

CU Faculty Council with Mr. Kennedy, Presidential Candidate

April 22, 2019

4:30-5:15 PM

CU System (First Floor Conference Room, 1800 Grant Street, Denver, CO 80203)

Joanne Addison: Welcome Everyone.

Mr. Kennedy, we're very glad to have the opportunity to speak with you this afternoon

I want to let everyone know that because questions have been raised about the transparency of this process we have invited members of the press in the hopes of furthering transparency

Let's start with brief introductions (all faculty introduce themselves)

Faculty went around the room to briefly introduce themselves, including their campus:

Maja Krakowiak, UCCS
 Ravinder Singh, Boulder
 David Thompson, Anschutz
 Peter Anthamatten, Denver
 Jacqueline Jones, Anschutz
 Tamara Terzian, Anschutz
 Cindy O'Bryant, Anschutz
 Joanne Addison, Denver
 Rian Cheley, System
 Mary Coussons-Read, UCCS
 Michael Zinser, Denver
 Sarah Anderson, Anschutz
 Melinda Piket-May, Boulder
 Bob Ferry, Boulder
 Lindsay Roberts, Boulder
 Tina Moser, Anschutz
 Lauren Fontana, Denver
 Carrie Makarewicz, Denver

Kennedy: Great, thank you

Addison: Over the past weeks your candidacy has generated a significant amount of local and national negative press. In fact, faculty, staff, students alumni, parents, community members ...donors, corporate donors, elected officials, and even members of the university of the ND community have expressed considerable and ... reservations about your candidacy. Therefore, the question before faculty council is not only whether or not you are well-suited to be the next president of CU, but also whether or not the controversy your candidacy has generated makes you too much of a liability for us. This afternoon we hope to explore these reservations in more depth with you and have some questions answered that are out there lingering. Ok?

Kennedy: Great

Addison: Let's see. Let's start with, we have a number of questions: Peter, why don't you go ahead first.

Anthamatten: Let's start by talking about fundraising, which is very important at CU Denver.

Approximately 5% of CU's budget comes from the state, and because that number is so low, fundraising is critical. And as I'm sure you know, the President of this university is seen as our fundraiser in chief.

Dan Morton, Chair of the North Dakota State Board of Higher Education described you in the Denver Post as "not a poor fundraiser". The Post reports that in your first year at UND, the fundraising fell from 48.3M to 33.4M, a decline of almost 30%. In 2017, that number went up to \$40M, but dropped back down to \$34.7M in 2018. Currently, that number sits at about \$33M with about two months left in the fundraising cycle.

So it looks like your fundraising is still not back up to the level it was before you become president. This stands in contrast to the impressive upward trajectory of CU President Bruce Benson when it comes to fundraising.

My concern is about your ability to fundraise are not rooted in these numbers alone. In your 2019 mid-term review, Mark Hagerott states: [quote] "After holding several listening sessions with the larger body of UND stakeholders, your ability to connect with, communicate, and take input from this larger body is an area of relative need." He goes on to note that you need to be "acutely attuned to the needs, or [corrected] the remarkable range of stakeholders in North Dakota, from small town farmers, to sports boosters, up to national leaders in energy, technology, and finance." We, too, have a remarkable and a much larger range of stakeholders here in Colorado.

The question is: Why should the CU Community have confidence in your ability to fundraise at our current level given your track record, both in terms of funds raised and the state of your relations with stakeholders especially given that not only will you have to do it significantly better than you have at UND, but also at a much larger scale, here at CU.

Kennedy: so if you look, I believe the second year was bigger than the prior year, the second year was down as you mentioned, and the third year, as you mention, is some \$30-some Million booked already. Um, I think last year could probably be attributed to another issue that you may bring up as a question, is that I was a candidate for, a finalist at UCF. So it's hard to fundraise when there's those questions surrounding, which is why it's, it's important to have a president and a president stay for a long time and I think that's a reflection not on my fundraising, but of the distraction that whole scenario provided.

Besides the \$30 million, this year, that you've already talked about, we have a \$20M commitment that is from the donor that we recently got, I think, if we're not all the way there, we're close to all the way there in terms of getting a \$20M match. If you take the \$20M plus the \$30M, that would be at \$50M the largest fundraising we've ever done at the University of North Dakota. There's another eight-figure gift that I'm not sure whether it's in that number. But, when I am focused on fundraising as the president, that will be the largest fundraiser, with that \$20M in there, that we ever had at the University of North Dakota. I doubled it at the smaller numbers for a school at George Washington University, and no one, nobody in my party has ever raised as much money as I raised in my time in politics at Minnesota.

