A Blueprint for Engaging Stakeholders in Setting Energy-Related Goals at Pennsylvania State University:

Report and Recommendation

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II. EXECUTIVE SUMMARY

Pennsylvania State University ("Penn State") is one of the largest research universities in the nation, with close to 100,000 students, 1,784 buildings, and 22,000 acres. In recent years, it has struggled with internal dissatisfaction and external criticism about its administrative policies and decision-making structure, which some argue is non-transparent and non-collaborative.

During the same period, Penn State has taken steps toward becoming a more sustainable place; for example, in 2012, it launched the Sustainability Institute ("SI"), a multidisciplinary institute that aims to integrate sustainability into research, education, and operations at the university. Thus far, SI has operated discrete projects, but has not yet established broad, university-wide sustainability goals. Energy planning is carried out almost exclusively by the Office of Physical Plant ("OPP"), which is responsible for the day-to-day operations, including energy use on campus. OPP has made changes to the university operations to be more sustainable. While it occasionally consults outside experts, including the Sustainability Institute and faculty with relevant expertise, it conducts the majority of its planning internally. There has been little open discussion about planning and sustainability issues among stakeholders in the Penn State community.

Now, Penn State has decided to set energy-related goals1 for the entire university. Rather than asking administrators or OPP to set the goal, Penn State has asked the Harvard Negotiation and Mediation Clinical Program ("HNMCP") to design an engagement process for the creation of a university-wide energy-related goal to include in the Provost’s 2015 Strategic Plan. HNMCP’s recommended process includes individuals from a wide variety of stakeholder groups, including faculty, students, administrators, staff from OPP, and residents of the area near Penn State’s largest campus, University Park.

In order to tailor its design to the unique resources and challenges of Penn State, HNMCP conducted a stakeholder assessment consisting of thirty individual interviews and two focus groups. From these, HNMCP has identified four broad trends in the

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1 A university’s “energy-related goals” can take many different forms. Based on the Sustainability Institute’s description of an ideal energy-related goal for Penn State, this process has been designed with a four-part final goal in mind: (1) a concrete energy-related target with a specific timeframe for completion; (2) a set of foundational, factual tenets underlying the goals; (3) a set of principles to guide university decisions related to energy; and (4) protocols to assess the university’s success in achieving the target.
stakeholders’ interests and opinions, some of which could be sources of tension. The areas are:

1) **Efficiency/Inclusiveness**: Across the interviews and focus groups, stakeholders expressed interests in engagement processes that are efficient and inclusive. Often, a single stakeholder expressed an interest in both attributes. This implicates three process design variables:

   (1) whether the participation in the engagement process should be open to every single interested stakeholder or limited in some way,
   (2) the duration and pacing of the process, and
   (3) whether the process should promote information exchange primarily to inform participants or also to elicit thoughts, ideas, and values from them.

   While stakeholders largely agreed that the engagement process should include dialogic (two-way) information exchange, their positions on the first two questions often diverged or conflicted.

2) **Efficacy/Legitimacy**: To the extent that some part of the engagement process limits participation to a smaller group, interviewees and focus group participants indicated that the group should be both

   (1) “efficacious”—able to execute its mission—and
   (2) “legitimate”—representative of broader stakeholder interests.

3) **Transparency**: Virtually all stakeholders who considered the issue recommended an engagement process that features and promotes transparent decision-making. More specifically, stakeholders supported a process in which

   (1) it is clear who holds decision-making power upfront,
   (2) relevant information is broadly available throughout the process,
   (3) decision makers respond to stakeholder comments and inquiries, and
   (4) stakeholders have an opportunity to provide feedback on the engagement process itself.

4) **Leveraging Internal Expertise**: Many stakeholders indicated that a process to set university-wide energy-related goals should leverage Penn State’s own considerable expertise in areas such as energy, engineering, climate science, and engagement. Still, some respondents also acknowledged three general obstacles to leveraging Penn State’s own human capital:

   (1) it is difficult to sustain participant interest and investment over time,
   (2) OPP has limited resources and its staff is already incredibly busy, and
   (3) the faculty reward structure may disincentivize faculty participation.
HNMCP has attempted to balance these interests by designing a process that is efficient, inclusive, efficacious, legitimate, and transparent, all while leveraging Penn State’s own human capital. HNMCP’s recommended process proceeds in four parts:

1) **Initial Public Meeting**: An open meeting should introduce the engagement process to any interested party, make Penn State’s commitment to this process public, and encourage a conversation between stakeholders (particularly those who are not on the task force described below) about the components of an ideal energy-related goal.

2) **Energy Task Force**: A task force, with representatives from the faculty, administration, student body, OPP, SI, local residents, and local government, should meet weekly for eleven meetings. A neutral professional should facilitate the task force meetings, during which the task force should negotiate and draft a set of goals, tenets, principles, and assessment procedures. The task force secretary should publish an agenda for each meeting online before the meeting occurs and publish the minutes for each meeting after the meeting is finished. Additionally, task force liaison(s) should monitor, transmit to the task force, and respond to public comments submitted about the agendas or minutes.

3) **Notice and Comment**: The task force should produce an initial draft of the energy-related goals, which will be published online. People who did not participate directly on the task force should be invited to submit comments or suggested changes online during a two-week comment period. During this time, the task force liaison(s) should organize and group the comments, which the task force should read and use to reassess their draft. The task force should respond to every comment by either making a change to the draft goal or providing a written explanation of why the change was not made. The revised, final, draft of the energy-related goals should be sent to the Provost’s office. HNMCP recommends that the Provost review and integrate the goals into his 2015 Strategic Plan and provide a public explanation for any deviations from the task force’s final proposal.

4) **Reflection and Feedback Process**: After publishing the 2015 strategic plan, the university should conduct two evaluation processes. The first should be process-focused and should involve collecting and analyzing feedback about the engagement process. This information will be informative for future engagement processes at Penn State. The second evaluation process should be an iterative assessment of Penn State’s progress in achieving the energy-related goals and complying with the energy-related goal principles.

This process will be time- and resource-intensive: much more so than simply releasing energy-related goals from a university department would be. However, by involving
stakeholders in the planning process from the beginning, Penn State can develop goals that are fair, creative, and that reflect the interests of the entire Penn State community, thereby encouraging broader support for the goals. HNMCP believes that this process will help build trust in Penn State’s decision-making processes by demonstrating how policy development can be transparent and engaging.
III. PROJECT DESCRIPTION

A. Brief Background of HNMCP

The Harvard Negotiation and Mediation Clinical Program (“HNMCP”) is a legal clinic at Harvard Law School. It was founded in 2006 to give students the opportunity to engage with real-world clients while focusing on dispute systems design and conflict management.2 HNMCP’s goal is to train students to creatively and effectively address disputes and negotiations by honing their facilitation, mediation, conflict analysis, stakeholder assessment, and other skills.3

B. Project Charge

In July 2015, Pennsylvania State University (“Penn State”) will publish a five-year strategic plan for the entire university. In that plan, the university would like to include institutional level, energy-related goals, the first of a series of university-wide goals for sustainability.4 The Penn State Sustainability Institute (“SI”) has asked HNMCP to design a process to engage stakeholders5 in identifying and setting that goal.

Ideally, an energy-related goal6 that emerges from this process will have four facets:

1) **Specific Goal:** An energy target that Penn State will commit to achieving (e.g., an emissions reduction target).

2) **Starting Tenets:** A brief statement of facts that Penn State accepts that provide the impetus for setting energy-related goals (e.g., an acknowledgement that the earth’s climate is changing due to human activity).

3) **Principles:** A set of broad guiding principles that demonstrate Penn State’s priorities in the implementation of the goal (e.g., energy planning and use).

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3 Id.
4 See “26 January 2015 – 1 February 2015” in the attached Convener Manual for sample energy-related goals from other universities.
5 See Appendix A: Glossary in the attached Appendices for an explanation of “stakeholder, “stakeholder engagement,” and other terms of art that this report employs.
6 The phrase “energy-related goal,” as used throughout this report and recommendation and the attached Convener Manual, refers to a statement that contains all four of these facets.
4) **Assessment:** A commitment to an evaluative process to measure Penn State’s success in adhering to its implementation principles and achieving the end goal (e.g., a formal evaluation of progress made commencing six months after the July 2015 goals are set).

Importantly, energy-related goals are not detailed operational plans for Penn State’s energy use; instead, the energy-related goals will be a target toward which Penn State can aim. Penn State should use the goal to inform its operational energy planning in the future, keeping it in mind when it balances energy use against other university interests. The statement of principles will help guide the university’s operational planning, educational priorities, and research focus in future years by setting the priorities to help guide technical planners. Lastly, the assessment will outline the processes by which Penn State will evaluate its progress and agree to be held accountable. The assessment guidelines will also clarify the goal by describing how success will be measured. For example, if the goal involves reducing carbon emissions, whether Penn State can use offsets to calculate its overall carbon footprint is an extremely important consideration that will be important to understand.

Additionally, SI expressed hope that HNMCP’s process, or elements of it, could be scalable and transferrable to other high-level resource and sustainability challenges such as water management, climate action planning, and substantive energy planning. Even more broadly, in the wake of the Jerry Sandusky child sexual abuse scandal, former Penn State President Rodney Erickson articulated a heightened commitment to open and transparent decision-making across the university. Still, the university has continued to face significant conflict and resistance around major decisions. As such, SI could view the implementation of any stakeholder engagement process as a pilot for stakeholder engagement on not only environmental questions, but also other major decisions at Penn State.

The materials that follow constitute HNMCP’s stakeholder assessment and blueprint for engaging stakeholders in setting university-level energy-related goals at Penn State. The specific details of this document and the attached Convener Manual are tailored to the unique parties, interests, resources, and challenges involved in energy issues and strategic planning at Penn State. Nevertheless, implementation of this process could inform future efforts to engage stakeholders on other sustainability or high-level decisions.

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7 See infra Section IV.B.
9 See infra Section IV.B.
C. Methodology

This report and recommendation is based on four general categories of information:

1) background research on Penn State,
2) stakeholder interviews and focus groups,
3) theoretical research, and
4) comparative research.

1. Background Research

HNMCP began by reviewing already existing information on Penn State, SI, and energy and sustainability issues relevant to Penn State. These sources (many of which SI supplied to HNMCP) included institutional websites, newspaper articles, blog posts, press releases, strategic planning documents, conference reports, and a previous stakeholder assessment. All documents that SI supplied to HNMCP are publicly available. HNMCP used this research (1) to direct and generate protocols for its own independent interviews and focus groups and (2) to inform its understanding of Penn State’s unique cultural resources and challenges.

2. Stakeholder Interviews and Focus Groups

The most salient sources of data for this report were 1) thirty stakeholder interviews that HNMCP conducted during October and November 2014 and 2) two stakeholder focus groups with a collective total of twenty-one participants that HNMCP conducted on October 24, 2014 in State College, PA.

10 Particularly helpful was SI’s previous stakeholder assessment, written by Lara B. Fowler and Alex Wiker, which documented and analyzed community perspectives on the recent coal-to-gas conversion of the University Park West Campus Steam Plant. See generally LARA B. FOWLER & ALEX WIKER, ASSESSING PENN STATE’S ENERGY FUTURE: A CASE STUDY OF THE WEST CAMPUS STEAM PLANT CONTROVERSY, THE PENNSYLVANIA STATE UNIVERSITY SUSTAINABILITY INSTITUTE (2014), available at http://www.sustainability.psu.edu/assessing-penn-state-energy-future.

11 See Appendix B: Interview Protocols in the attached Appendices for a sample interview request letter and interview protocols for all nine stakeholder categories.

12 See Appendix C: Focus Group Materials in the attached Appendices for the protocols and slide deck that HNMCP used in each focus group.

13 HNMCP had previously conducted individual interviews with four of the twenty-one focus group participants. As such, HNMCP made seventeen unique stakeholder contacts during the focus groups and a total of forty-seven unique stakeholder contacts across the focus groups and individual interviews combined.
SI initially provided HNMCP a list of over seventy potential interviewees. HNMCP then narrowed that list down to thirty-nine prospective interviewees drawn from nine general stakeholder categories:

1) Penn State faculty with expertise in engagement,
2) Penn State faculty with expertise in energy,
3) Penn State students,
4) Penn State Office of Physical Plant,
5) Penn State’s Sustainability Institute,
6) Residents of the Borough of State College (and other municipalities surrounding the University Park campus) and off-campus energy, environmental, or sustainability organizations,
7) Representatives of the Borough of State College local government,
8) Penn State Administrators, and
9) Representatives of public utilities.

Thirty of those prospective interviewees accepted and participated in interviews, which included multiple representatives from every stakeholder group except representatives of public utilities, who did not respond to an interview request. HNMCP then asked every interviewee to suggest additional interviewees; the vast majority of the resulting recommendations were already on HNMCP’s list.

