



Faculty Assembly

UNIVERSITY OF COLORADO DENVER

November 8, 2023

Dear CU Denver Faculty,

As the elected shared governance body responsible for representing faculty interests on our campus, we, the CU Denver Faculty Assembly (FA), have recently received and carefully deliberated a motion for censure of Provost Constancio Nakuma. We are writing to inform you that on Oct 31, 2023, the FA voted to “table” this motion until February 6, 2024. At that time, we will reconvene to discuss and vote on this original motion, taking into account any progress that has been made by the Provost.

In this communication, we aim to offer you insight into the systematic, deliberative process we followed before making this important decision. Additionally, we will provide answers to some questions that have been raised. As you will find again at the end of this document, once you have read through this information, **we strongly recommend you reach out to Faculty Assembly with feedback**. If you would like further information, have questions, or would like to include your own experience or opinions on this matter in future deliberations, please contact us at FA@ucdenver.edu.

What does a vote of censure mean?

FA was originally asked by CU Denver faculty to pursue several “votes of no confidence” in the Provost, each of which would have implied that FA wanted the Provost to be dismissed. FA decided that such a measure was unwarranted at this time and did not adequately reflect faculty’s strong desire to work with the Provost to affect positive change on our campus.

According to section I of the [Procedure](#) for Votes of Confidence, Censure and No Confidence adopted by FA on 09/19/23:

“A Vote of Censure may be appropriate in those times when a faculty is alarmed and/or significantly distressed by the actions of a member of the administration, or of the administration as a whole. The purpose of the Vote of Censure is to alert the administration to the nature and level of discontent, to provide clear identification of the grievous action or path of decisions, and to call for review and correction of the actions or situation within a specified period of time, usually one year. The Vote of Censure, though serious, stops short of demanding the removal of the offending administrator(s), and intends to allow a time of remedy and potential reconciliation.”

Who is Faculty Assembly?

[Faculty Assembly](#) (FA) is the official voice of the CU Denver faculty in shared governance on campus. All FA members, officers, and committee chairs are elected representatives, drawn from all schools and colleges on campus and from all rostered faculty ranks. Members serve staggered 3-year terms; officers and committee chairs serve staggered 2-year terms.

The FA Constitution charges FA with “[initiating] advice and recommendations to the Chancellor or other administrative officials” on matters related to educational policy, internal operations, and external operation of the University”.

What jurisdiction does FA have?

FA lacks investigative power or authority, and its jurisdiction is specifically limited to matters that pertain to more than one school or college on campus. To effectively represent the CU Denver faculty in campus shared governance, FA depends on receiving information, issues, concerns, and complaints by faculty, staff, students, administrators, and other shared governance bodies on campus and at the CU system.

Article 5 of the Regent’s laws further affords faculty “primary responsibility” for curriculum, pedagogy, teaching, research, evaluation and selection of other faculty, and academic ethics, as well as the right to collaborate with the administration on “major decisions affecting the academic welfare of the university”.

Who is the Provost and what are the responsibilities of this office?

From the [UCDenver Provost/Executive Vice Chancellor for Academic and Student Affairs leadership profile](#): The provost and executive vice chancellor for academic and student affairs has responsibility for faculty, academic, student affairs, and enrollment management, and oversees the deans of the College of Architecture and Planning, College of Arts & Media, Business School, School of Education & Human Development, College of Engineering, Design and Computing, Graduate School, College of Liberal Arts and Sciences, and School of Public Affairs as well as affiliated academic and research departments and the senior vice chancellor for strategic enrollment and student success. Together with the chancellor and executive leadership team, the provost will play a significant role in the implementation of the university's first comprehensive strategic plan and will oversee the development of a complementary academic and student success strategic plan taking into account the university's academic, research, scholarship and creative activity agendas and opportunities as well as the considerable opportunities across the student success arena.

The Provost is responsible for all of the offices included in the attached Organizational Chart (please note this is CU Denver's official organizational chart).

What steps has FA taken in this censure process?

