

FAN

Faculty Association Newsletter

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<http://www.monroecc.edu/go/FA>



President's Corner

Charlie Clarke, FA President

'Primary, but not sole' Departmental Rights in

Faculty Searches, Assigning Courses, Faculty Schedules, and Office Hours

The FA has received a volley of member concerns about departmental responsibilities and rights relative to faculty searches and teaching faculty schedules. I encourage all members to read Article 3, Section C and Article 4, Section B of the current contract. This contractual language has existed since the early days of collective bargaining at MCC. Departments, not individual faculty or chairpersons, are vested with significant 'primary, but not sole responsibility' for 'recommending faculty status' (Article 4) and, 'for academic departments',... 'the determination of the preparation and assignment of courses and teaching schedules and the maintenance of office hours.' I have always understood responsibility to mean authority, agency and accountability for the timely implementation of such activities within the contractual, policy, and legal constraints. It is in this context that I offer the following perspectives.

Primary, 'But Not Sole' Departmental Rights in Faculty Searches

Several academic department search committees have expressed concerns that their 'primary,

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Faculty Council Elections Schedule

March 16 – Nominations for officers are now open. Written nominations should be sent to the Faculty Association, 7-205 by March 27.

March 30 – Membership Meeting at Brighton, 12 Noon in 8-300 with video streaming to Room 4151 at Damon.

Agenda

- 1) Written nominations will be announced
- 2) Further nominations accepted, closing nominations
- 3) Member Concerns/Other Business

April 6 – Candidates statements are due to the FA Office by 4 p.m.

April 13 – FAN is published with slate and Candidate's statements

April 29 – Balloting at Brighton and Damon Campuses

Absentee ballots upon request.

Mail ballots automatically distributed to PSTC and the Applied Technology Center.

Charlie Clarke, President; Taine Vinci, Vice President; Patricia Kress, Secretary; Renee Rigoni, Treasurer; Mike Goho, Teaching Director; John Wadach, Teaching Director; Anne Perry, Professional Staff Director; Paul Wheeler, Prof. Staff Director; Patricia Dano, Adjunct Director; Bethany Gizzi, Grievance Chair; Jeffrey Kiggins, Contract Chair; Ellen Mancuso, Legislative Chair; Cheryl Mahoney, Benefits Chair; Christine Casalinuovo-Adams, Institutional Chair; Regina Fabbro, Membership Chair; Kathy Baxter, Damon/Site Director

but not sole' rights are being threatened by recent management communications on guidelines and best practices for conducting faculty searches. Michael Goho (Contract Administrator) and I met with management representatives on February 12th to discuss these hiring concerns.

The FA accepts that Management (e.g., Divisional Vice Presidents, General Counsel as the Chief Affirmative Action Officer, Director of Human Resources, etc.) has the right to advocate for and, in some cases, to add candidates to a departmentally recommended interview list under management's "but not sole" responsibility. The FA has asserted that the reasons for such additions should not be whimsical and must be formally communicated to the department. Such decisions (e.g., a diversity consideration) must be consistent with the College mission.

The FA accepts that any Vice President can ask department search committees to create qualitative descriptions of candidates interviewed. The quantitative ranking of recommended faculty has been a practice by some departments at MCC for many years. Dr. Glocker has expressed her preference that department search committees not rank their recommendations. It should be noted that if a candidate is recommended by a search committee, it has always been Management's discretion to select a candidate, independent of possible formal or informal ranking.

Finally, since the Contract gives departments responsibility in determining faculty status, the department search committees can make a faculty rank (e.g., Assistant Professor) recommendation. However, this is only a recommendation and the faculty rank decision rests with the Vice President of that division.

The search process is fundamentally progressive. Human Resources administers the search process, assisting as appropriate. Department Search Committee's recommendations to hire are formally vetted through the Department Chair or Director, to the Dean or Assistant/Associate Vice President, to the Vice President. The Vice President interviews, negotiates salary and rank and makes a formal offer to the selected candidate. Ultimately the Board of Trustees must approve the appointment. If you have any concerns with how your departmental search process is occurring, please contact me.