HNMCP conducted twenty-four of the interviews via telephone and six in person in State College, PA. While most interviews lasted fifty minutes to one hour, a few were as short as twenty or thirty minutes. In order to encourage full and candid responses, all interview responses were kept confidential within HNMCP. That is, only HNMCP (not SI) has access to interview notes. HNMCP informed interviewees that any of their comments that appeared in this report would not be attributable to them or their specific organizational positions or affiliations. Instead, interview comments would be attributed (if at all) to one of six more generic categories:

1) Penn State leadership,

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14 In narrowing the initial universe of potential interviewees, HNMCP sought to, inter alia, (1) reduce the total number of interviews in order to meet project time constraints, (2) select interviewees from each of the nine potential general stakeholder categories, (3) select interviewees who have been particularly vocal and/or involved in energy issues (specifically the pipeline controversy) at Penn State, and (4) avoid selecting interviewees who were interviewed for SI’s previous stakeholder assessment where a comparable substitute interviewee was available. See infra Section IV.B for an explanation of the pipeline controversy.

15 Importantly, HNMCP did not interview an equal number of stakeholders in each category and many interviewees fit into more than one category.
2) Penn State faculty,
3) Penn State staff,
4) Penn State students,
5) Local residents,
6) Representatives of area governments.

HNMCP offered to send each interviewee a copy of the notes from his/her interview, which he/she could then edit for accuracy and clarity. Every interviewee requested and received his/her interview notes, though not all made edits. In preparing this report and recommendation, HNMCP used only interviewee-edited notes when the interviewee had returned edits. Where an interviewee made no edits, HNMCP used its original interview notes.

On October 24, 2014 HNMCP conducted two stakeholder focus groups in State College, PA. The first “Engagement Expert Focus Group” brought together twelve Penn State-affiliated experts in the fields of engagement, community outreach, communication, collaborative decision-making, negotiation, and dispute resolution. Two of those individuals were also among the thirty individual interviewees. The second “Community Energy Focus Group” gathered nine participants from the State College area who are currently involved or interested in energy and sustainability planning at Penn State and throughout the community. Two of those participants were also among the thirty individual interviewees. HNMCP conducted the focus groups under the same confidentiality rules as the individual interviews; and all focus group participants agreed to abide by the same confidentiality norms themselves.

Ultimately, between the individual interviews and the focus groups, HNMCP gathered information and opinions from 47 unique stakeholders. In the interest of confidentiality, as used in the rest of this report, the terms “interviewee,” “stakeholder,” “focus group participant,” “respondent,” “they,” “their,” “she,” and “her” may refer to singular men or women or plural groups of men and/or women.

Importantly, this stakeholder assessment is not based on a perfectly representative sample of energy planning stakeholders such that its results bear strict statistical validity. Indeed, the purpose of this assessment is not to aggregate and quantify stakeholder preferences and positions in order to resolve disagreements in favor of the numerical majority. Instead, its aim is to collect qualitative data on the range of interests that exist across a generally representative sample of stakeholders in order to identify broad trends and design a process that meets as many of those interests as possible. As such, after collecting information from the interviews and focus groups, HNMCP reviewed the

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16 See Appendix A: Glossary in the attached Appendices for an explanation of the term “interest” and other terms of art that this report employs.
notes and synthesized the information that it had collected into broad themes. HNMCP
decided not to identify particular viewpoints, positions, or interests as belonging to
interviewees from particular stakeholder groups for two reasons. First, the low
interviewee-to-stakeholder-group ratio meant that such identification could risk
interviewees' confidentiality. Second, although the interviewees gave valuable insight
into engagement, decision-making, and energy issues at Penn State, they were not
necessarily perfectly representative of their broader groups. Therefore, instead of using
the interviews as a method of attributing different viewpoints to different stakeholder
groups, HNMCP relied on the interviews to help define the challenges that an
engagement process might encounter. These challenges provided a framework for
designing an engagement process that was tailored to Penn State’s needs.

Finally, this report directly quotes individual interviewees where their comments are
particularly illustrative of a particular viewpoint or trend that HNMCP saw among
multiple stakeholders. Because, however, some interviewees had sharply different views
on a variety of issues, the quotes are not necessarily representative of all interviewees.

3. Theoretical and Comparative Research

While conducting the stakeholder research outlined above, HNMCP consulted
reference texts, articles,17 and industry experts regarding the principles and theories of
stakeholder engagement, consensus building, and dispute system design. Finally, in
order to understand current industry practice, HNMCP also researched the energy and
sustainability planning processes of other universities18 and conducted interviews with
representatives from the major sustainability task forces of some of them.

17 See infra Section VIII, the Bibliography.
18 HNMCP looked most closely at materials from American University, Bowdoin College, Cornell
University, Duke University, Harvard University, Indiana University Bloomington, the University of
Iowa, and the University of Maryland. HNMCP researched these diverse institutions in order to
survey a selection that includes at least some (1) land grant institutions, (2) public and private
institutions, (3) large and small institutions, and (4) American College and University Presidents’
Climate Commitment signatories.
IV. EVALUATION

A. Penn State General Background

Pennsylvania State University (“Penn State”) is a public land grant university with more than 22,000 acres of land, nearly 100,000 students, and a $4.3 billion annual operating budget. Although it is spread over twenty-four campuses, approximately half of the students and research facilities are located at the main campus, University Park, which is located in Centre County, Pennsylvania. In addition to being a highly ranked academic institution, Penn State has a strong athletics program and is a member of the Big Ten athletic conference, which has a significant influence on the school’s culture.

1. Penn State’s Decision-Making Structure

The thirty-two-person Penn State Board of Trustees has ultimate responsibility for the governance and welfare of the university. The Board of Trustees delegates day-to-day operations to the President. The Provost, who is also the Executive Vice President, sits directly beneath the President and oversees virtually all academic programming, including programs at all of the colleges. Other organizational areas, including Finance and Business, Student Affairs, Outreach and Online Education, the Penn State Hershey Health System, Strategic Communications, Research, and Development and Alumni Relations, are also governed by Vice Presidents who report directly to the President.

Interviewees described Penn State as “a very centralized institution” both because of its organizational structure and its culture. As one interviewee explained, “Penn State is a

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20 Id.
24 Id.
fairly hierarchical institution, with a lot of power centralized in the hands of deans and what we call ‘Old Main’ here, the central administration.” “Old Main,” the building that houses upper-level Penn State administrators in the University Park campus, is frequently used as a stand-in for the administration itself, underscoring the widely-held perspective that the university administration stands as a unified whole. This tendency toward concentrated power is not limited to the administration. For example, appointed department “heads,” rather than elected chairs, hold the top seat in each academic department, which contributes to the perspective that organizational power is given from the top down. One interviewee likened the administrative structure at Penn State—from neat delineation of responsibilities between Vice Presidents, to the powerful Provost and President, to the Board of Trustees—to a “corporate atmosphere” in which decisions are made with little room for debate or discussion.

In the face of this reputation for directive decision-making, recent events have contributed to a growing desire for a change in that culture. Three high-level administrators—former President Graham Spanier, former Senior Vice President for Finance and Business Gary Schultz, and former Athletic Director Tim Curley—face criminal charges stemming from the indictment and conviction of Penn State assistant football coach Jerry Sandusky, leading to significant shifts in the upper-level administration in the last two years. Following these changes in administrative personnel, top administrators have reportedly sought to initiate a “cultural shift.” President Eric Barron released a public letter to the Penn State community on September 5, 2014, urging civility and “respectful disagreement” in the wake of extreme disagreements. President Barron’s letter has been interpreted by some in the Penn State community as an indication that the Penn State administration is interested in engaging more broadly in discussion with critics, which would signal a departure from its reputed hierarchical culture toward more open lines of communication. In the words of one interviewee, the goal of the administration should be to “get away from crisis communication”—that is, communication efforts that are sparked by outrage over a given event—and toward regular communication and more inclusive decision-making.

25 Penn State’s Historic Old Main, THE PENNSYLVANIA STATE UNIVERSITY (last visited Nov. 8, 2014), www.psu.edu/ur/about/oldmainhistory.html.
2. Penn State and the Surrounding Local Communities

Due to its size, large operating budget, and significant land holdings, Penn State is a powerful player—some would say the powerful player—in the Centre County community. The university and the communities are closely linked. The Borough of State College, which is the largest local government and encompasses the “downtown” area adjacent to the university, depends on the university to attract students and visitors, who provide the basis for the local economy. Two interviewees independently referred to State College as a “company town,” noting that the local economy would be nonexistent without a constant influx of students.

Interviewees described the relationship between Penn State and local municipal governments, particularly the Borough of State College, to be mostly hands-off. The Borough has “no recourse” if Penn State decides to take a course of action in spite of the Borough’s disapproval, and one interviewee explained that the public perspective of Penn State is that it is “a little blocked off and does what it wants.”

3. Sustainability

Since the creation of its Sustainability Institute in 2012, Penn State has been looking for ways to integrate a focus on sustainability in its operations, classrooms, research, and outreach. The university has demonstrated a desire to prioritize sustainability in the operational, discovery, and educational contexts. Ideally, these institutional-level energy-related goals would be another step in that direction.

However, it is important to remember that the energy-related goals that will be created during this process (and operationalized in energy planning) may not, and possibly should not, merely reflect the greatest level of energy efficiency or the most switches to “green technology” to which Penn State can afford to commit. Energy goal-setting is not a merely technical endeavor; it requires value judgments to determine the level of resource commitment that should be made, the method of measuring energy consumption and reduction, and the responsibility of various departments, campuses, and groups at Penn State.

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29 See, e.g., Reinvention Fund, PENN STATE SUSTAINABILITY INSTITUTE (last visited Nov. 12, 2014), http://sustainability.psu.edu/reinvention-fund-0.
The proposed engagement process will, ideally, create goals that will guide the entire university’s energy planning. Some interviewees, however, find Penn State’s continuing role in research related to the extraction of natural gas via hydrofracking and the development of the natural gas deposits in the nearby Marcellus Shale problematic. Some of these interviewees also perceive that the coal and natural gas industries have undue influence on high-level university decisions. These concerns may color public perception of high-level university energy-related goals. The Penn State administration must be careful to dispel these perceptions by being transparent about the bases for its interests in the energy-related goal-setting process.

B. Recent Controversies

The following offers context as to why decision-making processes have gained attention at Penn State and its surrounding communities.

1. Sandusky Scandal

In 2011, a Pennsylvania grand jury indicted Jerry Sandusky, Penn State’s longtime assistant football coach, for child molestation. In addition to being an integral part of Penn State’s popular football program, Sandusky was a vibrant part of the community and had run a sports charity for underprivileged boys, called Second Mile, for years. Sandusky had molested children on the Penn State campus while they were ostensibly participating in his charitable program. Sandusky was eventually convicted of 45 counts of child sex abuse.30

Sandusky was not the only person affiliated with Penn State to face criminal charges related to his crimes, however. The grand jury also found that reports of his misbehavior had been made within the Penn State football program and upper-level administration years prior to his indictment, although these reports had not covered the full extent of his crimes. Three university officials, including university president Graham Spanier, faced criminal charges for perjury, child endangerment, and conspiracy.31 Penn State fired its widely-revered, longtime head football coach, Joe Paterno,32 which remains a

31 Sokolove, supra note 26.
controversial decision. This all put additional strain on the relationship between Penn State and its surrounding municipalities; in addition to grappling with the tragic news, local residents worried that the scandal put the economic health of Centre County communities at risk. As one interviewee explained, “[t]his community was legitimately terrified after the Sandusky incident that the football program would be cut down – not just because of football culturally, but also because economically, the entire community depends on it.”

As comments on the Sandusky scandal and the university administration’s involvement illustrate, this situation invited broad criticisms of hierarchical, closed-off community governance, many of which remain relevant. Former Faculty Senate president and communications professor John S. Nichols told The New York Times that “[e]verything that’s been done [to respond to the Sandusky scandal] is right out of the corporate playbook. . . . But a university is not a corporation.” Interviewees repeatedly invoked Sandusky’s name to underscore the danger of unaccountable leadership.

Although this report does not address the Sandusky case in great detail, it is important to note because the scandal looms large in the minds of those involved with Penn State and its administration. In conducting interviews about engagement processes and decision-making, Sandusky was frequently invoked as a “ghost that haunts Penn State,” a symbol of cultural problems at Penn State, and the impetus for reforming the top-down culture. For many, that Sandusky’s crimes continued after allegations were made and discussed among top administrators illustrate the dangers of both a system in which the highest administrators wielded a huge amount of power and had little accountability and of the insularity of Penn State’s main campus, which is not subject to significant local oversight.

