

# THE KFT VOICE

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Kean Federation of Teachers - An Association of Professors, Professional Staff and Librarians - Kean University, Union, NJ 07083

February 2012

## TEN-YEAR TENURE

### Disincentive for Quality Teaching

Tenure Law changes for K-12 teachers in the State of New Jersey have been among the hot topics during this year's lame duck session in the NJ legislature. This dovetails with ideas for limiting or even abolishing K-12 tenure that are being floated at the national level. Proposals pushed by Gov. Christie would make it harder for teachers to achieve tenure and would extend the probationary period required to get tenure. Given the already grim statistic that 50% of teachers leave the profession within 5 years, **reducing job security will act as further disincentive for talented and dedicated people to enter the profession.**

Strong tenure provisions are good public policy that strengthens New Jersey's public schools. Since Kean graduates large numbers of K-12 teachers, we have a vested interest in the working conditions, professional opportunities and respect that our graduates will garner throughout

By James A. Castiglione, KFT President



their teaching careers. Unfortunately, tenure for K-12 teachers and college/university faculty are inextricably linked in the minds of the public and politicians alike. **Changes to the K-12 tenure Law could act as a 'gateway drug' leading to changes in college/university faculty tenure.**

### Christie's Attack on Statewide Tenure Policy

Governor Christie's "toolkit" legislative bills, first proposed in May 2010, are an aggressive, ideologically driven attack on New Jersey's public-sector workers and the unions that represent them. The Governor would allow the Board of Trustees of each of the four-year state colleges, universities and county community colleges:

- to add up to an additional five years to the already five-year probationary period for untenured faculty. That's right – ten years of service before tenure!

An alternative version introduced last fall in the New Jersey Assembly would

- allow local Boards to extend tenure up to a seven-year period;
- apply immediately to all existing untenured faculty;
- eliminate the flexibility in the current law that allows a sixth year to

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## NEW JERSEY THROTTLES CHRISTIE

### Your election activities help Master Contract negotiations

By Jon Erickson, KFT Treasurer/Legislative Action Chair

November's election was a strong victory for New Jersey's working families. It was also a fairly clear rejection of Governor Chris Christie and his anti-union, anti-worker agenda and could have a salutary effect on our contract negotiations. Governor Christie's flirted for months with running for the Republican Party nomination for President. He criss-crossed the nation raising gigantic sums of money for Republican coffers to be deployed in this election in order to tip the balance of power in either the NJ State Senate or Assem-



bly into Republican hands. He and the Republican Party went on the attack in competitive NJ districts, launching blistering broadsides in enormous TV ad buys up and down the State. In particular, two strong allies of public sector unions and higher education – Senators Linda Greenstein (D-14) and Bob Gordon (D-38) – who were running neck-and-neck with their opponents in early polling, were targeted. Both stood up for collective bargaining rights by voting against the Pension & Healthcare Reform Act over the summer. **BOTH WERE RE-ELECTED!**

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## TEN-YEAR TENURE

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complete tenure requirements for faculty forced to miss time due to medical or maternity leave.

### Our Union Fights Back

Our Union has been successful in bottling up the Governor's extreme "toolkit" measure in committee in the NJ Senate. And, the bill introduced in the Assembly has since been amended so that

- all current untenured tenure-track faculty would remain on a 5 year probationary period
- Boards of Trustees would not have discretion to set their own probationary periods
- extensions for faculty who take sick or maternity leave would be restored
- future faculty would have a six year, not a seven or ten year probationary period
- tenured faculty taking a position at a sister institution could transfer their tenure.

Our Union continues to advocate for automatic promotion upon tenure and for multi-year contracts for untenured faculty appointments and reappointments.

### Farahi's Attack on Local Tenure Policy



The most obvious and professionally repulsive attack on tenure comes in the *annual 'massacre'* of highly talented, tenure-worthy faculty who are given recommendations of non-reappointment at Kean. This year more than a dozen untenured faculty were placed on the 'hit' list by Acting Provost Ton-

ey, including a half dozen in their tenuring year, though most had positive, even unanimous, votes in their academic departments.

