

# AAUP News

## *Cleveland State University Chapter*

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### **President Berkman, Honor Your Promise to Rebuild the Faculty Infrastructure!**

As CSU welcomes its largest freshman class ever, the class of 2016 will be taught by the smallest group of tenure track faculty in recent memory at CSU (**367 tenure-track faculty members**). This shortfall in faculty is dangerous for the future of CSU and its students. Recent educational scholarship demonstrates that best practice for retention and graduation is the hiring and continued development of tenured or tenure-track faculty. (Jaeger and Eagan, "Examining Retention and Contingent Faculty Use in a State System of Public Higher Education," *Educational Policy* 20 [2010]: 1-31; 22). Moreover, Ohio higher education funding privileges the retention and graduation of students as the number-one criterion for earning state funding.

Students are paying more in tuition, plus additional fees for laboratory courses, independent study courses, technology, distance learning, and high-demand programs. It is imperative that the university, having recruited these students, provide them with the faculty resources to offer them the courses and the individual attention so that they can succeed and complete their degrees. The declining number of faculty is a genuine crisis and poses a critical threat to student success.

This deficit in faculty is all the more astonishing because President Berkman pledged to students and faculty last year that he would rebuild the faculty infrastructure with significant hiring of both tenure-track faculty and lecturers. A study commissioned by the Provost's Office found alarming trends in faculty hiring, **including an overall decline by 9% in the number of tenure track faculty** and increasing dependence on part-time faculty, even as student enrollment and credit hour production has climbed progressively during that same period. Over the period of the study, student credit hours across the university have grown by 15% (and by 22% in the last five years alone). **The most recent figures (as of August 15, 2012), show that there has been a 15% decline in tenure-track faculty since 2008.** The result is an increasingly unsettling change in the ratio of student credit hours to full-time faculty.

**On the basis of the study last year, President Berkman and then-Provost Mearns promised to use all vacancy savings for hiring, plus to add an additional million dollars for the hiring pool.**

So what does this year's hiring pool look like? Does it deliver on that promise? No. It actually is even smaller than the previous year's hiring pool. For Academic Year 2011-2012, Provost Mearns approved **35 hires** (20 lecturers and 15 tenure track faculty), although for reasons that aren't known yet, 5 (that's one-third) of the tenure-track positions authorized were not filled. Now, for Academic Year 2012-2013, Provost Walker approved just **23 hires** (14 tenure track faculty and 9 lecturers)—**a decrease of 35% in the hires approved for faculty.**

**The replacement of tenure-track faculty by lecturers continues as a trend in this hiring pool, and represents another promise broken by the CSU administration.** In two separate rounds of negotiations, the Administration assured the CSU-AAUP that lecturers would replace part-time faculty, not tenure-track faculty. But even taking into account the recent increase in lecturer hires, the deficit in full-time faculty overall, and consequent reliance on part-time faculty, remains staggering.

It is impossible to reconcile such a decline in hiring with pledges to rebuild the faculty, especially in light of the unprecedented number of vacancies that opened up from August 2011 to August 2012. Here are the relevant vacancy numbers:

- At the start of Academic Year 2011-2012, there were **28 vacancies from the previous year alone.** There were 10 new tenure-track hires and 4 lecturer hires, resulting in a net loss of 18 tenure-track faculty and **14 available full-time vacancies.**
- By the end of spring 2012, **8 additional vacancies** emerged.
- In addition, because **5 of Provost Mearns's allocated tenure track hires for Academic Year 2011-2012 went unfilled, these vacancies carry forward into the next budget.**

**In sum, before the budget for Academic Year 2012-2013 was approved by the Board of Trustees in June 2012, there were already 27 available vacancies, carrying an estimated \$3 million in vacancy savings. That, plus the promised addition \$1 million from the President's Office, should have resulted in a hiring pool of around \$4 million.**

At the start of Academic Year 2012-2013, there were **21 new vacancies beyond those previously listed.** There were 8 new tenure-track hires, resulting in an additional net loss of 13 tenure-track faculty. **Even with the large number of lecturer hires effective August 2012 (26), the overall number of faculty vacancies, especially tenure-track vacancies, is still astonishing.**