2. Healthcare Controversy

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33 See SI Wire, Pennsylvania governor: Joe Paterno ‘probably’ should not have been fired, SPORTS ILLUSTRATED (Nov. 6, 2014), http://www.si.com/college-football/2014/11/06/governor-tom-corbett-joe-paterno-not-fired.
34 Sokolove, supra note 26.
35 One critic’s words about the natural gas pipeline controversy, infra Section IV.B.3, illustrate how the Sandusky scandal could be invoked in the context of university energy policy. Katherine Watt, Solar-on-State Workshop Open to Public; Dahlhausen Response to Wiker Report, STEADY STATE COLLEGE (Aug. 15, 2014), http://steadystatecollege.wordpress.com/2014/08/15/solar-on-state-workshop-open-to-public-dahlhausen-response-to-wiker-report/ (“As with the Sandusky Scandal, [OPP’s switch to natural gas instead of another alternative energy source] reaffirms the impression that Penn State perceives itself as a cautious, conservative, pragmatic institution, taking action only when demanded by legal or financial requirements, regardless of how morally appalling inaction may be.”).
A more recent controversy took place in 2013, when university officials rolled out a proposed health plan that required beneficiaries to answer a number of private questions, including whether they were or planned to become pregnant, to avoid a charge. The Faculty Senate joined forces with staff and voiced their displeasure over the questionnaire and accompanying surcharge, and the administration agreed to remove the charge. Representatives from the administration also promised to set up a task force that would focus on developing alternatives to the “wellness program” of which the questionnaire was a part. However, involved parties wondered why their input had not been sought before the program was rolled out.

3. Pipeline Controversy

In 2013 Penn State’s “natural gas pipeline controversy” prompted broad community interest in university energy planning. To comply with the 2013 Federal Environmental Protection Agency Industrial Boiler MACT law, Penn State’s Office of Physical Plant (“OPP”) determined that Penn State’s on-campus steam plant, which provides energy for the university’s heating, cooling, cooking, research laboratories, and laundry, would switch from coal to natural gas. OPP has explained that switching to natural gas would reduce the steam plant’s carbon dioxide emissions by 47% compared to burning coal, without which the university would not be in compliance with federal air quality regulations. However, the switch to natural gas is not an unequivocal victory for environmental advocates: some critics have argued that switching from coal to natural gas merely shifts the environmental damage from the burning process to the production process, since some methods of extracting natural gas (e.g., fracking) may also contribute to significant environmental damage. This debate is particularly fraught given the controversies over Penn States’s reliance on funding from the natural

38 Id.
40 Id.
gas industry for research on related issues and Penn State’s historically close relationship with energy companies because of its proximity to coal and natural gas deposits.42

In order to ensure that the steam plant had access to enough natural gas for the conversion to gas-fired boilers, a new 2.2 mile, 12-inch steel pipeline would have to be built to carry gas to the plant. In consultation with OPP, the local utility, Columbia Gas Co. of Pennsylvania set the plan for the pipeline: it would run through a residential neighborhood near campus, a direct route to the steam plant. When OPP announced this plan, it ignited protest from the community that led to legal action to stop Columbia Gas from installing the pipeline. Community members argued that the pipeline violated Article IX of the Borough of State College charter, the community’s Bill of Rights, which outlines a right to a clean environment and a sustainable future for all residents and prohibits natural gas development in the Borough.43 Some local residents also admitted that they were spurred to action because of the proximity of the natural gas pipeline to their homes, citing that the pipeline was “a potentially catastrophic disaster.”44

Ultimately, Columbia Gas and Penn State agreed to move the pipeline route through the Penn State campus, adding nearly $9.6 million to the cost of the pipeline construction.45 Approximately $2.1 million of that is due to delays arising from the changed route.46 Local residents who rallied around the pipeline issue remain organized and interested in engaging with Penn State, although involvement has declined since the issue was resolved. At Penn State and in the surrounding communities, there is a lingering sense that a significant contributing problem was that the planning had been done in private between OPP and the utility. Although OPP had consulted with the local borough government, many individual residents felt that no one consulted or informed them of the pipeline proposal. As one interviewee observed, discussing the perception of Penn State’s responsiveness to and engagement with public criticism, “Penn State should have gotten more credit for moving the pipeline, but for some reason, they give the impression of always lagging

46 Id.
behind the curve. And if they could get ahead of the curve instead, they’d get a lot more credit.”

C. Current Planning Processes at Penn State

Many stakeholders view Penn State decision-making as not only hierarchical, but also unnecessarily opaque. Certainly, the majority of interviewees expressed confusion over at least one significant aspect of decision-making at the university, from budget allocation to hiring decisions. Although Penn State does have a public organization chart that illustrates the relationship between various departments and administrative officials, the allocation of actual decision-making authority between those officials and people within departments is unclear. Additionally, even when input is solicited on a particular issue, the rationale underlying a final decision is rarely explained, leaving some stakeholders without direct decision-making power to wonder if their voices were considered.

This hierarchy also tends to limit communication between parties who do not interact regularly. Multiple interviewees explained that they had taken circuitous channels to communicate with someone because decision-makers with responsibility to address a certain problem were simply not accessible. This led one interviewee to diagnose the “[l]ack of routine dialogue with university planners” as a “major problem” with the university’s decision-making structure. Another interviewee explained the paucity of communication in terms of the strict university hierarchy, arguing that “the university has trouble dealing with people outside of the normal channels.”

This confusion and lack of transparency has significantly impacted the level of trust that members of the Penn State community – such as students and faculty – have in the decision-makers at the university. Any convener or facilitator of an engagement process should be aware that this lack of trust creates additional risks. Specifically, many stakeholders may be suspicious of the engagement process, thinking that it would be mere “window dressing” without a real impact on university policy. One interviewee urged Penn State to “[j]ust make the decision; we know our opinion does not matter anyway.” In fact, of the thirteen interviewees who answered the question “What would be the worst possible process that Penn State could use to create an energy planning goal?”, nearly one-third answered that the worst process would be some form of window dressing where the participants’ views did not affect the final outcome. (This was tied for the most common response with a process that was completely opaque and involved no consultation of stakeholders outside OPP, although one interviewee insisted that “it’s actually worse to do window dressing than to do nothing.”) Ideally, this engagement process will be a step toward restoring trust,

47 Administrative Organization, supra note 23.
so that Penn State can build a foundation for successful engagement about future issues in other contexts.48

1. Energy Planning

OPP, located under the purview of the Senior Vice President for Finance and Business,49 is responsible for the day-to-day operations and maintenance of all twenty-four of the university’s campuses. Keeping the campus functioning requires substantial resource consumption for necessities like heat and electricity in Penn State buildings; it is OPP’s responsibility to ensure that those necessities are provided at a cost that aligns with the university’s goal of affordability and accessibility for students. OPP has historically done all of the energy planning internally. Although it occasionally consults faculty members with expertise in related areas, consultation with outside parties is generally ad hoc and not part of the regular planning process.

While OPP has not publicized its own energy-related goals or the metrics according to which it makes decisions about energy planning, it has made some public commitments about the university’s energy use. For example, in October 2014, OPP signed on to the U.S. Department of Energy’s Better Business Challenge, pledging to cut 20% of energy use over the next 10 years. 50 This commitment was made independently by OPP without significant external consultation.

2. Strategic Planning

Penn State’s strategic planning process involves planning across departments, academic colleges, and administrative units. The process, which is administered by the Provost, begins with the Provost’s office releasing guidelines for unit level planning for a specified planning cycle; the current guidelines ask for strategic plans covering the time period 2014-15 through 2018-19. On the departmental level, a plan is written and submitted to the next highest unit (for academic departments, for example, this would be the college level). The college or administrative unit puts together its own plan based on its priorities, synthesizing the goals included in departmental plans. The unit-level plans are then submitted to the Provost.

49 Administrative Organization, supra note 23.
Once the Provost’s office receives the plans from the 48 academic and administrative units, he consults with the Office of Planning and Institutional Analysis (“OPIA”). OPIA assembles committees to review the plans and assess alignment with both the Provost’s and President’s priorities. They also look for common processes and themes among the plans to integrate into the university-wide plan, which is created by a separate process, historically by an appointed University Strategic Planning Council. Because the current Provost specifies and directs the strategic planning process, it is subject to change and adaptation.

D. Stakeholder Assessment

This section summarizes the interests of eight groups of energy planning stakeholders as those interests pertain to designing a process for engaging stakeholders in setting energy-related goals at Penn State. Unless otherwise noted, HNMCP drew all information in this section from the thirty individual stakeholder interviews and two stakeholder focus groups it conducted from October to November of 2014. In the interest of confidentiality and anonymity, the assertions contained herein do not contain citations to specific interviews or focus groups.

Importantly, this summary is not comprehensive of all the interests and opinions that interviewees and focus group participants expressed. It represents instead four broad trends (each a subsection below) that HNMCP identified by reviewing the interview and focus group notes for commonalities across stakeholders’ interests in an engagement process. These trends guided the recommendations in Section V. The first two subsections—1) Efficiency / Inclusiveness and 2) Efficacy / Legitimacy—reflect divergent or opposing stakeholder interests regarding specific process options. The final subsections—3) Transparency and 4) Leveraging Internal Expertise—are two shared principles that most stakeholders supported; though interviewees sometimes disagreed on their implications for choosing among specific process options.

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51 Those groups are: 1) Penn State Administrators, 2) Penn State faculty with expertise in engagement, 3) Penn State faculty with expertise in energy, 4) representatives of the Penn State Office of Physical Plant (“OPP”), 5) representatives of the Penn State Sustainability Institute, 6) Penn State students, 7) residents of State College (and other municipalities surrounding the University Park campus) and off-campus energy or environmental organizations, and 8) representatives of local governments surrounding the University Park Campus.

52 See infra Section VIII, “Appendix A: Glossary,” for an explanation of “interests,” “stakeholder, “stakeholder engagement,” and other terms of art that this report employs.

53 HNMCP has organized the Stakeholder Interest section by trends rather than simply summarizing the interests and opinions of each of the eight stakeholder groups for two primary purposes: 1) it avoids reductively homogenizing the views of large and diverse stakeholder
1. Efficiency / Inclusiveness

Across the interviews and focus groups, stakeholders expressed interests in engagement processes that are efficient and inclusive. Often, a single stakeholder expressed an interest in both attributes. Although these ideals are not inherently mutually exclusive, many stakeholders suggested or supported engagement process choices—regarding the (1) openness, (2) timing, and (3) purpose of the process—that favor one at the expense of the other.\(^{54}\)

a. Stakeholder Group Involvement: Limited / Open

At the substantive core of the balance between efficiency and inclusiveness lies a pivotal and ineluctable choice: to what extent should the process to engage stakeholders in setting energy-related goals a) limit participation to certain stakeholder groups or individuals and/or b) open participation to all interested parties?

Many stakeholders advised that a process to set energy-related goals will have to limit who can participate at some point. Certain interviewees proposed that the concept and definition of the term “stakeholder” inherently (and helpfully in their view) limits participation: “‘stakeholders’ in my view should have a direct impact or be impacted directly by the decision. They are not just someone in the community that has an opinion.” Other interviewees suggested that even amongst individuals directly impacted by university energy planning, parts of the engagement process should be limited to stakeholders who are sufficiently experienced, qualified, or collaborative. Most often, however, stakeholders asserted that fully open, unlimited engagement renders decision making not only inefficient, but actually impossible: “you can’t have everyone involved in making decisions. I have seen community member organizations try to do that. It was all about open everything. You let everyone in, chaos ensues, and nothing gets done.”\(^{55}\)

At the same time, most interviewees and focus group participants (often the same individuals interested in partially limiting participation above) expressed a preference for an engagement process open to as many parties as practicable. Stakeholders regularly suggested some form of open public meeting where “anyone from any walk groups, and 2) it helps preserve the confidentiality and anonymity of interviewees and focus group participants.

\(^{54}\) Indeed, the most efficient processes (e.g. a single decision maker consults one or two advisors) are incredibly non-inclusive; while the most inclusive processes (ones that share actual decision-making power with all interested parties) can be impractically inefficient.

