



# FAC'S SHEET



Newsletter of the University of Scranton Faculty Affairs Council  
April 2009

**Circle This Date!**

## April 14<sup>th</sup> FAC Meeting Scheduled for DeNaples

The seventh FAC meeting for 2008- 2009 is scheduled for **Tuesday, April 14** in the DeNaples Ballroom.

Lunch will be served beginning at 11:15 a.m. with the business meeting starting at 11:30 a.m. The last regularly scheduled meeting for the semester will be held on May 12, 2009.

### FAC Meetings For AY 2009-2010

All meetings begin at 11:30 a.m. with lunch service at 11:15a.m.

|                                      |                  |
|--------------------------------------|------------------|
| September 8, 2009                    | February 9, 2010 |
| October 15, 2009 ( <b>Thursday</b> ) | March 9, 2010    |
| November 10, 2009                    | April 13, 2010   |
| December 8, 2009                     | May 11, 2010     |

## FAC'S SHEET

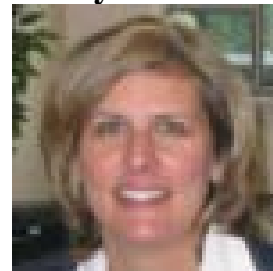
is published periodically by the Faculty Affairs Council at the University of Scranton. The editor is Betsey Moylan. Comments and suggestions from the membership are welcomed. Members may also check FAC's Web site at [www.scranton.edu/fac](http://www.scranton.edu/fac) for further information on the Faculty Affairs Council, an affiliate of the American Association of University Professors (AAUP). Copies of the Faculty Contract and Handbook are found on the site. Members may also link to the national AAUP home page.

## AGENDA

For April 14<sup>th</sup> Meeting

1. Chair's Report (Michael Friedman)
  - a. Rosenberg Award
  - b. Update on Negotiations
  - c. 2008-9 Gender Equity Report
  - d. Handbook Committee Issues
2. Contract Administrator's Report (Kevin Nordberg)
3. Treasurer's Report (Dan West)
4. Grievance Officer's Report (Ned Warner)
5. Old Business (Michael Friedman)
  - a. Academic Freedom
  - b. Misericordia Resolution
6. New Business (Michael Friedman)
  - a. Faculty Non-Discrimination Policy

### 2009 Rosenberg Grant Awarded to Cathy Lovecchio



The FAC Executive Committee is pleased to announce Cathy Lovecchio as the winner of this year's Sheldon I. Rosenberg Union Leadership Development Grant. Cathy is currently in her third year as a member of the University's Nursing Department, having recently defended her dissertation, at Villanova University, on the subject of online alcohol education programs for college students.

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### Minutes of the March 10, 2009 FAC Meeting

Michael Friedman called the meeting to order at 11:40.

**Chair's Report:** Friedman updated the membership on the details of the March 9 Handbook Committee meeting, during which the revised language on academic freedom was the main subject of discussion. The Provost is awaiting feedback from administrators outside of the Handbook Committee before proceeding. Friedman announced that he hopes to bring new language to the April FAC meeting for discussion and a vote in anticipation of the Board of Trustees meeting at the end of April. This will allow for resolution by the end of academic year 2008-2009.

**Update on Negotiations:** The table team has held productive meetings every Wednesday afternoon. FAC's negotiating team has outlined its proposals, but the administration has not been as forthcoming, claiming general concerns over financial matters. Friedman revealed that although he is concerned about the administration's lack of specificity thus far, he is cautiously optimistic that the University's team members will gradually become more detailed about their interests. He looks forward to more cooperative actions by the administration in future sessions.

**Gender Equity Report 2008-2009:** When queried as to the status of this report at the most recent FAC/FPC Chairs meeting, the Provost promised an update at the next meeting, which was to be held later that afternoon (3/10). Friedman will report all data when it becomes available.

**Family and Medical Leave Act:** Friedman received an inquiry from a department chair regarding a faculty member who planned on taking three weeks of family and medical leave this semester. Questions arose over how coverage of classes would be handled, since the Handbook addresses such absences under short term disability, but does not do so for family and medical leave. After much discussion, it was agreed that the matter would be brought to the Handbook where parallel language to that for STD would be constructed to address a family member's illness.