Taken together, there has been a net loss of **42 tenure track faculty between August 2011 and August 2012, with a potential vacancy savings estimated at least between \$3 and 4 million, before the promised contribution of \$1 million beyond vacancy savings.**

In stark contrast to those figures, the hiring pool for Academic Year 2012-2013 amounts to a little over **\$2 million.**

***So where did the other \$2 million go?***

At a meeting with the Unity Council (the gathering of presidents from the campus unions), President Berkman acknowledged that Provost Walker's office **had expected \$4 million to be available for hiring,** but asserted that outgoing Provost Mearns had made "various

commitments” that shrank the hiring funds to their current level. **The CSU administration has not provided the CSU-AAUP with an accounting of where those missing vacancy savings have gone, or what those commitments were, but we will press them to do so.**

**Bear in mind that such a reallocation is not just a one-time diversion of funds, but a \$2,000,000 annual commitment that has gone “missing.” Wherever that money went, it represents a broken promise to the faculty, to the students, and to the community.**

**However the former Provost allocated those funds, President Berkman, as Chief Executive Officer of CSU, has the authority and the responsibility to correct that misallocation. As President, he must make sure that his own commitments are honored. As citizens of our campus and the community of Cleveland, we exhort him to restore the promised funding for hiring and to put the students’ money back in the classroom.**

### **A Message from Paul Doerder, Professor of Biology and Past-President of the CSU-AAUP**

Now in my 32nd year at CSU, I've seen this place change, mostly for the better. The campus is bigger and much improved, even prettier. The new housing and Euclid Avenue development are real positives. CSU looks and feels more and more like a campus community. It's also true that CSU's faculty has gotten better both academically, with numerous internationally recognized scholars and Fulbright winners, and in terms of diversity. Among many other positives, the collective bargaining agreement codified the tenure process and made it more open, and it provides protection for faculty as a result of program change. Collective bargaining has also improved faculty salaries, though inequities with respect to inversion and compression are spreading across colleges.

What is particularly distressing in the last few years, with increasing student enrollment and the emphasis on increased student-faculty engagement, is the erosion of the size of the tenure-track faculty. Many of us are teaching ever larger classes, now thankfully with compensatory teaching workload credit, and more and more students are doing Honor's research, Scholar's projects, and independent study. Only tenure track faculty can so engage students, and there are too few of us. When I look back to my first years at CSU (I came as Associate Professor so I had some experience for comparison), **I recall growing, vibrant departments. We still have some, but many are now but shadows of their former selves. I could name many more, but English and History are about half of their former size, Anthropology and Physics are greatly reduced, and I'm told that Finance has but two full time faculty.** Many departments are missing faculty with expertise in key areas. My own department has been without a botanist since the accidental death of Tarun Mal in 2005.

While I acknowledge that the administration has the (contractual) right to determine the mission of the university and to make hiring decisions, they increasingly do so without faculty consultation, or, worse, the input is ignored. Programmatic needs, for both the present and past administrations, figure little or not at all in hiring authorizations. **Rankings of needs by departments and deans were irrelevant to the searches authorized for this year, a demoralizing slap at those who invested their time in the process.** Instead, amorphous criteria such as potential for grants and "clustering" were applied; there is also a poorly designed point system. Moreover, far too few positions, both tenure track and college lecturers, have been authorized. In my time at CSU there have rarely been "good" years with respect to budget, and our history is one of starving programs to build new ones while expecting the starved ones to continue to grow. A familiar theme at Senate is that "this new (track, certificate, program, etc) will not require new resources", so it is approved. With respect to the size of the faculty, we probably do have programs that can be combined or

eliminated. One would naively think that the Program Review process and Strategic Planning (remember those?) would have helped in this regard but neither has been effective. For my own department, the last formal program review got us precisely zero in new resources. Any new review of programs, especially with a goal of prioritization, must be faculty-driven and must be done from the perspective of our students. It must not be done with the thought of further eliminating faculty -- that's been done already.

## ***Confused Priorities***

Cleveland State's administration has recently announced a plan to "categorize" all of CSU's academic programs. In fact, this is the third such plan that it has announced this year. Each plan is dramatically different from the one before, but all three versions share a combination of academic recklessness with disregard for faculty input.

