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The University seeks to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and to furthering the search for truth as the faculty member sees it. Effective performance of this academic mission requires that University faculty members be free within their respective fields of competence to pursue and teach the truth in accord with applicable standards of scholarly inquiry.

The faculty's privileges and protections, including that of tenure, rest on the mutually supportive relationships between the faculty's special professional competence and its academic freedom, and the academic mission of the University. These relationships are also the source of the professional responsibilities of faculty members.

It is the intent of this professional standards document to protect academic freedom, to help preserve the highest standards of teaching and scholarship, and to advance the mission of the University as an institution of higher learning.

Part I, "Professional Rights of Faculty," sets forth the responsibility of the University to maintain conditions and rights supportive of the faculty's pursuit of the University's academic mission. Many of these conditions and rights are derived from principles of academic freedom of faculty members, and from the essential principle that a university is in its most critical aspects a collegial enterprise in which the faculty has principal authority with respect to academic and scholastic policies, and shares authority in many other matters.

Part II, "Ethical Principles and Professional Duties of Faculty Members," elaborates standards of professional conduct for faculty members, derived from general professional consensus about the existence of certain precepts that adequately describe acceptable faculty behavior. Conduct which departs from these precepts is viewed by faculty as unacceptable because it is inconsistent with the mission of the University. The articulation of types of both expected and unacceptable faculty conduct is appropriate both to verify that a consensus about expected professional conduct and

of the profession will promote reasoned adaptation and change of this Professional Standards Document.

Part III, "Roles and Professional Duties of Department Chairs," deals with the role and professional duties of department chairs. This part states standards and procedures for the selection, role, and responsibilities of department chairpersons. These matters are brought together in the same document as professional rights and duties of faculty members in order to provide both department chairpersons and faculty members with readily accessible information on the faculty member's right to participate in the selection of department chairpersons, and to provide a description of the authority and limitations on authority of department chairpersons, and a statement of the ethical obligations of department chairpersons in dealing with faculty members. Most of the material in Part III comes directly from the *Laws of the Regents*, and a related Appendix B thereto. However, several additional statements of professional obligations of department chairpersons are set forth in Section III.C, and supplement the material from the *Laws of the Regents*.

Part IV, "Code of Professional Conduct and Sanctions for Unprofessional Conduct by a Faculty Member," sets forth a description of sanctions that may be imposed at the department, college, and university level. This part also describes a procedure for appealing sanctions.

contains appendices as follows:

Appendix A sets forth the statement on academic freedom contained in the *Laws of the Regents*, 1990, Article 5, Part D, as amended. This Professional Standards Document (t)-(s)-2(are,)4()-3(D)-10(c)-/"

In support of the University's academic mission as an institution of higher learning, a major responsibility of the Administration is to protect and encourage the faculty in its teaching, learning, research, and public service activities. The authority to discipline faculty members in appropriate cases derives from the shared recognition by the faculty and the Administration that the purpose of discipline is to preserve conditions hospitable to these pursuits. Such conditions, as they relate to faculty, include, for example, the following:

1. the right to free inquiry, and exchange of ideas;
2. the right to present relevant information, however controversial, to a course of instruction;
3. the right to conduct scholarly research or creative work, no matter how controversial;
4. the right to enjoyment of constitutionally protected freedom of expression;
5. the right to share in the governance of the University, as provided in the *Laws of the Regents* and the laws of the State of Colorado, and in policies and procedures of the University and the University Senate, of the Boulder Campus and the Boulder Faculty Assembly, and of the schools, colleges, departments and other academic units, including the following:
 - a. the faculty's principal responsibility for:
 - i. academic policy, including initial authorization and direction of all courses, curricula, and degrees offered;
 - ii. scholastic policy, including scholastic standards for admission, grading, continuation, graduation, and honors;
 - iii. academic ethics, including development of policies and procedures; and
 - b. the faculty's right to act jointly with the administration to make recommendations to the Board of Regents in the areas of:
 - i. establishment of policies and procedures for faculty appointment, promotion, and tenure review; establishment of policy and procedures for the appeal of decisions on faculty appointment, promotion, and tenure; and joint participation in decisions affecting these policies;
 - ii. regulation of student conduct and activities;

- iii. budgetary review and development of recommendations concerning University resources;
- iv. selection of academic administrators;
- v. determination of candidates for degree; and
- vi. making of other policy concerning the general academic welfare of the University; and
- vii. the right to be judged by one's colleagues,
- viii. the right to be judged in accordance with fair procedures, in matters of promotion, tenure, and discipline, solely on the basis of the faculty member's professional qualifications, professional achievements, and professional conduct.