**Parking Issues:** Friedman asked if there were any parking issues during the spring semester, especially

during the Tues- Thurs mid- day time period. Several anecdotes were shared about the S lot. Plans for using the St. Thomas s lot for the new science facility also caused concerns. Friedman agreed to call a meeting of the Parking Oversight Committee before the next FAC meeting.

**Contract Administrator's Report:** Kevin Nordberg detailed the membership on specific problems between the administration and Deltak with respect to the description of the faculty course and support work as "works for hire." The phrase from the U.S. Copyright Act indicates that the employee has no claim any rights under copyright for the work that s/he has done. This violates our handbook (Appendix VIII on Copyright and Appendix X on Distance Learning). Additionally, Nordberg reported that the indemnification section of the Deltak contract requires the administration of the University of Scranton to defend the legal interests of Deltak whenever any third party sues or complains. Some members of the KSOM faculty spoke up at the meeting to say that the contract of Deltak had been amended. Both Nordberg and Friedman have spoken with the Provost and the contract has not yet been changed. Faculty in HA/HR are currently in negotiations with Deltak for their online program and will be especially attentive to these details when working out agreements.

Nordberg also reported about problems with tuition benefits for faculty or their dependents taking online courses developed with other partners such as SEOL and Deltak. The administration has already curtailed staff tuition for such courses by two-thirds. FAC has objected to this language as our contract does not provide for any such reduction. Ongoing concerns over foreign study and travel courses for dependents were also discussed.

**Grievance Officer's Report:** Ned Warner stated that there are no active grievances or inquiries.

#### **Old Business: Changes to the Constitution**

Friedman highlighted some of the major issues in the two proposed amendments to the FAC Constitution which were explained in detail in the FAC's Sheet of March 2009. He also asked that after careful consideration of both amendments, the membership be attentive to the number of required votes needed to pass the changes, since amendments need a quorum of half the faculty for passage. Since there was no quorum at the meeting, Friedman asked Betsey Moylan to conduct an electronic vote after Spring break.

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**MINUTES**  
(Continued from page 2)

**New Business:** Len Gougeon proposed a resolution to the membership regarding recent events at Misericordia University. Discussion of this resolution will be postponed until the April meeting. The resolution reads as follows:

*“By this resolution the Faculty Affairs Council of the University of Scranton expresses its solidarity with the Faculty and Administration of Misericordia University in their effort to develop a meaningful dialogue with Bishop Martino regarding the future of their Diversity Institute.”*

The meeting adjourned at 12:55 P.M.

Respectfully submitted,

Betsey Moylan  
FAC Secretary



**Constitutional Amendments Pass**

In an electronic ballot conducted during the week of March 26, both amendments to the FAC Constitution passed. The results are as follows:

**Amendment 1:** Institutes a process for selecting representatives to attend meetings of bodies composed of multiple labor organizations (refers to the Collective Bargaining Congress) an arm of AAUP.

Approve 124      Disapprove 11

**Amendment 2:** Inserts a procedure for protesting a defect in the election of officers.

Approve 126      Disapprove 6

**Rosenberg Award**  
(Continued from Page 1)

In her teaching, Cathy focuses on medical-surgical nursing in a clinical setting.

Cathy began her association with the University as the Director of the Health Education and Wellness, a position she held from 1998-2002. Not long after joining the Nursing Department as a full-time faculty member, she began her service to FAC as a member of the Handbook Committee, which she has continued for nearly two years. As part of this year’s contract negotiations process, she represented PCPS on the Negotiations Steering Committee. She is also currently serving as a Faculty Senator.

As a winner of the Rosenberg Grant, Cathy will receive an all-expense –paid trip to attend this year’s AAUP Summer Institute at Macalester College in St. Paul, Minnesota in July. On her application, Cathy wrote, “I believe that attending the AAUP Summer Institute will allow me an opportunity to develop the necessary skills to be an activist in higher education. This conference would be a valuable resource for understanding the work of AAUP, improving skills to develop strong handbook language, and learning innovative communication strategies for Union Officers.”

The FAC Executive Committee commends Cathy Lovecchio on her willingness to serve the union in this capacity and looks forward to her future participation in a leadership role.

