

Internal Employment Policy:

It actually solves the problems we're encountering—all we need to do is follow it!

The institution has policies that define employment. The report that we were tasked to review, “The Evaluation of ‘Hybrid’ Employees at Morehead State University: An Analysis of History, Policies, and Practice with Recommendations,” includes these policies in pgs. 1-3, in a section helpfully labeled “I. Background and Policy.”

There can be no successful resolution to any of the problems Senate and Staff Congress are currently addressing (employment classification, workload considerations, the evaluation process and supervisor accountability, issues regarding FYS and its instruction, the seemingly simple request of getting an email list of all currently employed faculty) **if we do not address the institution’s failure to follow its own policies.**

Most important point: the problem is not with the policy itself; *it is with the institution’s failure to follow the policy we have in place.* If we follow what we have in place, our problems will be rectified.

To wit: the “evaluation” of “hybrid” employees is an issue because **there is no such thing as a hybrid or fractionalized employee. There are only “faculty” and staff.** The de facto designation of “hybrid” is the result of a lack of proper supervisory oversight. Our institutional decision to fractionalize loads of staff persons in order to count a portion of their salaries as “instructional spending” (to increase our standing in the performance funding model) only doubled down on error.

Important points:

- HR, supervisor, any other administrative error (or sloppiness in designation) does not obviate university policy (in fact, there are university policies designed to redress administrative error and ensure that faculty and staff are not misclassified or treated).
- Following policy would not automatically remove staff persons from the classroom. Instead, it would mandate a much needed consideration of their workload and remunerate them for their added labor, which would be recognized for what it is, a “supplemental appointment” (see [PG-3](#), “Supplemental Appointment”).

To iterate: Our policy is both functional and flexible enough to do what we need, even in the midst of a global pandemic. We have created our own problems because we did not follow our own policy!!!!

Current policies, and what they clarify

[PG-2: Payroll classification](#) (offers employment classifications, classifications that draw upon definitions in PAC-1 and are themselves cited in PG-3)

Each regular faculty and staff member of the University is classified in one of the following categories.

Academic--Those individuals whose primary responsibility is teaching and who are qualified for the titles of Professor, Associate Professor, Assistant Professor, Visiting Assistant Professor, Instructor, or Lecturer (See PAC 1). Designation in this category is the responsibility of the Provost and Vice President for Academic Affairs.

Administrative--Those individuals whose primary responsibility is the administration of the institution or an academic or institution wide nonacademic unit or function of major scope. It includes the President; those with the titles of Vice President, Dean, and Associate Dean/Department Chair; and others designated by the President including, but not limited to, Directors and assistants to the President.

Staff Exempt--Those individuals whose primary responsibilities are the performance of professional, administrative, and supervisory work as defined by the Fair Labor Standards Act. Designation in this category is the responsibility of the Director of Human Resources.

Staff Nonexempt--Those individuals who perform technical, paraprofessional, secretarial, clerical, service, maintenance, and/or skilled trades work and who are designated as nonexempt under the Fair Labor Standards Act. Designation in this category is the responsibility of the Director of Human Resources.

PAC-1: Definition of Academic titles (defines academic ranks recognized by the University):

1. **Lecturer.** This title is used for appointments of nonregular faculty members who teach on a temporary or ad hoc basis, or if on a continuing basis, for less than full-time. The minimum qualification is the master's degree with 18 graduate semester hours in the teaching field or an approved record of outstanding professional experience and demonstrated contributions to the teaching field.
2. **Instructor.** This title is for an individual whose primary responsibility is teaching. The minimum qualification for this fixed-term, non-tenurable faculty rank is a master's degree with at least 18 graduate semester hours in the teaching field or an approved record of outstanding professional experience and demonstrated contributions to the teaching field.
3. **Assistant Professor or Visiting Assistant Professor.** The terminal degree in the teaching field is expected for this rank.
4. **Associate Professor.** The Associate Professor shall possess the terminal degree in the teaching field, and if the rank is granted upon appointment, there must be evidence of scholarly, artistic, or professional achievements. Consistent with PAC-2, this rank will be awarded to assistant professors who successfully complete their probationary periods and achieve tenure.

