Section I: College-Level Bylaws and Governance

A. Regent Policies on Shared Governance

Faculty governance, referring here to the principle that administration and faculty collaborate in an impactful way on important decisions affecting the university, is fundamental to decision-making across higher education. At the University of Colorado, this principle is enshrined in the policies and laws of the Board of Regents. Regent Policy 5 specifically addresses faculty governance at CU:

5.A.1. (B): "*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. The development of general academic policies shall be a collaborative effort between the faculty and administration.*"

5.A.1. (C): "*The faculty shall collaborate with the campus and system administration in making recommendations or decisions on faculty personnel policies, administrative leadership, and resource allocation.*"

5.A.1. (D): "*The faculty shall collaborate with the administration in developing recommendations to the president or Board of Regents on system-level issues concerning the general academic welfare of the university.*"

5.A.1. (E): "*Unless otherwise required by law, the development of new policies or policy changes with respect to matters that directly affect the faculty shall be adopted only after consultation with appropriate faculty governance bodies.*"

Additionally, **Regent Policy 4.A.1**, on Academic Planning and Accountability, states that "*a school or college faculty shall collaborate with the dean in the shared governance of the school or college. Subject to specific Board of Regents requirements, voting membership of a school or college faculty shall be determined by its faculty.*"

B. Shared Governance in College Bylaws at CU Denver

Each CU Denver school and college, and the Auraria Library, has bylaws specifying a working governance structure developed by the faculty within the unit and approved by their dean and the provost. These colleges include Auraria Library (LIB), the Business School (BUS), the College of Architecture and Planning (CAP), the College of Engineering, Design and Computing (CEDC), the College of Liberal Arts and Sciences (CLAS), the School of Education & Human Development (SEHD), and the School of Public Affairs (SPA).

The bylaws of the College of Arts and Media (CAM) were undergoing revision at the time of this writing and consequently were not available for review for this report. The Business School document available at the time of the writing was titled "the Business School at CU Denver Handbook," but we have treated this document as a bylaw.

This report evaluates existing college bylaws with respect to the following principles:

1. Governance Structures: College bylaws should be created with clear definitions of governance structures and faculty rights, with faculty leading the creation of appropriate faculty governance structures. Additionally, nothing in the specification of structure or articulation of faculty rights and authority may be inconsistent with CU Regent policies, academic policy statements, and CU Denver policies. All rostered faculty, including instructional, research, and clinical (IRC) faculty, should have equal opportunity and access to participate in faculty governance, except for roles and responsibilities explicitly given to Tenured/Tenure-Track (T/TT) faculty (when delineated and grounded in Regent Policies and Academic Policy Statements).

2. Compliance with Regent Policies: Structures should be in place to ensure that Tenured/Tenure-Track (T/TT) faculty have an appropriate level of responsibility for specific realms of governance articulated in Regent policies. This report examines bylaws for specific structures that provide the appropriate level of responsibility and authority to faculty with attention to the governance activities articulated in Articles 4.A.1., 5.A.1.(B), and 5.A.1.(E) of Regent policies.

3. Faculty Representation: To facilitate appropriate representation of faculty in governance, it is important that faculty, and not administrators, are responsible for selecting faculty for committees or other forms of shared governance. This report evaluates whether the faculty determines these selection processes across the colleges.

This work was conducted through careful review of language in the bylaws pertaining to faculty governance or inclusion in governance. The specific criteria were designed to address objective and assessable components of each principle articulated above.

C. Summary of Findings

1. Governance Structures in CU Denver's colleges' bylaws
The project team developed criteria to evaluate whether the bylaws include robust and clear articulations of faculty governance. Specifically, these criteria included (a) whether the bylaws contain explicit language codifying their intent to align with Regent Policy, (b) whether there are clear definitions of members of faculty—and thereby, explicit inclusion of all Tenured/Tenure-Track (T/TT) and IRC members of faculty; (c) whether all rostered faculty are explicitly granted voting rights; (d) whether there are appropriate distinctions between Tenured/Tenure-Track (T/TT) and IRC roles in faculty governance,

and; (e) whether a general, college-level faculty governance structure is clearly articulated (e.g., the CU Denver Faculty Assembly serves as an exemplar of a faculty governance structure at the campus level).