As I mentioned, I enjoy fundraising. You're talking to philanthropic; you're fulfilling the philanthropic goals for people that are successful. You don't raise money from people that aren't successful. It's uh; it shows in terms of connecting with them. And I'm quite confident in my abilities to help the university achieve the essential CU.

If you look at what you do, you're the fundraiser in chief, there's no doubt, but it begins by having a

broad alumni engagement across the nation for our key alumni. It begins by having great staff that's supporting you, as we do in both the Universe, uh, in both the campuses, as well as the university. It includes, and making sure that you are focusing on the biggest and best opportunities, whether it's me or the chancellors. And it includes making sure that you're incented.

Addison: Mr. Kennedy

Kennedy: Those are all things that I have great experience doing

Addison: I'm watching, I'm the official time keeper, and so I want to bring us back on track to the question. It's a long question, so I'll pull you back. You just mentioned having good relationships with, for example, alumni. But, your midterm review in 2019 in fact said you were having a problem with connecting with, communicating, and taking input from the larger body. And that you need to be acutely attuned. And so this was your mid-year review.

Kennedy: I would say that had to deal with each state has a unique personality. Colorado has a unique personality. Minnesota is a personality. North Dakota has a personality. And we had two, a number of senior leaders that had deep North Dakota roots and they retired. And we didn't necessarily; we had a team with more non-North Dakotans. And, uh, what I got out of that in conversing with the chancellor is that we need to make sure that we're sensitive to North Dakota sensibilities. And so, to respond to that, I have made sure that somebody with deep North Dakota roots on our senior leadership team; given them the special challenge that if we're doing something that is objective, objected to by North Dakota sensibilities, let me know. But if you look at the engagement, I think I've been to Bismark a dozen times over the course of the last year, which is a three and a half hour drive, a lot of times over icy roads. I've been around the state, in multiple locations, seven or eight locations; one on our bus tour, and one-- first time ever--with the president of North Dakota state, and others, to I think seven locations across the state, so

Addison: well Mr. Kennedy, I'll ask one more time: the specific question is about your ability. This was the concern. It was about **your ability**, not the people you hire, but about yours. Ok. And one of things that has made Bruce Benson so successful is his personal ability to connect with people. This critique about your ability to connect with people, and that's after having been there for three years, when presumably, after being there three years, you would know more about how North Dakota operates. So I'm asking you specifically about your ability.

Kennedy: And I think that I responded that I need to have advisors on my team that can help me make sure that if there is something; there are some sensitivities there that are unique to North Dakota that I may not perceive, that I have that so that I am engaging better.

Addison: Ok. I have the next question, so we'll go ahead and move on. And I apologize for rushing, but we're short on time. So. Did you sign the Pomona letter?

Kennedy: I do not know that I did?

Addison: Do you know what the Pomona letter is?

Kennedy: Tell me about it

Addison: The Pomona letter, I have a copy somewhere, I believe, here we go. Why don't we pass that around? The Pmona letter is a letter; it was a response to President Trump's action concerning the DACA program. Over 700 college and university presidents and other leaders from public and private institutions have signed it. It was well-known, it was well-publicized in higher-ed news, so I'm a little concerned that you have neither signed it, nor seem familiar with it. Can you tell me a little bit more about that?

Kennedy: I knew there was a letter on DACA, but um, we at the University of ND don't have many, if any, DACA students, and um, if you look at it: when I look at public engagement, DACA is something I'll engage on because it's important for North Dakota, um it's important for Colorado, also, if you look at my track record on engaging on similar types of issues in Congress, I think you'll find some surprising votes. Um, but I, as you know, I think talking to several people, engage with all the concerned people at the university of ND on this. One of the ones that you called, said to me, he said "I got this call from some English professor from Colorado". Ah "what did she say"? "She said "have you felt welcomed as an immigrant?". He's an Iranian immigrant. And she, he, said, "are you kidding me? I know"

Addison: Mr. Kennedy, I'll stop you there, because I did not call anyone who is an Iranian immigrant at your university. So, I believe that someone may have talked to that person, but I want to get back to the [garbled]

Kennedy: So, the net net of it, when he got to the question, have you talked to him about this immigration issue, to which his response was "uh, President Kennedy told me, if he comes after you, you let me know, and I'll get my lawyer on it". So, I would suggest that, uh, this is a different issue, perceived differently by the legislatures in North Dakota, and in Colorado. Different magnitude of issue in North Dakota and Colorado, and

Piket-May: so you don't support the DACA issue?