Tenured faculty have also been targeted with threats and intimidation through the Faculty Career Development Process known as A-328. Though A-328 can not be used to de-tenure faculty, President Farahi has directed the Deans to deem certain faculty "deficient" as part of a campaign to create the fear that their tenure is under attack so that they will leave the university or retire.

### Exploitation Without Bounds

Kean's explosive increase of contingent faculty is another strategy to undermine tenure. The number of adjunct faculty has gone from 459 to 1097 last semester. Also, Kean is exploiting a recent ruling by PERC that allows the creation of a new class of faculty called "Lecturer". In President Farahi's "vision", these Lecturers are ten-month, non-tenure track employees on one-year contracts who are obligated to be on campus 35 hours per week, from September through the end of June. They are required to have a Master's degree and to teach 24 credits per academic year, but have no research or scholarship requirements. ***With no limit on the number of Lecturers that can be hired***, the size and independence of the tenure-track faculty will erode with dire consequences for institutional governance and program quality.



### Member Tip: Where Do Workplace Rights Come From?

As a union member, your workplace rights come from a number of different sources. One such source is your union contract. Think of it this way: just as society has laws that everyone lives by, passed by legislatures, your workplace, too, has its book of statutes: the collective bargaining agreement. Contracts are of varying lengths. Some have a duration of as little as one year, some can go for ten, but most tend to run for several years or so. No matter how long a contract is in effect, it stands as the law of the workplace.

— Adapted from [The Union Members Complete Guide](#), by Michael Mauer



## Grievance Committee and Intervention

By Jacqueline Keil, KFT Grievance Officer

### Untenured Faculty

Dr. Jeffrey Toney, Vice President of Academic Affairs, made several non-reappointment recommendations to the President. In keeping with the Farahi Administration tradition, the VPAA Office does not give untenured faculty the professional courtesy of citing specific reasons for negative recommendations for retention and/or tenure, so untenured faculty have no idea how to defend their academic records. Administrators continue to act in an authoritarian manner by denying reappointment to faculty who receive unanimous support at the department and college level. In the past and the present, untenured faculty members with very strong professional records in the areas of teaching, scholarship, and service have been denied recommendations for retention and/or tenure. Many of these faculty members have gone to great lengths to accommodate the administration by keeping quiet when their rights are violated, and even volunteering their time, without compensation, to participate in events that benefit the university.<sup>1</sup>

***It does not matter if you “keep quiet”, participate, and excel at your work.*** The decisions are arbitrary and may make untenured faculty very nervous. These administrative actions are the Kean model of exemplary “world-class” management and “human rights” advocacy.



***Faculty, tenured or untenured, need to notify the KFT when such events are taking place. The KFT has met and advised untenured faculty who have successfully had their non-reappointment decisions overturned.***

***Please know that communication and advice are completely confidential.***

### Faculty Evaluation Process

The KFT is aware of some concerns about the unevenness of the ARTP processes for retention, tenure, and promotion as well as A-328 reviews. For example, there is one college at the university that uses a “student comments” page in addition to the standard SIR II evaluations, and another college that does not use this comment page. All faculty at the same institution should be evaluated the same way. Please keep KFT informed about your concerns.

### Your Union Helps – A Recent Example

KFT is able to offer solutions that may help prevent a situation from escalating. An administrator’s office contacted a faculty member to arrange a meeting, but would not tell the faculty member what the subject of the meeting would be. The faculty member contacted the KFT Office and the Grievance Officer.

The Grievance Officer learned it was a matter relating to some advice the faculty member had given to a student. The Grievance Officer also responded that, while the faculty member was not refusing to meet with the administration, the topic of the meeting was inappropriate and she would attend the meeting as a Union representative. The administrator did not respond, this meeting never took place, and the faculty member did not experience any negative consequences.