While the specificity and clarity surrounding shared governance structures vary among the bylaws, most colleges include all the elements assessed. Table 1 provides a detailed breakdown of the status of each college's bylaws pertaining to the criteria noted above, highlighting the specific references addressing each criterion.

Table 1: Faculty Governance Structures

	(a) Endorsement	(b) Defined Roles	(c) Voting Membership	(d) Role Distinctions	(e) Governance Structures
LIB	"Foreword"	01.B.	01.B.3.	01.B.3.	01.D.I. to 01.D.IV. "Faculty Meetings"
BUS	I., III.7.	...	IV.1., IV.3.	V.5.	IV.
CAM	(bylaws under revision)	…	…	…	…
CAP	"Overview" (pg. 1), II.2.	II.1.a.	II.1.b.	II.2.	I.2. "College Governance Committee"
CEDC	I.1.	I.2.a, I.2.b.	I.5.	II.	*
CLAS	"Preamble"	I.3.	I.6.	Clear throughout	I.7., I.8., I.12, I.16., III. "CLAS Faculty Council"
SEHD	"Preamble"	page 5	page 9	pages 14-17	page 9-12
SPA	II.	II.A.2 (refers to Regent Policy 5.E.5.)	II.B.	IV.B	IV.* "Faculty Council"

* Several colleges included information about committees with inclusion of faculty, but we did not identify general, college-wide faculty governance structures in these colleges.

2. Faculty governance bodies in CU Denver's colleges' bylaws

Following are observations and notes about the structure and nature of faculty governance structures in each college, with particular attention to **college-wide faculty governance structures**.

LIB
The language in the Auraria Library's bylaws speaks to "*Faculty Meetings*" (section 01.D.I). The committee's structure, namely that the Chair and Secretary are elected by faculty, is an important indication of genuine faculty governance. These roles—Chair and Secretary—may serve as representative voices of the faculty and have the authority to drive meeting agendas.

BUS
Article IV of the bylaw describes a "Faculty Assembly" that consists of rostered faculty with more than 50% full-time equivalent (FTE) appointment, chaired by an elected

member of faculty. This committee serves to "provide a forum to discuss any matters that may involve the Business School." (IV.2).

CAP
The College of Architecture and Planning bylaws articulate the roles of two committees, the Executive Committee (advisory to the Dean), and the College Governance Committee (to lead faculty and curricular issues). Language in Article II establishes the Governance Committee, and language in Article III aligns with Regent policies with the statement "*No administrative policy changes affecting the faculty privileges and responsibilities as defined in the Laws of the Regents shall be implemented without prior consultation with the College faculty.*"

IRC and Tenured/Tenure-Track (T/TT) faculty are included in faculty governance, but there are no clear distinctions between the roles. The process of distinguishing roles is left to the process of committee member selection.

CEDC
The College of Engineering, Design and Computing bylaws articulate an explicit committee structure, each with specific membership defined along with varying mechanisms for membership, but there is no explicit college-wide faculty governance structure in place.

Roles are clearly distinguished in the standing committee descriptions in Article II.

CLAS
The College of Liberal Arts and Sciences articulates its committee structure with guidelines around the governance of the committees and their responsibilities. Notably, faculty are well empowered in CLAS through its CLAS Council committee: "*There shall be a CLAS Council as the major deliberate and legislative body of the College of Liberal Arts and Sciences. The CLAS Council shall articulate and convey the will of the faculty to the Dean in matters related to the academic enterprise.*" The bylaws also articulate several standing committees that are advisory to the Dean.

SEHD
Like the Auraria Library, the School of Education & Human Development practices shared governance through "faculty meetings." Due to the size of the unit, this group may serve the college's administrative needs. However, since this is headed by the administrative team, it should not be considered a form of faculty governance.

SPA
Administrative roles are clearly and appropriately articulated in School of Public Affairs bylaws in Policy IV.A., in connection to SPA's Faculty Council: "*Faculty decisions regarding those areas of faculty responsibility—academic matters including teaching, research, and academic ethics—are made in the Faculty Council, unless delegated to committees, as generally described in Section II above.*" However, this body is presided

over by the Dean and led by the administration and, as such, does not constitute a form of faculty governance as defined here.

The School of Public Affairs does not explicitly articulate faculty roles (notably IRC and tenured/tenure-track faculty) but defers to Regent policy. Roles are appropriately distinguished in the committee descriptions (IV.C). The bylaws refer the reader to other college documents, rather than offering specific details about these committees.

