



## **Part 4 – Faculty Responsibilities and Conditions of Employment**

---

### **2-3-401 Faculty Workload.**

This policy establishes the University-wide parameters that program areas, departments, schools, and colleges shall use in the assignment of equitable workloads across the University.

#### **2-3-401(1) General Provisions.**

Each college will define the workload components of instruction, scholarship and services as appropriate to the disciplines and professions they represent. Workload assignments will:

- (a) maintain high quality, and academically sound programs.
- (b) facilitate the accomplishment of program area, department, school, college, and University goals in teaching, scholarship and service.
- (c) facilitate the professional development of faculty.
- (d) maintain student credit hour production and numbers of majors and other students served.
- (e) link workload to evaluation for promotion, tenure, and compensation discussions.
- (f) adhere to the Colorado Commission on Higher Education standards for contact time per credit hour.

#### **2-3-401(2) Workload Definition and Components.**

- (a) Definition. Workload is defined as the distribution of faculty effort across the areas of instruction, scholarship, and service, including special assignments when applicable.
- (b) Components.
  - (l) Instruction. Includes all activities associated with teaching activities related to credit hour production, i.e., maintenance of currency in

content and pedagogy, tutoring, supervising student research, directing theses/dissertations, directing of performances and/or productions.

- (II) Scholarship. Scholarship encompasses both research and its dissemination, and other creative or artistic activity relevant to the discipline of the individual professor. It may create new knowledge (discovery), synthesize existing information (integration), and devise ways to use knowledge (application), or lead to the production of artistic works and performances. This includes activities that advance the faculty member's professional and disciplinary competence, advance knowledge in the discipline, and result in work that is invited or subjected to peer review.
- (III) Service. Includes professional activities such as service on program area, department, school, college, and University committees; serving on faculty governance bodies; program administration; advising students on their academic progress or professional development; sponsoring student organizations; participating in professional organizations in one's discipline; and contributing one's expertise and time to civic activities in the larger community.
- (IV) Factors. The following are among additional factors that influence faculty effort and might be considered in the development of college equating practices: student credit hours generated; number of contact hours; class size; class level; honors designation; number of instructors (team teaching); number of course preparations; previous experience in teaching a course; development of a new course; off-site instruction; use of distance learning technologies; inclusion of new pedagogical or technological strategies for classroom instruction; direction of performance ensembles; supervision and/or coordination of practica, internships, field experiences, participation in partnership schools and directed studies; supervision of student research, both undergraduate and graduate levels; supervision of undergraduate theses, master's theses, and doctoral dissertations; advising load and level; scholarly productivity; and responsibilities for program administration.

### **2-3-401(3) Workload Assignments**

- (a) Assignments. A full-time faculty workload (1.0 Full-Time Equivalent -- FTE)

consists of thirty (30) workload units per academic year. The default assignment for a typical tenure-track and tenured faculty in each semester consists of nine (9) workload units of Instruction, three (3) workload units of Scholarship, and three (3) workload units of Service. The default assignment for a typical contract renewable faculty in each semester consists of twelve (12) workload units of Instruction and three (3) workload units of Service. Unit leaders are responsible for assigning workloads including deviations from the typical workload under the following guidelines:

- (I) In case the department chair/school director is in the same discipline as the program area, they will assign workload and ensure an equitable distribution across the program area.
  - (II) In case the department chair/school director is not in the discipline of a program area, they shall assign someone from that program area, who, in consultation with the department chair/school director, shall assign workloads and ensure an equitable distribution across the program area.
  - (III) Assignments may be distributed differently across categories by semester to meet program area needs.
  - (IV) Annual workload assignments and the weighting of each area must be defined in writing by the faculty member and their department chair/school director or their designee. If the faculty member disagrees with the assigned workload, the faculty member may discuss the disagreement with the college dean. Final responsibility for workload assignments resides with the department chair/school director or the designee selected according to this section [2-3-401(3)(a)].
  - (V) Annual evaluations will be based on the written workload assignment.
  - (VI) Department chair/school directors may use differential workloads and/or staffing to ensure that faculty talents support programmatic needs.
- (b) Overloads. Each full-time faculty member or exempt administrator who is meeting all contractual responsibilities in areas including administration, teaching, advising, service and scholarship/creative activities may teach for supplemental pay one overload course of up to five credit hours per semester for resident instruction or extended studies. An overload must be approved by the department chair/school director and dean. Any

exceptions to the one overload course limit must be approved by the Chief Academic Officer. The pay rate for all courses taught as an overload can be found in University Regulations [3-3-701(2)].

