MINUTES
Boulder Faculty Assembly
April 1, 2010

Attending:

Acevedo-Munoz, Ernesto
Biringen, Sedat
Buttenfield, Barbara
Carey, Greg
De Alwis, Shanta
Diggle, Pam
Emery, William
Eparvier, Frank
Grace, Carmen
Graves, Philip
Hanna, Martha
Harvey, Lynn
Hermanson, Bob
Hollweck, Thomas
Hudson, Suzanne
Jobe, Peggy
Joyce, Arthur
King, Roger
Kopff, Christian
Kotys-Schwartz, Daria
Kunce, Catherine
Lee, Jintae
Lewis, Clayton
Main, Michael
Mills, Claudia

Miller, Shelly
Moreau, Page
Mueller, Karl
Muir, Carrie
Nauenberg, Uriel
Nauman, Bob
Norris, Adam
Parson, Robert
Pearson, Lynea
Piket-May, Melinda
Preston, Mike
Ramirez, Karen
Richter, Antje
Rosse, Joseph
Scanlon, Sheila Col.
Skewes, Elizabeth
Snow, Ted
Squillace, Mark
Stark, Ted
Toth, John
Walker, Deward
Walter, Martin
White, Ahmed
Young, Wendy

Liaisons and Observers:
Kaempfer, Bill
Don Eron
Marki LeCompte
Daniel Baker

Documents:

- BFA-X-M-020810.1—Motion to Amend the Bylaws
- BFA-X-M-020810.2—Motion to Amend the Standing Rules:
- Explanatory Memorandum from the Bylaws Committee
- BFA-X-M-022210-- Motion to Endorse the Recommendations of the BFA Ad Hoc Committee on Instructor Status
- BFA-X-M-030810.1—Resolution on Increased Flexibility for Research Salary Increases
- Explanatory Memorandum from the Budget and Planning Committee.
- BFA-X-M-030810.2—Motion Regarding the Policy on Class Conflicts and Club Sports
- BFA-X-M-032910—Motion to Request Amendment of Honor Constitution I.2.c.ii.
A regular meeting of the Boulder Faculty Assembly was held on April 1, 2010, in Wolf Law Building, Room 204. Chair Joe Rosse presided. The meeting convened at 4:05 p.m. and adjourned at 5:30 p.m.

I. Approval of the Minutes: The Minutes of March 4, 2009, were approved.

II. Chair’s Report:

a. Joe reported that Chancellor is delivering the UCB Budget Plan to the President’s Office today. It’s expected that the President will announce the plans next week. The Chancellor is planning a campus Open Forum on April 12.

b. Joe reported that campus visits by the Provost candidates are also rumored to occur in the week of April 12.

c. Joe reported on the status of motions voted on at the March 4 BFA meeting:
   i. The Faculty Council referred both Program Discontinuance motions to the Faculty Council Educational Policy and University Standards Committee (EPUS) and the Faculty Council Personnel Committee. The Faculty Council Executive Committee seemed supportive.
   ii. The motion to make it easier to change dependent eligibility status during the year was positively received by the Faculty Council Executive Committee and by the Vice President for Human Resources, Jill Pollock. It was forwarded to the Personnel Committee. The main holdup may be the availability of software to allow these changes to be made.
   iii. Joe briefed the Faculty Council on the Instructor Status Report, which the Personnel Committee had already read and discussed. After some Faculty Council discussion, the Faculty Council Chair asked that Joe share the following reactions with BFA:
      1. Other campuses didn’t seem as concerned with the issue. The UCD-D representative said he really hadn’t heard any expressions of concerns; UCD-AMC said they would be opposed because the provisions would actually provide far more protection for instructors than for most faculty on their campus; UCCS had mixed reactions—some departments seem not to have concerns about either economic security or academic freedom, whereas other departments would be more supportive. The bottom line from Faculty Council—this will require a lot of fine-tuning.
      2. The Faculty Council Executive Committee has concerns about the discussion of an alternative tenure-track. They fear that this will not be well-received by the Regents or the legislature and that it could do substantial harm in the current political environment. They are particularly concerned that it could harm the other campuses, which don’t have a strong interest in the idea.
d. Joe reported that the Faculty Council Personnel Committee will be having a special meeting on non-tenure track issues on April 2; Rolf Norgaard and Suzanne Hudson will be attending from UCB

e. Joe reported that he met with the Chancellor, who continues to be receptive to the program discontinuance motions and supports the dependent eligibility motion.

