

Educational Policy and Planning Committee (EPPC)
AGENDA
April 2, 2024 | 9:30 am
via Zoom: <https://ucdenver.zoom.us/j/97522609238>

1. **Call to Order**
2. **Approval of Minutes from February and March**
3. **Faculty conflict of interest question** (read pp. 2-3)
4. **Latin Honors – policy suggestions**
5. **Graduate ‘School’ Review** (see p. 4)
 - Selection of members on the graduate council
 - Vetting the handbook (who approves, implements, and holds programs accountable)
 - Communication (which has been lacking)
6. **Academic Transformation Working Groups - updates**
7. **Other business/announcements**
 - Two students were selected for the Pam Laird scholarship. Big thanks to the committee for reviewing student essays.
8. **Next meeting [May 7]**
 - DEI in annual evaluation
 - FCQ data mining
 - Academic Transformation Working Groups - updates
9. **Adjournment**

Documents can also be found in [Microsoft Teams](#).

Conflict of Interest | *Faculty requiring their authored texts to be purchased by students*

I have a conflict-of-interest question for the Faculty Assembly Educational Policy and Planning Committee, which requires quite a bit of set-up. However, the ultimate issue is whether the University of Colorado Denver has or might develop policies around faculty textbook sales to their own students. (As you'll see, there are a lot of breaches of everything from campus policies to accreditation requirements along the way, but the question of textbook profits is where it's landed.)

I teach in an unusual department on the CU Denver campus ... the rostered faculty in my program are the only ones in my department, and among the few in my college for whom a Ph.D. is the terminal degree. Whereas in, say, another Department its rostered faculty all have degrees related to said Department, my colleagues outside of the program have (at most) Master's degrees in areas, which is the standard terminal degree in said disciplines.

As a result, in matters of hiring and even curriculum, chairs have frequently forgotten, misunderstood, or outright overlooked the exceedingly different disciplinary requirements of our program compared to their own. (In which they feel a bachelor's degree is appropriate to teaching bachelor's-level courses, and a master's degree is appropriate to teaching all else.) Moreover, my college's bylaws are lax, generally deferring to Regent's Law and Campus Administrative Policy that itself requires college and department bylaws that currently do not exist in either. (This is being actively addressed in my college at the moment, but the changes are unlikely to be implemented until the next academic year.)

Since the founding of my college, this has meant my department's chairs often hire lecturers without the consultation of the department faculty, who are deemed after the hire to be unqualified by the department faculty, but who are retained and allowed to teach in my program. Also, the curriculum has been given to Instructors in other programs (Master's degree holders hired to teach), again without the approval of the program's faculty specialists. For obvious reasons, this seems a violation of Campus Administrative Policy 1026 on "Evaluating Qualifications of Instructional Faculty," but our college and department currently lack any bylaws granting anyone but chairs the authority to hire non-tenure-track faculty. (If pressed, I imagine that our leadership would argue that they have determined the hires to have "tested experience," even though that experience would be outside of their own disciplines to evaluate.)

Recently, however, this problem of hiring questionably qualified faculty for said department has resulted in a new and different problem, which seems to the department faculty a conflict-of-interest issue. This concern relates to a lecturer hired by my chair (again, without my program's consultation or approval) to teach online in the summer of 2021. The lecturer has been offering sections of our program's I and II survey courses: both of these classes are Core classes, as well as the basic foundation for all the department curricula. Because they are large classes and fundamental to both our Core and department majors' requirements, the full-time faculty have long assigned a single, discipline-standard textbook for both, to ensure minimum consistency across the curricula of the different instructors who teach these courses. Copies of this textbook are kept on reserve in the library for students in any section who wish to access it

without purchasing it. Because we have never met this new colleague, nor have the authority to either read their FCQs nor directly evaluate their courses, we have been trusting that, at the very least, our chair was ensuring that this lecturer was teaching the fundamentals of the curriculum as structured by our faculty's uniformly assigned textbook.

However, it came to our attention that this lecturer has, rather, been assigning their own, self-published textbook for the course, which students must purchase as an e-book from an online self-publishing platform. The Art History faculty have no idea what is in the book, which the lecturer has not shared with us. From its point of sale, however, it at least appears to be more expensive than, and a fraction of the content of the one our program requires. Moreover, in order to make all our required course material accessible to our students, we additionally require that textbooks be available for free on reserve in our library or on Canvas, which this textbook is not.

The fact that our students were required to purchase an unapproved "e-textbook" written by a lecturer who is not a scholar in our field is, needless to say, alarming. Unfortunately, when we raised this issue immediately upon its discovery, our chair deemed this is a matter of "academic freedom," and refused to pursue the issue further. The faculty, for our part, feel that the fundamental issue is so obvious as to be a case study in [the AAUP's FAQs on the subject](#): our "collective" (rostered faculty in the program) have determined the objectives of our curriculum, from which this lecturer's choice of textbook deviates, and our determination that it should not be taught is not a breach of this lecturer's academic freedom. Moreover, the AAUP's position on "professional competence" in regards to academic freedom seems to additionally undermine our chair's position, as our department's professionals in the discipline unanimously feel this hire's qualifications on their face do not reflect such basic "competence."

In any case, the issue of a lecturer assigning their own self-published textbook with a non-peer-reviewed or academic press, making profits from our students (who are all otherwise assigned an agreed-upon, discipline-standard text available to them for free, and on which the rest of our curriculum builds) seems an apparent conflict-of interest.

My question for the EPPC is: does our campus or system have a standard for determining such conflicts of interest? Or policies regarding the sale of course materials that directly produce a profit for the instructor? At other institutions I have taught, faculty were not allowed the profits from publications sold to their campus' students, and those profits were put into a scholarship or award fund for students. Does our campus or system have any such guidelines? And if not, is it in the EPPC's charge to develop them?

Article 5 Review | Pilot

Summary: One of Faculty Assembly's (FA's) core obligations in representing faculty on campus is to steward and protect the rights granted faculty in [Article 5](#) Laws of the Regents. To this end, Faculty Assembly is proposing the launch of an experimental pilot program for Article 5 Review. Following the pilot review process, FA ExCom and the full Assembly will work on fine-tuning and finalizing the process for formal approval and adoption as an internal FA operating procedure.

The Review: FA Article 5 reviews are designed to assess administrative compliance with Article 5.A.1.B. which reads as follows: "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 review process shall be initiated by the FA Chair who shall select an appropriate standing committee to conduct the review process given the nature and details of the issue at hand. The FA Chair and Standing Committee Chair shall work together to determine if a review is appropriate, the timeline for the review, and the details of the review process in light of the specific issue at hand. At all times and across all reviews, the central assessment involves evaluation of whether or not faculty are being afforded "principal responsibility" for the development, management, and administration of those items enumerated in Article 5.

Per FA's bylaws, for the purposes of representation and assignment of personal responsibility for items enumerated in Article 5.A.1.B, "faculty" are understood to be rostered faculty members (0.5FTE and higher) with titles no higher than department head.

Pilot Review of graduate programming and administration at CU Denver: This experimental pilot review has two purposes. First, it is intended to assess administrative compliance with Article 5 Laws of the Regents in the specific context of development, management, and policymaking in graduate education. Second, this initial experimental pilot is intended to support the creation, revision, finalization, and eventual approval of a formal Article 5 review procedure for the Faculty Assembly.