Kennedy: Pardon?

Piket-May: you don't support the DACA issue

Addison: well, no Melinda, Mr. Kennedy [inaudible; Kennedy spoke over Addison @ 11:29]

Kennedy: No, no, I fully support, I fully support, the DACA, but if you're telling me that I need to have North Dakota sensibilities, then North Dakota sensibilities on this issue might be different than to Colorado. So, what am I really doing by signing a letter and making it 701? Is it really going to influence Trump, or his actions? You need to engage, and I will engage strongly, here at the university of North Dakota, in support of our DACA students. And further, to make sure that all of our immigrants that are being unfairly treated because we have not been able to come together on immigration are not, are suffering because of our inability to act.

Addison: so I want to point out that all of our chancellors and president Benson signed this letter [12:11]

Kennedy: and if I

Addison: and they put out communiques because it was an important statement for our DACA students, but it was an important statement nationwide to make this. And I think even in North Dakota it was an important statement to make

Kennedy: I would, I

Addison: [inaudible, Kennedy was speaking over her]

Kennedy: Just to go back to your other question I might have, from a North Dakota sensibility, North Dakota is a very welcoming state. But, I, and, I am in support of our immigrant population, but we have less of, if any, DACA students. So what is the standard, do you, do you engage with as a president? Do you do it just cuz 700 other, other presidents are doing it? Or do you do it because it's important to your university. And so if

Addison: Isn't important to your university even if only one DACA student? Wouldn't it still be important to your students?

Kennedy: I don't know that we had one DACA student.

Addison: ok, so you don't even know how many DACA students you have?

Kennedy: I, I don't, I don't, I, I, I asked two or three times if we had any DACA students and nobody identified any DACA students at the University of North Dakota.

Addison. Alright, let me

Kennedy: So I can't be acting on things that have no applicability to the university that I lead. It has high applicability to North Dakota, excuse me, to the University of Colorado, and I look forward to being a strong advocate on these issues at Colorado.

Addison: We'll move on. Mary,

Ferry: Can I go next? Because I did, we talked about making phone calls, and I did make some.

Addison: Ok, go ahead Bob

Ferry: So, um, just to get. One of the problems, a flaw I think in the process, is that until your name surfaced, we had no way to speak with our counterparts, our faculty counterparts in North Dakota. And, um, when your name did come up, we did do that and I think, I did that on behalf of the Boulder Faculty Assembly and I asked questions of a lot of people, there wasn't a focus to the question[s?]. What we heard that was during a time, a difficult time of budget difficulty, time of budget difficulties in North Dakota, you um offered what I think is called the 5 grand challenges. These were a strategic plan that emphasized, and you can correct me if I'm wrong about this, but: Aerospace, Computer Science, two different initiatives in the medical school, and something that has to do with petroleum and more mineral extractive sciences. What we heard from your colleagues at North Dakota, including Paul ?, who is the current chair of the faculty assembly, was that the emphasis on these 5 grand challenges created a situation of winners and losers. Um, and that, that means that unless, if an individuals' department was not included in that set of 5, then it turned out in the last three years that those units have um, have suffered. So here are very quickly are a couple of excerpts that we heard from faculty.

- In the approximately 3 years Kennedy has been here, the liberal arts have been decimated. We are down to two foreign languages, Spanish and Norwegian, which is required by the state constitution, from the six we previously had.
- In the slash and burn that took place after his arrival, our department lost its MA and its PhD. Folks at North Dakota state university managed to keep theirs, so it doesn't seem to be a state issue.
- Another faculty member said that we were told that the next five faculty to retire or to leave would not be replaced. Anthropology and Native Studies are also being strangled. And yet President Kennedy managed to find about \$10M for an artificial intelligence lab.
- One more: the grand challenges initiated by the current president made absolutely no mention of the liberal arts, cultural awareness, global engagement, or diversity and inclusion.

