

Raising a union is messy, isn't it?

Of course. Anything worthwhile takes time, energy, and effort. Unionization will require campaigning, as well as dealing with the nay-sayers and the Administration's bag of "dirty tricks." Still, in the end, it's worth it, as the current situation is simply unacceptable. KU Faculty are looking at endless years of cuts in both faculty numbers and salary base, pushing the institution deeper into last place in the AAU... or out of the AAU altogether. Without a union, we can expect more crazy, unchecked spending on big, empty buildings that bankrupt the institution. Raising a union may be messy, but we really have no choice.

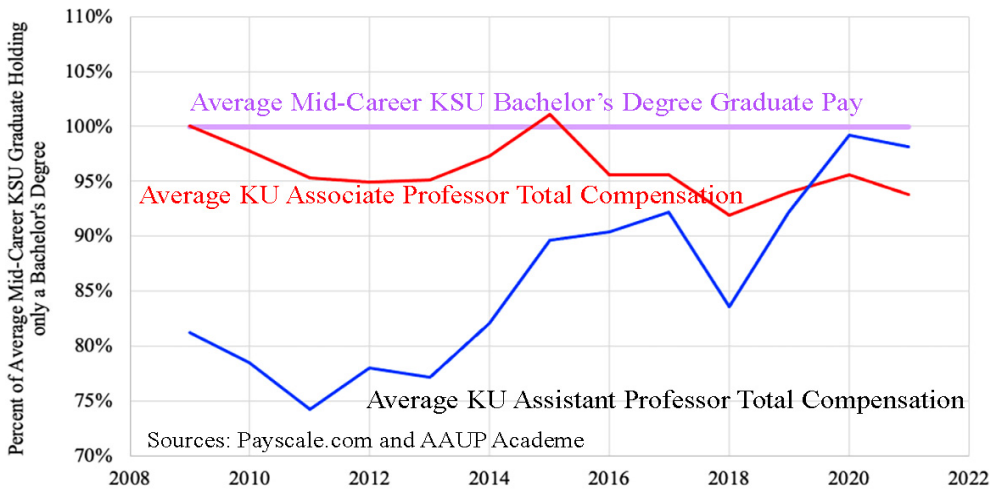
Could the Administration retaliate against me for helping organize or participate in a union?

Legally, no. The Administration would have to violate multiple laws to retaliate against a faculty member for unionization or participating in a union. Unions of public employees in Kansas are governed by the Public Employer-Employee Relations Act (PEERA) K.S.A. 75-4321. This act describes the role of the Public Employee Relations Board (PERB). Prohibited actions are described in detail by K.S.A. 75-4333, entitled Prohibited practices; evidence of bad faith. If the Administration retaliates against any individual faculty member or group of faculty members for helping to organize a union, then the institution could be held in violation of PEERA.

If we get a union, won't that lead to salary compression?

If only we had salary compression! Instead, the KU Administration has engineered salary inversion. In 2020, for the first time in at least a half-century, the total compensation of the average Assistant Professor at KU was more than the average Associate Professor. This salary inversion is unhealthy, in that it exacerbates discontent among Associate Professors, who watch as new hires are paid more than individuals with 10 or 15 years of experience. It's also unhealthy for Assistant Professors, as it suggests they may not see a raise for many years to come. Without a union, this trend will likely continue, as the Administration will ignore the necessity of properly compensating faculty who have served the institution long and faithfully.

Average KU Associate and Assistant Professor Total Compensation (fraction of Average KSU Mid-Career Bachelor's Graduate Pay)



I'm a non-tenure-track (NTT) faculty member. What would a union mean for me?

It's critical that NTT faculty members be full-fledged members of the union. Currently, NTT faculty members are "at will" employees and can be terminated for nearly any reason (excluding union organizing, of course). A properly structured union contract will invoke "Weingarten rights," wherein members are entitled to union representation should any adverse job action be proposed. A union contract can mandate that reappointment letters be issued by a certain calendar date and that raises be prescribed, along with other benefits. In short, NTT faculty members can be protected by review and termination rules that are nearly as prescriptive as those for tenured faculty members.

I'm just a few years away from retiring or leaving, why should I really do something?