Faculty rights may derive from such diverse sources as the Constitution and laws of the United States or of the State of Colorado; from the *Laws of the Regents* and University, Boulder Campus, and other academic unit policies; from faculty and other contracts; and from shared understandings and customs of the academic community. The statement of professional rights of faculty members set forth in this Part I is intended neither to be exhaustive nor to limit faculty rights in any manner.

1. Expected Conduct

- a. The faculty member is expected to maintain competence and strive for excellence developments in his or her chosen field of scholarship or creative work. 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. In addition to complying personally with professional and ethical standards that govern proposing, carrying out, or reporting results from research, the faculty member is also responsible for emphasizing the importance of ethical research conduct to staff and students who are under his or her supervision and for providing reasonable supervision to minimize the opportunities for research misconduct. The faculty member should work with colleagues in establishing policies regarding author names on publications, in making those policies well known to students and staff, and in conforming to those policies in his or her own publications. (See Administrative Policy Statement on Misconduct in Research and Authorship, section II.J below.)

2. Unacceptable Conduct

1. Expected Conduct

Faculty members and administrators holding faculty rank are expected to:

- a. treat administrators, faculty, staff members, and students with understanding, dignity and respect; foster an environment of mutual trust among administrators, faculty, staff and students, and help develop a sense of belonging and pride in the University community (see Chancellor's Statement of Principles for Human Resources, September 13, 1993, and further elaboration therein);
- b. participate in the operation and governance of his or her academic department or division, school or college and of the University; and render service to the public; n;4(f)-(.)
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b.

- d. intimidation of or engaging in other conduct disrespecting the human dignity of colleagues or staff members;
- e. sexual harassment of faculty or staff (see *Policy Statements on Sexual Harassment*, referred to in Appendix C, Section 3);
- f. making false or unsubstantiated personal accusations or complaint against a colleague, administrator, or staff member;
- g. falsely portraying the faculty member's own or another's work or accomplishments (in a curriculum vitae or otherwise) in order to gain a personal advantage;
- h. failure to disclose a conflict of interest involving the faculty member, or failure to remove

E. Conflicts of Interest Policies

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/her association with the University except as provided by explicit policies of the University." (See also Administrative Policy Statement on Conflict of Interest). The Administrative Policy Statement also covers conflict of commitment and refers expressly to several other separately stated conflict of interest and conflict of commitment policies.

F. Policies on Research Involving Human Subjects or Animals

1. Human Subjects Research

The University of Colorado at Boulder complies with the Federal Policy for the Protection of Human Subjects, and all federal, state or local laws which may be related to research covered by the University's assurances given in this area. The University acknowledges and accepts its responsibilities for protecting the rights and welfare of human subjects of research covered by its assurances. In that connection, the University is guided by the ethical principles regarding research involving humans as subjects as set forth in the report of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research entitled, Ethical Principles and Guidelines for the Protection of Human Subjects of Research (the "Belmont Report"). Except for categories exempted under government regulations, research covered by the University's assurance in this area must be reviewed and approved by the Human Resources Committee of the University. It is further University policy that unless informed consent has been specifically waived by the Human Research Committee in accordance with federal regulations, no research investigator shall involve any human being as a subject in research unless the research investigator has obtained the informed consent of the subject or the subject's legally authorized representative. Faculty members and other University personnel who are engaged in human subject research or who teach or supervise students engaged in such research are responsible for complying with the requirements of the University's policies in this area. For further information, contact the Associate Vice Chancellor for Research.

