

Faculty Assembly Constitution

Spring, 2003

Preamble

This Constitution of the Faculty of the University of Colorado Denver provides a system for participation of faculty at the University of Colorado Denver in the governance of the university as specified in the Laws of the Regents of the University of Colorado and the University of Colorado Faculty Senate Constitution. These documents enumerate the rights, privileges, and responsibilities of faculty, including the preservation of academic freedom. Within this framework, this Constitution specifies the rights and responsibilities of faculty at the University of Colorado Denver.

The faculty and administration at the University of Colorado Denver derive authority and responsibility from the Board of Regents. The variety and complexity of campus governance requires collaborative relationships among the regents, the president, the chancellor, other campus administrators, faculty, staff, and students. These principles are itemized in Article I.B.

Procedural aspects of these principles are elaborated in the associated Bylaws of the Faculty of the University of Colorado Denver, hereinafter designated as the Bylaws.

I. Definitions and Principles (Definitions, Participation, Faculty Governance Service, Procedures)

II. The UCD Faculty (Membership and Organization, Meetings, A Quorum, Motions, Functions, Procedures, Mail Ballots, Initiatives, Referenda)

III. Faculty Assembly (Membership and Organization of Faculty Assembly; Meetings, Quorum, Notices, Reports, and Attendance; Election; Functions of Faculty Assembly; Jurisdiction; Joint Responsibility with the University; Faculty Assembly Committees; Membership and Organization of Faculty Assembly Committees; Officers of Standing Committees; Meetings, Other University-wide Committees; Terms of Office; A Quorum for a Committee Meeting; Functions of Committees; Reports)

IV. Powers and Responsibilities of the Faculties of the Colleges, Schools, and Library (Faculty participation and responsibilities, Collaboration with Administration, College/School/Library rules)

V. Resolution of Jurisdictional Disputes (Disputes over Faculty Governance, Disputes over Administrative Decisions)

VI. Procedural Standards (Robert's Rules of Order, voting, rules and/or bylaws, maintaining files, other groups not specified in constitution)

VII. Amendments to the Constitution and Bylaws (Procedures for amending the constitution and Bylaws)

VIII. Adoption and Enablement

Part One

A. Definitions

1. **The faculty** of the University of Colorado Denver (hereinafter UCD) consists of persons enumerated in Article 5 of the *Laws of the Regents*.
2. **Faculty government** exists and derives its powers from the authority delegated to it by the Board of Regents. These powers and duties must be exercised in accordance with the *Laws of the Regents*, Regent Policies, and the laws and constitutions of the State of Colorado and of the United States.

As the most durable and stable constituency immediately involved with the academic operation of UCD, the faculty has a special concern and responsibility for academic freedom.

As provided in the *Laws of the Regents*, the faculty shall formulate faculty governance to effect the principles established under Article I.B, Participation. Faculty government bodies at UCD include the UCD Faculty, the Faculty Assembly and its committees, and the faculties of the colleges and schools of UCD and the Library. Colleges or schools and the Library (hereinafter colleges/schools/library), as provided in the *Laws of the Regents*, may be further divided into departments or divisions.

- a. **The UCD faculty** consists of all members of the Faculty Senate of the University of Colorado seated at UCD, including the following titles for faculty who have fifty-percent or more appointments:

Professor Senior Instructor Scholar in Residence
Associate Professor Instructor Artist in Residence
Assistant Professor

Adjoint, Attendant, Clinical, and Research faculty with fifty-percent or more appointments in the above ranks are also members of the UCD Faculty; Visiting Professors are not. *Ex officio* members with the right to vote are the Chancellor and the Vice Chancellors, all Deans, and Professors *Emeriti and Emeritae*. Officers shall not exercise their rights to vote if they are in a position to act on a recommendation emanating from that vote. As new faculty titles are created, the Faculty Assembly shall determine whether such faculty shall be voting members of the UCD Faculty.

- b. **The Faculty Assembly** is the representative governing body of the UCD Faculty and consists of faculty members elected or appointed as provided in **Article III**. The standing committees of Faculty Assembly are those defined in **Article III**. From time to time, Faculty Assembly may establish other committees as it deems appropriate.

