

## **CU Denver Faculty Assembly**

### **Procedure for Votes of Confidence, Censure, and No-Confidence**

**(Adopted on 9/19/2023)**

Within a university truly dedicated to shared governance, in times of flux or distress, there must be a formal pathway for faculty to communicate strong support of, a significant concern with, or complete rejection of, the actions and/or behaviors of an executive member or members of the administration. In such times, the faculty may, by a vote of the eligible membership, express their support, concern, or disapproval.

Although faculty recognize that the result of any such vote is non-binding on University administration, it nonetheless is a valuable and important component of shared governance.

#### **I. Terminology**

At CU Denver, voting members of the Faculty Assembly may express their support, concern, or disapproval by initiating

- 1) a Vote of Confidence,
- 2) a Vote of Censure, or
- 3) a Vote of No-Confidence.

A **Vote of Confidence** may be appropriate in those times when faculty believe that the administration has acted inappropriately in censuring, demoting, or removing a member of the administration, whether the president, vice-president, associate vice president or dean. The purpose of the Vote of Confidence is to clearly demonstrate support for the affected administrator and to provide the rationale for that support.

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.

A **Vote of No-Confidence** may be appropriate when the actions or policies of the administration or one of its members are either so grievous that they require swift or immediate condemnation of the policy or the administrator, or when actions or policies already censured via the Vote of Censure have not been remedied within the time allotted. A vote of No-Confidence must not be taken frivolously or hastily, but must remain an option when grievances properly addressed go without remedy.

## **II. Procedures for Votes of Confidence, Censure, and No-Confidence**

The Faculty Assembly may call for a Vote of Confidence, a Vote of Censure, or a Vote of No-Confidence in members of the Administration at CU Denver. To ensure a fair and orderly process, and to give the administrator(s) an opportunity to respond to faculty concerns, a two-step procedure will then be followed.

**Step 1:** At any regular or specially called meeting of the Faculty Assembly, any voting member may introduce a motion of Confidence, Censure, or No-Confidence regarding a member of the administration. Such motion shall state the rationale for the proposed action. Upon seconding, the motion shall be discussed and then, assuming a quorum, members shall vote by secret ballot to either

- a) Continue Proceedings, or
- b) Do Not Proceed.

If a majority of present and voting faculty vote for continuance, the issues or grievances giving rise to the motion will be stated in writing by the Faculty Assembly Chair, and provided to the administrator in question, who will have seven (7) days, inclusive of weekend days, to respond, in writing, to faculty. Any such response will be distributed to all faculty members who are eligible to vote. In the case of a Vote of Confidence, the respondent may waive the response period.

**Step 2:** Upon a vote to Continue Proceedings, the Faculty Assembly Chair shall, no sooner than ten (10) days, inclusive of weekends, from the date of the original motion but no later than fourteen (14) days, call a weekday meeting of the membership. At that meeting, only the original motion of Confidence, Censure or No-Confidence shall be considered. Upon completion of discussion, and assuming a quorum, the Assembly Secretary shall conduct a secret ballot. The motion in question shall be adopted upon a majority of present and voting members. The Executive Council of the Faculty Assembly will validate the results and send them to the appropriate person – the University Chancellor in the case of a vote concerning an executive administrator serving under the Chancellor, or the President of the University of Colorado (CU) system if the vote concerns the Chancellor.

Note: The requirement that a majority of “present and voting” members approve a vote of confidence, censure, or no confidence raises the matter of how to count abstentions and whether absentee votes are permitted. Abstentions are a non-vote, so faculty who are present and who abstain count towards the achievement of a quorum, but *not* as a “voting member” or “voting faculty”. The requirement that faculty be present to vote means absentee voting is not permitted, the only exception being if the Faculty Assembly Chair calls an electronic vote. (Example: If 50 members are present, and 25 vote ‘yea’ on a measure, 23 vote ‘nay’, and 2 abstain, then the measure passes 25 to 23.)