

Attending:

Chair John Daily, Vice Chair Bob Schulzinger, Secretary Barbara Bintliff, BFA at-large reps Cathy Comstock and John Cooper, BFA Academic Affairs Committee Chair Martha Jo Sani, BFA Diversity: Committee on Women Co-Chair Chonin Horno-Delgado, BFA Faculty Affairs Committee Chair Dan Liston, ASC Chair Jeff Mitton, VC Academic Affairs Bill Kaempfer, Student Administrator for Academic Affairs Trey Lyons, *Silver and Gold* representative Jeff Dodge, Merrill Lessley for Campus Civility, Chancellor Byyny for the draft Sexual Harassment Policy

Not attending:

BFA Budget & Planning Committee Chair Uriel Nauenberg, BFA Communications Committee Chair Tom Geers, BFA Infrastructure: Libraries Committee Chair, Steven Bruns, BFA Student Affairs: Intercollegiate Athletics Chair Michael Preston

A meeting of the Boulder Faculty Assembly Executive Committee was held on Monday, November 2, 1998, in Porter Biosciences Room B121. Chair John Daily presided. The meeting convened at 3:30 p.m. and adjourned at 3:55 p.m.

A. Approval of Minutes

MOVED by Robert Schulzinger and seconded by Jeffry Mitton that the minutes of October 26 be approved.

The motion carried.

The BFA Executive Committee minutes will be forwarded to the BFA, Jeff Mitton, and UCB administrators each week after approval.

B. Report from Chair Daily

Faculty Salaries

Chair Daily announced that information from Uriel Nauenberg regarding Faculty Salaries and points of discussion is included in the BFA Executive Committee packet (November 2, 1998). Daily asked that the Executive Committee review that material and the numbers approved by system administration that Nauenberg distributed at the 10/26 BFA meeting. (Documents available from the BFA Office.)

Mitton commented that system administration had told Nauenberg that they would get a simple report on the size of the budget for 1985-86 and now and have not done that yet. Daily responded that the BFA should definitely have that data.

Daily commented that the Chancellor's point that UCB should first have the discussion concerning system growth and then meet with system is well taken. Daily agreed to have the conversation with UCB administration and then to present the results of that conversation to system administration and have a

meeting with system at that point. Daily stated that the panel discussion with UCB administration would be on Monday, November 9, 1998.

Daily announced that he would be approximately 10 minutes late for Monday's meeting and ask Vice Chair Schulzinger to begin the meeting on November 9. Schulzinger agreed.

Committee Assignments

Research Misconduct Committee

(requested by Jerry Peterson - 2-1087)

Schulzinger reported that Jerry Rudy, Psychology, has agreed to serve on the Research Misconduct Committee.

After discussion, the following action was taken:

MOVED by Schulzinger that Jerry Rudy be approved by the BFA Executive Committee to serve on the UCB Research Misconduct Committee.

The motion carried.

Schulzinger will advise Jerry Peterson of the nomination.

Faculty Council Committee on Women

(requested by Abby Ferber - Error! Bookmark not defined)

Schulzinger reported that Co-Chair of the Committee on Women, Chonin Horno-Delgado has agreed to serve on the Faculty Council Committee on Women.

After discussion the following action was taken:

MOVED by Schulzinger that Chonin Horno-Delgado be approved by the BFA Executive Committee to serve on the Faculty Council Committee on Women.

UCB CPP Implementation Team

CPP (Colorado Peak Performance) replaces the current PACE system for staff evaluation. Schulzinger agreed to go through the list given to the BFA Executive Committee by Todd Gleeson to find a faculty member to serve on this committee.

C. Special Reports

Chancellor's Diversity Committee

Schulzinger, BFA rep on the Chancellor's Diversity Committee, reported that the committee has approximately 25 to 27 members. The committee will be submitting a report to the Chancellor during the second week in November covering the gamut of issues regarding Diversity, such as benchmarks, standards, and consequences. Schulzinger reported that while he has only attended one meeting of the committee this semester, he is concerned that there might be things in it that affect the academic mission, in which the faculty have primary responsibility. Schulzinger is concerned that the nature of the representation of the committee that the faculty view is not heard. Schulzinger discussed several examples, including budgetary consequences. Schulzinger feels the committee is broadly based but not proportionately representative, that it is mostly staff.

Comstock commented that the proposal regarding budgetary consequences, that if faculty had not done certain things such as recruiting in journals known for more diversity outreach, etc., and that type of quality control efforts, it would make sense to have budgetary consequences.

Sexual Harassment Draft Policy

Chancellor Byyny distributed copies of the Sexual Harassment Policy and Procedures draft document. Byyny reported that the policy an evolutionary one with the courts still dealing with the issues of sexual harassment. Byyny reported that UCB had adopted a sexual harassment policy three years ago. The CU system then adopted a sexual harassment policy based upon that of the four campuses, thus putting the UCB policy out of sync with the system policy. The draft is the recommendation regarding sexual harassment policy for UCB after group discussions on the campus.

Byyny reported that the first policy had a three-member panel that would investigate and then evaluate allegations of sexual harassment and that it did not work. The new recommendation is to have a single, trained investigator for each case and then the formation of a panel to review findings. All interviews would be tape recorded for the three member panel and the panel could re-interview witnesses or interview new witnesses. Byyny stated that after discussion the policy with groups on campus, that the document is acceptable to use for the next six to ten months. Byyny stated that most of the objections have been related to issues they have with the system wide policy rather than the UCB policy. The system wide policy would be reviewed during the next year, getting broad input from the campuses, and formulate a new policy. At that point in time the UCB policy would be reviewed again to bring it to the system policy.