III. Motions for **VOTE**:

a. BFA-X-M-020810.1—Motion to Amend the Bylaws (appended): Ahmed White
   i. Ahmed explained the motion via the Bylaws memo (appended).
      1. There was discussion about whether the proposed amendment to Bylaws Article III, Section 3 would result in the calcification of the Executive Committee. Ahmed explained the Section as currently written contains a conflicting ambiguity that had to be fixed. While the first sentence provides an officer the right to run for reelection to a second term in the same office, the second sentence seems to prohibit an officer from running for that second term if the officer served in another office the year previously. Ahmed said that correcting the ambiguity inevitably required a substantive decision about how to handle term limits. The Bylaws made that substantive decision in favor of allowing longer service on the Executive Committee in order to encourage those who want to serve and establish experience on the Executive Committee for possible future advancement through the officer positions.
      2. A motion to amend was made and seconded to strike the entire proposed amendment to Bylaws Article III, Section 3. The motion failed.
      3. BFA-X-M-020810.1 as originally proposed was approved by a 2/3 vote with 24 in favor, 11 opposed and 4 abstaining.

b. BFA-X-M-020810.2—Motion to Amend the Standing Rules: Ahmed White
   i. Ahmed explained the motion via the Bylaws memo (appended).
   ii. There was discussion about whether a majority should be able to override a request for a secret written ballot.
   iii. A motion to amend was made and seconded that the proposed language, “provided that, by a voice vote of the majority of the voting members present, the Assembly may set aside the request for a secret written ballot in favor of a roll call vote,” be stricken. The motion to amend passed with 22 in favor and 14 opposed.
   iv. BFA-X-M-020810.2 as amended was approved.

c. BFA-X-M-022210-- Motion to Endorse the Recommendations of the BFA Ad Hoc Committee on Instructor Status
i. There was discussion about what approving the recommendations would convey to others—that UCB values good teaching. There was discussion about the fact that two of the four 2009-2010 BFA Excellence in Teaching Awards went to Instructors and that three of the six finalists were instructors.

ii. Babs Buttenfield read the following statement:
One term cannot have two meanings in a bureaucratic context. Tenure has a very specific meaning, and further it is not voluntary. Thus the Committee arguments that senior instructors should be allowed to "opt" in or out of a tenure choice might not pass muster with the Regents. Has the Committee actually polled the instructors formally to establish how many of them are willing to take the route of tenure as it is currently established? It would do harm indeed if the consequence of this report were to terminate every senior instructor's employment in 6 years, especially against their wishes.

And has the Committee polled the Regents, to determine the probability that they will embrace the Committee's proposed dual definition of tenure? Your Committee insists that the term "At Will" cannot carry two meanings so this seems contradictory. Another possible Regents response would be to reduce the current definition to one that carries teaching as primary activity. What would that imply for the 1000 or so TTT faculty who are in classrooms as much as instructors, who also carry a service load, and who are also productive researchers? Is the 7, 15, 30 years of research and service effort of 1,000 faculty worth so little to the university as to gamble with it on behalf of a much smaller number of faculty (one of your ctte members thinks that perhaps 5-10 senior instructors will pursue tenure)?

The issue in the mind of my constituents is to establish multi-year contracts (not agreements) for senior instructors and help them achieve job security and academic freedom. We are not convinced that tenure is the only way to achieve this, and in fact insisting upon "tenure" could make vulnerable the concept as it exists now. If you take the word "tenure" out of this report, you will have widespread and very solid support from 95% of the TTT faculty.

iii. A motion was made and seconded to commit the entire motion until instructors could be polled as to their desire to go on a forced tenure track (no opting in or out). There was discussion about the requisite details of a motion to commit—a description of the appropriate committee is necessary. It was determined that the motion was to commit the issue to the Executive Committee, which would be charged with polling the desires of the instructors. The motion to commit failed with a vote of 30 opposed and 13 in favor.

iv. There was discussion about whether all instructors actually were able to participate in the survey discussed in the Instructor Status report.

v. A motion to amend Recommendation 3A was made and seconded as follows: add at the end of the recommendation the language, "The current ranks of Instructor and Senior Instructor would continue. Both current faculty and future hires would themselves determine whether or not to pursue a tenure-tenure track teaching position or to apply for an
advertised tenure-track teaching position.” The motion to amend Recommendation 3A was approved with 33 in favor and 13 opposed.