Ferry: So the question is: why did you exclude the liberal arts from your grand challenges?

Kennedy: [inaudible: possibly, "we didn't exclude the liberal arts from the grand challenges @ 16:08.2]. So, I think, if you look at the strategic plan, and the reason it was very important to focus on the [?] expanding research, we focused on grand challenges that unlike you characterized began with Energy and Environment. Secondly, met, Health and Human Health; third, Rural Health and Social Issues; fourth, ah, our leadership in unmanned, and fifth, how is the big data transforming society. Liberal Arts should be involved in all of those, and they have the ability to plug in and several people within the liberal arts and the humanities have plugged in. And we're working on trying to have seed grants specifically to connect our hard scientists with our soft scientists to try to help them plug in. But when you look at how big data is changing us, that's causing HUGE turmoil in society. Who should be addressing that turmoil? It should be the liberal arts. Uh, and, and those five grand challenges took money away from no one. Those in the areas that we're focused on as a, as a, uh, as the university [@17:13] to push to expand it and we're encouraging all aspects of the university to find a way to plug in. If they don't, we're still happy to support their research that happens to be the university focus. And I would take exception with the idea that the uh, that the uh, liberal arts were treated any different than any college. Yes, taking a 30% cut in budgets is hard. But liberal arts was not impacted any differently than the others. And I think I had two or three professors in French, and I hope are still offering French, I believe we're still offering German, so your characteristics on the foreign language I'm not sure are accurate. And so from a diversity and cultural sensitivities so those plug into all of those. So what are we doing about them? Amongst are most successful, for example, is dealing with the opioid crisis coming out of our social work and nursing school. But a lot of that is also what's the best way of counseling. What's the best way of addressing this? What's the best way of treating this. So there's

Addison: Mr. Kennedy, we want to redirect, I need to redirect you to the question [@ 18:24.7] given the time is short. Give us an example of how the liberal arts have plugged in and the amount of money that was put towards that particular effort.

Kennedy: Um, we had, uh, we had to go to seed funds that anybody can apply to.

Addison: give us a specific example. You say that people have plugged in, so give us an example of someone in the liberal arts that has plugged into the grand challenges and the amount of money that was directed to

Kennedy: I don't know that I have the, a specific example for you, but again, it's open to all professors, so if an professor didn't attempt to plug in, that's not something that I can do. Obviously, faculty chooses where they, where they want to invest their time.

Addison: Ok, Bob, do you have more to the rest of [?19:08] your question?

Ferry: Well, all I'm saying, is that you, I, we didn't go looking for this comment, but it came to us and from a number of different quarters, so that would suggest to me that your dialog with the faculty isn't what it might have been. I would suggest that a lot of people in the liberal arts in North Dakota don't have the same impression that you're giving us. Is that a question of faculty governance, administration dialog that didn't take place? Or how is that [inaudible]

Kennedy: I had uh, I met with the liberal arts faculty within the last month. I had an engagement on this; assured them of whatever their research included, we're happy to support, and encouraging them to, to plug in. And, um, we have plans for having a seed grant specifically for the liberal arts and humanities to try to move them in this direction. We also have plans for doing what we're calling "a training" so that we can help them understand how can you attach to a hard science, um, proposal. For example, if we're doing unmanned, a lot of people are worried about what if a drone flies right past this window. The social acceptance of unmanned is going to probably moderate its implementation than more than whether the technology will happen. So the other thing we're talking about doing, is doing a concept of speed dating, where you put several hard scientists and soft scientists from the liberal arts and humanities together and have them just get to know each other and talk about where they might be able to apply. I think the social acceptance of unmanned from the social scientists could be easily bolted on to some of our programs and funding that we're getting from agencies on, on the unmanned.

Ferry: Thank you [@20:52]

Addison: I have a follow up to the previous question. And again is related to, um, feedback not that was just, not that was just received by faculty council, but also that professors sent, which I believe it was an ? email, somebody wrote that email ? that we also gathered from different faculty. So, faculty in our system? @21:19 with the liberal arts and sciences faculty at your university repeatedly expressed fear of retribution as Professor Fenn in her email: quote "everyone I spoke with expressed profound concern about jeopardizing present and future students, employees, and programs" unquote. Um, one of the many great things about CU is that faculty generally feel free to express their opinions. As you can tell, from the number of people publicly engaged in your candidacy [inaudible @ 21:45 due to microphone movement] faculty don't really fear retribution here. To what do you attribute this culture of fear of retribution that seems to be, being expressed over and over again by multiple faculty.

