

To: Boulder Campus Instructional Faculty

From: Philip P. DiStefano, Provost & Executive Vice Chancellor

Subject: Academic Affairs Takes Action on BFA Instructor Task Force Recommendations

Date: December 9, 2008

Revised: August 13, 2009

This document sets forth the response of Academic Affairs to the BFA Instructor Task Force.

The Boulder Campus Guidelines for the Appointment, Evaluation, and Promotion of Lecturer and Instructor Rank Faculty, approved by BFA and by the Provost, states, "Lecturers and instructors play an integral part in the ability of the Boulder campus to provide the breadth and quality of educational experience expected of an AAU public university. Lecturers and instructors supplement and complement the teaching activities of the tenure-track faculty, and in so doing they allow the tenure-track faculty to engage more students in individualized instructional opportunities in their studios, libraries, and laboratories. They also provide the institution an ability to more rapidly adjust the educational opportunities to meet student needs and preferences than can always be accommodated for by the tenure-track faculty alone. It is important that the campus community recognize the important role played by instructors in enabling the campus to address both its research and its teaching missions." The Office of Academic Affairs has kept this basic commitment in mind as it has sought to respond to the recommendations of the campus' 2007 Task Force on Contingent Faculty.

Academic Affairs recognizes that instructors and lecturers play different roles on campus. Lecturers help meet changing student demands, as enrollments change, as faculty vacancies occur, as educational needs shift. By definition, lecturers are temporary employees, whether part time or full time. They make an important contribution to teaching on campus, but their role is restricted to teaching, and their position is contingent upon changing needs.

Rostered full-time instructors are considered by the University of Colorado to be part of the regular faculty, which is also comprised of the tenured and tenure-line faculty. They contribute over a number of years, and sometimes over an entire career, to the teaching and service missions of the university; they may have their own research or creative work that they are pursuing alongside their university duties and which may enrich their contributions. Rostered instructors should be considered as continuing parts of their departmental, college, or school community; they should participate in the governance of the department, in particular in relation to curricular matters. As rostered faculty, they are reviewed as part of the annual merit process.

The Office of Academic Affairs recommends that the campus analyze where it needs continuing, perhaps career-long contributions to its mission by non-tenure track faculty. In those cases, and in those cases alone, positions should be created for rostered instructors on multi-year, renewable letters-of-offer. The campus should do what it can, as indicated below, to integrate these instructors into the university community and to provide them with working conditions necessary

to the performance of their duties. In other cases, where part time or temporary employees are needed to cover classes, units should hire lecturers. As recommended by the task force, where someone has been a lecturer at 50% or more for three years, the unit should consider whether the position should be redefined as a rostered instructor: again, if a long-term relationship between the individual and the campus is desirable, a rostered instructorship should be created; where the position is temporary and contingent, lecturers should be employed. Where a unit finds it has continuing, but fluctuating part-time work, it is best not to employ someone beyond three years because doing so may be interpreted as a guarantee of continuing employment that does not exist. Also, if someone has multiple lecturer appointments in different units, that constitutes a different situation: while the individual may have more than a 50% appointment, there is no need for a single, continuing position.

The goal of Academic Affairs has been to secure for instructors the status they deserve as non-tenured members of the regular faculty. It should be noted that the local chapter of the AAUP called for tenure for all contingent faculty who had been on campus for more than six years; this position was not adopted by the BFA nor, after due consideration, was it put forward by the Instructor Task Force. This document seeks to strengthen the status of instructors on campus given what appears to be a consensus among faculty governance groups that the idea of automatic tenure for years served is not a viable option.

Specific Responses to the Task Force Recommendations:

Instructor Status and Letters-of-offer:

1. An updated version of the Boulder Campus Guidelines for the Appointment, Evaluation, and Promotion of Lecturer and Instructor Rank Faculty should be endorsed by the Chancellor as campus policy.
2. As indicated above, when a unit needs someone at more than 50% time for more than three years, it should consider creating a rostered instructorship.
3. All employees of the University of Colorado at Boulder are guaranteed freedom of speech. Contract renewal will not be jeopardized by exercise of that freedom.
4. Instructors are at-will employees and may be dismissed for cause, as stated in all letters-of-offer; grievances over any such dismissals are handled in the normal manner.
5. Non-renewal is not dismissal. There may be many reasons why a particular unit chooses not to continue a particular instructor position. There may, however, be cases where an instructor feels that his/her privileges have been violated in a case of non-renewal. In order to make use of grievance procedures in such cases, instructors should, in most cases, receive timely notification of non-renewal. In general, a notice will be issued one semester before the current letter of offer expires indicating that (a) the person will be renewed; (b) the person will not be renewed; or (c) the person's renewal is still pending. Rostered instructors on multi-year letters-of-offer should receive notification of non-renewal at least six weeks before the end date in the letter of offer.
6. A fast-track grievance procedure will be available to hear grievances while the instructor is still a member of the university community; such a procedure exists within the College of Arts and Sciences and AA will provide on its website a model procedure for the other schools and colleges to adapt.

Where an instructor feels that s/he has been subject to discrimination or harassment, s/he should pursue remedy through ODH. Where an instructor feels that s/he has not been renewed due to procedural violations or due to an unfair (i.e. arbitrary, capricious, retaliatory, based on personal malice, and or/inconsistent with treatment accorded to the instructor's peers in similar circumstances) recommendation, s/he should use the grievance procedure mentioned above.

Salaries

1. A floor for the salaries of rostered 9-month instructors should be set at \$40,000 for 2009-2010. (This same floor will be observed for scholars and artists in residence.)
2. Honorarium teaching should not be indexed by instructor salaries, as instructors have duties and roles on campus that are different from those of lecturers. Departments working with their deans' offices should set honorarium salaries at market rates.

Career Development and Professional Needs

1. Rostered instructors are important members of their units. The fact that they are rostered and on multi-year letters-of-offer indicates that they have a continuing role in the department. They should be involved in departmental faculty governance (and bylaws should be amended to provide that involvement), though they may not be involved in personnel decisions concerning tenure-track faculty. They should be invited to engage in the more informal life of the department.
2. Administrative units at all levels should consider applications from rostered instructors for any administrative position (excluding those that involve personnel actions concerning tenure-track faculty) where the terms of that position and of their base appointment are in accord.
3. Instructors need to maintain currency in their area of teaching, and such currency should be demonstrated during the annual evaluation. Each unit should determine the appropriate measures to be used and any appropriate support for faculty development that may be provided. In order to have focused periods in which to pursue currency, senior instructors should be eligible to apply for reduced teaching loads at set times as set forth in the Boulder Campus Guidelines for the Appointment, Evaluation, and Promotion of Lecturer and Instructor Rank Faculty.
4. All rostered instructors should have an office, where they can meet their students in privacy and perform other professional duties. In some cases, instructors may be assigned shared space, given space limitations on campus.
5. Units should provide rostered instructors with computers, IT support, and other office supplies necessary for their instructional and service duties.