3. Compliance with Regent Policies
The project team examined the bylaws for compliance with Regent Policies 4.A.1., 5.A.1.(B), and 5.A.1.(E). Policies 5.A.1.(C) and 5.A.1.(D) are omitted from consideration because they address faculty governance at the campus and system levels, beyond the purview of this project. The project team sought to identify clear and specific structures in each of the college bylaws that address each of these policies. Findings are presented below.

Regent Policy 4.A.1.
Regent Policy 4.A.1. states "*A school or college faculty shall collaborate with the dean in the shared governance of the school or college. Subject to specific Board of Regents requirements, voting membership of a school or college faculty shall be determined by its faculty.*"

This language includes two specific facets:

i. "*A school or college faculty shall collaborate with the dean in the shared governance of the school or college.*"

This is a broad statement about faculty governance. The section above (III.1) provides a basic assessment of general faculty governance practices in colleges' bylaws.

ii. "*Subject to specific Board of Regents requirements, voting membership of a school or college faculty shall be determined by its faculty.*"

A strict reading of this statement suggests that voting membership should be determined by the faculty. While there are no provisions in the bylaws specifically referring to the creation of faculty voting rights, faculty can be empowered in this way through the ability to amend the bylaws. Additionally, requiring faculty approval changes to the bylaws can ensure this authority. This point is addressed in the following section, in consideration of alignment with Regent Policy Article 5.A.1(E).

Regent Policy 5.A.1(E)
Regent Policy 5.A.1(E) states that "*Unless otherwise required by law, the development of new policies or policy changes with respect to matters that directly affect the faculty shall be adopted only after consultation with appropriate faculty governance bodies.*"

Table 2 shows a summary of the identified bylaw provisions that (a) provide a means for faculty to amend the bylaws or (b) require the voting membership of faculty to approve changes to the bylaws. Voting membership (c) is also included (duplicated from Table 1), which reports articles granting all faculty voting membership and rights inclusive of Tenured/Tenure-Track and IRC faculty, in alignment with Regent policy.

Table 2: Faculty Oversight of Bylaws

	(a) Faculty ability to amend the college bylaws	(b) Faculty approval of college bylaws	(c) Voting membership
LIB	Section 8	Section 8	01.B.3.
BUS	IX.	IX.*	IV.1., IV.3
CAM	(CAM bylaws are currently under revision)	…	…
CAP	Preamble	Preamble	II.1.b.
CEDC	VIII *	VIII *	I.5.
CLAS	VIII.a.	VIII.b.	I.6.
SEHD	-	-	page 9
SPA	VII.*	VII.*	II.B.

* In the bylaws of the CEDC, Article VIII ("Amending the bylaws") requires "approval of a two-thirds vote of the voting members of the faculty of the CEDC present at any regular or special meeting." Similarly, in SPA's bylaws, Article VII states that "such changes [in the bylaws] will be discussed in the full Faculty Council and are passed upon a vote of at least two-thirds of the members of the Council present (or participating via proxy or electronic vote) in regular session." BUS requires "adoption by a supermajority (at least 60%) of the voting members of the faculty present at a duly constituted meeting with a quorum" (IX). These structures may lead to a situation in which a small number of faculty members agree with the bylaw changes if, for instance, bylaw revisions are approved during a poorly attended faculty meeting. Requiring a two-thirds majority of voting-eligible faculty would ensure stronger legitimacy for the bylaws.

Regent Policy 5.A.1.
Regent Policy 5.A.1. states: "*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. The development of general academic policies shall be a collaborative effort between the faculty and administration.*"

This provision calls for governance structures that give both tenured and tenure-track faculty, as well as IRC faculty with appropriate teaching or research roles, specific and unambiguous responsibility for decisions and policies around (a) pedagogy and curriculum, (b) research, scholarly, and creative work, (c) and academic ethics. Additionally, the team examined whether the bylaws empower faculty to make (d, e) "*recommendations on the selection and evaluation of faculty.*"

The text also includes language that "*the development of general academic policies shall be a collaborative effort between the faculty and administration.*" This is a bit difficult to assess because it is unclear what constitutes "*general academic policies.*" General faculty governance mechanisms are evaluated in the section above (III.1).