2. Animal Subjects Research

The University of Colorado at Boulder complies with the Public Health Service Policy on Humane Care and Use of Laboratory Animals by Awardee Institutions. The University complies with all applicable provisions of the Animal Welfare Act and other federal statutes and

G. Fiscal Integrity Policies

1. - k

Employees shall be responsible for the safekeeping and proper maintenance of University property in their charge. (*Laws of the Regents*, 1990, Section 14.A.4)

2. Further Elaboration of Professional Duties Relating to Fiscal Integrity

a. Duty to act with integrity and in a fiscally responsible manner with regard to University and granting agency funds or property

Every employee of the University has the duty to deal with University and granting agency funds and other property with integrity and in a fiscally responsible manner, and to comply with any applicable University, granting agency, federal and state reporting and accounting requirements regarding such funds or other property.

b. Duty to report fiscal misconduct within the University

Any employee or student associated with the University who knows of or suspects fiscal misconduct must promptly notify either one's immediate supervisor or one of the following investigative units: the Department of Internal Audit, Office of University Counsel, the appropriate campus police department, and/or the appropriate campus Human Resources or Personnel department. This duty to report by an individual or supervisor is in compliance with State law and State Fiscal Rules. State employees have 'whistle blower' protection [provided by] State law when they are in compliance with the requirements set forth in statute. (Administrative Policy Statement on Reporting Fiscal Misconduct, July 1, 2009)

H. Drug Use Policies

The Drug-Free Schools and Communities Act Amendments of 1989 requires that, as a condition of receiving funds or other form of financial assistance under any Federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of drugs and alcohol by students and employees. The University has implemented the requirements of the Act, in a policy statement on The Drug-Free Schools and Communities Act, 1990, IV-147 et seq., which among other things prescribes standards of conduct which prohibit the unlawful manufacture, distribution, dispensation, possession, or use of drugs (controlled substances) and alcohol on University of Colorado property or as a part of University activities. For the Boulder Campus policy on this subject, see Policy on Alcohol and Drugs (as transmitted to the Faculty and others by letter of Shari J. Robinson, Director, Department of Human Resources, dated July 24, 1995), which provides in part:

Professional Rights and Duties of Faculty Members & Roles and Professional Responsibilities of Department Chairs. Endorsed by the Boulder Assembly, March 4, 2010. Approved by Russell Moore, Provost on January 16, 2013.

University of Colorado Policy on Alcohol and Drugs

1. Standards of Conduct

In compliance with the federal Drug Free Schools and Communities Act, the University of Colorado at Boulder prohibits the unlawful manufacture, dispensation, possession, use, or distribution of a controlled substance (illicit drugs and alcohol) of any kind and of any amount.

These prohibitions cover any individual's actions which are part of any University activities, including those occurring while on University property or in the conduct of University business away from the campus.

2. Disciplinary Sanctions for CU Employees Who Violate Drug and Alcohol Laws in Violation of This Policy

It is a violation of University policy for any member of the faculty, staff, or student body to jeopardize the operation or interests of the University of Colorado through the use of

ii. A search and nominating process will be carried out by the faculty of the department in accordance with department procedures. The faculty will subsequently submit its recommendation to the dean.

iii. If the dean does not concur with the department faculty's recommendation, the dean will meet with the department faculty to discuss his/her reasons for disagreement.

iv. The campus chancellor will approve appointments of department chairs.

v. It will be the responsibility of the deans and the chancellors to assure that recruitment and appointment procedures for department chairs reflect the University's commitment to equal opportunity and non-discrimination, as articulated in Regent Law (Article 10) and Regent Policy 10. In order to achieve this objective, efforts should be made to provide experience for females and minorities that will prepare them for these positions.

c. Term of Appointment

i. Consistent with Article 4, *Laws of the Regents*, department chairs will normally serve for four year terms. Appointments may be made occasionally for shorter periods for specific reasons.

ii. Reappointment of a department chair to an additional term will be dependent on the outcome of a performance evaluation and the positive recommendation of the department and dean.

iii. Department chairs may be appointed on the basis of either academic year (9-month) or fiscal year (12-month) appointments as appropriate, depending on the needs of the department.

Termination for just cause of an appointment of a department chair prior to the expiration of a term of appointment may be recommended by either the department faculty or the dean. Reasons for termination for cause will be the same as those specified for faculty in section 5.C.1, *Laws of the Regents*. Department recommendations for termination must comply with written procedures developed by the department. Prior to making such a recommendation, the dean will consult with the department faculty and the chancellor. In case of disagreement between the faculty members in the department and the dean, there will be an administrative hearing conducted by the chancellor's office, which will include adequate faculty representation. All such terminations are subject to approval by the chancellor, the president, and the Board of Regents.

b A special stipend or other form of compensation will be provided to department chairs to recognize the important leadership role they play

B. Specific Statements Regarding Department Chairs (from *Laws of the Regents*)

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 ensuring that the committees carry out their functions in an equitable, efficient, and timely manner. It is understood in what follows that

j. Enforcement of the "one-sixth" rule regarding outside compensation for consulting in accordance with regent and campus regulations;

k. 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

after careful consideration of the principles of academic freedom of faculty members and must give effect to those principles. (See *Laws of the Regents*, Article 5, Part D.)