'Primary, But Not Sole' Departmental Rights in Assigning Courses, Faculty Schedules and Office Hours

Several members have expressed concerns about acceptable practices in creating teaching schedules and office hours. Holistically speaking, most teaching faculty are on ten month contracts. Departments have primary, but not sole, responsibility for determining faculty teaching responsibilities (i.e., courses taught, number of course preparations, minimum number of days taught synchronously, appropriateness of designated office hours, how many classes can be taught consecutively, etc.) In short, academic departments and individual teaching faculty have, by practice and contract, great autonomy in carrying out their staffing and instructional responsibilities. It is in this context, that I offer the following clarifying comments.

Teaching faculty are contractually obligated to be available, but not necessarily physically present, during the normal college workday (8:45 AM - 4:45 PM) and workweek (Monday - Friday). This is most clearly so, during the 32 weeks of the fall and spring semesters. I am not aware of any management practice of counting heads during the Intersession or June periods. These are periods of planning and preparation.

Since teaching is our central duty, our reading, course preparation, writing, assessment and grading can be done asynchronously, both during and outside of the normal workday and workweek. I drafted this document in my home office during the early morning hours. I am working. During the normal workday/workweek, if not physically present, I am available by phone and email, usually responding promptly. Many teaching faculty monitor their email and voice mail remotely and regularly. They are available (even though you cannot see us or savor our scent) and working.

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Asynchronous teaching (e.g., SLN, Hybrid classes, Dual credit and Co-op classes) mean more folks are working in their personal cyber caves at potentially odd hours. These asynchronous opportunities can empower; but they can also create problems. The Faculty Association and the College share a common interest that individual teaching faculty be evaluated fully and fairly. As Article 54 of the Contract points out, this evaluation is based on teaching effectiveness, professional activity and growth, service to students, the department and, to a lesser extent, to the larger community. This can be best accomplished when you are physically available; particularly during your probationary period.

It is in this context that academic departments should develop policies that guide the responsible staffing of our classes with the most qualified faculty. Office hours should be scheduled to accommodate student needs. As a general rule of thumb, departments should formally plan and approve teaching schedules that are eccentric. For example, if an individual faculty is teaching five SLN classes with five online office hours, the department should be prepared to explain why this is wise decision. Prior consultation with a divisional Dean regarding innovative, but eccentric, schedules can garner empowering guidance or avoid an uncomfortable contest.

Finally, in this issue of FAN we begin the annual process of electing officers to serve on Faculty Council. If you are considering running for a position on Faculty Council, I encourage you to consult our Bylaws on the responsibilities of officers (www.monroecc.edu/go/FA) and also to call or stop by the FA office if you have further questions. The timetable for elections is included on page one. Please note we'll have our first membership meeting of the semester on March 30th. Further nominations will be accepted and we will be discussing upcoming FA business and member concerns.

In closing, and on a more affirming note, MCC will be commencing its annual United Way campaign. I strongly encourage our members to consider making the United Way part of their annual giving. Several members have expressed concerns about the general distribution practices of the United Way. I have responded that you can limit your giving exclusively to the agencies that reflect your values.

Letter of Agreement Concerning Article 32, Adjunct Faculty

Michael Goho, FA Contract Administrator

Last spring, faculty, by ratifying the contract, approved changes to Article 32, Adjunct Faculty. Specifically, changes were made to **Section C – Assignment of Available Courses** and to **Section E – Guidelines for Adjunct Faculty Evaluation and Promotion**. During negotiations, Labor and Management agreed to create an ad hoc subcommittee of the Labor Management Committee to review this language and to create guidelines to be used in the implementation of this new contractual language. This ad hoc committee completed its charge early this year and sent its recommendations to the Labor Management Committee. The recommendations were accepted with minor changes and were sent to Faculty Council for approval. Faculty Council approved these guidelines and they are being distributed to you.

The Memorandum of Agreement on page 5 contains the guidelines for governing these two sections of Article 32. Faculty Council is recommending to the membership that these guidelines become a Memorandum of Agreement between the Faculty Association and Management. Further, the members of Faculty Council have voted to present them to you and ask that they be accepted without a ballot ratification vote. Members wishing to have a ratification vote may petition the Faculty Association to hold one. A petition would have to be signed by 10% of the membership of the Faculty Association and be received in the Faculty Association office within 30 days of this FAN.