- c. **The faculties of the colleges/schools/library** at UCD are those established in the Laws of the Regents and defined further by the rules of the respective college/school/library.

3. **The Assembly year** shall be from July 1 to June 30, inclusive. The terms of all elected members of Faculty Assembly and of faculty members of Assembly committees shall conform to the Assembly year. Terms are specified in the Bylaws. Election of new members of Faculty Assembly and of standing committees of Faculty Assembly shall occur in the spring semester. Election procedures are specified in the Bylaws.

B. Participation of faculty in governance at the University of Colorado Denver is guided by **principles of shared governance** as recognized by the Board of Regents: faculty and administration shall collaborate in major decisions affecting the welfare of the University. The nature of that participation, shared as appropriate with administration, students, and staff, varies according to the nature of the decisions in question. The faculty takes the lead in decisions about educational policy related to teaching, curriculum, research, academic ethics, and other academic matters. The administration takes the lead in matters of internal operations and external relations of the university. In every case, the faculty and the administration participate in the governance and operation of the university as provided by and in accordance with the laws and policies of the Board of Regents and the laws and regulations of the State of Colorado. The Chair of Faculty Assembly or the Chair's designee shall be the spokesperson for the UCD Faculty when addressing the Board of Regents on matters of importance to shared governance at the University of Colorado at Denver.

1. The faculty shall have the principal responsibility for originating academic policy and standards, including initial authorization and direction of all courses, curricula, and degrees offered, admissions criteria, regulation of student academic conduct and activities, and determination of candidates for degrees.
2. The faculty shall have principal responsibility for originating scholastic policy, including scholastic standards for admission, grading (consistent with the Uniform Grading Policy of the University), continuation, graduation, and honors. As required by Article 4 of the *Laws of the Regents*, the deans of the colleges/schools shall have responsibility for maintaining admissions standards and requirements.
3. In the selection and evaluation of faculty, the faculty shall have the principal role, subject to the concurrence of the UCD administration and the ultimate authority of the Board of Regents or its designee(s).
4. In establishing policies and procedures for faculty appointment, reappointment, promotion, tenure, and post-tenure review and establishing policies and procedures for the appeal of decisions in these areas, the faculty shall collaborate with the UCD administration in the development of recommendations for submission to the Board of Regents or its designees.
5. In the selection and evaluation of department chairs and academic administrators in the colleges/schools/library, the faculty shall collaborate with the administration in the development of recommendations to the Chancellor and the Board of Regents or its designee(s).
6. In establishing and reviewing budget policies and plans for resource allocation, the faculty shall collaborate with the administration in the development of recommendations to the Chancellor for submission to the Board of Regents or its designee(s). This includes review of new academic degree program proposals, academic program review, and program discontinuance.
7. In the preparation of budgets, the administration shall have the principal role, with early collaboration of the appropriate faculty governance unit(s), subject to the ultimate authority of the Chancellor and the Board of Regents or its designee(s).
8. In making other policy about the general academic welfare of UCD, the faculty shall collaborate with the administration in developing recommendations to the Chancellor for submission to the Board of Regents or its designee(s).
9. Administrative changes to policy with respect to matters listed in I.B.1-8 shall be promulgated only after consultation with appropriate faculty governance bodies.
10. In **Articles II-IV** of this constitution, the structure and function of faculty organization at different levels at UCD are defined, and other aspects of faculty participation in UCD governance are specified.

C. **Faculty Governance Service** shall be considered in annual merit evaluations and in other evaluation processes. Differential workloads may be negotiated by the faculty member and the chair of the appropriate academic unit when faculty governance roles exceed the time normally expected in accord with the University's service mission. The chair of the appropriate governance unit shall be consulted in determining whether the time and effort normally expected by the University's service mission will be exceeded. Appropriate compensation, within the limits of campus policies, shall be negotiated for the service of officers and committee chairs in the ongoing business of faculty governance.

D. **Procedures** for all faculty governance bodies at UCD shall be as specified in this Constitution, in the Bylaws of this Constitution, in unit operating procedures, or, if not so provided, in the latest edition of Robert's Rules of Order.

Part Two

A. Membership and Organization of the UCD Faculty is described in **Article I.A.2.a**. The Chancellor of UCD shall be the President of the UCD Faculty, and the Chair of Faculty Assembly shall serve as the Vice President of the UCD Faculty.

B. **Meetings** of the UCD Faculty shall be held annually in April. In addition, the President or Vice President of the UCD faculty may call meetings by a resolution passed by a two-thirds majority of Faculty Assembly or by a petition signed by at least ten percent of the members of the UCD Faculty and submitted to the Chair of Faculty Assembly. Such calls, resolutions, or petitions shall set forth the specific purpose for the meeting. At least five-working days' notice must be given to the UCD faculty of a UCD Faculty meeting. The Vice President of the UCD Faculty shall preside at meetings of the UCD Faculty. In the absence of the Vice President, the Vice Chair of Faculty Assembly shall preside. The Vice President of the UCD Faculty shall ensure that minutes of meetings of the UCD Faculty are recorded, published, and preserved.

C. A **Quorum** of the UCD Faculty shall be seven percent of the UCD Faculty at the commencement of the meeting. Proxy voting shall not be permitted.

D. **Motions** shall be approved by a majority of those present.

E. **Functions** of the UCD Faculty at its meetings shall include

1. hearing reports of the Chancellor of UCD, the Chair of Faculty Assembly, and the committees of Faculty Assembly
2. discussing issues raised by members of the faculty and administration
3. referring to Faculty Assembly or the appropriate committee(s) such matters as it may wish to have studied
4. establishing special committees or procedures
5. dissolving special committees or revising procedures
6. referring to a mail ballot substantive motions or resolutions that require a vote of the UCD Faculty

F. **Procedures** affecting the operation of the UCD Faculty may be addressed at any meeting of the UCD Faculty. The UCD Faculty may act upon substantive motions or resolutions before it only by deciding whether or not to refer the matter to a mail ballot of the whole membership of the UCD Faculty as specified in G below, and this rule may not be waived or suspended. Recommendations, motions, or resolutions may originate from any member of the UCD Faculty, the Faculty Assembly, or any of the Assembly committees. The UCD Faculty may amend the form of the matter before it and make recommendations to the originator(s) for further disposition.

G. Mail Ballots, using USPS, campus mail, electronic mail, or recognized equivalents, on any subject may be authorized by a majority vote at any UCD Faculty or Faculty Assembly meeting. The text of any motion or resolution from a UCD Faculty member or the Faculty Assembly requiring action by the UCD Faculty through a mail ballot shall be distributed to the members of the UCD Faculty or published at least five working days in advance of the time of the meeting at which the proposal for the mail ballot will be considered. A two-thirds majority of those voting shall be necessary for passage of motions or resolutions, and the vote shall be valid only if at least twenty percent of the UCD Faculty's responses to the mail ballot are received. Responses shall be made to the office of the Faculty Assembly. The ballots shall be tallied and the results certified by the Executive Committee of the Faculty Assembly. Mail ballots shall be distributed only after September 1 and prior to April 15 in any year. The date upon which the votes shall be tallied shall be provided in the text of the motion or resolution. Except in extraordinary circumstances, that date shall be not less than thirty (30) days from the date of the distribution of the ballots.

H. Initiatives. Petitions for action of the UCD Faculty by initiative shall be in writing and shall contain the complete text of the motion on which a vote is sought. A petition signed by at least fifty members of the UCD Faculty shall be referred by the Chair of Faculty Assembly to a vote of the full UCD Faculty by mail ballot as provided in **G** of this Article. Such petitions also may be used to initiate amendments to this constitution.

I. Referenda to rescind any action of the Faculty Assembly by referring the matter to the UCD Faculty shall be in writing and shall contain the complete text of the motion on which a vote is sought. A petition signed by at least fifty members of the UCD Faculty shall be referred by the Chair of Faculty Assembly to a vote of the full UCD Faculty by mail ballot, as provided in **G** of this Article.

Part Three

A. Membership and Organization of Faculty Assembly at UCD are described below.

1. **Membership** of Faculty Assembly shall include

- a. representatives from each college/school/library as specified in the Bylaws
- b. chairs of all standing committees and their subcommittees who are not otherwise members of the Assembly
- c. two faculty from the non-tenure-track faculty at UCD selected by the non-tenure-track faculty
- d. one representative of the retired faculty of UCD selected by the retired faculty
- e. the Chancellor and Vice Chancellors of UCD as *ex-officio*, non-voting members
- f. two UCD students as *ex-officio*, non-voting members as specified in the Bylaws

2. **Officers** shall include a Chair, a Vice Chair, and a Secretary. Candidates for all offices must be members of the UCD Faculty. Terms of office are specified in the Bylaws. A maximum of two officers shall represent a college/school/library.

3. **Recall of Officers and Committee Chairs** may be approved by a vote of two thirds of the members of the Assembly eligible to vote. In the event of recall, a new election shall be held as soon as possible by Faculty Assembly or by the committee in question to replace the recalled officer or chair for the remainder of the term in question.

4. **The Executive Committee** of Faculty Assembly shall consist of the Chair, Vice Chair, and Secretary and the chairs of all standing committees. For the year following the election of a new Faculty Assembly Chair, the immediate past chair shall be a member of the Faculty Assembly Executive Committee.

a. the Executive Committee shall meet at least once between meetings of Faculty Assembly and during the summer as needed. It shall have the authority to speak for the Assembly at any time on emergency matters that must be addressed before the Assembly can be convened.

b. the primary functions of the Executive Committee shall be to ensure that all units of the campus are appropriately represented in the activities of Faculty Assembly and the systemwide governance structure and that faculty governance plays a significant role in the decision-making processes at UCD.

B. Meetings, Quorum, Notices, Reports, and Attendance are outlined in the following sections.

1. **Meetings of Faculty Assembly** shall be held at least eight times during the academic year and on the call of the Chair.

2. **A quorum** for both the Assembly and the Executive Committee shall consist of a majority of the eligible members. Proxy voting shall not be permitted. Meeting procedures are specified in the Bylaws.

3. **Notices of motions** for all substantive matters of new business shall be made by written notice. Motion procedures are specified in the Bylaws.

4. **Committee reports** by all Faculty Assembly committees shall be made to the Assembly regularly. Reporting procedures are specified in the Bylaws.

5. **Attendance** of members of Faculty Assembly shall be regular, and members may become ineligible to serve due to unexcused absences from meetings. Ineligibility procedures are specified in the Bylaws.

C. Election of the members of Faculty Assembly, Faculty Assembly officers, and Faculty Assembly Committees are specified in the Bylaws.

D. Functions of Faculty Assembly, as the executive body of the UCD Faculty, shall be to initiate advice and recommendations to the Chancellor or other appropriate administrative officials at UCD for submission to the Board of Regents or its designee(s) on matters within the jurisdiction of the Assembly which are related to educational policy, internal operations, and external operation of the University. Each such recommendation shall indicate its legislative history, that is, where it originated; whether it was approved by the UCD Faculty, the Faculty Assembly, one or more Assembly committees, or the faculty of one or more college/school/library; and the final votes taken on the recommendation by any of these bodies.

E. Jurisdiction of the Faculty Assembly includes all faculty governance matters affecting UCD.

F. Joint Responsibility with the University requires that the Faculty Assembly take the initiative for establishing, by mutual agreement with the Chancellor, procedures governing the form and nature of consultation that occurs between them, the nature of the issues on which consultation is required, and matters for which notice of impending action shall be given. The agreement shall provide for a basic budget to cover staff support, office expenses, travel, and appropriate operation of faculty governance, including stipends for officers and standing committee chairs, so that only appropriate variations need be negotiated from year to year. Both Faculty Assembly and its committees and the officers of the University shall communicate with each other through appropriate channels.

G. Faculty Assembly Committees shall include the following Standing Committees:

1. **The Academic Personnel Committee (APC)** shall serve as the primary faculty consultative body to Faculty Assembly and UCD's administration on matters of personnel policy development and the administration of policies governing personnel practices.

2. **The Budget Priorities Committee (BPC)** shall serve as the primary faculty advisory body to the Chancellor and Faculty Assembly on matters associated with budget as they affect both instructional and administrative programs.

3. **The Diversity Committee (DC)** shall serve as the primary advisory body to Faculty Assembly and UCD's administration on matters related to diversity policy at UCD. The DC shall constitute and maintain appropriate, specialized subcommittees that focus on the goals and needs of specific campus groups.

4. **The Educational Policy and Planning Committee (EPPC)** shall serve as the primary advisory body to Faculty Assembly and UCD's administration on matters related to educational policy and planning at UCD.

5. **The Learning, Educational Technology, Teaching, and Scholarship Committee (LETTS)** shall serve as the primary advisory body to Faculty Assembly and UCD's administration on matters related to the implementation and support of faculty enhancement of learning opportunities for students, the use of educational technology, the improvement of teaching, and the enhancement of faculty research and creative activities at UCD.

H. **Membership and Organization of Faculty Assembly Committees** are described in the Bylaws. Each college and school and the Library shall be represented on all standing committees. Terms of committee members are specified in the Bylaws and shall be staggered. The chair of Faculty Assembly shall be an ex officio member of all Faculty Assembly committees.

I. **Officers of Standing Committees** shall be elected by their respective committees and shall include a Chair, a Vice Chair, and a Secretary. The officers may select a Parliamentarian. The Chair shall convene the committee and ensure its proper functioning. The Vice Chair shall serve in the place of the Chair. The secretary shall record and preserve appropriate minutes of discussions and actions taken by the committee and transmit these regularly to the Assembly Office for appropriate storage and to the succeeding Secretary of that committee.

J. **Meetings** of committees shall be held at least eight times during the academic year, September to May.

K. **Other University-wide Committees** that affect faculty affairs may be established or approved as necessary by the Executive Committee with consent of Faculty Assembly. Faculty Assembly shall provide appropriate oversight. Subcommittees of standing and other committees shall be established according to specifications in the Bylaws. Standing committees shall be created or dissolved only by constitutional amendment (see Article VIII).

L. **Terms of Office** for Faculty Assembly Committee officers are specified in the Bylaws. These terms shall be staggered to ensure committee continuity. A maximum of two officers shall represent a single college, school, or the Library.

M. **A Quorum for a Committee Meeting** shall consist of the majority of the voting members.

N. **Functions of Committees** shall be to act as the official faculty advisory bodies for Faculty Assembly or its standing committees with regard to matters within their purview at the University level as listed directly below. Committees shall continuously evaluate university policies, procedures, standards, and the work of non-Assembly committees within their purview. Committees shall make recommendations regularly to Faculty Assembly or its standing committees for appropriate changes or improvements prior to being submitted to the University administration or the Board of Regents or its designee(s). Reports shall be made regularly by the committees to Faculty Assembly. Actions of the committees are subject to approval by Faculty Assembly. Committees may create subcommittees and attend to other matters not specifically elaborated but clearly within their purview. Additional responsibilities shall be specified in the Bylaws.

O. **Reports** by standing committees and subcommittees shall be made to Faculty Assembly, to the Executive Committee, or to standing committees. Oral or written reports shall be made by the committee chair, as requested by the Chair of Faculty Assembly. An annual written report of the activities of the committee, suitable for publication on the Web, shall be made at the end of the academic year and be published on the Web by the beginning of the following academic year.

Part Four

A. Generally, in accord with the Laws of the Regents, Regent Policies, and the laws of the State of Colorado, a college/school/library faculty shall participate in the governance of the college/school/library with its administration on all matters that concern the college/school/library.

1. **Academic Responsibilities** of the college/school/library faculty shall include originating academic policy and standards such as initial authorization and direction of all instructional activities, including courses, curricula, and degrees offered; certificates, endorsements, licenses, and other non-degree programs; admissions criteria; regulation of student academic conduct and activities; and determination of candidates for degrees.

2. **Scholastic Responsibilities** of the college/school/library faculty shall include originating scholastic policy such as scholastic standards and requirements for admission, grading (consistent with the Uniform Grading Policy of the University), continuation, graduation, and honors.

B. Faculty shall collaborate with the Administration of the College / School / Library in

1. recruiting and evaluating candidates for appointment to the faculty or to other instructional or research responsibilities
2. establishing policies and procedures with respect to faculty or to other instructional or research personnel
3. reviewing budgets and expenditures and developing recommendations about the allocation of resources
4. taking major initiatives, including changes in goals or programs which may affect significantly the allocation of resources to existing programs
5. making other policies on the general academic welfare of the college/school/library

C. **College/School/Library Rules** shall be formulated at the discretion of the faculty of the college/school/library with respect to its organizational system, including the authority to create appropriate faculty governance structures to sustain curricular development and regulations necessary to implement these powers and responsibilities, insofar as they affect only the college/school/library in question. Such rules shall be consistent with the Laws of the Regents, Regent Policies, the Constitution of the Faculty Senate, and this Constitution.

Part Five

A. **Disputes over Faculty Governance** shall be resolved by a Conference Committee as specified in the Bylaws. In the event of a dispute between a University governance body and a college/school/library or other academic unit about whether proposed action is permissible under Article IV or whether, if adopted, it would result in an encroachment on the responsibilities delegated to a UCD governance body or a college/school/library or other academic unit, a Conference Committee shall be formed as specified in the Bylaws. The Conference Committee's proposed resolution shall be subject to the concurrence of the Chancellor. If the Chancellor does not concur, the committee shall be provided an explanation.

B. Disputes over Administrative Decisions that cannot be resolved between UCD governance bodies and administrative units shall be referred to Faculty Assembly for its recommendation to the Chancellor. If the Chancellor does not concur with this recommendation, Faculty Assembly, through its designated representative, may address the matter to the Board of Regents or its designee(s).

Part Six

A. In all faculty matters, in the absence of other governing procedures and in conformance with the *Laws of the Regents* and Regent Policies, the latest edition of *Robert's Rules of Order* shall be in effect for all formally constituted groups.

B. A formally constituted group of faculty may call a special meeting of that group by a petition that sets forth the reason for the meeting. Each faculty group may determine the minimum size of the group needed to call such a meeting.

C. Although the right to participate in faculty governance is open to all faculty and no member of the faculty shall be penalized for such participation, the right to vote shall be accorded only to members of the UCD Faculty. A faculty group may vote to give voting rights in its meetings to other faculty. A 2/3 majority vote is required for passage.

D. Each faculty group shall have rules and/or bylaws to govern its internal procedures. Up-to-date copies of the rules and/or bylaws must be readily available to all members.

E. When a faculty group votes on an issue, a secret written ballot must be held if two or more members of the group so request.

F. Proxy voting shall not be permitted except as provided in the rules and/or bylaws of the group.

G. Each faculty group must maintain a file of the minutes of all of its meetings. Except as they deal with personnel matters, the written minutes of meetings of the group shall be available to all members of the group.

H. Faculty groups, other than those specified herein or in the *Laws of the Regents* and *Regent Policies*, which seek formal recognition, shall petition Faculty Assembly for approval.

Part Seven

A. **Amendments to this Constitution** shall be made only by a motion or resolution and a mail ballot to the full membership of the UCD Faculty, who shall be provided the full text of the proposed amendment(s). A mail ballot proposing amendment(s) may be authorized by a simple majority vote either at a UCD Faculty meeting or at a meeting of Faculty Assembly. Mail ballots shall be conducted as outlined in Article II.G.

B. **Procedures for Amendments to the Bylaws** of the UCD Faculty shall be specified in Bylaws.

Part Eight

This constitution shall be published and submitted to the members of the UCD Faculty, who shall vote by mail ballot for its adoption, as outlined in **Article II.G**. This constitution, if approved as described herein, shall become effective the following July 1.