Kennedy: I have no idea. [inaudible] If the specific case where there ever was retribution, I

Addison: No, no, because, they nobody will, wants to be named because of the fear. And again, this was verified independently by multiple ?[inaudible] @ 22:10

Kennedy: I, I appreciate the opportunity to have it be, to have my opinion challenged. We have, uh, anti-reprisal policies at the University. And, um, ah, to the extent that you have a specific case, I'm happy to address it. To the extent, you have a specific policy that we don't have that we need to have, I'm happy to address it, but again, I'm not, I have not had that regularly expressed to me as an issue on campus. Nor, have I, have I been aware of any reprisals that would justify the view[?] @ 22:50

Addison: We obviously can't give you a specific case because people have who have given us, who engaged with professor Fenn @22:54, all asked for anonymity.

Kennedy: that's a fairly non-specific question that I can't really give a further response to the

Addison: I just wanted to know if you had answer at to why this fear exists.

Kennedy: I, I have no idea.

Addison. Alright. Mary, do you have a question?

Mary Cousson: I do. Questions have been raised about some of the accomplishments listed on your CV [inaudible/microphone movement] ?because of some of the issues raised by professor Fenn that we are all now aware of. And because Professor Fenn herself is not here, I won't ask you to address them with us, although they should be addressed. Instead, I wonder about this accomplishment listed on your CV. University of North Dakota has raised its four-year graduation rate by 11 percentage points in the last three years. Scott Correl, UND registrar is quoted in the Grand Forks Herald is quoted as saying that "this graduation rate had been going up slowly over the last decade" so the upward trend was occurring before you arrived. But the graduation rate took a significant leap during your tenure. It seems that a jump, that this jump, is primarily the result of having lowered the number of required credit hours needed to graduate as well as eliminating the foreign language requirement and is not really the result of anything truly innovative. So there are two questions: first, isn't the case that anyone can achieve a significant jump in the four year graduation rate by lowering the graduation standards? And the second: is lowering the graduation standards the best, in the best interest of students?

Kennedy: How many credits does CU require?

Coussons-Read: It varies, but generally it is 120.

Kennedy: Right. So, first of all, I'm happy to give you the details but it went up, uh, uh, over the three years at points. So you have 4 points, 4 points, 2 points increase. Uh, we had 125 credits required. I never heard of anyone having 125 credits required. So, we do you know how hard, is it to get faculty to change things such as that? Uh, here? NO.

Coussons-Read: If there's a pedagogical reason to, to make things, um, to improve student success without removing the quality of education. Ah, yes, faculty tend to want to help students be successful [@ 25:13]

Kennedy: I've never heard of another university that required more than 120 as their baseline. WE were at 125. So part of that 20, part of that 10 points, or part of one year of those 4 points or 2 points was moving the minimum standard from 125 to 120. But that was one of like 9 or 10 barrier busters in that version. So it's part of that slice of 10 points improvement, but, and it's part of one year's, but there were multiple years, but the others were making sure that we were using a tool called Starfish, which we significantly increased faculty participation in, to have engagement during the year. Bringing in a degree planner for the first time so that students could have a degree planning tool to make sure that they were, were moving forward on it. Adding advisors, and having professional advisors and having more consistent advising across the campus. So, it would be fallacious I think to say that just changing the 120 standard explains the, uh, explains the, uh, 10-point improvement. Was it a 10-point improvement- did it all happened over one year? It happened over three years.

Coussons-Read: And, so that's been sustained. You also mentioned the score for two, two over that period of time. Is that correct?

Kennedy: I can get you the details.

Coussons-Read: No, I'm just asking, I'm just repeating what you said.

Kennedy: Yeah, I don't remember which was, which was the 4-point jump, which was the 2-point jump, but in that three-year period, so this, was part of that 4-jump changing barrier busters so that, that have a variety of things. And I don't know that,

Addison: [inaudible] Mr. Kennedy

Kennedy: I don't know that we dropped any foreign language requirements that I'm familiar with.