Faculty Council is recommending these guidelines to you without a ballot ratification vote because its members believe that much of the language contained within these guidelines simply is an agreement about how the language of Article 32 is to be implemented rather than breaking new contractual territory. Specifically, in Section 32 C on the assignment of courses, the agreement spells out what continuous service is, the right of departments to establish qualifications for adjunct faculty, the rights emeritus faculty, what 90 FCH is in terms of college employment, and the rights of members of other departments to receive assignments. The important language in the guidelines covering Article 32, Section E on evaluation will require each department to have a specific evaluation instrument to be used in evaluation and it will require departments to make a recommendation for an adjunct to have a continuing relationship to the college. The Faculty Association sought this language because it has had to deal with several cases in the last few years dealing with adjuncts that were not offered classes even though sections were available and no negative evaluations were on file. For the guidance of departments, we've also included the "sample/template" (mentioned in the Section E. Guidelines) to assist in developing an adjunct evaluation tool.

If you have questions about these guidelines or their implementation, you can send your questions to Charlie Clarke, FA President or Mike Goho, FA Contract Administrator.

Letter of Agreement

On the addition of Guidelines to

Article 32, Sections C and E

The 2008-12 Contract revised Article 32, Section C by adding the italicized language below.

Section C.

Departments are responsible for developing and implementing procedures for assigning available courses to adjuncts. These procedures must be consistent with general College policies.

After full time and part-time faculty have satisfied their base load and after the overload requirements of full time faculty are met, the balance of the courses will be staffed by adjunct faculty. After an adjunct faculty member has been assigned a section(s) to teach, neither full-time nor part time teaching faculty may displace that adjunct except when required to satisfy base teaching obligation.

Among criteria to be considered for adjunct faculty are: credentials, relevant professional experience, relevant community involvement, teaching evaluations, number of semesters taught and specific course experience. The Office of the Vice President, Academic Services or designee shall annually provide two months prior to the beginning of the fall semester an updated list of the courses taught, when taught, and the number of times taught by an adjunct. Departmental procedures must facilitate the process for the timely appointment and employment of adjunct faculty.

Assuming available section(s) and that the adjunct faculty member has the qualifications to teach the available section(s), beginning in Fall 2008 an adjunct faculty member with five (5) years continuous teaching service at MCC and ninety (90) FCH of MCC experience will be assigned to at least one course per semester, including summer. Continuous service is defined as having no service break longer than one year. Adjunct class assignments shall be placed on the Master Schedule no later than three (3) weeks prior to the beginning of each semester, beginning with Intersession 2009.

The Labor Management Committee proposes the following guidelines for implementation:

Section C. Guidelines for Implementation

- 1) **Continuous Service.** Continuous service is defined as service within Monroe Community College.
- 2) **90 FCH.** Ninety (90) FCH is defined as FCH within Monroe Community College. Only courses taught since Fall 1990 will be included.
- 3) **Qualifications.** A department has the right to set minimum qualifications for teaching each course. Those minimum qualifications should be available in writing to all departmental faculty. If a department decides that a "senior" adjunct faculty member (with 5 continuous years and 90 FCH) is no longer qualified to teach a course (or all courses), the faculty member must be notified in writing, and told whether this change is based on a change in the department's minimum qualifications or based on an evaluation of the adjunct faculty member.
- 4) **Retirees.** Neither college policy nor the Faculty Association Contract gives retired/emeritus faculty any rights to adjunct faculty status. Once a department assigns a class to a retired/emeritus faculty member, then for purposes of future assignments the faculty member will be considered to be an adjunct faculty

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member. If the retired/emeritus faculty is assigned a course in his or her previous department within the first year after retirement, then the faculty member's previous years and FCH of service at Monroe Community College will be counted toward "senior" status for purposes of course assignments. Otherwise, the retired/emeritus faculty member will not be considered "senior" until after he/she completes five years of continuous service as an adjunct and 90 FCH teaching (including teaching prior to retirement). Neither college policy nor the Faculty Association contract gives retired/emeritus faculty any rights or preferences for assignments other than those granted to all adjunct faculty.

5) Faculty Completing Temporary Teaching Positions. Adjunct faculty who assume a temporary part-time or full-time teaching position will continue as adjunct faculty once that position ends. Years of service and FCH in a temporary teaching position will count toward the 5 years of service and 90 FCH needed to be a "senior" adjunct for assignment purposes.

6) Employees of Other Departments. Employees of college departments, other than the department where a course is offered, shall not have any rights or preferences for adjunct or overload teaching assignments other than those granted to all adjunct faculty.

