 8 is out of date; however, the policy is still current.

Federal Register / Vol. 44, No. 239 / Tuesday, December 11, 1979 / Rules and Regulations

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office for Civil Rights

Office of the Secretary

45 CFR Part 26

Title IX of the Education Amendments of 1972; a Policy Interpretation; Title IX and Intercollegiate Athletics

AGENCY: Office for Civil Rights, Office of the Secretary, HEW.

ACTION: Policy interpretation.

SUMMARY: The following Policy Interpretation represents the Department of Health, Education, and Welfare's interpretation of Title IX of the Education Amendments of 1972 and its implementing regulation. Title IX prohibits educational programs and institutions funded or otherwise supported by the Department from discriminating on the basis of sex. The Department published a proposed Policy Interpretation for public comment on December 11, 1978. Over 700 comments reflecting a broad range of opinion were received. In addition, HEW staff held public hearings on the proposed interpretation and received numerous comments and other expressed alternatives. This Policy Interpretation reflects the many comments HEW received and the results of the individual campus visits.

justifiable and nondiscriminatory. The Policy Interpretation is divided into three sections:

- **Compliance in Financial Assistance (Scholarships) Based on Athletic Ability:** Pursuant to the regulation, the governing principle in this area is that all men and women students must have an equal opportunity to participate in the institution's athletic program.
- **Compliance in Other Program Areas (Equipment and supplies; games and practice times; travel and per diem; coaching and academic tutoring; assignment and compensation of coaches and tutors; locker rooms; and practice and competition facilities and equipment):** Pursuant to the regulation, the governing principle is that male and female athletes should receive equivalent treatment, benefits, and opportunities.
- **Students in Meeting the Interests and Abilities of Male and Female Athletes:** Pursuant to the regulation, the governing principle in this area is that the athletic interests and abilities of male and female students must be equally effectively accommodated.

V. Major Changes to Proposed Policy Interpretation

The final Policy Interpretation has been revised from the one published in proposed form on December 11, 1978. The principal changes to the proposed Policy Interpretation are: (1) The Department has deleted the factors to be considered in assessing actual compliance in athletic programs. It replaced the determination of discrimination in financial support and other benefits and opportunities in an institution's existing athletic program. Institutions could establish a presumption of compliance if they could demonstrate that:

- "Average per capita" expenditures for male and female athletes were substantially equal in the area of "readily financially measurable" benefits and opportunities or, if not, that any disparities were the result of nondiscriminatory factors, and
- Benefits and opportunities for male and female athletes, in areas which are not "readily measurable," were comparable.

Prior to the proposed Policy Interpretation addressed an institution's obligation to accommodate effectively the athletic interests and abilities of women as well as men on a continuing basis. It required an institution either

- To follow a policy of development of its women's athletic program to provide the participation of women comparable to that of men, or to accommodate the growing interests and abilities of women, or

members of both sexes, in determining whether equal opportunities are available, the director will consider, among other factors: (1) Whether the institution effectively accommodates the interests and abilities of members of both sexes; (2) The provision of equipment and supplies; (3) The provision of coaching and tutoring; (4) Travel and per diem allowances; (5) Opportunity to receive coaching and academic tutoring; (6) Assignment and compensation of coaches and tutors; (7) Provision of locker rooms, practice and competition facilities; (8) Provision of medical and training facilities and services; (9) Provision of housing and dining facilities and services; (10) Publicity.

Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams if a recipient operates or sponsors separate teams will not constitute noncompliance with this section, but the assistant secretary may consider the issue to provide necessary funds for teams for one year in a transition period. A recipient that operates or sponsors intercollegiate, intercollegiate, club or intramural athletics at the elementary school level shall comply fully with this section as expeditiously as possible but in no event later than three years from the effective date of this regulation.

(Authority: Secs. 601, 602, Education Amendments of 1972, 86 Stat. 373, 374, 20 USC 1681-1683; Sec. 844, Education Amendments of 1974, Pub. L. 93-380, 86 Stat. 464) [Page 387]

Subsequent hearings were held in the Senate Subcommittee on Education on a proposed Policy Interpretation of Title IX of the Education Amendments of 1972. The regulation established a three year transition period to give institutions time to comply with its equal athletic opportunity requirements. That transition period expired on July 21, 1978.

II. Purpose of Policy Interpretation
By the end of July 1978, the Department had received nearly 100 complaints alleging discrimination in athletics against more than 50 institutions of higher education. In attempting to investigate these complaints, it is to be noted that the Department should provide further guidance on what constitutes compliance with the law.

Accordingly, this Policy Interpretation explains the regulation so as to provide a framework within which the complaint can be reviewed, and to provide institutions of higher education with additional guidance on the requirements for compliance with Title IX in intercollegiate athletic programs.

III. Scope of Application

This Policy Interpretation is designed specifically for intercollegiate athletics. However, its general principles will often apply to club, intramural, and intercollegiate athletic programs, which are also covered by regulation. Accordingly, the Policy Interpretation may be used for guidance by the administrators of such programs when appropriate.

This Policy Interpretation applies to any public or private institution, person or other entity that operates an educational program or activity which receives or benefits from financial assistance authorized or extended under a law administered by the Department. This includes secondary and postsecondary programs. For further information see definition of "recipient" in Section 862.2 of the Title IX regulation.

IV. Summary of Final Policy Interpretation

The final Policy Interpretation clarifies the meaning of "equal opportunity" in intercollegiate athletics. It explains the factors and standards set out in the law and regulation which the Department will consider in determining whether an institution's intercollegiate athletics program complies with the law and regulations. It also provides guidance to assist institutions in determining whether any disparities which may exist between men's and women's programs are

which recipients are responsible and to which the final Policy Interpretation is addressed.

A description of the comments received, and other information obtained through the comment/solicitation process, with a list of staff of the Department of Education in response to the major points raised, is set forth in Appendix "C" to this document.

VI. Historic Patterns of Intercollegiate Athletics Program Development and Operations

In its proposed Policy Interpretation of December 11, 1978, the Department proposed a new policy for intercollegiate athletics programs. The Department solicited comments on its proposed policy through a public hearing process. The Department has modified that summary to reflect additional information obtained during the comment and consultation process. The summary is set forth at Appendix A to this document.

VII. The Policy Interpretation

This Policy Interpretation carries the obligations which require of Federal aid under Title IX to provide equal opportunities in athletic programs. In particular, the Policy Interpretation provides a means to assess an institution's compliance with the equal opportunity requirements of the regulation which are set forth at 45 CFR 88.37(c) and 88.44(c).

A. Athletic Financial Assistance (Scholarships)

1. The Regulation. Section 88.37(c) of the regulation provides:
 - Institutions must provide reasonable opportunities for such award (of financial assistance) to the same number of students of each sex participating in 11 inter-collegiate athletics.
2. The Policy. The Department will examine compliance with this provision of the regulation primarily by means of a financial comparison to determine whether proportionately equal amounts of financial assistance (scholarship aid) are available to men and women in athletic programs. The Department will require that the financial assistance be available to the same number of male and female members of each sex by the number of male or female participants in the athletic program and comparing the results. Institutions may be found in compliance if this comparison results in substantially equal amounts or if a resulting disparity can be explained by adjustments to take into account legitimate, nondiscriminatory factors. Two such factors are:
 - a. At public institutions, the higher costs of tuition for students from out-of-state may in some years be unevenly distributed between men's and women's

programs. These differences will be considered nondiscriminatory if they are not the result of policies or practices which disproportionately limit the availability of out-of-state scholarships to either men or women.

- b. An institution may make reasonable, professional decisions concerning the awards most appropriate for program development. For example, team development initially may require spreading scholarships over as much as a full generation (four years) of student athletes. This may result in the award of fewer scholarships in the first few years than would be necessary to create parity between male and female athletes.
3. Application of the Policy. - a. This section does not require a proportional number of scholarships for men and women or individual scholarships of equal dollar value. It does mean that the total amount of scholarship aid made available to men and women must be substantially proportional to their participation rates.
- b. When financial assistance is provided in forms other than grants, the distribution of non-grant assistance will also be compared to determine whether equivalent benefits are proportionately available to male and female athletes. A disproportionate amount of work-related aid or loans in the assistance made available to the members of one sex, for example, could constitute a violation of Title IX.
- c. Definition. - For purposes of examining compliance with this Section, the participants will be defined as those athletes:

- a. Who are receiving the institutionally-sponsored support normally provided to athletes competing at the institution in intercollegiate sport, coaching, instruction, medical and training room services, on a regular basis during a sports season; and
 - b. Who are participating in organized practice sessions and other team meetings and activities on a regular basis during a sport's season; and
 - c. Who are listed on the eligibility or squad lists maintained for each sport, or
 - d. Who, because of injury, cannot meet a, b, or c above but continue to receive financial aid on the basis of athletic ability.
- B. Equivalence in Other Athletic Benefits and Opportunities
1. The Regulation. C The Regulation requires that recipients that operate or sponsor intercollegiate, intercollegiate club or extramural athletics, "provide equal athletic opportunities for members of both sexes." In determining whether an institution is providing equal opportunity in intercollegiate athletics the

4. Equipment and Supplies (88.41(c)(2)). Equipment and supplies include but are not limited to uniforms, other apparel, sport-specific equipment and supplies, general equipment and supplies, instructional devices, and conditioning and weight training equipment.

Compliance will be assessed by examining, among other factors, the equivalence for men and women of:

- (1) The quality of equipment and supplies;
 - (2) The amount of equipment and supplies;
 - (3) The suitability of equipment and supplies;
 - (4) The maintenance and replacement of the equipment and supplies; and
 - (5) The availability of equipment and supplies.
- b. Scheduling of Games and Practice Times (88.41(c)(3)). Compliance will be assessed by examining, among other factors, the equivalence for men and women of:

- (1) The number and length of practice opportunities;
- (2) The number and length of practice events scheduled;
- (3) The time of day practice opportunities are scheduled; and
- (4) The time of day practice opportunities are scheduled; and
- (5) The opportunities to engage in available pre-season and post-season competition.

c. Travel and Per Diem Allowances (88.41(c)(4)). Compliance will be assessed by examining, among other factors, the equivalence for men and women of:

- (1) Modes of transportation;
- (2) Housing furnished during travel;
- (3) Length of stay before and after competitive events;
- (4) Per diem allowances; and
- (5) Dining arrangements.

regulation requires the Department to consider, among others, the following factors:

- (1) Provision of equipment and supplies;
- (2) Scheduling of games and practice times;
- (3) Travel and per diem expenses;
- (4) Opportunity to receive coaching and academic tutoring;
- (5) Assignment and compensation of coaches and tutors;
- (6) Provision of locker rooms, practice and competitive facilities;
- (7) Provision of medical and training services and facilities;
- (8) Provision of housing and dining services and facilities; and
- (9) Publicity.

Section 88.41(c) also permits the Director of the Office for Civil Rights to consider other factors in the determination of equal opportunity. Accordingly, this Section also addresses recruitment of student athletes and provision of support services.

This list is not exhaustive. Under the regulation, it may be expanded as necessary at the discretion of the Director of the Office for Civil Rights.

2. The Policy. - The Department will assess compliance with both the recruitment and the general athletic program requirements of the regulation by comparing the availability of athletic opportunities for men and women in intercollegiate athletics. Institutions will be in compliance if the completed program components are equivalent, that is, equal or equal in effect. Under this standard, identical benefits, opportunities, or treatment are not required, provided the overall effects of any difference is negligible.

If comparisons of program components reveal that treatment, benefits, or opportunities are not equal, the institution's compliance with the regulation will be assessed by examining, among other factors, the equivalence for men and women of:

- (a) The availability of full-time coaches;
 - (b) Relative availability of part-time and assistant coaches; and
 - (c) Relative availability of graduate assistants.
- (2) Academic Involvement-Compliance will be assessed by examining, among other factors, the equivalence for men and women of:

- (a) The availability of tutoring; and
 - (b) Procedures and criteria for obtaining tutorial assistance.
- e. Assignment and Compensation of Coaches and Tutors (88.41(c)(6)). In general, a violation of Section 88.41(c)(6) will be found only where compensation or assignment policies for practices deny male and female athletes coaching of equivalent quality, nature, or availability.

Nondiscriminatory factors can affect the composition of coaches. In determining the equivalence of coaching, the number of coaches, the range and nature of duties, the experience of individual coaches, the number of participants for particular sports, the number of assistant coaches supervised, and the level of competition will be considered.

Where these or similar factors represent valid differences in skill, effort, or ability, the conditions may be unique in specific circumstances, justify differences in compensation. Similarly, there may be unique situations in which a particular person may possess such an outstanding record of achievement as to justify an abnormality high salary.

(1) Assignment of Coaches. - Compliance will be assessed by examining, among other factors, the equivalence for men's and women's coaches of:

- (a) Training, experience, and other professional qualifications;
- (b) Professional standing;
- (c) Assignment of Tutors-Compliance will be assessed by examining, among other factors, the equivalence for men's and women's tutors of:
- (a) Tutor qualifications;

3. Application of the Policy - General Athletic Program Components C

- (8) Training, experience, and other qualifications.
- (9) Compensation of Coaches - Compliance will be assessed by examining, among other factors, the equivalence for men's and women's coaches of:
- (a) Rate of compensation (per sport, per season);
 - (b) Duration of contracts;
 - (c) Conditions relating to contract renewal;
 - (d) Experience;
 - (e) Nature of coaching duties performed;
 - (f) Working conditions; and
 - (g) Other terms and conditions of employment.
- (4) Compensation of Tutors - Compliance will be assessed by examining, among other factors, the equivalence for men's and women's tutors of:
- (a) Hourly rate of payment by nature subjects tutored;
 - (b) Payoff leads per tutoring session;
 - (c) Tutor qualifications;
 - (d) Experience;
 - (e) Other terms and conditions of employment.
- I. Provision of Locker Rooms, Practice and Competitive Facilities (§ 86.41(c)(7)). Compliance will be assessed by examining, among other factors, the equivalence for men and women of:
- (1) Quality and availability of the facilities provided for practice and competitive events;
 - (2) Exclusivity of use of facilities provided for practice and competitive events;
 - (3) Availability of locker rooms;
 - (4) Quality of locker rooms;

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1. The Regulation. The regulation requires institutions to accommodate equally the interests and abilities of students to the extent necessary to provide equal opportunity in the selection of sports and levels of competition available to members of both sexes.
- Specifically, the regulation, at § 86.41(c)(1), requires the Director to consider, when determining whether equal opportunities are available:
- (a) Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes.
- Section 86.41(c) also permits the Director of Civil Rights to consider other factors in the determination of equal opportunity. Accordingly, this section contains the following items of the competitive team schedules available to athletes of both sexes.
2. The Policy. The Department will assess compliance with the interests and abilities section of the regulation by examining the following factors:
- a. The determination of athletic interests and abilities of students;
 - b. The selection of sports offered; and
 - c. The levels of competition available including the opportunity for team competition.
3. Application of the Policy: Determination of Athletic Interests and Abilities. Institutions may determine the athletic interests and abilities of students by nondiscriminatory methods of their choosing provided:
- a. The processes take into account the rationally increasing levels of women's interests and abilities;
 - b. The methods of determining interest and ability do not disadvantage the members of an underrepresented sex;
 - c. The methods of determining ability take into account team performance records; and
 - d. The methods are responsive to the expressed interests of students capable of intercollegiate competition who are members of an underrepresented sex.
4. Application of the Policy - Selection of Sports.

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- (5) Maintenance of practice and competitive facilities; and
 - (6) Preparation of facilities for practice and competitive events.
- g. Provision of Medical and Training Facilities and Services (§ 86.41(c)(8)). Compliance will be assessed by examining, among other factors, the equivalence for men and women of:
- (1) Availability of medical personnel and assistance;
 - (2) Health, accident and injury insurance coverage;
 - (3) Availability and quality of weight and training facilities;
 - (4) Availability and quality of conditioning facilities; and
 - (5) Availability and qualifications of athletic trainers.
- h. Provision of Housing and Dining Facilities and Services (§ 86.41(c)(9)). Compliance will be assessed by examining, among other factors, the equivalence for men and women of:
- (1) Housing provided;
 - (2) Special services as part of housing arrangements (e.g., laundry facilities, parking spaces, maid service);
 - I. Publicity (§ 86.41(c)(10)). Compliance will be assessed by examining, among other factors, the equivalence for men and women of:
 - (1) Availability and quality of sports information personnel;
 - (2) Access to other publicity resources for men's and women's programs; and
 - (3) Quality and quantity of publications and other promotional devices featuring men's and women's programs.
4. Application of the Policy-Other Factors (§ 86.41(c)). a. Recruitment of Student Athletes. The athletic recruitment practices of institutions often affect the overall provision of opportunity to male and female athletes. Accordingly, where equal athletic opportunities are not present for male and female students, compliance with the regulation may be assessed by examining the following factors. Institutions for both sexes to determine whether the provision of equal opportunity will require modification of those practices.

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- In the selection of sports, the regulation does not require institutions to integrate their teams nor to provide exactly the same choices of sports to men and women. However, where an institution sponsors a team in a particular sport for members of one sex, it may be required either to permit the excluded sex to try out for the team or to sponsor a separate team for the previously excluded sex.
8. Contact Sports - Effective accommodation means that if an institution sponsors a team for members of one sex in a contact sport, it must do so for members of the other sex under the following circumstances:
- (1) The opportunities for members of the excluded sex have historically been limited; and
 - (2) There is sufficient interest and ability among the members of the excluded sex to sustain a viable team and a reasonable expectation of intercollegiate competition for that team.
- b. Non-Contact Sports - Effective accommodation means that if an institution sponsors a team for members of one sex in a non-contact sport, it must do so for members of the other sex under the following circumstances:
- (1) The opportunities for members of the excluded sex have historically been limited;
 - (2) There is sufficient interest and ability among the members of the excluded sex to sustain a viable team and a reasonable expectation of intercollegiate competition for that team; and
 - (3) Members of the excluded sex do not possess sufficient skill to be selected for a single integrated team, or to compete actively on such a team if selected.
5. Application of the Policy - Levels of Competition.
- In effectively accommodating the interests and abilities of male and female athletes, institutions must provide both the opportunity for individuals of each sex to participate in intercollegiate competition, and for athletes of each sex to have competitive team activities which equitably reflect their abilities.
- Compliance will be assessed in any one of the following ways:
- (1) Whether intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments; or

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- Such examinations will review the following factors:
- (1) Whether coaches or other professional athletic personnel in the programs serving male and female athletes are provided with substantially equal opportunities to recruit;
 - (2) Whether the financial and other resources made available for recruitment in male and female athletic programs are equivalently adequate to meet the needs of each program; and
 - (3) Whether the differences in benefits, opportunities, and treatment accorded prospective student athletes of each sex have a disproportionately limiting effect upon the recruitment of students of either sex;
 - b. Provision of Support Services. The administrative and clerical support provided to an athletic program can affect the overall provision of opportunity to male and female athletes, particularly in the areas where the provided services enable coaches to perform better their coaching functions.
- In the provision of support services, compliance will be assessed by examining, among other factors, the equivalence of:
- (1) The amount of administrative assistance provided to men's and women's programs;
 - (2) The amount of secretarial and clerical assistance provided to men's and women's programs.
5. Overall Determination of Compliance. The Department will base its compliance determination under § 86.41(c) of the regulation upon an examination of the following:
- a. Whether the policies of an institution are discriminatory in language or effect; or
 - b. Whether disparities of a substantial and unjustified nature exist in the benefits, treatment, services, or opportunities afforded male and female athletes in the institution's program as a whole; or
 - c. Whether disparities in benefits, treatment, services, or opportunities in individual segments of the program are substantial enough in and of themselves to deny equality of athletic opportunity.
- C. Effective Accommodation of Student Interests and Abilities.