vi. There was discussion about the language in Recommendation 2A, “goes beyond current practices”. Rolf stated that this language reflected the fact that review of instructors across campus is currently irregular, which irregularizes the position of Instructor.

vii. There was discussion about whether it would be dangerous to ask the Regents to discuss the possibility of tenure for instructors in the current political climate.

viii. There was discussion about whether 3A actually calls for more than the initiation of discussions because it mandates that the discussions “lead to the creation . . . of new tenure-track ranks for teaching faculty.” This is different from discussing the merits of the issue. The recommendation calls for discussions that have a particular end.

ix. A motion to amend Recommendation 3A was made and seconded to the effect that the language “lead to the creation” be stricken and the recommendation in pertinent part read, “that would consider the merits of creating, with regential approval, new tenure-track ranks for teaching faculty.” The motion to amend Recommendation 3A was approved with 38 in favor and 8 opposed.

x. A motion was made and seconded to close debate on BFA-X-M-022210 at 5:20. The motion to close debate was approved with more than 2/3 in favor.

xi. A motion was made and seconded to remove the word “tenure-track” from Recommendation 3A and substitute the phrase “continuing employment”. There was discussion about what “continuing employment” means. There was discussion about whether “continuing employment” would provide more flexibility for providing Instructors a more stable employment situation. “Continuing employment” includes the possible concept of tenure. “Tenure” does not include possibility of other types of continuing employment. The motion to amend Recommendation 3A failed with 31 opposed and 15 in favor.

xii. At 5:20 p.m., debate was closed as per the previous motion to close debate. BFA-X-M-022210 as amended (appended) was approved with 33 in favor and 14 opposed.

IV. Notice of Motion (for vote on April 29):

a. BFA-X-M-030810.1—Resolution on Increased Flexibility for Research Salary Increases (appended)

i. Dan Baker, the Director of LASP, stated that the flexibility called for in the motion is important to remain competitive as a research university. It won’t cost the university any more money because the funds are already available from research money and grants. It will increase the ICR returned to the university.
b. BFA-X-M-030810.2—Motion Regarding the Policy on Class Conflicts and Club Sports (appended)

c. BFA-X-M-032910—Motion to Request Amendment of Honor Constitution I.2.c.ii. (appended)

   i. Eckart explained that the proposed language is designed to clarify that, if a student is accused of an academic violation, a decision of the Honor Council should be limited to determining the merits of case and should not include the sanction, which is to be determined by the faculty.

The meeting was adjourned at 5:30.
The Bylaws Committee of the Boulder Faculty Assembly moves to amend the Boulder Faculty Assembly Bylaws as follows:

Bylaws of the Boulder Faculty Assembly

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| Article III

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Section 3. The officers of the Assembly and Executive Committee Members at Large may be candidates to succeed themselves for a second term. Prior to election for additional terms beyond two to any particular office, officers or Executive Committee Members at Large may not hold that office in the Assembly for a period of at least one year.

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Article V.B.

Section 1. The Standing Committees will be composed of eight faculty and two student members unless otherwise specified by these Bylaws or by the Standing Rules.

From BFA Bylaws Committee: February 8, 2010
Approved by the BFA Executive Committee: February 8, 2010
Notice of motion to the BFA: March 4, 2010
Approved by the BFA:
The Bylaws Committee of the Boulder Faculty Assembly moves to amend the Boulder Faculty Assembly Standing Rules as follows:

BFA Standing Rules

Article VI. Meetings

Section 1. Procedures,

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c) The Tri-Executives of the UCSU and the President of the UGGS are invited to attend meetings of the Assembly, and may speak on matters of interest to students when requested to do so by the Chair or by vote of the Assembly.

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i) A roll call vote on any issue before the Assembly will be held when requested by three or more voting members present.

j) A secret written ballot on any issue before the Assembly will be held when requested by three or more voting members present.

k) If a roll call vote and a secret written ballot are requested on the same issue pending before the Assembly, and each request receives the support of at least three voting members present, the request for a secret written ballot shall prevail; provided that, by a voice vote of the majority of voting members present, the Assembly may set aside the request for a secret written ballot in favor of a roll call vote.

l) E-mail votes. Where approved by the Assembly in advance, or upon recommendation from the Executive Committee, an e-mail vote may be taken on any matter. The procedures for an e-mail vote shall be established for that vote prior to it being taken. Such procedures shall be devised to effectuate the principle of democratic governance and, further, shall be appropriate to the nature of the matter under consideration.

