MINUTES
Boulder Faculty Assembly
October 01, 2009

Attending:

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<td>Buttenfield, Barbara</td>
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<td>Carey, Greg</td>
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<td>Eparvier, Frank</td>
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Guests
- Chancellor Phil DiStefano
- Vice-Provost Bill Kaempfer

Documents:
- BFA-X-M-092809: Motion to Charge the Ad Hoc Committee on Status of Instructors

A regular meeting of the Boulder Faculty Assembly was held on October 1, 2009, in Wolf Law Building, Room 207. Chair Joe Rosse presided. The meeting convened at 4:05 p.m. and adjourned at 5:35 p.m.

I. Approval of the Minutes: The Minutes of September 3, 2009, were approved.

II. Chair’s Report:

a. Joe stated that the Faculty Council has been discussing insurance for individual faculty members to get legal representation independent of university counsel.

b. Joe discussed opportunities on committees.
c. Joe stated that the Board of Regents has requested input regarding the proposed mission statement.

III. Phil DiStefano, Chancellor, University of Colorado at Boulder
   a. Chancellor DiStefano stated that he would like to begin a search fairly soon for position of Provost and Executive Vice chancellor. Given his discussion with the BFA last spring regarding the Chancellor search, he determined that neither he nor the BFA is in favor of a sole candidate situation. He wants to do a national search without a search firm. His desire for a national search has nothing to do with his confidence level in Stein Sture, who is welcome to apply for the position. He would like to have three to five individuals to interview in spring and he would like to make a decision by spring. He will be working with the BFA to identify faculty to serve on the search committee.
   b. The Chancellor reported that a search committee currently exists for the position of Executive Director of the Alumni Association. More members may be added.
   c. Budget Issues: The Chancellor stated that Joe Rosse and BFA Budget and Planning Committee Chair Jerry Rudy were included in a September retreat for UCB’s senior leadership at which current budget issues were discussed. UCB will have to reduce its budget by at least $22 million by June 2011. The required budget reduction is likely to increase with a third round of cuts the Governor plans to announce in the next few months. UCB will attempt to achieve 45% of these reductions by reducing expenses. UCB hopes to make up another 45% of the reduction through revenue enhancements. Another 10% will come through a review of efficiencies. The administration may ask the legislature to remove international students from the resident/nonresident allocation requirements.
      i. There was a discussion about any planned personnel issues in the context of the budget situation. The Chancellor stated that many of the cuts made last spring were vacant positions mainly at staff level and that UCB has continued hiring at the faculty level. He wants to keep open searches, but UCB may have to plan searches in connection with anticipated retirements. The Chancellor stated that departments that choose not to fill open faculty lines have no guarantee of getting those lines back.

IV. Discussion regarding the charge for the Ad Hoc Committee on the Status of Instructors:
    The BFA Officers have populated the Committee from a list of nominees submitted by BFA representatives. The Committee members are: Rolf Norgaard, Senior Instructor, PWR, (Chair); Greg Carey, Associate Professor, Psychology; Antonia Green, Instructor, SPAN; Susan Kent, Professor, History; Michael Main, Associate Professor, CSCI; Claudia Mills, Associate Professor, Philosophy; Derek Reamon, Instructor, MCEN; Todd Stafford, Senior Instructor, Law; and Bill Kaempfer, Vice Provost. The Executive Committee has also drafted a charge for the Committee for approval by the BFA.
MOVED that the BFA charge the BFA Ad Hoc Committee on the Status of Instructors as follows:

To: Ad Hoc Committee on the Status of Instructors  
From: Boulder Faculty Assembly  
Re: Charge to the Committee  
Date: October 1, 2009

The Ad Hoc Committee on the Status of Instructors (the “committee”) is hereby requested to develop information and recommendations relative to BFA Motion BFA-M-040209. As per the motion, the committee is asked to assess the desirability, feasibility, and implications of instituting a system relative to job security and academic freedom for instructors employed at the University of Colorado-Boulder (“CU Boulder”). The term instructor is defined as individuals in job classification codes 1105 (Instructor) and 1104 (Senior Instructor). In so doing, the committee should consult with such CU Boulder departments, units, and other entities that can assist in providing the committee with relevant information. The committee is asked to develop a report reflecting its findings and conclusions. The report should address the following issues and questions.

