

AAUP

NEWS

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AAUP asks administration to clarify Spring workload “interpretations”

The AAUP Executive Committee is continuing to seek official clarification from College administrators about how workload and compensation for full-time faculty are being determined for Spring Term.

“We are still advising faculty members to be cautious in interpreting the information about Spring workload and compensation being given by divisional administrators,” said AAUP Chapter President Pam Ecker.

“Even though the start of Spring Term is only two weeks away, the upper administration’s ‘new contract interpretations’ still appear to be subject to a wide range of applications in the various Divisions,” Pam said.

“We are still waiting for the administration to provide the clarification we have asked for,” Pam said.

On March 26, AAUP Grievance Officer John Battistone sent a memo to administrators seeking clarification of workload concerns. (See memo on p. 6.)

The memo was sent following a meeting of the Humanities & Sciences Program Chairs and Area Chairs which also was attended by Human Resources Director Gene Breyer and Academic Vice President Monica Posey.

“The administration’s intentions still are not clear,” John said. “However, the AAUP will do what is necessary to protect the contract provisions that have been negotiated in good faith by faculty and administration representatives over the past 15 years.”

“Cincinnati State faculty members have a variety of responsibilities, both inside and outside of traditional classroom instruction,” Pam said.

“All of these activities that contribute to the quality and integrity of our academic mission are recognized through the workload provisions of our contract,” Pam added.

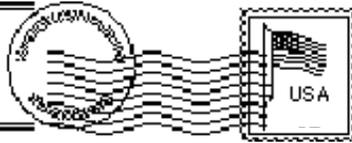
“At the H&S chairs meeting, some faculty members gained the impression that the administration’s ‘new contract interpretations’ might be an attempt to eliminate some kinds of faculty responsibilities, without any negotiations,” Pam said.

“The Area Chairs in H&S sent a memo to their Dean stating that they wish to continue doing their work, as it has been done successfully for many years,” Pam said. “If the upper administration wants to try to redefine some faculty duties, they should do it at the bargaining table when it’s time to negotiate a new contract, not in the guise of dealing with a supposedly temporary financial problem.”



Inside this issue:
Faculty respond to BOT meeting comments about tenure and overload

Letters



To the Editor:

As Co-Chairs of the 2003-04 Tenure Committee, we were excited to be able to attend the March 23 Board of Trustees meeting to help celebrate the granting of tenure to this year's seven candidates.

We have to admit, however, that we were disappointed on behalf of the tenure recipients and embarrassed by the Board's presentation of the tenure awards.

When the tenure issue came up on the agenda, several Board members made some statements that we think were untimely and inappropriate.

One Board member said that she has had issues for many years about tenure at Cincinnati State. She said she had a concern that almost all tenure candidates presented to the Board were granted tenure, as if that were a bad thing.

If the Board feels that the criteria for tenure are wrong, perhaps they should propose changes to the criteria. But the time to do that is not in the meeting during which this

year's tenure awards are to be made.

The faculty members who were granted tenure have been "on probation" for four to five years. During this time, they have been asked to prove their worth to their students, to their academic programs and divisions, and to the College as a whole.

They have been advised and counseled and evaluated by faculty peers, by an official "mentoring" committee, by their assistant deans, by deans, by vice presidents, and really by anyone else who wanted to contribute an opinion.

Our understanding is that the administration could have fired them without a question, or an exit interview, or a reason given, any time prior to this year. They chose not to take that action.

These faculty members submitted evidence in support of their candidacies. The Tenure Committee took seriously its obligation to consider this evidence. We considered everything submitted to us. We recommended these faculty members for tenure.

Assistant deans and deans reviewed and recommended these candidates. The Academic Vice President considered and recommended these candidates. The President considered and recommended them.

Everyone involved in the process made a recommendation concurring that these seven faculty members had proven their excellence in the performance of their faculty duties. The Board of Trustees should have rejoiced in their decision to grant tenure.

We thought the comments made by these Board members were insensitive and inappropriate. They rained on everyone's parade.

As participants on this year's Tenure Committee, we can say that we respect and admire the professionalism of these faculty members and are proud to call them colleagues and members of our Cincinnati State family.