7) Assignment of courses. It is understood that departments may schedule full-time and part-time faculty (on load and overload) for any classes in any semesters/sessions before scheduling adjunct faculty.

If a "senior" adjunct has taught in multiple departments, it will be the responsibility of the department in which the adjunct has taught most recently to offer the adjunct a course if one is available. If the adjunct has taught simultaneously in more than one department most recently, then one of these departments shall offer a course if one is available in either department.

While every "senior" adjunct (with 5 continuous years and 90 FCH taught in the department) must be offered a course each semester (including summer) if one is available for which he/she is qualified, there is no implied preference by seniority within the group of senior adjuncts if not enough courses are available for all of them. Similarly, once each "senior" adjunct in a department is offered a course for which he/she is qualified, if available, there are no seniority rights among the adjunct faculty to the remaining courses.

Departments will make a reasonable effort to offer "senior" adjunct faculty courses that they have requested or have previously taught at times that fit within their availability. However, if an adjunct faculty member has a narrow window of availability, the department is not expected to make extraordinary efforts to assign that adjunct a class.

In cases where the first class offered is unacceptable to the adjunct faculty member, departments are encouraged to work cooperatively with the adjunct faculty member to find an alternative class, where possible, without disrupting the schedules of other faculty. However, once a class is offered, if the adjunct faculty member turns it down, that faculty member has no right to an alternative assignment.

If an offer of a class assignment is made to the adjunct faculty member's college e-mail address, and the adjunct does not accept within the following five (5) college working days, the adjunct faculty member may be considered to have turned down the assignment. However, if the offer of a class assignment is made three (3) weeks (or less) before the start of a class and to the adjunct's college e-mail address, the failure of the adjunct to respond within three (3) college working days, may be considered as a rejection of the assignment.

If a class assigned to an adjunct faculty member is canceled, the adjunct faculty member will have no "bumping" rights, regardless of seniority. Departments are encouraged not to "bump" senior adjuncts even to make base teaching load if other reasonable scheduling options exist.

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The 2008-12 Contract revised Article 32, Section E by adding the italicized language below.

Section E. Guidelines for Adjunct Faculty Evaluation and Promotion. Evaluation for adjunct rank is primarily referenced on demonstrated effectiveness in teaching and professional development that supports it. *Adjunct faculty will be evaluated once per year for the first five (5) years of teaching and once every three years thereafter. Evaluation will include classroom observation, review of instruction and assessment materials, and other departmentally determined criteria related to teaching.*

Adjunct faculty shall be eligible for promotion after four years in rank having taught a minimum of eight semesters, including summer sessions.

To be considered for promotion, an adjunct faculty;

1. Must have an official transcript on file;
2. Must have a current AFDR (Sections A, B and G0 on file covering the time period since the last promotion;
3. Must have had a classroom visitation with the last 12 months, with a report on file; and
4. Must receive a letter of support from the department chairperson and the rank and tenure committee or adjunct supervisor.

The Labor Management Committee proposes the following guidelines for implementation:

Guidelines for Departments, Article 32, Section E.

- Each department will have a departmental policy on adjunct evaluation which addresses the elements upon which adjunct evaluation is based. The elements should include:
 - o One or more classroom observations. The instrument used for an observation should be differentiated from the evaluation instrument.
 - o An examination of instruction and examination materials
 - o Other elements decided on by your department. They might include, for instance
 - Evidence of orientation to student success
 - An AFDR (Sections A, B and G only)
 - Cooperation with the department in submitting grades and attendance
 - Evidence of professional development related to teaching
 - Evidence that the courses are structured to achieve Course Learning Outcomes
 - A sample is provided (Sample/Template)
- The evaluation should specifically indicate whether the department recommends that future class assignments will be made (contingent upon availability); whether there are concerns that need be addressed for future continuity of service; or whether the department recommends that it not assign the adjunct future sections.

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- An Evaluation needs to be transmitted through the Chair, the Dean, and the Vice President of Academic Services for placement in the individual's Official File.
- Your departmental policy should address frequency and timing of observation, keeping in mind that new adjuncts need immediate guidance and that there are fewer adjunct assignments made in other sessions compared with the Fall semester.
- The contract language regarding frequency should be interpreted as "at least" once per year for the first five years and "at least" once every three years thereafter. Departments may decide to observe and evaluate more frequently if they believe the situation warrants it. An evaluation for promotion can restart a new three-year evaluation cycle for adjunct faculty who have served longer than five years.
- Promotion recommendations will still require a letter of support from chair and a committee or adjunct supervisor.

