

The Faculty Voice

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Health Benefits Under Review

Eric M. Mintz, Associate Professor of Biological Sciences

The Health Benefits Review Committee is a joint AAUP-KSU / Administration committee that is charged with examining potential changes in health benefits or the impact of external factors on benefits costs.

The principle behind this committee is that contract negotiations are not the best time to examine the impact of potential changes in benefits, and that it is better to examine the underlying issues prior to the start of negotiations. The Committee cannot impose changes in benefits, though it can make recommendations to both the Administration and to AAUP-KSU.

This semester, the committee is meeting to examine several issues, including the premium structure of the health plans, the plan choices and whether any should be added or subtracted, the premium structure of the dental plan, and issues relating to compliance with the Patient Protection and Affordable Care Act.

Any change in health benefits can only occur in the context of contract negotiations, so be assured that if any changes are under consideration the Faculty will be consulted. You are represented on this committee by myself and Dr. Kathy Wilson, Professor of Economics.

The University and AAUP-KSU have settled a grievance on the use of the Distance/ Distributed Learning Agreement form. The agreed upon form now provides for compensation for the development of D/DL courses for all four Types of effort!

“Flashnotes” and Protecting Your Material

Many of you may already be aware of the online business called “Flashnotes.” Created by a former Kent State student, the web-business is a forum where students can buy and sell class notes.

The primary concern is that students may be selling your intellectual property/ copyrighted materials.

We encourage you to add a copyright

statement to all documents you post online (see our copyright statement below!) and upload documents in a PDF-format as opposed to other, editable forms.

We will continue to monitor the website and advise faculty members when and if material from their classes is uploaded.

Current Issues

Distance/Distributed Learning (D/DL)

Although the deadline for nominations for Summer Online Course Development Grants has past, for those considering accepting one this Spring or applying for one in the future, it is worth noting a few differences between D/DL course development in general and what is being offered in these grants.

Compensation:

Faculty receiving Summer Online Course Development Grants receive compensation for D/DL course development of \$3,000.

Faculty who agree to develop D/DL courses independently of such grants receive compensation either in the form of course load lift of at least 3 credits or a flat fee (see CBA, Article XX, Section 5.A, p. 75). Flat fees provided to Faculty developing D/DL courses have ranged from \$800-8,000 with an average in the \$3-5,000 range.

Intellectual Property Rights:

Acceptance of a Summer Online Course Development Grant requires that one sign away his/her intellectual property rights to the University. Doing so not only allows the University to have other instructors teach the course once it is developed, it allows the University to sell or otherwise disseminate the course or the course content outside the University and to reap any and all proceeds from doing so. Further, the Faculty member who developed the course would need to seek permission from the University to use the material developed for purposes other than KSU instruction.

Faculty who agree to develop D/DL courses independently of such grants may elect to designate the course as an “independent effort” and retain intellectual property rights to the material. In doing so, they may choose not to allow other instructors to teach the course.

Summer Teaching:

Acceptance of a Summer Online Course Development Grant requires the Faculty member to agree to teach the course developed during one of the summer terms (for standard compensation).

Faculty who develop D/DL courses independently of such grants may choose to offer the course during a summer term (for standard compensation), but are not required to do so.

Faculty Support:

Faculty who accept a Summer Online Course Development Grant “will have the support of an online course development team during the spring and summer 2011”(from the Call for Nominations for Summer Online Course Development Grants).

Faculty who develop D/DL courses independently of such grants “must be provided with opportunities for access to supportive faculty development, consistent with the need of the Faculty and availability of University resources and services for that purpose” (CBA, Article XX, Section 5.D, p. 76).

A Reminder about Overload Assignments

Please remember: according to the *Collective Bargaining Agreement (CBA)*, the University must compensate all Faculty members for any overload instructional assignment. We understand that during this difficult economic time, Faculty members may be encouraged to or may desire to perform overload assignments without compensation. It is important to note that accepting an overload assignment without compensation violates the CBA. Faculty members have the right to do as they wish with the overload compensation (i.e., donate it to a scholarship fund), however faculty members must be compensated for all overload assignments. (For more information, see p. 4)

Faculty Professional Improvement Leaves

On January 10, 2011, Provost Frank sent a memo to Kent and Regional Campus Deans noting that “the University is anticipating severe cuts in the funding that we receive from the State of Ohio” and stating that he had decided to delay his review of FPIL (sabbatical) applications until “colleges and academic units have had an opportunity to revisit the issue.” He continued, “Faculty Professional Improvement Leaves are important to the faculty and to the University. I urge you and your faculty to think creatively about how to provide these leaves without negative budgetary outcomes.” Provost Frank’s concern is understandable in these uncertain budgetary times.

In this context, it is worth noting that any Faculty member taking a full academic year FPIL only receives half of his/her AY salary thereby saving the academic unit a considerable sum. In the majority of cases, part-time adjunct instructors could be hired to cover the courses of the Faculty member on FPIL for a full AY without any negative budgetary impact. It is largely single semester FPIL proposals that pose budgetary challenges.

