



November 7, 2023

To: Constancio Nakuma, Provost

From: Sasha Breger Bush, Faculty Assembly Chair

CC: Michelle Marks, Chancellor

Re: Response to the Provost

Dear Provost Nakuma,

Please accept Faculty Assembly's (FA) deep gratitude for the time and effort you took in responding to the concerns we raised in our recent draft resolution for censure. We are very thankful for the opportunity to work more closely with you on these issues. This letter is intended as a response to your suggestions for how to move forward, especially the suggestions enumerated in your third response to FA on 10/30/2023.

First, many thanks to the administration for their offer of a full briefing on student mental health and financial aid services. FA gratefully accepts and will keep an eye out for communications about scheduling. At the briefing, FA hopes to learn about hiring, data on students served, wait times for service, and CARE team capacity, among other important issues.

We are additionally grateful for the offer of more regular communication and updates on university affairs. FA gratefully accepts. Our regular monthly meetings always include time for the Provost's update and we hope to continue with this practice. FA can extend the time the Provost is afforded at our meetings as needed (up to 30-40 minutes). FA agrees that the Executive Committee, which includes officers and committee chairs, and which also meets monthly, may be a good, additional forum for updates and communications moving forward. FA would also be interested in hearing updates from members of the Provost's team, as necessary and appropriate given the issues at hand.

We are further appreciative of the administration for following through on its prior commitment to pay equity for IRC faculty in relation to CAP 1007, in which faculty promoted over the past 10 years but prior to the implementation of CAP 1007 were afforded base-building promotional raises, as announced to the CU Denver community via email on Monday October 30. We are additionally interested in learning about the cost of this initiative and how/whether it addresses pay compression problems.

In addition to these important steps, FA has drafted a set of recommendations and suggestions for your consideration. These recommendations were furnished by faculty experts, FA members

from across campus, and by shared governance partners. They are organized such that the items that seem to us to be most likely to garner agreement and would be simplest to implement in the short-term appear first, with more complex and longer-term recommendations appearing later.

### **Recommendations 1:**

#### **Simple, short-term possibilities for collaboration and rapid response to FA's concerns**

- **Third-party consultants and reports:** FA recommends a series of steps be taken to ensure prudent fiscal management and transparency and begin to rebuild trust among us.
  - Share information with the campus community about the cost of the Keeling & Associates mental health report from March 2023.
  - Provide an annotated version of the March 2023 Keeling report to the campus community in which the “fact checking” recently discussed by Chancellor Marks in her campus email dated 11/2/2023 has been completed with data inaccuracies noted throughout. It is very important to FA that we have the data correct, so any corrections or fact-check results would be much appreciated.
  - Share the “culture report” recently generated in the School of Public Affairs.
  - Impose a temporary moratorium on contracting with 3<sup>rd</sup> parties. If there are essential functions performed by 3<sup>rd</sup> parties, case-by-case exceptions could be made by the Chancellor.
  - Share cost and other information about EAB and other consultants that are working with the Provost’s working groups.
  - Clarify any policy or procedure used to guide the engagement of third-party consultants to conduct and provide reviews. In this vein, FA has the following questions:
    - a. Can you provide a list of criteria or qualifications used to select third-party consultants for reviews and assessments?
    - b. How often are third-party reviews conducted, and is there a predetermined schedule or trigger for initiating these assessments?
    - c. Are there specific performance indicators or metrics used to evaluate the effectiveness of third-party consultants in conducting reviews?
  - Develop and/or clarify expectations regarding faculty, staff, and student participation in third-party data-gathering processes, especially clarifying whether such participation is voluntary, and whether or not participants will be permitted to review their statements for accuracy.
  - Create a central site making public when third parties were/are contracted, the associated costs, by whom they were engaged, and for what purpose. The dashboard should also include how those results were/will be used/considered.