5. Confidentiality

Administrators dealing with allegations of unprofessional conduct of faculty members shall strive to maintain confidentiality in any discussions or consultations made or proposed to be made in any matters involving the allegations. If unprofessional conduct is found, the expectation of confidentiality shall not apply insofar as public sanctions require disclosure or as otherwise required by law. The person or persons who lodged the original allegation as well as any other persons affected by the alleged conduct shall be notified of the resolution of the matter and any action taken.

6. Timeliness of Proceedings

All proceedings under this Part IV relating to allegations of unprofessional conduct shall be conducted as expeditiously as possible, taking into account, however, both the seriousness of the matter and the need to conduct proceedings in a manner that is both careful and considerate of all persons concerned. Normally, such proceedings will be completed within sixty (60) calendar days of receipt of a written complaint.

1. _____ means any person who holds a faculty appointment, whether or not he or she also may have an administrative appointment.

Any administrator, faculty member, staff member, student, or other interested person who believes that a Boulder Campus faculty member (the "Responding Faculty Member") has acted in an unprofessional manner may present specific allegations of such conduct to the Supervising Administrator of the Responding Faculty Member. The Supervising Administrator may himself or herself be the source of the allegations against the Responding Faculty Member. Initially, the allegations may be presented in either oral or written form. However, if the matter is not resolved under Part IV.C.2 or IV.C.3, below, allegations must be stated in writing in any further proceedings.

2. Preliminary Inquiry by the Supervising Administrator

- a. The Supervising Administrator shall first determine whether the alleged misconduct would fall within an area for which a special procedure for review has been established (see Part IV.A.1). If so, the Supervising Administrator shall refer the allegations to the appropriate body or person under the special procedure.
- b. Otherwise, the Supervising Administrator may make such preliminary inquiry as he or she may deem appropriate to determine the validity of the allegations. The process may terminate at this point if the Supervising Administrator concludes that the allegations
 - 1) are patently untrue or frivolous;
 - 2) do not involve unprofessional conduct;
or
 - 3) involve matters that are too insubstantial to deserve further attention.

In any of these instances, the Supervising Administrator shall advise the person presenting the allegations, orally or in writing, of the Supervising Administrator's decision not to pursue the matter further.

3. Meeting with the Responding Faculty Member

- a. If allegations are not disposed of under the preceding provisions, the Supervising Administrator shall meet with the Responding Faculty Member to discuss the

- b. If the Supervising Administrator finds that unprofessional conduct has occurred, the Supervising Administrator may impose a sanction appropriate to the conduct, in accordance with Part IV.D, below.

6.

Supervising Administrator may impose a more serious sanction if he or she determines that the lack of collegiality is of such severity or duration that it compromises the effective operation of the academic unit or substantially interferes with the work of one or more of its faculty members, staff, or students.

4. Authorized Sanctions and by Whom Imposed

- a. Subject to the foregoing, sanctions for unprofessional conduct by a faculty member may consist of any one or more of the sanctions listed below, as may be appropriate, and any other sanction or sanctions that may be considered appropriate in the particular instance. The order in which sanctions are listed below does not imply that they must be imposed successively, nor does it imply that any lesser sanction must be imposed before a more severe sanction may be imposed.
- b. Sanctions will normally be imposed by the Supervising Administrator. However, sanctions referred to in sections IV.D.4.d.vii–ix, below (i.e., reassignment to another academic unit, withholding raises or privileges, reduction of salary or privileges), may be imposed only by an administrator who holds the position of dean of a school or college, or an equivalent or higher administrative level position. If the Supervising Administrator believes such a sanction to be appropriate but does not hold such a position, he or she shall refer the matter, with his or her recommendation for sanctions, to the administrator at the next highest level of administration who holds such a position. The administrator at that level shall then determine the appropriate sanction, if any, following a review of the recommendation for sanction, any record available, and any written statement the Responding Faculty Member may wish to make in the matter to that administrator. (Note: In such cases, the process described in this paragraph shall also be understood to constitute the appeal process described in IV.C.6, above.)
- c. Sanctions described in sections IV.C.4.d.x and IV.C.4.d.xi (i.e., suspension or termination) may be imposed only under the special procedures provided for in the *Laws of the Regents*. (See section IV.C.2 above.)
- d.

