



Boulder Faculty Assembly

UNIVERSITY OF COLORADO **BOULDER**

BFA BPC & CSEC Subcommittee Notice of Motion

Resolution to call on TIAA to divest from the climate crisis and reinvest in climate justice

BFA-R-2-030222

Whereas the Boulder Faculty Assembly has previously issued resolutions acknowledging overwhelming evidence of anthropogenic climate change ([BFA-R-120116](#)), supporting youth climate action ([BFA-R-1-090519](#)) and supporting the CU Student Government's Resolution Declaring a Climate Emergency ([BFA-R-4-110719](#));

Whereas CU Boulder is an original signatory to the American College and University Presidents' Climate Commitment in 2007;

Whereas CU Boulder Chancellor Philip DiStefano issued a "Call to Climate Action" in 2021 recognizing the imperative to address climate change and climate justice, and calling on faculty, staff, and students "to activate our campus to face this challenge head on";¹

Whereas CU Boulder is an institution of higher education that is invested in the health and security of future generations, from our students to our children;

Whereas CU Boulder is a world-class hub for climate change research, policy, and innovation, with a valuable reputation for leadership in these areas;

Whereas investment in fossil fuels that continue to exacerbate the climate change emergency does reputational damage to CU Boulder's brand as an internationally renowned center of excellence in climate change scholarship;

Whereas scientists argue that keeping climate change within a global carbon budget for a 2 degree C increase in global average surface temperature rise necessitates that billions of dollars worth of fossil fuel assets must stay in the ground;²

Whereas there is not a consensus among investors and financial analysts on the wisdom of continued fossil fuel investments;³

¹ <https://www.colorado.edu/chancellor/chancellor-call-climate-action>

² <https://www.nature.com/articles/s41586-021-03821-8>;
<https://www.sciencedirect.com/science/article/pii/S2214629618305383>;
https://www.econstor.eu/bitstream/10419/215027/1/cesifo1_wp8025.pdf;
<https://www.cnbc.com/2021/10/21/climate-stranded-assets-show-the-need-for-rapid-energy-transition-carney-says.html>

³ https://iea.blob.core.windows.net/assets/ef1d6b50-66a6-478c-990e-ee227e2dd89b/Clean_Energy_Investing_-_Global_Comparison_of_Investment_Returns.pdf;



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Whereas financial investment managers have a fiduciary responsibility to address climate risk;⁴

Whereas the transition away from fossil fuels poses financial opportunities to reinvest in different funds that could facilitate a just transition;

Whereas the region where we live and work at CU Boulder continues to be threatened by traumatic climate change effects, including historic floods, widespread drought, and fires;

Whereas the climate emergency disproportionately impacts marginalized communities and thus a just transition from a fossil fuel-based economy to a renewable one provides the opportunity to uphold our mission for Diversity, Equity, and Inclusion:

Whereas TIAA is the sole administrator of retirement funds available to CU Boulder faculty, offers funds that are available to and invested in by many CU Boulder faculty, and is the leading provider of financial services in higher education;

Whereas TIAA represents itself as “a leader in responsible investing,” and states that “climate change poses long-term risks to investments”;⁵

Whereas TIAA has an estimated 8 billion USD invested in industries promoting fossil fuel production, distribution, and consumption;⁶

Whereas TIAA has also invested heavily in deforestation, including hundreds of millions of dollars invested in palm oil, and other agribusiness companies associated with deforestation and thus severe climate impact, as well as labor abuses, human rights violations, and biodiversity loss;⁷

Whereas TIAA’s “Social Choice” fund is still 5 % invested in fossil fuel stocks across 33 equity holdings, and 11% invested in deforestation-risk companies across 26 holdings,⁸ and TIAA’s

<https://www.sciencedirect.com/science/article/pii/S0304405X18300783>;

<https://www.reuters.com/article/us-stocks-energy/fossil-fuel-shares-drop-in-value-compared-with-clean-energy-think-tank-says-idUSKBN2BM3CO>;