From BFA Bylaws Committee: February 8, 2010
Approved as amended by the BFA Executive Committee: February 8, 2010
Notice of motion to the BFA: March 4, 2010
Approved by the BFA:
MEMORANDUM

To: Boulder Faculty Assembly
From: BFA Bylaws Standing Committee
Subject: Elaboration of Proposed Changes to Bylaws
Date: February 8, 2010

This memorandum will serve to further explain the import of changes to the BFA Bylaws and Standing Rules as proposed in the accompanying motions. The proposed changes concern issues that are largely technical in nature, in that they involve contradictions and inconsistencies in the current text. However, as is inevitably the case, clearing up these difficulties entails some substantive decisions.

The material that follows identifies and describes the difficulty that occasions each proposed change, and then describes the nature of the solution proposed by the Bylaws Committee.

Motion Proposing Amendments to the Bylaws

1. An ambiguity exists between the two sentences that make up Bylaws Article III, Section 3, which states, “The officers of the Assembly and Executive Committee Members at Large may be candidates to succeed themselves for a second term. Prior to election for additional terms beyond two, officers or Executive Committee Members at Large may not hold office in the Assembly for a period of at least one year.”

The problem is evident in the following scenario: Jane Doe is elected as Secretary in year one. She is elected Vice-Chair in year two. Jane wants to run for reelection to Vice-Chair in year three. While the first sentence gives Jane the right to run for reelection as Vice-Chair, the second sentence seems to prohibit Jane from holding any office in the Assembly for year three.

The motion proposed by the Bylaws Committee would amend the Bylaws in such a fashion that term limits will be retained with respect to specific positions while not limiting overall years of consecutive service on the Executive Committee.

2. A conflict exists between the Bylaws and the Standing Rules regarding the composition of certain committees. Bylaws Article V(B), Section 1 states, “The Standing Committees will be composed of eight faculty and two student members unless otherwise specified in these Bylaws.” Five Standing Committees as described in the Standing Rules Article V, Section 1 violate this section of the Bylaws: (1) the
Administrator Appraisal Committee, composed of 10 faculty and no student members; (2) the Bylaws Committee, composed of nine faculty and no student members; (3) the Diversity Committee, composed of “a minimum” of eight faculty and can include additional members beyond eight; (4) the Libraries Committee, composed of 22 faculty; and (5) the Nominations and Elections Committee, composed of nine faculty and no student members.

The motion proposed by the Bylaws Committee would amend the Bylaws such that the Bylaws would cohere with the Standing Rules.

Motion Proposing Amendments to the Standing Rules

1. The officers of the UCSU and UGGS organizations are incorrectly titled in the Standing Rules. Article VI, Section 1(c) states, “The Chairs (or Co-Chairs) of the UCSU and the UGGS are invited to attend meetings of the Assembly . . . .” These organizations have Tri-Executives and a President respectively; they do not have Chairs.

The motion proposed by the Bylaws Committee would amend the Standing Rules to reflect the proper names of the representatives of these bodies.

2. A conflict exists between the Standing Rules calling for roll call and secret votes. Standing Rules Article VI, Section 1(i) states, “A roll call vote on any issue before the Assembly will be held when requested by three or more voting members.” Standing Rules Article VI, Section 1(j) states, “A secret written ballot on any issue before the Assembly will be held when requested by three or more voting members present.”

The problem is evident in the following scenario: With respect to a motion supporting Instructor Tenure, Jane Doe and two others ask that the vote be taken by secret ballot. John Doe and two others ask that a roll call vote on the motion be held. It is unclear which request holds precedence.

The motion proposed by the Bylaws Committee would amend the Standing Rules to provide that, in cases of conflict between the two procedures, a request for a secret ballot will take precedence, provided further that in this situation a vote of the majority of voting members present may nonetheless substitute a roll call vote.

3. An ambiguity exists in Standing Rules Article VI, Section 1(k), which states only: “E-mail votes.”

The provision is entirely unclear. It may have originated from the inclusion in the Bylaws of Article VI, Section 3, which states, “When approved by the Assembly in
advance, or upon recommendation from the Executive Committee, an e-mail vote may be taken on any matter. The procedures for e-mail voting shall be as provided in the Standing Rules of the Boulder Faculty Assembly.”