### **2-3-402 Teaching Responsibilities.**

- (1) At the beginning of each term, instructional staff are responsible for stating the approved course descriptions and the instructional objectives of each course. It is expected that each instructional staff member shall direct their instruction toward the fulfillment of these objectives, and that their examinations will be consistent with these objectives. Instructional staff are responsible for orientation of content in the courses they are assigned to teach.
- (2) Instructional staff are responsible for informing their students of the methods to be employed in determining the final course grade, and of any special requirements of attendance that differ from the attendance policy of the University.
- (3) Regular attendance in all classes is expected and encouraged. The instructor shall determine the relationship between attendance and the objectives of the class, and the way in which the instructor shall evaluate attendance as a factor in student achievement. The instructor is responsible for informing students of such policies as these relate to the students' grades. Students also have the responsibility to know the policies of each course.
- (4) Due dates for all assignments, including changes to any tentative dates of assignment listed in the initial course syllabus, shall be communicated with sufficient notice for students to complete the assignments.
- (5) Instructional staff are responsible for grading all required examinations, papers, and projects completed by students. Instructors are required to make graded coursework available for student inspection and discussion. Grades for assignments should be made available within two (2) weeks, in a manner that allows students to determine their current grade in the course. All examinations, papers, and projects submitted for evaluation not returned to the student shall be retained for the next semester of the academic school year. In courses without written examinations, papers, or projects, the instructor shall provide a written explanation articulating the basis for all grades submitted for that course. Sufficient detail must be provided to demonstrate that the evaluation is not arbitrary or capricious.
- (6) In each section of a course with at least three (3) enrolled students, the instructional staff member shall maintain a course site (or *shell*) on the

University's Learning Management System ("LMS"). Elements of the course outline are described in 2-3-501. Instructors are encouraged to use the LMS for communications with students, distribution of course materials, scheduling of assignments, and reporting of grades, as appropriate for the content and methodology of the course. Academic units may implement policies for the use of the LMS among instructional staff delivering their courses.

- (7) All instructional staff are expected to meet their classes regularly through the last scheduled session of the semester or part of term, at the scheduled time, and through the delivery mode stated on the course schedule. In cases of illness or any other emergency, the instructor shall notify the department chair/school director so that appropriate support can be provided. The University reserves the right to make any necessary temporary changes of class schedules and/or mode of delivery. Such changes must be approved by the respective department chair/school director and dean.
- (8) In addition to the course sessions in the Schedule of Classes, instructors may require attendance at course-relevant events (e.g., study sessions, training sessions, lectures, concerts, theatrical productions). Such requirements shall be articulated in the course syllabus, although specific times and dates may be determined during the progress of the semester or term. In setting such requirements, however, instructors shall make reasonable accommodations for students with significant scheduling or logistical challenges through multiple opportunities or alternative means to satisfy a given requirement.
- (9) All instructional staff whose responsibilities involve students are expected to schedule a reasonable number of office hours for student conferences. Such office hours shall be scheduled at times convenient for both students and instructors with the additional option of prearranged appointments for students when there is a schedule conflict. The number of office hours shall be determined at the appropriate administrative level.
- (10) Instructional staff responsible for academic advising shall be available at specified hours agreed upon by the instructor and student.
- (11) Instructional staff are responsible for providing an opportunity for student evaluation of each course taught, provided that more than one (1) student is enrolled in the course. This opportunity shall be consistent with the student evaluation policies and procedures approved by the academic unit. Each college dean shall ensure that such policies and procedures exist within their college/University library. In consultation with the relevant unit leader, deans may approve unit-specific student evaluation policies and procedures.

(12) Fundraising, whether to benefit UNC or a third party is an extra-curricular activity. As such, the level of fundraising success achieved, or amount of funds raised, cannot be used in determining grades in any direct study, internship, class curriculum or program of study. The prohibitions of this policy do not apply to the study of fundraising entities and grant writing in their processes.

