MINUTES
Boulder Faculty Assembly
October 6, 2011

BFA Members Attending

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haytham Bahoura</td>
<td>Sanjay Gautam</td>
<td>Shelly Miller</td>
<td>Joe Rosse</td>
</tr>
<tr>
<td>Frank Beer</td>
<td>Carmen Grace</td>
<td>Shivakant Mishra</td>
<td>Seth Spielman</td>
</tr>
<tr>
<td>Elisabeth Bloomfield</td>
<td>Jim Green</td>
<td>Hans Morganthaler</td>
<td>Ted Stark</td>
</tr>
<tr>
<td>Elizabeth Bradley</td>
<td>Martha Hanna</td>
<td>Adam Norris</td>
<td>Steve Vanderheiden</td>
</tr>
<tr>
<td>Greg Carey</td>
<td>Peggy Jobe</td>
<td>Robert Parson</td>
<td>Martin Walter</td>
</tr>
<tr>
<td>Paul Chinowsky</td>
<td>Arthur Joyce</td>
<td>Jerry Peterson</td>
<td>Jeff Weiss</td>
</tr>
<tr>
<td>Douglas Duncan</td>
<td>Buzz King</td>
<td>Melinda Piket-May</td>
<td></td>
</tr>
<tr>
<td>Bill Emery</td>
<td>Mike Klymkowski</td>
<td>Jason Potter</td>
<td></td>
</tr>
<tr>
<td>Frank Eparvier</td>
<td>Catherine Kunce</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BFA Members Not Attending

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ernesto Acevedo-Muñoz</td>
<td>Lakshmi Kantha</td>
<td>Page Moreau</td>
<td>Conrad Stoldt</td>
</tr>
<tr>
<td>Kwasi Ampene</td>
<td>Dave Kassoy</td>
<td>Robert Nauman</td>
<td>Bryan Taylor</td>
</tr>
<tr>
<td>Andrew Cooperstock</td>
<td>Daria Kotys-Schwartz</td>
<td>Michael Preston</td>
<td>Kira Van Lil</td>
</tr>
<tr>
<td>Maw Der Foo</td>
<td>Mark Leiderman</td>
<td>Reiland Rabaka</td>
<td>Ahmed White</td>
</tr>
<tr>
<td>Phil Graves</td>
<td>Congming Li</td>
<td>Karen Ramirez</td>
<td>Jan Whitt</td>
</tr>
<tr>
<td>Antonia Green</td>
<td>Jeff Mitton</td>
<td>Maj. David Rozelle</td>
<td>Wendy Young</td>
</tr>
<tr>
<td>Lynn Harvey</td>
<td>Bradley Monton</td>
<td>Jerry Rudy</td>
<td></td>
</tr>
<tr>
<td>Robert Hermanson</td>
<td>Susan Moore</td>
<td>Anne Sheehan</td>
<td></td>
</tr>
</tbody>
</table>

Liaisons

Bill Kaempfer, Vice Provost and AVC for Budget & Planning
Ted Jobe, Staff Council

Special Guests

Mark Malone, Faculty Council Chair
RL Widmann, Faculty Council Educational Policy and University Standards Chair (EPUS)
Skip Hamilton, Faculty Council Secretary
Tricia Strating, Faculty Council Administrator
Marie Walsh, BFA Student Assistant

The Boulder Faculty Assembly held its regular meeting on October 6, 2011 in Wolf Law room 207. Chair Jerry Peterson presided. The meeting convened at 4:00 p.m. and adjourned at 5:15 p.m.