\(^{55}\) Cf. DANIELLA TILBURY & DAVID WORTMAN, IUCN COMMISSION ON EDUCATION AND COMMUNICATION, ENGAGING PEOPLE IN SUSTAINABILITY 57–60 (2004) (briefly highlighting the challenges of broad public participation in decision-making).
of life is welcome . . . to give their opinion” and where participants “are not handpicked.” Similarly, stakeholders described the worst possible energy-related goal-setting process as one “that would keep all the decision-making inside OPP” without regard to “other stakeholders and other areas of concern.” One interviewee even averred, “the more inclusive and open Penn State’s process is—the more input it allows the community in making major decisions—the better.” Different stakeholders asserted a broad array of reasons supporting their preference for open, inclusive engagement: diverse perspectives produce better substantive outcomes; inclusive engagement builds relationships across stakeholder groups and reduces future decision costs; open engagement before decision-making reduces the probability of disruptive conflict after decisions are implemented; stakeholders have a moral claim to participate in decisions that affect their lives; etc. Even if they disagreed on the reason or the degree, virtually all stakeholders preferred processes more inclusive than those currently in place at Penn State.

b. Timing: Short and Fast-paced / Long and Slow-paced

Some stakeholders suggested that any engagement process should be of relatively short duration (“[T]he process can’t go on forever.”). Multiple interviewees even declared, “My biggest concern is the time.” Some stakeholders based this position on their experience with previous engagement processes, which they felt delayed or prevented substantive results and languished in dialogue without significant added value: “I’d like to look back and say, ‘yeah, we actually did something,’ as opposed to ‘yeah, we talked a lot about something.’” Others felt that long-term engagement would stretch thin Penn State’s human and financial capital: “we are very busy and we have a lot on our plates; we are on a treadmill.” On a similar but distinct note, several interviewees indicated that regardless of total duration, an engagement process should proceed at a quick pace towards substantive decisions and results. One of these individuals thought fast-paced engagement was important to sustaining the

56 Cf. id. at 57 (“One of the fundamental prerequisites for the achievement of sustainable development is broad public participation in decision-making.”) (quoting U.N. Conference on Environment & Development, United Nations Sustainable Development: Agenda 21 (June 1992)); Christopher V. Hawkins and XiaoHu Wang, Sustainable Development Governance: Citizen Participation and Support Networks in Local Sustainability Initiatives, PUB. WORKS MGMT. & POL’y 1, 5–7 (2011) (“Communities that facilitate interactions between government actors and civil society and actively engage community interests and share knowledge among stakeholders are more likely to adopt meaningful policies that are critical to the success of climate change mitigation planning.”); Patsy Healey, Consensus-building across Difficult Divisions: New approaches to collaborative strategy making, 11 PLANNING PRACTICE AND RESEARCH 207, 212–13 (1996) (suggesting that inclusive stakeholder engagement can build institutional capacity).
community’s interest in energy issues: “it would be nice if things could move faster, while there’s still energy around these issues.”

In contrast, some stakeholders felt that an engagement process should be of relatively long duration. Interviewees variously described the ideal process as “longer-term,” “regular and sustained,” “continuous,” “episodic,” and “cyclical.” Many of these individuals valued more sustained processes for their capacity to build familiarity and productive working relationships between stakeholder groups. One interviewee noted that long-term, sustained engagement can avoid the surprise costs of “crisis communication” in situations like the pipeline controversy. Others insisted that successful engagement should provide all interested stakeholders an opportunity to express their views and hear from others, a process they felt was inherently time consuming: “it takes time to invest in those conversations.” A few other stakeholders supported processes that, regardless of their absolute duration, moved at a slow, methodical pace: “[we’re] always moving too fast, we need to slow down to allow people to share their insight.”

Importantly, regardless of the ultimate pace or duration of stakeholder engagement, virtually all of the many respondents who weighed in on the issue insisted that decision makers should engage stakeholders as early in the decision making process as possible. To be sure, their opinions varied on when precisely such engagement is possible or productive. Some focus group participants felt that stakeholders should evaluate and select amongst predetermined options before final decisions: “engage when there are options or proposals, not complete plans.” Other individuals suggested that stakeholders should participate in generating options and defining objectives from square one: “[engagement] should be something early in the concept stage before you have too many ideas on the table; this would be more of a brainstorming session.” Many interviewees adopted these positions in response to the pipeline controversy, where they felt that a “done deal” “was sprung on them.” One interviewee lauded the

57 See also TILBURY & WORTMAN, supra note 55, at 73 (“Creating lasting partnerships for sustainability requires time and persistence, as well as predictable and sustained resources for implementation.”); cf. CHARLIE MACPHERSON & BARRY TONNING, TETRA TECH, INC., GETTING IN STEP: ENGAGING AND INVOLVING STAKEHOLDERS IN YOUR WATERSHED 62 (2009), available at http://www.epa.gov/owow/watershed/outreach/documents/stakeholderguide.pdf (“Under the stakeholder approach, all the heavy lifting is moved to the front end of the process so things can move more quickly later on. Remember: go slow to go fast.”).

58 See also MACPHERSON & TONNING, supra note 57, at 43 (“The early stage is actually the best time to involve stakeholders. . . . As soon as you know that you need the involvement of stakeholders, start involving them. Allowing Stakeholders to help set the tone and the pace of the effort as it begins helps to maximize interest and buy-in.”).
integrative design process of an SI Reinvention Fund project, Community Solar on State, for involving public volunteers in the earliest brainstorming stages. Ultimately, most stakeholders valued early engagement because it gives stakeholders an actual chance to influence decisions. More precisely, they disfavored the university’s perceived past practice of informing stakeholders about decisions after the fact; a process they felt was “insincere” or “window dressing.”

c. Purpose: Informational/Dialogic

The purpose of an engagement process also implicates the extent to which it is efficient and/or inclusive. In one sense, a process with unidirectional information exchange designed to educate stakeholders about Penn State decisions could be very efficient in the short term, though it leaves little room for stakeholders to exert any influence. Conversely, a process with bidirectional information exchange designed to promote dialogue across stakeholder groups may demand significant resource investment upfront, but it is also likely to provide more stakeholder groups a means to influence the process.

59 Penn State’s Reinvention Fund is an SI-administered grant fund that “has awarded more than $875,000 for sustainability-related projects” with the aim of “creating the necessary innovation ‘whitespace’ to continue Penn State’s transformation into a Living Lab for Sustainability.” Reinvention Fund, supra note 29.

60 Community Solar on State is aimed at “the development of community-created [photovoltaic]-generated energy sources in Happy Valley in a way that deeply values the role of all stakeholders in a collaborative and transparent co-creative process.” Community Solar on State, PENN STATE SUSTAINABILITY INSTITUTE, http://sustainability.psu.edu/reinvention/community-solar-on-state (last visited Nov. 19, 2014).

61 Importantly, different interviewees conveyed vastly different perceptions of how “early” in the design process the organizers of Community Solar on State had involved the public and whether their community engagement process produced any value. Two interviewees suggested that project organizers had pre-planned the basic outline of the project before engaging the public. Another interviewee felt that Community Solar on State “lost two days of work trying to ‘engage’ the public” and feared that the project “would never get done.”

62 Cf. John Walls, Gene Rowe & Lynn Frewer, Stakeholder engagement in food risk management: Evaluation of an iterated workshop approach, Public Understand. Sci. 1, 17 (2010) (suggesting that such “influence” may be the most important criterion by which to evaluate stakeholder engagement processes); Patsy Healey, supra note 56, at 215 (“Discussion by itself is not enough. People need to feel that, having decided, something different can happen.”).

63 Importantly, some processes that appear “efficient” in the short term may actually prove inefficient over time. A process that involves only unidirectional information exchange and limited stakeholder involvement may produce a decision quickly, only to see the implementation of that decision stalled by key stakeholders who felt excluded. Some interviewees cited the pipeline controversy for that proposition. See also MACPHERSON & TONNING, supra note 57, at 62 (“Under the stakeholder approach, all the heavy lifting is moved to the front end of the process so things can move more quickly later on. Remember: go slow to go fast.”).
decision. Virtually all interviewees and focus group participants asserted that a process to engage stakeholders in setting energy-related goals should involve multidirectional dialogue and discussion, rather than merely one-way information transfer.\textsuperscript{64}

2. Efficacy and Legitimacy

Penn State is a massive institution, whose decisions affect stakeholders throughout State College, the commonwealth of Pennsylvania, the United States, and the world. Capturing all of these voices is impossible. As many stakeholders acknowledged during HNMCP’s research, some aspects of a process to set energy-related goals will have to significantly limit the number of participants. More specifically, not every individual stakeholder can sit down at the table to draft the language of the goal. To the extent that an engagement process limits participation, this subsection summarizes stakeholder views regarding what types and groups of people should be involved. Respondents indicated that a limited group should be (1) “efficacious”—that is, able to execute its task or mission—and (2) “legitimate”—that is, representative of broader stakeholder interests. The first point may demand a process that selects participants with a particular character, disposition, training, expertise, status, or level of authority. Whereas Subsection IV.D.1.a, “Stakeholder Group Involvement: Limited / Open,” presents stakeholder views on “how many” people should be involved, this subsection covers “who” those people should be and “how” they should be selected.

a. Efficacy

Respondents suggested many different types and groups of people that should (and should not) be on an effective, limited-participation, energy-related goal task force.\textsuperscript{65} Several interviewees were skeptical of including local residents who have no direct

\textsuperscript{64} See also David J. Weerts & Lorilee R. Sandmann, Community Engagement and Boundary-Spanning Roles at Research Universities, 81 J. OF HIGHER EDUC. 702 (2010) (“[S]ervice and outreach are typically conceived as one-way approaches to delivering knowledge and service to the public, whereas engagement emphasizes a two-way approach in which institutions and community partners collaborate to develop and apply knowledge to address societal needs.”); Giacomo Manetti, The Quality of Stakeholder Engagement in Sustainability Reporting: Empirical Evidence and Critical Points, 18 CORP. SOC. RESPONSB. ENVIRON. MGMT. 110, 111 (2011) (“[S]takeholder engagement] is therefore a process that ‘creates a dynamic context of interaction, mutual respect, dialogue and change, not a unilateral management of stakeholders.’”) (quoting J. Andriof, S. Waddock, B. Husted, & S. Rahman, Unfolding Stakeholder Thinking: Theory, Responsibility, and Engagement 9 (2002)).

\textsuperscript{65} During the interviews and focus groups, respondents discussed limited-participation engagement processes both in the abstract and in various specific articulations. For the sake of brevity (and in light of the recommendation in Section V.B) this subsection of the report uses the term “task force” in a generic sense to refer to all of those limited-participation processes.
affiliation with the university. These individuals were concerned primarily that some local residents have no incentive to control university costs and face little downside risk if the goal-setting effort goes poorly: “The problem, if you include community members in Penn State energy planning, is that they don’t have skin in the game. There are no negative repercussions for them.” A number of interviewees expressed concern about the choice to either include or exclude fossil fuel industry representatives, particularly given the university’s role in natural gas research and the Marcellus Shale. One interviewee noted, “we are a little mixed when it comes to sustainability issues because we have interests here invested in fossil fuel. We are skittish about stepping on those toes. So it is a political problem.” Other interviewees were more insistent that the gas industry should not have a seat at the table.

Some stakeholders suggested filtering participants not by stakeholder group but rather by the characteristics of specific individuals. Several stakeholders advised that a convener should select task force members who are “passionate,” “enthusiastic,” “seriously interested”: “You want people who have been vocal on the problem who will stick with it.” Some stakeholders suggested that a convener build a task force composed of individuals who had been helpful contributors to other engagement efforts. Still others felt that a convener should select participants based on their disposition and communication style. One interviewee opined, “people should have a positive attitude. The people included should not be those who are there to criticize and blame for the shortcomings.” Another commented, “identify reasonable, pragmatic participants, as opposed to the myopic antagonists.” Though their specific favored characteristics differed, these stakeholders all preferred a task force composed of individuals handpicked for their ability to execute a specific directive as a member of a team.

b. Technical Expertise

The most divisive potential task force selection criterion addressed during HNMCP’s research was “technical expertise or credentials.” Setting energy-related goals is an extraordinarily complex endeavor that calls upon a significant body of scientific and technical knowledge. Certain stakeholders believe that the questions involved in setting these goals invite largely objective answers, based on fiscal and technological facts. A few of these individuals wondered whether a task force could be effective if its
membership was not limited to those with proven technical skill or expertise. Though not a Penn State energy planning stakeholder, a member of another university’s energy-related goal-setting task force stated during an interview, “[individuals without specific technical expertise] are not competent to design goals or evaluate cost. They may have good ideas, but they would not have been competent to make the goals.” Similarly, a stakeholder at Penn State surmised that including on a task force “the more general person—who cares a lot about climate change and wants to do their part but doesn’t know much—that takes a lot of energy and we have to be careful.” Stakeholders expressing similar views feared that non-expert task force members could produce an unattainable goal or no goal at all.

In sharp contrast, some interviewees maintained that non-expert participants would not only fail to impair the efficacy of an energy-related goal-setting task force; they also would be necessary participants in a truly legitimate and effective process. One interviewee noted, “some people think energy is only a technological problem. That’s wrong. The pipeline issue demonstrates that.” Another succinctly declared, “you cannot do it [set energy-related goals] with a collection of narrow experts.” Many of these stakeholders indicated that technical experts could teach non-experts necessarily skills and information and non-experts could teach technical experts about the interests and experiences of several large and important stakeholder groups. One interviewee described this process as the interplay “between technical and cultural rationality,” which many stakeholders considered not a transaction cost, but rather a significant boon for the health of the broader State College community that will be impacted by any Penn State energy-related goals.

c. Representativeness

Most stakeholders agreed that a legitimate energy-related goal task force should be broadly representative of the many interested stakeholder groups. Beyond that point,

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66See also Walls, Rowe & Frewer, supra note 62, at 3 (“Caution may be particularly called for where engagement involves the public, and where the policy topic is highly complex. It is, however, much easier to make a case for stakeholder engagement, in which the participants are drawn from those relevant institutional stakeholders with a direct tangible stake in the policy or decision in question, and who already possess considerable knowledge and expertise about the topic of concern.”).