- Sharing of the final reports to ensure transparency. At the minimum, a brief report of the main findings and how their results were ultimately used/considered.
- **Shared governance:** FA recommends the following steps to get this collaborative process back on track.
  - While shared governance at the campus level is embodied in our elected Faculty Assembly, that within each college/school/library is the responsibility of those units. To ensure the development and function of such shared governance bodies, we propose that the drafted “standards of shared governance” document prepared by the Provost’s office gets converted into a formal policy. The policy can guide the creation of a template for Deans to fill out annually which, alongside periodic surveys of faculty in different schools/colleges to verify conditions on the ground, can be used to gather the data required to put out an annual State of Shared Governance Report. The development of this policy alongside the template and survey shall be performed between November 2023-February 2024 by a faculty member nominated and confirmed by Faculty Assembly whose work is either compensated at a rate of \$100/hour, or through the provision of a course release for Spring 2024, both fully funded by the Provost’s office. Some administrative support can be provided by the FA coordinator.

(Note: FA appreciates the offer to appoint a “faculty fellow” to conduct this work, though we submit that there was no prior, “unresolved” dispute about the “division of labor” on this issue. Upon hearing from the Provost’s team in October that your office was no longer “capable” of producing the shared governance report, FA offered to produce the report itself, and asked the Provost only for funds to support this crucial work. This request was denied. Documentation is available upon request.)

- FA would appreciate the administration’s assistance with shared governance administration and compliance. Specifically, we need to make sure that reps to FA at large and our committees are actually being elected (not appointed by Deans) and that the 3-year terms are being adhered to by the schools and colleges.
- **Adherence to Board of Regents Laws and Policies:** FA’s recommendation is that these laws and policies be recognized and followed at all times.
- **Updates on mental health services and financial aid:** FA understands that realigning university funding priorities, ensuring fair compensation and manageable workloads for staff, filling vacant positions, and hiring new staff to meet rising levels of student need, among other likely changes, take a lot of time and effort. We hope to hear updates about what’s happening with mental health and financial aid at our regular FA meeting in December (12/5/2023) and at our Executive Committee meeting in January (1/30/2024). It is our hope that these updates might focus on key performance indicators determined by these offices that speak to effectiveness, efficiency, and equity, for example, data on work study funding, student late fee accrual, award processing time, data that maps performance indicators against enrollment indicators (e.g., dropout rates).

- **Provost's review (recommended for all Upper-Level Administrators):** While FA appreciates the offer for VC Engelke to review best practices and develop a “360-degree” approach, such an effort risks an unnecessary duplication of time and cost and excludes shared governance from the policy development process. As noted in our draft resolution, we recommend adopting, with modifications to fit the CU Denver campus agreed by HR and shared governance, the review process that has already been implemented at CU Boulder. Boulder's [pioneering 2023 review](#) of their Provost was conducted by the Boulder FA's Administrator Appraisal Committee, and assessed the Provost relative to core competencies established by the Academic Leadership Institute's “competency model”. The review involved participation and assessment by executive leadership, the Boulder Faculty Assembly's Executive Committee, and a random sampling of 20% of Boulder's faculty across job titles and ranks.

## **Recommendations 2:**

### **Manageable, medium-term recommendations to foster communication and trust**

- **Establish Clear Communication Protocols:** Define specific channels and methods for communication between faculty members and administrators to ensure that concerns and feedback are consistently and effectively addressed. FA often receives concerns and complaints from faculty indicating that they feel their concerns are being dismissed or downplayed, including historic concerns about financial aid, mental health, and shared governance, among others.
- **Regular Town Hall Meetings or Forums:** Implement periodic town hall meetings or open forums where faculty members have the opportunity to directly communicate with upper-level administrators, fostering a culture of open dialogue.
- **Feedback Loops:** Create structured mechanisms for gathering feedback from faculty on an ongoing basis. This could be through surveys, focus groups, or suggestion boxes, providing a formalized way for faculty to express concerns and suggestions. In October, FA recommended “suggestion boxes” to the Provost as a means of tapping into creative ideas to support the Academic Transformation Working Groups. This may be a good place to start piloting new feedback mechanisms.
- **Conflict Resolution Procedures:** Develop clear protocols for handling conflicts or disagreements between faculty and administrators, ensuring that there is a fair and impartial process for resolution. It is worth mentioning that strong, effective shared governance mechanisms in schools and colleges also provides mechanisms for local conflict-resolution.