Table 3 presents a summary of college bylaws provisions that (a) give voting members of faculty principal responsibility for decisions concerning pedagogy and curriculum, (b) describe the structures through which voting members of faculty may derive principal responsibility for decisions concerning research, scholarly, and creative work, (c) describe the structures through which voting members of faculty may derive principal responsibility for decisions concerning academic ethics, and (d) empower faculty to submit recommendations on the selection and (e) evaluation of faculty. It is important to acknowledge that in some colleges, (d) and (e) may be appropriated to department-level administration, however, this report evaluates the college bylaws specifically with an assessment of the roles and powers of the pertinent standing committees.

Table 3: Faculty Responsibility in College Bylaws

Bold red text entries signify more detailed explanation below the table.

	"principal responsibility"			"submit recommendations"	
	(a) pedagogy and curriculum	**(b) research/creative activities**	**(c) academic ethics**	**(d) selection of faculty**	**(e) evaluation of faculty**
LIB	N/A	VI.	N/A	-	Section 01: V., VI.
BUS	III.7, V.2.	III.7, V.4.b.	III.7. V.3.	I.b.IV.	III.4., III.5., V.4.b.
CAM	(under revision)	…	…	…	…
CAP	I.2.b, Appendix C	I.2.b, III, Appendix C	I.2.b, Appendix C	-	II.4.b, II.6.a.
CEDC	II.4.	-	-	-	III
CLAS	V.4.	V.4.	V.4.	VII.c.	VI.
SEHD	page 15	-	Appendix B	page 17	page 16
SPA	II.A., IV.A.	IV.A.	IV.A.	II.A.	II.A., IV.C.4., IV.C.5.

LIB: The project team did not observe information in the bylaws pertaining to pedagogy and curriculum or academic ethics, which may be appropriate for the library's mission.

CAP: The bylaws describe a "College Governance Committee," (1.2.b.) comprised of elected representatives from each department, whose task is to "address faculty and curricular issues within the College." The College Governance Committee is given the authority to form subcommittees, specified in Appendix C of the bylaws, which address the intent of Regent policy. Faculty research responsibility involving grants and contracts is described in detail in Article III in the document.

CEDC: The College Graduate Committee, comprised of chairs of each department, is given authority to approve and revise graduate courses. There is no mention of curricular oversight or authority over undergraduate courses in these bylaws.

A "Peer Review Committee" is mentioned in Article III as playing a key role in the process for faculty evaluation. The committee's name implies that it is comprised of faculty peers, but the project team could not identify guidelines on the membership or selection of this committee in the bylaws.

SPA: The faculty role is described in a way that aligns with Regent Policy in Article II.A. of SPA's bylaws. However, key decisions in SPA originate through its "Faculty Council," which is headed by the Dean and

directed by the college's administration. Because the leadership of the committee (the Dean and administration) may drive or constrain faculty leadership, this may not constitute a genuine form of faculty governance.

4. Faculty Representation

The final component of this report evaluates whether the bylaws enable faculty members to select representatives to the existing faculty governance structures. While the project team observed that all the bylaws clearly indicated who is eligible to vote as faculty, as noted above, the structure of faculty governance varies considerably. The process through which faculty are selected for governance structures is presented in Table 4.

Table 4: Selection of Faculty Members to Governance Structures by College

College / School / Library	Faculty Representation	Bylaws reference
Auraria Library	Faculty representatives and leaders are elected by direct vote of the faculty.	Section 1: II., II.A.
BUS	Article IV describes a Business School Faculty Assembly that includes all members of faculty and is chaired by an elected faculty member.	IV.E.I.b.
CAM	(CAM bylaws are currently under revision)	
CAP	Faculty are elected by department to serve on the primary governance committee.	I.2.b.
CEDC	Faculty selection varies by committee, mostly by chair appointment or selection by the department.	II.
CLAS	Members are selected by department to the CLAS Council and department units are left to drive the process. Other committees are elected through a college-wide nomination and election process.	III.3, III.6. V.2.d.
SEHD	Faculty are elected by the faculty at large or nominated by their departments for service committees.	(page 13)
SPA	All faculty members are required to participate in a college-wide faculty meeting. Committee membership varies by committee, which is by appointment.	IV.B., IV.C.

D. Recommendations

This project's main goal is to provide a full assessment of the state of shared governance at CU Denver. This section reports specifically on the bylaws, one facet of this comprehensive assessment, in which the team sought to identify specific articles in the college bylaws that codify governance structures mandated in CU Regent policies.