**LUNCH MENU FOR APRIL MEETING**

- Mixed Green Salads with two dressings*
- London Broil with Mushroom sauce*
- Broiled Fillet of Sole with lemon butter*
- Pasta Primavera*
- Bourbon Carrots*
- Rolls & Butter*
- Rice Pudding*
- Assorted Sodas, Water, Coffee, Tea*

**Lunch service begins at 11:15 A.M.**

### Kevin Nordberg on Tuition Benefits

Article 22 of the current contract between FAC and the administration provides for tuition scholarships for faculty members, spouses, and children. The first sentence of that section reads as follows: "Full-time faculty members, their spouses, and their children will, on application through the Director of Human Resources and acceptance by the University, receive full tuition scholarships for any credit bearing catalogue courses taken at the University."

Two types of courses available through the university have raised questions about the applicability of this section of the contract: 1) on-line courses and 2) courses taken at foreign universities through programs available by the University of Scranton.

**Tuition benefits for on-line courses.** When we negotiated various changes and additions to the Faculty handbook several years ago to provide for rational policies dealing with distance learning, we did not foresee some of the issues which have arisen in connection with our use of on-line courses, e.g. whether we have explicitly recognized academic freedom when we teach on line; whether we would ever hire new faculty members whose total credit load would be in the form of on-line courses; whether our contractually recognized copyrights under the Handbook would ever be abrogated by commercial partners hired by the administration to market our on-line courses; and whether the tuition benefits guaranteed to us and our dependents under the contract would be jeopardized by the marketing fees we pay to these commercial partners. Currently the administration has already reduced by 66% the tuition benefits available to staff and their dependents for on-line course taken in KSOM when those courses are partnered with Deltak Corporation. As new programs scheduled to be offered through this partnership with Deltak come on line, those benefits reductions for staff will likely be repeated. Recently the administration tried to reduce by 66% the tuition benefit for a faculty dependent in a University of Scranton course made available through Deltak. We pointed to the contractual language and the tuition benefit was kept at 100%. I believe that, in the light of the actual or eventual volume of on-line students and the relatively few faculty members and dependents who would seek tuition benefits, we need to maintain these benefits at their current levels.

**Tuition benefits for study outside the country.** Several months ago when I asked in this column for information about experiences that any of you might have had with tuition arrangements for study outside of the United States, I explained that not all foreign study is treated the same in terms of its administrative classification. Here are three types of foreign study and the tuition benefits we have in each type.

1) **Faculty-led study abroad:** These are foreign study trips led by University of Scranton faculty. A course taken during these trips may be taught by our faculty or by foreign faculty. Normally the University of Scranton faculty member is the "professor of record" for the course and the course is one that is recognized as one of our courses without the need of a transfer of credits. Full tuition benefits under our contract apply for you, your spouses, and dependents.

2) **Study abroad programs:** These are programs at any foreign university where we do not have any university-to-university exchange agreement regarding the waiving of fees nor the expectation that any of their students will be in residence at the University of Scranton. Tuition scholarship benefits under our faculty contract do not apply. The wording in Section 22 of the contract quoted above stipulates that tuition benefits are for courses "taken at the University." However if your child or spouse has been awarded another type of scholarship which normally would not have been used because your contractual benefits are better e.g. a presidential scholarship, there may be a way in which it can be used when tuition charges do not qualify under our contract. Please check with the Office of International Programs and Services. In addition a fee of approximately \$1,750 USD is assessed by this office for a variety of support services that they offer. Again, please check with that office for further details.

3) **Exchange programs:** These are programs where the University of Scranton has negotiated an exchange agreement with a foreign university. Typically these agreements provide that no exchange of tuition money will be made between the two institutions. It was our hope that since the University of Scranton did not have to send any money to the foreign university that the administration would agree with our contention that faculty dependents should not have to pay tuition. However the administration points to the wording of Section 22 and maintains that since these courses are not taken "at the University" tuition benefits do not apply. FAC suggests that if your son or daughter plans to attend a foreign university with which the University has an exchange program, you should check out the actual tuition charged by that foreign university. If it is less than the tuition here at the University of Scranton, it might be advantageous to have your son or daughter apply directly to that university outside of our exchange program and treat the arrangement as a "study abroad program" described in #2 above.

As in the case of the study abroad programs described in #2 above, other types of scholarship may qualify to defray the tuition charges assessed by the University. I hope that this helps you in your planning. I know that one faculty member posed a specific question about tuition benefits for foreign study that I have not handled in this article and have not had the time to resolve.