As the initial step in the process, on 10/17/23, a motion was presented to FA in the form of a drafted resolution to censure Provost Nakuma. This motion stemmed from concerns regarding a series of actions, decisions, and failures of management over the past 2.5 years. The motion went through deliberations and was modified accordingly, and the FA voted on whether or not to continue proceedings. **This motion was passed, 17-4.**

In accordance with our policy, FA Chair, Sasha Breger Bush, then informed the Provost that these proceedings had commenced. She included the resolution with its list of grievances and calls for action, along with a set of supporting documents. These were all included in a single packet and made available on our website and distributed to other stakeholder groups (SGA, Staff Council, UCDALI, FC, CLAS Council). The Provost was given a specified time to reply to this communication to the full FA in writing.

We received Provost Nakuma's first response on 10/24/23, a follow-up addendum on 10/27/23, and then a third response on 10/30/23. The responses can be viewed on the Provost's website, the original response [here](#) and then two additional follow-ups [here](#).

A subsequent meeting of the FA was called for and held on 10/31/23 for our next steps in this process. A discussion of the Provost's responses was conducted, and a motion to table this motion until our February 6th, 2024 meeting was called. **This motion passed, 26-1.**

Why did FA decide to initiate censure?

FA's decision to initiate censure proceedings was guided by a variety of factors. (The specific content of the executive sessions in which FA deliberated upon the motion to censure cannot be publicly shared.) These considerations included:

- **specific complaints** brought to us by members of the CU Denver faculty,
- **system and campus policies** that define and govern FA's role and jurisdiction,
- **system and campus policies** that govern university operations and administration,
- the facts and evidence at our disposal about the matters at hand (FA shared all materials we were able to make public), some of which demonstrated **risk to our students** if we failed to act quickly and decisively,

- our strong commitments as elected FA representatives to the **wellbeing of CU Denver students, faculty, and staff, and**
- **our deep desire to work with our administration to move CU Denver forward.**

Why did the FA decide to table the censure for the time being?

Given (1) the forthrightness of the 3rd response sent 10/30/23 and our desire to afford the Provost and other members of the administration additional time to address our original resolution and the associated requests for action, (2) our ongoing reception of information concerning leadership and management matters on campus, leading to an increased recognition of shared responsibilities across administrative roles and offices in relation to many of our outlined concerns, and (3) our aim to allow our broader faculty community the opportunity to become well-informed and actively involved in these endeavors aimed at safeguarding our university's academic well-being, we have chosen to take this course of action.

What are FA's next steps?

The FA officers, in collaboration with the Executive Committee, are presently engaged in the task of clearly defining our expectations and recommendations regarding necessary changes, establishment of new procedures, and discontinuation of actions or behaviors that have contributed to leadership and management problems in the past. These efforts will encompass a structured timeline for communication, regular progress reports, and mechanisms for accountability. Once this document is complete, we will promptly make it available on our website for wider dissemination.

Where can I find the relevant documents associated with these proceedings?

[FA's website](#)

[Procedure for Votes of Confidence, Censure, and No Confidence](#)

[Notice of Initiation of Censure Proceedings](#) (10/17/2023, includes some of the evidentiary materials considered by FA)

[FA Letter to Provost Nakuma with an Update](#) (11/01/2023)

What is the main intention of these proceedings?

The Faculty Assembly's intentions in these censure proceedings are to clearly communicate to our Provost our significant concerns regarding his actions. We are

also requesting specific changes and the development of procedures to prevent any further harm to our university, both as a community and as an institution committed to shared governance. This concerns us as faculty, and it impacts our students as well. We remain optimistic that these requested positive changes will be successfully implemented.

What can I do if I want to comment on or get more involved in these proceedings?

Please read the documents referenced in this memo. **We strongly recommend faculty reach out to Faculty Assembly with feedback.** If you would like further information, have any questions, or would like to include your own experience or opinions on this matter in future deliberations, please contact us at FA@ucdenver.edu. We were elected to represent your interests as a faculty member at CU Denver and appreciate your input. We are also willing to meet with you to answer questions.

