

Unit Ties

Promoting Quality Higher Education - An Investment in Oregon's Future

Winter 2010

Guns on Campus

Is it legal to carry a handgun on PSU campus with a permit?

Page 2

Your Rights to Representation

Know what questions to ask before an investigatory meeting with management.

Page 3

Legislative Update

See what we have been up to in Salem.

Page 5

Nominations Open for Executive Council Positions

Half the Executive Council turns over every year. Elections are in April, and this will be an online election. This year nominations are sought for President, Vice President of Collective Bargaining, Treasurer, and 4 Councilor positions. The term of office is two years. The Executive Council currently meets weekly on Thursdays at 12 noon to 1pm in Smith from the end of September to early June. Christina Luther from International Affairs is the Chair of the Nominations Committee, and she can be reached at 5-5468 or lutherc@pdx.edu.

This will be an exciting time to be on the council. Aside from negotiating a reopeners and a full contract in 2011, we look forward to participating in the PSU governance discussion; the OUS proposal for systemic changes in higher education funding and organization; the joint cooperation talks with OHSU; the Higher Education Coalition and Revenue Coalition in Salem; the challenge of PERS employer contribution rate changes and how that will affect PSU; interface with our counterparts in UO and OSU as they find their way into their first contracts (once organizing is complete); the hiring of our next contract lobbyist to supplement the work of the Executive Director in Salem; a new governor and changes in education funding; and the next membership drive to build on the success of last Fall's 8% increase in membership; devising strategies and real life procedures to deal with workload issues; finding ways to deal with specific academic professional issues; and further exploring promotional opportunities for fixed term faculty are a few of the issues that will be before the council and member leaders during this next two year cycle.

Come take part in plotting the future of the faculty of PSU while taking care of day-to-day business. Contact any member of the executive council to learn more about what it's all about.



Commencement Deadlines for Faculty

PSU's 2010 spring commencement ceremony will be on Sunday, June 13, 2010. There are some important deadlines that faculty cannot miss. The last day to rent regalia at the listed price is Thursday, April 22, 2010. After the April 22, an additional late fee of \$25.00 will be charged. The *final deadline* for the rental of regalia is Friday, May 21, 2010. Please contact the PSU Bookstore to order. AAUP will reimburse full members for the cost of regalia rental, up to \$55.00. If you have any questions about participating in commencement, please visit <http://www.pdx.edu/commencement>

Guns on Campus



In light of recent events, there has been much talk about guns on campus, and we are getting our share of questions. One question in particular has led us to discover a number of seeming conflicts between campus policy and Oregon State law. We've been asked if it is legal to carry a handgun on PSU campus with a permit? The answer is simply, we do not know.

In a letter from Mike Soto to the PSU community following the violence at Virginia Tech in 2007, he states, in part:

Portland State University buildings are defined as public buildings, therefore all students, faculty, staff and members of the public should know that it is against the law to possess a firearm on Portland State University campus, buildings or grounds. Any students, faculty, staff or members of the public that bring weapons onto campus will be subject to discipline and possible criminal prosecution.

Your Public Safety Office is committed to ensuring the safety of all those within the Portland State University community. Our officers will strictly enforce the prohibition of firearms on campus.

I ask that the campus community promptly report any firearms or other weapons that you see or are aware of to the Public Safety Office at (503) 725-4404.

The letter can be viewed in its entirety here:
http://www.pdx.edu/sites/www.pdx.edu.cpdo/files/media_assets/CPSO_firearms_letter.pdf

Yet the Student Code of Conduct policy makes a student subject to disciplinary action under the PSU Student Code of Conduct Policy for the

"Possession or use of firearms, explosives, dangerous chemicals, or other dangerous weapons or instrumentalities on University-owned or -controlled property, unless expressly authorized by law, Board or PSU rules ..."

The OARs that govern faculty conduct that can result in disciplinary action state:

In accordance with OAR 577-041-0010...the appointment of academic staff members... may be terminated for cause, or other sanctions may be imposed for cause:...

(C) Possession or use of fire arms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on institutionally owned or controlled property, in contravention of law or without University authorization;

Authorized by law appears to mean ORS 166.370, which states:

166.370 Possession of firearm or dangerous weapon in public building or court facility; exceptions; discharging firearm at school.

(1) Any person who intentionally possesses a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a public building, shall upon conviction be guilty of a Class C felony...