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- (2) Where the members of one sex have been and are underrepresented among intercollegiate athletes, whether the institution can show a history and continuing practice of program expansion which is demonstrably responsive to the developing interest and abilities of the members of that sex; or
 - (3) Where the members of one sex are underrepresented among intercollegiate athletes, and the institution cannot show a continuing practice of program expansion such as that cited above, whether it can be demonstrated that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program.
- b. Compliance with this provision of the regulation will also be assessed by examining the following:
- (1) Whether the competitive schedules for men's and women's teams, on a program-wide basis, afford proportionally similar numbers of male and female athletes equivalently advanced competitive opportunities; or
 - (2) Whether the institution can demonstrate a history and continuing practice of upgrading the competitive opportunities available to the historically disadvantaged sex as warranted by developing abilities among the athletes of that sex.
- c. Institutions are not required to upgrade teams or intercollegiate status or intercollegiate competition if the institution's development of a reasonable expectation that intercollegiate competition in that sport will be available within the institution's normal competitive regions. Institutions may be required by the Title IX regulation to actively encourage the development of such competition, however, when overall athletic opportunities within that region have been historically limited for the members of one sex.
6. Overall Determination of Compliance.
- The Department will base its compliance determination under § 86.41(c) of the regulation upon a determination of the following:
- a. Whether the policies of an institution are discriminatory in language or effect; or
 - b. Whether disparities of a substantial and unjustified nature in the benefits, treatment, services, or opportunities afforded male and female athletes exist in the institution's program as a whole; or

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c. Whether disparities in individual interests of the program with respect to benefits, treatment, services, or opportunities are substantial enough in and of themselves to deny equality of athletic opportunity.

VII. The Enforcement Process

The process of Title IX enforcement is set forth in 18 U.S.C. 106.71 of the Title IX regulation, which incorporates by reference the enforcement procedures applicable to Title VI of the Civil Rights Act of 1964.

The enforcement process prescribed by the regulation is supplemented by an order of the Federal District Court, District of Columbia, which establishes time frames for each of the enforcement steps.

- According to the regulation, there are two ways in which enforcement is initiated:
- **Compliance Reviews** - Periodically the Department must select a number of recipients in that case, colleges and universities which operate in the same geographic area as the recipient, to determine whether recipients are complying with Title IX (45 CFR 80.7(a)).
 - **Complaints** - The Department must investigate all valid (written and timely) complaints alleging discrimination on the basis of sex in a recipient's programs. (45 CFR 80.7(b)).

The Department must inform the recipient (and the complainant, if applicable) of the results of the investigation. If the investigation indicates that a recipient is in compliance, the Department states this, and the case is closed. If the investigation indicates noncompliance, the Department outlines the violations found.

The Department has 90 days to conduct an investigation and inform the recipient of the results of the investigation. The Department may conduct a voluntary compliance agreement with the recipient. This is done through negotiations between the Department and the recipient, the goal of which is to achieve compliance. Sometimes the agreement on steps the recipient will take to achieve compliance. Sometimes the violation is relatively minor and can be corrected immediately. At other times, however, the negotiations result in a plan that will correct the violations within a specific time frame. The Department may also conduct an investigation in which additional resources will be used to correct the violation. It also must state reasonable time tables for reaching interim goals and full compliance. When agreement is reached, the Department notifies the institution that its plan is acceptable. The Department then is obligated to review periodically the implementation of the plan.

Congressional testimony on Title IX and subsequent surveys indicates that several colleges and universities have voluntarily adopted measures designed to facilitate said practice times, publicly, medical and training facilities, and housing and dining facilities.

5. At several institutions, intercollegiate football is unique among sports. The size of the football program is often large and the program is highly visible. Although football from other sports, both men's and women's. Title IX requires that "an institution of higher education must comply with the prohibition against sex discrimination imposed by this title and its implementing regulations in the administration of any revenue producing intercollegiate athletic activity." However, the unique size and cost of football programs have been taken into account in developing Title IX interpretation.

Appendix B-Comments and Responses

The Office for Civil Rights (OCR) received over 700 comments and recommendations in response to the December 11, 1979 publication of the proposed Policy Interpretation. After the formal comment period, OCR received numerous additional comments from individuals, athletic groups including college and university officials, athletic associations, athletic directors, women's rights organizations and other interested parties. HEW representatives also visited eight universities in order to assess the potential of the proposed Policy Interpretation and of suggested alternative approaches for effective enforcement of Title IX.

The Department carefully considered all information before preparing the final policy. Some changes in the structure and substance of the Policy Interpretation have been made as a result of concerns that were identified in the comment and consultation process.

Persons who responded to the request for public comment were asked to provide comments that focused on different aspects of the proposed Policy Interpretation.

Question No. 1: Is the description of the current status and development of intercollegiate athletics for men and women accurate? Were other factors should be considered?

Comment A: Some commenters noted that the description implied the presence of intent on the part of all universities to discriminate against women. Many of these same commenters noted an absence of concern in the proposed Policy Interpretation for those universities that have in good faith attempted to meet what they felt to be a vague compliance standard in the regulation.

An institution that is in violation of Title IX may already be implementing a corrective plan. In the case, prior to informing the recipient about the results of its investigation, the Department will determine whether the plan is adequate. If the plan is not adequate to correct the violations (or to correct them within a reasonable period of time) the recipient will be found in noncompliance and the Department will begin enforcement of the regulation. The Department will continue to monitor the institution but through the institution has made corrections, it is found to be in compliance because it is implementing a corrective plan. The Department, in this instance also, would monitor the progress of the institutional plan. If the institution subsequently does not completely implement its plan, it will be found in noncompliance.

When a recipient is found in noncompliance and voluntary compliance attempts are unsuccessful, the formal process leading to termination of Federal assistance will be begun. These procedures, which include the opportunity for a hearing before an administrative law judge, are set forth at 45 CFR 80.9-90.11 and 45 CFR Part 81.

IX. Authority

(See 901, 902, Education Amendments of 1972, 86 Stat. 374, 20 U.S.C. 1681, 1682; sec. 844, Education Amendments of 1974, Pub. L. 93-360, 88 Stat. 612; and 45 CFR Part 99)

Dated December 3, 1979.

Ruth S. Stewart,

Director, Office for Civil Rights, Department of Health, Education, and Welfare.

Dated December 4, 1979.

Patrick Roberts Harris,

Secretary, Department of Health, Education, and Welfare.

Appendix A-Historic Patterns of Intercollegiate Athletics Program Development

1. Participation in intercollegiate sports has historically been emphasized for men and not women. Partially as a consequence of the participation rates of women are far below those of men. During the 1977-78 academic year women students accounted for 46 percent of the national undergraduate enrollment (3,486,000 of 7,600 students). Yet, only 30 percent of the intercollegiate athletes are women.

Response: The description of the current status and development of intercollegiate athletics for women was designed to be a factual, historical overview. There was no intent to imply the universal presence of discrimination. The Department recognizes that there are many colleges and universities that have been and are making good faith efforts, in the midst of increasing financial pressures, to provide equal athletic opportunities to their male and female athletes.

Comment B: Commenters stated that the statistics used were outdated in some areas, incomplete in some areas, and inaccurate in some areas.

Response: Comment accepted. The statistics have been updated and corrected where necessary.

Question No. 2: Is the proposed two-stage approach to compliance practical? Should it be modified? Are there other approaches to be considered?

Comment: Some commenters stated that Part II of the proposed Policy Interpretation (the "Second Stage Approach") was not practical. They requested a revision of the July 1978, compliance deadline established in 88.41(d) of the Title IX regulation.

Response: Part II of the proposed Policy Interpretation was not intended to extend the compliance deadline. The format of the two stage approach, however, seems to have encouraged that perception; therefore, the elements of both stages have been changed in this Policy Interpretation.

Question No. 3: Is the equal average per capita standard based on participation rates practical? Are there alternatives or modifications that should be considered?

Comment A: Some commenters stated it was unfair or illegal to find non-compliance solely on the basis of a financial test when more valid indicators of equality of opportunity exist.

Response: The equal average per capita standard was not a standard by which noncompliance could be found. It was offered as a standard of presumptive compliance. The Department recognizes that there are many colleges and universities that have been and are making good faith efforts to meet the equal average per capita standard. The widespread confusion concerning the significance of failure to satisfy the equal average per capita expenditure standard, however, is one of the reasons it was withdrawn.

The historic emphasis on men's intercollegiate athletic programs has also contributed to existing differences in the number of sports and scope of competition offered men and women. One source indicates that, on the average, colleges and universities are providing twice the number of sports for men as they are for women.

2. Participation by women in sports is growing rapidly. During the period from 1971-1979, for example, the number of female participants in organized high school sports increased from 234,000 to 2,083,000 C an increase of over 600 percent. In contrast, between Fall 1971 and Fall 1977, the enrollment of females in high school decreased from approximately 7,600,000 to approximately 7,150,000 a decrease of over 5 percent.

The growth in athletic participation by high school women has been reflected on the campuses of the nation's colleges and universities. During the period from 1971 to 1979 the enrollment of women in the nation's institutions of higher education rose 52 percent, from 3,400,000 to 5,201,000. During the same period, the enrollment of women in organized high school sports increased from 234,000 to 2,083,000 C an increase of over 108 percent. In contrast, between Fall 1971 and Fall 1977, the enrollment of women in high school decreased from approximately 7,600,000 to approximately 7,150,000 a decrease of over 5 percent.

3. The overall growth of women's intercollegiate programs has not been at the expense of men's programs. During the past decade of rapid growth in women's programs, the number of intercollegiate sports available for men has remained stable, and the number of male athletes has increased slightly. Funding for men's programs has increased from \$1.2 to \$2.2 billion between 1970-1977 alone.

4. On most campuses, the primary problem confronting women athletes is the absence of a fair and adequate level of resources, services, and benefits. For example, disproportionately more financial aid has been made available for male athletes than for female athletes. Presently, in institutions that are members of both the National Collegiate Athletic Association (NCAA) and the Association for Women in Sports (AWS), the average annual budget for men's intercollegiate sports is \$20,000. Male athletes receive \$32,000 or 78 percent of this amount, and female athletes receive \$7,000 or 22 percent, although women are 30 percent of all athletes eligible for scholarships.

Likewise, substantial amounts have been provided for the recruitment of male athletes, but little funding has been made available for recruitment of female athletes.

Comment B: Many commenters stated that the equal average per capita standard penalizes those institutions that have increased participation opportunities for women and rewards institutions that have limited women's participation.

Response: Since equality of average per capita expenditures has been adopted as a standard, the question of its effect is no longer relevant. However, the Department agrees that universities that had increased participation opportunities for women and wished to take advantage of the presumptive compliance standard, would have had a bigger financial burden than universities that had done little to increase participation opportunities for women.

Question No. 4: Is there a basis for treating part of the expenses of a particular revenue producing sport differently because the sport produces income used by the university for non-athletic operating expenses on a non-discriminatory basis? If so, how should such funds be identified and treated?

Comment: Commenters stated that this question was largely irrelevant because the vast majority of revenue from intercollegiate sports is used for non-athletic purposes. They stated that even if propositional amounts of money were allocated to recruitment, major inequities could remain in the benefits to athletes. For

Response: Since equality of average per capita expenditures has been dropped as a standard of presumed compliance, a decision is no longer necessary on this issue.

Question No. 5: Is the grouping of financially measurable benefits into three categories practical? Are there alternatives that should be considered? Specifically, should recruiting expenses be considered together with all other financially measurable benefits?

Comment A: Most commenters stated that, if measured solely on a financial standard, recruiting should be grouped with the other financially measurable items. Some of these commenters held that at the current stage of development of women's intercollegiate athletics, the amount of money that would flow into the women's recruitment budget as a result of separate application of the equal average per capita standard to recruiting expenses, would make recruitment a significant financial burden on the university. They stated that the inclusion of athletic directors, particularly, would have the ability to have the money available for other uses, and they generally agreed on including recruitment expenses with the other financially measurable items.

Comment B: Some commenters stated that it was particularly inappropriate to include recruiting expenses in the equal average per capita standard. They stated that even if propositional amounts of money were allocated to recruitment, major inequities could remain in the benefits to athletes. For

instance, universities could maintain a policy of subsidizing visits to their campus by prospective students of one sex, but not the other. Commentators suggested that including an examination of differences in benefits to prospective athletes that result from recruiting methods would be appropriate.

Response: In the final Policy Interpretation, recruitment has been moved to the general provisions section of the Policy Interpretation. The Department agrees that a financial measure is not sufficient to determine whether equal opportunity is being provided. Therefore, in examining athletic recruitment, the Department will primarily review the opportunity to recruit, the resources provided for recruiting, and methods of recruiting.

Question No. 6: Are the factors used to justify differences in equal average per capita expenditures for financially measurable benefits and opportunities fair? Are there other factors that should be considered?

Comment: Most commenters indicated that the factors named in the proposed Policy Interpretation are fair. Some commenters suggested that the Department should justify differences in equal average per capita expenditures as being more or less than necessary. Some stated that it would be impossible to define the phrase "scope of competition," given the greatly differing competitive structure of men's and women's programs. Other commenters were concerned that the "scope of competition" factor may currently be designated as "non-discriminatory" when, in reality, the result of many years of disparate treatment of women's athletic programs.

Response: The Department agrees that it would be difficult to define clearly and then to quantify the "scope of competition" factor. Since equal average per capita expenditures has been dropped as a standard of presumed compliance, such financial justifications are no longer necessary. Under the proposed Policy Interpretation, the Department will examine the unique nature of a sport may account for perceived inequities in some program areas.

Question No. 7: Is the comparability standard for benefits and opportunities that are not financially measurable fair and realistic? Should other factors controlling comparability be included? Should the comparability standard be revised? Is there a different standard which should be considered?

Comment: Many commenters stated that the comparability standard was fair and realistic. Some commenters were concerned, however, that the standard was vague and subjective and could lead to uneven enforcement.

men and women, were equal. This seems feasible (in scholarships and in other areas) remains in the final Policy Interpretation.

(4) Comment: Several commenters stated that the provision of a separate dormitory to athletes of only one sex, even where no other special benefits were involved, is inherently discriminatory. They felt such separation indicated the different degree of importance attached to athletes on the basis of sex.

Response: Comment accepted. The provision of a separate dormitory to athletes of one sex but not the other will be considered a failure to provide equal benefits as required by the regulation.

(5) Comment: Commenters, particularly colleges and universities, expressed concern that the different treatment of men's and women's programs would constitute unequal distribution of funds and opportunities to men's and women's athletic programs, thus placing the institutions in a posture of non-compliance with Title IX.

Response: Commenters made this point with regard to §§.6(c) of the Title IX regulation, which reads in part:

"The obligation to comply with (Title IX) is not avoided or alleviated by any rule or regulation of any . . . athletic or other . . . association . . ."

Since the penalties for violation of intercollegiate athletic association rules are not a condition of membership in the association, the Department believes that the obligation to comply with the regulation requirement to determine whether a rule should be modified. Our conclusion is that modification would not have a beneficial effect, and that the present requirement will stand.

Several factors enter into this decision. First, the differences between rules affecting men's and women's programs are usually of a minor nature and are not intended to discriminate against either sex. Second, the differences in rules are not intended to discriminate against either sex. Some rule differences may permit decisions resulting in discriminatory distribution of benefits and opportunities to men's and women's programs. The fact that institutions respond to differences in rules by choosing to deny equal opportunities, however, does not mean that the rules themselves are in fact; the obligation to comply with the regulation requirement to determine whether a rule should be modified. Our conclusion is that modification would not have a beneficial effect, and that the present requirement will stand.

Response: The concept of comparing the non-financially measurable benefits and opportunities provided to male and female athletes has been preserved and expanded in the final Policy Interpretation to include all areas of examination except scholarships and participation of the interests and abilities of both sexes. The standard is that equivalent benefits and opportunities must be provided. To a maximum extent practicable, the Department will examine the opportunity to recruit, the resources provided for recruiting, and methods of recruiting.

Question No. 6: Is the proposal for increasing the opportunity for women to participate in competitive athletics appropriate and effective? Are there other procedures that should be considered? Is there a more effective way to ensure compliance with and address of both men and women are equally accommodated?

Comment: Several commenters indicated that the proposal to allow a university to gain the status of presumed compliance by having policies and procedures to encourage the growth of women's athletics was a desirable method for ensuring compliance with Title IX. Some commenters suggested that the Department's new factors in the proposed Policy Interpretation was concerned about the current selection of sports and levels of competition effectively accommodate the interests and abilities of women as well as men.

Response: Comment accepted. The requirement that universities equitably accommodate the interests and abilities of both men and women is a part of the final Policy Interpretation.

Additional Comments

The following comments were not responsive to questions asked in the proposed Policy Interpretation. They represent additional concerns expressed by a large number of commenters.

(1) Comment: Football and other "revenue producing" sports should be totally exempted or should receive special treatment under Title IX.

Response: The April 18, 1978, edition of the General Counsel, HEW, concludes that "an institution of higher education must comply with the prohibition against sex discrimination imposed by that title and its implementing regulation in the administration of any revenue producing activity." Therefore, football or other "revenue producing" sports cannot be exempted from coverage of Title IX.

In developing the proposed Policy Interpretation the Department concluded that although the fact of revenue production could not justify disparity in average per

capita expenditure between men and women, there were characteristics common to most revenue producing sports that could result in legitimate nondiscriminatory differences in per capita expenditures. For instance, some "revenue producing" sports require expensive protective equipment and most require high quality coaching staffs and facilities. The Department will examine the opportunity to recruit, the resources provided for recruiting, and methods of recruiting.

In the final Policy Interpretation, under the equivalent benefits and opportunities standard of compliance, some of these non-discriminatory factors are still relevant and applicable.

(2) Comment: Commenters stated that since the equal average per capita standard of presumed compliance was based on participation rates, the word "should" be properly defined.

Response: Although the final Policy Interpretation does not use the word "should," per capita standards of presumed compliance, a clear understanding of the word "participant" is still necessary, particularly in the determination of compliance where scholarships are involved. The word "participant" is defined in the final Policy Interpretation.

(3) Comment: Many commenters were concerned that the proposed Policy Interpretation neglected the rights of individuals.

Response: The proposed Policy Interpretation was intended to further clarify what colleges and universities must do within their intercollegiate athletic programs to avoid discrimination against individuals on the basis of sex. The interpretation, therefore, speaks to institutions in terms of their male and female athletes and in terms of comparability of their opportunities and benefits for male and female participating athletes.

The Department believes that under the approach the rights of individuals were protected. If women athletes, as a class, are receiving opportunities and benefits equal to those of men athletes, the Department believes that the rights of individuals are protected. Under the proposed Policy Interpretation, for example, if female athletes as a whole were receiving the proportional share of athletic financial assistance, a university would have been presumed in compliance with that section of the regulation. The Department does not want and does not have the authority to impose on universities to offer identical programs to men and women. Therefore, to ensure that the proposed Policy Interpretation does not result in a situation where compliance if the average per capita expenditure on athletic scholarships for

(e.g., women's volleyball) in such a manner as to have the effect of disproportionately providing benefits or opportunities to the members of one sex.

(6) Comment: Some commenters suggest that equality of opportunity should be measured by a "sport-specific" competition. Under this approach, institutions offering the same sports to men and women would have to offer equal opportunities to both sexes. For example, if a men's basketball team were to have a better team and the women's basketball team would have to receive equal opportunities and benefits.