Sincerely,

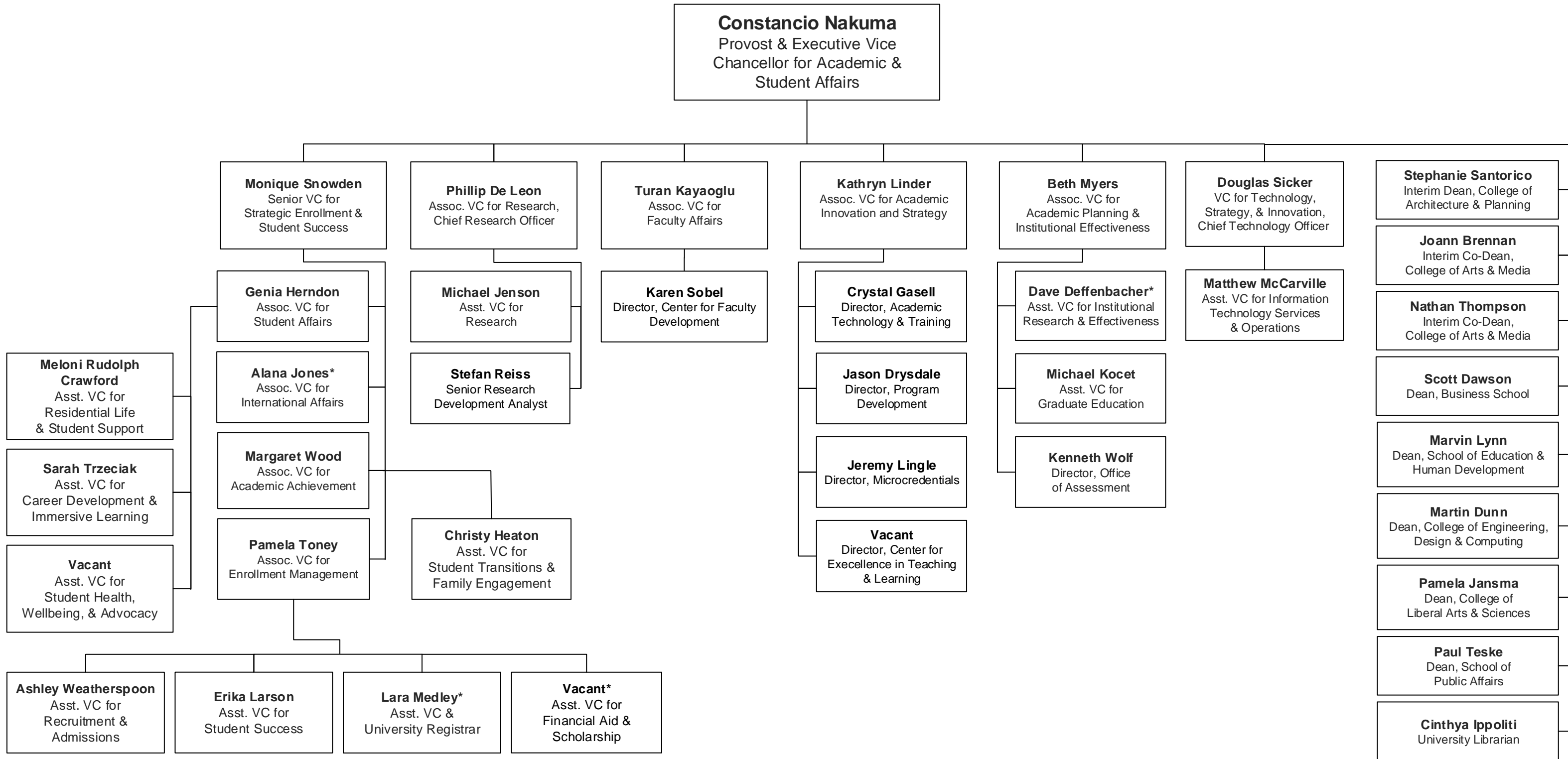
The CU Denver Faculty Assembly

Sasha Breger Bush, Chair
Vivian Shyu, Vice-Chair
Dennis DeBay, Secretary
Jamie Hodgkins, Co-Chair, APC
Joanne Addison, Chair, BPC
Colleen Donnelly, Chair, Disability Committee
Wendy Bolyard, Chair, EPPC
Thomas Beck, Chair, Ethnic Diversity Committee
Robert Talbot, Chair, LETTS Committee
Edward Cannon, Chair, LGBTQ+ Committee



University of Colorado Denver

Organizational Chart | Office of the Provost



ucdenver.edu/offices/provost

VC: Vice Chancellor | Assoc.: Associate | Asst.: Assistant | *Serves both Denver and Anschutz Campuses

Additional organizational details and reporting lines available in Microsoft Outlook and Teams. **Outlook:** Double-click contact's photo, click Organization tab in pop-up window. **Teams:** Find contact in search bar, click Organization at top of window.