***Stand up. Know your rights. The KFT is your advocate and intervener.***

<sup>1</sup> Examples include advising during the summer, participating in Kean Research Day events, and working on weekends for Open Houses.

## Negotiations Progress

By Charlie Kelly, KFT Local Negotiations Chair

Last semester the Negotiations Committee has met several times for local negotiations and for the State Council negotiations of the Lecturer's position. Progress on the Lecturer's title has been slow. The Administration wants to delay adopting most of our proposals regarding the Lecturer's title to see if our proposals show merit. In the meantime, the Administration will unilaterally implement its own view and only when that fails will it negotiate in good faith with us.

Despite this non-productive approach we did reach some tentative agreements regarding internal searches and the initial hiring at two levels: Lecturer I at Range 22 and Lecturer II at Range 20 depending on credentials and experience.

The Administration is adamant about requiring 35 hours per week in class and/or office for 10 months and adamant in its refusal to provide promotional opportunity and a multi-year contract after so many years of service. It flat-out **refuses any cap in the number of lecturer positions** and suggests that this may be the Administration's solution to the full-time faculty deficit in instruction.

The form submitted by the Vice President for evaluating newly hired Lecturers was quickly withdrawn after the State Council representative pointed out that it suggested a peer review process similar to that for untenured faculty. The **Administration is opposed to peer review for lecturers.**

Normally, submitting a written proposal that is orally agreed to and then withdrawing it would be prima facie evidence of bad faith negotiations. However, in the bizarre world that Gov. Christie has created for the Public Employment Relations Commission (PERC), almost anything satisfies the definition of bargaining.

In regard to Local Negotiations, the KFT and the Administration has orally agreed to resolve two issues:

**the Presidential Challenge Grant Award**--The KFT proposed, and it was accepted, to keep the Presidential Challenge Grant Award procedures basically the same, but in 2012-2013 the applications would be reviewed and acted on by the University Release Time For Research (RTR) Committee. The RTR Committee would make recommendations regarding the Presidential Grant Awards application as it does with RTR applications, but in a timely way to be consistent with the Presidential Challenge Grant Award calendar.

**the Calendar for 2012-2013**--The KFT proposed and the Administration accepted maintaining the principle of our three holidays: Columbus Day, President's Day and Good Friday, but for 2012 and 2013 we will forego Columbus Day and start our Fall classes the day after Labor Day. This calendar avoids starting classes in August and preserved the right to reclaim Columbus Day when Labor Day falls on a September date which permits a pre Labor Day start-up without starting in August. This will occur in the Fall of 2014, Labor Day will be September 5 and the Thursday start of classes date prior to Labor Day 2014 will be September 1. To accommodate Good Friday and maintain the same number of all classes regardless of the scheduled day(s), the Spring semesters will begin the Friday before Martin Luther King Day.

Progress has been made on The Time Sheet issue, but we have not finalized an agreement. The Administration is exploring ways to implement a procedure for recording sick time other than self reporting as on last year's bi-weekly

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## Farahi Investigation 2012



Kean University President

Dr. Dawood Farahi

The following letter was sent to governor Chris Christie on January 19, 2012 asking that he undertake an investigation into the allegations of fraud regarding the academic credentials of President Dawood Farahi and preserve the integrity of the process. Copies of the letter were also forwarded to:

Acting Secretary of Higher Education Rochelle Hendricks  
New Jersey Assembly Higher Education Committee  
New Jersey Senate Higher Education Committee  
Office of the New Jersey Attorney General  
Middle States Commission on Higher Education  
United States Department of Education

To the Honorable Governor Chris Christie:

As was reported in the Wall Street Journal on January 7, 2012, I have requested that the Kean University Board of Trustees establish an independent, academic investigation into the allegations that President Dawood Farahi falsified his academic credentials on his job application and many resumes he submitted to Kean University and other entities over several years. The Board's sluggish, inadequate response does not address the potential damage that these allegations have on impending Middle States accreditation and NCAA reviews. It is urgent that this matter be promptly and thoroughly investigated by an independent body above reproach (see attachments).