5. **Professor.** The terminal degree in the teaching field is required, and if the rank is granted upon appointment, there must be evidence of scholarly, artistic, or professional achievements. This rank should be reserved for persons of proven stature in their fields. When considered for promotion to this rank, a faculty member must meet the criteria required in PAC-2.

CLINICAL FACULTY APPOINTMENTS:

A Clinical Faculty Appointment is used for current or former staff employees of external clinical affiliates associated with such programs of study at the University.

[PG-3: Type of Appointments](#) (lists and defines the different types of appointments in terms of what we might call levels of “permanence”—full-time, fixed, retiree, non-full-time, temporary, part-time, etc.)

SUPPLEMENTAL APPOINTMENT

A Supplemental Appointment designates an appointment which is supplementary to a Full-Time Standing or Full-Time Fixed Appointment and has the effect of providing an additional contractual provision beyond the terms of the Standing or Fixed Appointment. For example, a Supplemental Appointment may be used if an individual whose regular appointment is for nine months but whose appointment is extended for one to three additional months. Supplemental Appointments will also be used to designate those appointments which are supplementary to Full-Time Standing or Full-Time Fixed Appointments to compensate for approved additional services normally outside the scope of regular duties. For example, a Supplemental Appointment can be used when an eligible employee is employed to teach a course for additional compensation. Regular University benefits, except sick leave and vacation accrual, continue with a Supplemental Appointment.

As “The Evaluation of ‘Hybrid’ Employees at Morehead State University: An Analysis of History, Policies, and Practice with Recommendations” report makes clear, **current policy allows qualified staff persons to step into the classroom, should the need arise** (here I’m defining “need” as either a staff person’s *desire* to “moonlight” in the classroom, or to a possible institutional need to call “all hands on deck”).

Simply put, we have created our own problems by manufacturing unworkable systems outside of our functional policy guidelines. We can solve these problems by following our internal policies. (This is should be a no-brainer in any year—and should be the highest priority in a SACSCOC review year.)

Why the problem evaluating “hybrid” or “fractionalized” employees should be addressed by applying the policy we already have (instead of by propping up the problematic fictions we’ve created, contra policy)

Fractionalization is a budgetary fiction the institution has created in order to maximize performance funding metrics. It is “real” only insofar as we report percentages we (somewhat arbitrarily) define to the state. It does not affect payroll designations (“fractionalized” persons do not get two separate pay checks for their different jobs), and it is asymmetrically deployed (faculty who perform administrative or staff work, and get time off or supplemental pay for doing so, do not have portions of their salary removed from the instructional category for performance funding) and idiosyncratically applied (a number of new staff hires are expected to teach in load whereas others performing the same or similar jobs are not).

Fractionalization is injurious to staff persons:

- **it exacerbates the extant problems with job classification**
 - Staff already had an uphill battle attempting to clarify job descriptions and duties based on industry norms and BoL Occupational Job descriptions. Sliding a number of them into a quasi-academic position, wherein they’re granted instructional status without any ability to reply upon the PACs that define faculty employment, only makes problems worse. Caught in an indeterminate middle, these persons have work obligations that are no longer fully covered by the FLSA (faculty labor is not covered by this—hence all the PACs) while their primary jobs keep them from the policy protections offered persons of academic rank (the protections outlined in PACs).
- **it renders workload ambiguous, and thus indeterminate**
 - To be classified as faculty and to teach as a faculty person, one’s primary duties must be teaching. Staff Congress has been attempting to address this endemic problem by asking about percentages workloads and seeking clear definitions of specific job duties, but this attempt has been overshadowed by general calls for people to do more with less (calls that are invariably coupled with reminders of budget woes and the difficulty of keeping all of the people who are currently employed on payroll). A more productive path forward is policy consideration. Academic positions are jobs wherein the primary duties/job responsibilities are teaching. Staff positions are non-teaching. Ergo there is no such thing as a “hybrid” staff person who is fractionalized in order to perform a primary duty. There is only a staff person who can be asked to teach part-time for a supplement.
- **it is ripe for exploitation**
 - What staff person is going to say “no” to a “teaching opportunity” when these persons know that they are on yearly contracts that can be terminated at any time for budget considerations as well as cause? Especially when they also know that their supervisors can make themselves look good by seemingly

“taking one for the team” volunteering their staff as tribute? We all know HR consistently defaults to supervisor discretion in workload consideration, and every process on campus is “go through the chain of command”/“ask your supervisor,” so. . .