### **2-3-404 Scholarly-Professional Support.**

The University endorses and supports faculty scholarly-professional activities through the provision of library services, laboratory facilities, aids in the solicitation of support from funding agencies and, when feasible, provides financial support, differentiated workloads, data processing, and graduate assistants.

Assignment for purposes of recognized authorship may be granted under conditions acceptable to the President, and any agreement relating to such an assignment must include a provision governing recognition of the University and faculty, apportionment of royalties, and the amounts of apportioned time.

**2-3-404(1) Faculty Tuition Grant.** Faculty will be allowed to take classes at the University, without payment of tuition in accordance with procedures outlined in 2-2-408(1), Dependent Tuition Grant.

### **2-3-405 Human Subject Research.**

Faculty are required to conform research to the requirements in 3-8-104, Human Subjects, and 3-8-106, Scientific Misconduct Policy.

### **2-3-406 Hazardous Waste.**

To be developed.

### **2-3-407 Safety**

To be developed.

### **2-3-408 Records**

Faculty will maintain student records for at least one semester from the date the class ended. Faculty who resign/retire, conclude a term contract, or otherwise terminate their employment with the University will leave all student records with the

department chair/school director or their designee in the program area prior to leaving the University. Such records include grade books or other documentation for assigning grades; and include exams, papers, projects, etc., which have not been returned to students. The department chair/school director or their designee in the program area is responsible for collecting this material and having it available upon request. Records need to be collected and retained only to cover the period of time in which an academic appeal could still be filed. [See also Part 2 – Academic Appeal Procedure.]

## **2-3-409 Outside Activities.**

### **2-3-409(1) Off-Campus Employment.**

The primary professional responsibility of a faculty member is to the University. A faculty member is under obligation to render to the University the most effective service of which s/he is capable. No outside service should be undertaken, with or without pay, that might interfere or that might be in direct competition with University service.

### **2-3-409(2) Consulting.**

The opportunity for qualified staff members to accept occasional consulting engagements on a professional basis is a traditional privilege extended to faculty members of the University. Such activities are recognized as desirable and constitute legitimate means by which faculty members may develop and maintain professional associations. When offered such an opportunity, the faculty member may accept after requesting, and receiving, written approval from their department chair/school director in the case that the chair/director is in the same discipline as the faculty member. In the case the chair/director is not in the same discipline, the chair/director shall designate someone from the relevant program area. Consulting engagements may not interfere with or detract from the staff member's fulfillment of their responsibilities to the University and s/he may retain personally any associated fee or honorarium. [See also 3-3-401(1) Consulting.]

### **2-3-409(3) Citizenship Responsibilities.**

The education and experience of faculty and administrative personnel of the University provide impressive qualifications for membership and participation

in voluntary organizations, committees, governing boards, and community councils. Faculty members and administrators are encouraged to exercise their civic rights and responsibilities in community activities compatible with their interests, capabilities, and obligations to the University. The faculty member must, however, remember and make clear to the public that when engaged in the above activities, s/he speaks and acts as a private citizen and not as a representative of the University.

### **2-3-410 Conflict of Interest.**

A University employee shall disclose to their immediate supervisor all facts and circumstances related to any University transactions, activities, contracts or other dealings which might directly or indirectly involve themselves in a duality or conflict of interest. Such disclosure shall be made in writing as soon as is reasonable after the conflict or potential conflict comes to the knowledge of the employee. A duality or conflict of interest shall be deemed to exist at any time when an interest held by the employee, or relationship maintained, prohibits or inhibits, or potentially prohibits or inhibits, the employee from exercising independent judgment in the best interests of the University. A duality or conflict of interest shall exist whenever an employee is a director, president, general manager, or similar executive officer of, or owns or controls directly or indirectly a substantial interest in, any non-governmental entity participating in transaction with the University. [See also 3-3-402(1) Conflict of Interest Pertaining to Sponsored Programs.]

The immediate supervisor to whom a report of a duality or conflict of interest or potential duality or conflict of interest is given shall directly report the matter to the jurisdictional vice president who shall have the authority to administer the interest of the University in the situation subject to the superintendence and pre-emption of the President and the BOT.

