MINUTES
Executive Committee Meeting
Boulder Faculty Assembly
November 1, 2010

Attending
Joe Rosse, BFA Chair
Ahmed White, BFA Vice Chair
Bill Emery, BFA At-Large Executive Committee Member
Melinda Piket-May, BFA At-Large Executive Committee Member
Catherine Kunce, BFA Administrator Appraisal Committee Chair
Carmen Grace, BFA Academic Affairs Committee Chair
Susan Moore, BFA Diversity Committee Chair
Eckart Schutrumpf, BFA Faculty Affairs Committee Representative
Marki LeCompte, BFA Faculty Compensation and Benefits Committee Chair
Elizabeth Bradley, BFA Intercollegiate Athletics Committee Chair
Horst Mewes, Arts and Sciences Council Chair
Uriel Nauenberg, Former BFA Chair
Bill Kaempfer, Vice Provost, Associate Vice Chancellor for Budget and Planning
Sierra Swearingen, BFA Coordinator

Not Attending
John Toth, BFA Secretary, BFA Student Affairs Committee Chair
Jerry Rudy, BFA Budget and Planning Committee Chair
Ned Friedman, BFA Libraries Committee Chair
Karen Ramirez, BFA Administrative Services & Technology Committee Chair
David Kassoy, Retired Faculty Association Representative
Andrew Poppe, President, United Government of Graduate Students (UGGS)

Guests
Russell Moore, Provost
Phil Simpson, Campus Planner and Assistant Director for Facilities Planning
Paul Leef, Campus Architect and Director of Planning, Design, and Construction
Megan Rose, Communications Specialist for Planning, Design, and Construction
Noel Cummings, Assistant Director, Office of Capital Assets and Space Planning

The Boulder Faculty Assembly Executive Committee met on Monday November 1, 2010, in ATLAS 229. Chair Joe Rosse presided. The meeting convened at 4:05 and adjourned at 5:35 p.m.

I. Chair’s Report, BFA Chair Joe Rosse

Rosse’s report included the following:

a. There may be new issues with the I.S.I.S. system. Rosse asked the BFA Administrative Services and Technology Committee to ask Registrar Barbara Todd for an update.
b. The BFA’s motion on the Status of Instructors is currently under review by the Faculty Council Personnel Committee, and will then go to the Faculty Council EPUS¹ Committee for review. The two BFA motions on program discontinuance have been under review by EPUS, and are scheduled to go to the Personnel Committee for review. At its last meeting the EPUS committee declined to support the BFA’s two motions on program discontinuance: one on faculty rights and another on instructor’s rights. EPUS cited a variety of reasons, including a presentation and explanation by University Counsel Dan Wilkerson. Mr. Wilkerson has agreed to attend a BFA meeting to explain the legal issues surrounding all three motions.

c. Faculty Council is discussing efficiency and accountability issues, and is concerned about recent attempts to define ‘credit hour’ for the purpose of measuring faculty productivity. Rosse asked the BFA’s Faculty Affairs Committee to examine the issue.

II. Special Report: Faculty Salary Increase Process

Provost Russell Moore reported that both the President and the Chancellor are very concerned about supporting faculty salaries, and gave a brief history of how the small faculty salary increase of summer, 2010 occurred. The main points in his report:

- It was Moore’s understanding that last year the campus had a modest amount available for faculty salary raises. The Campus planned to use all of those funds for promotion and retention. At the end of the process the Campus discovered, unexpectedly, a small amount leftover. This fact was not clear until late in the fiscal year, after commencement.
- The amount available was worth about a third of 1% of the total faculty salary pool. The campus looked at two ways to treat this fund: the first was to hope it would roll into the salary increase pool for the following year; the second was to act now to make sure the funds would be used to benefit faculty. The Campus chose to do the latter.
- The Regents agreed on the condition that only 10% of the most meritorious faculty should get an increase. The late notice made it impracticable for the campus to use its usual salary increase process to distribute the increase pool.

Those assembled offered the following perspectives to Moore:

- Meritorious junior faculty are in greater distress than the ‘most meritorious’ faculty the Regents meant to support, and therefore the increase should have gone to them.
- Apart from who should have received the increase, the campus should have honored the Faculty’s rights and duties with regard to the salary increase distribution process.
- Apparent secrecy about the increase decisions continues to create problems, especially with morale. Some of the most meritorious faculty received no increase. Disparities in size and relative ‘unit merit’ between departments resulted in (at least perceived) unfairness. The established increase process is designed to ensure fairness in that environment, and the campus should therefore make every effort to use it.
- The increase funds may not have been used where they were most needed.

¹ Educational Policy and University Standards Committee.
The Committee as a whole agreed that faculty should have been involved in the process.

Moore reported that the fiscal year may again produce little or no faculty salary increases. He stated that faculty could create and propose in advance a series of ‘if / then’ scenarios to ensure faculty participation if last-minute salary distribution issues arise. He added, however, that increases (if any) will again be before the President and Regents for approval.

The Committee thanked the Provost for his report and participation in the discussion.

III. Special Report: Boulder Campus Space Needs Analysis

Campus Architect Paul Leef introduced himself and Campus Planner Phil Simpson.