The motion proposed by the Bylaws Committee would amend the Standing Rules to provide that e-mail voting procedures shall be developed on an ad hoc basis by the Assembly in such a fashion as best maintains the principle of democracy in voting and any such needs that may be peculiar to the matter with which the vote is concerned.
The Boulder Faculty Assembly Executive Committee moves that the BFA endorse, and request the UCB Administration to implement, the following recommendations from the BFA Ad Hoc Committee on Instructor Status (Report and Recommendations from the BFA Ad Hoc Committee on the Status of Instructors):

**Clarification and enforcement of current policy.** These recommendations speak to many of the concerns about the status accorded to instructors and the sometimes negative climate in which they work:

1A: A firm requirement for departments to update and adhere to by-laws with respect to broad participation of instructors in unit affairs.
1B: All instructor letters of agreement (aka contracts) should consider workload requirements in ways that allow for performance and evaluation of service.
1C: Treatment of instructors (and other non-tenure-track faculty) must be a specific and required aspect of performance reviews of department chairs, program directors, and deans.
1D: Conflict resolution services and grievance procedures should be responsive to the needs of instructors.
1E: Each unit should put in place a system of instructor mentoring.
1F: Any lecturer who has taught at 50% or more for at least three years should be considered by the unit for appointment as a rostered instructor; the school/college and campus administration should assist the unit in making this change possible.
1G: The Boulder Faculty Assembly, in concert with the Office of Faculty Affairs, is charged with reporting regularly on the status and conditions of instructors, and on the implementation and coordination of policies pertaining to instructors.

**Contractual issues in employment and career management.** These pragmatic recommendations call upon existing policy and administrative tools that could be used more effectively and proactively.

2A: The campus must develop a climate of meaningful review for instructors that goes beyond current practices.
2B: The campus must clarify the distinction between instructor and senior instructor, regularize procedures for what should be a rigorous review, and offer rewards for this promotion.
2C: The non-renewal of an instructor's contract should be related to one of three causes: poor performance, major programmatic change, or financial exigency; in the event of a non-renewal that does not meet this test, the unit should lose the instructor line.
2D: In the event of program discontinuance, the campus should make every effort to relocate instructors and senior instructors to other units; should program discontinuance require the termination of instructors or senior instructors, the campus must provide those Senior Instructors as well as those Instructors who have served seven or more years of full-time service or its
equivalent to the University who have been identified in any plan for termination with one year of notice before termination.

2E: We recommend the active use of differential workloads as a tool for more effective instructor career management.

2F: The Committee urges campus administration in the strongest possible terms to reject a proposal for uncompensated workload increases, as they have an enormous negative effect not only on individual instructors but also on the status and climate for instructors, on the quality of undergraduate education, and on the very institutional initiatives that the campus seeks to preserve and develop.

2G: To the full extent permitted by law, the campus should offer long-term (multi-year), presumptively renewable contracts to both instructors and senior instructors.

2H: The campus should make high performing senior instructors eligible for an annual update or resetting of the terminal date of a multi-year letter of agreement (aka contract).

2I: The campus should award the title of “Senior Instructor of Distinction” to a subset of highly qualified senior instructors.

2J: Utilizing existing tenure guidelines, the campus should permit exceptionally qualified senior instructors to access tenured or tenure-track appointments through a process of line conversion.

Instructor tenure as provided through the creation of a new series of faculty ranks. This recommendation requires approval at the system level and a change in the Laws of the Regents.

3A: The Boulder Faculty Assembly and the campus administration should initiate discussions with the other campuses and with Faculty Council that would lead to the creation, with regential approval, of new tenure-track ranks for teaching faculty, with the same differentiation in ranks (asst., assoc., full professor) as for research faculty, but with the designation “teaching professor” or some equivalent term.