Addison: So Mr. Kennedy, you're CV [asserted 11 percentage points] so that's where that number came from and it's on your CV

Kennedy: It is on the CV, and

Addison: And you did drop the foreign language requirement. So the flagship university no longer has a foreign language requirement. @ 27:09

Kennedy: Um, pause, again, if the, if the faculty in the dropped foreign language department, foreign language requirement, I'm not sure when that would have occurred,

Addison: According to the faculty, it occurred during your time as president.

Kennedy: I would have to go back in and investigate that.

Addison: I'm concerned that you wouldn't know that your university dropped its foreign language requirement.

Kennedy: Uh, I'm not sure that it happened during my tenure. I would have to investigate that.

Addison: Ok. Do you [Mary] inaudible

Coussons-Read: Yeah, my reason for asking about the number is because you did give me 4, 4, 2, is CU also uses Starfish, it's a wonderful tool, and so that normalization of that increase in graduation rate is wonderful and I mean we're all interested in helping students, so I do think that's an accomplishment considering that graduation rates have gotten better, but I would also venture, you mention something about the faculty voting to remove the foreign language requirement. I suspect that that was not a faculty driven decision. And also, that

Addison: [inaudible ?especially that liberal arts has gotten? @28:25]

Coussons-Read: yeah

Addison: to be sure

Kennedy: I would be happy to investigate that further and get you a more complete answer.

Addison: let's see where we are. Lindsay

Roberts: So in 2018, the Trump administration proposed that gender is either male or female, unchangeable, and that is determined by the genitals that a person is born with. This would significantly lessen the protections currently afforded many members of our community. I identify as non-binary. What did you do in response to the Trump Administration's proposal given your stated commitment to diversity and inclusion? We're looking for specifics opportunities that you took.

Kennedy: Again, um, pause [microphone noise] as president of a university, when do you engage politically and will it have an effect? Uh, because making statements that have no effect, actually reduce your ability to be effective. Um, to the extent it has significant applicability to the university AND my statement can have an effect, I will make statements.

Addison: So Mr. Kennedy, you're saying that you didn't do anything when the Trump Administration proposed that the definition of gender be changed, and thus making a significant change to Title IX, which would lessen the protections to persons [inaudible @ 29:55]. This is what you're saying?

Kennedy: If I made a statement every time President Trump, or someone else, made a statement that I thought was negative to the university and its community, I'd be making a lot of statements.

Addison: [inaudible @ 30:13] but I would think that were would be some that you would prioritize and

Roberts: [inaudible]

Addison: ...our chancellors here certainly prioritized a statement in response to Trump Administration's action. That, when you say when will have it an effect, I would argue that it had a HUGE effect on our community. The CU leadership around diversity and inclusion by putting out statements on all four campuses. The one on the Denver campus was titled "We stand with our LGBTQ community members" and it was a direct response to that.

Kennedy: Yeah

Addison: How could that not have an effect? How could that not be important?

Kennedy: Ok, uh, let me, let me give you. You asked me about engaging broadly with the community. Um, did [pause]

Addison: [inaudible @ 30:57]

Kennedy: let me just, let me just,

Addison: We're talking specifically about this issue. [inaudible @ 31:01]

Kennedy: Let's talk specifically about this issue. Let's talk specifically about this issue.

Addison: About whether you responded to the

Kennedy: did the statements by everybody affect what Trump did?

Addison: Well, it hasn't gone through yet and [inaudible @ 31:09]

Roberts: I think that they, it really served to reassure the members of the campus communities who identify

Kennedy: Right

Roberts: in these ways that they have a place and they're welcome

Kennedy: So you have multiple roles as a president. One of those is to engage the legislature. Did Colorado vote for Trump? The answer is no. Uh, is, is your, is your governor and both your legislatures controlled by somebody who is supportive of Trump. Short answer is "no". Therefore, you not only help your campus community by making that statement, but you also affirm your engagement with the legislature and the governor and the state who would agree with that statement. I'm not saying I'm not going to pre-judge what the, uh, what the governor or the legislature would say in a North Dakota but North Dakota is a strong Pro-Trump state. So, I, whatever the chancellor said about me, you could multiply times two if every time Trump does something positive I am pushing against that publicly even though my public statement is going to have no effect, which is why my approach to these is to engage with the communities that care directly as opposed to making a public statement that may or may not impact my ability to engage the legislature, which is also a key objective that a president should have. So I think it's frankly unfair to ask a question of Colorado, bluish-state, North Dakota, heavily Republican state, as to how frequently your president goes and comments on every time Trump says something

Roberts: Clearly the context in North Dakota is different, um, you mentioned that engaging with smaller communities is an approach. Is that something that you did for this issue?