Since the Provost’s memo went out, AAUP-KSU has been contacted by several concerned Faculty members. It appears that some academic units may be contemplating overly creative solutions to offering cost-neutral FPILs that would violate the CBA. Among the suggestions that apparently have been floated to the Faculty who have contacted us are:

- i) teaching summer or intersession courses for no compensation,
- ii) teaching overload assignments during the academic year for no additional compensation, and
- iii) teaching a standard AY course load during the semester on which the Faculty member is not on FPIL.

Suggestions i) and ii) are clear contractual violations. Summer and intersession compensation for instruction is governed by CBA, Article IX, Section 3.B.1: “the rate of compensation shall be one thirty-sixth (1/36) of the academic year salary for each workload credit hour.” Overload

assignments are governed by CBA, Article IX, Section 5.A: “Payment for such assignments is made on the basis of the appropriate percentage of the Faculty member’s base annual contract salary (1/24 of base annual contract salary for each workload credit hour.)” While Faculty are certainly free to donate any portion of their paychecks back to their academic units, it is not permissible for a Faculty member to take on instructional assignments either during the summer or interim sessions or on an overload basis during the AY for less than the contractually mandated compensation rate.

With respect to suggestion iii), University Policy 6-12 (which is incorporated by reference into the CBA) states (with emphasis added):

“(A) The university permits a tenured faculty member who has completed at least seven years of full-time service to the university and has the rank of assistant professor or higher **to be freed of instructional or official responsibilities and granted a faculty professional improvement leave....**”

A person taking a semester FPIL is freed from all workload duties for the semester he/she is on FPIL leaving 12 credit hours of workload for the non-FPIL semester. Any workload equivalency specified in the academic unit handbook would have to be factored into the 12 credit hours that remain for the non-FPIL semester.

If the University wants to allow Faculty members to perform their entire AY workload in a single semester, it may do so. However, that is not an FPIL/sabbatical. A Faculty member’s application for a one semester FPIL/sabbatical cannot be awarded without both freeing him/her of instructional and official responsibilities for the semester (per section A of University Policy 6-12) and providing him/her with full benefits and full salary for the semester (per section C of University Policy 6-12). As such, were a Faculty member to be awarded the FPIL for, e.g. Fall semester, he/she would have to be paid at the contractual rate (including payments for any overloads) for any workload performed in Spring semester.

What You Need to Know About Overload Teaching Assignments

According to the University Policy Regarding Teaching Load (see CBA, Addendum D), the workload for tenured and tenure track Faculty is the equivalent of 24 credit hours of teaching per academic year. Academic unit handbooks should specify the workload equivalence of various other responsibilities such as research, special service and advising over and above the level expected for all Faculty, and services of an administrative nature (see CBA VI.7.B and IX.2.C).

- You have the right to receive a workload statement for each semester that specifies the number of credit/workload hours you are expected to devote to teaching and other responsibilities.
- “Normally, this individual workload statement should be provided to the Faculty member at least thirty (30) days prior to the beginning of the term”(CBA, Article IX, Section 2.C).
- You have the right to refuse overload instructional assignments. See Article IX, Section 5 of the CBA.
- You have the right to be compensated for any overload instructional assignments.

In a given academic year, if your workload statement for either Fall or Spring semester indicates that you have been assigned more than the equivalent of 12 credit hours and you were not assigned a reduced workload in the other semester to compensate, you are being asked to teach an overload assignment.

In prior Collective Bargaining Agreements, Regional Campus Faculty were explicitly allowed compensation for overload assignments. The 2008 CBA requires compensation for all Faculty who teach an overload assignment regardless of campus:

“Payment for such [overload] assignments is made on the basis of the appropriate percentage of the Faculty member’s base annual contract salary (1/24 of base annual contract salary for each workload credit hour)”(CBA, Article IX, Section 5).

If you believe that you are being required to teach an overload assignment or have not been adequately compensated for an overload assignment, contact AAUP-KSU (330-673-9118) or office@aaupksu.org.

ACADEMIA IN THE NEWS

Below are links to important news articles relating to current events, trends and situations that affect University life at the local, state and and/or national levels.

[Study: College Students Lie on Faculty Evaluations](#)

Developed by marketing professors at the University of Northern Iowa and Southeastern Oklahoma State University, the study found that one-third of those surveyed said they lied on anonymous evaluations and 56 percent responded that they knew other students who have lied on such evaluations. (Click on the link above to read the full story...)

[Privatizing the Public](#)

An article written by *Seattle Times* columnist Danny Westneat about the current push, especially due the poor economy, to privatize certain public entities (namely state universities), yet dispense a large amount of public resources into companies/organizations that should be private.

[Debunking the Myth of the Overcompensated Public Employee](#)

This in-depth study investigates whether or not state and local public employees are overpaid at the expense of the taxpayers. (Spoiler alert: They are not!)

[Our View: Faculty Deserve a Pat on the Back, Too](#)

In an article written by a Daily Kent Stater writer, faculty are given recognition for their efforts in helping to attain the recent high record of student enrollment for the spring 2011 semester.