Response: As noted above, there is no provision for the requirement of identical programs for men and women, and no such requirement will be made by the Department. For example, the sports available for men at an institution might include most or all of those available for women; but the men's program might concentrate resources on sports not available to women (e.g., football, ice hockey). In addition, the sport-specific concept overlooks two key elements of the Title IX regulation.

First, the regulation states that the selection of sports is to be representative of student interests and abilities (§§.41(c)(1)). A requirement that sports for the members of one sex be available or developed solely on the basis of their existence or development in the program for members of the other sex could conflict with the regulation where the interests and abilities of male and female students diverge.

Second, the regulation frames the general compliance obligations of recipients in terms of program-wide benefits and opportunities (§§.41(c)). As implied above, Title IX protects the individual as a student-athlete, not as a basketball player, or swimmer.

(8) Comment: A coalition of many colleges and universities urged that there are no objective standards against which compliance with Title IX in intercollegiate athletics could be measured. They felt that diversity is so great among colleges and universities that no single standard or set of standards could practically apply to all affected institutions. They concluded that it would be best for individual institutions to determine the procedures and programs by which to ensure non-discrimination in intercollegiate athletic programs.

Specifically, this coalition suggested that each institution should create a group representative of all affected parties on campus.

This group would then assess existing athletic opportunities for men and women, and, on the basis of the assessment, develop a plan to ensure nondiscrimination.

Dear Colleagues:

It is my pleasure to send you the enclosed Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test (the Clarification).

As you know, the Office for Civil Rights (OCR) enforces Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities. The regulation implementing Title IX and the Department's intercollegiate athletics policy interpretation published in 1979 -- both of which followed publication for notice and the receipt, review and comment periods -- have been revised and reissued in the Clarification. The Clarification reflects the Department's new intercollegiate athletics policy interpretation and provides additional clarification regarding what is commonly referred to as the "three-part test," a test used to determine whether students of both sexes are provided nondiscriminatory opportunities to participate in athletics. The three-part test is described in the Department's 1979 Policy Interpretation.

Accordingly, on November 30, 1988, the OCR contacted to more than 4,500 institutions of higher education regarding the Clarification, soliciting comments about whether the document provided sufficient clarity to assist institutions in their efforts to comply with Title IX. As indicated when circulating the draft of the Clarification, the objective of the Clarification is to respond to requests for specific information about the existing standards and to provide additional clarification regarding the questions that have been raised about Title IX compliance, is a portion of a larger analytical framework reflected in the 1979 Policy Interpretation.

The OCR appreciates the efforts of the more than 600 individuals who contacted the Office of Civil Rights. In addition to providing specific comments regarding clarity, some parties suggested that the Clarification did not go far enough in protecting women's sports. Others, by contrast, suggested that the Clarification, or the Policy Interpretation itself, provided more protection for women's sports than intended by Title IX. However, it would not be appropriate to revise the 1979 Policy Interpretation, and advances to its provisions beyond the Department's original intent. The OCR's enforcement in the area of intercollegiate athletics, enjoying

provide equal athletics opportunity, i.e., only where an institution has failed to respond to the interests and abilities of the under-represented sex, when it allocated a disproportionately large number of opportunities for athletics to the other sex.

What is clear then -- because, for example, past cases of the three-part test lacks evidence that under-representation is caused not by discrimination but by lack of interest -- is that under-representation alone is not the measure of discrimination. Substantial proportionality merely provides institutions with a safe harbor. Even if this were not the case and proportional opportunities were the only test, the "quota" criterion would be misplaced. Quotas are impermissible schools are permitted to create athletics participation opportunities based on sex. Where they do so unilaterally, that is a legitimate measure of unequal opportunity under Title IX. The OCR has chosen to make substantial proportionality only one of three alternative measures.

Several policies also suggested that, in determining the number of participation opportunities offered by an institution, the OCR could unfilled slots, i.e., those positions on a team that an institution claims the team can support but that are not filled by actual athletes. The OCR must, however, count actual athletes because participation opportunities must be real, not illusory. Moreover, this makes sense because, under other parts of the Policy Interpretation, the OCR considers the interests and abilities of the under-represented sex. Ultimately, the Clarification provides actual athletes in determining whether an institution provides equal participation opportunities. In this context, the OCR must consider actual benefits provided to real students.

The OCR also received comments that indicate that there is still confusion about the elimination and capping of men's teams in the context of Title IX compliance. The Clarification provides a list of ways to comply with Title IX, but it does not eliminate anything in the Clarification requires that an institution cap or eliminate participation opportunities for men. In fact, capping or capping men's teams will not have an institution comply with part two or part three of the test because these tests measure an institution's positive, ongoing response to the interests and abilities of the under-represented sex. Ultimately, the Clarification provides actual participation opportunities.

Finally, several parties suggested that the OCR provide more information regarding the specific elements of an appropriate assessment of student interest and ability. The Policy Interpretation does not provide such information because concerns are a delicate question with the unique circumstances and

INTRODUCTION

The manual is designed to make institutions of higher education (IHE) aware of the requirements of Title IX and to provide information on how to comply with Title IX of the Education Amendments of 1972. It is intended for use by the Department of Education. The manual is intended to provide information on the requirements of Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities. The manual is intended to provide information on the requirements of Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities. The manual is intended to provide information on the requirements of Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities.

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deprive institutions of the flexibility to which they are entitled when deciding how best to comply with the law.

Several parties who provided comments expressed opposition to the three-part test. The crux of the arguments made on behalf of those opposed to the three-part test is that the test does not really provide three different ways to comply with Title IX. Rather, they argue, the test is merely a disguised quota system. In addition, they also argue that the three-part test runs counter to the intent of Title IX because it measures gender discrimination by under-representation and requires the full accommodation of only one sex. However, the understanding of Title IX and the three-part test is wrong.

First, it is clear from the Clarification that there are three different measures of compliance. Institutions have flexibility in providing nondiscriminatory participation opportunities to their students, and the OCR does not require quotas. For example, if an institution chooses to and does comply with part three of the test, the OCR will not require it to provide substantially proportional participation opportunities to, or demonstrate a history and continuing practice of, providing equal participation opportunities to the under-represented sex. In fact, if an institution believes that its female students are less interested and able to play intercollegiate sports, that institution may continue to provide more athletic opportunities to men than to women, or even to add opportunities for men, as long as the recipient can show that its female students are not being denied opportunities, i.e., that women's interests and abilities are fully and effectively accommodated. The fact that each part of the test has a different meaning and that the three parts do not provide different ways to comply with Title IX.

Second, it is appropriate for parts two and three of the test to focus only on the under-represented sex. Indeed, such a focus is required because Title IX, by definition, addresses discrimination on the basis of sex. Therefore, there are no intercollegiate institutions -- notwithstanding the long history of discrimination based on sex in athletics programs -- in education separate athletics programs on the basis of sex, thus allowing institutions to determine the number of athletics opportunities that are available to students of each sex. (By contrast, Title VI of the Civil Rights Act of 1964 forbids institutions from providing separate athletics programs on the basis of race or national origin.)

The OCR focuses on the interests and abilities of the under-represented sex only if the institution provides proportionately fewer athletics opportunities to members of one sex and has failed to make a good-faith effort to expand its program for the under-represented sex. Thus, the Policy Interpretation requires the full accommodation of the under-represented sex only to the extent necessary to

This plan would then be recommended to the Board of Trustees or other appropriate governing body.

The role for the Department under this concept is:

(a) The Department would use the plan as a framework for evaluating complaints and assessing compliance;

(b) The Department would determine whether the plan satisfies the interests of the involved parties; and

(c) The Department would determine whether the institution is adhering to the plan.

These comments let that this approach to Title IX enforcement would ensure an environment of equal opportunity.

Response: Title IX is an anti-discrimination law. It prohibits discrimination based on sex in education programs and activities. It is not a quota system. The legislative history of Title IX clearly shows that it was enacted because of discrimination that currently was being practiced against women in educational institutions. The Department accepts that colleges and universities are aware of their mission to ensure equal opportunity in intercollegiate athletics to their male and female students. It cannot, however, turn over its responsibility for providing equal opportunities to the hands of institutions. The Department is committed to enforcing the standards by which compliance with Title IX statute will be evaluated.

The Department agrees with the group of commenters that the proposed self-assessment and institutional plan is an excellent idea. Any institution that voluntarily chooses to self-assess its Title IX compliance and to take steps to correct or move toward compliance, as explained in Section VIII of the Policy Interpretation, any college or university that has compliance problems but is implementing a plan that the Department determines will correct those problems within a reasonable period of time, will be found in compliance.

the bipartisan support of Congress. The Policy Interpretation has also enjoyed the support of every court that has addressed issues of Title IX athletics. As one recent court decision recognized, the "three-part test" draws its "essence" from the Title IX statute.

The draft has been revised to incorporate suggestions that the OCR received regarding how to make institutions more aware of the requirements of Title IX. The three-part test and makes clear that the term "developing interests" under part two of the test includes interests that already exist at the institution. The document also clarifies that an institution can choose which part of the test it plans to meet. In addition, it further clarifies how Title IX requires the OCR to count participation opportunities and why Title IX does not require an institution, in the context of the test, to accommodate the interests and abilities of potential students.

The OCR also received requests for clarification that relate primarily to fact- or institution-specific situations that only apply to a small number of athletic or intercollegiate institutions. These comments are more appropriately handled on an individual basis in the context of the OCR's ongoing technical assistance efforts.

It is important to outline several points about the final document.

The Clarification confirms that institutions need to comply only with one part of the three-part test to ensure compliance with Title IX. The three-part test is substantially proportionality -- focuses on the participation rates of men and women at an institution and efforts an institution a "safe harbor" for establishing that it provides nondiscriminatory participation opportunities. An institution that does not comply with Title IX by satisfying either part two or part three of the test. The second part of the test, which requires that an institution provide equal participation opportunities to the under-represented sex, is a separate and distinct requirement. It is not a quota system. It is not a measure of discrimination based on sex. It is a measure of equal opportunity through its response to the interests and abilities of the under-represented sex at that institution. The third part -- fully and effectively accommodating interests and abilities of the under-represented sex -- centers on the inquiry of whether there are concrete and visible interests among the under-represented sex that should be accommodated by an institution.

In addition, the Clarification does not provide strict numerical formulas or "cookie-cutter" answers to the issues that are inherently case and fact specific. Such an effort not only would be the meaning of Title IX, but would at the same time

needs of an institution. We recognize, however, that it might be useful to share ideas on good assessment strategies. Accordingly, the OCR will work to identify and encourage institutions to share good strategies that institutions have developed, as well as to facilitate discussions among institutions regarding potential assessment techniques.

The OCR recognizes that the question of how to comply with Title IX and to provide equal athletics opportunities for all students is a significant challenge that many institutions face today, especially in the face of increasing budget constraints. It has been the OCR's experience, however, that institutions committed to maintaining their men's program have been able to do so -- and that the OCR and its institutions have worked together to find creative solutions, that ensured equal opportunities in intercollegiate athletics. The OCR is similarly prepared to join with other institutions in assisting them to address their own situations.

The OCR is committed to continuing to work in partnership with colleges and universities to ensure equal athletic opportunities for all students. Thank you for your continuing interest in this subject.

Sincerely,

Norma V. Cantu
Assistant Secretary for Civil Rights

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does not require colleges to grant the same number of scholarships to men and women, nor does it require that individual scholarships be of equal value. What it does require is that, at a particular college or university, the total amount of scholarship aid made available to men and women must be substantially proportionate to their (overall) participation rate⁴ at that institution. Id. at 71415. It is important to note that the Policy Interpretation only applies to teams that regularly compete in varsity competition. Id. at 71413 and n.1.

Under the Policy Interpretation, OCR conducts a "frank and open" comparison to determine whether proportionately equal amounts of financial assistance (scholarship aid) are available to men's and women's athletics programs. Id. The Policy Interpretation goes on to state that "[i]stitutions may be found in compliance if the comparison results in substantially equal amounts of a non-discretionary factor," id. . . . adjustments to take into account legitimate

A "disparity" in awarding athletics financial assistance refers to the difference between the aggregate amount of money athletes of one sex received in one year, and the amount they would have received if their shares of the entire annual budget were based on their participation rates. Id. at 71415. The Policy Interpretation also states that "the OCR will not consider the participation rates of men's and women's athletes, but rather the participation rates of all students at the institution." Id. at 71415. In other words, the OCR will not consider the participation rates of a school's intercollegiate athletes, but the Policy Interpretation presumes that -- absent legitimate nondiscriminatory factors that may cause a disparity -- the men's athletics program will receive approximately 50 percent of the entire annual scholarship budget and the women's athletics program will receive approximately 50 percent of the total amount of scholarship funds among their athletics teams, and that such teams are not disproportionately benefited by sex. Colleges' allocation of the scholarship budget among teams, therefore, is invariably sex-based, in the sense that an allocation to a particular team necessarily benefits one sex to the exclusion of the other. See Brown, 101 F.3d at 177. Where, as here, disparate treatment is inevitable and a college's (or a school's) scholarship funds are in the possession of the institution, the OCR's Policy Interpretation presumes that the institution has a requirement obligation to ensure that men's and women's separate activities receive equitable treatment. Cf. United States v. Virginia, 518 U.S. 515, 554 (1996).

Nevertheless, in keeping with the Policy Interpretation's allowance for disparities caused by legitimate nondiscriminatory factors, the OCR judges each matter on a case-by-case basis with due regard for the unique factual situation presented by each case. For example, the OCR recognizes that disparities may be explained by actions taken to promote athletics program development, and by differences between in-state and out-of-state tuition at public colleges. 44 Fed. Reg. at

Appendix E

UNITED STATES DEPARTMENT OF EDUCATION WASHINGTON, D.C. 20202

July 23, 1998
Ms. Nancy S. Foster
General Counsel
Bowling Green State University
308 McFall Center
Bowling Green, Ohio 43403-0010

Dear Ms. Foster:

This is in response to your letter requesting guidance in meeting the requirements of Title IX, specifically as it relates to the equitable allotment of athletics financial aid. Please accept my apology for the delay in responding. In accordance with the Department of Education's Freedom of Information Act Amendments of 1972, 50 U.S.C. 71682, which prohibits determination on the basis of sex in education programs and activities.

The regulation implementing Title IX and the Department's intercollegiate Athletics Policy Interpretation published in 1979 -- both of which followed publication for notice and the receipt of many comments -- were intended to provide clarification regarding how educational institutions can provide intercollegiate athletics with nondiscriminatory opportunities to receive athletics financial aid. Under the Policy Interpretation, the equitable allotment of a college's intercollegiate athletics scholarship fund for the separate budgets of its men's and women's programs, which Title IX refers to as separate budgets, are "substantially proportionate" to the participation rates of male and female athletes. [44 Fed. Reg. 71413, 71415 (1979)].

In responding, I wish (1) to clarify the coverage of Title IX and its regulations as they apply to both academic and athletics programs, and (2) to provide specific guidance regarding the equitable allotment of athletics financial aid under Title IX in the case of athletics financial aid, particularly the Policy Interpretation's "substantially proportionate" provision as it relates to a college's funding of its athletics scholarship budgets for its men's and women's teams. At the outset, I want to clarify that, widely apart from any obligation with respect to scholarships, an institution with an intercollegiate athletics program has an independent Title IX obligation to provide its students with nondiscriminatory athletics participation

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71415. Disparities might also be explained, for example, by legitimate efforts undertaken to comply with Title IX requirements, such as participation requirements. See, e.g., *Gonyo v. Drake Univ.*, 879 F. Supp. 1000, 1005-06 (S.D. Ind. 1995). Similarly, disparities may be explained by unreported fluctuations in the participation rates of males and females. For example, a school's participation rates may fluctuate from year to year, and the school's scholarship budget allocated at the last minute to avoid a violation of Title IX is not sufficient to note that it is not enough for a college or university merely to assert a nondiscriminatory justification. Instead, it will be required to demonstrate that its asserted rationale is in fact reasonable and does not reflect underlying discrimination. For instance, if a college consistently awards a greater number of out-of-state scholarships to men, it may be required to demonstrate that this does not reflect discrimination against women. Similarly, if a college awards a greater share-in of scholarships to a new team as a justification for a disparity, the university may be required to demonstrate that the time frame for phasing-in of scholarships is reasonable in light of college sports practices to aggressively recruit athletes to build start-up teams quickly.

In order to assure equity for athletes of both sexes, the test for determining whether the two separate budgets are "substantially proportionate" to the respective participation rates of athletes of each sex necessarily has a high threshold. The Policy Interpretation does not, however, require colleges to achieve exact proportionality down to the last dollar. The "substantially proportionate" test permits a small variance from exact proportionality. The OCR recognizes that, in practice, many colleges will have a budget constraint requiring colleges to unreasonably fine-tune their scholarship budgets.

When evaluating each scholarship program on a case-by-case basis, the OCR's first step will be to adjust any disparity to take into account all the legitimate nondiscriminatory reasons provided by the college, such as the extra costs for out-of-state tuition, displaced athletes, if any other named disparity factor, or the college's unique situation. After adjusting for these factors, the OCR will look for the same budget for athletics scholarships. There will be a strong presumption that such a disparity is reasonable and based on legitimate and nondiscriminatory factors. Conversely, there will be a strong presumption that an unexplained disparity of more than one percent is in violation of the "substantially proportionate" requirement.

Thus, for example, if men are 60 percent of the athletes, the OCR would expect that the men's athletics scholarship budget would be within 5% to 6% percent of the total budget for athletics scholarships for all athletes, after accounting for legitimate nondiscriminatory reasons for any larger disparity. Of course, the OCR will continue to judge each case in terms of its particular facts. For example, at those colleges where one percent of the state's athletics scholarship budget is

opportunities. The scope of that separate obligation is not addressed in this letter, but was addressed in a Clarification issued January 16, 1998.

Title IX Coverage: Athletics versus Academic Programs

Title IX is an anti-discrimination statute that prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance, including athletics programs. Thus, in both academics and athletics, Title IX guarantees that all students, regardless of gender, have equal opportunities to receive a quality education. The OCR's Policy Interpretation provides guidance based on gender, either in classrooms or in athletics programs. Indeed, the imposition of any such strict numerical requirement concerning students would be inconsistent with Title IX itself, which is designed to protect the rights of all students and to provide equitable opportunities for all students.

Accordingly, Title IX recognizes the uniqueness of intercollegiate athletics by recognizing that the participation rates of men's and women's athletes are not the same. Title IX also recognizes that the participation rates of male and female athletes are not the same. Title IX allows colleges and universities to allocate athletics opportunities and benefits on the basis of sex. Because of this unique circumstance, arguments that the OCR's athletics compliance standards create quotas are misplaced. In contrast to other antidiscrimination statutes, Title IX compliance cannot be determined simply on the basis of whether an institution has a particular policy. Instead, Title IX requires that each institution's policies make informed equitable institutions to provide equitable opportunities to both male and female athletes in all aspects of its two separate athletics programs. As the court in the Brown University case stated, "[i]n this unique context, Title IX operates to insure that the gender-segregated allocation of athletic opportunities does not disadvantage either gender, but rather than create a quota or preference, it merely requires that the gender-segregated allocation of athletic opportunities be made in a nondiscriminatory manner." *Cohen v. Brown University*, 101 F.3d 156, 177 (6th Cir. 1998), cert. denied, 117 S. Ct. 1489 (1997). The remainder of the letter addresses the application of Title IX only to athletics scholarships.