The mismanagement in Strong Hall has affected, is affecting, and will continue to affect your retirement income. While a drop in your salary close to retirement may not seem like a huge deal, it means that your SSA and 401k contributions also drop. Faculty members live on average 22 years after retirement at age 67; so, a 1% real-dollar pay cut will be compounded 22 times over, leading to a far greater loss. So, for near retirees, it is extremely important to fight for every dollar of salary... and only a union can effectively do this.

The only way to get us out of this rut: Action! Join Us!

Join your colleagues as we fight against the destruction of this once-great institution! If you want to DO something, contact any of the AAUP leaders below. Right now, hundreds of your colleagues have signed a unifying *Statement of Purpose*. We're trying to get 51% of faculty members to sign on, and we're almost there! We need your signature to officially kick off a real unionization drive.

Help us help the Faculty and KU! Contact:

- Dr. Berl Oakley, KU Chapter President oakley.2@icloud.com
- Dr. Ron Barrett-Gonzalez, KSAAUP Committee A Co-Chair, adaptivebarrett@gmail.com (785) 760-4614
- Mr. Jerome (Jay) Thompson, AAUP/National Jthompson@AAUP.org (516) 984-1732

<http://aaupks.org/ku>

<http://aaupks.org/contact-us>

(note that the KU Administration blocks our site -- you'll have to access it from a non-KU machine)

KU AAUP P.O. Box 1472 Lawrence KS 66044

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Prof Notes

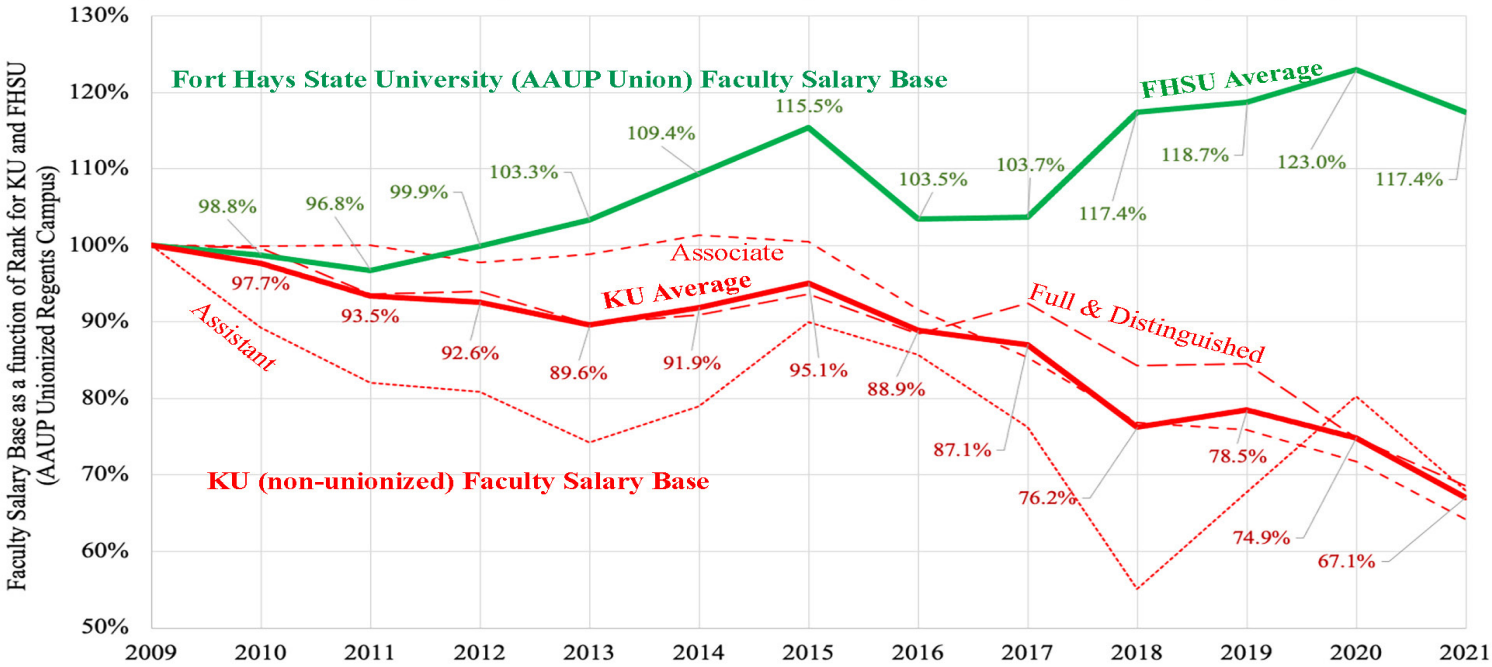
Important news for KU Faculty Members by KU Faculty Members

