Bill Status:

GRADUATE AND PROFESSIONAL STUDENT GOVERNMENT

University of Colorado Boulder Graduate and Professional Student Government Assembly

2021 AR 02

Sponsored by:	Title/Department
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A Resolution to Support the Censure of Mark Kennedy by the Boulder Faculty Assembly

Resolution Summary

On March 29, 2021, the Boulder Faculty Assembly (BFA) Executive Committee moved that the BFA vote on a formal censure of University of Colorado system President Mark Kennedy for failure of leadership with respect to diversity, equity and inclusion. The Graduate and Professional Student Government supports the censure of President Mark Kennedy in the BFA. It is apparent that President Mark Kennedy has failed at his responsibility to uphold the pillars of the CU System, including justice, equity, diversity, and inclusion. President Mark Kennedy's failure to support CU system international students when threatened with student visa revocation by the Trump Administration in the beginning of the global COVID-19 pandemic is inexcusable. Damaging statements the President has made (Figure 1), including comparing a lack of student online education options to

Date

the Trail of Tears, are painful, deplorable comments for which the President has not been held accountable for or adequately apologized for. These comments, and the President's failure to engage with student-led campus groups such as diversify CUnow and various CU multicultural organizations including Asian Unity, (list more here ask if anyone in the assembly participates or knows of organizations that graduate students participate in often), directly contradict the goals and commitments of this University, and negatively affect and harm graduate students identifying as black, indigenous, or people of color. Thus, the Graduate and Professional Student Government urges the BFA to hold President Mark Kennedy accountable for his inaction and damaging rhetoric through a formal censure to be voted on April 29, 2021.

Whereas, justice, equity, diversity, and inclusion efforts are a pillar of the CU System strategic plan and values of the Graduate and Professional Student Government ; and,

Whereas, President Kennedy did not support efforts to ensure international student visas, threatening the ability of some graduate and professional students to complete their degrees and further reducing the access to and diverse educational experiences provided in graduate school that are supported by our international graduate and professional peers; and,

Whereas, President Kennedy has a well-documented history of making problematic and damaging statements without apologies or consequences that harm the image of CU Boulder across the nation and damages the CU Boulder community and student experience; and,

Whereas, the conduct of President Kennedy fails to support campus-wide, system-wide, and GPSG's commitments to justice, equity, diversity, and inclusion; and,

Whereas, President Kennedy's conduct has been damaging to various communities within the graduate and professional student population;

THEREFORE, BE IT RESOLVED by the Assembly of the Graduate and Professional Student Government of the University of Colorado Boulder, THAT:

Section 1: GPSG supports the BFA Censure of Mark Kennedy.

Section 2: GPSG shall distribute this resolution to the University of Colorado Board of Regents for consideration in their evaluation of President Kennedy's

appointment and contract at the June meeting of the University of Colorado Board of Regents.

Section 3: The relevant parties affected by this legislation that shall be notified upon its passage by the GPSG Assembly and upon either obtaining the signatures of two Tri-Executives or the lapse of six days without actions by the Tri-Executives are: Boulder Faculty Assembly, the Chancellor, CUSG Proper, and the CU Board of Regents.

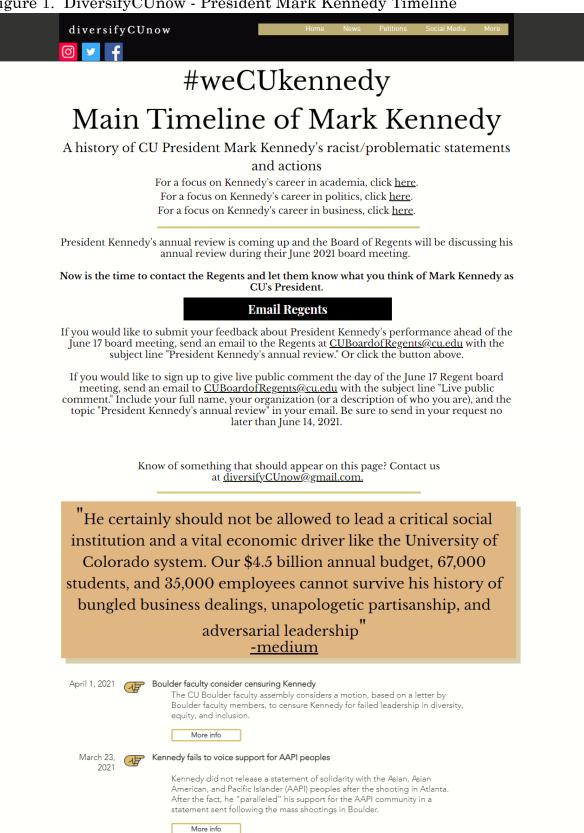
<u>Vote Count:</u>				
Date	Motion	Vote		
Matthew Vondrasek	Anthony T. Pinte	er		
President	Vice President of			