Byyny remarked on the responsibility of the administrator report. Byyny stated that it would not be included specifically in the policy but cover with a memo for training purposes. If a person makes a third party allegation but no person is named as the potential victim, the administrator does not have the responsibility to report. But, if the third party submits a complaint providing the name of the potential victim that would be reported. Byyny stated that there is not an obligation however, on the part of the co-chairs for an administrator's report to investigate or go through the whole process, that would be up to the investigator given the allegations after interviewing the victim.

Comstock asked if a person comes to their chair and confides in them about a potential allegation, are the chairs obligated to report. Byyny responded yes, but in confidence and that the obligation of administrators will be to report to that person that it will have to be reported.

Bintliff asked if there is a way for a complainant to move to the next level of co-chairs choose not to pursue and investigation. Byyny responded that there is.

Byyny asked for BFA approval of the draft for release on November 4 with the understanding that the document will continue to be reviewed before a final draft is developed.

Mitton asked if a complaint is lodged against a person, is the person it is lodged against informed of the complaint. Byyny responded that the alleged harasser has to be informed. Byyny stated that both parties are provided with a summary of the investigation, they can review the investigative files in the office but are not given them the information in the file.

Kaempfer commented that the examples in the draft document are written from a "power" perspective. Kaempfer points out that students can harass faculty and that subordinates can harass supervisors and that some of the examples need to reflect this. Byyny agreed and stated that in training and in the next review of the policy, that point would be made.

Horno-Delgado commented that there should be specific training for faculty and that the current training is mainly heterosexual and that it should be more balanced.

John Cooper applauded the work of the BFA Committee on Women for their work with the sexual harassment policy.

After discussion, the following action was taken:

MOVED by Horno-Delgado that the BFA Executive Committee approved the acceptance of the Draft Sexual Harassment Policy.

The motion carried unanimously.

The draft policy document does not need the approval of the full BFA but will be distributed to BFA members as a point of reference and information.

IRMS

Comstock asked if the main feedback regarding IRMS is to come from individual responses or from groups such as deans and chairs. Byyny responded that they are considering feedback from groups as well as individuals and that the process is in the message to the faculty. Cooper commented that deans (at least in A&S) have not involved chairs and faculty in the way requested. Byyny responded that he would reiterate that message at the next deans council meeting. Byyny stated that IRMS is thinking about where faculty wants the University to be in the next five or ten years and what contribution can be made by groups as well as individuals to meet the goals. Daily reiterated that every faculty member ought to have heard from his or her department chair about the IRMS process and understand that there is likely to be a very large impact, not the very least being that if you don't play, you don't get.

Cooper commented that strategic plans must be re-indorsed. Byyny added that the strategic plans might be re-indorsed or revised at this time, as this is a process in evolution. Kaempfer commented that the strategic plans are clearly where he and Ric Porreca went for information regarding IRMS and that faculty needs to know the importance of such plans.

Campus Civility

Merrill Lessley, chair of the campus committee charged with creation of a campus civility document, reported on the past workings of the committee and the difficulty for the committee to agree on what "civility" meant. Lessley stated that the committee moved away from a populous feeling to a more rigorous definition. Civility is basically the outcome of building a community where people felt safe, and felt they were within an institution responsive to their needs and it was an opportunity for careful, logical, well constructed conversation and reasonable discourse, that civility did not mean being polite. Lessley stated that the idea of civility in a research institution, built around discovery and invention, must include conflict. Lessley further stated that civility was actually the secondary issue and that the primary issue was to build a community that accepts and embraces conflict but understands the limits and boundaries. Lessley suggested that access to highly coordinated policy and quick resolution or referral to help with problems was an important first step. Lessley reported that the civility report would be posted on the web.

Lessley reported that the chancellor recommended creating a group representative of the campus as a whole, membership would serve also on the other task forces so that they will connect. Ofelia Miramontes will serve as coordinator of this group.

Lessley commented that civility needs to be approached with a fair level of sophistication or that it will fail. Lessley asked that the BFA Executive Committee review the document when it is posted on the web. It will also be announced in the Carillon.

Schulzinger asked what difference Lessley expects the document will make, what value added can be applied to this document. Lessley responded that the document will present an approach most do not think about when thinking about civility, the creation of a set of rituals, traditions and ceremony and that it will fail unless these rituals are highly symbolic.

Byyny commented that the document is a rich enough document and offers a certain amount of pride for CU that CU is much, much better than we often give ourselves credit for. Byyny further stated that without the document we are left with a "political correct" solution and the rejection of that approach at UCB.

Cooper recommended "The Argument Culture: Moving from Debate to Dialogue" by Dedorah Tannen

Horno-Delgado commented on the importance of freedom and not being so completely regulated on every issue that defining everything is becoming too restrictive.

Daily commented that a decent faculty club would be part of a solution to deal with campus civility, for faculty to spend unstructured time together.

Comstock commented that we use legal services to advise rather than make policy for the university.

Byyny commented on the importance of a community being more self-regulatory, that policy is made up by the people and that legal issues are important and should be considered but the people should make policy.

D. Next Meeting

The next regular meeting of the Boulder Faculty Assembly Executive Committee will be Monday, November 9, in Room B121 in Porter Biosciences from 3:30 to 5:00 p.m. Please note that a panel discussion "Where should we be" will take place at that time with Chancellor Byyny, Ric Porreca, and Arts and Sciences Dean Spear.