We only wish that some members of our Board of Trustees could rejoice with us.

Dawn Cartwright,
Humanities,
Flo Donohue,
Health Technologies

Co-Chairs, Tenure Committee

To the Editor:

At the March 23 Board of Trustees meeting, President Wright presented a number of PowerPoint slides showing the factors contributing to the College's projected \$2.4 million fiscal 2004 deficit.

One factor he said contributes to our financial crisis is a projected deficit in the "overload and adjuncts" budget line item. Dr. Wright had a slide which described overload spending as "excess earnings," meaning money that faculty

earned over and above their base salaries.

The scurrilous implication that paying faculty in "excess" of their base salaries is somehow an onerous contributor to our fiscal crisis is preposterous and is a red herring.

Overload compensation is not a "benefit," like health insurance, nor is it an "overhead" cost, like lights and heat. Overload is pay for WORK. Faculty members who are teaching overloads are not enjoying bonus—they are

moonlighting, which means working a second job.

And the work they are doing is the work the College is supposed to be about: teaching and learning.

Also, overload is not, as was implied, merely a cost. On the contrary, it's a significant way to generate revenue.

If I were to teach an English composition course for overload, here is how it would work.

see Overload/3

Letters



To the Editor

I attended the BOT meeting on March 23, and listened to Dr. Wright's presentation. I found it interesting that overload compensation earned by full-time faculty was cited as a contributing factor to Cincinnati State's fiscal difficulties.

The claim might be more credible if full-time faculty routinely received overload for classes with low fill rates. In my area, throughout the fiscal year, fill rates have been well above "break even." Therefore, overload pays for itself.

Equally interesting was the implication that Cincinnati State can somehow find a bottomless reservoir of adjunct instructors to pick up the additional classes that "expensive" full-time faculty overload now covers. Overload exists because there is a finite pool of adjuncts available in the tri-state area. Institutions such as Xavier, Northern Kentucky, UC, and others all draw from the same adjunct faculty population.

Even if Cincinnati State were to stumble upon a mother lode of adjuncts, we'd still have difficulty hiring who we need

because our pay scale for adjuncts is not competitive. Many times

we've lost a potential adjunct whose probable teaching schedule at, say, UC, conflicts with her possible course load at Cincinnati State—simply because the other school's pay scale for adjuncts is better. I've even had adjuncts tell me that although they'd prefer to teach at Cincinnati State because it's more challenging and personally satisfying, they can't afford to. Instead, they take assignments at the better-paying institutions.

But a more crucial issue is quality. Overload work by full-time faculty is a guarantee of consistent educational quality.

In H&S, the area I'm most familiar with, we have a core group of qualified, talented, and dedicated adjuncts. It's impressive that these folks stay with us despite the low pay. The brutal truth is that many adjuncts, to make a decent living, spread themselves so thin among the two, three or four institutions where they teach that fatigue interferes with consistent pedagogy. And because these "freeway flyers" travel from campus to campus, they can't provide consistent access for students who may

want to consult with them outside of scheduled class times.

To add to the problem, Cincinnati State is sometimes so desperate for instructors to accommodate our growing enrollment that we hire those who are not proven to be qualified, or who have no prior experience as teachers. In H&S, the area chairs have for many years helped mentor and assess these new, untested adjuncts. Now the administration has implied they want to wipe out this work. Are two assistant deans supposed to ensure quality control for hundreds of adjuncts every term, in addition to doing their regular work?

Furthermore, no full-time instructors I know commit to overload just for the money. In most cases, full-time faculty are teaching overload to make sure that students who need a given course get the education they're seeking. There is no slacking off by faculty when they teach overload courses.

In my own case, I have been teaching Physical Sciences courses for overload this year. I'm also transferring my lecture material to PowerPoint format, a time consuming task. But I'm doing it to improve the quality of the course for my students, and to provide a set of quality course materials that I can share with other instructors. The overload I earn for this course, compared to the time spent improving course materials that will be shared with many, is not much "excess" pay.

Clearly, it's not credible to claim that overload is a key contributor to Cincinnati State's financial difficulties. Overload is being used as an excuse.