(3) Subsection (1) of this section does not apply to:
(a) A sheriff, police officer, other duly appointed peace officers or a corrections officer while acting within the scope of employment.

(b) A person summoned by a peace officer to assist in making an arrest or preserving the peace, while the summoned person is engaged in assisting the officer.

(c) An active or reserve member of the military forces of this state or the United States, when engaged in the performance of duty.

(d) A person who is licensed under ORS 166.291 and 166.292 to carry a concealed handgun...

In a February 19, 2010 Vanguard article titled "Guns on Campus, Soto is quoted, "... you cannot be arrested for having a weapon." If a gun on campus is reported to CPSO, officers may ask the holder to turn their weapon over to CPSO for safe keeping, or to leave campus. If they do not turn over the weapon to CPSO, they can be arrested for trespassing (if they are trespassing) or for brandishing the weapon if someone else sees it as it is unlawful to show a weapon that is supposed to be concealed.

In 2007 Shirley Katz, a South Medford High School teacher, filed a lawsuit against Medford School District for promulgating a policy prohibiting employees who are duly permitted concealed handgun permit holders from carrying a concealed handgun on school property. The Jackson County Circuit Court held for the school district and denied Katz permission to bring her 9mm Glock to school. In November 2009 the Oregon Court of Appeals affirmed the circuit court's decision denying Katz's request. While this case makes it clear that a school district can institute a policy prohibiting handguns, it is not clear if this case establishes any kind of precedent on PSU as a state agency.

PSU-AAUP is concerned with the inconsistencies between state law and in PSU's gun policies and seek to clarify the procedures regarding concealed weapon permit holders.

Workload Task Force Report

After a 6 months hiatus the workload task force is up and running again. The Association is pleased to welcome Casey Campbell, Academic Adviser (Undergraduate Advising & Support Center - Student Affairs) and Susan Reese, Instructor (English - CLAS) to the team. We thank Michele Gamburd, Professor (Anthropology - CLAS) and David Hansen, Faculty (SBA) and Phil Lesch, Executive Director (PSU-AAUP) for their continued service as Association representatives, Carol Mack (Vice Provost for Academic Administration & Planning- OAA) and Rod Dimon, Special Assistant to the President for their continued participation as university representative, and welcome Darrell Brown, Assistant Dean (SBA) to the university team.

The team will be reviewing specific workload issues in a few selected units this academic year. Our orientation is twofold: we hope to better understand how we can define workload problems in a qualitative and, if possible, quantitative way in relation to the way the units define workload and workload problems. This, in turn, may help us better understand how workload problems differ between units based upon the composition of the faculty and, to the extent possible, based upon discipline. While our first focus is research, our second focus is practical. We hope to address specific workload issues in units around campus, simultaneously solving particular problems and developing best practices for the future.

As we learn more we hope to be able to refine our approach so we end up with principles and procedures that can be applied across the campus.

Your Right to Representation

If a faculty member or academic professional is asked to meet with management, members have a right to know the purpose of the meeting in advance and should ask. If the meeting is “a fact-finding” meeting, or a meeting to “clear things up,” or a meeting to “get your side of the story,” or a meeting to “find out what happened,” members should respond with a question that the management personnel MUST answer. That question is:

“Could I face discipline or sanctions from what you learn at this meeting?”

If they say yes, then members have a right to know, in advance, what work rule was allegedly violated (whether it be the Professional Code of Conduct, the Sexual Harassment Policy, etc.) and when (or with who), and members must be given an opportunity to contact and secure representation from PSU-AAUP for that meeting.

DO NOT GO INTO AN INVESTIGATORY MEETING WITHOUT REPRESENTATION.

Article 27, Section 2 (a) spells out specifically how the university will address the investigatory meeting and the request for representation (see page 38: <http://www.psuaaup.net/09-11%20CBA.pdf>).

Members will be given the opportunity to have the interview and waive their rights to representation. No one should waive his or her rights to representation. Know this: there are no emergencies in labor relations (not unless there is a body), only impatience and anxiety. Any and all investigatory interviews can be scheduled so that a PSU-AAUP representative can be present.

Do not go into an investigatory meeting without representation!

Any and all investigatory interviews can be scheduled so that a PSU-AAUP representative can be present.

PSU-AAUP Bargaining Update, Winter 2010

Salary re-opener

As set forth in the current Collective Bargaining Agreement, the PSU-AAUP Collective Bargaining Team will reopen discussions with the administration regarding the salary reductions agreed to last September. Given the success of Ballot Measures 66 and 67 and the continued enrollment growth on campus, we are hopeful of making progress at the table.