Kennedy: Um, I, those, that I had several, uh, uh, faculty and deans and others reach out, which was highly responsive to, individually.

Addison: Ok, Maja, you're up.

Krakowiak: The regents of Colorado released a statement that ...[microphone movement @ 33:28] each general campus launch a certificate focused on enhancing Civics education. This statement has raised some concern about a potential erosion of the faculty rights to drive curriculum, which is currently protected by the laws of the regents. How would you react to the idea of the regents, or any other political body, mandating to faculty that a subject should be taught?

Kennedy: I think I would need to protect academic freedom. That the faculty decides what the faculty teaches. We could encourage, we can suggest, uh, but I don't know that we can require. So, to the extent that there's an urge to do that: how do we work with the faculty to figure out, 'how can we do this?'. Are there other pieces of the, are there members of the faculty that want to have some innovative ideas to do this? Is there ways where we can provide an incentive for those class developments of those who want to do that? But I think, um, I'm a strong believer in shared governance. I'm a strong believer in academic freedom. I'm a strong believer in freedom of expression. And, uh, we need to make sure that we don't cross the line of affronting academic freedom. I don't know whether we did in this case, but it would certainly be the top thing that would pop into my mind as we are wrestling with an issue such as that.

Krakowiak: So because you mentioned incentives, um, what would you do if, uh, you were asked to move money from the President's Fund to pay for this initiative?

Kennedy: I might be receptive to doing that, I mean in reality.

Addison: So could we [inaudible @ 35:05] that you would be receptive to paying for a regents driven initiative about curriculum. You would be receptive to paying for that out of the President's Funds?

Kennedy: I don't know what the President's Fund is, first of all so I.

Addison: It's a discretionary fund that the President can [inaudible]

Kennedy: If it's discretionary, but again, I work very, I would need to work very much in tandem with the Regents.

Addison: So, I would ask [inaudible @ 35:27, possibly something about yes or no]

Kennedy: So the regents

Addison: if the regents initiated a curriculum, and they came to you and asked you to fund it, would you say yes or no?

Kennedy: Uh, if the regents implemented a curriculum?

Addison: Initiated, yes?

Kennedy: I don't know, I don't know that I

Addison: This is really a yes or no question Mr. Kennedy

Kennedy: I don't know that, we're in an institute of higher education and you understand that most issues are complex, but when you say "curriculum" is the suggestion that we teach civics, or is it a specific curriculum?

Addison: There s a resolution that specifically explains what the course should include.

Kennedy: Let me just say that I'm not that familiar with this issue and what it's being addressed. I would say, though, that part of the way the regents and the president together help to provide leadership is we want to be responsive to doing, at the direction of the regents in a way that's most efficient, but uh, we don't want to violate academic freedom, so I would just be guessing at what I don't know about to comment on that.

Addison: Well, it's a pretty straight forward question. You put out an open letter to the community, stating that you support a com?, uh, the faculty's right to curriculum. And you said that

Kennedy: correct

Addison: in your open letter

Kennedy: and I believe that

Addison: this is a basic question about faculty rights and curriculum. If the regents initiate a curriculum and they come to you for funds. Will you give them the funds? It's a basic question

Kennedy: I will not give funds to violate academic freedom or impose on the faculty's right to craft the curriculum.

Addison: Alright @ 37:08. We have 5 minutes and we're trying to watch our time here. Um, we have time for 2 more questions? Do we think?

Others: some discussion by others. I think this one and a closing?

Addison: Alright. So we appreciate your time here. And we, and we have asked, I think, important and hard questions. We have brought things to you that the community has wanted us to bring to you. That's our job as members of the faculty council. And whoever becomes president, we look forward to having a good relationship with that person. Shared governance is important here. When there are changes to policy, they all go through faculty council. And we really view it as to have a good relationship. We have a good relationship right now with our president and the upper administration. We don't always agree, but I believe that we have a good relationship and we respect each other. And so I do appreciate your willingness to answer these questions. We have a final question.