ANNOUNCEMENTS

COUNCIL NEEDS YOU!

As many of you are already aware, AAUP-KSU Council is one of the governing bodies of the Tenure Track bargaining unit and is composed of elected members from each academic unit, as well as members of the Tenure Track Executive Committee. Academic units are entitled to a Council delegate for each twenty AAUP-KSU members, or part thereof. To be eligible, you must be a tenured or tenure track Faculty member of the academic unit you wish to represent and have been a member of AAUP-KSU for at least one year prior to your term of service.

Soon, we will be emailing all AAUP-KSU members in the Tenure Track collective bargaining unit regarding the upcoming elections for next academic year (2011-2012). There will be a call for nominations followed by an election.

We sincerely hope that all of you will participate!

If you are interested in learning more about the AAUP-KSU Council and its functions, please contact us at: office@aaupksu.org.

EXIT INTERVIEW SURVEYS

As part of our continuing efforts to identify and address issues of concern to faculty at KSU, AAUP-KSU has begun conducting Exit Interviews of all Tenure Track Faculty who have left or are leaving the University. In order for this effort to be successful, we need your help! Please e-mail the AAUP-KSU office (office@aaupksu.org) with the names and contact information of Tenure Track Faculty whose employment ended in the last year. Thanks for your time and attention.

AAUP-KSU 2011 CALENDARS

AAUP-KSU 2011 Calendars are still available. Please call or email the AAUP-KSU Office (330.673.9118 or office@aaupksu.org) if you would like to receive one. Calendars are free of charge!

F.A.Q.

Below are several frequently asked questions and answers. If you have questions that are not listed here or you need further information, please contact our office at 330-673-9118 or office@aaupksu.org.

Q: *Last year we received a success pool bonus, will we be getting one again this year?*

A: No. The Administration has communicated to the Association that they will not be declaring a bonus this year because none of the contractually required minimums were achieved. (Research, retention and institutional advancement.)

Q: *Why should I become a member?*

A: The most important benefit of membership is the right to vote on such issues as future collective bargaining agreements, the election of department or campus representatives to the AAUP-KSU Council, which is the governing body of the TT Unit, and future AAUP-KSU Chapter Presidents.

Q: *Do I have to become a member to be represented by AAUP-KSU in the event of a violation of my contractual rights?*

A: Absolutely not! Regardless of whether or not you are a member, AAUP-KSU represents every Faculty member to the best of its ability.

Q: *I have heard of additional benefits that I am eligible for if I become a member. What are they?*

A: Such additional membership benefits include free notary services, access to one free legal consultation on contract or employment issues per year, membership in the Seven Seventeen Credit Union, and a complimentary copy of the latest edition of AAUP's Policy Documents and Reports upon request. AAUP-KSU Chapter members also become members of the Ohio Conference AAUP and the National AAUP and, as such, can vote in state and national elections for AAUP representatives and officers. Members also receive *Academe*, a national AAUP publication that annually reports on salaries in the profession and other issues of general interest to all faculty.

Q: *I have some questions that relate to the Collective Bargaining Agreement, but I am not sure if I should call the office.*

A: Please do not hesitate to call us! We are more than happy to answer any questions you may have! Call or email Coleen and Shannon!

AAUP-KSU

5960 Horning Road,
Suite 300
Kent, Ohio 44240

Phone: 330.673.9118
Fax: 330.672.2142
E-mail:
office@aaupksu.org

We're online!
<http://www.aaupksu.org>

About AAUP-KSU...

The Kent State Faculty have been represented for over 30 years by the KSU chapter of the American Association of University (AAUP-KSU). At the national level, the AAUP is known for its work in protecting faculty against attacks on tenure and academic freedom, as well as for promoting positive academic values and shared governance.

The local chapter of AAUP serves as your "union" with responsibility for negotiating the terms and conditions of employment for all full-time Faculty at KSU's eight campuses. The Collective Bargaining Agreement that is negotiated every three years for all full-time Faculty encompasses a wide array of salary and benefit provisions, grievance and appeal procedures, and outlines the fundamental principles for shared governance at Kent State at the department, school, college, and campus levels.

AAUP-KSU welcomes suggestions, ideas and articles!

**If you have something you would like to see in the newsletter, submit it via email to:
office@aaupksu.org**

Becoming an AAUP-KSU Member

Through membership in AAUP-KSU, Kent State professors not only receive benefits through both AAUP-KSU and National AAUP, but moreover, a voice.

AAUP-KSU benefits include: information and assistance with faculty concerns, automatic membership in the National and Ohio Conference AAUP, reasonable dues, free legal consultations and notary services, and much more.

Becoming an AAUP-KSU member is easy. Simply go to the website and click on the

"Membership" link. Download the membership form and return a signed copy either through Campus Mail or by fax.

The website contains a more comprehensive list of member benefits as well as testimonials from current members.

For more information, please contact the AAUP-KSU office and ask for either Shannon or Coleen. We look forward to welcoming you as a member!