### **2-3-411 Intellectual Property Rights of Faculty.**

(Approved BOT 6-1-04)

#### **2-3-411(1) Works Subject to Copyright.**

This policy applies to works which can be protected by copyright; have been created by a faculty member in the course and scope of employment by the University and which have been developed to impart knowledge to others in a systematic way; would in the absence of this policy be considered to be works for hire under the law, and which are not subject to a written agreement between the University and the faculty member commissioning the work which



is executed prior to the creation of the work.

- (a) Works for Hire. In order to support creative and scholarly activity of University faculty, and in recognition of the traditional view of faculty's interests in intellectual property created as a consequence of employment by the University, the ownership of intellectual property in any form, regardless of medium, including class materials shall be apportioned as follows between the University and the faculty member(s):
- (I) The University hereby assigns the copyright to such work to the author. The University shall retain a non-exclusive, non-assignable license to use the work for educational and/or research purposes with appropriate attribution to the author. The University reserves the right to use the work in teaching, scholarship and research, to control the use of the University's name and logo in conjunction with the work, to require acknowledgement of the University's institutional support in the creation of the work, to borrow portions of the work for use in compilations or composite works, to use the work to directly advance the mission of the institution, to require advance notice of dispositions of the copyrighted work by the author, and to make derivative works, subject to the time limitations of applicable copyright law.
  - (II) The faculty member shall be the owner of the work, subject to the University's license set forth above.
  - (III) In the case of joint works which are the product of more than one faculty author in the employ of the University, the University's assignment of its rights hereunder controls only the relationship between the University and the individual faculty member, and does not transfer the rights of one individual faculty member to another.
- (b) Works Not for Hire. Works completed independently by a faculty member, without reduction in faculty assignment or with a reduction in faculty assignment which are accompanied by proportional reduction in salary, without diminution of faculty responsibilities, and without use of substantial University assistance or resources, which are not created in the course and scope of a faculty member's employment by the University, such as, but not limited to, the preparation of a textbook under contract with a publisher, remain the sole property of the faculty member creator.

- (c) **Commissioned Works.** The University may enter into a written contract with a faculty member for the creation of a work using University and/or grant resources in which the University or the external source retains ownership of the copyright of the work. Such an agreement shall:
  - (I) be entered into prior to the creation of the work,
  - (II) explicitly describe the work as a deliverable product under the contract,
  - (III) specify the source of funding, which shall be distinct from the author's regular compensation, and
  - (IV) be entered into at the option of the author and not as a condition of ongoing employment.
- (d) **Enforcement of Copyright.** The University has no duty to the author to enforce either the University's or the author's copyright in any work for hire.

### **2-3-411(2) Works not Subject to Copyright.**

Works created by faculty which are not subject to, and cannot be protected by, copyright are recognized by the University as valuable products of scholarship and creative activities undertaken by faculty as part of their professional activities with the University. The University encourages and rewards its discoverers and innovators who benefit society and who create significant economic resources for themselves, their research programs and the University.

### **2-3-411(3) Patent.**

- (a) The purpose of this policy is to provide a procedure for the placing in the public realm the fruits of research, while safeguarding the interest of the University, faculty, students and sponsors.
- (b) Any patent rights to a device, product, organism, process invention of any sort, or any other patentable item created by a faculty member or student (herein after "inventor") in the course and scope of employment with the University shall belong to the University unless the inventor provides to the Chief Academic Officer (CAO) promptly after the invention is reduced to practice, notice of the invention describing the circumstances under which the invention was conceived and reduced to practice and 1) any project or program sponsor, 2) any agreements,

whether formal or informal, with the sponsor and 3) the extent to which University equipment or physical facilities were used in the work that resulted in the invention.