From BFA Executive Committee: February 22, 2010
Notice of motion to the BFA: March 4, 2010
Motion amended by the Executive Committee: March 8, 2010
Approved by the BFA:
The Boulder Faculty Assembly Executive Committee moves that the BFA endorse, and request the UCB Administration to implement, the following recommendations from the BFA Ad Hoc Committee on Instructor Status:

Clarification and enforcement of current policy. These recommendations speak to many of the concerns about the status accorded to instructors and the sometimes negative climate in which they work:

1A: A firm requirement for departments to update and adhere to by-laws with respect to broad participation of instructors in unit affairs.
1B: All instructor letters of agreement (aka contracts) should consider workload requirements in ways that allow for performance and evaluation of service.
1C: Treatment of instructors (and other non-tenure-track faculty) must be a specific and required aspect of performance reviews of department chairs, program directors, and deans.
1D: Conflict resolution services and grievance procedures should be responsive to the needs of instructors.
1E: Each unit should put in place a system of instructor mentoring.
1F: Any lecturer who has taught at 50% or more for at least three years should be considered by the unit for appointment as a rostered instructor; the school/college and campus administration should assist the unit in making this change possible.
1G: The Boulder Faculty Assembly, in concert with the Office of Faculty Affairs, is charged with reporting regularly on the status and conditions of instructors, and on the implementation and coordination of policies pertaining to instructors.

Contractual issues in employment and career management. These pragmatic recommendations call upon existing policy and administrative tools that could be used more effectively and proactively.

2A: The campus must develop a climate of meaningful review for instructors that goes beyond current practices.
2B: The campus must clarify the distinction between instructor and senior instructor, regularize procedures for what should be a rigorous review, and offer rewards for this promotion.
2C: The non-renewal of an instructor’s contract should be related to one of three causes: poor performance, major programmatic change, or financial exigency; in the event of a non-renewal that does not meet this test, the unit should lose the instructor line.
2D: In the event of program discontinuance, the campus should make every effort to relocate instructors and senior instructors to other units; should program discontinuance require the termination of instructors or senior instructors, the campus must provide those Senior Instructors as well as those Instructors who have served seven or more years of full-time service or its
equivalent to the University who have been identified in any plan for termination with one year of notice before termination.

2E: We recommend the active use of differential workloads as a tool for more effective instructor career management.

2F: The Committee urges campus administration in the strongest possible terms to reject a proposal for uncompensated workload increases, as they have an enormous negative effect not only on individual instructors but also on the status and climate for instructors, on the quality of undergraduate education, and on the very institutional initiatives that the campus seeks to preserve and develop.

2G: To the full extent permitted by law, the campus should offer long-term (multi-year), presumptively renewable contracts to both instructors and senior instructors.

2H: The campus should make high performing senior instructors eligible for an annual update or resetting of the terminal date of a multi-year letter of agreement (aka contract).

2I: The campus should award the title of “Senior Instructor of Distinction” to a subset of highly qualified senior instructors.

2J: Utilizing existing tenure guidelines, the campus should permit exceptionally qualified senior instructors to access tenured or tenure-track appointments through a process of line conversion.

Instructor tenure as provided through the creation of a new series of faculty ranks. This recommendation requires approval at the system level and a change in the Laws of the Regents.

3A: The Boulder Faculty Assembly and the campus administration should initiate discussions with the other campuses and with Faculty Council that would consider the merits of creating new tenure-track ranks for teaching faculty, with the same differentiation in ranks (asst., assoc., full professor) as for research faculty, but with the designation “teaching professor” or some equivalent term. The current ranks of Instructor and Senior Instructor would continue. Both current faculty and future hires would themselves determine whether or not to pursue a tenure-tenure track teaching position or to apply for an advertised tenure-tenure track teaching position.

From BFA Executive Committee: February 22, 2010
Notice of motion to the BFA: March 4, 2010
Motion amended by the Executive Committee: March 8, 2010
Approved by the BFA: April 1, 2010
Whereas the University receives funding from a variety of sources, and

Whereas there are a variety of personnel categories within the University of Colorado system, funded from different sources, where the terms of appointment, benefits and risks to an employee vary based upon the personnel category and source of funding, and

Whereas sponsored research program funding at CU Boulder is unrelated to funding provided to the University by the State of Colorado, tuition, or general fund sources, and

Whereas sponsored research programs are selected in a competitive process which includes an evaluation of the competency of the personnel and an assessment of the work to be performed relative to the proposed budget, and

Whereas research associates and professional research assistants in certain campus units are hired with the intention of long term, i.e. "career", appointments where they provide intellectual leadership and/or unique skills for sponsored research programs, and

Whereas the unit directors understand the need to balance sponsored research budgets with requirements for the retention of "career" research personnel to best support the entrepreneurial research of the unit,

Therefore, the BFA supports flexibility and authority for unit directors to work with the Vice Chancellor for Research in providing appropriate salary increases to "career track" research associates, senior research associates, professional research assistants, and senior professional research assistants who are funded on soft money essentially de-coupling these salary increases from the salary increase pools established for tenure track faculty.