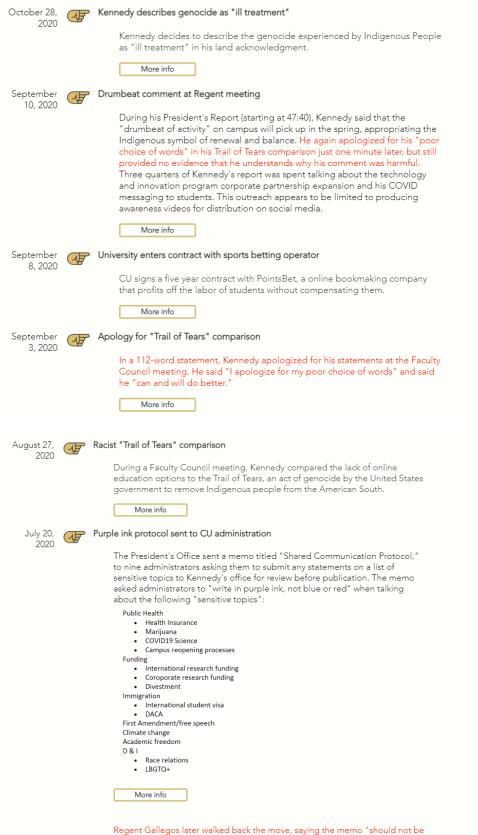
Emily Nocito Vice President of Internal Affairs Appendix A. PDF (attached) of <u>University of Colorado Boulder Website - Pillar 3:</u> <u>Diversity, Equity, Inclusion, and Accessibility</u>

Appendix B. PDF (attached) of a <u>Colorado Sun Article by Jesse Paul, July 7th 2020 -</u> <u>Colorado colleges, universities scramble after Trump orders international students</u> <u>to leave if classes go online</u>

Appendix C. Diversify CU Now's Mark Kennedy Timeline - Screenshots provided in Figure 1.

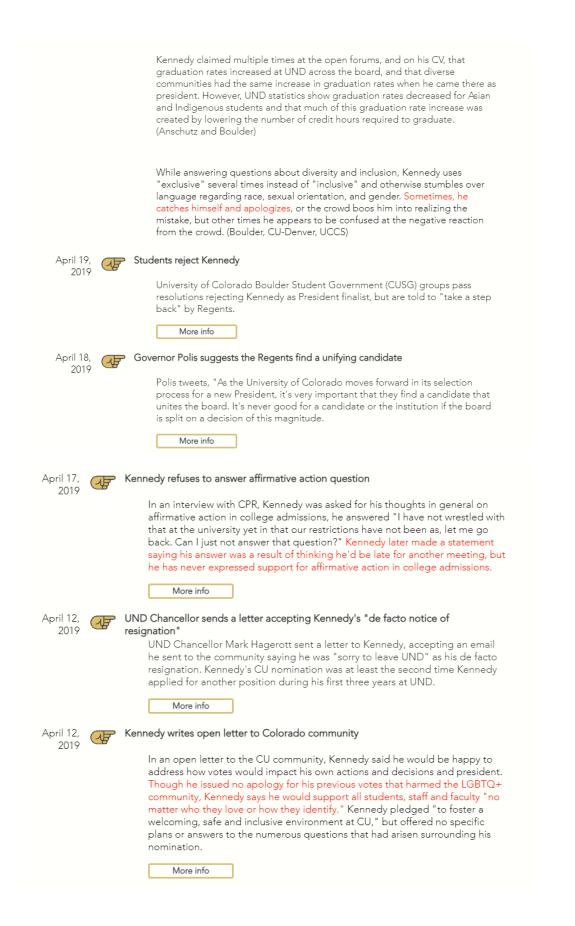
Appendix D. BFA resolution - BFA-M-2-040201 - Motion to Support CU Boulder Faculty Senate Members Call for Vote of Censure of President Kennedy -Screenshots provided in Figure 2. Figure 1. DiversifyCUnow - President Mark Kennedy Timeline





viewed as policy, but as a suggestion."

