

MINUTES
Boulder Faculty Assembly
October 7, 2010

Attendance

BFA Members Attending

Frank Beer	Robert Hermanson	Carrie Muir	Mark Squillace
Andrew Calabrese	Tom Hollweck	Robert Naumann	John Toth
Eric Chwang	Suzanne Hudson	Uriel Nauenberg	Steve Vanderheiden
Kim Dickey	Arthur Joyce	Melinda Piket-May	Martin Walter
Bill Emery	Dave Kasso	Karen Ramirez	Paul Weimer
Maw Der Foo	Buzz King	Isaac Reed	Ahmed White
Phil Graves	Catherine Kunce	Fernando Riosmena	Wendy Young
Carmen Grace	Congming Li	Joe Rosse	
Lynn Harvey	Shelly Miller	Bob Schulzinger	

BFA Members Not Attending

Ernesto Acevedo-Muñoz	Douglas Duncan	Daria Kotys-Schwartz	Joe Ryan
Kwasi Ampene	Frank Eparvier	Graziana Lazzarino	Eckart Schutrumpf
Sedat Biringen	Antonia Green	Jeff Mitton	Elizabeth Skewes
Gregory Camilli	Andy Hoenger	Page Moreau	Ted Snow
Greg Carey	Lori Hunter	Robert Parson	Ted Stark
Andrew Cooperstock	Peggy Jobe	Michael Preston	Deward Walker
John Cumalat	Patrick Kociolek	Antje Richter	Jeff Weiss

Liaisons & Observers

Bill Kaempfer, Vice Provost and AVC for Budget & Planning
Horst Mewes, Arts & Sciences Council Chair
Bradley Albus, Staff Council Liaison
Heather Hoyer, Participant, University Perspective Program

Special Guests

Phil DiStefano, Chancellor
Wayne Hutchens, CU Foundation President
Carolyn Whitehead, CU Foundation Vice President for Boulder Campus Development
Jamal Ward, Director of the Office of Student Conduct
Corey Bruner, Chair of the Honor Council
Vince McGuire, Faculty Liaison to the Honor Council

The Boulder Faculty Assembly held its regular meeting on October 7, 2010 in Wolf Law, Room 207. Chair Joe Rosse presided. The meeting convened at 4:05 p.m. and adjourned at 5:30 p.m.

I. Chair's Report:

BFA Chair Joe Rosse's report included the following:

- a. Minutes Approval –The BFA has adopted a new method of approving minutes: the BFA Office will distribute a draft for your review, and attendees will have three business days to respond with corrections or other changes. After that time, barring significant changes, the minutes will be deemed approved for distribution.
- b. Chancellor’s State of the Campus Address; & President’s Town Hall Meeting – On October 12 at 9:00 a.m. Chancellor DiStefano will give a State of the Campus Address in the UMC, preceded by continental breakfast. On October 20 from 10:00 - 11:30 a.m. President Benson will hold a ‘Town Hall’ meeting in Old Main Chapel. All faculty are invited to attend both events.
- c. Annual Meeting of the Boulder Faculty Senate – The next BFA meeting, November 4th, is a joint BFA and Boulder Faculty Senate meeting. Both the Chancellor and the President will address the Faculty Senate. BFA members are encouraged to bring a colleague to attend, and come prepared with ideas to share with campus leadership.
- d. Professional Rights and Duties (PRD) - The Council of Deans has endorsed the new ‘enabling’ policy, which incorporates the PRD into policy by reference. Next it will be reviewed by the Chancellor’s Executive Committee, then possibly legal counsel.
- e. School of Journalism Discontinuance Process - The BFA has named Professor Sanjai Bhagat of Business as its representative on the program review committee. The Committee’s report is due November 1st.
- f. BFA Program Discontinuance Motions - Faculty Council is reviewing the BFA’s recent motions on program discontinuance.¹ Concerns include timing, and that the severance pay motion may run afoul of the Postemployment Compensation Act, which was featured in University Counsel’s legal memo of last May.
- g. Legal Memo on the Status of Instructors – the BFA has made progress towards obtaining a review from alternative legal counsel. The CU Law School may also be looking for another interpretation, because its accreditation could be imperiled if it cannot offer multi-year contracts to its clinical faculty.

II. Special Report: CU Foundation

Rosse reported that the BFA has asked the Foundation to clarify how the Foundation works and how it has been faring. Rosse welcomed President Wayne Hutchens and Vice President for UCB Development Carolyn Whitehead.