2. Records

- a. Except as otherwise provided in the terms of a sanction, any sanction imposed on a faculty member (other than emphasizing the faculty member's professional obligations under section IV.D.4.d.i or an oral admonition under section IV.D.4.d.ii above) shall be evidenced in writing and shall become part of the personnel file of the faculty member.
- b. The faculty member upon whom the sanction is imposed shall receive a copy of the written notice of the sanction. The faculty member may, at a date specified and having satisfied the conditions specified in the sanction (if any), request that the notice of the sanction be removed from his or her personnel file in accordance with any applicable University procedures.
- c. A copy of any and all records pertaining to any matter dealt with under these provisions, including those in the possession of the administrator making the decision or of any Advisory Committee appointed under these provisions, shall be made available to any review as contemplated in these provisions. In the absence of any such review, such records shall be maintained in a confidential file by the administrator making the decision, except as the administrator may otherwise be directed by order of any tribunal or by express University policy or by University Counsel, or except as the records may become relevant to a sanction in a further matter of unprofessional conduct by the faculty member.
- d. In the absence of any other direction, and if no sanction was imposed, the material in the confidential file shall be destroyed after a period of one year from the date of the decision of the Supervising Administrator. If any part of the material consists of property belonging to another person, a copy or a description of such property shall be placed in the confidential file and the property returned to the owner as soon as possible.

Imposition of a sanction of dismissal for cause is subject to the provisions of *Laws of the Regents* 5.C.3: Faculty Grievance Process, and is appealable to the Committee on Privilege and Tenure, provided that all available campus-level appeals have been exhausted.

Amendments to *Professional Rights and Duties of Faculty Members and Roles and Responsibilities of Department Chairs*

(from *Laws of the Regents*, Article 5, as amended October 10, 2002)

The University of Colorado was created and is maintained to afford men and women a liberal education in the several branches of literature, arts, sciences, and the professions. These aims can be achieved only in that atmosphere of free inquiry and discussion, which has be

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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 part B of article 7 of these *Laws*.

All members of the academic community have a responsibility to protect the university as a forum for the free expression of ideas.

It is a guiding principle of the shared governance recognized by the Board of Regents that the faculty and the administration shall collaborate in major decisions affecting the academic welfare of the university. The nature of that collaboration, shared as appropriate with students and staff, varies according to the nature of the decisions in question.

The faculty takes the lead in decisions concerning selection of faculty, 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 or other designated representative of the Faculty Council shall be the spokesperson for the faculty when addressing the Board of Regents on matters of importance to shared governance.

The faculty shall have the principal role 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.

Qualification for the position and institutional need shall be the sole bases for hiring employees, and the criteria for retaining employees shall be related to performance evaluation, assessment of institutional need, fiscal constraints, and/or, in the case of exempt professionals, the rational exercise of administrative prerogative.

All students shall have the same fundamental rights to equal respect, due process, and judgment of them based solely on factors demonstrably related to performance and expectations as students. All students share equally the obligations to perform their duties and exercise judgments of others in accordance with the basic standards of fairness, equity, and inquiry that should always guide education.

- b. Boulder Chancellor's Policy on Diversity, 1994

REAFFIRMATION OF POLICY

In its pursuit of excellence, the University of Colorado at Boulder (UCB) recognizes the importance of its commitment to diversity. UCB reaffirms this commitment to both the concept and process of affirmative action. Central to the educational purpose of this

open to all Colorado citizens who are academically qualified to benefit from the fine education offered here. Open to all has an additional meaning. CU-Boulder is committed to making the Boulder campus a community in which diversity, including sexual orientation, is an accepted value. In this regard CU-Boulder goes beyond the mandate of federal statute. It is the commitment of this campus to support all members of our community as they work to fulfill their educational ambitions.

3. (from Administrative Policy Statement, July 1, 2009)

onsistent with the *Laws of the Regents, Article 10, Non-Discrimination*, the University will not tolerate acts of sexual harassment or related retaliation against or by any employee or student in its educational programs and activities. This administrative policy statement implements Regent Policy 2-J, Sexual Harassment Policy.