Based on this systematic assessment and review of all college-level bylaws, project team faculty representative Peter Anthamatten offers the following suggestions.

1. Each college should establish a faculty governance body
[CAM*, CEDC, SEHD, SPA: See Section III.1, Table 1(e), and associated notes].
* I have directed attention to the College of Arts and Media (CAM) because I understand their bylaws are currently under revision. I did not review CAM's bylaws or specifically comment on it in this report.

A college-wide, faculty-driven governance body—such as a committee comprised of representatives from each department or subunit—serves as an important structure in faculty governance. A faculty chair of a college governance committee may serve as the voice of the faculty in communicating with administrators and other faculty governance bodies, such as the CU Denver Faculty Assembly.

Moreover, the existence of a college-wide faculty governance group provides a crucial platform for faculty members to come together, discuss governance issues, and organize their communication effectively. One important aspect of such a faculty-driven committee is its ability to help faculty vocalize their concerns or feedback. By providing a structured forum for discussion in a group led by a faculty leader, the committee empowers faculty members who may otherwise hesitate to express their concerns or feedback openly, due to real or perceived retribution.

Faculty governance in each college benefits from a committee directed, organized, and managed by faculty members, which does not require any direct approval or oversight from administrators. The structure of a college committee may accommodate the specific contexts of the colleges. For instance, colleges small enough to invite the entire college faculty to its regular faculty meetings may employ these faculty meetings as a form of faculty governance by electing a chair and secretary from the faculty, as is practiced by the Auraria Library.

I recommend that CU Denver colleges align on and adopt the term "Faculty Council" to refer to broad college-level faculty governance structures. Adopting a common term will help all faculty and administrators recognize and communicate this unit as the primary college-level faculty-governance mechanism within CU Denver.

1. **Each college's bylaws should include provisions requiring a vote open to all members of that college's faculty to adopt or amend them.**
[CAM, CAP, CAM, CEDC, SEHD: See Section III.2.B., Table 2, and associated notes]

This recommendation is consistent with Regent Policy 4.A.1. and 5.A.1(E).College bylaws should require all faculty to vote on bylaw revisions, not just a vote by faculty members present at a meeting.

2. **College-level bylaws should accord faculty members "principal authority" in areas of governance articulated as such in Regent policy.**

[CAM, LIB, CEDC, SEHD, SPA: See Section III.2.C., Table 3, and associated notes]

This recommendation is consistent with Regent Policy 5.A.1. Several colleges currently lack language that clearly reflects faculty authority over one or more of three main authority areas designated in Regent Policy 5.A.1.: (a) pedagogy and curriculum, (b) research/creative activities, and (c) academic activities. To ensure that the principles of Regent's Policies are explicitly encoded in the faculty governance structures in all colleges, bylaws should include explicit acknowledgement of these roles, as well as a clearly defined mechanisms for members of faculty to participate in these roles. Please note that while appropriate authority may be granted to faculty in practice, many of the colleges noted here do not articulate faculty involvement in some of these critical areas in their bylaws. In evaluating "principal authority" for this work, the idea is applied that these areas should be governed entirely by faculty, without direct involvement of administration.

3. **College-level bylaws should provide a structural mechanism for faculty members to "submit recommendations" for both the selection and evaluation of faculty.**
[CAM, LIB, CAP, CEDC: See Section III.2.C., Table 3, and associated notes]

   This recommendation is consistent with Regent Policy 5.A.1. While it may be the case that faculty members are enabled to "submit recommendations" for the selection and evaluation of faculty in practice, shared faculty governance may benefit from explicit and clear articulations of these processes in the college bylaws.

4. **Periodic review and guidance should be provided for college-level bylaws**
   To ensure that the college bylaws codify the principles of shared governance we wish to exemplify, a process could be considered to submit the college bylaws to the Faculty Assembly or the Office of the Provost, for periodic review and comment.

Bylaws within CU Denver colleges should provide clear guidance to policies, procedures, and authorities within that college, designating how business is conducted and how key decisions are made. Of course, the practice of faculty governance in a college may not conform to the guidance provided by the bylaws or is beset by challenges. However, a robust and clear set of bylaws that explicitly articulate both the spirit and the specifics of shared governance—thereby clearly aligning the bylaws with Regent policies—will send a clear signal that CU Denver faculty members have a key role in leading the institution.