

## SIDE LETTER

WHEREAS, Kent State University (hereinafter University), like many other educational institutions, has experienced a significant and unforeseeable disruption due to the COVID-19 pandemic; and

WHEREAS, the COVID-19 pandemic and its aftermath will impact University operations into academic year 20/21 and possibly beyond; and

WHEREAS, the University and the Full-time Non-Tenure Track Faculty Unit of the Kent State Chapter of the American Association of University Professors (hereinafter FTNTT Unit) have a Collective Bargaining Agreement (hereinafter CBA) currently in effect; and

WHEREAS, the CBA includes language which specifically governs the periodic performance reviews of FTNTT bargaining unit members; and

WHEREAS, the University and AAUP-KSU through this Side Letter seek to be proactive in managing issues related to (i) the extraordinary challenges faced by FTNTT bargaining unit members during the COVID-19 pandemic; and (ii) Faculty Senate decisions concerning the use of Student Surveys of Instruction (SSIs) during spring semester 2020 and academic year 20/21;

THE UNIVERSITY AND FTNTT UNIT HEREBY AGREE to the following concerning the periodic performance reviews of some FTNTT bargaining unit members who will be scheduled for Full Performance Reviews in academic year 20/21:

- FTNTT bargaining unit members who are scheduled for their first or second Full Performance Review in AY 20/21, as described in the FTNTT Collective Bargaining Agreement at Article X, Sections 6 and 7, during academic year 20/21 may voluntarily request to defer that scheduled performance review for one (1) year (COVID-19 Deferral).
- FTNTT bargaining unit members who have been notified, in writing, that an additional appointment is not anticipated beyond year three (3) and they will not be scheduled for a Full Performance review, are not eligible for a COVID Deferral.
- A request for a COVID-19 Deferral would be initiated by the FTNTT bargaining unit member by written request to the appropriate academic unit administrator or regional campus dean no later than January 15, 2021 at 5 p.m. The academic unit administrator or regional campus dean will consult with the appropriate faculty advisory body and forward a recommendation to the Provost.
- A COVID-19 Deferral is automatic if recommended to the Provost by the academic unit administrator or regional campus dean.
- A COVID-19 Deferral year will count towards total years of service as a FTNTT bargaining unit member for the purposes of eligibility to apply for promotion as an FTNTT Faculty member.

- A COVID-19 Deferral (i) must be voluntarily requested by the FTNTT bargaining unit member; (ii) may only be requested one (1) time; and (iii) can only be applied to a Full Performance Review, as referenced above, in academic year 20/21.
- The parties agree that this Side Letter to the Collective Bargaining Agreement with the FTNTT Unit shall remain in effect through AY 2020-21, subject to extension and modification of the parties to the Agreement.

Melody

Digitally signed by  
Melody Tankersley

Tankersley

Date: 2020.10.02

Melody Tankersley

14:20:31 -04'00'

Interim Senior Vice President and Provost

\_\_\_\_\_  
Date



Tracy Laux

FTNTT Unit President, AAUP-KSU

\_\_\_\_\_  
Date

10/02/2020