Athletics: Scholarship Requirements

With regard to athletics financial assistance, the regulations promulgated under Title IX provide that, when a college or university awards athletics scholarships, these scholarship awards must be granted to "members of each sex in proportion to the number of students of each sex participating in . . . intercollegiate athletics." 34 C.F.R. 106.37(c). Since 1979, the OCR has interpreted this regulation in accordance with the Supreme Court's decision in *Cohen v. Brown University*, 44 Fed. Reg. 71413 (December 11, 1979). The Policy Interpretation

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less than the value of one full scholarship, the OCR will presume that a disparity of up to the value of one full scholarship is equitable and nondiscriminatory. On the other hand, even if an institution consistently has less than a one percent disparity, the presumption of compliance with Title IX might be rebutted if, for example, there is direct evidence of discriminatory intent.

The OCR recognizes that there has been some confusion in the past with respect to the Title IX compliance standards for scholarships. The OCR's 1990 Title IX investigator's manual correctly stated that one would expect proportionality in the awarding of scholarships, absent a legitimate nondiscriminatory justification. But that manual also stated that compliance with Title IX requires that the participation rates of men and women in certain statistical tests. In some cases, application of such a statistical test would result in a determination of compliance despite the existence of a disparity as large as three to five percent.

We would like to clarify that the use of such statistical tests is not appropriate in these circumstances. The OCR's Policy Interpretation presumes that participation rates of men and women, whether the disparities in the allocation of benefits to different groups are the result of chance, are inappropriate in the athletics scholarship context because a college has direct control over its allocation of athletics aid to men's and women's teams, and because such allocations necessarily are sex-based in the sense that an allocation to a particular team will only one sex. Sex-based direct allocations from admission and enrollment, and why athletics require a different analysis than that used in such other contexts "in order to determine the existence of non of discrimination". In the typical case where aid is expressly allocated among segregated teams, chance simply is not a possible explanation for disproportionate aid to one sex. Where such aid is allocated to a particular college to provide legitimate, nondiscriminatory reasons for the disproportionate allocation. Therefore, the use of statistical tests will not be helpful in determining whether a disparity in the allocations for the two separate athletics scholarship budgets is nondiscriminatory.

While a statistical test is not relevant in determining discrimination, the confusion caused by the removal of a statistical test resulted in the OCR's Policy Interpretation. Therefore, the OCR is providing this clarification regarding the substantial proportionality provision found in the 1979 Policy Interpretation to confirm the substance of a longstanding standard. In order to ensure full understanding, the OCR will apply the presumptions and case-by-case analysis described in this letter for the 1979 Policy Interpretation. The OCR strongly encourages recipients to ensure athletics financial statistics to receive athletes

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In the 1997-98 academic year consistent with this policy clarification, both as a matter of fairness and in order to ensure that they are moving toward the policy clarification stated in this letter.

I trust that this letter responds to the questions the university has regarding the funding for the institution's two separate athletics scholarship budgets for male and female athletes. I am sending a copy of this letter as technical assistance to the complainant and the other 24 recipients also currently involved with the OCR on the issue of awarding athletics financial assistance. We will be in contact with you shortly to continue to work with the university regarding the matter and you may have any questions regarding the letter, please contact me at 31-2858-6357.

Sincerely yours,

Dr. Mary Frances O'Shea
National Coordinator for Title IX Athletics

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Third, the OCR hereby advises schools that it will aggressively enforce Title IX standards, including implementing sanctions for institutions that do not comply with such sanctions by achieving Title IX compliance.

Fourth, private sponsorship of athletics teams will continue to be allowed. Of course, private sponsorship does not in any way change or diminish a school's obligations under Title IX.

Finally, the OCR recognizes that schools will benefit from clear and consistent implementation of Title IX. Accordingly, the OCR will ensure that its enforcement process do not vary from region to region.

The OCR recognizes that the question of how to comply with Title IX and to provide equal athletics opportunities for all students is a challenge for many academic institutions. But the OCR believes that the three-prong test has provided, and will continue to provide, schools with the flexibility to provide greater athletics opportunities for students at both sexes.

The OCR is strongly reaffirming today its commitment to equal opportunity for girls and boys, women and men. To that end, the OCR is committed to continuing to work in partnership with educational institutions to ensure that the promise of Title IX becomes a reality for all students.

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Appendix F
UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
THE ASSISTANT SECRETARY

July 11, 2003

Dear Colleagues:

It is my pleasure to provide you with the Further Clarification of Intercollegiate Athletic Policy Guidance Regarding Title IX Compliance.

Since its enactment in 1972, Title IX has produced significant advancement in athletics opportunities for women and girls across the nation. Recognizing the progress that has been made, the OCR has brought this guidance up to date on this legacy and continuing the progress that Title IX has brought toward the equality of opportunity for male and female student-athletes in America.

In response to numerous requests for additional guidance on the Department of Education's (Department) enforcement standards since its fact-written guidance on Title IX in 1986, the Department's Office for Civil Rights (OCR) began issuing guidance on intercollegiate athletics last year. The OCR's guidance was developed by Rod Paige created the Secretary's Commission on Opportunities in Athletics to investigate this matter further, and to report back with recommendations on how to improve the application of the current standards for measuring equal opportunity to participate in athletics under Title IX. On February 26, 2003, the Commission presented Secretary Paige with its final report, "Open to All: Title IX at Thirty," and in addition, individual members expressed their views.

After eight months of discussion and an extensive and inclusive fact-finding process, the Commission found very broad support throughout the country for the goals and spirit of Title IX. With that in mind, the OCR today issues this Further Clarification in order to strengthen Title IX's promise of non-discrimination in the athletics programs of our nation's schools.

Title IX establishes that: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

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Thank you for your continuing interest in this subject.

Sincerely,

Gerald Reynolds
Assistant Secretary for Civil Rights

In its 1978 Policy Interpretation, the Department established a three-prong test for compliance with Title IX, which it later amplified and clarified in its 1986 Clarification. The test provides that an institution is in compliance if (1) the institution has a "reasonable" approach to the three-prong test; (2) the institution has "substantial" proportionality to their respective full-time undergraduate enrollment; (3) the institution has a "history and continuing practice of program expansion" for the under-represented sex, or (3) the institution is "fully and effectively" accommodating the interests and abilities of the under-represented sex.

First, with respect to the three-prong test, which has worked well, the OCR encourages schools to take advantage of its flexibility and to consider which of the three prongs best suits their individual situations. All three prongs have been used successfully by schools to comply with Title IX, and the test offers three separate ways of assessing whether schools are providing equal opportunities to male and female students. Schools are encouraged to use the prong that best suits their "substantial proportionality" prong. It would still satisfy the three-prong test if it maintains a history and continuing practice of program expansion for the under-represented sex, or if "the interests and abilities of the members of the under-represented sex have been fully and effectively accommodated by the present program." Each of the three prongs is thus a valid, accommodative way for schools to comply with Title IX.

The transcript letter accompanying the 1986 Clarification issued by the Department described only one of these three separate prongs - substantial proportionality - as a "safe harbor" for Title IX compliance. This led many schools to believe, erroneously, that they must take measures to ensure strict proportionality between the sexes. In fact, each of the three prongs of the test is an equally sufficient means of complying with Title IX, and one prong is not more "substantial" than another. The OCR's guidance on intercollegiate athletics clarifies that "Institutions have flexibility in providing nondiscriminatory participation opportunities to their students, and the OCR does not require quotas."

In order to ensure that schools have a clear understanding of their options for compliance with Title IX, the OCR has issued this Further Clarification to help educational institutions appreciate the flexibility of the law, to explain that each prong of the test is a viable and separate means of compliance, to give practical examples of the ways in which schools can comply, and to provide schools with technical assistance as they try to comply with Title IX.

In the 1986 Clarification, the Department provided schools with a broad range of specific factors, as well as illustrative examples, to help schools understand the

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Appendix G
Title IX Guidance Procedures, Postsecondary Education

August 4, 2004

Dear Colleagues:

On behalf of the Office for Civil Rights of the United States Department of Education (OCR), I am writing to highlight aspects of the responsibilities of Title IX recipients of federal financial assistance to comply with the requirements of Title IX of the Education Amendments of 1972, 20 U.S.C. § 1081 et seq. (Title IX) and its implementing regulations, 34 C.F.R. Part 106. As you are aware, Title IX prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance. Specifically, this letter is to send postsecondary institutions that the Title IX regulations require recipients to designate a Title IX coordinator, adopt and disseminate a nondiscrimination policy, and put grievance procedures in place to address complaints of discrimination on the basis of sex in educational programs and activities.

OCR recently reviewed the Title IX compliance status of selected recipients and found in several instances that recipients have not complied with some of the above requirements of the Title IX implementing regulations. Examples of deficiencies identified during OCR reviews include the failure to designate and/or regularly train at least one employee to coordinate the recipient's Title IX responsibility, the failure to disseminate the recipient's Title IX nondiscrimination policy, and the failure to adopt or publish required Title IX grievance procedures to address sex discrimination claims. The most frequently cited problem was the failure to effectively disseminate notice of the Title IX coordinator's identity and contact information as required by the Title IX regulations. There are all things that OCR looks for in conducting investigations on these issues.

Recipients of federal financial assistance, including postsecondary institutions, must comply with the Title IX implementing regulations. The Title IX implementing regulations at 34 C.F.R. § 106.6(a) require that each recipient designate at least one employee to coordinate its efforts to comply with and carry out responsibility under Title IX. OCR expects that each recipient will designate a Title IX coordinator to coordinate the recipient's Title IX compliance responsibilities with Title IX. Section 106.6(a) also requires the recipient to notify all students and employees of the name, address, and telephone number of the designated coordinator. Section 106.6(b) requires that each recipient adopt and publish

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grievance procedure providing for prompt and equitable resolution of student and employee complaints under Title IX.

The Title IX regulations at 34 C.F.R. § 106.9 require that each recipient publish a statement (notice) that it does not discriminate on the basis of sex in its education programs or activities. The notice must include, at a minimum, that the recipient does not discriminate on the basis of sex in admission to or employment in its education programs or activities. The notice must further state that inquiries to recipients concerning the application of Title IX and its implementing regulations may be referred to the Title IX coordinator or to OCR.

Section 106.9(b) requires that the notice of nondiscrimination be displayed prominently in each announcement, bulletin, catalog, or application form used in connection with recruitment of students or employees. The notice should also include the name, office address, and telephone number for the designated Title IX coordinator.

The Department is committed to enforcing Title IX vigorously. The compliance problems OCR noted during our recent investigations suggest that some recipients may not have been vigilant in ensuring compliance with the above-mentioned procedural requirements of the regulations implementing Title IX. OCR will continue to identify potential sites for additional compliance reviews, particularly at the postsecondary level. My goal is that, by focusing attention on these areas, we will be able to help recipients better understand and improve access to educational benefits and services for all beneficiaries. If you need additional information about Title IX, have questions regarding the Department's policies, or seek guidance, please contact the OCR enforcement office that serves your state or territory for further assistance. I have enclosed the addresses and telephone numbers of those offices.

Thank you for your attention to these matters.



Sincerely,


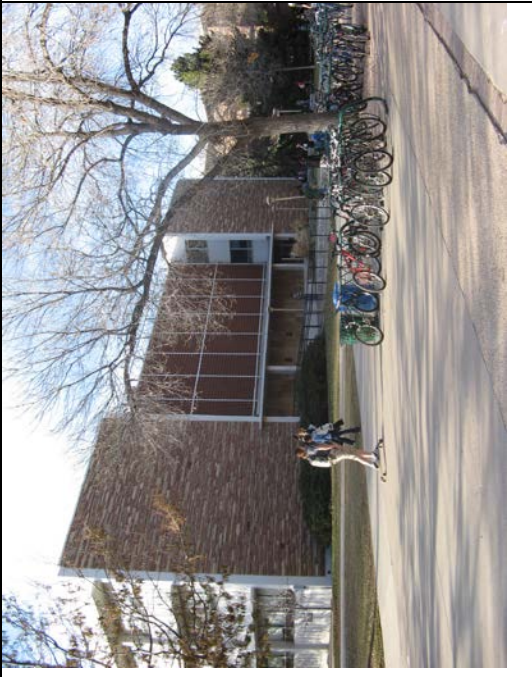
Kenneth L. Merson
Deputy Assistant Secretary for Enforcement
Delegated the Authority of the Assistant
Secretary for Civil Rights

The NCAA salutes the more than
380,000 student-athletes
participating in **23 sports** at
more than **1,000** member institutions



Construction Status Reports






Project	Bond \$	Bond Project Status Picture	Occupancy	Status as of 10/13
Laurel Village (formerly Academic Village North) Total Budget: \$46,200,000	\$46,200,000 Housing and Dining Services		Aug 2014	Project bid in Dec. and was well under budget with all alternates accepted. Construction underway, approximately 50% complete.
Lory Student Center Revitalization Total Budget: \$70,000,000	\$60,000,000 Student Center Fees Remaining funds from LSC and central reserves		Aug 2014	Project within budget and on schedule. Construction 10% complete TDEX facility has been moved to University Ave from the Durrell Center project to provide food service during the renovation, along with food trucks and several remote grab and go locations.

Project	Bond \$	Bond Project Status Picture	Occupancy	Status as of 10/13
Animal Sciences Revitalization Total Budget: \$9,500,000	\$7,500,000 General Fund Remaining funds from department and donations		Feb 2014	Project budget will accommodate 2 nd floor renovation and infill for new labs and renovation of the building core for new classrooms. Select mechanical upgrades throughout building. Building occupants have moved to temporary locations and demolition and abatement are underway. Additional funding for completion of phase 1 office space is being pursued.
Willard O. Eddy Hall Renovation Total budget: \$7.7M	\$7,000,000 General Fund Remaining funds from classroom upgrade project		Sept 2015	Design is underway.

Project	Bond \$	Bond Project Status Picture	Occupancy	Status as of 10/13
<p>Suzanne and Walter Scott, Jr. Bioengineering Building</p> <p>Total Budget: \$67,000,000</p>	<p>\$44,000,000</p> <p>Student Facility Fee & Research Overhead</p> <p>Remaining funds from grants and donations</p>		<p>Aug 2013</p>	<p>Construction is complete and building is partially occupied. Classrooms will be scheduled beginning Jan 2014. Additional funding for the completion of the 2nd floor office space and environmental rooms is being pursued.</p>

COLORADO STATE UNIVERSITY - PUEBLO

CONSTRUCTION PROJECT STATUS REPORT

Project	Total Budget & Funding Source	Construction Start	Scheduled Completion	STATUS as of 11/13/2013	Description
Corridor Extension @ Student Recreation Center	\$856,260 Student Rec. Ctr. Fee			Construction Completed January 2012	
South Campus Entry Drive, Parking Addition, Foyer addition, Internal Renovation @ Buell Communication Center Building	\$1,062,500 Student Fee-- \$300,000 Parking funds-- \$301,000 Building Repair/Replacement-- \$462,500			Construction Completed February 2012	
Occhiato University Center	\$30,000,000 Debt to be repaid with student fee facility fees & auxiliary services revenue			Occhiato University Center program plan update completed . Board of Governors reviewed and approved project, 8/2/2013. Bond sale/finalization underway. Design Build RFP for A/E, CM/GC prepared for release in 12/13. Completion estimated 01/2017	
Exterior Door Security Access Control at all Academic Buildings.	\$554,000 Controlled Maintenance	May, 2013	October 31, 2013	complete	Add electronic card access/monitoring, new keyways, and replace worn exterior entrances at 6 academic buildings.
New General Classroom Building	\$16000000 Capital Funds		Estimated Construction Start 03/14 Estimated Completion 01/15	Project Manager, Design Team, and Contractor selections completed. Schematic Design complete by 11/27/13	
Soccer/Lacrosse Complex	\$3,100,000		Completion estimated March 2015	A/E services contract in process,RFP for CM/GC services posted	

Readings on Higher Education

The White House
Office of the Press Secretary

For Immediate Release

August 22, 2013

FACT SHEET on the President's Plan to Make College More Affordable: A Better Bargain for the Middle Class

A higher education is the single most important investment students can make in their own futures. At the same time, it has never been more expensive. That's why since taking office, President Obama has made historic investments in college affordability, increasing the maximum Pell Grant award for working and middle class families by more than \$900, creating the American Opportunity Tax Credit, and enacting effective student loan reforms eliminating bank subsidies and making college more affordable.

However, despite these measures, college tuition keeps rising. The average tuition at a public four-year college has increased by more than 250 percent over the past three decades, while incomes for typical families grew by only 16 percent, according to College Board and Census data. Declining state funding has forced students to shoulder a bigger proportion of college costs; tuition has almost doubled as a share of public college revenues over the past 25 years from 25 percent to 47 percent. While a college education remains a worthwhile investment overall, the average borrower now graduates with over \$26,000 in debt. Only 58 percent of full-time students who began college in 2004 earned a four-year degree within six years. Loan default rates are rising, and too many young adults are burdened with debt as they seek to start a family, buy a home, launch a business, or save for retirement.

Today, President Obama outlined an ambitious new agenda to combat rising college costs and make college affordable for American families. His plan will measure college performance through a new ratings system so students and families have the information to select schools that provide the best value. And after this ratings system is well established, Congress can tie federal student aid to college performance so that students maximize their federal aid at institutions providing the best value. The President's plan will also take down barriers that stand in the way of competition and innovation, particularly in the use of new technology, and shine a light on the most cutting-edge college practices for providing high value at low costs. And to help student borrowers struggling with their existing debt, the President is committed to ensuring that all borrowers who need it can have access to the Pay As You Earn plan that caps loan payments at 10 percent of income and is directing the Department of Education to ramp up its efforts to reach out to students struggling with their loans to make sure they know and understand all their repayment options.

A Better Bargain for the Middle Class: Making College More Affordable

Paying for Performance

- Tie financial aid to college performance, starting with publishing new college ratings before the 2015 school year.
- Challenge states to fund public colleges based on performance.
- Hold students and colleges receiving student aid responsible for making progress toward a degree.

Promoting Innovation and Competition

- Challenge colleges to offer students a greater range of affordable, high-quality options than they do today.
- Give consumers clear, transparent information on college performance to help them make the decisions that work best for them.
- Encourage innovation by stripping away unnecessary regulations.

Ensuring that Student Debt Remains Affordable

- Help ensure borrowers can afford their federal student loan debt by allowing all borrowers to cap their payments at 10 percent of their monthly income.
- Reach out to struggling borrowers to ensure that they are aware of the flexible options available to help them to repay their debt.