The University of Colorado is committed to maintaining a positive learning, working and living environment. The University does not discriminate on the basis of race, color, national origin, sex, age, disability, creed, religion, sexual orientation, or veteran status in admission and access to, and treatment and employment in, its educational programs and activities. (Regent Law, Article 10). In pursuit of these goals, the University will not tolerate acts of sexual harassment or related retaliation against or by any employee or student.

This policy (1) provides a general definition of sexual harassment and related retaliation; (2) prohibits sexual harassment and related retaliation; and (3) sets out procedures to follow when a member of the University community believes a violation of the policy has occurred. It also is a violation of this policy for anyone acting knowingly and recklessly either to make a false complaint of sexual harassment or to provide false information regarding a complaint.

Robust discussion and debate are fundamental to the life of the University. Consequently, this policy shall be interpreted in a manner that is consistent with academic freedom as defined in Regent Law, Article 5 D, last amended 10/10/02.

It is intended that individuals who violate this policy be disciplined or subjected to corrective action, up to and including termination or expulsion.

Appointing authority - an appointing authority is the individual with the authority or delegated authority to make ultimate personnel decisions concerning a particular employee.

A. Obligation to Report

In order to take appropriate corrective action, the University must be aware of sexual harassment or related retaliation. Therefore, anyone who believes that s/he has experienced or witnessed sexual harassment or related retaliation should promptly report such behavior to a campus sexual harassment officer (see campus Appendix discussed below) or any supervisor (see section B below).

B. Supervisor's Obligation to Report

Any supervisor who experiences, witnesses or receives a written or oral report or complaint of sexual harassment or related retaliation shall promptly report it to a campus sexual harassment officer. This section of the policy does not obligate a supervisor who is required by the supervisor's profession and University responsibilities to keep certain communications confidential (e.g., a professional counselor or ombudsperson) to report confidential communications received while performing those University responsibilities. Each campus shall have an appendix to this policy designating the supervisory positions that qualify under this exception.

C. Investigation Process

1. Reports or complaints under this policy shall be addressed and resolved as promptly as practicable after the complaint or report is made. Ordinarily, investigations shall be concluded and reports submitted to the reviewing committee no later than 90 days following the receipt of a complaint. Ordinarily, the final report shall be sent to the Chancellor or President no later than 30 days after the committee's receipt of the draft report of the investigation.

It is the responsibility of the sexual harassment officer(s) to determine the most appropriate means for addressing the report or complaint. Options include: 1) investigating the report or complaint in accordance with paragraph C.3. below; 2) with the agreement of the parties, attempting to resolve the report or complaint through a form of alternative dispute resolution (e.g., mediation); or 3) determining that the facts of the complaint or report, even if true, would not constitute a violation of this policy.

The campus sexual harassment officer(s) may designate another individual (either from within the University, including an administrator, or from outside the University) to conduct or assist with the investigation or to manage an alternative dispute resolution process. Outside investigators shall have training, qualifications and experience as will, in the judgment of the sexual harassment

No provision of this policy shall be construed as a limitation on the authority of a disciplinary authority under applicable policies and procedures to initiate disciplinary action. If an individual is disciplined for conduct that also violates this policy, the conduct and the discipline imposed shall be reported to a campus sexual harassment officer. If an investigation is conducted under this policy and no policy violation is found, that fact does not prevent discipline of the respondent for inappropriate or unprofessional conduct under other applicable policies and procedures.

(from *Laws of the*

Regents, Article 5-E, as revised November 3, 2005)

Faculty consultation work is a desirable and legitimate function, serving to keep faculty abreast of their professions, and should be encouraged. Such work must not interfere with the educational processes of the University. (See Regent Policy 3.B and 3.D.) With prior written approval by the dean or appropriate campus authority, faculty members shall be permitted to receive additional remuneration from sources outside the university so long as the activities generating the income do not exceed one-sixth of their time and effort. Outside work during leaves of absence shall be of concern only to the individual and the entity by which he/she is employed.

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faculty members may make contractual arrangements to rent university facilities at fair-market rates using campus-approved procedures. Faculty members shall not use university resources to advertise their availability for private consultation practice.

Separate policies may apply to faculty members in Chancellor-appdChaal5practi apl ae