From BFA Budget and Planning Committee: March 8, 2010
Approved by the BFA Executive Committee: March 8, 2010
Notice of motion to the BFA: April 1, 2010
Approved by the BFA:
MOVED that the BFA affirm the following campus policies and practices regarding conflicts between classes and University of Colorado collegiate sport club events:

- It is the student's responsibility to notify each instructor—in the first several weeks of the semester and in writing—about any known conflicts between academic requirements and sport club events.

- For conflicts that arise during the regular term, instructors have full authority to decide whether and/or how to accommodate those conflicts.

- While an instructor has the right to refuse to allow make-ups or other accommodations, he or she is permitted to provide such accommodations.

Further MOVED that:

- The BFA consider a general statement of policy in the case of accommodation of conflicts that arise when students are representing CU-Boulder.

- The attached report be reviewed on an annual basis by the SAC, and be sent out to all teaching faculty at CUB by the BFA before classes start every year.

From BFA Student Affairs Committee: March 8, 2010
Approved by the BFA Executive Committee: March 8, 2010
Notice of motion to the BFA: April 1, 2010
Approved by the BFA:
To: All faculty, instructors, and sport club advisors

From: The Boulder Faculty Assembly

Subject: The interaction between Collegiate Sport Clubs and Academics at CU Boulder

The purpose of this document is to circulate a summary of campus policies and practices regarding situations where conflicts arise between collegiate sport club events and classes. Our goal is to help clarify the rights and responsibilities of student-sport club athletes, coaches, coordinators, faculty, and instructors, and to anticipate and help solve problems. This information may be especially useful for new or junior faculty, and in any case it may help guide decisions about how to deal with conflicts when they arise.

This document was prepared by the BFA Committee on Student Affairs, with the cooperation of the BFA Committee on Intercollegiate Athletics, and pertains only to collegiate sport clubs that are coordinated through the Student Recreation Center. Thus, it does not address conflicts related to other forms of athletic participation by students, such as intercollegiate varsity athletics, intramurals, or the band and cheer squads.

I. Overview.

It is campus policy, and our belief as well, that participation in Collegiate Sport Clubs is a valuable part of the college experience for students, and that student-athletes represent the university in a positive way. Hence athletic participation should be accommodated insofar as the academic context permits. On the other hand, it is also campus policy that academics has priority at all times, that student-athletes must satisfy all class requirements, and that instructors have final authority in deciding how to handle conflicts.

It is the recommendation of our committee that conflicts between Collegiate Sport Club participation and academics be accommodated as constructively as possible. It is the student-athlete's responsibility to notify instructors of their intention to participate in a Collegiate Sport Club during the first week of enrollment in class and about schedule conflicts with athletic events within the first three weeks and to seek accommodation.

II. Policies and practices regarding conflicts.

Sometimes travel to games or tournaments may cause Collegiate Sport Club participants to miss classes. The authority over how to resolve such conflicts rests entirely with the instructor. Thus an instructor has the right to refuse to allow make-ups or provide other accommodations -- but also, in our view, the instructor is encouraged to try to resolve such conflicts in a manner that does not unduly penalize or advantage the student-athlete.

Normally, sport club team schedules are known well in advance, so student-athletes are able to communicate with their instructors at the beginning of the term. In addition, the Collegiate Sport Clubs coordinators provide written notification of conflicts, also far in advance when possible.
However, situations can arise where a student-athlete may make the travel roster and/or qualify for a game or tournament at the last minute. In that event, the student-athlete may not be able to provide much advance notice of an upcoming absence.

Instructor responses to schedule conflicts have varied widely. Some instructors attempt to work with the student-athletes to resolve schedule conflicts, usually by allowing assignments to be turned in late; scheduling early or make-up tests; or simply excusing the absence (in classes where attendance is taken). Some instructors have taken a harder line, offering no make-up opportunities, in which case the student-athlete either misses a game or tournament or loses credit for class time and work missed.

In cases where it is known in advance that many schedule conflicts will arise (as, for example, when a required weekly lab conflicts with sport club team practice), it is advisable for the student not to take that particular course during the term in question. This possibility should be considered at the beginning of the semester, when student-athletes inform their instructors of known conflicts using the letter provided by the Collegiate Sport Club office. The letter, a sample of which is included at the conclusion of this report, details the expected dates of missed class as well as the contact information for the Collegiate Sport Club coordinators. Student-athletes are informed by the Collegiate Sport Club coordinators in the Recreation Center of their duty to inform their instructors of known conflicts at the beginning of the semester.