PAY COLLEGES AND STUDENTS FOR PERFORMANCE

The federal government provides over \$150 billion each year in student financial aid, while states collectively invest over \$70 billion in public colleges and universities. Almost all of these resources are allocated among colleges based on the number of students who enroll, not the number who earn degrees or what they learn. President Obama's plan will connect student aid to outcomes, which will in turn drive a better, more affordable education for all students:

- **Tie Financial Aid to College Value:** To identify colleges for providing the best value and encourage all colleges to improve, President Obama is directing the Department of Education to develop and publish a new college ratings system that would be available for students and families before the 2015 college year. In the upcoming reauthorization of the Higher Education Act, the President will seek legislation allocating financial aid based upon these college ratings by 2018, once the ratings system is well established. Students can continue to choose whichever college they want, but taxpayer dollars will be steered toward high-performing colleges that provide the best value.
 - **New College Ratings before 2015.** Before the 2015 school year, the Department of Education will develop a new ratings system to help students compare the value offered by colleges and encourage colleges to improve. These ratings will compare colleges with similar missions and identify colleges that do the most to help students from disadvantaged backgrounds as well as colleges that are improving their performance. The results will be published on the College Scorecard. The Department will develop these ratings through public hearings around the country to gather the input of students and parents, state leaders, college presidents, and others with ideas on how to publish excellent ratings that put a fundamental premium on measuring value and ensure that access for those with economic or other disadvantages are encouraged, not discouraged. The ratings will be based upon such measures as:
 - Access, such as percentage of students receiving Pell grants;
 - Affordability, such as average tuition, scholarships, and loan debt; and
 - Outcomes, such as graduation and transfer rates, graduate earnings, and advanced degrees of college graduates.
 - **Base Student Aid on College Value by 2018.** Over the next four years, the Department of Education will refine these measurements, while colleges have an opportunity to improve their performance and ratings. The Administration will seek legislation using this new rating system to transform the way federal aid is awarded to colleges once the ratings are well developed. Students attending high-performing colleges could receive larger Pell Grants and more affordable student loans.
- **Engage States with a Race to the Top for Higher Education that Has Higher Value and Lower Costs:** The President requested \$1 billion in Race to the Top funding to spur state higher education reforms and reshape the federal-state partnership by ensuring that states maintain funding for public higher education. About three-quarters of college students attend a community college or public university, and declining state funding has been the biggest reason for rising tuition at public institutions. The Race to the Top competition will have a special focus on promoting paying for value as opposed to enrollment or just seat time. States typically fund colleges based on enrollment rather than on their success at graduating students or other measures of the value they offer. There are notable exceptions, like Tennessee, Indiana and Ohio, which fund colleges based on performance. To build on their examples, the President's plan would also encourage states to provide accelerated learning opportunities, smooth the transition from high school to college and between two- and four-year colleges, and strengthen collaboration between high schools and colleges.
- **Reward Colleges for Results with a Pell Bonus and Higher Accountability:** To encourage colleges to enroll and graduate low- and moderate-income students, the President will propose legislation to give colleges a bonus based upon the number of Pell students they graduate. And the Administration will prevent the waste

of Pell dollars by requiring colleges with high dropout rates to disburse student aid over the course of the semester as students face expenses, rather than in a lump sum at the beginning of the semester, so students who drop out do not receive Pell Grants for time they are not in school.

- **Demand Student Responsibility for Academic Performance:** To ensure students are making progress toward their degrees, the President will also propose legislation strengthening academic progress requirements of student aid programs, such as requiring students to complete a certain percentage of their classes before receiving continued funding. These changes would encourage students to complete their studies on time, thereby reducing their debt, and will be designed to ensure that disadvantaged students have every opportunity to succeed.

PROMOTE INNOVATION AND COMPETITION

A rising tide of innovation has the potential to shake up the higher education landscape. Promising approaches include three-year accelerated degrees, Massive Open Online Courses (MOOCs), and “flipped” or “hybrid” classrooms where students watch lectures at home and online and faculty challenge them to solve problems and deepen their knowledge in class. Some of these approaches are still being developed, and too few students are seeing their benefits. The federal government can act as a catalyst for innovation, spurring innovation in a way that drives down costs while preserving quality.

To promote innovation and competition in the higher education marketplace, the President's plan will publish better information on how colleges are performing, help demonstrate that new approaches can improve learning and reduce costs, and offer colleges regulatory flexibility to innovate. And the President is challenging colleges and other higher education leaders to adopt one or more of these promising practices that we know offer breakthroughs on cost, quality, or both – or create something better themselves:

- **Award Credits Based on Learning, not Seat Time.** Western Governors University is a competency-based online university serving more than 40,000 students with relatively low costs— about \$6,000 per year for most degrees with an average time to a bachelor's degree of only 30 months. A number of other institutions have also established competency-based programs, including Southern New Hampshire University and the University of Wisconsin system.
- **Use Technology to Redesign Courses.** Redesigned courses that integrate online platforms (like MOOCs) or blend in-person and online experiences can accelerate the pace of student learning. The National Center for Academic Transformation has shown the effectiveness of the thoughtful use of technology across a wide range of academic disciplines, improving learning outcomes for students while reducing costs by nearly 40 percent on average. Carnegie Mellon University's Open Learning Initiative has developed a hybrid statistics course used at six public universities, and its students performed as well as their peers in a traditional course in only 75 percent of the time. Arizona State University's interactive algebra lessons helped students perform 10 percent better, despite meeting half as often, and at a lower cost. The University of Maryland redesigned an introductory psychology course, reducing costs by 70 percent while raising pass rates. New York's Open SUNY initiative brings together every online program offered system-wide, helping students complete more quickly.
- **Use Technology for Student Services.** Online learning communities and e-advising tools encourage persistence and alert instructors when additional help is needed. Technology is enabling students from across campuses and across the world to collaborate through online study groups and in-person meet-ups. MOOC-provider Coursera has online forums in which the median response time for questions posed by students is 22 minutes. To help students choose the courses that will allow them to earn a degree as quickly as possible, Austin Peay State University has developed the “Degree Compass” system that draws on the past performance of students in thousands of classes to guide a student through a course, in a similar manner to the way Netflix or Pandora draw on users' past experience to guide movie or music choices.
- **Recognize Prior Learning and Promote Dual Enrollment.** Colleges can also award credit for prior learning experiences, similar to current Administration efforts to recognize the skills of returning veterans. Dual-enrollment opportunities let high school students earn credits before arriving at college, which can save them money by accelerating their time to degree.

To help colleges innovate and improve quality and outcomes, the Administration will:

- **Empower Students with Information:** New college ratings will help students compare the value offered by different colleges. The Department of Education will enlist entrepreneurs and technology leaders with a

"Datapalooza" to catalyze new private-sector tools, services, and apps to help students evaluate and select colleges. The effort will be complemented by earnings information by college that will be released for the first time on Administration's College Scorecard this fall.

- **Seed Innovation and Measure What Works:** To demonstrate what works, President Obama has proposed a new \$260 million First in the World fund to test and evaluate innovative approaches to higher education that yield dramatically better outcomes, and to develop new ways for colleges to demonstrate that they are helping their students learn. In addition, the Department of Labor is planning to grant an additional \$500 million to community colleges and eligible four-year colleges and universities next year. A portion of these resources will be used to promote accelerated degree paths and credentials that would drive more high-quality and affordable options for adult workers and students. Through these efforts, the Administration will work with business and philanthropy to support industry partnerships to enrich student learning with valuable job exploration and experience.
- **Reduce Regulatory Barriers:** The Department will use its authority to issue regulatory waivers for "experimental sites" that promote high-quality, low-cost innovations in higher education, such as making it possible for students to get financial aid based on how much they learn, rather than the amount of time they spend in class. Pilot opportunities could include enabling colleges to offer Pell grants to high school students taking college courses, allowing federal financial aid to be used to pay test fees when students seek academic credit for prior learning, and combining traditional and competency-based courses into a single program of study. The Department will also support efforts to remove state regulatory barriers to distance education.

Finally, the President will challenge leaders in states, philanthropy, and the private sector to make their own commitments to improve college value while reducing costs. For example, states can redesign the transition to postsecondary education and commit to strategies to improve student learning and enhance student advising, such as hybrid learning pilots, adaptive learning platforms, and digital tutors. Philanthropists can create initiatives, pilots and prizes for colleges that advance competency-based education, accelerated degrees, and the integration of new technologies into on-campus teaching and learning. Investors and entrepreneurs can directly support and develop new technologies and innovations that accelerate student learning while evaluating the effectiveness of different approaches. And employers and industry groups can collaborate with postsecondary institutions and new providers to develop high-quality, low-cost degrees in growing sectors of the economy, offer work-based learning experiences to students, and hire graduates who demonstrate the knowledge and skills employers need.

ENSURE STUDENT DEBT IS AFFORDABLE

While bringing down costs for current and future college students, President Obama will also help students with existing debt to manage their obligations. Income-driven repayment plans allow borrowers to take responsibility for their federal student loan debt with more flexible repayment terms, while helping professionals like teachers and nurses who take on critical jobs in our society that require significant education but may result in modest salaries. These plans allow students to fully repay their student debt on a sliding scale that adjusts monthly payments based on changing income and growing families. Nearly two-thirds of people that currently participate in the income-driven repayment plans make less than \$60,000 a year. Currently, over 2.5 million of 37 million federal student loan borrowers are benefitting from income-driven plans.

- **Make All Borrowers Eligible for Pay As You Earn:** To make sure that students and families have an easy-to-understand insurance policy against unmanageable debt now and in the future, the President has proposed allowing all student borrowers to cap their federal student loan payments at 10 percent of their monthly income. Currently, students who first borrowed before 2008 or have not borrowed since 2011 are not eligible for the President's Pay As You Earn plan. In addition, the Administration will work with Congress to ensure that the benefits are targeted to the neediest borrowers.
- **Launching an Enrollment Campaign for Pay As You Earn:** Beginning this fall, the Department of Education will contact borrowers who have fallen behind on their student loan payments, undergraduate borrowers with higher-than-average debts, and borrowers in deferment or forbearance because of financial hardship or unemployment to ensure they have the information they need to choose the right repayment option for them. Starting in 2014, the Department of Education and the Department of Treasury will work to help borrowers learn about and enroll in Pay As You Earn and Income-Based Repayment plans when they file their taxes. And to assist guidance counselors and other advisers who guide students through the process of selecting and financing their higher education, the Administration will launch a "one-stop shop" that will include important resources for choosing among various income-driven repayment options.

THE CHRONICLE OF HIGHER EDUCATION

3 Big Challenges Obama's College-Rating Plan Will Face at Public Forums

Bryan Bedder, Getty Images for TIME

Secretary of Education Arne Duncan says the administration is aware of the flaws in existing federal data about colleges and is working to avoid any unintended consequences.

[Enlarge Image](#)

By Kelly Field

Washington



President Obama's college-rating system isn't public yet, but it's already generating plenty of controversy.

Critics worry that the plan, which would judge colleges and universities based on measures of access, affordability, and student outcomes, will punish institutions that serve low-income students and those that prepare graduates for high-need but low-paying professions. The critics also cite gaps in existing data and warn of a host of unintended consequences, including the dumbing down of standards and the tightening of admissions criteria.

The White House says it's well aware of the potential for "perverse incentives" and will craft the system in consultation with colleges. Education Department officials have already met with several college groups and researchers to discuss the plan, and will hold a series of four public forums to solicit feedback this month. The agency also plans to hold a technical symposium early next year.

"We're going about this very humbly," Secretary of Education Arne Duncan told reporters on a conference call last week. "We plan to engage as many stakeholders as humanly possible."

The first forum is scheduled for Wednesday, at California State University-Dominguez Hills. Following are the top three concerns the department is likely to hear.

1. The data aren't good enough.

Skeptics will point out that some of the information the Obama administration is expected to use in its ratings is missing or incomplete. Federal graduation rates count only first-time, full-time students, for example, and data on graduates' earnings are limited.

Rating colleges based on flawed data would be unfair to colleges and could mislead prospective students, the skeptics will argue. Tying student aid to those ratings, as the president has proposed, would increase the demands for sound data.

The administration has acknowledged the data are flawed, but argues that shouldn't be an excuse for inaction. "The data is always imperfect," Secretary Duncan told reporters last week. "We will use the best data we have."

He said the agency would update the measures as better data become available.

The Education Department is working on a gauge of graduation rates that will capture part-time and transfer students, and plans to publish earnings information this fall, though the data are likely to be limited to student-aid recipients.

2. Ratings will penalize colleges that serve the neediest students.

The administration says its rating system will reward colleges that effectively serve needy students, and will compare colleges against their peers. But it's unclear how the system will group institutions, and many colleges fear they'll be punished for serving low-income, underprepared students.

At the same time, colleges that train students for societally important but low-paying professions, like teaching and social work, worry they'll look bad next to institutions that produce consultants and investment bankers.

Including graduates' earnings in a college's rating "suggests that a higher salary is better than a lower salary" and ignores the fact that earnings often increase over time, said Catharine B. Hill, president of Vassar College.

"If you become an investment banker rather than a teacher," she asked, "should your school be rewarded?"

At Wednesday's forum, critics will warn that a rating system that doesn't adjust for student demographics and institutional mission could compel colleges to turn away at-risk students, relax graduation standards, or drop degrees in low-paying fields.

"A lot of institutions will be tempted to cut corners," predicted Kevin J. Dougherty, an associate professor of higher education at Columbia University's Teachers College who has studied performance-based support of higher education at the state level. His research has shown that, in states where money is tied to student outcomes, colleges often struggle to pinpoint the causes of their failure and to develop effective solutions.

"They don't have the capacity to figure out where they have problems," or the money to fix them, he said.

3. Ratings will punish colleges and students for factors they can't control.

Representatives of public colleges will remind the department that tuition increases are often driven by state-budget cuts, and will ask the department to take that into account when rating colleges on cost. They fear that a loss of federal funds will compound state-budget cuts, widening the gap between wealthy and poor institutions.

Others will argue that withholding aid from poorer-performing institutions will be unfair to the students who attend them, who often have few other options. Those critics will point out that many low-income students choose colleges based on geography and aren't likely to cross the border and pay out-of-state tuition to attend a higher-rated college. Cutting their Pell Grant will just increase their chances of dropping out, the critics are likely to say.

Low-income students "aren't really looking at how we rate compared to other community colleges," said Karen A. Stout, president of Montgomery County Community College, in Pennsylvania. Rather, they're considering their potential wage premium, transportation costs, the availability of child care, and other factors that can't be easily captured in a rating.

"We need to be accountable, but I just don't agree that community colleges, which are so immersed in the needs of their communities, can be rated or ranked." Ms. Stout said.

The administration, meanwhile, is asking colleges to withhold judgment on the ratings plan until it's made public, next spring.

"We've seen some articles that people are already opposed to the ratings plan," Secretary Duncan said last week. "It is a little bit funny to me because it literally doesn't exist."

Correction (11/5/2013, 6:26 a.m.): This article originally misspelled the name of Vassar College's president. She is Catharine B. Hill, not Catherine. The article has been updated to reflect this correction.

RELATED CONTENT

- [Obama's Lofty Goals on College Costs Face Long Odds](#)
- [Obama Plan to Tie Student Aid to College Ratings Draws Mixed Reviews](#)
- [Hearings Will Gather Public Feedback on Obama's Plan to Rate Colleges](#)

APLU White Paper and President Obama's Recommendations

Comments by Ed Ray, Oregon State University

1. I strongly support the approach of the APLU White Paper to engage in this important conversation. and the white paper recommendations should be given serious consideration.
2. The institutional ratings system should be simple and based on economic factors and easily obtainable data.
3. Pell Grant Ratings of the Economic Impact of Attendance: Institutional eligibility for Pell grant program participation should be based upon acceptable, marginal, or unacceptable performance ratings with regard to the metrics listed below, adjusted for peer institutions. Refinements could be added over time. Scores could be assigned to each of the characteristics listed below, and cut-off numbers could be set for acceptable and marginal performance. Schools judged acceptable could be eligible for enhanced Pell grant support. Students eligible for Pell grants could only apply them at acceptable and marginal performance schools. Metrics should include net tuition, net cost of attendance, average net debt at graduation, default rates, six-year graduation rates for true freshmen, and four-year graduation rates for transfer students. Graduation rates could be required for all students and sub-groups of historically under-represented students and Pell grant eligible students.
4. In the spirit of keeping things simple, regional accreditation bodies should play an active role in assuring publication of information by colleges and universities to make sure relevant metrics are part of an institution's assessment process and readily available and accurate.
5. Institutions should all be required to publish the data identified above as well as national data on initial earnings and mid-career earnings by occupation. The highest value of Pell grant awards should be indexed for inflation. Summer Pell eligibility should be reinstated.
6. Pell Grant Eligibility for Individuals: Pell grant eligibility for individuals should be contingent on proven need, acceptable academic progress toward degree attainment, and limited in total quarters or semesters of enrolled eligibility (e.g., 21 quarters and 14 semesters). Early college high school participants should be eligible for aid without first earning a high school degree.

THE CHRONICLE OF HIGHER EDUCATION

Cash-Strapped NIH May Ask Universities to Limit Grant Applications

By Paul Basken

Washington

At a time of dwindling federal budgets, the National Institutes of Health is considering one sure-fire way to raise record-low grant-approval rates: Have researchers apply for fewer grants.

The NIH, the nation's largest provider of basic research money to universities, has seen its budget cut so much over the last decade that scientists now have only about a 15-percent chance of a successful grant application.

In response to such budget-related stresses, NIH officials are mulling their options. Certainly the agency has been pressing Congress to provide more money. But it is also evaluating ways of being more efficient with the money it has, and that includes changing its own celebrated peer-review system for awarding grants.

One idea getting some internal study, said Sally J. Rockey, the NIH's deputy director for extramural research, is to press universities—or perhaps even force them—to simply submit fewer grant applications.

"We have to think about it as a community, how we control demand," Ms. Rockey told attendees at a conference held here by the Association of Public and Land-Grant Universities. "Because writing applications, submitting applications, and reviewing applications is extraordinarily costly to the community."

The idea is likely to find opposition. "I'm not sure what that does for you," the association's president, M. Peter McPherson, said afterward in an interview. He said he disliked any solution that involved "just discouraging people from applying."

Shifting Peer Review to Campuses?

Public-university leaders at the annual gathering were similarly wary. Samuel L. Stanley Jr., president of the State University of New York at Stony Brook, said he saw no gain in efficiency from pushing a peer-review function onto individual campuses. Gene D. Block, chancellor of the University of California at Los Angeles, said one important value of the NIH's peer review, even for unsuccessful applicants, was the feedback from a nationwide community of peers.

Ms. Rockey said she became intrigued by the idea after her office conducted an analysis last year of data from the top 100 NIH-supported institutions from 2007 to 2011, and found no correlation between the number of applications submitted by each institution and the percentage of funded applications.

It appeared, she said, that some universities were making an effort to submit only their most-promising applications. Still, the idea of encouraging that approach more widely, or even requiring it, is only one of many possible steps being considered by the NIH as a way of coping with continued budget cuts, she said.

Other ideas, she said, include shifting more grants toward a system, such as that employed by the Howard Hughes Medical Institute, that puts more emphasis on the credentials of the applicants than on the quality of the proposed project. Ms. Rockey and others have said that tactic would hold out the possibility of larger and longer-term awards, though at the cost of providing even fewer grants and reaching fewer younger researchers.

Turnover in University Research

Again, Mr. McPherson and some of the university presidents gathered for the conference were skeptical. Mr. Block said that during his years as a researcher of circadian biology, he appreciated having to compete even after winning 28 years of federal grants.

"You still have to write a grant that's critical and as crisp as a 31-year-old who has just come out of a postdoc," he said. "I think that's reasonable."

Either way, the NIH is not looking to push anything on universities that they don't want, Ms. Rockey said. "We have to have a conversation together about how to do all this," she said.

Universities are also considering ways they could change. Mr. McPherson's association took the occasion of its conference to report the results of a survey of vice presidents and vice chancellors for research at its member institutions. The survey found there may soon be considerable turnover in those positions, with about 50 percent of the top university-research officials due to leave their jobs in the next three years.

But the survey also found that most of those research officials expected their successors to have followed similar career paths. That finding raised what the survey's authors described as the possibility that universities may miss an important opportunity to reshape how they manage their research enterprise.

The public-university association also joined in the release of a separate survey of public and private research institutions that outlined the harm to them caused by the federal government's budget cuts through a process called sequestration.

Conducted along with two other university groups, the Association of American Universities and the Science Coalition, the survey found 50 percent of responding institutions reported cuts in staff positions as a result of sequestration and 24 percent had layoffs.

Such cuts pose grave dangers to the future of technological capacity in the United States, Mr. McPherson and university presidents warned. Mr. Block and Dr. Stanley acknowledged, however, that there was still some elasticity in the system, and that university research could recover if financial support were strengthened.

Most Students Are Not Ready for College, SAT Report Says

By JUSTIN DOUBLEDAY

LESS THAN half of the students who took the SAT in 2013 are ready to succeed in postsecondary education, according to a report released last week by the College Board, which owns the SAT.