I. Chair’s Report:

BFA Chair Jerry Peterson’s report included the following:

a. **New BFA Members** – Peterson welcomed new BFA members, elected or appointed by their departments since the last BFA meeting:
   - James Green, Astrophysical and Planetary Sciences
   - Seth Spielman, Geography
   - Jan Whitt, Journalism, and
   - Hans Morganthaler, Environmental Design. Peterson reminded the Assembly that the BFA has invited Environmental Design, which is not part of the Campus’ governance structure, to appoint one of their faculty to attend BFA
meetings in a non-voting capacity.

b. **Congratulations** – Peterson congratulated several BFA members and members of BFA Committees who have received recent honors:
   - Kim Dickey, Art and Art History, Promotion to Full Professor
   - Arthur Joyce, Anthropology, Promotion to Full Professor
   - Michael Main, Computer Science, Promotion to Full Professor
   - Tim Oakes, Geography, Promotion to Full Professor
   - Ahmed White, School of Law, Promotion to Full Professor
   - Phoebe Young, History, Awarded Tenure
   - Maw-Der Foo, Business, Provost’s Faculty Achievement Award
   - Douglas Duncan, APS, Astronomical Society of the Pacific’s Outstanding Astronomy Teacher of the Year Award
   - James Green, BFA 2010-2011 Excellence in Research Award
   - Melinda Piket-May, BFA 2010-2011 Excellence in Service Award

c. **COIA Steering Committee** – The Pacific-12 division of the National Coalition on Intercollegiate Athletics has elected Peterson to COIA’s steering committee.

d. **Administrative Policy Statement review** – The CU system is currently reviewing four policies that directly affect faculty:
   - Performance Ratings for Faculty (policy 5008)
   - Faculty Development and Mentoring (policy 1021)
   - Post-Tenure Review (policy 1003)
   - Professional Plan for Faculty (policy 1011)

Proposed revisions are on line at https://www.cu.edu/policies/aps-under-review.html.

e. **Upcoming events in October**
   - **Chancellor’s State of the Campus Address** – Tuesday, October 11, 8:00 to 9:00 am in the UMC Ballroom, with coffee beforehand at 7:30.
   - **Pacific-12 Faculty Governance Leadership meeting** – all day Saturday, October 15th. Eleven of the Universities in the Pac-12 will participate.
   - **Research Fair** – Tuesday, October 18, 2 to 4 pm in UMC 235. At the first annual event of this kind, the Vice Chancellor for Research will provide information for faculty about managing research matters.
   - **President Benson’s Town Hall meeting** - Wednesday, October 26th at 10:00 a.m. in the Glenn Miller Ballroom.

f. **Boulder Campus Senate Meeting** – Each year the BFA hosts the annual meeting of the Boulder Campus Senate, concurrently with a regular BFA meeting. All members of the Boulder Faculty Senate (most faculty on campus) are encouraged to attend. The meeting is tentatively scheduled for the November 3rd BFA meeting.

Kaempfer reported that one of the faculty/staff dependent scholarships, funded from campus vending machines, will soon be augmented by part of the fees from new vendors on East Campus. Beer asked the status of the other dependent scholarships (funded by endowments), and asserted they have not been well monitored. Peterson suggested the BFA’s Faculty Compensation and Benefits Committee pursue more information.

II. **Faculty Council: Proposed Revision of Regents’ Law 5.C. Dismissal for Cause**
Peterson introduced Mark Malone, Chair of Faculty Council. Malone introduced other attendees including Faculty Council Secretary Skip Hamilton, Faculty Council EPUS Committee Chair RL Widmann, Faculty Council Personnel Committee Chair Bill Emery, and Faculty Council Administrator Tricia Strating. Malone reported that he has made similar visits to the other three campuses to keep faculty informed and request feedback.

Malone stressed that the policy (and its revision) governs only “for cause” dismissals. He showed slides throughout his report [https://www.cu.edu/facultycouncil/dismissal.html] and included the following points:

• A brief history of “Dismissal for Cause” at CU
  
  o Rarely used, CU’s severance pay policy in dismissal was created in a 1966 Regents resolution.
  o The policy became controversial in 2007 when CU dismissed Ward Churchill and paid him a year’s salary as severance pay.
  o In 2008 the Regents asked Faculty Council to revise the dismissal policy to remove the automatic entitlement to severance pay.
  o Proposed revisions since then have resulted in disagreement.
  o In April, 2011 the Regents gave Faculty Council until January, 2012 to create a single motion, reflecting the unified opinion of the faculty.

