

Prepared by BFA Professional Responsibilities Committee
Adopted by Boulder Faculty Assembly July 1, 1982

PREAMBLE: ACADEMIC FREEDOM OF FACULTY
(From laws of Regents, Article X, 1982)

The University of Colorado was created and is maintained to afford to young men and women a liberal education in the several branches of literature, arts, sciences, and the professions. These aims can only be achieved in that atmosphere of free inquiry and discussion which has become a tradition of universities and is called academic freedom. For this purpose, academic freedom is defined as the freedom to inquire, discover, publish and teach truth as the faculty member sees it, subject to no control or authority save the control and authority of the rational methods by which truth is established. Within the bounds of this definition, academic freedom requires that members of the faculty must have complete freedom to study, to learn, to do research, and to communicate the results of these pursuits to others. The students likewise must have freedom of study and discussion. The fullest exposure to conflicting opinions is the best insurance against error. Academic freedom does not give either faculty or students the right to disregard the standards of conduct outlined in Article XIV, Section 2, of these Laws.

Where such freedom prevails, faculty members have the responsibility of maintaining competence; of exerting themselves to the limit of their intellectual capacities in scholarship, research, writing, and speaking; and of acting on and off the campus with integrity and in accordance with the highest standards of their profession. While they fulfill this responsibility, their efforts should not be subjected to direct or indirect pressures or interference from within the University, and the University will resist to the utmost such pressures or interference when exerted from without. Faculty members can meet their responsibilities only when they have confidence that their work will be judged on its merits alone. For this reason the appointment, promotion, and dismissal of faculty members should be based primarily on the individual's ability in teaching, research, writing, or other scholarly activities and should not be influenced by such extrinsic considerations as political, social, or religious views, or views concerning departmental or university operation or administration.

The students also, within the limits of academic discipline, have equivalent responsibility for study and learning. They too should be judged on the merits of their performance without reference to their political, social, or religious views.

The faculty member is entitled to freedom in the classroom in discussing the subject, but should be careful not to introduce into teaching controversial matter which has no relation to the subject.

Faculty members are citizens, members of learned professions, and officers of an educational institution. When speaking or writing as citizens, they should be free from University censorship or discipline, but their special position in the community imposes special obligations. As persons of learning and as educational officers, they should remember that the public may judge their profession and institution by their utterances. Hence faculty members should be accurate at all times, should exercise appropriate restraint and show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

PART I

PROFESSIONAL RESPONSIBILITIES, ETHICAL PRINCIPLES,
AND FACULTY CONDUCT

This listing of the responsibilities of individual faculty, and of ethical principles and examples of unacceptable conduct, is organized around the individual faculty member's participation in teaching, in scholarly and creative work and in public service. Statements relating to specific responsibilities not covered in the Regents' statement on Academic Freedom are included in an Appendix. References to documents included in the Appendix are for information only; and it is not intended that such documents are incorporated by these references.

I. Teaching and Students

Ethical Principles. As a teacher, the professor: encourages the free pursuit of learning; upholds the best scholarly standards of the discipline; demonstrates respect for the student as an individual, and adheres to a proper role as intellectual guide and counselor; makes every reasonable effort to foster honest academic conduct and to assure that evaluation of students reflects their true merit; respects the confidential nature of the relationship between professor and student; avoids any exploitation of students for private advantage and acknowledges significant assistance from them; protects the academic freedom of students. (Modelled on 1966 AAUP Statement)

A. The faculty member is expected to:

1. keep abreast of developments in the subject matter being taught;
2. prepare adequately for classes;
3. meet classes as scheduled (BFA Ruling, 1980, see Appendix, Paragraph I);
4. keep posted office hours;

5. regularly participate in student evaluations of teaching;
6. hold final examinations according to campus policy;
7. notify the appropriate chair, director or dean of absences of more than one consecutive working day during the regular Academic Year. (The regular Academic Year is the continuous period of time starting when faculty report for duty at the start of the Fall semester and ending with the Spring Commencement.)

The faculty member's dean or department chairperson may approve occasional exceptions to 3 and 4. (BFA Ruling, 1980, see Appendix Paragraph I).

B. Examples of unacceptable faculty conduct:

1. bringing to the classroom significant amounts of material unrelated to the subject matter of the course;
2. evaluation of student work in a course by criteria not directly reflective of the student's performance as measured by standards applied uniformly to all students in the course;
3. undue delay in evaluating the work of students;
4. failure to comply with university or college requirements in regard to deadlines, scheduling of examinations, reporting grades, and student evaluation;
5. discrimination against a student on political grounds, or for reasons of race, religion, sex, ethnic origin or for other arbitrary or personal reasons, (Chancellor's Memo and Presidential Statement, see Appendix, Paragraph II);
6. intimidation of students;
7. sexual harassment, (Chancellor's Memo, 1981, see Appendix, Paragraph III);
8. acting in such a way as to create a conflict of interest in the evaluation of a student.