In January, President Berkman's ad hoc Budget Task Force, which contained only three faculty among its thirteen members, formally recommended that a new "Prioritization Committee" composed of five faculty and four administrators undertake a "comprehensive review of campus programs," including both academic and non-academic programs. Such a committee would issue a "recommendation to a) enhance; b) maintain; c) restructure; or d) suspend" every program on campus. "The ultimate goal of the process," according to the report, "is to identify areas of excellence, where growth can occur with additional resources; and to identify where those resources can be freed up by internal reallocations." The purpose of the prioritization process would to strengthen favored programs through cuts in others. Such a proposal suggests an administration that has given up hope of building a strong university across the board. Two of the three faculty members on the Budget Task Force vocally dissented from that Task Force's report, and no vote was taken on it in the Faculty Senate, where it was not received enthusiastically. This August, leading members of the administration announced a second prioritization plan, again with no input from the Faculty Senate. This new plan eliminated all faculty consultation and assigned the task of "prioritization" to the Deans. The "restructuring" category had been dropped leaving only "enhance," "maintain," and "eliminate." The original proposal of a nine-month or longer review, followed by an implementation phase, was scrapped in favor of a timetable variously cited as "six months," "one semester," or "a few months." Some administrative explanations of the plan imagined individual deans being assigned specific budget-cutting targets, typically 10% of a college budget. The idea of reviewing non-academic programs was either de-emphasized or dropped completely.

During the first week of classes, however, a third version of the plan was unveiled. This proposal is now called "Program Categorization" rather than "Program Prioritization." It again alludes to a special committee composed of both faculty and administrators, but does not explain who would choose such a committee or how. Again, neither Faculty Senate nor the Academic Steering Committee were approached to give feedback on this plan until the Administration had already begun outlining its implementation to the Deans. The most recent version of the timeline indicates that the process will take place this semester, and explicit recommendations for closing programs have been removed from the stated goals. But, at this point, it is hard to say with any confidence what the administration's objectives are, what methods and timeline are proposed, or how long any version of these plans will last before being changed again. As the Administration seems confused about its own plans, the AAUP is eager to enter a discussion with them about strengthening Cleveland State's long-term health, and we encourage them to ask for the help of existing faculty-governance bodies, including Faculty Senate. Cleveland State's faculty and the Cleveland State chapter of the AAUP look forward to working in partnership to build a better CSU focused steadily upon student success. The AAUP would also remind the administration that the Collective Bargaining Agreement lays out very specific guidelines for conducting academic reorganization, especially when such reorganization could potentially involve closing any program. Those provisions cannot be altered on a whim.

## Be Your Department's Representative!

The Cleveland State chapter of the AAUP calls for faculty to serve as representatives to the AAUP from their departments. Departmental representatives play an invaluable role in helping every department's voice be heard, and in keeping departments informed about wider issues in the Cleveland State Community. To volunteer, contact Jeff Karem at [F.Karem@csuohio.edu](mailto:F.Karem@csuohio.edu) or Bob Krebs at [R.Krebs@csuohio.edu](mailto:R.Krebs@csuohio.edu).

## A Message from the CSU-AAUP Grievance Officers

The contract between Cleveland State University and the AAUP guarantees certain rights to the Faculty on a number of important issues, including, but not limited to, academic freedom, promotion and tenure procedures, summer teaching opportunities, and workload assignments. If your rights have been violated, the contract provides for a grievance procedure. If you have questions about your rights under the contract, please contact one of the chapter Grievance Officers:

Jeremy Genovese, Grievance Officer - [j.genovese@csuohio.edu](mailto:j.genovese@csuohio.edu)  
Robert Whitbred, Grievance Officer - [r.whitbred@csuohio.edu](mailto:r.whitbred@csuohio.edu)

It is important to note that a grievance must be filed within 25 University working days after the grievant knew or reasonably knew about the event that gave rise to the contract violation.