• Existing policy language: “A faculty member may be dismissed when, in the judgment of the Board of Regents and subject to the Board of Regents constitutional and statutory authority, the good of the university requires such action. The grounds for dismissal shall be demonstrable professional incompetence, neglect of duty, insubordination, conviction of a felony or any offense involving moral turpitude upon a plea or verdict of guilty or following a plea of nolo contendere, or sexual harassment or other conduct which falls below minimum standards of professional integrity.”

• Proposed change(s) would add an additional sentence to the above to govern severance pay, and would adjust some of the wording in the existing language.
  o The current proposed severance pay verbiage is “the faculty panel on Privilege and Tenure may recommend, in consideration of mitigating circumstances, that the Board of Regents vote affirmatively to give one year of severance pay to the faculty member dismissed for cause.”
  o The new proposed verbiage, after collecting faculty feedback, is: “after consultation with the faculty panel on Privilege and Tenure and in consideration of the circumstances, the Regents may vote to deny severance pay for a faculty member to be dismissed for cause.”

• Some Faculty have expressed dissent to changing the policy, including:
  o Severance pay is a faculty right and should not willingly give it up.
  o Severance is an important bargaining chip when asked to resign.
  o Faculty dismissed for cause need severance to transition their careers.
  o Faculty dismissed for cause need severance to pay for legal fees in appeal.
  o Discretionary severance would place outside political pressure on the Regents.

• A tentative schedule of events to meet the Regents’ January deadline is:
  o October 13th – deadline to collect feedback.
o October 14th – Joint meeting of Faculty Council EPUS and Personnel committees to review feedback and make further amendments.
o October 27th – Faculty Council will vote on a final proposed revision.
o Subsequent meetings, if necessary.
o January 3rd – Faculty Council will present the revision to the Regents.

A question-and-answer period followed.

Malone urged the faculty to provide feedback to their elected and appointed Boulder Campus representatives, and/or to facultycouncil@cu.edu. Peterson urged BFA members to comment on the proposed revisions (or grant their approval) as soon as possible, to keep the process on track to meet the Regents’ deadline.

III. Old Business

BFA Faculty Affairs Committee – Chair Paul Chinowsky

| BFA Faculty Affairs Committee |
| Resolution to endorse the new Review Process for Instructor-track Faculty |

Whereas last spring the Faculty Affairs Committee, working with the Division of Faculty Affairs and the Vice Provost, developed a new review process for instructors, and

Whereas the BFA Executive Committee has granted its approval of the new process,

BE IT RESOLVED that the BFA endorse the Executive Committee’s approval of the new “Instructor-Track Review Process” presented last year by the Faculty Affairs Committee.

Approved by the BFA Executive Committee: May 13, 2011
Notice of Resolution to the BFA: September 1, 2011

Chinowsky reported that the Committee changed wording in item 5 after feedback at the BFA meeting of September 1st. [The revised review process is appended below.]

Moved by Paul Chinowsky on behalf of the Faculty Affairs Committee that the BFA approve the resolution.

There was no discussion.

The resolution was approved with none opposed.

BFA Nominations and Elections Committee

Kunce introduced Marie Walsh, the BFA’s new Student Assistant, today’s election teller.
Kunce then conducted a special election to fill a vacancy on the Executive Committee for an at-large member selected from the current BFA membership. Kunce reported one nomination: Greg Carey, and asked for nominations from the floor. There were none.

Moved by Frank Beer and seconded by Shelly Miller to suspend the rules in order to vote by acclamation in today’s election. The motion passed without dissent.

Kunce asked the Assembly to indicate their approval or disapproval of Professor Carey’s election via voice vote. The BFA voted to approve with none opposed. Kunce declared Greg Carey elected to the position of BFA Executive Committee Member At-Large.