- **it implicitly adds unnecessary layers of supervision for staff persons**
 - What staff person who has been fractionalized in order to teach FYS knows that they are subject to “periodic evaluations by the Office of the Provost and Vice President for Academic Affairs”? And how would they know to find this gem, buried in [UAR 113.03](#), “Category J,” especially when this UAR is titled “Guidelines for Assessing *Faculty* Credentials” (emphasis added), and its last iteration 113.02 (note the number difference), revised in 2009, never mentioned staff or fractionalization at all. It’s new version, finalized in summer of 2018, signed off on by both the then Provost and current President, that still lists the scope as “all faculty” (!).

Fractionalization is injurious to faculty and a threat to tenure:

- **it creates a “non-disciplinary” category as a way to void academic content**
 - To render more staff persons able to teach FYS within SACSCOC constraints, the upper administration, which designed the new iteration of FYS without meaningful faculty input or review, designated it a “non-disciplinary” course. Because there is no discipline or area of expertise, instructors of the course do not need to meet the minimum standards of for teaching collegiate-level courses (18 hours of graduate coursework in a discipline field or exceptional experience/expertise). *This careful dance around SACSCOC standards effectively voids academic standards, as there is now a course with no defined disciplinary or academic content that is nonetheless awarded 3 hours of academic credit in our General Education core.*
- **it removes faculty oversight in hiring and decisions over who teaches in their program**
 - An administrator’s approval of a person’s ability to perform staff duties is not the same thing as faculty endorsement of ability to teach in a given program. Fractionalized staff are teaching in academic programs as well as in our non-disciplinary freshman orientation, and there are instances of faculty persons having no say or control over who teaches in their academic programs.
- **it obviates the need for new tenure lines, at a time when our institutional health requires new blood**
 - If we can keep on filling holes in the Academic core by plugging overworked staff persons into academic gaps, we are not only exhausting and demoralizing staff persons, we’re also thinning the ranks of tenure and tenure track faculty and thus moving our rather elderly campus one step closer to the brink (as we do not have enough “up and coming” and younger faculty to replace those who could retire today or are very near retirement).

SASCOC considerations

SASCOC standard 5.1 **The institution publishes and implements policies regarding the appointment, employment, and regular evaluation of non-faculty personnel.**
(Personnel appointment and evaluation)

“Rationale and notes” (direct quotation from manual):

This standard indicates that institutions will publish policies describing conditions of appointment, employment, and evaluation that are periodically assessed and widely disseminated to demonstrate that the institution employs non-faculty personnel with sufficient qualifications to maintain its operations and to support the achievement of goals consistent with its educational mission. **There is an expectation that an institution consistently follows its own policies.**

SASCOC standard 6.1 **The institution employs an adequate number of full-time faculty members to support the mission and goals of the institution** (Full-time faculty)

Selection of “Rationale and notes” (direct quotation from manual):

The number of such faculty will need to be sufficient to fulfill basic functions of curriculum design, development, and evaluation; teaching; identification and assessment of appropriate student learning outcomes; student advising; research and creative activity; and institutional, community, and professional service. Consequently, an institution relies on full-time faculty engagement in all aspects of the academic program; its quality and integrity are not driven solely by the number of hours that full-time faculty are teaching. **The work of the core faculty may be supplemented and enhanced by judicious assignment of professional staff, part-time faculty, and graduate teaching assistants whose qualifications broaden and enrich the curriculum, increase learning opportunities for students, and enhance the mission of the institution.**

*(Note: SACSCOC clearly distinguishes faculty from staff and refers to the “judicious assignment of professional” staff as a **supplement**—one that is may be desirable because of specific **qualifications** that might “broaden and enrich the curriculum, increase learning opportunities for students, and enhance the mission of the institution.”)*

SASCOC standard 5.4 **The institution employs and regularly evaluates administrative and academic officers with appropriate experience and qualifications to lead the institution.**

“Questions to consider” (direct quotation from manual):

Are policies and procedures in place for the regular evaluation of administrators?