The CB team meets regularly to discuss budget information and bargaining strategies. During our meetings, we discuss university spending priorities, OUS budget allocations, and other financial matters. We have also met with the administration to learn more about possible changes to the RAM model and how these could affect PSU's financial situation.

This winter while waiting for the results of the ballot measures and the conclusion of the legislative special session, the CB team kept a relatively low profile. Behind the scenes, we continued to remind the administration that the restoration of faculty salaries should be of utmost concern. The CB team has made preparations to move forward quickly once

the state budget is finalized.

Nominations for the next Vice President for Collective Bargaining

As the PSU-AAUP annual elections approach, the CB team is pleased to report that Dr. Mary King (Economics) has accepted the nomination to run for Vice President for Collective Bargaining. The next VP for CB will bargain the 2011-2013 Collective Bargaining Agreement. The current collective bargaining team looks forward to bringing the new VP for CB to the table during the salary re-opener to give him or her some experience. We are doing all we can to make sure we have a smooth transition in leadership.

Anyone interested in joining the Collective Bargaining Team or running for VP for CB should contact me, (gamburdm@pdx.edu) or the AAUP office for more information.

In solidarity,

Michele Gamburd

Procedure to protect our PSU community

Recent events have led faculty to call the office to ask about the student conduct code, potentially violent students, and how to file complaints.

Student Conduct is governed by the Student Code of Conduct policy, which can be found at <http://www.pdx.edu/dos/conduct>. Therein lies the procedure for *any* member of the community to address student misconduct issues.

The procedure *requires* the complainants to identify themselves; the online Student Conduct Complaint Form (https://pdx-jams.symplicity.com/public_report/) explicitly states that the form will be read by the student. Unfortunately, there are no provisions for confidentiality, nor are there exceptions for complaints against students who are potentially dangerous and who may retaliate for the filing of a complaint. While the procedure has specific provisions for sexual offenses and academic dishonesty, there is no special provision for offenses that involve weapons or violence.

When a complaint is filed, it is reviewed by a "Senior Conduct Officer." If this individual does not find the complaint "reasonable," it is dismissed. After the filing of a complaint, the policy does not provide for the complainant to get any feedback or response from the university regarding outcomes, including whether the complaint has been dismissed. A complainant trying to address a potentially dangerous student will never know if the danger was contained or dismissed. While the process is supposed to "make an effort to consider the rights and needs of the Complainant in decisions related to sanctions such as restitution," it is not required to communicate about those efforts. This is disturbing when one considers there appears to be no prohibition against retaliation for the filing of a complaint. Further, the policy does not guarantee or even speak to the safety of the Complainant.

There are procedures for emergency action "if the Dean of Students determines that a Student presents a significant risk of substantial harm to the health or safety of the Student or others." (577-031-0138) In light of recent campus violence across the country, the Association is concerned that "significant risk of substantial harm" may no longer be a reasonable measure to contain potentially dangerous students. Is a significant risk acceptable if the harm is not substantial? The parents of our students would expect that threshold to be *any* harm, and the risk threshold to be substantially lower than *significant*. Comments or concerns? Go to our blog and tell us what you think: <http://www.psuaaup.net/blog/blog.html>

Legislative Update

The special legislative session presented opportunities for PSU-AAUP to explore the legislative process and begin the search for a contract lobbyist to replace Dave Barrows and Associates, whose contract was terminated in August 2009. Executive Director Phil Lesch has been traveling to Salem spent 1-2 days per week during the session in Salem meeting key people in the legislature and meeting with other similar organizations to establish alliances and join coalitions. PSU-AAUP attended Revenue Coalition meetings where key stakeholders determined how to contain the business energy tax credit, restrict the expansion of the small business development grant program, and protect the tax revenues now guaranteed by Measures 66 and 67 from being derailed by special projects that Oregon cannot afford.

PSU-AAUP contributed to the reformation of the Higher Education Coalition, a group that has not met since 2008.