Only 43 percent of the test takers this year met or exceeded the benchmark score of 1550 out of a possible 2400, the same proportion as last year.

Those who reach that number, according to the College Board, have a greater chance of attaining a B-minus average or higher during their first year of college and of persisting to graduation. The mean score for 2013 was 1498.

In a conference call with reporters, College Board officials said the number of students reaching the benchmark score has remained virtually unchanged over the last five years. “We are just not moving the needle as aggressively as it needs to be moved,” said Cyndie Schmeiser, chief of assessments.

For more test takers to reach a score of 1550, rigorous coursework will have to become more widely accessible, said David Coleman, president of the College Board.

Mr. Coleman plans to better align the SAT with the Common Core State Standards, which he helped write. They prescribe what students

should learn, in English and mathematics, from kindergarten through high school. His proposal to make the essay portion of the SAT more analytical has been met by a mix of applause and apprehension.

The SAT results show that more must be done to prepare students for college and careers, Mr. Coleman said: “We at the College Board consider this a call for action.”

Critics of standardized tests contend that the examinations are unfair to students from low-income backgrounds. Many of those students, they argue, don’t have the same access to advanced classes and test-preparation materials as their more-affluent peers do.

The College Board’s report showed that test takers in the lowest income percentile, whose families make less than \$20,000 per year, averaged a score of 1326, well below the mean. The average score for students from families who make more than \$100,000 was 1619.

RAISING EXPECTATIONS

Mr. Coleman repeatedly described the need to get more high-school students into honors and Advanced Placement courses. Nearly 80 percent of the students who met the benchmark score took AP or honors courses.

“It is not enough for the College Board to observe and report,” he

said. “We are working to put students on the path toward college and career readiness through initiatives that expand access to rigorous coursework.”

He also said the PSAT, another College Board test, is a good way for high-school students to determine whether they are ready for advanced courses and eventually the SAT. “One thing that’s so striking,” he said, “is how students will often be surprised that they can do

“We are just not moving the needle as aggressively as it needs to be moved.”

harder work than they thought they could.”

Although SAT scores have remained largely flat for the past few years, College Board officials noted that 46 percent of the 1.66 million test takers were from minority groups, up a percentage point from 2012. The percentage of African-American and Hispanic students who reached the benchmark score increased slightly from last year as well. It’s not enough, said Ms. Schmeiser, but “it is positive, it is encouraging.”

Mr. Coleman said the College Board would work to make advanced courses readily available at schools that serve large minority communities. The Department of Education has also participated in that effort. In September its Office for Civil Rights reached an agreement with an Alabama school district intended to give black students the same access to AP courses that white students have.

Language, too, can be a barrier for some SAT takers. Students who reported learning “English and another language” or “another language” first tested as high in math as their English-first peers—or higher than them. But on the critical-reading and writing sections, the average scores for that first group of students—who made up nearly 30 percent of those tested—were notably lower than for those who had learned only English first.

Mr. Coleman said his first public event after becoming president of the College Board, in 2012, was a panel discussion with experts in English-language learning to explore how students could be exposed to more complex texts and to improve their critical reading and writing.

“Those course skills are crucial for success in the future,” he said.

As for forthcoming changes in the SAT, including the essay portion of the test, Mr. Coleman said to expect details in January. ■

Student-Loan Default Rates Continue a Steady Climb

By ANDY THOMASON

THE PERCENTAGE of borrowers who defaulted on their federal student loans within two years of starting repayment has increased for the sixth year in a row, while the rate for defaults measured over a three-year period has risen by a similar margin, according to figures released last week by the U.S. Department of Education.

The two-year default rate, which applies to borrowers who began repaying loans from October 1, 2010, to September 30, 2011, was 10 percent—the highest rate in nearly two decades. It was up from 9.1 percent among the previous year's cohort.

The Education Department is in the process of changing its standard for measuring loan-default rates from a two-year span to a three-year span. The latest three-year rate, which applies to borrowers who began repayment during the 2010 fiscal year, is 14.7 percent, up from 13.5 percent among the previous year's cohort, the first to be measured over three years.

"The growing number of students who have defaulted on their federal student loans is troubling," the secretary of education, Arne Duncan, said in a news release.

Default rates, released annually, are used by the department to determine whether colleges are eligible for federal student aid. Institutions with default rates of 25 percent or higher for three consecutive years, or 40 percent or higher in any single year, cannot receive such aid.

But starting next year, the department will calculate only three-year rates, which it notes are more indicative of the percentage of borrowers who eventually default on their loans. The new standard will bar federal aid to colleges with default rates of 30 percent or higher over three consecutive years, or 40 percent in a single year.

In the latest cohort, 221 institutions had default rates of 30 percent

or higher, up from 218 last year. A *Chronicle* analysis found 104 institutions that appeared on both the 2009 and 2010 lists, including Concordia College Alabama, Mohave Community College, and Rust College.

Eight institutions face sanctions for failing to meet the two-year standard, up from two last year. They are:

- Florida Barber Academy, in Pompano Beach, Fla.
- Henri's School of Hair Design, in Fitchburg, Mass.
- Huntington School of Beauty Culture, in Huntington, W.Va.
- John Wesley International Barber & Beauty College, in Long Beach, Calif.
- New Age Training, in New York, N.Y.
- Pacific Coast Trade School, in Oxnard, Calif.
- Palladium Technical Academy, in El Monte, Calif.
- Tidewater Tech, in Norfolk, Va.

Institutions can appeal their published rates, and guidelines for the process are available on the Department of Education's Web site.

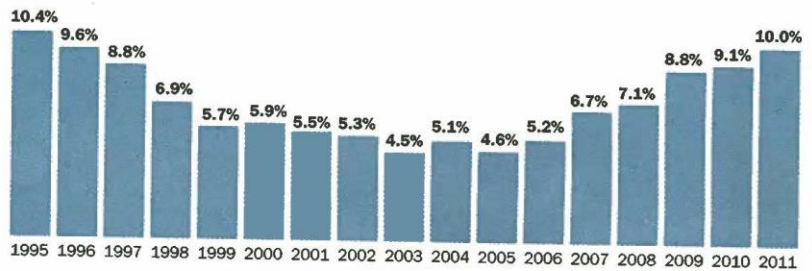
Default rates have special relevance this year, as they have been identified by the Obama administration as a possible factor in its proposed rating system for determining federal aid allowances to colleges. "Our economy can't afford the trillion dollars in outstanding student-loan debt, much of which may not get repaid because students don't have the capacity to pay it," President Obama said in a speech in August introducing the proposal.

Loan-repayment rates have also been discussed as part of the Department of Education's proposed "gainful employment" rule. Draft language of the rule proposes that career-oriented programs—not whole institutions, which are judged by the latest data—would not be eligible for federal student aid if their loan-repayment rates did not exceed a certain measure.

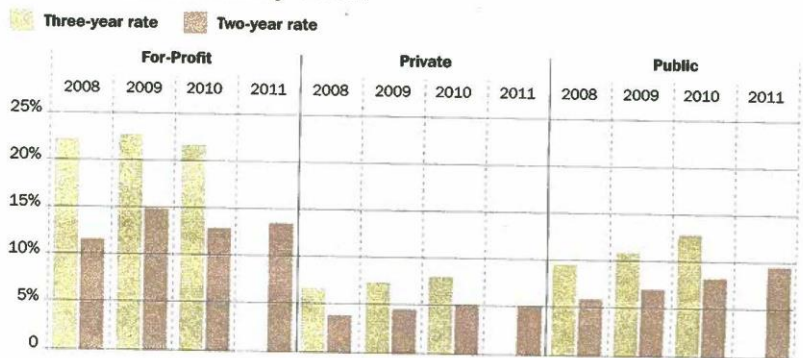
The "alarming" rate of increases underscores the importance of an income-based repayment plan,

Student-Loan Default Rate Hits 15-Year High

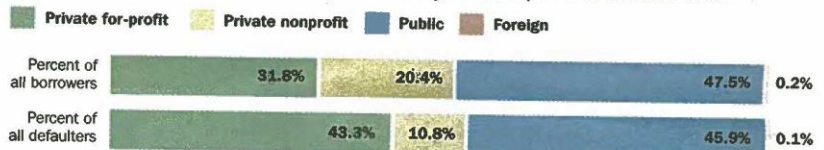
The percentage of borrowers who defaulted within two years of starting repayment on their federal loans reached 10 percent in 2011.



Cohort Default Rates by Sector



Share of Borrowers and Defaulters by Sector, 2011 Fiscal Year



Note: Percentages may not add to 100 because of rounding.

SOURCE: U.S. DEPARTMENT OF EDUCATION

an Obama administration proposal, said Debbie Cochrane, research director at the Institute for College Access and Success. The proposal would cap borrowers' federal student-loan repayments at 10 percent of their monthly income.

The latest three-year default rates were highest among for-profit institutions, but dropped slightly

from the previous year—from 22.7 percent to 21.8 percent. The three-year rate for public institutions was 13 percent, and for private institutions it was 8.2 percent.

Borrowers from for-profit colleges represented about 32 percent of all borrowers entering repayment in the 2011 fiscal year, up from 28 percent in the 2009 year, and for-

profit-college students accounted for 43 percent of the defaults.

But leaders in for-profit education have defended the high rates by pointing out that students enrolled in for-profit colleges typically have greater financial disadvantages. ■

Jonah Newman contributed to this article.

Earnings Gap Narrows, but a Diploma Still Pays, Report Says

By JUSTIN DOUBLEDAY

THE EARNINGS GAP between young college graduates and their peers with only high-school diplomas has narrowed slightly in recent years, but adults with bachelor's degrees still make significantly more over their careers, according to a report released last week by the College Board.

The expansive triennial report, "Education Pays 2013: The Benefits of Higher Education for Individuals and Society," examines the value of college in both financial and non-financial terms. The goal is to "call attention to ways in which both individuals and society as a whole benefit from increased levels of education," the authors write.

Debate over the return on investment of higher education—and whether such a tally is the right way to determine its value—has intensified as tuition has risen faster than family income. And research on the extent to which graduates come out ahead is a complex, charged exercise. The College Board has faced criticism for overstating the benefits of a degree, but this report is about data, not advocacy, Sandy Baum, one of its authors, has argued.

According to the new report, for college graduates entering the work force, the immediate pay-off has slipped a bit. In 2008, the median earnings of men 25 to 34 years old with bachelor's degrees were 74 percent higher than those of male high-school graduates in the same age range; the difference was 79 percent for women. In 2011, however, the difference was only 69 percent for men and 70 percent for women, the report says.

Still, that gap is significantly larger than it was a few decades ago, said Ms. Baum, a senior fellow at George Washington University's School of Education and Human Development. "Putting it into the longer-term context is important," she said. In 1991, male and female bachelor's-degree holders ages 25 to 34 made 56 percent more than their counterparts with only high-school diplomas.

Beyond early adulthood, the report shows that, in most cases, it does pay to attend college. Over the course of a 40-year career of full-time work, the median earnings of those whose highest academic credential is a bachelor's degree are 65 percent higher than those of high-school graduates. Associate-degree holders make 27 percent more, according to the report, while those with some college but no degree earn 13 percent more.

Still, higher education isn't a guaranteed ticket to higher earnings, said Ms. Baum. "There's no promise here." Other reports have looked recently at earnings and unemployment rates by institution, for instance, and field of study.

Conclusions about the value of education are much more complicated than they seem, said Ms. Baum. A supplemental report by the College Board this year, "How College Shapes Lives: Understanding the Issues," explores, for instance, the different approaches to defining earnings premiums and the numbers behind rates of degree completion.

"Because of the debates that are going on," Ms. Baum said, "it seems important to explain different definitions and methodologies that lead to conclusions."

BREAKING EVEN

In public discussions of the costs and benefits of higher education, stories of highly indebted, unemployed college graduates tend to draw the most attention. The report responds to the cost-benefit question by calculating how long it takes to "break even" on an education.

Using the median earnings of a high-school graduate for comparison, a student who enrolls in college at 18 and completes a bachelor's degree in four years can expect by age 36 to have made up for being out of the work force and for borrowing the full average cost of tuition and fees. Using the lower average tuition and fees at public colleges, the break-even age drops to 33.

Accounts of huge student-loan

debts aren't representative of the broader picture, said Ms. Baum. Most students borrow reasonably, she said. Of students who first enrolled in college in 2003-4, more than four in 10 did not borrow at all, according to the supplemental report. A quarter of students borrowed less than \$10,000, the report says, and only 1 percent took out more than \$75,000 in loans.

Among those borrowing the most, 85 percent went on to finish bachelor's degrees within six years. Of students who dropped out and didn't come back, 57 percent had some debt, the report says, most less than \$10,000.

The report also shows that the more education an individual attains, the less likely he or she is to be unemployed. The unemployment rate for bachelor's-degree holders was 4 percent in 2012, while 8.3 percent of high-school graduates were unemployed.

Andrew Sum, director of the Center for Labor Market Studies and a professor of economics at Northeastern University, said the report should have focused on an important trend among today's new college graduates: "mal-employment."

"A larger share of college grads are ending up in jobs that don't require college degrees," Mr. Sum said. Those who are mal-employed are overqualified for their positions. More than 36 percent of recent college graduates are mal-employed, according to his research.

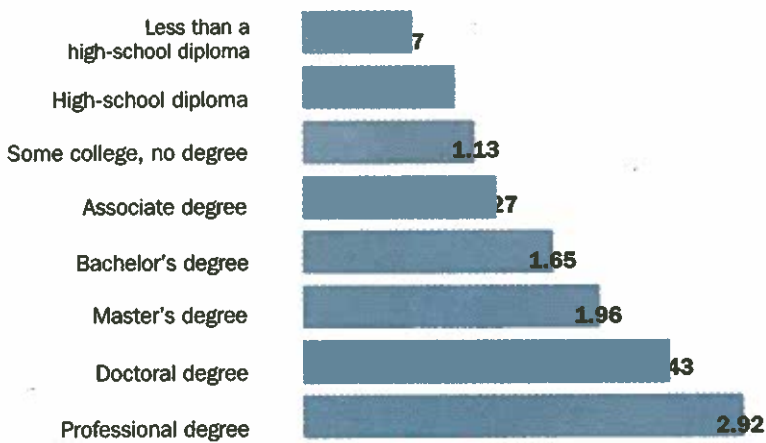
In the supplemental report, the authors write that, for graduates who hold jobs that don't require degrees, their situation is "almost always temporary." The authors also cite the income gap between high-school and college graduates, and how it widens with age, because of a steeper earnings path for those with college degrees.

BEYOND DEGREES

While the report examines earnings by education level, it does not break down employment outcomes by field of study. But degree attainment is not the deciding factor for

Higher Education Raises Earnings Ratio

The typical bachelor's-degree recipient can expect to earn about two-thirds more than a high-school graduate over a 40-year working life. This chart shows expected earnings relative to those of a high-school graduate.



SOURCE: COLLEGE BOARD'S "EDUCATION PAYS 2013"

income, said Anthony P. Carnevale, director of the Georgetown University Center on Education and the Workforce. This report, he said, "seems to respect that hierarchy a bit too much."

Mr. Carnevale and the Georgetown center released a report in 2011 detailing the differences in earnings by college major, a question they have continued to explore, looking also at unemployment rates. A bachelor's degree alone does not tell the whole story, he said.

One variation the College Board does examine is across levels of education within the same occupation. In 2011 the median earnings of sales representatives in wholesale and manufacturing, for instance, were 76 percent higher for reps with bachelor's degrees than for those with only a high-school education. But among secretaries and administrative assistants, those with bachelor's degrees earned just 15 percent more than those who held only high-school diplomas.

Although future earnings may influence students' decisions about

college, the authors say, making earnings the dominant factor "could lead to outcomes that are problematic for the future of both individuals and society."

EQUITY AND HEALTH

Low-income students are overrepresented at for-profit and two-year colleges, according to the findings, while students from higher-income families dominate enrollment at four-year public and private institutions. Forty-five percent of students at for-profit institutions in 2011-12 came from families making less than \$29,600 a year. At four-year private universities, 60 percent of the students came from families making more than \$65,461, while the share of those students at four-year public universities was 55 percent.

The American higher-education system is very averse to risk and favors students who demonstrate the most ability to pay, said Mr. Carnevale. "We're now a country that produces intergenerational racial and class advantage," he said.

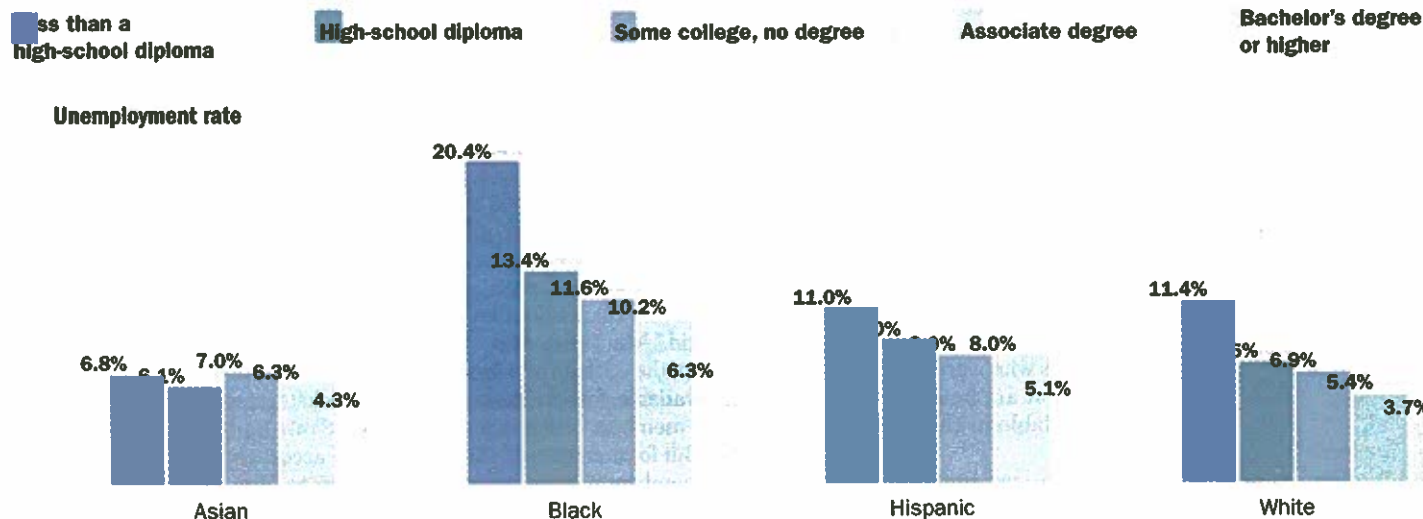
Beyond higher earnings, there is also debate over whether college graduates' apparently healthier lifestyles are a product of education or socioeconomic background. Many healthy behaviors can be attributed to education, according to the report.

Just 8 percent of people with at least a bachelor's degree smoked in 2012, compared with 25 percent of those with a high-school diploma or less, the report says. The authors also cite a study that found that increased education causes declines in smoking.

The share of men and women who are obese is lower among college graduates. The amount of time spent exercising per week, meanwhile, increases across all age groups as the level of education goes up. Nearly two-thirds of graduates of four-year colleges met the minimum federal guidelines for weekly physical activity last year, compared with 38 percent of people with no more than a high-school diploma.

Unemployment Rates by Education Level and Race/Ethnicity, 2012

Among black adults especially, the unemployment rate decreases as the education level increases; the effect generally holds for Hispanic and white adults but not Asian adults.