Consequently, in the interests of the public trust, representing Kean students, faculty, staff, administrators, alumni and New Jersey public higher education under your administration, I call upon you to launch a formal independent investigation of these allegations to assure that there will be no cover-up, no falsification of the public records, and no retaliation for whistle-blowing. This matter is too serious to the integrity of everyone to be treated as a non-consequential local dispute at a State University.

Sincerely,

A handwritten signature in cursive script that reads "James A. Castiglione".

James A. Castiglione, Ph.D.,  
Associate Professor of Physics, Kean University  
President, Kean Federation of Teachers

**For additional documented updates please access the KFT website at:**

<http://www.kft2187.org/farahi>

## Negotiations Progress

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time sheet. Prior to adopting the bi-weekly time sheets last year as an experimental exercise, the Administration had a procedure in place that recorded sick time use. While the Administration previously had some reservations about this procedure, it seems less concerned now that chairs have been replaced by Executive Directors. ***We hope to resolve this issue at our next session in favor of our proposal requiring faculty to make an end of semester statement certifying that faculty have worked at least***

***35 hours a week with the exception of holidays and sick time use.***

Unresolved issues remaining on our agenda are: performance based promotions for professional staff; program coordinators, job description and the selection process; faculty activity report; SIR II evaluation; resources for faculty who have been told to publish more; and a reduction in teaching load for all faculty. ♦

## A little Labor Humor



## Stay Connected



The American Federation of Teachers New Jersey is the largest higher education union in the state, representing full and part-time faculty, all levels of administrative, professional and supervisory staff, graduate workers, and postdoctoral researchers. Rutgers faculty and staff are AFT affiliates through AFT Rutgers. All four state colleges and five state universities are AFT locals through the Council of New Jersey State College Locals. We represent faculty and staff at 11 county colleges. Our newest higher education unit consists of more than 400 graduate workers and postdoctoral researchers at NJIT. See <http://www.aftnj.org>



**COUNCIL** of New Jersey  
State College Locals

AFT/AFL-CIO

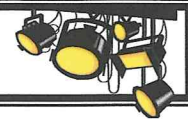


As the bargaining agent for faculty, librarians, professional staff and adjunct faculty in two separate statewide bargaining units, each of which includes the four State Colleges and five State Universities, the Council of New Jersey State College Locals - AFT - AFL-CIO represents you in all matters relating to terms and conditions of employment. See <http://www.cnjscl.org>





## IN THE SPOTLIGHT



# Sister Locals Approve Job Actions

### William Paterson Warning

Sue Tardi, President of AFT Local 1796 at William Paterson University has issued the following caveat to her membership. Clearly, the impact of state-wide negotiations affects each of us to a great degree.

"As we begin a new semester, still without a contract, I thought it would be useful to put into perspective what the State's proposal to permanently eliminate salary step increases could mean over a member's entire career. [Our] Vice President for Negotiations, has calculated the potential financial loss.

While each member's financial situation is different and long-term forecasts require a lot of assumptions, **eliminating step increases could result in a total financial loss over one's career of over \$1 million.** In other words, plan on working 10-15 years more to compensate for this lost income!

Our Local needs your continued support as we try to negotiate a fair contract with the State. The Union recently distributed a letter highlighting strategies members are supporting to preserve academic quality and support our Contract efforts. Please do what you can."

### Stockton and William Paterson Take Action

The December Preview Issue of the KFT VOICE, reported resolutions for job action passed by the faculty at Stockton State College to pressure the State for fair contract negotiations. The Stockton faculty voted 95/3 NOT to participate in voluntary campus activities such as Open Houses, instant decision days and other activities to market the

College. Since that time, six of our sister institutions have adopted additional job actions including the proposals at William Paterson University which are summarized below.