- (c) Upon such notice, the CAO shall execute a confidentiality agreement with the inventor. The CAO may seek opinions from faculty or other experts, also in confidence, as to the value or patentability of the invention. Within 120 calendar days of the date of the notice to the CAO, they shall notify the inventor if the University claims an interest in the invention and what steps, if any, it may take in the further exploitation of the invention. If the University claims no interest in the invention, the inventor shall be free to exploit the invention without University involvement, except for “shop rights.”
- (d) If the University waives its claim to any invention, it shall retain “shop rights” as defined by Federal law to use the invention, without payment of royalties or other costs.
- (e) If the University develops the invention, which may include, but is not limited to, securing the patent and the commercialization or licensing the invention, the inventor and the University shall share equally all profits or royalties, after the University has recovered all of its development costs. These costs shall be construed as only costs accrued after the University claims an interest in the invention.
- (f) If the invention is wholly or partially the result of government funded research through the University, the rights to the invention shall be governed by the provisions of the grant or appropriate governmental regulations or laws.
- (g) If the invention is the result of funding from industrial, philanthropic or other organizations or individuals, under contract or written agreement with the inventor and the University, rights to the invention shall be governed by the terms of such contract or agreement.
- (h) If the invention is the result of activities unrelated to use of the University facilities, supplies or otherwise outside the inventor’s scope of employment, the University shall claim no interest in the invention.

#### **2-3-411(4) Modification by contract.**

The provisions of this intellectual property policy may be modified by agreement of a faculty member and the University by means of a written agreement signed by the parties which explicitly provides that the terms of such

agreement modify the provisions of this policy, specified in what manner it is modified, and recites the consideration supporting such modification.

### **2-3-412 Political Activity.**

The political rights and privileges of the faculty in the University are the same as those of other citizens. Political activities of faculty are recognized as legitimate and acceptable. The faculty member's primary responsibility is to their profession and the University. In seeking a reduction in workload or a leave of absence for political purposes, s/he shall give proper consideration to the problems which may be created for the students, faculty, and administration. A faculty member may not use public funds, services and facilities to further their individual political purposes. A faculty member shall avoid identifying the University with political issues or parties.

Whenever extensive campaigning or long or frequent absence from the campus is entailed, full and early understanding of these circumstances between the individual and the administration is imperative. The faculty member seeking or considering a full-time political office must so notify the President prior to the time of the public announcement of their intention to run for office.

Some kinds of political activity (such as holding local office) may not affect the faculty member's service to the University. However, if a reduction of their workload is deemed necessary, there shall be a corresponding reduction in compensation and benefits.

A faculty member may be granted a leave of absence without pay during campaigning for a political office and/or during actual service in an elective or appointive office. Such leave shall be governed by the provisions in 2-3-1004(1), Leave of Absence.

### **Policy History**

#### **2-3-401 FACULTY WORKLOAD.**

Subsection 2-3-401(3)(a) Workload Assignments amended (February 10, 2023)

Section 2-3-401 amended (Feb 2011)

Subsection 2-3-401(1)(b) General Provisions amended (Feb 2011)

Subsection 2-3-401(2)(b)(III) Service amended (Feb 2011)

Subsection 2-3-401(3) Workload Assignments: (a)(I), (II), (IV), and (VI) and (b) amended (Feb 2011)

Subsection 2-3-401(3)(b) Workload Assignments amended (Nov 2011)

**2-3-402 TEACHING RESPONSIBILITIES.**

Subsection 2-3-402(1)(a-b) On-Campus Programs amended (June 9, 2023)

Subsection 2-3-402(2) Off-Campus Programs removed (June 9, 2023)

Subsection 2-3-402(1)(b)(IV) On-Campus Programs amended (Jun 2017)

Subsection 2-3-402(2)(b)IV Off-Campus Programs amended (Jun 2017)

Subsection 2-3-402(b)(III) Teaching Responsibilities & On-Campus Programs amended (Feb 2011)

Subsection 2-3-402(1)(b)(iv) On-Campus Programs added (Jun 2017)

Subsection 2-3-402(1)(b) (v)(vi)(vii)(viii) renumbered (Jun 2017)

Subsection 2-3-402(2)(b)(vi) Off-Campus Programs added (Jun 2017)

Subsection 2-3-402(2)(b) (v)(vi)(vii)(viii) renumbered (Jun 2017)

Subsection 2-3-402(1) On Campus Programs amended (May 2010)

Subsection 2-3-402(2) Off Campus Programs amended (May 2010)

**2-3-408 RECORDS.**

Section 2-3-408 amended (Feb 2011)

**2-3-409 OUTSIDE ACTIVITIES.**

Subsection 2-3-409(2) Consulting amended (Feb 2011)