SOURCE: COLLEGE BOARD'S "EDUCATION PAYS 2013"



Colorado State University
Luring Students With a Stadium
October 30, 2013

BY
Allie Grasgreen

Colorado State University is, like many public institutions, in a precarious financial position due to steady disinvestment by politicians in its state. But as common as its predicament might be, its leaders are considering a decidedly unconventional strategy to turn its financial situation around: building a \$226 million on-campus football stadium.

Colorado State is a middling football team in the Mountain West Conference, competing against respectable but not stellar athletic programs. The stadium plan relies on the hypothesis that if the university has great facilities, it will be able to recruit better athletes, sell more tickets and (this is the end game) attract more out-of-state students to help make up for a steep drop in state funding.

“At the end of the day, athletics is part of what drives national attention for the university,” said Kyle Henley, director of public relations and business and community development for the Colorado State system. “We’re a university on the rise and fundamentally, at the end of the day, if we’re not part of that national conversation at the athletic level, we’re missing out on opportunities.”

Yet some sports economists and faculty members who say they're being stonewalled by the administration are warning against the gamble.

Colorado State President Tony Frank has vowed to keep the process public, and CSU System Chancellor Mike Martin said “the fact that we haven’t publicly debated those folks, doesn’t mean [their economic projections] aren’t relevant to our discussions.”

But when asked whether their voices were being heard, Bob Vangermeersch, the local businessman who’s leading the opposition group of faculty and community members, said, “Hell, no.”

“Everything that we do, that we analyze, that we look at, says it’s going to be a loser,” Vangermeersch said of the stadium plan. “They will acknowledge the fact that they got the information that we sent them, but they won’t meet with us.”

Frank, who was not made available for an interview, wants to fund the stadium using about half private money and half borrowed bonds. Donations would cover the strictly football parts, but related costs such as infrastructure and potential additions including academic space and a parking garage would not necessarily have to be funded privately.

For some students, that's reason enough to support the idea. In a survey taken when the proposal was first floated two years ago, most students said they were opposed to some degree. (An unofficial campus survey found that two-thirds of faculty and staff were against it.) But once they learned tuition dollars would not immediately be used to fund the project, opinions changed, student government president Nigel Daniels said.

"I think they were more receptive to the idea," Daniels said. "There's a lot of different angles you can look at it that, I think the benefits kind of weigh out for everybody."

There are potential benefits, but they come with downsides, too. The facility would be on campus, not four miles away like Hughes Stadium is – drawing more alumni, families and spectators to campus, but clogging up traffic. The 40,000-seat stadium would hold an additional 7,500 people – but games currently don't even sell out; this season, average attendance is below 17,000. Hughes isn't in great condition, but it could be repaired. And the new facility could include academic space – but then, why not just build academic space?

"It's a complicated enterprise, to basically recruit out-of-state students on the basis of a football stadium," said Louis Scharf, a CSU research professor of mathematics. Scharf said he's tried to meet with the president and board of governors, but all he's gotten is an acknowledgment that they've received his financial projections for the stadium. "If this is our aim, then we should address this aim head-on by using the Internet and all kinds of advertising media to basically sell the excellence of our academic programs to committed students."

The idea isn't new; these days, universities left and right are jumping at opportunities to build shiny new facilities or jump to a new conference to try to bolster their athletics profile. One case that economists said is comparable is the University of Connecticut, whose publicly funded \$91 million stadium debuted in 2003. UConn's mediocre football team will move to the new American Athletic Conference, which includes the non-Roman Catholic institutional members of what used to be the Big East, next year.

Swanky facilities, needed or not, can indeed attract more students and bigger checks. Take Louisiana State University, where Martin used to work, or the University of Oregon. The difference is that those are powerhouse programs in top conferences.

Andrew Zimbalist, an economics professor at Smith College who recently spoke at Colorado State about the project, is skeptical that it would succeed in bringing in the funds the university hopes for.

The University of Colorado, which joined the Pacific 12 Conference a few years ago (and typically gets beaten up on any given Saturday), already owns the regional college sports market, Zimbalist said. (The Air Force Academy is in the area as well.) He also doesn't believe that the numbers pan out or that the revenue would make up for the expenses, and he notes that in month 13 of the two-year fund-raising period, Colorado State only has a third of the private funds it needs to proceed.

“They’re trying to build this football stadium in hopes it will catapult them into a totally different tier,” but they lack the resources to do so effectively, Zimbalist said. “All the cards are stacked against them. I’m not saying there’s zero chance they can do this, but it’s really long odds.”

Colorado State spends less on athletics than others in its conference – and it makes less. In 2011, the university spent about \$25.5 million, and made \$29 million. But almost half of that money came from the university itself: about \$4.9 million from student fees and \$9 million from institutional funds, according to *USA Today's* college athletics finances database.

Compare that to Oregon, which in recent years built lavish football and academic centers for athletes and which Frank cited as an example of why investing in facilities works. The university boasting the second-best team in the nation spent \$76 million in 2011 and made \$86 million. About \$1.5 million came from student fees here, too, but just \$900,000 from institutional funds.

Oregon has skyrocketed to prominence and doubled its out-of-state enrollment in the past decade or so, and in the last five years it has benefited from a huge influx in students from California who couldn't get into the University of California because of budget cuts. But it also has a wealthy benefactor in Nike co-founder Phil Knight and competes in one of the best athletic conferences, the Pac-12.

“The athletic director tells a just-so story: Colorado State University will be a perennial top 25 football team, a perennial top 25 basketball team with a Sweet 16 in our future and perhaps even a national championship in our future, and that the Pac-12 and Big 12 will come knocking and as a consequence, of course, television revenues would go up,” Scharf said. “It’s kind of implausible that this story could pan out at that scale -- and that’s not even talking about the values argument.”

Scharf’s economic projections do not suggest that the project will be able to make up for lost revenue. Nor do Zimbalist’s.

“When you go through the finances and their projections, they’re all completely unrealistic,” he said. In the Mountain West, media revenues through television contracts and the like are a fraction (probably between 1/25 and 1/12) of what institutions in the major conferences make. That means less money to sustain the project once it’s up and running. And the corporate and premium seats they’re relying on for revenue are more likely to be sold out at Colorado, Zimbalist said.

It’s all reliant on a bunch of “ifs,” said Manish Tripathi, assistant professor of marketing at Emory University and a contributor to Emory’s Sports Marketing Analytics. There’s no research indicating that building up will trigger moving up to more wins or prestige, but there is another way.

“Winning is the ultimate driver,” Tripathi said. “There’s a lot of ‘hope’ there. It might work, in theory, but there’s nothing to say that it necessarily will.”

For John Thelin, an education professor at the University of Kentucky, Colorado State is another example of the marathon mentality of today's athletics enterprise.

"I think it's a very risky, expensive proposition by these institutions that are just one notch out of the really big money," Thelin said. "I don't know if it's desperate, but it's the latest in a succession of attempts to keep pace. And so the stadium building is what seems to be happening a lot."

Martin stressed that during this two-year "quiet phase," officials are still trying to figure out if the plan is feasible, and that it's not set in stone. But he, the athletics director and Colorado State's president are adamant that the project could be good for campus.

"Our students come here primarily for the academic experience," Martin said. "But the market is such that you also have to have other amenities that make us attractive relative to the competition."

Read more: <http://www.insidehighered.com/news/2013/10/30/economists-faculty-warn-risk-colorado-states-stadium-plan#ixzz2jFFxFuLP>
Inside Higher Ed

CSU stadium stand-off

Written by Madeline Novey

Oct. 30

coloradoan.com

CSU stadium stand-off

Experts aren't surprised the on-campus stadium debate is so divisive, pointing to myriad examples through collegiate, pro history.

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Learn more about voices behind the stadium debate

Save Our Stadium Hughes (opponents): www.soshughes.org
Be Bold (proponents): www.beboldcsu.org

CSU stadium 2-minute drill

- Most-recent renderings showcase a 40,000-seat venue costing \$226.5 million. An on-campus stadium would replace 32,500-seat Hughes Stadium, built in 1968 more than 3 miles from the heart of CSU's campus.
- CSU's Board of Governors has not formally approved stadium construction. Today, the stadium project is in what's called the "schematic design phase," with contractors, engineers and architects determining how the project would look, how much it will cost, and in what phases it would be built.
- The project is awaiting formal approval as university officials raise private donations to pay for the stadium. President Tony Frank said he believes the university will have raised about \$37 million for the project by year's end. Frank has vowed not to begun building the stadium until half of its cost has been raised.
- Check out <http://bit.ly/stadiumnews> to read public opinions on and past Coloradoan coverage of CSU's proposed, on-campus stadium project.

You'd think the rules of collegiate sports would be pretty clean-cut: Pick a team, cheer and keep your fingers crossed for a winning season. But you'd be wrong.

It's not just about touchdowns scored or building a brand the community can believe in. College sports also involve millions of dollars and people — human beings who come to the stands (or not) with opinions shaped by their experiences and emotions.

So it comes as no surprise to experts that Colorado State University's [proposal to build](#) a \$226.5 million, on-campus football stadium is what some consider one of the most heated and divisive issues in the city's history. And they say this phenomenon isn't unique to CSU or Fort Collins.

"There's three things I learned you don't talk about at the dinner table: religion, politics and sex. Sports should also be included in that," said Angela Henderson, an associate professor of sociology at University of Northern Colorado.

At the forefront of CSU's stadium debate are two men who ultimately have no say over whether the facility will be built. Stadium booster Tyler Shannon and his counterpart, Bob Vangermeersch of Save our Stadium Hughes, have little in common.

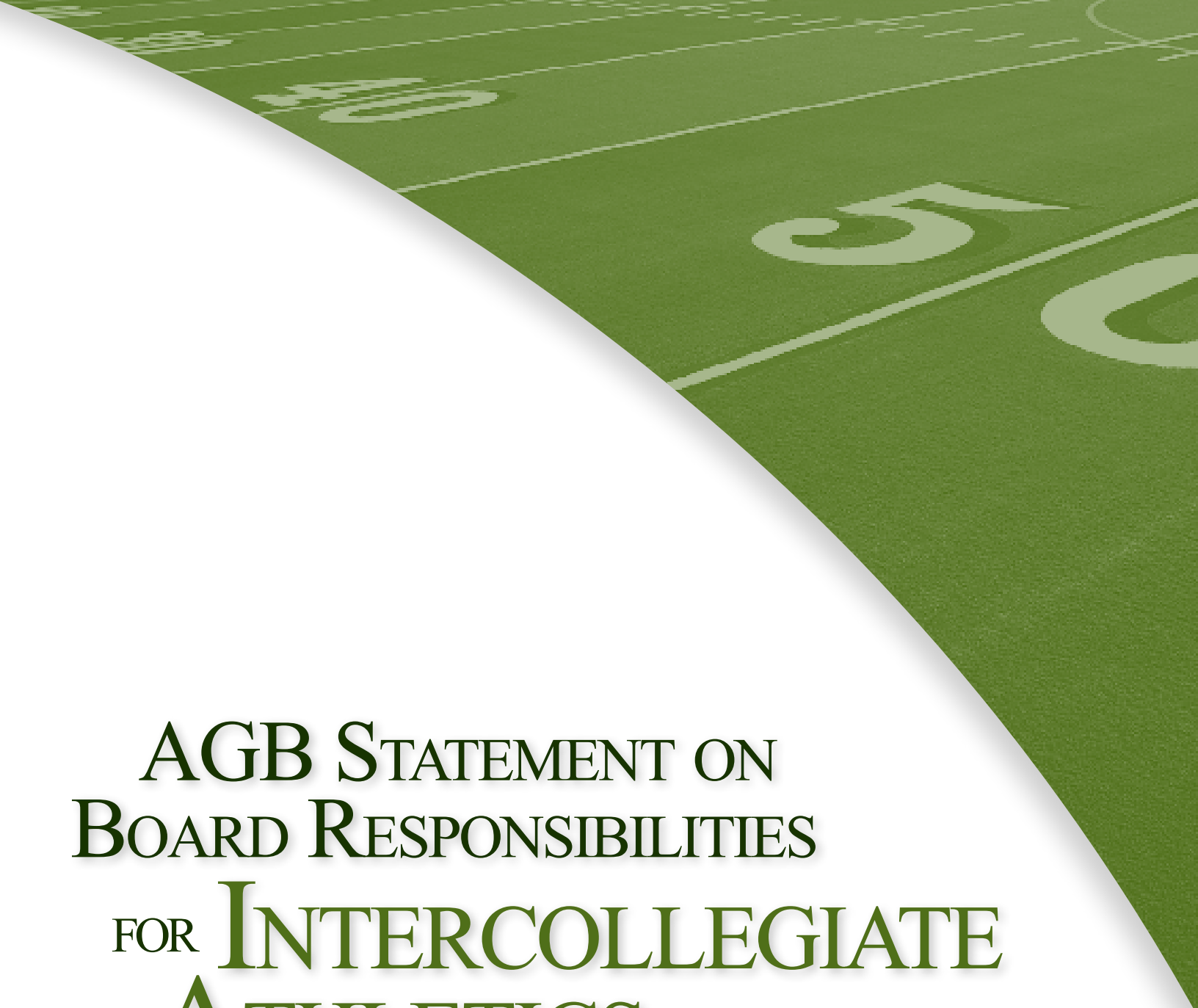
However, both have pledged to see their sides through, despite derision from their opponents following nearly every letter, post or quip in the public forum. This is the story of why both men call their stadium crusades worthwhile.

The stadium backer

One of the stadium project's most vocal supporters was initially on the other side.

A 2003 CSU graduate, Tyler Shannon and his buddies made a pact in college to throw the best tailgate parties on game days at Hughes Stadium. "Personally, I've had an attachment to Hughes for a long time," the self-described long-time football season ticket holder said.

Things changed when Shannon and his friends had dinner with then-recently hired Athletics Director Jack Graham. The alumni voiced concerns about the Rams' floundering football program, and Graham laid out his vision to correct such issues and move CSU forward in what was coined the Bold New Era.



AGB STATEMENT ON
BOARD RESPONSIBILITIES
FOR INTERCOLLEGIATE
ATHLETICS

Adopted by the AGB Board of Directors, November 16, 2007

*Illustrative Policy on Intercollegiate Athletics for Boards and Presidents
added April 3, 2009*

The Board of Directors of the Association of Governing Boards of Universities and Colleges gratefully acknowledges National Collegiate Athletic Association President Myles Brand for his support of this policy statement. Through his leadership of the NCAA, Myles has championed both the welfare and academic success of student athletes and the sound management of intercollegiate athletics programs. His practical understanding of the value of governing boards and institution presidents working together to lead and oversee intercollegiate athletics is central to the AGB statement and to our mutual commitment to student athletes. Myles' unwavering dedication has served to strengthen all of higher education.

Introduction

Since the AGB Board of Directors adopted a “Statement on Board Responsibilities for Intercollegiate Athletics” in 2004, the academic and intercollegiate athletics communities have viewed the document as a valuable guide to help governing boards appropriately exercise their oversight responsibilities in college sports. The statement clearly describes the role of boards in achieving the critical goal of integrating intercollegiate athletics within the educational context of higher education.

In 2007, the AGB board adopted a “Statement on Board Accountability,” which encourages boards and chief executives to examine the clarity, coherence, and appropriateness of their institutions’ governance structures, policies, and practices. The document asserts core principles of board accountability and responsibility in such areas as fiscal integrity, board performance, and educational quality—areas that surely encompass the board’s oversight responsibilities for intercollegiate athletics.

Over the last few decades, intercollegiate athletics have enjoyed an enormous increase in popularity at all levels of competition. While greater public exposure has been a boon to the enterprise and exciting for athletes and fans alike, the focus of attention on college sports is as likely to concern scores and standings as it is inappropriate behavior or rules violations. Clearly, the impact of intercollegiate athletics on the higher education experience has challenged those responsible for leading America’s colleges and universities.

Central to any efforts aimed at aligning intercollegiate athletics more closely with the educational mission of colleges and universities is the responsibility of governing boards to hold those charged with administering these programs accountable to high standards. In the time since the AGB Board of Directors commended the 2004 statement of principles and guidelines to its members, the expectations of the public, elected officials, and the news media for institutional accountability have continued to heighten.

In 2007, the AGB Board of Directors adopted a revised statement to reinvigorate efforts on the part of governing boards to align intercollegiate athletics with the mission, vision, and values of higher education. This document is meant to encourage and guide discussion and action where it may be needed.

While most of what transpires in college athletics is positive, there is a growing sense among academic leaders, the news media, and the public that our society glorifies athletic accomplishment far more than academic achievement. At some colleges and universities, intercollegiate athletics programs may be detracting from the institution’s mission. What’s more, the increasingly commercialized nature of major sports at the highest competitive levels and a widening gulf between the athletic and academic cultures at some institutions and in some communities have negatively affected the reputation and public standing of higher education as a whole. Restoring balance between sports and education continues to be elusive. If efforts to achieve an appropriate balance are to succeed, governing board members will need to lend consistent and public support to their chief executives and academic leaders who are at the forefront of such discussions.

Although presidents and chancellors have always been essential to athletics reform efforts, only recently have governing boards been asked to address the issues more actively. Given their responsibilities for ensuring the academic integrity and reputation of the institutions they serve, boards should be engaged in the search for balance. Further, because board members occasionally have been associated with problems in some prominent football and basketball programs, it is time for all boards to reexamine how they exercise their oversight responsibilities.

This statement of principles and guidelines applies most directly and urgently to institutions with major football and basketball programs, but it also is intended to help trustees and academic leaders whose institutions compete at all division levels. Certainly, the applicability of many sections will vary from one institution to another. Some may find the statement's numerous suggestions to be daunting, but the intent is for boards and presidents to use them selectively rather than comprehensively. Strong voices are needed to express a clear philosophical and moral position on the core issues.

This statement addresses eight areas of board engagement: (1) general oversight responsibilities, (2) presidential leadership, (3) athletics department mission, (4) fiscal responsibility, (5) academics and student-athlete welfare, (6) compliance, (7) personnel, and (8) communications.

The Illustrative Policy on Intercollegiate Athletics for Boards and Presidents, adopted April 2009, was developed in consultation with institution presidents, representatives of the National Collegiate Athletic Association (NCAA), and AGB board and staff members. It is intended to guide the crafting of specific policies on intercollegiate athletics, policies that spell out the leadership roles and oversight responsibilities of the board, president, and athletics department. Safeguarding the well-being of student athletes and properly integrating intercollegiate athletics into higher education are the ultimate goals of these policies.

The AGB Board of Directors hopes this document will encourage and guide discussion and action where it may be needed.

GENERAL OVERSIGHT RESPONSIBILITIES

The board's responsibility to review and monitor policies and practices concerning intercollegiate athletics is as essential as it is for other institutional endeavors. Boards and chief executives cannot wait until a scandal unfolds to motivate their interest in these complex matters, nor should board oversight be ceded to a small cadre of interested members. That intercollegiate athletics can attract, generate, or lose large sums of money and often is the institution's most visible component compels institutional leaders to pay close attention. Consequently, boards should exercise appropriate oversight while avoiding micromanagement, viewing athletics with a dispassionate perspective.