67Interview with [interviewee and interview location redacted] (Oct. 20, 2014) (on file with authors).

68Cf. Weerts & Sandmann, supra note 64, at 715 (“[I]ndividuals with the most technical expertise may not be the ones with the strongest social integration skills.”).

69See also Walls, Rowe & Frewer, supra note 62, at 3 (“[A]n even that has unrepresentative participants and no impact is unlikely to be considered . . . as fair, or as a good or effective exercise.”).
however, interviewees exhibited significant variation in their conception of a “representative” task force and how one should be assembled. Various interviewees suggested that stakeholders should be represented at the level of university units, academic departments, or neighborhood associations.

For many stakeholders, “who selects participants” was as (if not more) important to task force legitimacy as “which participants were ultimately selected.” A few interviewees believed that any group “handpicked” by Penn State administrators would be unrepresentative and illegitimate. They disfavored the efficacy-promoting selection criteria in Subsections IV.D.2.a-b, “Efficacy” and “Technical Expertise,” above and suggested some sort of volunteer self-selection mechanism. Others expressly disavowed using a process that accepts volunteers “because some community members would not be good choices.” Still other stakeholders felt that a task force would be representative only if a convener carefully handpicked participants: “It is hard to get most people’s interest. Frequently you only hear from people with an agenda. You do not get a representative cross section of the community. . . . You don’t want special interest groups trying to manipulate the outcome.” Some interviewees thought the Provost should personally assemble the task force to ensure that it is effective. Others thought the Provost should at least oversee a neutral convener’s selection process. One interviewee suggested that SI assemble a representative committee, which would in turn assemble a legitimate task force. Ultimately, any selection mechanism will have to navigate between various stakeholders’ interests in assembling a task force that has both efficacy and legitimacy.

3. Transparency

Virtually all stakeholders who weighed in on the question recommended an engagement process that featured and promoted transparent decision-making.\textsuperscript{70} To be sure, some interviewees noted that the university sometimes has a legal obligation to keep certain energy planning information confidential. For example, the university has entered into nondisclosure agreements with some consultants (who seek to protect their proprietary information) that prevent it from releasing all of the information related to its energy planning and operations. And stakeholders held diverse views on what exactly constitutes transparency. Still, many stakeholders supported an engagement process in which

1) the locus of decision-making power is clear upfront,
2) relevant information is broadly available throughout the process,
3) decision makers are responsive to stakeholder comments and inquiries, and

\textsuperscript{70} One focus group participant even raised objections to HNMCP’s request to keep focus group discussions confidential; though ultimately all agreed to abide by the confidentiality norm.
4) stakeholders have an opportunity to provide feedback on the implementation and operation of the engagement process itself.

a. Transparency regarding decision-making power upfront

Several interviewees and focus group participants acknowledged that stakeholder engagement does not (and should not) necessarily transfer all ultimate decision-making power to stakeholder groups. They emphasized, however, that stakeholders should know from the start (1) what decisions they can influence and (2) how ultimate decision makers will use and consider their comments and views. One interviewee asserted that any sort of public comment mechanism should be coupled “with an assurance that the findings would get in front of a decision-maker.” Another elaborated that a clear, initial delineation of what issues stakeholders can (and cannot) influence (and how) can help avoid the “risk that people will confuse ‘due process’ with ‘getting their way.’” One stakeholder succinctly summarized, “if things are baked in you need to let people know what is baked in.” Ultimately, initial transparency, even (or especially) regarding what power and influence stakeholders do not have, can engender trust and goodwill across stakeholder groups.\(^\text{71}\)

b. Transparent information exchange throughout process

Many stakeholders also indicated that both relevant substantive information and information about the progress of the engagement process itself should be publicly available. Stakeholders suggested that the convener should publish minutes and maintain a record of both closed task force meetings and open public meetings. These respondents felt that stakeholders who are unable to participate (for any reason) should at least be able to follow the process on their own. In the words of one interviewee, in a good engagement process “everyone has a way to know where the conversation is going; there are minutes taken. People outside the conversation need to be made aware of what is happening in the conversation.”\(^\text{72}\) Some stakeholders even suggested that any form of limited-participation task force could meet openly in public, where interested parties could follow along and possibly dialogue with the task force even if they did not have an immediate seat at the table.

c. Responsiveness after decisions

\(^\text{71}\) See, e.g., TILBURY & WORTMAN, supra note 55, at 74 (“Partnerships may initially be threatened by a lack of trust among partners—transparency in decision making and dialogue can help to build such trust.”).

\(^\text{72}\) Cf. Walls, Rowe & Frewer, supra note 62, at 7-9 (“The process should be transparent so that the participants can see what is going on and how decisions are made.”).
Of all the forms of transparency that respondents discussed during interviews and focus groups, they most often declared “responsiveness” to be the most important. That is, during an engagement process, Penn State decision makers should respond to stakeholder comments and explain why they did or did not follow stakeholder recommendations. Many stakeholders lamented what they perceived as Penn State’s current norm of “black box” or “black hole” decision-making, in which stakeholders, whether or not they agree with the university’s choices, receive no explanatory reasoning or justification from the university. These individuals understood that “inclusive processes don’t mean that everyone gets their needs met,” but emphasized that they wanted stakeholders to know how Penn State considered their input and why the university made decisions that either included or seemingly excluded that input. One stakeholder explained that the decision makers “who receive a task force recommendation could have an obligation to respond. . . . They would be taking the recommendations that had been given and accounting for what was used, what wasn’t used, and why. That could be in a feedback meeting or in a written report.”

Unsurprisingly then, many interviewees described the worst possible process to set energy-related goals as one that is a “sham” or “window dressing,” in which the university collects plenty of stakeholder input and then ignores it. One stakeholder explained that the worst process would be “very expensive, very elaborate, well-organized, and inclusive of diverse communities. [It would] fill them with a tremendous amount of hope and optimism and allow them to make robust recommendations. And then it would do nothing [with those recommendations].” Another indicated that “it’s actually worse to do window dressing than to do nothing.”

**d. Feedback on the engagement process itself**

The forms of transparency that stakeholders touted least often were “feedback loops.” Still, a few interviewees felt that a good engagement process would have “checkpoints,” “milestones,” or “built-in measures of success” because they would help define “how we make decisions going forward.” In the words of one interviewee: “you need strong systemic feedback loops. It needs to be a self-healing process.” Even if the necessity of feedback loops was not the most prominent trend across interviews, those

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73 Cf. id. (quoting one stakeholder engagement process organizer as saying, “‘You need to indicate what you will do with the results, because all participants are busy people, they all give their inputs, what has been done with their input . . . .’”).

74 Cf. Cathy Costantino, Second Generation Organizational Conflict Management Systems Design: A Practitioner’s Perspective on Emerging Issues, 14 HARV. NEGOT. L. REV. 81, 84–86 (2009) (discussing the importance of determining the purpose of a specific dispute system design, which may include hidden aims like “maximize[ing] publicity” or “diverting stakeholders from external, rights-based public processes”).
stakeholders that mentioned it articulated preferences in accord with engagement and dispute systems design best practices.75

4. **Leveraging Internal Expertise**

Finally, many stakeholders indicated that a process to set university-wide energy-related goals should leverage Penn State’s own considerable expertise in areas like energy, engineering, climate science, and engagement. One interviewee imagined the worst possible process to set these goals as one that “ignore[s] the full complement of expertise that we have to draw on.” Still, some respondents also acknowledged three general obstacles to leveraging Penn State’s own human capital in setting energy-related goals:

1) it is difficult to sustain participant interest and investment over time;
2) OPP has limited resources and its staff are already incredibly busy; and
3) the faculty reward structure may disincentivize faculty participation.

First, several interviewees expressed concern about the difficulty of sustaining stakeholder interest and investment in a long term engagement process. These individuals often referred to previous engagement efforts that experienced explosive stakeholder participation at the outset, which then trickled to a handful of passionate participants “as the novelty wore off.” To be sure, other interviewees dismissed outright the existence of certain obstacles to sustaining investment: “Apathy is not one of these obstacles. We have people who care and are socially engaged. They want to have a voice in the community.”

Similarly, interviewees also expressed concern that the engagement process would demand too much time and resources from University staff, specifically OPP staff. One stakeholder stated that an ideal engagement process “is not onerous on the people that are trying to get things done. It needs to be something [OPP] can handle. [OPP has] very limited resources.”76 Other interviewees, however, noted that upfront investments in engagement can significantly relieve the costs of crisis communication and conflict during implementation.

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75 See, e.g., ROGERS, BORDONE, SANDER & MCEWEN, supra note 48, at 334 (“You cannot take for granted the implementation of a dispute system design. Thoughtful data collection will assist you in understanding what is actually happening ‘on the ground.’ Clearly, early collection of information relating to process can help you do ‘formative evaluation’ that will assist you in adjusting implementation practices to align with design goals.”).
76 Cf. Walls, Rowe & Frewer, supra note 62, at 7-9 (“Participants should have access to the appropriate resources to enable them to successfully fulfill their brief.”).
Finally, a few respondents worried that the Penn State faculty review and reward structure actually disincentivizes faculty participation in stakeholder engagement.\textsuperscript{77} One Penn State faculty member stated:

Strategic planning, from a faculty point of view, is a necessary evil. . . . We don’t get any rewards for doing it and it takes away from the time that we are rewarded for doing other things. It would be great if there was some kind of engagement criteria that could count in the reward structure. . . . There is nothing that counts for engagement in most faculty contracts.

Other faculty disagreed sharply. One faculty member declared, “we would share our ideas for free rather than hiring consultants and coming up with a bad idea.” Another disagreed factually about Penn State’s faculty reward structure: “The annual review process that faculty go through explicitly recognizes public outreach as a major part of our portfolio. It is a part of our job description and we get credit for that. That is a positive. And it is not true at every institution.”

\textsuperscript{77} Cf. Weerts & Sandmann, supra note 64, at 703 (“Engagement may be slower to take hold at research universities . . . [because they] tend to be larger, more complex, and more decentralized than colleges and universities in other sectors. As prototypical ‘organized anarchies’, . . . research universities’ adoption of new innovations—such as engagement—is often unpredictable.” (citation omitted)).
V. RECOMMENDATION

This section constitutes HNMCP’s recommended process for engaging stakeholders in setting university-wide energy-related goals for Penn State’s 2015 strategic plan. Engaging interested stakeholders is important to the pursuit of sustainability and environmental protection, if those pursuits are going to be sustainable. When stakeholders are involved in policy development, not only are the policies overall more “just and equitable” than policies that are created by a small group, but they are also more “functional” than policies promulgated in a “top-down” approach. Thus, using an engagement process to set energy-related goals is likely to be more successful than allowing any single entity within Penn State to set those goals internally.

This engagement process consists of four primary elements:

1) an initial open public meeting,
2) an energy-related goal-setting task force,
3) a notice and comment period, and
4) a reflection and feedback process.

Each of the four subsections below details one of these elements in narrative form. A graphic representation of the process is available on page 36. The attached Convener Manual duplicates this content in a time-ordered, checklist-based work plan.

Importantly, HNMCP has designed each of the four elements to operate as part of a single, integrated, engagement system. None of four individual elements independently meets the stakeholder interests outlined in Section IV.D above. Taken together, however, they offer Penn State a blueprint for setting energy-related goals while meeting stakeholder interests in efficiency, inclusiveness, efficacy, legitimacy, and transparency, all through leveraging its own human capital.

78 See Hawkins & Wang, supra note 56, at 7.
79 Id. at 6-7 (citing Innes, J. & Booher, D.E., Reframing Public Participation: Strategies for the 21st Century, 5 PLANNING THEORY & PRACTICE 419–436 (2004); Innes, J. & Booher, D. E., COLLABORATIVE POLICYMAKING: GOVERNANCE THROUGH DIALOGUE IN DELIBERATIVE POLICY ANALYSIS (2003)). Hawkins and Wang describe these “functional” policies as ones that can actually be implemented.
80 See supra Section IV.D, “Stakeholder Assessment,” for this report’s working conception of these terms. See supra Section III.C, “Methodology,” for an explanation of how HNMCP developed these recommendations.
Energy Goal-Setting Engagement Process

1. Initial Public Meeting
   - Public access to Task Force agendas and minutes; members of public can submit comments and request responses

2. Task Force – Shaping and Drafting the Goals
   - Draft to public; comments collected and edits made to Final Draft

3. Notice and Comment Period
   - Final draft to Provost; changes included in Strategic Plan explained

4. Reflection and Feedback Process
   - Assessment of progress toward achieving goals

Parties' information exchange:
- Public/Community
- Task Force
- Provost
- Facilitator
- Liaison
- Secretary

Party responsible for managing communication:
HNMCP recommends that the Office of the Provost and SI jointly convene the engagement process. This joint-convener structure has 3 principal advantages:

1) SI can provide the day-to-day logistical support for the engagement process (e.g. reserving rooms; providing a website on which to publish announcements, meeting agendas, and minutes).