II. Scholarly Research and Creative Work

Ethical Principles. Guided by a deep conviction of the worth and dignity of the advancement of knowledge, the professor: recognizes the special responsibility to the discipline to seek and to state truth, and to this end

continuously seeks to develop and improve scholarly competence; accepts the obligation to exercise critical self-discipline and judgment in using, transmitting and extending knowledge; practices intellectual honesty; in pursuit of subsidiary interests, never allows these interests to seriously hamper or compromise freedom of inquiry. (Modelled on 1966 AAUP Statement.)

A. The faculty member is expected to maintain competence and keep abreast of developments in his or her chosen field of scholarly endeavor. Faculty members are expected to maintain professional contact with scholars and/or practitioners outside the University, in a measure appropriate to the discipline. Scholarly research and creative work may take many forms. Usually the results of a faculty member's research should be published as books or as articles in the refereed literature. Other types of scholarly and creative work for which publication is not appropriate should be presented in such a way that they can be evaluated by peers in the faculty member's academic discipline.

B. Examples of unacceptable conduct.

Violations of canons of intellectual honesty such as falsification or fabrication of data or the misappropriation of the writings, research or findings of others.

III. University Service

Ethical Principles. As a colleague, the professor has obligations that derive from common membership in the community of scholars. The professor: respects the free inquiry of associates; shows due respect for the opinions of others in the exchange of criticism and ideas; acknowledges academic debts and strives to be objective in professional judgment of colleagues; accepts the responsibility of faculty for the governance of the institution. (Modelled on 1960 AAUP Statement.)

A. The faculty member is expected to:

1. participate in the operation and governance of his or her academic department or division, school or college and of the University and to render service to the public;
2. take fiscal responsibility for proper management of all types of University funds over which he or she has control, in accord with established University policy.
3. A faculty member who is a supervisor to staff is expected to be familiar with campus staff personnel policies and to provide regular performance evaluations for the staff, as indicated in such policies.

B. Examples of unacceptable conduct:

1. making evaluations of the professional competence of faculty or staff members based on any criteria that are not directly reflective of professional performance;
2. discrimination against faculty or staff members on political grounds, or for reasons of race, religion, sex, ethnic origin or for other arbitrary or personal reasons, (Chancellor's Memo and Presidential Statement, see Appendix, Paragraph II);
3. breach of established rules governing confidentiality in faculty or staff personnel procedures;
4. intimidation of faculty or staff;
5. sexual harassment of faculty or staff, (Chancellor's Memo, 1981, see Appendix, Paragraph III);
6. failure to remove oneself from situations involving conflict of interest.

IV. Differential Teaching, Research and Service Loads

It is assumed that each full-time faculty member is devoting his or her full "working" time, energy and emphasis to the University, (Chancellor's Memo, 1980, see Appendix, Paragraph IV for elaboration). Employment by the University includes a variety of activities such as teaching, scholarly and creative work, service on committees, administrative work and public

service. Faculty who are not significantly engaged in some of these activities will be expected to assume a larger share of responsibility for others.

V. General Policy

In accord with the general policy adopted by the Board of Regents (April 26, 1975), ". . . no member of the university community shall derive private gain from his or her association with the university except as provided by explicit policies of the university."

PART II

DUTIES AND RESPONSIBILITIES OF CHAIRPERSONS

I. Preamble

From "Laws of the Regents" (statements referring only to the medical school have been deleted)

A. Departmental Organization (Article V, Laws of the Regents)

Subject to the approval of the President, in colleges and schools where the departmental type of organization is used, each department is granted:

1. responsibility for developing its own working structure. The working structure and rules of the department must be formulated in consultation with the dean and the chancellor, and shall be followed implicitly until officially amended according to the department's own rules for change.
2. responsibility to define how personnel and budgetary matters shall be handled within the department.
3. power to decide how responsibilities for other departmental matters shall be determined.
4. responsibility for nominating its chair. The nominee shall normally be a tenured member of the department. All full-time departmental members of professorial or senior instructor rank shall be eligible to participate fully in the selection of the nominee. Departmental full-time instructors may be involved in this deliberation if the aforementioned members of the department so wish.