## Policy on Nonmember Objector Fees

Applicable law provides that although employees represented by a union for the purpose of collective bargaining and related activities are not required to be members of the union, they may still be required to pay their fair share of the costs of operating the union. The Cleveland State University chapter of the American Association of University Professors (CSU-AAUP, the "Union") policy in complying with the law, including Ohio Revised Code Section 4117.09, is as follows:

1. Employees who are not members of the Union, but who pay financial core fees, may request an adjustment in that fee based on their objection to Union expenditures they believe are not reasonably related to collective bargaining, contract administration, and grievance adjustment.
2. If you wish to object, the objection must be made within forty-five (45) calendar days of the date of this instrument. This notice normally will be sent in September of each year. It also will be provided at such other times as required by law. If the objection is timely filed, the advance reduction in the objector's fee shall be effective for that calendar year, and will be based upon the Union's expenditures for the preceding fiscal year (August 1 – July 31). Unless objections are made during the 45-day window period, there will be no adjustment of fees for that academic year;

you will be charged the normal full monthly dues amount. Objections must be made on an individual basis only. No group objections will be considered. Objections must be renewed annually; there can be no rolling objections.

3. The financial core fee payable by objectors will be based on the Union's expenditures for those activities or projects normally or reasonably undertaken by the Union to advance the employment-related interests of the employees it represents or are otherwise germane to collective bargaining. These are referred to as "chargeable" expenditures.

4. Chargeable expenditures include but are not limited to collective bargaining, contract administration, and grievance-arbitration. "Nonchargeable" expenditures include but are not limited to those in support of partisan politics or ideological causes not germane to the work of employee organization in the realm of collective bargaining. Nonmembers who file objections will be charged a reduced percentage (determined by an audit in late September) of the normal full Union dues during this academic year. However, in order to be charged the adjusted amount, you must send the Union a written objection within the time limits described herein. Otherwise, you will be charged the full dues amount.

5. Upon receipt of your objection, the Union will send you a full explanation of the basis for the fee charged to you. That explanation will include a detailed list of the categories of expenditures deemed to be chargeable and those deemed to be nonchargeable, and include the accountant's report showing the Union's expenditures on which the fee is based.

6. Following receipt of the information described in the previous paragraph, objectors will have thirty (30) calendar days in which to file a challenge with the Union to its calculation.

A. Preliminary Step: Executive Committee Review. The Union Executive Committee will hold a hearing on a challenge within thirty (30) days of the date the challenge is received by the Union. The purpose of the hearing is to allow the challengers to explain why they believe the reduced fee has not been properly determined. The Executive Committee will consider all the evidence and issue a written decision within thirty (30) calendar days of the hearing. The Executive Committee may direct that any or all of the challenges received be consolidated for hearing.

B. Request for Arbitration. Any challenger dissatisfied with the Executive Committee's decision may request a determination by an impartial arbitrator. The request must be in writing and must be received by the Union within fifteen (15) calendar days following receipt of the Executive Committee's decision. The request must specify the factual and/or other grounds upon which the challenger contests the Union's calculation of the chargeable fee and must state what portion of the chargeable fee the challenger disputes. Requests must identify the Union, must include the challenger's name, address, employer and social security number, and must be signed by the challenger. Requests may be made only on an individual basis. Group or class requests for arbitration are not allowed.

All challenges will then be consolidated into a single proceeding and submitted to an impartial arbitrator chosen in accordance with the American Arbitration Association's rules for impartial determination of union fees. A portion of the objector's fee equal to the amount which is challenged will be held in an interest-bearing escrow account while the objector pursues the challenge. The objector will be notified of the date, time, and place of the hearing. The objector and the Union will each bear all individually incurred costs in connection with presenting the

challenge (travel, witness fees, lost wages, etc.) and may split all arbitration fees. Objectors may, also at their own expense, be represented by counsel or other representatives of their choosing. A court reporter may make an official transcript of the hearing before the arbitrator. The decision of the arbitrator shall be final and binding to the extent permitted by law.

7. Objections, challenges, and any other correspondence must be sent to the Union at:

CSU-AAUP  
Cleveland State University  
2121 Euclid Ave. KB1402  
Cleveland OH 44115

In your letter of objection challenge, and request for arbitration, if any, please print and sign your name, address, employer, and social security number.

## ***AAUP News*** ***Cleveland State University***

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