2) The Provost’s involvement signals how important the process is to the university. This could help allay faculty concerns about whether the review process and reward structure will “credit” their involvement.

3) The Provost’s office (rather than one individual unit) can provide the necessary financial support because the engagement process will generate an energy-related goal for the entire university.

A. Initial Public Meeting

The substantive energy-related goal setting process should begin with an open public meeting to kick off the engagement process. The purpose of this meeting is threefold:

1) **Commitment**: to clearly establish the extent of the commitment that the university is making in creating the process and the boundaries of the goal-setting process.

2) **Education**: to inform interested parties about the engagement process at its beginning, so that they are aware of the scope and methods of engagement that will be open during the process.

3) **Information-Gathering**: to invite early input into the planning process from interested parties who are not members of the task force.

HNMCP recommends that Penn State obtain the services of a professional external facilitator for this meeting. Ideally, this will be the same person who will facilitate the task force meetings, so that he/she will have the opportunity to observe the community and become more familiar with task force members. A neutral, skilled facilitator will establish the meeting as a safe space for attendees to share their interests; although the Penn State administration will have a hand in convening the process, it is important to emphasize that discussion should be free and open, not subject to the preferences

81 See infra Section V.B regarding the task force and the facilitator’s role therein.
that OPP or the administration have already determined.\footnote{Lawrence Susskind, Sarah McKearnan & Jennifer Thomas-Larmer, The Consensus Building Handbook 181–84 (1999).} It could be difficult for a facilitator with direct ties to the university to effectively establish his or her own neutrality.

Importantly, different skilled, professional facilitators employ their own specific style and methods. Much of the detail in this section (and other parts of the recommendation) about what the facilitator “should” do will be entirely unnecessary for a qualified facilitator. As such, HNMCP offers the more detailed instructions on how the facilitator specifically should proceed not as absolute prescriptions but rather as examples illustrative of successful techniques. HNMCP has included them primarily to enhance this document’s scalability and transferability to other, yet unforeseen, parties, issues, and contexts. On a more general level, however, any successful facilitator should be:

- Neutral about the substance of the discussion,
- Purposeful and firm in coordinating the process of the discussion,
- Skilled at active listening, and
- Experienced in managing group dynamics.

\footnote{Healey, supra note 56, at 213 (describing “the importance . . . of designing areas for communication and collaboration which give access to all those who have a stake in an issue”).}

While certain procedural decisions must precede this event, the meeting should constitute and represent the opening of the substantive conversation about energy-related goal-setting. Because so many stakeholders are concerned that an engagement process would be insincere, \textbf{it will be important to emphasize that Penn State has not already set the energy-related goals that will be produced in this engagement process.} In other words, the engagement process is not an excuse for decision makers to “push[] out a done deal.” Viewing the engagement process exclusively as an exercise in building support for previously-determined benchmarks is likely to exacerbate stakeholders’ distrust of the university decision-making process as it exists now.

An open public meeting will also signal a commitment to allowing interested parties to access the engagement process in different ways: even if a stakeholder is not able to participate on the task force, he/she can continue to be involved by (for example) reviewing the agendas and minutes and submitting comments about the task force’s preliminary energy-related goal and associated materials.\footnote{Healey, supra note 56, at 213 (describing “the importance . . . of designing areas for communication and collaboration which give access to all those who have a stake in an issue”).} Engaging a process that is open to the local public, including those without official Penn State ties, is imperative;
CHECKLIST:
EDUCATION GOALS FOR INITIAL PUBLIC MEETING

Attendees should leave the meeting knowing:

- The identity of the task force members and their reasons for serving on the task force.
- The schedule of task force meetings (if finalized) or frequency with which the task force will meet.
- How to find the agendas and minutes for upcoming and past task force meetings.
- The contact information for the task force liaison(s).
- The task force’s rules and responsibilities, including the protocol for responding to public comment.
- When the task force’s initial draft will be submitted for public comment.
- How to receive a draft of the task force’s preliminary energy-related goals.
- The dates during which public comment will be accepted on the task force’s initial draft.
- The dates during which the task force will publicly respond to notice and comment submissions.
- When the task force’s final draft will be submitted to the public and to the Provost.
- When the Provost will release his explanation for changes made to the task force’s final energy-related goals.
- The date by which Penn State’s 2015 strategic plan will be released.
- How to submit a comment to be included in the reflection and feedback process.
- When the task force plans to reconvene for the reflection and feedback process.
as the pipeline situation illustrates, not involving local residents in university energy issues carries too high a risk. Given the Sustainability Institute’s outreach programs that involve the local community, such as Community Solar on State and other Reinvention Fund projects, energy may in fact be an issue with more local resident-university interaction than most. And because of the university’s size, it seems clear that any university energy-related goal will affect, and likely involve, the surrounding local community. Where local residents’ participation or acquiescence to a plan is key, their collaboration and participation is critical.84

1. **Commitment**

The first goal of the initial public meeting is for Penn State to make a public commitment to the engagement process. It is important that Penn State decide in advance why it is engaging in this process and what it hopes to achieve so that stakeholders can participate during the process and understand whether it was successful after it is completed. There is some risk that this process will be misunderstood to be about creating an energy plan itself: for example, some stakeholders may enter this process hoping that Penn State will pursue one particular project or adopt a particular energy plan. This kind of planning is beyond the scope of the process, and that should be clarified at the beginning. A lack of clarity about the boundaries of the process would likely lead stakeholders to feel like the process was unproductive. Alternatively, if they continually try to introduce their thoughts about the university’s substantive energy plan, they will disrupt the goal-setting discussion and may feel disillusioned about the sincerity of the process when their articulated interests are not met in the final goal.

2. **Educational**

A second goal for the initial public meeting is to give important information to the interested parties who attend. Because of many stakeholder’s feeling that the university operates non-transparently, it is particularly important that the scope and logistics of the process are described completely and clearly in the beginning.

First, the meeting facilitator should explain the potential scope of energy-related goals and the process by which those goals will be set. It is important that everyone understand that the goals will not include specific operational changes like a shift to a particular energy source. Clarifying the subject of the engagement process up-front is the best way to head off feelings that the process was unsuccessful or insincere.

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84 Hawkins & Wang, supra note 56, at 2.
It is also important that the next steps of the engagement process are described at the meeting, for two reasons. First, describing the engagement process as a whole will help attendees understand how their input fits into the larger decision-making process. This goal is about demystifying what some interviewees referred to as the “black box” of decision-making at Penn State: even when input is solicited, it may be unclear exactly how that input influences the final decision. Clarifying the engagement processes up front allows the process to be maximally transparent, even though practical considerations may dictate that certain aspects of the process (such as compiling the task force) be completed without widespread engagement. Second, a clear explanation will help attendees understand the different access points to maximize their ability to take advantage of them.

This process explanation should describe the key points in the process and emphasize the ways that interested parties who are not members of the task force can follow its progress and, where appropriate, submit comments. See the Checklist: Education Goals for Initial Public Meeting for a more extensive list of the information that attendees should receive.

3. Information-Gathering

Engagement is not solely an issue of increasing transparency and educating stakeholder groups more effectively; it is a “two-way approach” that requires that an institution seek information and input as well. Although attendees of the initial public meeting will not be able to determine who is chosen to serve on the task force, they can and should influence the direction of the task force by voicing the interests that they hope that the energy-related goal will meet. It is very important that task force members be present for the entire meeting so that they can hear and acknowledge the interests that meeting attendees articulate.

A closely related goal is for the interested parties to be able to see and hear from other interested parties and the ultimate decision-makers. It is important for the various stakeholder groups to build connections with each other, so that the engagement process can have greater buy-in and the result of the process will be more widely accepted. Ultimately, building this social capital among stakeholders is more likely to contribute to consensus than formally agreed-upon plans.

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85 Weerts & Sandmann, supra note 64, at 702.
86 Healey, supra note 56, at 207.
87 ROGERS, BORDONE, SANDER & MCEWEN, supra note 48, at 227–29 (citing ROBERT D. PUTNAM AND LEWIS M. FELDSTEIN, BETTER TOGETHER: RESTORING THE AMERICAN COMMUNITY (2003)).
88 Healey, supra note 56, at 212–13 (citing Innes ET AL., COORDINATING GROWTH AND ENVIRONMENTAL MANAGEMENT THROUGH CONSENSUS-BUILDING (1994)).
The engagement process should encourage input in the goal-setting process from diffuse sources. It should not focus only on Penn State’s technical ability to achieve a given energy target through operational means, since such a focus would eliminate its need to consult outside stakeholders.89

To solicit input about preferences and priorities for the energy-related goals, the facilitator should lead attendees in a visioning exercise, described in more detail later. 90 Ideally, meeting participants should have something to record their thoughts during this exercise. The visioning exercise should come soon after the meeting attendees receive a brief explanation of what an energy-related goal is; the facilitator, however, should be prepared to answer some questions about the content of such a goal. It could be helpful to have several examples of such goals from other universities on hand.91 While it would be best to avoid referring to other universities’ goals in the initial, general explanation of an energy-related goal

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89 Id. at 207.
90 Hawkins & Wang, supra note 56, at 12; see also Tilbury & Wortman, supra note 55, at 26.
to avoid building a bias or predisposition towards one option, using several examples should help clarify any lingering confusion.

The visioning exercise is intended to focus the conversation by asking attendees to think about and articulate an ideal outcome. It is important that the facilitator phrase the question in terms of a future solution, not the attendees’ current position about the university’s energy portfolio, so that attendees will feel free to think creatively rather than asserting their individual positions. The facilitator might ask:

- What word or phrase would you use to describe a “good” energy-related goal for Penn State?

After everyone has had an opportunity to write down their word or phrase, the facilitator should invite attendees to share their word or phrase. This will encourage the group to think about the attributes of a positive goal, but not necessarily the substance of what a goal might contain.

The second question that the facilitator should pose will encourage the attendees to think about what they want in an energy-related goal. Asking the questions in this order will encourage them to think about the parts of the energy-related goals as solutions that match the articulated attributes, rather than positions for which they must advocate. The facilitator could next ask:

- What might an energy-related goal that meets those interests look like?

Again, the facilitator should invite attendees to share their thoughts, making sure to publicly capture the ideas that are given (see the “Facilitation Notes” box).

4. **Option: Mid-Term Progress Update and Feedback Meeting**

If possible, SI should schedule another public meeting in mid-March to update interested parties about the task force’s progress and garner in-person feedback for a second time. However, because of the already significant demands on SI and the task force during the short time frame before July 2015, this meeting could be optional.

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92 Susskind, McKearnan & Thomas-Larmer, supra note 82, at 560–64.
93 Id.
94 Id.
95 Id. at 573–74.
96 Again, though a qualified facilitator should not need these specific notes, HNMCP offers them (1) to help readers less familiar with facilitation techniques understand the facilitator’s role, and (2) to promote this document’s usefulness as source when designing engagement processes for other contexts.
SI should consider holding another open public meeting halfway through its planning process, probably during the week of March 16. At this meeting, the task force members could report on their progress thus far and solicit feedback on their plans going forward. This option is not included in the Blueprint because time and financial resource constraints have given rise to misgivings about the feasibility of this event. Given the substantial opportunities for public feedback in the Notice and Comment period, the marginal benefit of this option is relatively low. However, another public gathering at which interested persons could be personally acknowledged and see that the task force was listening to their concerns would be valuable, particularly if Penn State faces allegations that the engagement process is too limited.

B. **Energy-Related Goal Task Force**

The Penn State energy-related goal task force is the body that bears the ultimate responsibility for submitting a university-wide energy-related goal to the Provost for inclusion in the 2015 University Strategic Plan. It is a representative intermediary that organizes the substantive conversation and bridges the communication gap between strategic planning decision makers (the Provost) and the individual stakeholders. As such, the task force is, most notably, an instrument that brings necessary efficiency to Penn State’s ambitious project of engaging stakeholders in drafting and setting institutional-level energy-related goals in one semester. The three subsections below outline the task force’s:

1) selection and composition,
2) procedure,
3) and charge.

They also highlight how this element of the engagement process meets stakeholder interests in efficiency, inclusiveness, efficacy, legitimacy, transparency, and leveraging Penn State’s internal expertise.

