

Dear Executive Committee,

Before grades were due for the Spring 2020 semester, some non-tenure track faculty (NTTF) with Contract appointments received letters indicating that their contracts would be allowed to expire and they would be transitioned to Continuing appointments. Apparently, these letters were sent at the direction of the Board of Governors.

These letters were poorly timed and insensitive to non-tenure track faculty working hard to complete an incredibly stressful semester and provide final grades to students, and antithetical to the work Faculty Council and CSU have done over the last five years to provide more job security and stronger working conditions to faculty off the tenure track. NTTF were not prepared for these letters, the reasoning behind the letters hasn't been discussed publicly, and few NTTF have been able to have follow-up conversations with administrators about these letters. Some NTTF have expressed concern about their status with CSU and feel they have nowhere to turn for support. The Committee on Non-Tenure Track Faculty is gravely concerned about these actions and the implications they have for all faculty at CSU.

Potential Violation of the Faculty Manual

Section E.2.1.3.a of the Faculty Manual states about Contract appointments that "At least one (1) year prior to the expiration of the contract, the faculty member shall either be given a new contract or informed that the contract may be allowed to expire. If the contract is allowed to expire, the employment as a contract faculty appointment shall be converted to employment as a continuing faculty appointment, without loss of rank, unless a new contract is agreed to in writing by both parties."

As is clear here, one year prior to the end of the contract, a faculty member will either get a new contract or be notified that the contract *may* be allowed to expire. The letters sent to NTTF stated that their contracts would expire and that these faculty would be moved to Continuing appointments at the end of their contract. These letters effectively marked the end of a significant number of Contract appointments at CSU, less than two years after we created them.

In addition to severely undermining trust and the advances that we have worked for in support of faculty over the last 5 years, these letters may violate the Faculty Manual with regard to faculty whose contracts expire May 2020. Some of these faculty have reported that they were not told last year that their Contracts would be allowed to expire (as required by the Faculty Manual) and in some cases were told by their department head that their Contract would be renewed.

If faculty were told by their department heads that their contracts would be renewed and/or they were not notified by May 2019 that their contracts would be allowed to expire, then the letters ending their Contract appointments and moving them to Continuing appointments may violate the manual and certainly violate the spirit of the changes we've enacted in support of NTTF.

These moves against the policies established in the Faculty Manual affect every single faculty member on this campus. If we cannot trust that Faculty Manual policies will be upheld, whether in letter or spirit, then no faculty can have any trust in our administrators.

At this point, faculty do not have their own legal counsel, but that can change. Perhaps legal support on behalf of Faculty Council and faculty members is something we should work toward.

Undermining Recent NTTF Improvements

Non-tenure track faculty have been told repeatedly by administration that Continuous appointments are just as good as Contract appointments, but in ending Contract appointments the Board of Governors has proven that Contracts do have more value. The State of Colorado enacted HB12-1144 in April 2012 in order to allow universities to offer job security to faculty off the tenure track. These 3-year contracts were meant to improve the station of non-tenure track faculty. CSU was slow to use these contracts, but when the Contract appointment was unanimously voted into the manual by Faculty Council in April 3, 2018, the faculty had decided that we wanted our faculty who had become part of this community after 10 semesters of employment to have access to this job security and protection.

The Committee on Non-Tenure Track Faculty has started to track data from Institutional Research on how many Contract faculty we have. The hope was that we would see the number of Contract appointments continue to rise. In Fall 2019, 140 faculty were on Contract appointments. Based on these letters, it appears as though the university will have significantly fewer Contract appointments in Fall 2020--only those whose contracts run through 2021 or 2022, essentially eliminating and undermining job security for faculty off the tenure track.

Devaluation of Work Completed by NTTF

The breach of trust evidenced by this backtracking creates a gap in the administration's credibility. How many of us worked our entire spring break without extra pay to ensure that our students would be served online as they would have been in the classroom? How many of us learned new technologies in weeks, adapted to new communication models, created new assignments, all while supporting students' mental health, listening to their worries, and connecting them to resources? How many of us went above and beyond at a moment's notice to make sure that our students were served? And now we are being encouraged to spend the summer on developing skills in online education so the university can collect tuition. Most of us will not be compensated for this professional development this summer, though we will become even better teachers in this new environment. We do this work because we value our students, strive to provide the highest quality education, and take pride in our work. As the lowest paid of faculty members, NTTF knew they would not be compensated for their additional labor, but now they will not even be compensated with assurance of keeping their jobs.

Consequences of Losing NTTF

If cuts must be made, they must be made at the top. They must be made from the administrators who make the decisions about jobs and cuts, looking to pass the shortfall off on those with the least power to complain. Cutting at the bottom will demolish the faculty. And without the faculty, courses cannot be offered, requirements cannot be met, students cannot be served. In fact, data from CSU Institutional Research shows that on average, each NTTF at CSU teaches

2.5 times the number of student credit hours per semester as an average TTF and does so at a lower cost to the university in salary and benefits. If any population should be aggressively preserved in a time of critical dependence on student tuition revenues, it is the NTTF teaching faculty. Without the faculty, the university does not function. Without our work since spring break, the university would have had to refund tuition to students. Without our professional development to create online courses, students wouldn't have access to the materials they need.

In conclusion, the Committee on Non-Tenure Track Faculty asks for help from the Executive Committee of Faculty Council in investigating whether these letters may violate the Faculty Manual in any instances, we ask for your help in advocating for Contract faculty and the use of the Contract appointment at CSU, and we ask for your support in ensuring that budget cuts and the need for flexibility are not made at the cost of NTTF, many of whom are afraid and vulnerable. Please join us in supporting NTTF and all faculty: we are ONE FACULTY!

Sincerely,

The Committee on Non-Tenure Track Faculty

Jenny Morse, Chair, COB
Denise Apodaca, CLA
Dan Baker, COE
Steve Benoit, CNS
Sean Bryan, WCNR
Joseph DiVerdi, CNS
Ashley Harvey, CHHS
Leann Kaiser, CHHS
Susan Melzer, CAS
Jamie Neilson, CNS
Natalie Ooi, WCNR
Christine Pawliuk, Libraries
Leslie Stone-Roy, CVMBS
Mary Van Buren, CLA