- **Collaborative Problem-Solving Teams:** Establish cross-functional teams comprised of faculty and administrators to work together on specific issues or projects, promoting a collaborative approach to problem-solving. One of the most common complaints FA hears from faculty about problems and issues that arise on campus is that the administration does not often take advantage of in-house faculty and staff expertise, instead relying on third-party consultants and other outside parties to problem-solve. For example, the advice of faculty experts in mental health and clinical psychology are often disregarded by the administration in favor of expensive, external consultants like Keeling.

### **Recommendations 3:**

#### **Complex, medium- and long-term possibilities for mental health and financial aid services**

FA understands the complexity of mental health and financial aid services provision, and that big changes take time. We also understand that FA's role is merely consultative in these arenas, and that the central administration retains primary authority over and responsibility for their efficient, effective, and equitable operations. That said, we did receive feedback, recommendations, and suggestions from faculty experts and shared governance partners that we would like to pass on. We further reiterate the urgency of remediating problems around mental health and financial aid. Student health needs are in some cases very urgent and students are at risk now. Effective financial aid disbursement is "mission critical" owing to the budget crisis. Despite their complexity, strong and decisive efforts to mitigate these problems cannot be long deferred or delayed.

- **Mental health services**

- Funding is essential. The SCCC has been understaffed for almost 5 years. Much more acuity from students, and salaries haven't caught up. Clinicians have been reclassified but it's still not enough.
- Must have well compensated Director and Assistant Director. Three candidates were offered and turned down the offers due to (mostly) money. Feedback seemed to be that they were being asked to do too much.
- Please listen to Counseling Faculty in SEHD who are trying to make this very special arrangement (a training clinic) work. They need stability and for years there has been a lack of consistency from administration regarding levels of support for the SCCC. Staffing shortages again cause undue stress. They enjoy the arrangement; clinicians generally would like more experiences with our graduate counseling students (e.g., career development, learning how to supervise). The first Keeling report was written without faculty input, and the second report had very little input from counseling faculty and seemed to have been "buried" or its recommendations ignored. Counseling Faculty are very proud of the work they have done over the years and don't appreciate being framed by some in administration as "the problem."

- Seek out and integrate additional campus resources to support our students’ mental health and wellbeing, including a more central role for the clinical health psychology program’s Psychology Clinic.

- **Financial Aid**

- Ensure financial aid packages are distributed early (as early or sooner than peer institutions)
- Ensure students receive timely responses to financial aid questions and fixes to their financial aid package when needed
- Ensure that scholarships are administered in a timely fashion
- CU Denver needs to ensure we use the full financial aid package available from the federal government. CU Denver is permitted to have the federal government cover 100% of work-study funds for students, rather than requiring that 25% of wages be covered by the faculty/staff member who hired the students. We would like to see CU Denver roll this out—we currently only use this resource on a very limited basis.
- Determine who is responsible for ensuring that the fixes to financial aid are sustained over time
- Hire more Financial Aid staff and train more financial aid specialists in Lynx Central
- Offer fair (competitive) compensation for Financial Aid staff
- Create a balanced workload to prevent turnover and promote retention of Financial Aid staff
- Develop better communication between Financial Aid and the specific offices where students work on a work-study basis, and then update the financial aid process to include communication about awards and award amounts with those offices.
- Faster processing of awards and earlier communication with students so they can plan their semesters and don’t accrue late fees or have to drop out.

Thank you for your time, consideration of our recommendations, and commitment to working together on these important matters.

Sincerely and with my best wishes,

Sasha Breger Bush, Ph.D.

Associate Professor, Department of Political Science

Chair, CU Denver Faculty Assembly

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