Addison: Your book *Shapeholders*, which I did in fact read, uh, includes a chapter titled "Avert". In it, you describe the Avert strategy, which is the moment when you need to deviate from your preferred path in the case when you're given an issue raised by the [inaudible @ 38:34, possibly stakeholders] that shape an organization, you say when legitimate issues are raised, instead of engaging in conflict, quote "averting conflict enhances your political standing on the issue and enables you to shape what happens. Not acting leaves you with little political credibility" unquote. Have we reached the point at which you would advise an organization to avert your candidacy given how much controversy it has engendered in the community?

Kennedy: I would say that when you look at the controversy, if the controversy, in that I have: a) have made a commitment that, um, I don't impose my values on organizations. I have a 30 some year track record in business and in politics in checking my politics at the door, not imposing my values. When you look at the open letter I put out. When you look at the response we gave to this body immediately when you talk about affirming, uh, wanting me to affirm shared governance, um, academic freedoms, and within it, distribute that, but that's a separate issue. When you look at the academic freedoms, how they protect any of this from ever causing me to influence research, influence any of the issues, much of the controversy is around things that will be non-operable in how I run as a president. The question of whether I can raise money, that's a very legitimate question. The question of how I can engage people, is a very legitimate question. A questions, as to whether I am gong to defend academic freedom, is a very legitimate question. But none of the beliefs that have caused much of the controversy are going to have any impact in terms of how I lead the university or any

Addison: I think [inaudible @ 40:18 possibly: I believe about the political engagement]

Kennedy: one else. When we, when we

Addison: inaudible, are not legitimate? @ 40:22

Kennedy: in many of the votes. I don't, I don't know that, I haven't, I haven't been

Addison: we have not talked about your votes

Kennedy: I've been in,

Addison: Mr. Kennedy, we have not brought up your votes a single time. You've brought up your votes. We have not done it [inaudible @ 40:30] a single time.

Kennedy: No, it's that you asked about the controversy, but if I went through the controversy, not what you brought up here today

Addison: so, @ 40:38 inaudible @49:37

Kennedy: much of the controversy has been about votes that are largely irrelevant to what the president of a system does. So, that's a long way of saying the short answer is 'no' we have not reached a point at which the university should avert. I would, I would say, um, I think as I get a chance to engage groups like you, to better understand your concerns and your issues, help you understand the different perspective that I come from in the chair I'm sitting, than the chair I would be sitting as president of University of Colorado, I would hope that I could gain your trust, and respect, and support. And I would hope that we would have that strong working relationship that we're talking about. Cuz the faculty are the heart of any university and we need to make sure that we're supportive of our faculty and we need to make sure that we, the administration, are listening; getting your insight; hearing your concerns; hearing your hopes; and together, building an even more impactful Colorado. And, university of Colorado.

Addison: If, If I may, if we have the time. You talk about checking your politics at the door, which is something that you repeated in a number of areas. We specifically asked you about questions that you could say involved not checking your politics at the door, but instead, leading on diversity and inclusion, even when the politic of that might be difficult. And that's why I have concerns about this 'checking your politics at the door', because we're used to having leadership that lead on diversity and inclusion even when the politics are difficult.

Kennedy: So, to be clear, when I say checking my politics at the door I'm going to engage in what's the university's politics. My criteria will be, what's the best for the university? What's the best for faculty, staff, students and broader community? IN that case, uh, I am happy to engage on diversity, and uh, things such as Pomona letters and things such as being, speaking out against Trump is doing in case of speaking out for DACA, which is an important issue, here, in Colorado, and something that I would be highly supportive. So when I say check my politics at the door, that means it doesn't matter what Mark Kennedy believes, it matters what's important for the University of Colorado. And in that case, I will engage, and I, I, having just gone to the legislature and going back to the legislature, yet this week, will look forward to actively engaging with the priorities that are important to the university.

Addison: Thank you. I know that we have more questions, but we are out of time. I encourage everybody to ask these questions at the forums that will be on the campuses. Mr. Kennedy, again, I thank you for meeting here with us.

Kennedy: Thank you for engaging, and the faculty council, I look forward to working with you, hopefully, sometime in the future. Thank you so much.

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