B. Department Chairs. (Article V, Laws of the Regents)

The term of office of a chair normally shall be four years. On occasion and for specific reasons, a chair or acting chair may be approved for appointment for a shorter term. Upon review and approval of the nominee by the dean of the college, the appropriate campus chancellor, and the President, the nomination shall be submitted to the Board of Regents for final approval.

The chair shall be the executive officer of the department and is responsible within the Laws of the Regents, the policies of the University, and the rules of the college or school and department, for the effective and efficient administration of the department. He or she shall have responsibility for providing leadership toward achievement of the highest possible level of excellence in the teaching, research, and service activities of the department.

Administratively, the chair is responsible to the dean of the college as well as to the department. With the advice and counsel of colleagues in the department and acting under the rules of the department, the chair is the departmental representative and spokesperson. In implementing the rules of the department with respect to recommendations for faculty appointments, promotions, tenure, and salary increments, the chair may submit his or her own comments to the dean in addition to the recommendations of the department but may not over-rule decisions of the department or of regularly constituted committees of the department.

II. Proposed Specific Statements

The Laws of the Regents delegate the development of the working structure of a department to that department in consultation with the appropriate dean.

Many departmental administrative structures thus exist, with the chair playing differing roles in each. In some, the chair may have broad authority for independent action; in others, many functions are delegated (to differing extents) to standing or ad hoc committees, which may be appointed or elected. In the case where department rules delegate such responsibility to such committees, the chair has the ultimate responsibility of insuring that the committees carry out their functions in an equitable, efficient and timely manner. It is understood in what follows that the duties and responsibilities described are thus to be interpreted in terms of the working rules of the individual departments.

As leader of the department

1. The chair has the responsibility for providing leadership toward the achievement of the highest possible level of excellence in the teaching, research, service activities of the department. The chair is expected to articulate the goals of the department, both within and without the department, to articulate the department's actions or requests in pursuit of these aims, and to maintain a climate that is hospitable to creativity and innovation. The chair has the responsibility to inform the department of the stances and actions of the dean and other administrators which might affect the department.
2. In the larger framework of the College, the chair, as a faculty member, has a special responsibility in representing the department in areas of formulation of educational policy and academic ethics, as provided in Article V in the Laws of the Regents (see Appendix, Paragraph V).
3. The chair is ultimately responsible for the recruitment, selection, and evaluation of both the academic and the staff personnel of the

department. In consultation with colleagues, and in consonance with the appropriate departmental procedures, the chair recommends appointments, promotions, merit increases, and terminations. The chair has the explicit responsibility to ensure that faculty members are aware of the departmental, college, and campus criteria prescribed for appointment, reappointment, promotion, and tenure, and to make appraisals and recommendations in accordance with the procedures and principles stated in the Laws of the Regents. In the course of recruitment of new appointees or in relation to salary increases or advancement of incumbents, the department chairperson shall make no formal commitment as to rank and salary until such action has received final approval of the appropriate administrative office. The chair has the responsibility to be familiar with the state personnel system, and to ensure that staff are aware of departmental expectations and of state personnel system criteria for appointment, reappointment, job classification, and promotion.

4. The chair should be receptive to questions, complaints, grievances, and suggestions from members of the department, both academic and staff personnel, and from students. The chair has the responsibility to take appropriate action as required.

As administrator of the department, the chair has duties which include the following, although special assignments may be added from time to time, and the dean or chancellor may specify additional duties. The chair is responsible for:

1. assignment of teaching and other duties within the department consistent with appropriate FTE levels, and consistent with the concept

that the appropriate mix of teaching, research or creative work, scholarship and service may differ from person to person, and from time to time in the career of an individual;

2. preparation of the schedule of courses and of times and places for class meetings;
3. arrangement and assignment of duty for counseling of students, and for training and supervision of Teaching Assistants and other student teachers and teacher aids;
4. preparation of the budget and administration of the financial affairs of the department, in strict accord with dollar and FTE allocations and in accord with University rules and procedures;
5. recommendation of sabbatical leaves and other leaves of absence to the dean, and for insuring that their scheduling is consistent with departmental needs;
6. promptly reporting the resignation or death of any member of the department;
7. custody and authorized use of University property charged to the department, and assignment of departmental space and facilities to authorized activities in accordance with University policy and campus rules and regulations;
8. departmental observance of proper health and safety regulations, in coordination with the campus environmental health and safety officer;
9. maintenance of records and of faculty and staff personnel files, and preparation of reports in accord with University and College procedures;
10. enforcement of the "1/6" rule regarding outside compensation for consulting in accord with Boulder campus regulations; (advice may be obtained from the BFA "1/6" Rule Review Committee, see Appendix, Paragraph IV)

11. reporting to the dean, or appropriate administrators--whenever the problem cannot be expeditiously resolved at the departmental level--any failure of an academic or staff member of the department to carry out responsibilities, and recommendation of appropriate remedial and/or disciplinary action.