Section E. [Sample/Template to assist in developing an adjunct evaluation tool, the Labor Management Subcommittee provides this sample for adjunct evaluation.]

Adjunct Evaluation

Name: _____ Department: _____

Article 32, Section E: Adjunct faculty will be evaluated once per year for the first five (5) years of teaching and once every three (3) years thereafter. Evaluation will include classroom observation, review of instruction and assessment materials and other departmentally determined criteria to teaching.

A. Classroom observation.

(Department should feel free to design classroom observation forms that best meet department needs.)

B. Review of Instruction and Assessment Materials.

(Some examples)	(Acceptable/Not Acceptable*)
Course information sheet	
Assignments	
Grading practices	
Attendance policies	
Testing	

C. Department Criteria.

(Some examples)	(Acceptable/Not Acceptable)
Timeliness	
Communication	
Accessibility	
Availability	
Cooperation with department	
Evidence of professional development	
Commitment to student success	

D. Recommend for future Courses. (Yes/No/Contingent**)

E. Optional Comments.

*Department may create its own scale.

**If Contingent, give details.

Evaluator Signature: _____ Date: _____

Evaluatee Signature: _____ Date: _____

Evaluatee's signature indicates acceptance of the evaluation and does not signify agreement. Within ten (10) days of receiving the report, the evaluated faculty has the option of writing a response to the evaluation which will be attached to the evaluation.

Nominations for Faculty Council

Nominations are now open for eight (8) positions on the Faculty Council for 2009-2011. Nominations are also open for delegates to the spring, 2010 NYSUT Representative Assembly. Please refer to the FA Bylaws (www.monroecc.edu/go/fa - FA Bylaws) for the responsibilities of the Faculty Council Officers and Chairs.

*You may submit your own name, or with their permission, names of colleagues.

PLEASE NOTE: *FACULTY COUNCIL* meetings are held every other Wednesday from 3-5 p.m. Please be sure you are aware of this time commitment when running for office. Terms commence on July 1, 2009.

Office Position	Nominee(s)	Term of Office
President		2009-2011
Vice President		2009-2011
Professional Staff Director		2009-2011
Teaching Director		2009-2011
Institutional Chair		2009-2011
Adjunct Chair		2009-2011
Damon/Site Director		2009-2011
Benefits Chair		2009-2011
Nomination for Delegates to the NYSUT Representative Assembly in 2010		2009-2011

Officers with Terms Expiring in 2010

Secretary	Patricia Kress	2008-2010
Treasurer	Renee Rigoni	2008-2010
Teaching Director	John Wadach	2008-2010
Legislative Chair	Ellen Mancuso	2008-2010
Contract Chair	Jeffrey Kiggins	2008-2010
Grievance Chair	Bethany Gizzi	2008-2010
Professional Staff Director	Anne Perry	2008-2010
Membership Chair	Regina Fabbro	2008-2010

Understanding Your TIAA-CREF Pension Plan Options, Risks, and Return Potential

Marlene Goho

Professor Joe Marchese from the Business/Economics Department will be presenting a seminar on MCC's TIAA-CREF Pension Plan Options on Monday, March 30 from 3:30-5:00 p.m. in the Empire Room of the Warshof Conference Center.

In light of the current chaos in the financial markets, MCC participants in the basic Retirement Annuity and/or Supplemental Retirement Annuity Plans with TIAA-CREF need to be aware of the return potential and risk profile of the various options offered by TIAA-CREF. In addition, TIAA-CREF introduced more than a dozen new options in 2007 for SUNY Colleges. With these new options it is now possible to do a better job of fine tuning your portfolio to meet your allocation targets. This seminar will provide participants with an understanding of the risks and rewards of all the many TIAA-CREF options, including the newest ones, so you can make an informed choice when putting together your retirement portfolio.

The seminar is co-sponsored by the Faculty Association and MCC Human Resources.

Registration began on March 9 after a Tribune Announcement. Limited seats are available by contacting Sonja Lenhard at x2516 or via OUTLOOK at slenhard@monroecc.edu.