1. **Selection and Composition**

HNMCP recommends that the Provost begin the engagement process by appointing two energy-related goal task force co-chairs by the week of December 29. Importantly, these appointments launch only the procedural and logistical planning. The open public meeting outlined in Section V.A above should precede all substantive discussion of university energy-related goals. Under ideal circumstances, given stakeholders’ interest in early engagement, the Provost could even wait to convene the task force until after receiving public input on its composition at the opening meeting. This, however, could be impossible given the desire to set a goal by July 2015.
select one co-chair from OPP leadership and the other from the Penn State faculty. This dual leadership structure both relieves any one person of the burden of independently managing the task force and immediately signals the collaborative nature of this endeavor.

Then, by the week of January 19, those two co-chairs should appoint another nine to twenty-two members so that the task force ultimately consists of twelve to twenty-four members drawn from seven stakeholder groups:

1) 4–8 faculty members (1 of whom is co-chair),
2) 2–4 OPP representatives (1 of whom is co-chair),
3) 2–6 students (2 of whom are the task force liaison and secretary),
4) 1–2 SI representatives,
5) 1–2 Penn State administrators,
6) 1 local resident, and
7) 1 local government representative.

HNMCP cannot overstate the importance of this specific membership breakdown. The prominence of faculty and OPP representatives ensures that the task force has sufficient technical expertise to meet stakeholder interests in efficacy. The many faculty and student representatives allow the task force to leverage Penn State’s own academic human capital in solving a complex strategic issue. The presence of university administrators meets interviewees’ interest in a dialogic exchange between decision makers and stakeholders. And the overall composition (i.e. including a local resident and government representative) ensures the process is broadly representative and inclusive of the many disparate stakeholders in university energy-related goal-

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98 The faculty co-chair should be an individual who possesses not only technical expertise in energy, engineering, or climate science but also experience in facilitation or engagement. See Weerts & Sandmann, supra note 64, at 715 (“[T]echnical experts were overall more likely than community-based problem solvers to encounter difficulties in building two-way relationships with community partners. . . . Our analysis of technical experts supports Bale and Slater’s (1958) research suggesting that individuals with the most technical expertise may not be the ones with the strongest social integration skills.”). Fortunately, Penn State has no shortage of multidisciplinary experts.
setting. To be sure, any top-down, appointment-based selection mechanism is open to criticism as illegitimate. Still, HNMCP’s proposed two-tier appointment process:

1) avoids the critique that the whole task force was “cherry-picked” by administrators, while leaving the administration some selection oversight, and
2) places appointment power in the hands of a two-person committee of co-chairs, (thereby mitigating some individual bias), while
3) efficiently assembling a task force to fit Penn State’s tight strategic planning schedule.

a. Neutral facilitator

HNMC recommends that the Provost and SI also retain a professional and neutral facilitator for the task force by the week of January 19. Ideally, this facilitator will be the same person for both the initial public meeting and the task force meetings by the week of January 19. The facilitator will help organize the task force’s process and meeting agendas and coordinate discussion during every meeting. The facilitator will also distribute an internal task force feedback survey to all task force members after the third task force meeting (the week of February 23). If properly (and representatively) assembled from the seven stakeholder categories above, the task force as a whole will reflect stakeholders’ many divergent and even conflicting interests. As such, a disinterested, neutral outsider, who is trained in facilitating or mediating complex multiparty negotiations, will prove integral to the task force’s efficient functioning.

b. Task force secretary and liaison

Additionally, two task force members should serve in designated roles as the task force secretary and task force liaison. The secretary’s responsibilities include drafting—in consultation with the facilitator and the co-chairs—and publishing publicly:

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99 See Walls, Rowe & Frewer, supra note 62, at 3 (“[T]he criterion of representativeness . . . states that, for an exercise to be effective, its participants need to be representative of the affected community . . . .”).

100 The platonic ideal of a neutral facilitator in this context has no personal or professional ties to Penn State. Though the engagement process should employ such a person if at all possible, it could be prohibitively difficult to do so in less than a month. As such, “neutral,” as used here, means not a person absolutely disconnected from the university in every way, but rather someone who (at the very least) (1) is not currently a Penn State employee; and (2) neither has nor appears to have an interest in the substantive outcome of the engagement process. That is, he or she should not have a significant or direct stake in setting university-wide energy-related goals at Penn State.

101 See supra Section V.A for more detail on the desired attributes and role of the facilitator.

102 See infra Section V.B.2 for more detail on the internal task force feedback survey.

103 SUSSKIND, MCKEARNAN & THOMAS-LARMER, supra note 82, at 181–84.
1) a meeting agenda at least twenty-four hours before every task force meeting, and
2) approved meeting minutes within twenty-four hours after every task force meeting.

The task force liaison, whose contact information should be widely available and publicized, will collect comments volunteered from stakeholders (not on the task force) and summarize them for the task force. This individual will also acknowledge receipt of all public comments and inquiries and respond in some form. To help manage the burden of this role, SI could create a task force liaison communication web form. To communicate with the task force, stakeholders would navigate to a specific URL where they would complete several required classification fields and specific inquiries, including whether they would like a response from the task force, before reaching a narrative comment box. That way, the liaison could receive comments in a presorted and somewhat uniform format. Additionally, though the liaison should acknowledge receipt of every comment, she need not necessarily draft a unique response to every one. She could, for example, collect several comments of similar nature and respond to them collectively via blog post.

Undoubtedly, the secretary and (especially) the liaison serve incredibly difficult and important roles. The secretary has a weekly obligation to proactively communicate the task force’s progress to the public. As such, that role is a key locus of the kind of transparent information exchange many interviewees requested. Similarly, as a visible and responsive (fulfilling another core stakeholder interest in transparency) point of contact for stakeholders, the liaison could be inundated with communications. For those reasons, SI and the Provost’s Office ideally could hire full or part-time paid staff to fill these roles and coordinate other task force logistics (as other universities have done). With an eye

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104 Qualtrics and Google Forms are two options for creating such a form.

105 No matter how the liaison collects and responds to stakeholder comments, his or her communications should reflect the three skills of “active listening”: inquiry, paraphrasing, and acknowledgement. See Douglas Stone, Bruce Patton, Sheila Heen, Difficult Conversations: How to Discuss What Matters Most 172-184 (2010); see also Rogers, Bordo, Sander & McEwen, supra note 48, at 360-63.

106 See also Walls, Rowe & Frewer, supra note 62, at 7-9 (employing “transparency” as a core evaluation criterion for successful stakeholder engagement).
towards cost control, however, the university could offer them as competitive and prestigious student internships, thereby leveraging some of Penn State’s greatest assets and providing a unique educational opportunity to the selected students.

2. Procedure

The Penn State energy-related goal-setting task force should hold eleven weekly meetings between February 9 and May 3. Each week, the facilitator, the co-chairs, and the secretary should prepare a detailed meeting agenda, which the secretary should publish at least twenty-four hours before each meeting. Then, the secretary should take minutes for every meeting and publish them within twenty-four hours after each meeting. The timely publication of meeting agendas and minutes is essential to the inclusiveness and transparency of Penn State’s engagement process. While the task force is an effective and representative instrument of efficiency, its limited nature threatens to exclude many stakeholders. Given stakeholders’ interest in early engagement and ongoing transparency, even a robust notice and comment period insufficiently cures this exclusivity.

107 Although HNMCP leaves it to Penn State’s discretion to determine which students would best fill this role, it seems likely that at least one student would be a graduate student.

108 See generally Kelly C. Strong, Richard C. Ringer, & Steven A. Taylor, The Rules of Stakeholder Satisfaction (*Timeliness, Honesty, Empathy), 32 J. OF BUS. ETHICS 219 (2001) (arguing in the corporate context that the three “factors critical to satisfaction across stakeholder groups are the timeliness of the communication, the honesty and completeness of the information and the empathy and equity of treatment by managers”).
The first task force meeting (during the week of February 9) is possibly the most important. Here, with the help of the facilitator, the task force members should:

After the fourth task force meeting (week of March 2), the facilitator should distribute an internal task force feedback survey. The survey should gather task force members’ opinions on how the task force’s process is working and whether the work plan needs any substantive changes. Task force members will have an extra week to complete the survey because there should be no task force meeting from March 9 - 15 during Penn State’s spring break. Then, during the fifth meeting (week of March 16) the facilitator will help the task force assess and renegotiate its internal norms, decision-making principles, and work plan. This built in feedback loop will help make the task force a “self-healing” process.

Perhaps most importantly, this feedback will help the task force assess whether it can realistically produce energy-related goals along the timeline outlined in the recommendation and the attached Convener Manual. This recommendation offers an ambitious and aggressive timeline; the task force may find that the university needs more time to properly invest in the substantive issues and the engagement procedure. It is better that Penn State’s 2015 strategic plan includes a commitment to an ongoing

1) Introduce themselves
   - The group will work intensely and collaboratively for an entire semester. Each person should share at least their background and reasons for participating.
2) Discuss and agree upon group norms of communication and decision making rules or principles
3) Review stakeholder comments from the initial public meeting
4) Create a work plan for the semester
   - The group should decide which issues it will need to explore in order to draft a proposed energy-related goal by the week of April 27. It should then assign each substantive issue to a specific weekly meeting (modifying the number of meetings as necessary).

109 See the Convener Manual for a sample survey.
110 Interview with [interviewee, interview location, and interview date redacted] (on file with authors); see also Walls, Rowe & Frewer, supra note 62, at 14 (“One valuable role of evaluation, which may often be overlook by those who only equate this process with criticism and the apportionment of blame, is that evaluation may inform subsequent methodological improvements (or mid-course corrections . . .)" (citation omitted)).
process than rushed and insufficiently deliberated goals. As such, the internal task force feedback survey is also a “safety valve” that can help preserve both the efficacy and the legitimacy of the whole engagement process.

3. Charge

In addition to the various weekly duties described above, the Penn State energy-related goal task force has three core responsibilities:

1) Plan, draft, and publish a preliminary energy-related goal by May 4, along with the list of starting tenets, guiding principles, and tools for assessment.
   - Stakeholders will review this goal during the notice and comment period.111

2) Revise the preliminary energy-related goal in light of public comments from May 18 to June 7, during the last three weeks of the notice and comment period.

3) Publish and submit a final energy-related goal to the Provost by June 8.
   - The published final energy-related goal should be accompanied by a response to all public comments from the notice and comment period.112

C. Notice and Comment Period

The notice and comment period is essential to the transparency, inclusiveness, and legitimacy of Penn State’s energy-related goal engagement process. Its purpose is not only to give all interested stakeholders an avenue to express specific preferences and ideas on the energy-related goal, but also to make entirely transparent the reasons why the task force (and ultimately the Provost and the university) did or did not use each idea.113 Across the interviews and focus groups that HNMCP conducted, many respondents criticized Penn State’s current decision-making processes as a “black box.” Stakeholders used this term to refer both to (1) decisions on which stakeholders had no influence or input because they were not consulted, and (2) decisions on which the university actually engaged stakeholders but ignored their input without justification or explanation. The notice and comment period addresses both of these concerns.

111 See infra Section V.C for a detailed explanation of the notice and comment period.
112 Id.
113 Cf. Walls, Rowe & Frewer, supra note 62, at 7–9 (quoting one stakeholder engagement process organizer as saying, “‘You need to indicate what you will do with the results, because all participants are busy people, they all give their inputs, what has been done with their input . . . ’”).
1. **Notice and Comment Procedure**

The notice and comment period should take place on the following timeline:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 4</td>
<td>The Penn State energy-related goal task force should publish and “notice” the release of its preliminary energy-related goal.</td>
</tr>
<tr>
<td>May 4 – May 17</td>
<td>Stakeholders may submit comments, modifications, edits, and/or alternatives to the preliminary energy-related goal via a designed web form on the SI website.</td>
</tr>
<tr>
<td>May 18 – June 7</td>
<td>The Penn State energy-related goal task force should review all public comments, revise the preliminary energy-related goal as necessary, and draft responses to all comments.</td>
</tr>
<tr>
<td>June 8</td>
<td>The Penn State energy-related goal task force should publish and submit to the Provost a final energy-related goal with commentary. The commentary should respond to each public comment (individually or in groups) by explaining either (a) how it was integrated into the final goal or (b) why it was not integrated into the final goal.</td>
</tr>
<tr>
<td>June 8 – June 30</td>
<td>HNMCP recommends that the Provost review the final energy-related goal during this period.</td>
</tr>
<tr>
<td>July</td>
<td>HNMCP recommends that the Provost either (a) include in the 2015 Penn State strategic plan the final energy-related goal as delivered, or (b) modify or replace the final energy-related goal and publish a detailed explanation for every change.</td>
</tr>
</tbody>
</table>

After the task force has collected public comments for two weeks, the task force liaison\(^\text{114}\) should sort the comments into substantively similar groups and distribute them evenly amongst task force members, who will read and summarize their assigned comments. The task force should reconvene between May 18 and June 7 as many times as necessary for all members to present to the group a summary of the comments they reviewed. Then the task force should decide whether and how it will revise the preliminary energy-related goal in light of the public comments and divide responsibility for drafting the final energy-related goal with commentary responsive to all public comments.

