Materials linked to the October 2010 Distance Education Committee minutes.

College of Liberal Arts
Overload and Ecampus Instructor Compensation Policy (DRAFT)

Background
The Oregon University System (OUS) has established rules and policies regarding overload pay (OUS Fiscal Policy Manual 10.33, Oregon Administrative Rule 580-021-0025, and Oregon State University’s (OSU) Conflict of Commitment Policy). Oregon State University has issued its updated policy regarding Overload Compensation and Ecampus Instruction, effective September 16, 2010. This policy was mandated as a result of an internal audit. These policies have always been in effect and the audit process caused Oregon State University to address the audit findings. As a result, it is necessary, for all units to come into compliance with the overload policy upon the effective date and in-load Ecampus instruction beginning winter term, December 16, 2010.

The Internal Audit Division gave Oregon State University an opportunity to develop its own policy and to determine how pay rates would be established and enforced. The Vice Provost for Academic Affairs and International Programs (VPAA) convened a task force comprised of Deans, tenured administrators, professors and human resources staff who drafted the policy now in effect.

This document is intended to clarify the process and guide and inform academic unit supervisors as to how this policy should, and may, be implemented. Specifically, two aspects of the policy need to be emphasized.

- Faculty are permitted to engage in activities involving overload time not to exceed one day in a seven day week, on an average, or its equivalent during the academic year or other period of appointment, and that no full-time employee “shall engage in any outside employment that substantially interferes with duties.”
- For unclassified faculty, this restriction means that both overload effort and overload compensation is limited to an effective equivalent of no more than 8 hrs per week, 104 hours per term, or equivalent to 1 course a quarter. Internal audits have declared all overloads in excess of this amount to be in violation of OUS and OSU policy.

Compensation for Instruction
- Overload compensation for tenure track faculty is based on the “standard rate of pay” for on-campus and Ecampus instruction.
- Student Credit Hours (SCH) cannot be used to justify compensation rates and is not subject to exemption (see below).
- Therefore, all instructor compensation will be based on a per-course basis.
- The “standard rate of pay” for any specific course, however, can be based on criteria such as: instructor qualifications (M.A./M.S., Ph.D.), credits, level of course (lower, upper division; graduate), workload (e.g., WIC versus non-WIC), and discipline (market).
- It is understood and accepted that compensation for all courses, including non lecture courses with no meeting times (e.g., doughnut courses, internships, etc.) should take into account the effort required to deliver the course. Although SCHs cannot be used exclusively to justify compensation rate, when the number of students enrolled
dramatically impacts the effort (i.e., hours per week) needed to deliver a course, then compensation could reflect this.

Approval for Overload Pay
A “request for overload pay” form will require at least three different signatures for approval, and will now be reviewed by the VPAA’s office before final approval can be granted. Specifically, the order of signature approval is as follows:

1. Employee’s Supervisor (who will provide explanation and justification for compensation)
2. Employing College/Unit Authorized Representative (Dean’s Office)
3. Executive Officer or Authorized Representative (Optional: Needed if overload is for work outside the faculty’s member home academic unit).
4. Business Center HR Representative (Until CLA Business Center hires such an official, these will be forwarded to Jeri Hammer in HR).
5. Finally, all requests will then be reviewed by the VPAA’s office for final approval. Once a policy process is approved, only those requests outside these guidelines will need VPAA approval.

- **Criteria for approval at step #1 (academic unit supervisor).** OUS policy requires that no full-time employee “shall engage in any outside employment that substantially interferes with duties.” It is the responsibility of the academic unit supervisor to ensure that any overload duties do not interfere with the satisfactory execution of an employee’s in-load duties. The unit supervisor will review the employee’s performance based on his/her position description to determine whether adequate performance standards are being met in teaching, research and service. Meeting these standards is a prerequisite for teaching overload courses.

- **Criteria for approval at step #2 (Dean).** Each unit (school, department, program) in the College of Liberal Arts must submit a plan to the CLA Dean that is in compliance with OUS and OSU overload, instructor and Ecampus instructor policies.