"As a means of demonstrating our strong concerns regarding higher education in the State of New Jersey and the lack of top-down accountability, **AFT Local 1796 membership voted to recommend that henceforth AFT unit members stop participating in the following:**

- Voluntary participation in Open House
- Voluntary participation in recruitment
- Voluntary participation in assessment
- Voluntary participation in University Core Curriculum course development
- Voluntary participation in developmental advisement
- Voluntary participation in registration
- Voluntary participation in department committees\*
- Voluntary participation in college committees\*
- Voluntary participation in University committees\*

As professionals, the faculty and staff at William Paterson University are expected to perform their contractual obligations. Please note, however, that for most members of the AFT bargaining unit, the bulleted activities are voluntary service, not contractual duties.

These non-participation strategies have been discussed with [our] President and Provost. It is imperative that our students understand our motives and intended strategies.

These non-participation strategies mirror what is occurring throughout the State at our sister colleges and universities. A unified stance supports quality education, top-down accountability, and our right to a fair contract based upon collaborative negotiations." ♦



## NEW JERSEY THROTTLES CHRISTIE

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Thanks to labor's efforts, both houses will return their Democratic majorities. In the NJ Senate, the margin remains the same (24D/16R). In the NJ Assembly, the Democrats increased their margin by one seat (48D/32R). So, despite Governor Christie's best efforts, and despite weeks of his predictions of major pickups for Republicans, ***the voters spoke loudly that they are not so enamored with his agenda as to give him carte blanche in the legislature.***

As a result, we believe that the Governor may decide to relax his hardline stance at the bargaining table and take a more practical approach that seeks to find a win-win resolution at contract negotiations. Certainly, ***his anti-union, anti-worker positions were not enhanced by the election results.*** There has been some recent movement at the negotiating table for the Communication Workers of America (CWA) and that development is likely to expand and spread to our negotiations in light of the election results.

The focus now will be to keep the pressure on. Show your solidarity by

- attending Union meetings
- participating in membership actions such as placing our solidarity signs in your front and rear car dashboards
- contacting your State Senators and Assemblypersons and asking them to take NO ACTION on any of the Governor's "Toolkit" bills during the lame-duck session-- "toolkit" bills propose to break up our collective bargaining unit and to change college and university tenure.

Even if we are successful in stopping these ill-conceived attacks on our professionalism this term, we must remain vigilant about their reintroduction or reinvention in the next session of

<sup>2</sup>**COPE** is the political arm of the Union and receives political contributions from its members in the form of COPE dues which are collected and sent to us as a separate check from the regular fees and dues monies the Union receives from the Controller. The political position the Union takes is under the jurisdiction of COPE, for instance, endorsements of political candidates, endorsements of state and federal initiatives and propositions, funding of protests and lobbying efforts, etc. COPE has its own checking account which is used for supporting some of the above.

If you are interested in contributing to the COPE fund or becoming involved with the COPE committee, please contact Jon Erickson at [ericksonjk@yahoo.com](mailto:ericksonjk@yahoo.com).

the legislature. There continue to be rumblings about major changes to how the State handles public K-12 education. In addition to standing in solidarity with our K-12 colleagues, we must remain mindful that ***changes to teacher tenure could be used as a springboard for changing faculty tenure as well.***

### Your COPE Dollars at Work

The KFT Committee on Political Education contributed \$5000 to the political campaigns of ***Linda Greenstein, Wayne DeAngelo, Barbara Buono, Joseph Cryan, Joseph Egan, and Patrick Diegnan.*** All six of these candidates voted against the Health and Pension Reform bill sponsored by Steve Sweeney and Sheila Oliver and have distinguished themselves on labor and/or higher education issues. All six were re-elected.

### COPE<sup>2</sup> Action

KFT COPE supported a voter registration drive targeted at Kean University students and registered over 100 new voters during a two week period this fall, and more of our members participated in the AFL-CIO labor walks than ever before. The Kean COPE committee has raised more funds through the voluntary contributions of KFT members than any other New Jersey state college local. We thank you for your support and welcome your continuing contributions. ♦



**Kean Federation of Teachers**  
*An Association of Professors, Professional Staff and Librarians*  
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