The purpose of the commentary is to provide all stakeholders (who submitted comments) an explanation of either (a) how the final energy-related goal reflects their ideas, or (b) why the final energy-related goal does not reflect their ideas. To be sure, the task force should group substantively similar comments and draft a single response.

\(^{114}\) Penn State commencement takes place from May 8–10. As such, many students may not be on campus from May 18–31. If SI and the Provost decide to use a student intern task force liaison rather than a paid staff member, the task force co-chairs should be sure to appoint a student who will commit to remaining available until June 1.
only to each group (while noting how many individual comments reflected that idea). But the ultimate goal of the notice and comment period is that all interested stakeholders should understand the reasoning behind the final energy-related goal.

2. Logistics

SI should create a single web form on its website through which the task force will receive all public comments. While online platforms (as opposed to paper submission) are uniquely accessible for most stakeholders, they bear significant risks. First, because submitting a comment online costs the public little time or effort, an online platform risks overwhelming the task force with comments (which may originate from the same person or small group of people). Next, online comments are more likely to reflect “generalized opinions without facts or reasoning to support them.” Finally, online submission mechanisms could be commandeered by people or organizations who have no connection to the Penn State community (e.g. environmental activists in another state who are angry about natural gas research that takes place at Penn State).

In order to submit an online comment, stakeholders should have to fill out the following fields:

- Name
- Municipality of residence
- Email address

The web form could also contain several multiple choice fields that would enable the comments to be sorted automatically into similar substantive categories. Once stakeholders complete these required fields, they should have access to either a narrative comment box or a mechanism by which they can upload their comment as a separate file. Though there should be no word or page limit on comments, each person should be limited to a single comment submission. These parameters and conditions will help manage the risks of the online comment platform.

3. The Provost’s Procedure

115 Qualtrics and Google Forms represent two options for creating such a platform.
117 Id.
118 Id.
The task force should submit its final energy-related goal with commentary to the Provost by June 8. The Provost’s Office would then have just over three weeks to review the final goal before the 2015 Penn State strategic plan is published in July.

HNMCP recommends that the Provost include the final energy-related goal as written in the 2015 University Strategic Plan. To the extent that he modifies or rejects any part of the final energy-related goal, HNMCP recommends that he publish a detailed explanation for each change.
D. Reflection and Feedback Process

The Reflection and Feedback Process is an opportunity for all stakeholders to give feedback about the energy-related goal-setting process. It is important for Penn State to assess what worked well and what did not work well in implementing this process so that it can meet stakeholder needs better in future engagement processes.\textsuperscript{119} It is particularly important to have a built-in way for the university to gather feedback about this engagement process. This would help make the engagement process part of a “source of continuous learning.”\textsuperscript{120} In addition to process feedback, there should be a built-in mechanism to follow up on whether the university is on track to meet the substantive goals that it set through this process.

1. Process Feedback

After the goals are set, Penn State should initiate a survey and comment period to solicit reflections about the engagement process. There will be two components to the feedback process:

- A numerical ranking, drawn from the survey, about satisfaction with the process and satisfaction with the ultimate goal that was set, and;
- An option for respondents to submit free-form comments about their reaction to the process.

To gather this feedback, task force participants should be sent an anonymous survey for task force participants, and individuals who submitted comments during the notice and comment period should be sent a survey for non-task force participants.\textsuperscript{121} While the response rate may not be large enough to give a statistically significant result, the survey would be a useful indication of whether people who were actively involved in the process found it engaging and productive.


\textsuperscript{121} See Convener Manual for a proposed copy of the survey.
First, the responses should be graphed to illustrate patterns in responses about the engagement process. The answers to open survey questions should be read and summarized in a single document. Once this information is gathered, the party that conducts this process assessment should follow up with representative stakeholders to learn more about the parts of the process that worked, and the parts that should be improved. Participants should not be chosen for follow-up interviews based on their confidential answers to the survey. This could be an ideal project for a student interested in engagement and process design – perhaps a student from the Center for Democratic Deliberation would be interested in taking on such a project during Fall 2015.

2. Implementation and Substantive Evaluation

While setting the goals will be an important step for Penn State, the goals are meaningless if there is no attempt to keep the university on track to meet them. The task force should plan to meet again to evaluate whether the university is on track at least six months, one year, and eighteen months after the energy-related goals are released. This will necessitate that someone – perhaps a representative from the Sustainability Institute, in partnership with OPP – compile information about the university’s energy usage and changes that were made between the release of the goals and the evaluative meeting. This information should be distributed to the task force members before the meeting so that they can review it and prepare questions in advance.

Participants in the follow-up evaluation proceeding should make sure to abide by the best practices for effective engagement that governed the initial goal-setting process. As with the task force meetings during the goal-setting process, the minutes from these meetings should be publicly released. If possible, a follow-up evaluation should be published online and/or in The Daily Collegian and Centre Daily Times or another local newspaper so that the entire local community remains informed.

122 Center for Democratic Deliberation, PENNSYLVANIA STATE UNIVERSITY (Nov. 12, 2014), http://cdd.la.psu.edu/.
VI. DECEMBER 5TH STAKEHOLDER FEEDBACK WORKSHOP

A. Explanation

The process that HNMCP has outlined in this report, like any engagement process, should be approached with flexibility. While it was tailored to the information that HNMCP gathered from stakeholder interviews, focus groups, and research, there may be additional considerations to keep in mind during implementation. Some of those considerations could require adjusting the process to ensure that it is workable. That is the spirit in which the “feedback loops” in the process were included, and it is the spirit in which this section has been written. HNMCP gathered feedback and ideas from participants in a half-day workshop in State College on December 5, 2014, and some of the major themes that emerged during that workshop have been explained below. This section has been included so that the party who will implement the process can consider the concerns and suggestions that were discussed during this workshop. While not every comment should change the way that the final process is implemented, HNMCP hopes that this is the first of many instances in which feedback causes a reconsideration of the proposed process described in this report.

B. Stakeholder Feedback

On December 5, 2014, HNMCP conducted a half-day workshop to gather feedback on this report and recommendation from representatives of a variety of stakeholder groups. The Sustainability Institute convened a group of nineteen participants, based on the following suggested participant makeup:

- 4 representatives from SI
- 4 representatives of OPP
- 2 Penn State Administrators
- 2 students
- 6 faculty members, with a preference on those who have expertise in both energy issues and engagement.
- 4 area residents/community members
- 2 at-large attendees
After presenting a condensed version of the information contained in this report, the participants broke into discussion groups to give feedback on the proposed process. The discussions were focused on the following questions:

- What is the biggest challenge that you think the proposed engagement process will face?
- What is one way that you would suggest adjusting the process to mitigate that challenge?
- What reforms would you make to the process as it is currently proposed?

In an exercise called “Stop, Start, Continue,” participants also gave written feedback about which aspects of the HNMCP’s recommendation they most want to see implemented, which aspects they would not want to see implemented, and what processes they would like added to the proposal. A full record of the participants’ responses during the “Stop, Start, Continue” exercise is available in Appendix E.

During the workshop, participants expressed serious concern with the proposed timing for the workshop. First, participants thought that the proposed start time at the beginning of January was too soon. Beginning such an elaborate process with so little lead-up would mean that there would may not be time to publicize the initial public meeting and generate community support and involvement in the process. To deal with this problem, some suggested public relations strategies that might spread information about the engagement process quickly to a broad swath of interested stakeholders. Online bulletins, local radio, and community groups were suggested as methods for publicizing the initial public meeting and informing people about the engagement process. The Penn State administration could also spread information about the process and the kickoff meeting by issuing an official statement or invitation. Another concern about the quickly approaching start time was that it would be difficult to obtain a facilitator who would be available for the entire process, and such a facilitator could be extremely expensive.

Participants also expressed concern with the timing of the later steps in the process. Some participants were skeptical that an energy goal could be drafted in such a short time. They suggested that someone, perhaps a task force member or several, begin the process by presenting a proposal that could be criticized and adjusted by the task force. Additionally, because weekly meetings can be difficult to schedule, some suggested that the meetings be scheduled less frequently but for longer periods of time. However, even with less frequent meetings, participants worried that the time investment that involvement in this process would require – particularly for members of

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123 See Appendix D: December 5th Workshop Materials in the attached Appendices.
the task force and the co-chairs – would be excessive. There were several solutions posed to this problem. Some suggested that participants be rewarded for their involvement, either by acknowledgment of university service or by having the university buy out a portion of the participants’ time. Some suggested that the engagement process be restructured as a seminar, so that students – who would receive credit and a grade for their participation – would be incentivized to put the necessary work into the goal-setting process. Lastly, some emphasized that the administration’s explanation of the process would be key in encouraging participants to commit. Having an upper-level administrator explain that this engagement process is important and is a pilot for engagement in other areas of university policy would go a long way in impressing upon participants the importance of committing to it.

Participants also discussed “access points” for public involvement in the task force’s activities at length. First, there were a number of concerns about utilizing a student as the task force liaison. Because the position would place the student in such close contact with the public, some participants thought that it should be filled by a professional. Alternatively, some suggested that the student liaisons be responsible for gathering and organizing public comments and returning responses to the public, but that the multiple task force members should address comments and draft responses. Second, there was lively discussion around the proposed web platform for submitting public comments during both the task force’s drafting period and the notice and comment period. Generally, participants suggested that the university utilize internal expertise in online platforms and their use in civic engagement. Penn State’s Office of Information Technology Services has been doing similar research in civic technology and could potentially help with the creation of such a web platform. A specific feature that one participant suggested was that the web platform provide a method for comments to the task force to garner public support—such as through “upvoting”—rather than requiring separate people to submit individual comments.

Lastly, there were significant discussions regarding the level of representation that different stakeholder groups would receive in the engagement process. A number of participants criticized the method of appointing task force members, because they thought that task force members should be nominated and that the appointment system proposed concentrated too much power in a few hands. Additionally, the proposed composition of the task force gave some participants pause: they claimed that important stakeholder groups, such as representatives of the fossil fuel and renewable energy industries, should be represented. Other participants observed that the proposed process did not make any special effort to engage people on the Commonwealth campuses, despite the fact that a university-wide energy goal would affect them as well. However, the size of the task force was also a competing concern for participants, since it can be difficult to make decisions in a group of twenty-four. One suggested solution was that task force membership be limited to only a few
people who would represent broader groups. Some stakeholder groups could also form advisory committees who could oversee, but not participate on, the task force. Of course, since many members of the public would not be on the task force, some participants suggested that the process focus on additional avenues for public engagement, such as adding additional public meetings. Others suggested that proceedings, such as public meetings or task force meetings, be webcast so that everyone would be able to observe them.

VII. CONCLUSION

Penn State has the opportunity to create a set of energy-related goals using a more transparent, engaging decision-making process than it has used in other contexts. The proposed process allows any interested party access to the decision-making process, while relying on a smaller group of committed stakeholders to do the more work-intensive jobs of reviewing material and drafting recommendations. By prioritizing different modes of communication (from a public meeting, to comment submissions, to task force discussions), it moves away from the “black box,” in which decisions are handed down without explanation, and toward acknowledgement and understanding. These energy-related goals will guide decision-making throughout the university; giving stakeholders a voice in their creation is one way to ensure that the goals reflect the values and interests of the entire Penn State community.
VIII. BIBLIOGRAPHY


Center for Democratic Deliberation, PENNSYLVANIA STATE UNIVERSITY (Nov. 12, 2014), [http://cdd.la.psu.edu/](http://cdd.la.psu.edu/).


ROGER FISHER, WILLIAM URY & BRUCE PATTON, GETTING TO YES: NEGOTIATING AGREEMENT WITHOUT GIVING IN 42 (2012).


Penn State’s Historic Old Main, THE PENNSYLVANIA STATE UNIVERSITY (last visited Nov. 8, 2014), www.psu.edu/ur/about/oldmainhistory.html.


Reinvention Fund, PENN STATE SUSTAINABILITY INSTITUTE (last visited Nov. 12, 2014), http://sustainability.psu.edu/reinvention-fund-0.

NANCY H. ROGERS, ROBERT C. BORDONE, FRANK E.A. SANDER & CRAIG A. MCEWEN, DESIGNING SYSTEMS AND PROCESSES FOR MANAGING DISPUTES (2013)

Si Wire, Pennsylvania governor: Joe Paterno ‘probably’ should not have been fired, SPORTS ILLUSTRATED (Nov. 6, 2014), http://www.si.com/college-football/2014/11/06/govenor-tom-corbett-joe-paterno-not-fired.


DOUGLAS STONE, BRUCE PATTON, SHEILA HEEN, DIFFICULT CONVERSATIONS: HOW TO DISCUSS WHAT MATTERS MOST (2010).


DANIELLA TILBURY & DAVID WORTMAN, IUCN COMMISSION ON EDUCATION AND COMMUNICATION, ENGAGING PEOPLE IN SUSTAINABILITY (2004).