I hope our administration will reassess their perception of overload and make quality in education their priority.

Terry Endres, Humanities

Overload/continued from 2

The class cap is 25. Let's assume the class runs at Dr. Wright's desired 85 percent "fill rate." That means there would be 21.25 students, generating 63.75 credit hours, which constitutes 1.42 FTE's.

Tuition at current levels would generate \$3,984.38. The state would provide subsidy (at the lowest, GII level) of \$2,324.89, resulting in total revenues of \$6,309.27.

The College would pay me for that work \$1,411 and would

contribute \$197.54 to the State Teachers Retirement System, resulting in total labor costs of \$1,608.54.

Revenue over expenses for that one class would be \$4,700.73. Dr. Wright is fond of reminding us that he considers the College "a business." Well, in business that revenue over expenses is called "profit"!

I have yet to figure out the source of the College's massive deficits, but it is certainly NOT from an "excess" of teaching.

John Battistone, Humanities

Tenure: Does the “Bar” Need to be Raised?

--Bob McLain, P.E.,
Engineering Technologies
Division

Faculty Senate Member at
Large; Member, Peer Mentoring
Taskforce

Statements made at the last two meetings of the College Board of Trustees seem to indicate how narrowly the Board views tenure. At the most recent Board meeting, some Board members suggested that the “bar” for tenure might be too low.

The Board’s main concerns seemed to be focused on two beliefs:

The first is that tenure somehow guarantees a faculty member lifetime employment with no possibility of ever being terminated.

The second is that the granting of tenure must be flawed since no one has ever been denied tenure.

A historical look at tenure nationally would take us back at least to the late 40s and early 50s.

You may remember it was the time of “a Red under every bed,” when Senator Joe McCarthy’s attack on First Amendment rights led to firings and blacklistings in many institutions, including higher education. Tenure was part of the response to that attack.

In 1940, the national AAUP and the Association of American Colleges and Universities agreed upon and published a *Statement of Principles on Academic Freedom and Tenure*.

Since then, more than 180 other organizations that

represent a wide range of higher education personnel have endorsed the *Statement of Principles*. The *Statement of Principles* is the foundation for defining tenure in thousands of colleges and universities throughout the U.S.

Today, tenure still preserves academic freedom. Tenure allows educators to openly present to students and to discuss with students a variety of theories, positions, and ideas. Students can then use their new knowledge to form their own opinions and take positions on issues.

You might say that was then and this is a different time. You might say we learned our lesson and are enlightened now, so the protection of tenure is no longer needed.

But do you have an opinion about stem cell research, intelligent design and evolution, the Patriot Act and detainees, or gene research and cloning? Do you have a position on war and peace?

I don’t claim to have a concrete answer to any of these issues of concern—but I do know that these and other controversial topics deserve open and honest discussion in college classrooms.

The subjects of concern may change with time, but academic freedom—the freedom to talk about “unpopular” ideas without fear of reprisal, and to challenge students to grapple with these ideas also—will only be maintained by tenure.

Now let’s look at the hiring process for an instructor at Cincinnati State, and relate that to tenure.

First, any new or replacement full time instructor’s position must be justified by the Dean with information that explains and supports the long-term need for this position, including long-term viability of the program the instructor is being hired for.

Only after the position is approved by the College’s Executive Team does a search begin.

Qualifications are generated and approved by the hiring administrator and the Human Resources Director, and then the position is advertised.

A screening committee is formed with administration and faculty representation. The committee reviews all applications, measured against the stated qualifications. This first “bar” eliminates many of the respondents.

Next the committee interviews those deemed qualified and recommends some for hiring consideration by administration. This second “bar” rejects more of the candidates.

If no qualified applicants are found, the search is stopped and the position re-evaluated. If candidates are recommended by the committee these candidates are next interviewed by the hiring administrator, who recommends the final candidate. This third “bar” presumably reduces the pool to the best candidate available.

From here, the candidate must still be able to get over the “bars” posed by the Academic Vice President, the President, and ultimately by the Board, since Board members approve all hiring.

But the new Cincinnati State instructor isn't home free yet. He or she is now subject to the tenure process.