<https://www.latimes.com/opinion/story/2019-09-16/divestment-fossil-fuel-university-of-california-climate-change>;

⁴ <https://vanderbiltlawreview.org/lawreview/wp-content/uploads/sites/278/2021/11/Fiduciary-Duties-and-Corporate-Climate-Responsibility.pdf>

⁵ ; https://www.tiaa.org/public/pdf/ri_policy.pdf, p. 12

⁶ <https://deforestationfreefunds.org/families?q=TIAA%20Investments%2FNUveen>,
<https://fossilfreefunds.org/families?q=TIAA%20Investments%2FNUveen>

⁷ https://foe.org/wp-content/uploads/2017/legacy/TIAA_Invested_in_Exploitation.pdf

⁸ <https://fossilfreefunds.org/fund/tiaa-cref-social-choice-equity-fund/TISCX/fossil-fuel->



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“Social Choice low carbon equity fund,” is still 3.47% invested in fossil fuel stocks across 22 equity holdings,⁹ and 12% invested in deforestation-risk companies across 25 holdings;¹⁰

Whereas 1500 institutions including universities, pension funds, governments and foundations have divested almost 40 trillion USD from fossil fuels;¹¹

Be it therefore resolved, that we, the Boulder Faculty Assembly, call on TIAA to:
Develop and offer to fund holders a significantly more robust selection of funds without holdings in the fossil fuels industry and in deforestation-risk companies, and that do invest in a climate responsible and socially just transition;¹²

Be it further resolved that the BFA calls on TIAA to

Develop and apply a framework for transparent, near-term divestment from portfolio companies in sectors associated with fossil fuel extraction, production, and transport, as well as from energy companies that continue to construct and operate fossil fuel powered electricity infrastructure;

Be if further resolved that the BFA calls on TIAA to

Develop and apply a framework for transparent, near-term engagement with portfolio companies in sectors exposed to deforestation and land grab risks in order to eliminate deforestation and to uphold the rights of affected small-scale farmers and Indigenous peoples, and to provide consumers with relevant information regarding the exposure of their investments with regard to causing deforestation and to acquiring land previously used by small-scale farmers.

Submitted by BFA Budget & Planning and BFA Climate, Science, and Education Subcommittee: 02/21/22

Approved for submission to Assembly by the BFA Executive Committee: 02/21/22

Submitted to the BFA General Assembly: 03/03/22

Motion passed with 34 in favor; 2 opposed; 4 abstentions: 04/07/22

investments/FSUSA00I37/FOUSA02VJF

⁹ <https://fossilfreefunds.org/fund/tiaa-cref-social-choice-low-carbon-equity-fund/TLWCX/fossil-fuel-investments/FS0000BVON/F00000VTQJ>

¹⁰ <https://deforestationfreefunds.org/fund/tiaa-cref-social-choice-low-carbon-equity-fund/TLWCX/profile/FS0000BVON/F00000VTQJ>

¹¹ <https://divestmentdatabase.org/> ; see also: <https://www.divest101.com/list>

¹² <https://www.divestoregon.org/>



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SUPPORTING DOCUMENTATION

On the purpose of this resolution

A key goal of this resolution is to join a national conversation happening amongst many university faculty. First, many faculty and students are demanding divestment of university funds. Second, there is a movement to ask TIAA to do a better job at managing investment options for university faculty (see section below, on TIAA, for more information).

Though we are asking for better options, the ultimate goal of this resolution is not centered around faculty as individual consumers. The resolution presumes an analysis in which society exists, and can change, beyond the action of individual, atomistic buyers and sellers of products. We recognize that climate change must be mitigated in the name of collective survival, and that this mitigation can only happen through structural change as made in part through the actions of government regulatory frameworks, laws, policies, and institutions. This resolution is thus an expression of a form of collective action that works as a signal to decision-makers who have the ability to change the structural conditions of markets and infrastructures that shape the lives of all citizens.