**BFA Bylaws Committee: Bylaws and Standing Rules Revision – Chair Bill Emery**

---

**Boulder Faculty Assembly Bylaws Committee Motion**

to Revise the BFA Bylaws and Standing Rules to (a) correct minor inconsistencies and gaps, and (b) create a Standing Committee on the issues of Non-Tenure-Track Faculty

Whereas the current Bylaws and Standing Rules documents contain several minor inconsistencies and gaps, and

Whereas on April 28, 2011 the BFA approved a resolution to create a standing committee to represent non-tenure-track faculty (BFA-R-042811.2),

MOVED that the BFA approve corrections and revisions of the BFA Bylaws and Standing Rules as posted on the BFA website on August 30, 2011 for review, and further

MOVED to further amend the BFA Bylaws and Standing Rules to include the following wording to name the new Standing Committee and give its official charge:

m) Instructor-Track Faculty Affairs Committee

The Instructor-Track Faculty Affairs Committee shall consider issues pertaining to instructors and lecturers, including but not limited to compensation, workload, performance review, promotion, contract renewal, and intellectual freedom. The Committee shall periodically review Academic Affairs and other campus policies relating to the professional responsibilities of instructor-track faculty. The Committee shall act as a clearinghouse for suggestions and concerns for instructor-track faculty matters.

The Instructor-Track Faculty Affairs Committee shall have a minimum of seven faculty and may choose additional members, subject to approval by the BFA Executive Committee, to ensure sufficient membership to address specific issues and concerns as they arise. The Committee shall consist of at least two BFA members regardless of faculty status, a minimum of three instructors from different disciplines, and at least two tenured or tenure-track faculty. The Committee shall appoint one of its members to attend meetings of the Faculty Affairs Committee.

Notice of Motion to the BFA: September 1, 2011
Revised Notice of Motion to the BFA: October 6, 2011

Emery reported that the Committee has gathered feedback, and then read a newly proposed addition to the preamble:
Those eligible to vote for and serve as members of the BFA shall include the following faculty with appointments of at least 50% as Professors of any rank except adjunct or ‘of practice,’ Instructors of any rank, Research Professors of any rank, Clinical Professors of any rank, and ROTC faculty of any rank. In addition the Retired Faculty Association may appoint up to two retired faculty to serve on the BFA.

Emery reported that the biggest change to the documents is the composition of and charge to the BFA’s new standing committee on Instructor-Track Faculty. He reported that the name “instructor-track” was introduced to be a less negative designation than “non-tenure track,” that its list of topics allows for other items not specifically listed, and that the composition can grow in response to need if approved by the Executive Committee. Emery reported that all the bylaws and standing rules revisions may be reviewed any time by clicking a link on the BFA website homepage. [Please contact the BFA office if you wish to receive a hardcopy of the proposed revisions.]

Discussion followed. Emery clarified that the Executive Committee’s vote on additional members would be to determine the committee’s size, not the identities of its members. Emery reported that students on the committee will be allowed but not required.

Emery thanked the BFA for its participation, and asked for further feedback (to William.Emery@colorado.edu).

IV. Committee Updates – Administrative Services & Technology Committee

Committee member Jeff Weiss read the BFA’s charge to the committee: “The Administrative Services and Technology Committee shall be responsible for monitoring and assessing administrative services on campus to ensure that they efficiently and properly meet the academic goals of the campus.” (BFA Standing Rules Article V. Section 2 b.) He then projected a list of administrative departments on campus, including:

- Bookstore
- Building Maintenance/Custodial
- Campus Safety
- Environmental Health & Safety
- Facilities Management
- Facilities Planning
- Human Resources
- Mailing Services
- Office of Discrimination/Harassment
- Parking and Transportation
- Police
- Printing and Copying
- Property & Distribution Svcs
- Resource Conservation
- Pandemic Flu Planning

Weiss reported that in recent years the Committee heard reports from these units, but this year the committee also wants to pursue a pro-active approach. He asked for discussion on items of concern to faculty, that the AST Committee could take up this year.