January 29,	
2020	System strategic plan presented
	Kennedy presented a four point strategic plan to the Boulder Faculty Council. One point of that plan is "Diversity, Equity, and Inclusion." This plan presents no new strategy when compared to <u>CU Boulder's IDEA Plan</u> , released in the fall of 2019.
	System strategic plan
October 1, 2019	Kennedy refuses to publicly support Proposition CC
2017	Though Kennedy privately supported the proposition, he did not use his platform to support the push to retain revenue for education and transportation, while Colorado public universities posted updates and publicly supported the measure.
	More info
July 1, 2019	F Kennedy begins as CU System President
May 2, 2019	Board of Regents confirms Kennedy as president In a (5-4) party-line vote, the Board of Regents confirms Kennedy as system president.
	More info
April 30, 2019	LGBTQ+ Committe of Faculty Council submits Open Letter asking Regents to reconsider
	An Open Letter to the CU Regents From CU Faculty Council LGBTQ+ Committee was submitted, asking the Regents to reconsider their support for Kennedy as system president. They cited his anti-same sex marriage record in Congress and his statements during the UCF and CU search processes regarding DACA students and affirmative action.
	More info
April 23-36, 2019	CU open forums held on all 4 campuses
	Kennedy answered questions at all four campuses and made a series of misstatements and mistakes, drawing boos and protests from the crowds. Watch UCCS Forum, Watch Denver Forum, Watch Anschutz Forum, Watch Boulder Forum.
	Recap available
	Recap available Though Kennedy said you have to do more than just sign a letter, in reference to DACA students, he has never signed the <u>Pomona letter</u> . (UCCS, CU-Denver, and Boulder)
	Though Kennedy said you have to do more than just sign a letter, in reference to DACA students, he has never signed the <u>Pomona letter</u> . (UCCS, CU-Denver,
	Though Kennedy said you have to do more than just sign a letter, in reference to DACA students, he has never signed the <u>Pomona letter</u> . (UCCS, CU-Denver, and Boulder) Kennedy claimed that he had proactively reached out to One Colorado for



April 11, 2019	Regent suggests Kennedy hasn't been properly vetted
	Regent Linda Shoemaker says in a statement "We need the press and the public to do the job in vetting him," suggesting that a newspaper article forced the "premature" announcement of Kennedy's nomination though the background check process was not complete. It becomes clear around this time that Kennedy's CV, which he provided to CU for this position, was incomplete.
	More info
April 10, 2019	Kennedy's nomination for system president is announced
	CU releases a statement saying Kennedy has been nominated as the sole finalist for the university system president.
	More info
April 9, 2019	Rumors about Kennedy leaving UND circulate The Grand Forks Daily Herald published an article saying multiple sources suggest Kennedy's term at UND could be coming to an end, though the university's official statement said they were unaware of his resignation at the time.



BFA Executive Committee Notice of Motion Motion to Support CU Boulder Faculty Senate Members Call for Vote of Censure of President Kennedy BFA-M-2-040121

March 29, 2021

MOVED that the Boulder Faculty Assembly vote to censure University of Colorado President Mark Kennedy for his failure of leadership with respect to diversity, equity, and inclusion.

- Whereas, diversity, equity, and inclusion are not only paramount moral issues, but also
 present grave challenges to the University of Colorado with its current reliance on out of
 state tuition and a declining student demographic;¹
- Whereas, the urgency of this issue requires leadership at the highest level of our University
 of Colorado system, leadership in actions and words;
- Whereas, President Kennedy initially refused the advice of the Faculty Council and Staff Council to include Diversity, Equity, and Inclusion as a standalone pillar in his administration's Strategic Plan;
- Whereas, President Kennedy sought to require that campus statements on race, immigration, LGBTQ+ issues, and climate change be pre-cleared through his office;² • Whereas, President Kennedy did not support campus efforts to ensure international student visas³ and anti-equity training⁴against threats to those issues of academic freedom and free speech
- Whereas, President Kennedy has a well-documented history of making problematic and hurtful statements without apologies or consequences,⁵
- Whereas, President Kennedy continues to diminish the genocide of Indigenous Peoples as "ill treatment"⁶ and has employed the term "Trail of Tears" as a casual idiom, with blatant disregard for that historical event;⁷
- Whereas, President Kennedy responded to the the January 6th insurrection at the U.S. Capitol with a partisan message that referenced "identity politics" and "fake news" and

¹See Pielke report (attached)

- ³ https://coloradosun.com/2020/07/07/colorado-college-students-coronavirus-trump-international/⁴ Faculty. Council memo, October 12, 2020, re: White House Executive Order of September 22, 2020 ⁵
- https://www.diversifycunow.com/kennedytimeline

² https://www.denverpost.com/2020/08/25/cu-free-speech-race-covid-university-of-colorado-sensitive-topics/

⁶ https://president.cu.edu/statements/cu-systemwide-lands-recognition-statement

⁷ https://www.denverpost.com/2020/09/03/mark-kennedy-trail-of-tears-cu-boulder/

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Boulder Faculty Assembly

UNIVERSITY OF COLORADO BOULDER

ultimately pivoted to promoting his online education initiative, minimizing the gravity of the events and their impacts; ⁸

- Whereas, President Kennedy's ongoing conduct undermines the institution's commitments to diversity, equity, and inclusion;
- Whereas, President Kennedy's ongoing conduct damages the national and international reputation of the University of Colorado as a leader in addressing the humanitarian, social, and technological challenges of the twenty-first century; therefore

Be it resolved that the president be censured for his failure of leadership with respect to diversity, equity, and inclusion; and

Be it resolved that this motion to censure be shared with the Board of Regents for consideration in connection with their evaluation of President Kennedy's appointment and contract at the upcoming Board of Regents meeting in June.

Approved by the BFA Executive Committee: March 22, 2021 Submitted to the BFA General Assembly: April 1, 2021 Scheduled date for Assembly Vote: April 29, 2021