Simpson and Leef distributed an executive summary of the 224-page space needs analysis report, and gave a presentation to explain the process by which the Space Needs Analysis was created, and the next steps going forward. Highlights from the presentation:

- The process began in 2008 by seeking broad input from across campus, which resulted in a Strategic Plan Task Force Report and a Facilities Master Plan Task Force Report.
- In March Facilities hired consultant Paulien and Associates. Paulien interviewed the task forces and the Deans about needs in each unit, to develop a broad assessment of the campus’ needs using national standards and data from peer institutions.
- In August Paulien produced a draft report. A subcommittee of the Deans Council reviewed the report and provided feedback. A final version of the report was presented to the Dean’s Council in October.
- Currently Facilities is distributing the report broadly to the campus to seek feedback.
- Facilities will talk with Institute directors in November and will hold public open houses in December.
- Facilities’ approach to the Space Needs Analys was ‘top down;’ gather as much information as possible at first, and then refine that data into an analysis report. Much of the data in the report is in the aggregate. For example it calculates faculty office space “deficit” by assuming an average allotment of 150 square feet per office, multiplying that by the number of UCB faculty, and comparing that to the actual total existing available square feet for faculty offices.
- Facilities uses another type of space needs analysis, ‘bottom up,’ in individual program planning. It begins at the program level to measure how much space a department needs.
- The Space Needs Analysis view and the program planning view are reconciled later, to determine whether new construction is justified.
- Space deficits that are discovered in the Space Needs Analysis process are in the aggregate: they are not tied to specific departments or colleges.
- UCB has large space deficits but has limited resources for building new space. The Campus must therefore continue to use the space it has as efficiently as possible.

A question-and-answer session followed.
• Leef and Simpson indicated that East Campus is to be brick, rather than maintaining the Klauder architectural style of Main Campus, mostly because East Campus already has “corporate style” buildings on it that do not match Main Campus. East Campus buildings will incorporate elements of Main Campus style to complement, not duplicate it. There is also a small cost savings associated with non-Klauder style architecture.
• The committee responded that Faculty are strongly in favor of maintaining the Klauder style on both campuses, at least in façade if not in layout. The Committee advised that continued discussion and faculty input is needed on this issue.
• The Committee provided feedback on some details in the report, including that faculty need private office space, and this privacy may in fact be a Federal mandate. The Committee expressed concern that the master plan and space needs analysis seem more appropriate to a corporate or industrial style, which is inappropriate for a research and teaching institution.
• Leef reported that Vice Chancellor Frank Bruno is creating a Space Management Advisory Committee, one of whose projects would be to develop space standards.
• Simpson reported Facilities has hired a transportation consultant to address how to move people between Main Campus and East Campus. Emery, as former chair of the Transportation Task Force, requested the consultant contact him to discuss the issues.
• The Committee reinforced that faculty need to be involved in discussions of space planning. Rosse recommended that the planning process include enough opportunity for faculty to provide input and responses to the many details embedded in the report. Simpson reported that the Master Plan website has a section for faculty to make comments on line, which are reviewed and compiled by Megan Rose, Communications Specialist for Planning, Design, and Construction, and then made available online [www.Colorado.edu/masterplan/contact]. Facilities will host an Open House in December to collect additional feedback, and will discuss the plan with the Boulder Campus Planning Commission (BCPC) next week.

Rosse thanked Leef and Simpson for their report.

IV. Chair’s Report, continued:

Rosse reported that the Faculty Senate Privilege and Tenure Committee has suggested Boulder Campus Physics Professor Anna Hasenfratz as the BFA’s nominee for the new P&T Boulder Campus Subcommittee Chair. Professor Hasenfratz has served on the system-wide Privilege and Tenure Committee since 2003.

The Committee approved Hasenfratz’ nomination. The Boulder Faculty Assembly will be presented with Hasenfratz’ candidacy at the BFA meeting on November 4th.

V. Discussion: Proposed Revisions to APS on Research Misconduct

Rosse yielded the floor to Vice Chair Ahmed White, to lead the discussion.

White reminded the Committee that Faculty Council has asked for faculty feedback on a proposed revision of the Administrative Policy Statement on Research Misconduct.
Discussion followed, including the following concerns:

- The new definition of ‘misconduct’ may be ambiguous, and appears to have replaced “misappropriation” with “misrepresentation,” which could be significant.
- The new reporting requirements do not seem to provide indemnification or protections for faculty where a report of misconduct is in error, for example from lawsuits for defamation, or from disciplinary actions.
- The new version deletes existing language that preserves Fifth Amendment rights not to report on oneself.
- The new version does not grant protections against inappropriate disclosure by CU, which is clearly in conflict with research confidentiality protections.
- The list of criteria under which the University could justify disclosures about a misconduct case are too broad. This provides no protection to the accused.
- The “reasonable suspicion” standard, triggering a faculty member’s duty to report suspected misconduct, has been dropped from the new version. This introduces some confusion as to the limits of faculty members’ “duty to report.”
- The powers and role of the standing committee may be unclear and overly broad.

The committee agreed that providing feedback in general terms, rather than citing specific sections, would be the best course of action. White agreed to compose a summary of feedback and distribute it to the Executive Committee via email for their approval.

VI. Adjournment. There being no further business, the meeting was adjourned at 5:35.

Respectfully submitted by Sierra Swearingen-Todd, BFA Coordinator.