In the performance of the duties listed above, the chair is expected to seek the advice of departmental faculty colleagues in a systematic way, to provide for the conduct of department affairs in an orderly manner through department meetings and the appointment of appropriate committees, and to keep department members informed of his or her actions in a timely manner. The chair is also expected to seek student advice on matters of concern to students enrolled in the department's programs. In large departments, the chair may be assisted by a vice chair or other colleagues in the tasks involved in carrying out his or her responsibilities, and, when desired, by an executive committee chosen in an appropriate manner.

PART III

APPENDIX

I. Statement on Faculty Absences, Adopted by the BFA, April 1980.

It is expected that faculty members will not be absent from classes except in cases of illness, personal emergency, religious observance, or when the absence is desirable for the faculty member to meet his or her professional responsibilities.

It is expected that arrangements will be made for covering instructional and other activities during the period of absence.

Departmental chairpersons are expected to take whatever measures are necessary to safeguard against inappropriate absence from classroom responsibilities.

II. Policy Statements on Discrimination and Intimidation.

A. Chancellor's Statement, 1981.

The University of Colorado at Boulder is committed to a policy of non-discrimination and equal opportunity for all persons. The Affirmative Action program is designed to insure equal opportunities in employment and educational programs for all, regardless of race, color, sex, religion, national origin, age, or physical ability. In addition, UCB actively supports affirmative action for Vietnam era and disabled veterans.

As a public institution, UCB has an especially strong obligation to implement affirmative action that results in equal opportunity. Each unit that employs personnel, admits students, or enters into contracts is responsible for complying with UCB's Affirmative Action Plan. Performance in this area will be an important element in the evaluation of each administrator.

The Chancellor of the Boulder campus has overall responsibility for implementation of the Affirmative Action program and compliance with all federal and state laws, executive orders, statutes, and regulations. Day-to-day responsibility has been delegated to the Affirmative Action Office. Please call extension 6706 or visit Regent 207 with questions or problems.

I welcome your cooperation in promoting affirmative action and equal opportunity for all our employees and the citizens of Colorado.

B. Joint Statement of Faculty Council and Office of the President, 1981.

As part of the report of the Select Committee on Affirmative Action to the Board of Regents, statements were made that employees are reluctant to report cases of discrimination because of intimidation exerted by their supervisors. The purpose of this joint statement is to reaffirm that such intimidation of employees will not be tolerated at the University of Colorado and to outline some options that may be pursued by employees who believe that they have a justifiable grievance in this area.

At the August meeting of the Board of Regents, the President established a procedure whereby employees can submit complaints directly to Regent Rachel Noel who will examine such complaints in confidence and in consultation with Legal Counsel. The Regents also authorized Regent Noel to employ independent counsel if circumstances warrant. This procedure will remain in effect as long as needed.

The campus affirmative action offices are also available to provide assistance to employees in all matters of discrimination, including those involving possible intimidation. These offices act in strict confidence and provide advice on appropriate procedures to be followed both internal and external to the institution. Classified staff members may also consult with their campus personnel offices regarding State grievance procedures and may contact the campus staff governance officers. Faculty may avail themselves of the Committee on Privilege and Tenure as well as their campus faculty governance officers.

A number of external agencies are also available for assistance, including the Department of Labor, the Department of Health and Human Services, the Colorado Civil Rights Commission and the Equal Employment Opportunity Commission.

We urge all employees who have problems to avail themselves of these options for relief and on behalf of the University, restate our commitment to equitable and just treatment of all employees in all personnel matters.

III. Chancellor's Memo on Sexual Harassment, as approved by BFA Executive Committee 1981.

Sexual harassment is legally specified as any deliberate or repeated unsolicited or unwelcome verbal comments, gestures, or physical contact of a sexual nature. Title VII of the Civil Rights Act of 1964, and additional signed (1980) guidelines from the Equal Employment Opportunity Commission, state that such acts are unlawful.

Sexual harassment is a form of misconduct that undermines the integrity of the conditions of employment, of teaching, and of faculty-student relationships. All employees, faculty, and students must be allowed to work, study, and teach in an environment free from unwanted sexual overtures. Further, sexual harassment is a prohibited practice when it results in discrimination for or against a staff member, faculty member, or student. While in many instances of sexual harassment a woman is the victim, it is acknowledged that other forms of sexual harassment occur.