Last, and most important, the Executive Council has endorsed the following legislation:

- SB 897 Governor's veto override. This bill, which was created, to ensure that PERS was held accountable for the retirement information it provided retirees and prospective retirees about their retirement benefits. The Governor vetoed this bill in the last session, as he wanted the court battles between harmed public employees and the PERS board to resolve before embracing a legislative solution. We are pleased to report that both the House and Senate voted overwhelmingly to override the Governor's veto and SB 897 will become law.
- SB 989 cleans up a cumbersome double ballot provision in union representation elections for faculty in higher education in Oregon. The double ballot is confusing and can produce ambiguous results that can then force a subsequent runoff election. All other public employees in Oregon, and all other faculty in both public institutions in collective bargaining states and private institutions across the United States utilize a standard single ballot system that was put in place in 1935 in the creation of

the National labor Relations Act. Fellow supporters of this bill are the AFT-Oregon, AOF, and the AFT chapters at WOU and EOU. PSU-AAUP Phil Lesch testified in support of this bill in front of the Senate Commerce and Workforce Development Committee on February 8. The bill passed both the House and the Senate and is on the Governors desk, he is expected to sign it.

- SB 1045 makes it unlawful for an employer in the state of Oregon, in albeit a few specific work categories (law enforcement, financial fiduciaries), to utilize the information on a consumer credit report for employment purposes. PSU-AAUP was specifically concerned with the use of student loans and the associated debt to earnings ratio, or a debt to potential earning ratio, as a screening tool at any level in searches for new faculty, or as criteria for the continued employment of fixed term or adjunct faculty. While procedures in the Federal Consumer Reporting Act provide procedures to ensure that the credit report will be used responsibly, PSU-AAUP stands with BOLI and many other organizations in stating consumer credit information should not be used at all. The bill passed both the House and the Senate and is on the Governors desk, he is expected to sign it.
- HRJ 101, Measure 69 will clarify the ability of the state's public universities to use Article XI - F(l) and XI-G bonds to meet their capital needs. HJR 101 will lower the cost of borrowed funds when PSU or any OUS agency purchases existing buildings. Article XI bonds are the lowest cost financing available to the state. HJR 101 will ensure that Oregon's public universities can continue to use Article XI bonds to finance their capital needs. HJR 101 specifically allows OUS to finance existing buildings, which can be less costly than building new facilities, and to finance any facilities that benefit higher education. With the HJR 101 clarifications, OUS does not envision any significant changes in the number or types of facilities that it finances. If HJR 101 is not approved, OUS will still have to finance its capital needs, but will have to use more costly forms of financing. This measure will be seen on the upcoming May ballot.

Laws and Court Decisions

In this section we summarize some recent law changes and court decisions that may likely affect working conditions for faculty and academic professionals.

Oregon Laws

Senate Bill 519 prohibits employers from taking adverse employment action against employees who decline to attend meetings or participate in communications concerning the employer's opinions about religious or political matters. Politics includes any discourse about unions, organizing or collective bargaining. Employer means any agent of the employer, which loosely includes all managers and department chairs. The law requires employers to post a notice of the prohibition. Displaying a copy of the bill should satisfy the posting requirement. This law is being challenged in court and an amendment to correct technical flaws is circulating in the Legislature's special session.

Senate Bill 786 requires employers to provide reasonable accommodation to religious observances or practices of the employee, unless doing so would constitute an undue hardship on the employer. It requires employers to permit the use of certain leave as an accommodation, and allows employees to wear religious clothing, take time off for holy days or participate in religious observances if the activities have only temporary or tangential impact on the ability of the employee to perform job functions.

Senate Bill 874 makes Oregon disability law consistent with the 2008 amendments to the Americans with Disabilities Act, strengthening protections for individuals with disabilities and broadening the definition of what constitutes a "disability".

House Bill 3162 adds protection to "whistleblowers" who report violations of state or federal laws, rules or regulations, making it an unlawful employment practice to discriminate against them and allowing for the recovery of compensatory and punitive damages.

Decisions of the Courts

In The Matter of the Petition for Declaratory Ruling Filed by the State of Oregon, Dept. of Administrative Services, DR-003-08, 22 PECBR (Dec. 3, 2008). The Oregon Employment Relations Board (ERB), held that the parties to a collective bargaining agreement that falls within ERB's jurisdiction may exempt employees' unlawful discrimination claims from this grievance and arbitration process and allow them to proceed directly to the Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC). ERB distinguished its decision in *PSU Chapter of the American Ass'n. of University Professors v. PSU*, 22 PECBR 302(2008) (appeal pending). In the PSU case, the ERB assessed the legality of a CBA provision mandating that if an employee bypassed grievance arbitration and pursued a workplace discrimination complaint through BOLI or the EEOC, the employee waived the right to later ask that the claim be arbitrated. The ERB determined that the clause was unlawful because refusing to process a grievance because the employee complained of discrimination to an investigating agency constituted improper retaliation for protected activity. Here, on the other hand, ERB found that the arbitration provision did not punish employees from pursuing their workplace civil rights because it completely exempted a certain category of claim from the grievance process.