Central to board oversight is to call for the athletics department to embody the proper tone, direction, and values consistent with the academic mission of the institution. With this expectation in mind, boards periodically should review program standards and values. To do so effectively, trustees must be willing to engage campus leaders in focused discussions.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Should our board have a standing or advisory committee on athletics, or should it delegate various responsibilities related to intercollegiate athletics to the appropriate existing standing committees?
 2. If a separate committee on athletics exists, what is that committee's appropriate charge? How should membership on such a committee be determined?
 3. Does our institution orient trustees to their responsibilities concerning intercollegiate athletics? What does this program include?
 4. Do all internal and external constituencies understand that the governing board has delegated to the president full authority over intercollegiate athletics?
-

- ◆ Boards should be confident that the institution's chief executive, academic, and athletic leaders have set appropriate standards of accountability and benchmarks against which to evaluate the success of the intercollegiate athletics program. These standards and benchmarks should encompass such areas as finances, admissions, student-athlete welfare, academic advising, graduation rates, facilities, capital expenditures and conflict-of-interest policies.
- ◆ Boards should consider and identify the appropriate board structure to help it meet its oversight responsibilities. For example, more than one standing committee may have oversight responsibilities for various aspects of the intercollegiate athletics program. These may include the finance or budget committee, the student-life committee, or the compensation committee. Alternatively, some institutions might find a standing or advisory committee on athletics may be most effective. The discussion on page 12 may be helpful.
- ◆ Boards should be informed about the impact of intercollegiate athletics on the campus culture in all areas, including admissions, social life, academic values, student body composition, and fan conduct and atmosphere at campus events.
- ◆ The orientation program for all new board members should include a review of the issues related to intercollegiate athletics. Key elements of such a program might include discussions regarding the relationship between athletics and institutional mission, the impact of intercollegiate athletics on campus culture, the academic profile of athletes

relationship to the athletic conference to which the institution belongs, and NCAA rules that apply to boards and trustees.

- ◆ Boards should establish policies specifying the benefits they may appropriately accept from the athletics department.

PRESIDENTIAL LEADERSHIP

Boards should delegate direct responsibility for the conduct and control of the athletics department to the institution's chief executive. This authority must be explicitly defined, clearly understood, and articulated in a formal policy statement. It should be reinforced by consistent and visible public support of the chief executive.

- ◆ The board should support the president in setting benchmarks and standards for the conduct, operation, and oversight of the athletics program, monitor progress, and hold the president accountable for results.
- ◆ The board should articulate to the public, the media, and all institutional constituencies the fundamental nature of presidential leadership and authority in matters concerning intercollegiate athletics.
- ◆ When a president takes a bold or controversial stand regarding intercollegiate athletics, the board should publicly support and defend the president.

QUESTIONS FOR BOARDS TO CONSIDER:

1. How can the board ensure that it supports the chief executive's responsibility to control and set the tone for athletics program?
 2. Does our president understand the board's expectations for the athletics department? How often are those standards and expectations reviewed by the board and discussed with the president? Is leadership of the intercollegiate athletics program part of the board's periodic evaluation of the president?
 3. Is the president providing the leadership and direction necessary to implement the standards and expectations articulated by the board?
 4. Has the athletics department been fully integrated into the administrative structure of the university? Does the athletics director report directly to the president or through another administrator? How effective is communication between the president and athletics department?
 5. Are the president and faculty athletics representative appropriately involved with the athletics director in deciding the institution's position relative to pending conference and NCAA legislation
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ATHLETICS DEPARTMENT MISSION

The measure of success of an intercollegiate athletics program should be the degree to which the program contributes to the institution's mission and academic reputation. The board should be certain that its institution has established and promotes a definition of success for the athletics department that goes beyond wins and losses and net revenue. To that end, boards should insist that there is a clear mission statement for the athletics department.

For example, intercollegiate athletics can affect a broad range of institutional functions and programs such as admissions, fund-raising, public image, alumni relations, campus culture, and service programs. Trustees should understand how athletics affect these areas and should be able to assess how effectively athletics contribute to institutional priorities and goals.

- ◆ Boards should be certain that the athletics department adheres to the institution's mission, values, and strategic objectives. If an athletics department mission statement does not exist, the board should require that one be developed.
- ◆ Boards and chief executives should agree on standards of accountability and reasonable benchmarks in evaluating the intercollegiate athletics program. Examples include graduation rates, budgets, capital expenditures, coaching conduct, and the progress and well-being of student-athletes.
- ◆ The appropriate board committees should assess whether the intercollegiate athletics program is being evaluated against agreed-upon goals.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Are the mission, values, and goals of the athletics program compatible with those of the institution?
 2. Does the administrative structure of the institution and the athletics department allow the institution to achieve its mission and goals?
 3. What benchmarks should be used to gauge the success of the athletics department? Are they consistent with the institution's mission and values? Are they achievable given our resources, culture, and history?
 4. What is the impact of intercollegiate athletics on our campus climate? How does athletics affect admissions, social life, academic values, and the composition of the student body?
 5. What degree of autonomy should the athletics department have? In comparison with other co-curricular activities, is the athletics department appropriately integrated into the general administrative structure in terms of finances, employment practices, operating procedures, and accountability?
 6. Is an annual risk assessment conducted to evaluate the internal controls of the athletics department? Is the institution's internal audit program engaged in the evaluation?
 7. Is a comprehensive compliance program and review in place for the athletics program?
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FISCAL RESPONSIBILITY

Boards should consider whether institutional revenues and expenditures for intercollegiate athletics are appropriate, whether institutional values are appropriately reflected in such revenues and expenditures, and whether the institution is receiving an adequate return on the investment. Boards are responsible for ensuring that financial and managerial affairs are administered with complete transparency and adherence to commonly accepted business standards. To that end, boards should insist that all budgetary and fiscal information presented to them is clear, accurate, timely, and complete.

- ◆ Boards should review and approve the intercollegiate athletics budget as part of the institution's regular budgeting process.
- ◆ Boards should devote the necessary time to understand the complexities of the financing of intercollegiate athletics. Elements include such matters as revenue flows from television contracts, booster clubs, affiliated foundations, corporate sponsorships, and athletics conferences, as well as revenues allocated to the athletics department from direct and indirect institutional support, governmental support, and student fees.
- ◆ Boards should review and approve policies intended to ensure that compensation procedures and practices for the intercollegiate athletics program are consistent with overall institutional standards and practices.
- ◆ Boards should ensure that private gifts in support of intercollegiate athletics reflect institutional priorities and that gift policies guide the acceptance of all donations.
- ◆ Boards should be certain that clear policies and reporting requirements exist with respect to the finances and fund-raising activities of outside organizations. Specifically, boards should ensure that all funds raised by booster clubs and affiliated organizations and expended on behalf of the athletics department are under the clear control of the institution and subject to appropriate oversight by an office of the institution that is independent of the athletics department.
- ◆ Boards should review and approve all proposals for significant capital expenditures, including any future debt-service commitment.
- ◆ Boards should review the "agreed-upon procedures" between the athletics department and the NCAA that are required under NCAA legislation and discuss any findings included in the report.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Is the financial information on the athletics program complete and comprehensible? Do our financial reports contain information on all sources of revenue and expenditures?
 2. To what extent (financial or otherwise) does the institution subsidize intercollegiate athletics with allocated revenues? How does the growth of these allocated revenues compare with the overall growth of institutional expenditures?
 3. What are the financial and other implications of our membership in our athletics conference? Are we in the “right” conference?
 4. If the institution is considering changing the division or conference in which it competes, or if it contemplates adding a sport, has a cost analysis been conducted to determine whether this is appropriate?
 5. What is the impact of issuing additional debt for intercollegiate athletics facilities on the institution’s overall debt capacity?
 6. Is the board or a board committee monitoring the fund-raising efforts for intercollegiate athletics programs? Is the institution maintaining an appropriate balance in its fund-raising priorities for athletics and academics? Are fund-raising efforts for athletics and academics integrated with or discrete from one another?
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ACADEMICS AND STUDENT-ATHLETE WELFARE

Boards should be certain that the intercollegiate athletics program reflects the institution’s academic values and does not detract from or undermine them. Student-athletes should be held to the same academic and social standards as other students, and they must have a genuine opportunity to enjoy a well-balanced academic, social, and athletic experience and earn a degree. Boards should recognize and support the voice and views of faculty on academics, student welfare, and institutional reputation and should encourage faculty to engage collaboratively on these issues.

- ◆ Boards should insist on an institutional culture that integrates student-athletes into the campus mainstream as well as an athletics department culture that promotes academic achievement.
- ◆ Boards should refrain from establishing specific academic or eligibility standards for student-athletes, because such matters are the responsibility of the faculty, administration, and the NCAA.
- ◆ Boards should be confident that admissions policies for athletes are consistent with those of the regular student body, and trustees should not interfere with admissions decisions regarding any prospective student-athletes.

- ◆ Boards should be vigilant that admissions policies for student-athletes do not have an adverse impact on the academic mission or cause an imbalance in the campus culture.
- ◆ Boards should review graduation-rate data, information on the number and rates of special admissions of athletes compared with that of the regular student body, and information on the declared majors of student-athletes.
- ◆ Boards should ensure that academic-support programs for athletes are part of the institution's general academic-support programs.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Do we have a mechanism in place that allows effective communication with faculty regarding student-athlete academic and welfare issues?
 2. Do our coaches contribute to an atmosphere within their programs that is conducive to academic achievement?
 3. If our athletics department has an incentive and reward system for coaches or administrators, does it encourage positive outcomes for student-athletes in terms of academics and general welfare? For example, do such contracts include incentives relating to graduation rates or to the academic achievement of student-athletes?
 4. Is the academic-support program able to meet the needs of student-athletes?
 5. How many student-athletes transfer from our institution? Why do they do so? Do any of our teams have a large number of junior-college or interdivisional transfers? If so, what is the graduation rate of these students compared with those who matriculate directly with our institution?
-

COMPLIANCE

Boards should be certain that the chief executive understands and has communicated the board's expectations regarding the ethical conduct of all individuals associated with the intercollegiate athletics program and that institutional, conference, and NCAA rules and regulations are routinely followed.

- ◆ Boards should review and discuss results of the NCAA institutional self-study and certification processes.
- ◆ Boards should review and monitor the institution's plans to ensure gender equity.
- ◆ Boards should insist that NCAA rules and regulations relating to the time demands placed on student-athletes are met in spirit and in practice.

QUESTIONS FOR BOARDS TO CONSIDER:

1. What is our philosophy and policy concerning the background, qualifications, and compensation of our coaches and athletics director?
 2. Do our coaches and administrators accept their responsibilities to be educators? How is this communicated to them?
 3. What professional development opportunities are available for our coaches and administrators to help them be effective educators?
 4. Is the institution utilizing best practices for coaches' contract language that is consistent with the institution's values and philosophy? (The NCAA and other organizations may offer resources in this area.)
 5. Are any board members communicating inappropriately with athletics department personnel or coaches?
 6. Is the required curriculum of our undergraduate or graduate program in sports administration
-

PERSONNEL

Boards should not be directly involved in the process of hiring and firing coaches or other athletics department personnel. Boards are ultimately responsible for the integrity of the hiring process of all athletics department personnel and should ensure the department is suitably accountable for the academic performance of student-athletes. Boards should expect that presidents will communicate to athletics department personnel and coaches the institution's academic expectations and values as well as the responsibilities inherent in being educators.

- ◆ The board's compensation committee should ask to review the compensation packages of the athletics director and head coaches of major sports.
- ◆ Board members should be discouraged from fostering personal relationships with the athletics director or coaches.
- ◆ Boards should be confident the president has set clear expectations regarding the responsibilities of the athletics department and its coaches and administrators in the academic life of student-athletes.

QUESTIONS FOR BOARDS TO CONSIDER:

1. How effectively is our commitment to compliance with institutional, conference, and NCAA rules and regulations communicated to coaches, administrators, students, faculty, boosters, and alumni?
 2. Does our president meet periodically with athletics department personnel to articulate expectations concerning compliance and ethical conduct?
 3. Has the institution fully complied with Title IX regulations concerning gender equity, or are additional efforts and investments necessary?
 4. Are thorough background checks conducted of prospective athletics department employees? How carefully are records of compliance with NCAA rules considered in the hiring process?
 5. Is there a clear, consistent, and effectively communicated process by which NCAA violations are reported and investigated?
 6. Do we have a written policy that protects whistleblowers from punitive action?
-

COMMUNICATION AND INFORMATION FLOW

Boards should ask for a data-based information system that covers all areas relating to athletics. Board members must ask incisive questions, demand good information and analysis of trends, and communicate effectively with appropriate constituencies.

- ◆ Boards should request that accurate, appropriate, and unfiltered data be provided regularly and in a timely manner on such topics as admissions, academic achievement, graduation rates, finances, and athletics conference matters.
- ◆ To ensure that their input is substantive and timely, boards should be certain their agendas appropriately consider matters concerning intercollegiate athletics. This is particularly important in matters relating to fiscal and admissions policies.
- ◆ Ordinarily, the president speaks for the institution on matters concerning intercollegiate athletics policy. In the event the board's views are solicited, it should be clear that the board chair is the designated spokesperson.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Who is responsible for providing the board with information pertaining to intercollegiate athletics? When and how is that information provided?
 2. Do we have a policy that guides the resolution and communication of a possible problem or allegation concerning the responsible conduct of our intercollegiate athletics program? How are potential rules violations and adverse publicity to be handled?
 3. In what ways can our board chair and president clearly and effectively communicate the proper role and purpose of athletics within the institution?
-

An issue for the board and president to discuss...

Should a separate board committee on athletics be established?

YES: At institutions where major intercollegiate athletics programs have become highly visible, a standing or advisory board committee is necessary to consider the broad array of immediate and complex issues that have significant potential to adversely affect the institution. Consequently, regular and timely consideration of the various issues by one board committee is essential. Athletics matters may become “lost” when handled by more than one standing committee. If the relationship between the president, the athletics director and his or her staff, and the chair of the athletics committee goes well, the full board can be confident that the most important things are being attended to.

NO: A separate athletics committee is not necessary because the specific elements of athletics oversight can be appropriately delegated to and addressed by other standing committees. The creation of an athletics committee can send the wrong signal regarding intercollegiate athletics; it inadvertently could reinforce perceptions that the governing board is disproportionately preoccupied with intercollegiate athletics. A separate committee could become a forum dominated by trustees devoted to protecting (or criticizing) athletics, rather than effectively monitoring the program. What’s more, in the event of a crisis or controversy, an athletics committee might limit the president’s ability to act decisively on urgent matters.

A POSSIBLE ALTERNATIVE: Consider a separate committee, perhaps with a trustee member ex officio, consisting of faculty, staff, and student members with a monitoring-only function. Such a committee would not be an action committee but would provide information and recommend matters for study to the president, standing board committees, or to the full board. One function of such a committee might be to issue an annual report and summary of relevant issues and actions to the chief executive and full board.

ILLUSTRATIVE POLICY ON INTERCOLLEGIATE ATHLETICS FOR BOARDS AND PRESIDENTS

Preamble

The well-being of the student body and student athletes and the success of the institution's academic mission depend on communication, cooperation and coordination on every level; clear delineation of responsibilities is critical. An intercollegiate athletics policy should spell out roles of the board, president and athletics department in a manner consistent with their requisite leadership and oversight responsibilities.

As the NCAA Division I Athletics Certification process continues to be strengthened, having a clear statement of board oversight responsibilities can contribute to the integration of intercollegiate athletics into the educational context of our institutions of higher learning. This illustrative policy statement may not be of uniform applicability to all colleges and universities and all athletic divisions, each with its unique needs and circumstances; rather, it is presented as a source of guidance in the crafting of specific policies on intercollegiate athletics. Individual institutions may choose to adopt the provisions of this statement to their institution and division, as appropriate; the regular review and communication of this policy to relevant parties is critical.

Illustrative Policy

- I. **The board, as the fiduciary body for _____, carries out its oversight through the following specific actions:**
 1. Delegating administrative responsibility for intercollegiate athletics and the management to the Office of the President and lend its full and public support to the president in the execution of his/her duties.
 2. Approving, with the president, standards of accountability and benchmarks against which to measure the success of the intercollegiate athletics program.
 3. Holding the president responsible for the appropriate execution of those responsibilities, assessing presidential performance during periodic reviews.
 4. Reviewing and approving the athletics budget as part of the regular institutional budget process, including revenue, expenditures, compensation procedures for athletic director and coaches, debt capacity and gift policies, in keeping with the board's overall responsibility as financial stewards of the institution.
 5. Reviewing and approving an Athletics Department mission statement that reflects the university's mission and academic values.
 6. Including in new board member orientation a review of all policies pertaining to athletics. This orientation is designed to educate trustees to their responsibilities concerning intercollegiate athletics and to clarify expectations for the athletics

department and its place within the larger university culture and mission and its tone, direction and values. This orientation process should further include a review of: the impact of intercollegiate athletics on campus culture, the academic profile of athletes compared with other students, the institution's financial commitment to athletics, the relationship to the athletic conference to which the institution belongs, and the NCAA rules that apply to boards and trustees.

7. Ensuring the full integration of the athletics department into the administrative structure of the university by working with the president and athletics department. This includes determination of whether the athletics director reports directly to the president or through another administrator.
8. Periodically, conducting a review of governance policies related to intercollegiate athletics.

II. The president, with authority and responsibility vested by the governing board of _____, leads the intercollegiate athletics programs of _____ through the following specific actions:

1. Exercising ultimate responsibility for the conduct and control of the athletics department, including all personnel decisions (hiring, firing, compensation, etc.), corporate partnerships, television contracts, booster clubs, and affiliated organizations, including their private fundraising efforts.
2. Setting appropriate standards of accountability and benchmarks against which to measure the success of the intercollegiate athletics program. Standards and benchmarks should include finances, admissions, student-athlete well-being, academic advising, graduation rates, facilities, capital expenditures and conflict-of-interest policies.
3. Establishing and upholding, with the faculty and administration, academic and eligibility standards for student-athletes that reflect the institution's academic values and mission.
4. Communicating to the board of trustees on his or her fulfillment of responsibilities as they relate to agreed-upon goals, standards and benchmarks of the intercollegiate athletics program.
5. Reviewing, with the board, the NCAA institutional self-study and certification process and the institution's compliance with Title IX provisions concerning gender equity, as well as departmental compliance with any laws and regulations to which the institution is subject.
6. Communicating clearly with the board, coaches, administrators, students, faculty, boosters and alumni concerning: compliance with institutional, conference and NCAA rules and regulations; the mission, values and goals of the athletics department; appropriate stewardship of and contact with donors and students; and the acceptance of benefits from the athletics department.

III. The Athletics Department of _____ affirms its responsibilities to:

1. Develop a mission statement that reflects the university's mission and academic values, and establish expectations for standards of behavior for coaches and student athletes appropriate to their positions as representatives of the university. These standards will be upheld through normal university disciplinary procedures and, as appropriate, local and state procedures.
2. Provide information concerning standards of accountability and benchmarks to the president and the board and the department's success in meeting those standards.
3. Adhere to NCAA rules and regulations relating to the time demands placed on student-athletes, meeting them in spirit and in practice.
4. Ensure that the Athletics Department is complying with provisions concerning gender equity and with all institutional, conference and NCAA rules and regulations to which the institution is subject.
5. Report NCAA violations according to procedures established by the existing standing committee with purview over athletics.

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The “AGB Statement on Board Responsibilities for Intercollegiate Athletics” encourages all governing boards and chief executives to review and monitor their institutions’ policies and practices on intercollegiate athletics. It is not intended to be prescriptive or to offer legal advice. Rather, it is intended to serve as a template and resource for discussions of good governance, policies, standards, and principles.

The AGB Board of Directors first adopted a statement on intercollegiate athletics on March 28, 2004. It adopted this revision on November 16, 2007 and approved the “Illustrative Policy on Intercollegiate Athletics for Boards and Presidents” on April 3, 2009.

The AGB board has adopted three other statements that discuss important board responsibilities:

- AGB Statement on Board Accountability (2007)
- AGB Statement on Governing in the Public Trust: External Influences on Colleges and Universities (2001)
- AGB Statement on Institutional Governance (1998)

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