Most positions in industry have a probationary period of anywhere from 90 days to 6 months. An instructor at Cincinnati State has a 4-year probationary "bar" to pass. This is comparable to the probationary period at many other two-year colleges.

According to our contract the administration may, at its discretion, terminate the annual appointment of any instructor with fewer than 4 years of full-time service.

I know that during my 16 years of service, I have seen this "bar" prevent some probationary instructors from reaching tenure. It doesn't happen often—but if the hiring process and the evaluation and mentoring processes are effective, it shouldn't need to happen often.

After 4 years of full-time service have been completed, the probationary Cincinnati State instructor still must prove to the Dean and the Faculty Tenure Committee that the qualifications for tenure, as stated in Article XII of the contract, have been met.

Recommendations from the Dean and the Tenure Committee are reviewed and may be endorsed or rejected by the AVP, the President, and, the

final "bar," the Board of Trustees.

Once tenure is granted the faculty member can't just kick back and take it easy. Continuous interaction with students, administrators, and faculty peers provides various forms of formal and informal assessment.

Also, Article XI of the contract allows for dismissal of tenured

Before tenure is granted, Cincinnati State faculty must get over many "bars." It starts with the hiring process, continues through four years of probationary service, and finishes with scrutiny from faculty, the Dean, the AVP, the President, and the Board.

faculty for "failure to perform professional responsibilities either through incompetence, persistent negligence, or disregard for ethics and standards of the profession. . . ."

I was in industry for 15 years, and this statement covers all the firings that I was ever involved with as a manager.

I don't believe the view "tenured for life, can't be fired" is valid. I know tenured faculty have been disciplined and dismissed from Cincinnati State in the past, for just cause. Has the administrator's handbook changed recently? Are evaluations of tenured faculty illegal? I don't think so.

I served on the Faculty Senate Tenure Committee for two terms, and I have also served on numerous hiring committees, and several peer mentoring committees for new instructors. I am not surprised that most tenure recommendations are positive. I am extremely impressed with the professionalism and dedication of the faculty at this College and I am proud to be counted among them.

There is ample time for the administration to correct any hiring "mistake" that has been made before tenure is awarded.

If there are any "bars" that need to be raised, the administration or the faculty can and should bring those concerns to the bargaining table.

Five contracts have been negotiated since the first in 1990

and the tenure provisions, with a few wording changes, have remained essentially the same.

I find it odd that Board members who have served during a number of those negotiations are now expressing concerns about the "bar" and the reasons for tenure.

AAUP Memorandum re: Workload Interpretations (see story on p. 1)

From: John Battistone
To: Monica Posey, Gene Breyer, Rayma Smith
Date: March 26, 2004
Subject: Workload Interpretations

Thank you for the opportunity to participate in the Humanities and Sciences Chairs Meeting on Thursday, March 25.

Based on your presentation at that meeting, the administration's intention with respect to interpretation of some contractual workload provisions for the future remains unclear.

Pursuant to Article IV (D)(2) of the collective bargaining Agreement, please supply, as soon as is reasonably possible, any documents which purport to identify projected faculty workloads for Spring Term 2004, for all members of both AAUP bargaining units.

In addition, please provide an accounting for Academic Year 2003-04 of all workload units associated with faculty responsibilities undertaken by all Area Chairs, as these units were established for academic year 2003-04, pursuant to Article VIII (G) (2) of the collective bargaining Agreement

Moreover, please provide an accounting of any proposed changes or deviations from these established past practices, which the administration may intend for Spring term 2004 or beyond.

As it is apparently the intention of the administration for the Spring 2004 academic term to reduce the number of workload units associated with some faculty assignments, please provide a detailed accounting of which faculty

projects, duties, or responsibilities will be reassigned, redistributed, or postponed to reflect the commensurate reduction in workload units.

The AAUP has the duty of fair representation under Ohio law. Part of that obligation is the duty to ensure compliance with the current collective bargaining Agreement, which was negotiated in good faith between the parties.

If the administration wishes to change or begin a new interpretation of the existing contract, it should serve on the AAUP an official *Notice to Negotiate* under the rules promulgated by the State Employment Relations Board. Otherwise, we will reasonably assume that past practice under the contract will continue.

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