More on TIAA investments

- TIAA has invested billions of dollars in farmland in Brazil and has expanded agriculture in the threatened ecosystem of the Cerrado, contributing to deforestation, water contamination, and human rights violations against local communities. Investments in expansive plantations in Brazil have helped create conditions for fires in the Amazon that contribute significantly to climate change.
- In Brazil, TIAA has acquired land from sellers that a Brazilian court has found to have illegally grabbed land. This puts clients' funds at risk.
- TIAA is buying farmland in the United States, leading a trend of corporate and institutional land accumulation that threatens the future of family farming in the US.
- TIAA has directly financed the construction of a fracked-gas powered electric generation station known as Cricket Valley Energy, in Dover New York, in an economically disadvantaged community and adjacent to one of the largest freshwater wetlands in the northeastern US. This has led to numerous environmental justice-focused protests.
- TIAA's investments have included companies that have illegally cleared tens of thousands of hectares of forest in Indonesia, involving human rights violations and contributing significantly to climate change.
- 113 groups have signed on to a call to TIAA to divest from fossil fuels and stop land grabs¹³
- The following universities have passed faculty resolutions calling on TIAA to divest from fossil fuels, deforestation, and land grabs: Cornell University, The New School, City University of New York-PSC; SUNY New Paltz, Stony Brook, Geneseo, Cortland, Albany, Upstate Medical University, SUNY University Statewide Faculty Senate; University of Montana¹⁴

¹³ <https://tiaa-divest.org/wp-content/uploads/2021/09/TIAA-Net-Zero-2050-sign-on-letter-1.pdf>

¹⁴ <https://tiaa-divest.org/>



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On fossil fuel divestment

- Fossil fuel divestment began on US university campuses in 2011. It is a global movement, and reportedly the fastest growing divestment movement in history.¹⁵
- Among the many universities that have divested from fossil fuels are the following AAU Members: Boston University, Brown University, Cornell University, Columbia University, Harvard University, Johns Hopkins University, Rutgers University, Stanford University, University of California System, University of Illinois, University of Michigan, University of Minnesota, University of Southern California, and University of Washington.¹⁶ Many public and private non-AAU universities have also divested.
- The chief investment officer of the University of California stated that “continuing to invest in fossil fuels poses an unacceptable financial risk to UC’s portfolios and therefore to the students, faculty, staff, and retirees of the University of California”¹⁷
- Within the US and globally, an increasing number of lawsuits are being filed against fossil fuel companies for their role in the climate emergency and misinformation or greenwashing campaigns to perpetuate their unsustainable businesses.¹⁸

Reinvestment in low-carbon funds

- Reinvestment in low-carbon funds reflects our moral commitment as educators to future generations, as well as to climate justice and equity globally.
- Reinvesting in a generative economy realigns our retirement funds with our Diversity, Equity, and Inclusion values. One example of this shift in a just transition from an extractive economy to a regenerative one is modeled by the Climate Justice Alliance.¹⁹
- A regenerative ecological economy reflects the research on our campus and beyond that recognizes a need for a fundamental shift in energy and human relations for a just transition to avoid a climate crisis tipping point and to foster more caring relations.²⁰

¹⁵ <https://www.theguardian.com/environment/2014/oct/08/fossil-fuel-divestment-a-brief-history>

¹⁶ <https://divestmentdatabase.org/>

¹⁷ <https://www.universityofcalifornia.edu/press-room/uc-s-investment-portfolios-fossil-free-clean-energy-investments-top-1-billion>

¹⁸ <https://www.bbc.com/future/article/20211207-the-legal-battle-against-climate-change> ; <https://www.jdsupra.com/legalnews/greenwashing-a-survey-of-recent-3195116/> OR <https://www.cssn.org/wp-content/uploads/2022/01/CSSN-Research-Report-2022-1-Climate-Washing-Litigation-Legal-Liability-for-Misleading-Climate-Communications.pdf> . Also see <https://climatedefenseproject.org/cdp-files-five-university-divestment-complaints/>

¹⁹ <https://climatejusticealliance.org/workgroup/reinvest/>

²⁰ <https://gofossilfree.org/divestment/reinvestment/>