Sprint/United Management Co. v. Mendelsohn, - U.S.-, 128 S. Ct. 1140 (2008). The plaintiff brought claims of age discrimination and sought to introduce statements of five former employees who said they heard remarks tying layoff decisions to age. The Court concluded that there is no hard and fast rule about "me too" evidence--each trial court has to evaluate admissibility of proposed evidence by looking at it in light of the Federal Rules of Evidence. The rules require an individual determination and consideration of undue prejudice, relevance, and the other factors that go into deciding whether to admit evidence in trial.

Department of Labor Opinion Letter Regarding "Practicable" Notice of FMLA Leave.

The Department of Labor (DOL) has issued an opinion letter clarifying how much advance notice of FMLA leave an employee must provide when the leave is unforeseeable. The FMLA generally requires an employee to provide 30 days notice before taking family or medical leave. However, when the required leave is unforeseeable, the FMLA only requires that the employee provide "such notice as is practicable." FMLA regulations passed in 1995 stated

Continued....

that "practicable" would, in most instances, mean no more than two business days. Subsequent DOL interpretation of that regulation suggested to many employers that the two-day period, while ostensibly a guideline, was in fact a hard and fast rule. The updated FMLA regulations published early in 2009 do not contain the two-day provision. The opinion letter makes clear that a "practicable" amount of notice is to be determined by the facts and circumstances of each case, and that a flat two-day period need not be applied. The opinion letter also clarified that employers may use their usual call-in policies for FMLA leave notices, and may discipline employees for failure to provide practicable notice.

Federal Statutes

The ADA Amendments Act of 2008 (S. 3406) (September 2008). The ADAAA states that its specific purpose is to overturn two U.S. Supreme Court's opinions in Sutton v. United Air Lines, Inc., 527 U.S. 471 (1999) (determining disability after the use of mitigating measures) and Toyota v. Williams, 534 U.S. 184 (2002) (interpretation of the term "substantially limits" in determining whether a disability exists).

The statute eliminates the effect of Sutton by holding that the question of the existence of a disability will be made before the use of mitigating circumstances. However, the ameliorative effects of mitigating measures through ordinary eyeglasses or contact lenses shall still be considered in making this determination.

With respect to the decision in Williams, the bill states the "expectation" that the EEOC will revise its regulations to change "substantially limits" to "significantly restricted". The amendments also state that a limitation on one major life activity is sufficient and that there need not be limitations on other major life activities and that an impairment that is episodic or in remission remains a disability if it would limit a major life activity when active. (Washington and California already have similar rules although Oregon does not.)

New FMLA Regulations, 29 CFR Part 825. In January 2009, the federal Department of Labor rolled out new regulations implementing the federal Family Medical Leave Act (FMLA).

Highlights of the new regulations include:

- Clarification of the definition of a "serious health condition." Now, an employee may establish that he suffers from a "serious health condition" by showing that an impairment has caused three consecutive days of incapacity and two visits to a health care provider.

- Changes to the procedure by which employers may obtain medical certification that an employee in fact suffers from a serious health condition. Under the new rules, certain personnel (leave administrators, human resources professionals, management officials, or the employer's own health care providers) may communicate directly with the employee's health care provider to obtain the required certification information.
- Resolution of whether time spent on light-duty assignments should be included in the employee's FMLA leave allotment. The new regulations take the position that such time is not included in the allotment.

Genetic Information Nondiscrimination Act (GINA), Public Law No: 110-233 (effective May 21, 2008) prohibits discrimination by employers or insurers based on an individual's genetic information and creates a private right of action, with jury trials and compensatory and punitive damages patterned after Title VII. Although as of May 2008, management representatives were not aware of any litigation under more than 30 state laws that already prohibit discrimination based on genetic data, employers still stated a concern about liability. The Act makes it an unlawful employment practice to discriminate against an employee because of genetic information or to request or require an employee's genetic information, with certain limited exceptions. One of the exceptions is that employers may request or require genetic information to comply with the certification requirements of the Family and Medical Leave Act or equivalent state laws.

