



To: Bruce D. Benson, University of Colorado President

From: University of Colorado Faculty Council

Date: July 21, 2017

Re: On the Tumpkin Matter

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The CU Boulder Office of Institutional Equity began an inquiry in February into the handling of allegations against former CU Boulder football coach Joe Tumpkin. We applaud the Board of Regents for the seriousness that they demonstrated in authorizing an external inquiry with Cozen O'Connor and WilmerHale. On June 12, 2017, the extensive investigation concluded with the public release of its findings and the actions that you proposed to move the university forward. We appreciate the remedial measures laid out and view this as an opportunity to stand together in commitment of cultural change on all campuses.

As the executive body of the Faculty Senate, we feel it prudent to address the outcomes of this matter from a faculty perspective. We respect your responsibility, along with the Board of Regents, to make decisions for the university, especially in matters of internal operations and external relations. However, in the spirit of shared governance, we all bear the responsibility to protect and promote the well-being and integrity of our academic community.

To be a university of excellence, our leaders must demonstrate to our local, national and global communities that CU is committed to protecting vulnerable individuals in our university communities. We do not condone any form of sexual misconduct or intimate partner violence. We believe in accountability at all levels for actions when suspected instances of violence occur. We expect our administration to demonstrate the highest standards of legal and ethical conduct. Professional experience and contractual obligations should have prevented this incident.

We fully support the statement released by the Boulder Faculty Assembly, in particular, whether the sanctions are commensurate with infraction of policy. For example, a \$100,000 contribution in the context of a \$16.25 million contract<sup>1,2</sup> leaves the impression, for our community and peer institutions, of a merely symbolic act.

Although faculty or students were not directly involved in the incident, its impact has reverberated on our campuses. We believe it would have been appropriate and beneficial to reach out to faculty governance bodies during the deliberative process. Engaging with the faculty would have more effectively reflected CU values, avoiding the perception of smokescreen. This is especially important looking forward as faculty governance bodies will be key participants in the improvement of policies and practices to prevent such incidents in the future.

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<sup>1</sup> <http://www.denverpost.com/2017/06/12/mike-macintyre-colorado-football-mark-kiszla/>

<sup>2</sup> <http://www.denverpost.com/2017/06/15/mike-macintyre-colorado-buffaloes-contract-extension-approved/>

We expect to hear new viewpoints from our faculty as the fall semester convenes. We will continue to share our views as we believe that a dialogue between our shared governance stakeholders—board of regents, administration, faculty council and campus assemblies—is beneficial for all.

We are stronger when we stand together on these issues and when we present them publicly as a cohesive institution. When all shared governing bodies are involved, we can stand behind our Institution's position more firmly in the face of public scrutiny.

We are committed to fully supporting your efforts to protect and promote the integrity of the University of Colorado. Let us use this matter as an opportunity to assert CU as a model for higher education institutions.

CC: The Regents of the University of Colorado  
Patrick O'Rourke, Vice President, University Counsel and Secretary of the Board of Regents  
ENCL: Statement from Boulder Faculty Assembly (BFA) Executive Committee

Statement from BFA Executive Committee:

There are varying opinions across campus and among faculty as to whether the sanctions were commensurate with the infractions of policy. Some faculty feel that there may be lesser sanctions for athletic-related or administrator-related violations of policy than for those in other areas of the campus. While there is significant information available, we choose not to debate the details, but prefer to look at this as a prime opportunity and turning point for making a true difference in our campus climate. The administration seems fully willing, and the faculty are certainly willing, to make immediate effective changes to clarify and align our policies, create engaging training and bring the campus together to be a safe and inclusive place. Some ideas we offer are: inviting external community groups dealing with domestic violence to the campus to help educate and engage with us; creating volunteer opportunities with these organizations for administrators and athletic leaders; and ensuring that there is gender diversity within groups dealing with individual cases of possible sexual harassment or domestic violence.

Overall, we hope future discussions and analysis will help to foster change in our culture. Our goal is to truly become the safe, welcoming and inclusive campus of which we would all like to be part.