Hutchens’ report included the following:

- The Foundation is a non-profit 501(c)(3), separate from the University.
- The Foundation has four particular areas of involvement: Fundraising, Investment Management, Finance and Operations, and a separate Real Estate Foundation.
- Building relationships with potential donors begins with matching a donor’s interest with a funding opportunity, then building the donor’s confidence in the opportunity and the institution, and finally letting the donor know the impact of the gift. Faculty play an important role in each of these stages.
- Most donor’s gifts are targeted for a specific program, department, or project.

¹ Faculty rights: www.colorado.edu/FacultyGovernance/committees/MOTRES/BFA-X--M-101209.pdf
 Sr. Inst. rights: www.colorado.edu/FacultyGovernance/committees/MOTRES/BFA-X--M-113009.1.pdf

- Fundraising fell 9.8% between Fiscal Years 2009 and 2010, but the Foundation did very well given the poor economy. In 2010 the Foundation raised \$91.9 million in gift funds, its fourth best year ever, and almost double what it raised in 2005 and 2006.
- Long term investment includes a \$640 million endowment, a \$75 million short term investment pool, and a \$53 million pool of life income trusts (trusts that donate interest but the donor retains ownership of the trust assets).
- CU cannot make capital expenditures of more than \$1 million without legislative approval. Therefore strategic real estate purchases are often made by the Foundation instead, to sell the property to the University when circumstances permit.
- The Foundation sometimes provides its own resources to the University when a strategic need or transformational opportunity arises, such as a special hiring package.
- The Foundation's operational budget is about \$21 million.
 - None of it is from gift revenue. 100% of gift revenue goes directly to its intended source; it is not used to support the Foundation's operations.
 - 57% is from endowment fees; 24% is from the CU President's office; 14% is interest on short term investments; and 4% is from unrestricted endowments.
- About 71% of the operations budget is personnel, most of which are actively raising support. Costs are measured by the ratio of expenditures to income. Costs have been as high as 30% and as low as 17%. Costs were 22% in fiscal year 2009. The Foundation has made staff reductions but will not cut fundraising positions.
- The CU Real Estate Foundation supports the Business School's Real Estate Center; manages gifts of property; manages real estate investments (worth about \$70 million); and consults with CU's campuses on real estate plans.
- The Foundation's marketing is about Creating Futures in four "pillars:"
 - Discovery and Innovation
 - Learning and Teaching
 - Health and Wellness
 - Community and Culture

Carolyn Whitehead, the CU Foundation's Vice President for Boulder Campus Development, made the following additional points:

- Each school and college, the Athletics Department, and various others have their own Foundation staff. Some have a team of fundraisers; others have one or two.
- CU and Foundation employees work closely together as teams.
- Deans work with Chancellors and Provosts to set priorities and decide which projects are good candidates for fundraising. The Foundation then assigns staff to each unit, deployed according to priorities and the largest fundraising goals.
- The Foundation's fundraising organizational structure mirrors the campus' structure. At UCB the Chancellor works with the Foundation Vice President for UCB Development. The Provost and Deans work with the Foundation's Associate VPs. Associate Deans and Department Chairs work with Foundation Senior Directors of Development, who lead teams of fundraisers that include faculty.

Chancellor DiStefano made the following additional points:

- The Chancellor meets individually and as a group with Deans on an ongoing basis to talk about fundraising goals. Units are generally interested in raising funds for

- endowed professorships, summer research, and graduate student fellowships. Some units also seek funding for centers, programs, and/or construction projects.
- The Chancellor and Foundation development officers work closely with the Deans to ensure priorities fit with the goals in the Flagship 2030 plan. Deans are expected to work closely with department Chairs (and in small schools and colleges with faculty) to involve faculty in setting priorities.
 - The Chancellor creates fundraising teams that each include the donor, a dean, and a faculty member who is doing the kind of research the donor is interested in.
 - Many conceive of fundraising as asking donors to fund particular projects. Raising money in that way is very difficult. The Foundation's process begins with the donor: to match donors' interests with opportunities for support. The involvement of a faculty member comes later.

In the question and answer period that followed, comments included:

- The Foundation does not publish the list of donors and amounts of contributions.
- Given the Foundation's fundraising approach, which begins with each donor's interests, the BFA as a collective does not have a role in the fundraising process.
- The Foundation's gift contract stipulates how particular donations can be used. A donor can endow a chair but cannot choose the person to be hired. Donors can support specific kinds of research but cannot dictate which faculty member performs that research. If a donor insists, CU declines the gift. There is no formal mechanism to prevent gifts from affecting the character of a school. Deans are expected to be sensitive to the cumulative effect of multiple gifts.
- Faculty are asked to put potential donors in touch with Deans or Foundation development officers. Gifts are often more complex than merely writing a check. The Foundation can work with donors to make the best strategic choice for the donor while also maximizing the benefit to CU.
- When funds for capital construction do not arrive when expected construction generally begins anyway, due to the need to avoid the additional expense of postponing the project. Often donation funds arrive after a new building opens, for example naming opportunities are often available at that time.