III. Communications between collegiate sport clubs and instructors.

In order to avoid any appearance of pressure by the Collegiate Sport Clubs coaches on instructors, Collegiate Sport Clubs coaches are forbidden from contacting instructors directly regarding grades, schedule conflicts, or academic progress of specific student-athletes. Rather, coaches are encouraged to bring their concerns to the Collegiate Sport Clubs coordinators who will subsequently carry the issue to the instructor for discussion if necessary. Any instructor who feels that inappropriate contact has been made should contact the Collegiate Sport Clubs coordinators or any member of the BFA Student Affairs Committee. Names and contact information appear at the end of this report.

There is no rule that forbids an instructor from contacting the Collegiate Sport Clubs office. In fact, the Collegiate Sport Clubs staff in the Recreation Center would very much like to hear from instructors should there be a concern with poor attendance, poor academic performance, disruptive classroom behavior, etc. -- or if a student-athlete is performing particularly well in a class.

Currently, there are two Collegiate Sport Clubs Coordinators in the office at CU-Boulder to monitor the progress and status of approximately 1500 student-athletes in class.

Contact information for the BFA Student Affairs Committee members:
http://www.colorado.edu/FacultyGovernance/committees/studentaffairs.html
SAMPLE LETTER

University of Colorado at Boulder

Recreation Center
Student Recreation Center
Campus Box 355
Boulder, Colorado 80309-0430
(303) 492-5274

April 26, 2010

Dear Professor J. Doe,

John Smith, XXX-XXX-XXX, a student in your class, ENGR XXXX, is also a member of the University of Colorado Collegiate Sport Clubs, Mens Ultimate team. Over the course of this semester, conflicts may arise between team travel and class obligations.

John understands his academic responsibilities and should make arrangements with you in regard to missed work. If it appears that John cannot fulfill the class obligations due to the sport club commitment, please let us know as soon as possible so that we can advise him appropriately about alternatives.

It is the responsibility of the sport club athlete to attend class if they are not on the travel squad for any of the competitions. Sport club athletes who are not scheduled to travel should not be excused from class.

The dates of potential missed classes:
October 2nd
October 16th
November 6th

If a situation does arise where John makes the travel roster and/or qualifies for a game or tournament at the last minute, he may not be able to provide much advance notice of an upcoming absence. In that case, he will request an absence from class and make arrangements with you to complete all work either prior to the absence, or with your permission, as soon as possible upon his return.

Your partnership with Collegiate Sport Clubs in support of out sport club athletes while they represent the University of Colorado is vital. If you have academic concerns regarding this sport club athlete, please feel free to contact Patty McConnell at 303-492-7206 or Kris Schoech at 303-492-5133.

Very Sincerely,

Kristopher Schoech
Coordinator of Collegiate Sport Clubs

Patty McConnell
Coordinator of Collegiate Sport Clubs
SAMPLE Syllabus Language

Syllabus statement:

Students formally affiliated with University of Colorado Collegiate Sport Clubs are required to communicate with the instructor involved about any potential conflicts within the first three weeks of their enrollment in a class. Instructors are not obliged to accommodate any potential conflicts, but may, at their own discretion, allow reasonable accommodations for these absences. Instructors should also be made aware of the potential for upcoming competitions that are not yet scheduled as of the first week of class (often due to qualifying for Regional or National Championships).
Whereas the Honor Constitution I.2.a.i. states, "Academic sanctions are applied only by the faculty, not by the Hearing Panels, and"

Whereas the Honor Constitution should clearly state that the Honor Council's decision is limited to the determination of the merit of an academic ethics violation accusation while the academic sanction should be a prerogative of faculty.

The Boulder Faculty Assembly requests that Honor Constitution, I.2.c.ii. be amended as follows:

"If the faculty member confronts the student and the student denies the violation, the faculty member will then submit the case to the Honor Council for an investigation and a hearing. Once a determination is made by the Honor Council, the faculty member should issue an academic sanction consistent with the Honor Council's decision regarding the merit of the accusation."

From BFA Faculty Affairs Committee: March 29, 2010
Approved by the BFA Executive Committee: March 29, 2010
Notice of motion to the BFA: April 1, 2010
Approved by the BFA: