



Faculty Assembly

UNIVERSITY OF COLORADO **DENVER**

October 5, 2022

To: Dr. Constancio Nakuma, Provost
From: Joanne Addison, FA Acting Chair, Vivian Shyu, FA Vice-Chair, Dennis DeBay, FA Secretary
on behalf of CU Denver Faculty Assembly
Re: FAR in violation of Regent Law and Policy
Cc: Dr. Turan Kayaoglu - Associate Vice Chancellor for Faculty Affairs

Dear Provost Nakuma:

As you know, at September's Faculty Assembly meeting we raised the question of who added evaluation items to our Faculty Activity Report concerning EDI and CU Denver's Strategic Goals. At the time, neither you nor Dr. Kayaoglu knew who had added these items. We later learned that these items were added by an administrator without consultation with faculty and in direct violation of Regent Law and Policy. As made clear in Article 5:

Tenured and tenure-track faculty with appropriate participation by instructional, research, and clinical faculty have the principal responsibility for decisions concerning pedagogy, curriculum, research, scholarly or creative work, academic ethics, and recommendations on the selection and evaluation of faculty. (5.A.1 (B))

In this case, not only were faculty denied principal responsibility for evaluation, we were excluded from the decision altogether and evaluated using criteria we did not even know existed. While faculty may be willing to report EDI and strategic plan-related activities, the processes by which that information is gathered and the purposes for which it is used must be determined by faculty in collaboration with administration.

Therefore, we request that several actions be taken:

- Direct all department/unit chairs and Deans **not** to use any information gathered through these additional criteria in any way and that this data shall be destroyed;
- Allow any faculty member who believes they have been harmed by the use of these criteria to appeal their merit review through a transparent process;
- Inform faculty that since this is a clear process violation, if their appeal is not satisfactorily resolved at the school/college/library level, they have the right to appeal to the Faculty Senate Grievance Committee;
- Make every effort to ensure that this disregard for Regent Law and Policy is not repeated;
- Send an email directly to all faculty informing them of this resolution and our joint commitment to adhering to Regent Law and Policy, especially in relation to shared governance of the university.

While it may seem that the final request is redundant, it is vitally important that faculty know their rights and responsibilities and hear directly from our highest academic leader when such cases arise if we are to reach our goal of becoming a best place to work.

Respectfully,

CU Denver Faculty Assembly