- **Criteria for approval at step #3, which will be evaluated by the Vice Provost for Academic Affairs and International Programs.** The primary concern is compliance with Oregon State Law and Oregon University System (OUS) policy regarding overload and Ecampus instructor pay. The Oregon University System (OUS) has established rules and policies regarding overload pay (OUS Fiscal Policy Manual 10.33, Oregon Administrative Rule 580-021-0025, and Oregon State University’s (OSU) Conflict of Commitment Policy). These documents stipulate:
  - Activities involving overload time should not exceed, on average, the equivalent of one additional course per term.
  - Compensation for overload courses should be consistent with the compensation provided for similar course delivered by instructional faculty in their normal duties.
  - Academic unit supervisors or deans, in consultation with the Vice Provost for Academic Affairs and International Programs are responsible for identifying an appropriate range for overload instruction in their units with a clear justification for how those compensation levels are set.
  - On-campus and Ecampus instructor compensation will from this time forward be based on a per-course basis. Compensation for overload teaching cannot be defined as a function of students or student credit hours.
Overload compensation for tenure track faculty is based on the “standard rate of pay” for on-campus and Ecampus instruction.

The “standard rate of pay” for instructors and overload compensation can be based on: instructor qualifications (M.A./M.S., Ph.D.), credits (1, 2, 3, 4, etc.), level of course (lower, upper division; graduate), workload (e.g., WIC versus non-WIC), and discipline (market). Student Credit Hours (SCH) cannot be used to justify compensation rates and is not subject to exemption (see below).

The “standard rate of pay” should provide reasonable compensation for work and high quality instruction for students.

Tenure-track faculty eligible for overload compensation must not be in violation of OSU’s “Conflict of Commitment” policy (http://oregonstate.edu/admin/hr/documents/conflict_commitment_policy.pdf).

Exceptions to the policy for nascent courses, programs, certificates and degrees may be petitioned to the CLA Dean and VPAA (see Exceptions to Policy below). A three-year implementation period may be provided for course, program, certificate and degree development. At the end of the three-year period a formal review will be conducted to determine whether such activities should be terminated or continue to operate.

New Policy Regarding Instructor Compensation (On-campus and Ecampus).

- Tenure-track faculty may teach Ecampus courses in-load, but will not receive additional compensation.
- On-campus and Ecampus instructor compensation must now be based on a per-course basis.
- Student Credit Hours (SCH) cannot be used to justify compensation rates and is not grounds for an exception to the policy.
- The “standard rate of pay” for instructors can be based on: instructor qualifications (M.A./M.S., Ph.D.), credits (1, 2, 3, 4, etc.), level of course (lower, upper division; graduate), workload (e.g., WIC versus non-WIC), and discipline (market).
- The “standard rate of pay” should provide reasonable compensation for work and high quality instruction for students.
- Instructors, both on campus and Ecampus, with a total appointment of at least .50 FTE will be provided benefits per OUS requirements.
  - When appointed by different academic units, the effective FTE will be the sum of all appointments.
  - When the total appointment entitles an instructor for benefits, the responsibilities of each academic unit for paying these benefits must be negotiated and explicitly stated before the appointment can be made.

Suggestions for Setting Workloads and Compensation for Non Tenure-Track Faculty

- As a rule of thumb, one course will be considered the effort equivalent of 0.20 FTE
- Academic Unit Supervisors, with the approval of the Dean, can determine alternative equivalents where appropriate. These exceptions will be reviewed by the VPAA’s Office.
For example, labor intensive courses requiring more hours per week to deliver than a representative course within that academic unit can have a higher FTE equivalent than other courses.

Courses that, for whatever reason, do not require an effort equivalent to 0.20 FTE may be set at a lower FTE level. For example, it is possible to define a 2 credit course as being equivalent to only 0.10 FTE.

**“Standard rate of pay” does not mean that the compensation for every course at OSU is fixed at the same rate. Rather, it reflects a standard set of criteria that determines compensation in an equitable manner.** For example, the actual compensation given for a course may vary as a result of:
- Instructor credentials and degrees
- Particular discipline
- Course credits (e.g., 3 credits versus 4 credits)
- Course level (e.g., lower division, upper division, graduate)
- Effort required to deliver it

**Example:** An academic unit supervisor might determine that the effort required by an instructor to deliver a given course with very low enrollment (i.e., less than 5 students) via E-campus is actually much less than 0.20 FTE. Certain doughnut courses are a good example of this. In these instances, the FTE equivalent may be justifiably set at a lower rate (e.g., 0.10 FTE or even 0.05 FTE per course). In any case, the effort equivalence determined for a given course (or section) needs to be justified without relying on SCH.

**Exceptions to Policy (VPAA)**
All requests for exceptions to the policy must be submitted to and approved by the VPPA’s Office before implementation. No exceptions will be granted to pay overload compensation or on-campus/Ecampus instructors on a SCH basis. Exceptions to the standard rate of pay may be requested for such situations as:

- Critical program needs
- Ensuring student access to required courses
- Development of nascent courses, programs, certificates and degrees