Rosse thanked Hutchens and Whitehead.

III. Special Report: Honor Code

Rosse reported that a question arose last year about whether the rights of faculty to assign grades conflict with Honor Code policy on academic dishonesty. Rosse introduced Jamal Ward, Director of the Office of Student Conduct.

Ward reported that the Honor Code, which is run by the students, was introduced to the Boulder Campus in 2001. Ward introduced Corey Bruner, student Chair of the Honor Council. Bruner's report included the following:²

- New areas of concern include self-plagiarism and new technologies.

² Two of Bruner's slides: [What Constitutes a Violation](#) and [The Adjudication Process](#) are amended below.

- Three main areas of faculty involvement are: (1) reporting a violation, (2) talking with the investigation team, and (3) participating in the hearing.
- Faculty often do not attend hearings. This creates consistency and enforcement problems as alleged cheaters often “explain away” the charges, unopposed. As a result faculty often do not agree with hearing outcomes. This problem can be alleviated by faculty attendance at hearings.
- Statistics indicate a steady rise in reports for the first years of the Honor Code, and a decline from 2005-2008. In 2009 there was a sharp increase in part because of efforts to increase awareness with both faculty and students.
- Under the Honor Code Faculty retain the sole responsibility for assigning grades. The Honor Code’s powers to impose sanctions are limited to non-academic sanctions, such as a required seminar in academic integrity.

Bruner introduced Vince McGuire, Faculty liaison to the Honor Code Council. McGuire’s comments included the following:

- McGuire teaches a seminar in academic integrity, which the Honor Council can require of students who are found guilty of academic dishonesty.
- Faculty who are aware of cheating are asked to report it, to avoid students cheating multiple times before being caught and treated as first offenders.
- The Campus maintains a site license for Turn-it-in.com , which is a relatively easy way to detect certain forms of plagiarism.

In the question-and-answer period that followed Bruner made additional points:

- Some professors require students to sign the pledge on every assignment and exam, but the Honor Code does not require it. ‘Blue books’ include the pledge with a line for students to sign, but signing it is not required.
- When ‘course forgiveness’ still existed the Honor Code barred students from using it to repeat classes in which they had been caught cheating.
- The hearing is waived if a student admits to allegations.
- The Honor Council surveyed the campus about cheating in 2004 and is planning another survey. There are no data from before 2001.
- Incidents involving graduate students are increasing.
- The Honor Code requires students to report cheating that they know of, but the rule is hard to enforce in part due to a ‘culture of non-reporting.’
- Sales of “Buff Notes” to lecture class students is a concern. If a professor prohibits them, then a student using them is in violation of the Honor Code.

Other comments included the following:

- “Self-plagiarism” is problematic to address with students because the custom in Higher Education is for faculty to publish the same material repeatedly.
- Students lack skills in note-taking, which can lead to unintentional plagiarism.

Rosse thanked the Honor Code speakers and requested they work with the BFA to make resources available for faculty in dealing with academic integrity issues.

IV. Committee Report: BFA Nominating and Elections Committee

Committee Chair John Toth called the attention of the Assembly to a list of nominees for vacancies on BFA committees:

- Academic Affairs Committee: Steve Dinauer, ROTC
- Administrative Services and Technology Committee: Eric Chwang, Philosophy
- Budget & Planning Committee: Greg Carey, Psychology
- Faculty Compensation and Benefits Committee: Fernando Riosmena, Geography
- Intercollegiate Athletics Committee: Jennifer Bair, Sociology
- Nominating & Elections Committee:
 - Suzanne Hudson, PWR;
 - Deward Walker, Ethnic Studies; and
 - Maw Der Foo, Business
- Student Affairs Committee: Steven Vanderheiden, Political Science
- Administration Nominee, Administrator Appraisal Cmte: Dean Daniel Sher, Music

Toth asked the Assembly for a vote on the acceptability of these candidates. The BFA ratified the nominations with none opposed.

V. General Discussion

Squillace requested the BFA consider inviting John Sleeman, the author of last May's legal memo on the status of instructors, to discuss his memo at a meeting in person.

VI. Adjournment

The meeting was adjourned at 5:30 p.m.

Respectfully submitted by Sierra Swearingen, BFA Coordinator.

What Constitutes a Violation?

- Plagiarism
 - Self Plagiarism
- Cheating
- Fabrication
- Aid of Academic Dishonesty
 - Clickers
- Lying
- Bribery
- Threat
- Unauthorized Access

For Questions, please contact:

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The Adjudication Process