General Issues Relative to Job Security and Academic Freedom:
- Is the academic freedom of instructors at CU Boulder adequately protected?
- Do instructors at CU Boulder enjoy adequate job security?
- What is the relationship between academic freedom and job security for instructors at CU Boulder?

General Issues Professional Standing and Status:
- Are instructors at CU Boulder accorded appropriate levels of professional standing and status?
- How important is the term “tenure” to guaranteeing instructors at CU Boulder appropriate levels of professional standing and status?

Issues Regarding Law, Policy, and Implementation: Please address the following questions in the light of current federal and state law, regent rules, CU Boulder policies, and other applicable doctrines:
- How many instructor positions at CU Boulder fall within job classification codes 1105 (Instructor) and 1104 (Senior Instructor)?
- Is it lawful to terminate instructors prior to the end of their contractual status?
- Is it lawful to terminate instructors at any time for any reason or for no reason regardless of their contractual status?
- If any reasons are required to justify the termination of instructors before the end of their contracts, what are those reasons?
• Under existing law and policy, is tenure necessary to convey to instructors a level of job security and academic freedom comparable to that which tenure currently provides tenured faculty?
• If a system of instructor tenure, or a comparable system, were adopted, what criteria should determine the award of tenure for instructors?
• If a system of instructor tenure, or a comparable system, were adopted, should it apply mandatorily to all eligible instructors, or should otherwise eligible instructors be allowed to opt out of consideration?
• If a system of instructor tenure, or a comparable system, were adopted, to what extent, if any, should instructors employed at the time such system is adopted, and who apply for its benefits, be exempted from its requirements?
• If a system of instructor tenure, or a comparable system, were adopted at CU Boulder, how would this affect the status of faculty at other institutions within the CU system?

Costs and Other Issues Regarding Implementation: If a system of instructor tenure, or a comparable system, were adopted at CU Boulder:
• How many instructors at CU Boulder would be affected either directly or otherwise in a substantial fashion?
• What level of support would such a system receive from instructors, as defined in this charge (such as might be determined from an anonymous survey)?
• Would the relevant units at CU Boulder retain sufficient flexibility with respect to staffing and other essential functions?
• What would the system cost the University, including but not limited to the costs incurred in salaries, benefits, and administration?
• Would significant changes be required in existing pay policies?
• Would changes be required in the recruitment and hiring of instructors?
• How might such a system be adopted, implemented, and administered?

The documentation of your research on these and any related questions should be provided in a written report to the BFA Executive Committee by February 12, 2010. Any committee reports or recommendations must be approved by the Executive Committee before being forwarded to the Boulder Faculty Assembly, except as may be provided for in the Standing Rules of the Boulder Faculty Assembly. Committee reports and recommendations must be approved by the Assembly before being communicated to the Chancellor or other campus administrative officers.

From BFA Executive Committee: September 28, 2009
Notice of motion to the BFA: September 29, 2009
Approved by the BFA:

a. There was discussion about whether any survey should include administrators and tenured/tenured track faculty.
b. There was discussion about whether the charge is too unwieldy in some areas and to narrow in others.
c. There was discussion about the criteria for forming the committee.
d. There was discussion about whether other instructor issues such as parity and job descriptions should be included within the charge.
e. Vote: BFA-X--M-092809—Motion to Charge the Ad Hoc Committee on Instructors: The motion was made, seconded and approved unanimously.

V. Update on Faculty/Staff Dependent Tuition Scholarships: Bill Kaempfer reported on the status of task force recommendations presented to the administration regarding UCB’s Faculty and Staff Dependent Tuition Scholarship. These scholarships are funded by certain campus vending machine revenues. Last year the BFA recommended increasing the number and size of these scholarships, primarily by funding the UCB Staff Council as a continuing budget commitment rather than through a share of the vending machine revenues. Last year, the Office of the Provost introduced this as a high priority budget request to the Academic Affairs Budget Advisory Council, but the request could not be implemented due to the budget situation. It will be presented once again this year to the AABAC.
   a. The vending machine contract is up for renegotiation in 2010 and the contract may shrink. Alternative sources of refreshment on campus have led to reduced revenue from vending machines.

The meeting was adjourned at 5:35.