Responding to Guidelines on Discrimination Because of Sex, (Federal Register, 4-11-80), I state my intent that the Boulder Campus will comply with this amendment, that members of each College, School, Department, and academic and non-academic unit understand that sexual harassment is not acceptable, and that prompt and remedial action will be taken when necessary. Responsibility for providing technical assistance and monitoring compliance with this area of civil rights has been assigned to the Affirmative Action Office,

Regent 207, extension 6706.

I urge you to join me in the educational process necessary to eliminate sexual harassment on our campus. For further information, contact the Affirmative Action Office.

IV. Policy on Remuneration and Professional Service, as adopted by the BFA, Accepted by the Chancellor, 1980.

1) General Policy: Faculty members on regular appointment at the University of Colorado receive salaries based on "...consideration of the total contribution of the individual to the University (in the form of) teaching,... research or other scholarly work....and services to the state and nation..." (Article IX, Laws of the Regents.) In addition to these regular duties, the direction of sponsored research, consultative work, and certain professional activities are considered by the University to be desirable and legitimate functions that serve to keep the faculty abreast of current problems of their disciplines and to provide opportunities for the education of graduate students. Faculty members, nevertheless, have their primary responsibility to the University and they may not engage in any endeavors, paid or free, that adversely affect the discharge of their University duties.

As professionals, faculty members are not required to perform their University activities in accordance with a detailed work schedule. Instead they are usually employed on a regular academic-year basis (fall registration to spring commencement) or an eleven-month basis, and are expected to be on duty during this regular period. Grant and contract research funds administered by the University may not be used to increase a faculty member's salary during the individual's period of regular appointment.

2) One-sixth Rule: The Regents of the University of Colorado have approved a policy allowing faculty members to devote "not more than one-sixth of their time and energy" to research, consulting, or other professional activities for which they receive additional remuneration. Accordingly, faculty members contemplating or engaging in professional activities for additional remuneration are expected to inform their chairman and/or dean, in writing, about such activities as soon as possible. When these activities are of a regular periodic nature, faculty members are expected to obtain approval in advance from the chairman and/or dean. In either case, these administrators will examine such activities to ensure that: (a) the activities are consistent with the faculty member's University responsibilities; (b) the activities are not already included in the faculty member's regularly assigned or routine responsibilities and duties; (c) the time allocation is in accord with the one-sixth rule; (d) there is no conflict of interest, as defined in Section III- subsection 2 of the Faculty Handbook, 1976 Edition.

3) Policy Guidelines: The following statements are provided as guidelines for application of the "one-sixth rule." Because of the variety of activities in which faculty members participate, it is recognized that flexibility in applying these guidelines is both appropriate and desirable.

- (a) One-sixth time is interpreted as 39 days during the academic year or 48 days during an eleven-month appointment (this is an average of approximately one day per week during the regular period of appointment). The time cannot be accumulated from year to year and must be distributed judiciously through the appointment period so that it does not interfere with primary University duties.

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- (b) Activities to which the one-sixth rule applies include: consultation, private practice, lecturing, honorarium teaching, and other services where remuneration is received.
- (c) Activities in excess of the amount indicated in (a) normally will not be approved unless the faculty member's percentage of fulltime appointment is appropriately reduced or other similar arrangement is made.
- (d) Faculty members should regularly report their activities for additional remuneration to their Department Chairman.

Any individual or primary unit may raise questions about the application of the above guidelines with the Review Committee (see below) which may then advise responsible Academic Officers concerning the appropriateness of particular interpretations of the guidelines within the various Primary Units.

4) Review Committee: Misinterpretations and misunderstandings of the above policies may arise. Therefore, a Faculty Review Committee shall be established. The Committee shall have a regular membership of three, selected for staggered three-year terms by the faculty governing body of each campus. The three members are to provide advice and assistance on problems concerning activities for additional remuneration. The Faculty Review Committee shall also act as an appeal board in cases where parties within the University differ in their interpretations of these policies. When functioning as an appeal board, the Committee shall add two members; of these one shall be selected by the Primary Unit, and one shall be selected by the appellant.

V. Faculty Powers, from Article V, Laws of the Regents.

A college or school faculty shall have jurisdiction over all matters UNDER THE LAWS OF THE REGENTS, ARTICLE IX.2.B that concern only the college or school in question, such as deciding all matters of educational policy affecting only the college or school and including academic requirements for admission, for continuance and for graduation. In addition, the faculty of a college or school shall have jurisdiction over matters of academic ETHICS under such procedures as may be approved by the Board of Regents.