The Act also requires any employer that possesses any genetic information about an employee to maintain such information in separate files and treat such information as a confidential medical record. This requirement is particularly important as an employee may disclose genetic information as part of the interactive process required by the ADA or by merely informing an employer that a family member has cancer or some other disease or disorder.

This law will also bring into question what kind of information is appropriate to share, and how should the employer record or not record information disclosed in passing by co-workers about family illness, and one's own illness.

The American Association of University Professors (AAUP), established in 1915, is the only National Organization exclusively representing faculty of higher education. AAUP has pioneered the fight for tenure, academic freedom, and due process for all faculty.

The Portland State Chapter of the AAUP (PSU-AAUP) operates as both a professional association and as an exclusive collective bargaining agent, representing over 1,200 instructional faculty and academic professionals employed by Portland State University at .5FTE and above. We work to protect the rights of our bargaining unit through advocacy, collective bargaining, and grievance procedures. We are affiliated with the American Association of University Professors, the nation's only organization that exclusively represents higher education faculty, and are committed to protecting tenure, due process, and academic freedom for all PSU faculty.

**Portland State Chapter of the
American Association of University Professors**
PO Box 751
232 Smith Memorial Student Union
Portland, OR 97207

Phone: 503.725.4414
Fax: 503.725.8124
Email: aaup@psuaap.net



Please visit us at
our website:
www.psuaap.net



American Association of University Professors Portland State University Chapter Membership Application

Name _____

Last

First

M.I.

Campus _____ Home _____
Mail Code _____ Address _____

Academic Field & Rank _____
Extension _____ E-mail _____

Automatic Deduction Authorization

As provided under ORS 292.043, I authorize the monthly deduction of my dues to the American Association of University Professors, Portland State University Chapter. The amount of the deduction is based on my salary and AAUP status, and is calculated by the AAUP office and the Payroll Office. The monthly deductions will continue until I provide written notification to the Payroll Office.

Print Name _____

Signature _____

Department _____

Date _____

PSU-ID _____

Annual Dues

Normal Annual dues for PSU-AAUP members are 3/4 of one percent (.0075) of academic salary.
Active Entrant dues (must be new to the PSU-AAUP bargaining unit) are 3/8 of one percent (.00375, half of normal dues).

Send completed form via campus mail to mail code "AAUP"

Editorial- Research as Fiscal Strategy

Striving to become a \$100 million dollar research institution by 2017 may be a great strategy for the university, but we need to carefully understand how this goal will change the university's expectations of current and future faculty who will be responsible for bringing those research dollars to PSU.

February 23rd's forum on Research as Fiscal Strategy had many charts and much rhetoric but was short on process visioning. Aside from the obvious space and infrastructure limitations, PSU-AAUP is very concerned that faculty will be expected to do substantially more work, and be held accountable for more results, at salaries significantly below those at the institutions to which we are being compared.

Will these new expectations show up as quotas? If so, will full-time faculty be subject to sanctions or full-time fixed term faculty threatened with non-renewal for not reaching a financial target? With teaching loads and workloads in general at an all time high, will moving a model of full-time faculty focused on research result in part-time faculty providing more of the instruction? It is a real concern if this focus on research further distracts the university and faculty from its core mission of providing Oregonians with a quality post-secondary education.

New hire tenure track faculty will be expected to bring in the lion's share of these research dollars. It is suggested that they will likely have to bring in that much more money to offset more senior tenure track faculty that are not pursuing grants. Are financial targets going to become a regular part of the letter of appointment for newly hired tenure track employees? We know of letters of appointment with explicit quantitative measures and have seen tenure deferral agreements where faculty must bring in a minimum amount of grant dollars (in one case the amount was \$100K) from an NIH quality donor (read this to mean the highest amount of collectable indirect research costs). Is the measure of scholarship going to become so quantified that we cannot see talent and accomplishment beyond such quantitative measures? Could quotas, in the end, replace the work of P and T committees?

The devil is in the unforeseen and unintended consequences. PSU is not alone in its quest to secure more research funding, and we all know that winning grants is more competitive than ever. Before we accept that stretching our institution toward this huge new goal is the right thing to do, we need better understanding of how we would get there and how the pursuit of the goal could impact our ability to provide quality instruction to our students.

Many of these issues may be subject to bargaining, and we encourage the University to sit down with the Association soon to identify those areas that need to be worked on together.