Discussion followed, including the following suggested topics:

- Committee participation in Program Review as those units are taken up,
- Cost to the departments of on-line conformity to the University’s new logo,
- Property Services,
- Faculty computer resources including the Faculty Computer Purchase Program,
- Matters of procedure involving the Office of Contracts and Grants, and coordination of campus space planning.

Boulder Faculty Assembly Minutes, October 6, 2011
Weiss requested BFA members talk with their constituencies about other concerns for faculty and forward all feedback and suggestions to the AST committee at Karen.E.Ramirez@colorado.edu and/or Jeffrey.Weiss@colorado.edu.

Weiss reminded BFA members of the upcoming November 4th Football Game. He reported that some parking permits are being displaced the night before the game and that those affected will be contacted via email with alternative parking arrangements. He concluded that the campus is still collecting feedback about scheduling conflicts.

Several members spoke to commend administration for its efforts to minimize potential disruption caused by the game. Beer commented that faculty representation in the oversight of Athletics Departments, and in the Intercollegiate Athletics industry nationally, should increase. Bradley commented that CU’s current Athletics Director, Mike Bohn, has been very supportive of cooperation with faculty and others.

Peterson reported that these issues will be part of what is discussed at the BFA’s meeting with the Pacific-12 faculty governance leaders in mid-October.

V. Adjournment

There being no further business, the meeting was adjourned at 5:15 p.m.

Respectfully submitted by Sierra Swearingen-Todd, BFA Coordinator.
ADDENDUM - Review Process for Instructor-track Faculty

This document articulates a career path for Instructor-track faculty seeking reappointment and/or promotion at CU-Boulder. This process is guided largely by the criteria and by-laws of the department/program. However, there are overarching campus policies and procedures to which all Colleges/Schools must adhere.

Instructor-track faculty (Instructors, Senior Instructors, Scholars in Residence, Artists in Residence, Clinical Professors) are hired to teach, usually at the undergraduate level, and to provide service. Instructor-track faculty will be reviewed for reappointment every three years and Sr. Instructors every four years. The criteria for successful Instructor-level and Sr. Instructor-level reappointment will be based on the expectations given in the most recent letter of agreement. Evaluation will be based on an accounting of the individual’s teaching record, using multiple measures, an evaluation of the individual’s service, and a demonstration of the individual’s continued currency in the field. Instructor-track faculty must be fully informed of the terms of their employment. Instructor-track faculty should be provided with orientation, mentoring, and professional support opportunities.

Instructors in rank for 6 years must be considered for promotion to Sr. Instructor when reviewed for reappointment, except as set forth in no. 7 below. Senior Instructors have a superior level of content knowledge and pedagogical skill when compared to Instructors. They generally perform a deeper level of service than Instructors, and they often play an important mentoring role within the department. Denial of promotion to Sr. Instructor will not have a corresponding result that an instructor loses their current position. The instructor will remain in grade if denial occurs.

The criteria used to evaluate faculty for promotion to Senior Instructor will be based on the standard of expectations for Senior Instructors in the department/program. This review process will include a rigorous accounting of the teaching record, using multiple measures, an evaluation of the individual’s service, and a demonstration of the individual’s continued currency in the field. The procedures for this review will be governed by the personnel documents and by-laws of the department/program, which must be made available to the Instructor.

Instructors in rank for 6 years may request reappointment without promotion to Sr. Instructor without prejudice to a future consideration for a promotion, and they may request consideration for promotion at any subsequent merit review. Reasons for non-reappointment or non-promotion must be clearly explained in writing. Each College/School must provide an appeals process for Instructor-track faculty.

--------------------------------------------------------------------
Approved by the BFA Executive Committee on May 16, 2011
Revised after feedback from the BFA on September 1, 2011