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Janett Naylor-Tincknell
AAUP Kansas Conference President



Comparison of KU and KS Unionized Campus Faculty Salary Bases Relative to 2009 (Non-Administrative Faculty Appointments, KU & FHSU AAUP Unionized Regents Campus, Source: State of KS Payroll Data, CPI Adjusted)



Lowest Faculty Numbers since 1968

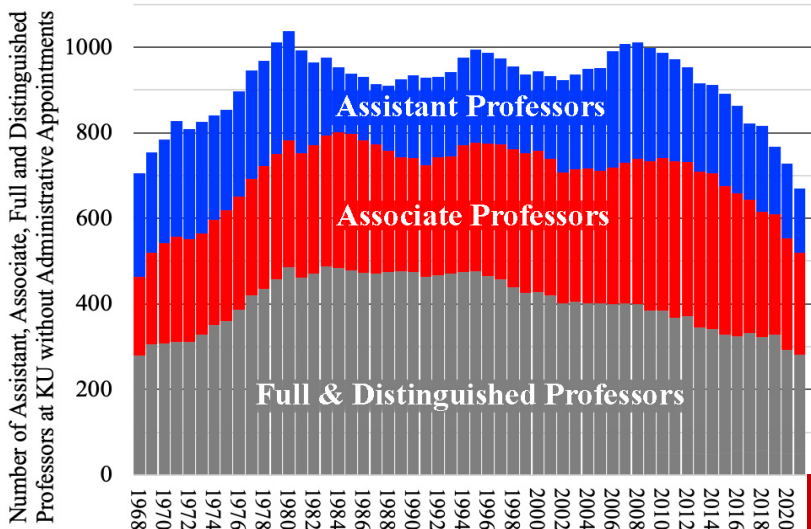
It's the same for every department: shrinking faculty numbers, terrible pay, ballooning student-to-faculty ratio, students getting less and less for their tuition dollar while a wasteful, top-down administration drives it all. These factors have gutted the strength, vitality and viability of the institution. Since 2009, the KU administration has cut the number of faculty by a third. In 2009 there were just over 1,000 Assistant, Associate, Full and Distinguished Professors. By 2021, the administration hacked that number down to 669. Administrators blame state budget cuts, while conveniently glossing over the real causes. How severe will the long-term damage be?

Lowest Salary Base since 1968

Adjusting for inflation, in 1969, the total compensation for all tenure-track professors at KU was \$83.8M. As of April 2022, the administration chopped slots and salaries to \$78.1M or 7% below 1969 levels... matching 1968.

University of Kansas Faculty

(Assistant, Associate, Full & Distinguished Professors w/o Administrative Appointments)
Sources: AAUP Academe & State of Kansas Payroll Records



Raiding the Faculty Salary Base

The decimation of faculty ranks has led to severe long-lasting damage. It increases class sizes, adversely impacts scholarship, learning and national rankings. Many of the most respected, senior faculty members retired early, left for higher salaries at other institutions, or were “Post-Tenure-Reviewed” away. Between 2009 and 2021, faculty salaries dropped from 9.6% of operating expenses to only 5.7%. These trends will continue unless we all act now.

KU-Lawrence & Edwards Projected General Fund Expenditures (million US\$)

	FY2021 (actual)	FY2022	FY2023	FY2024	FY2025	FY2026
Salary & fringe	309.6	295.3	313.7	321.9	330.6	339.4
% change from previous year		-4.6	6.2	2.6	2.7	2.7
Other operating expenses (supplies & services, building & equipment purchases)	58.3	81.6	88.5	90	91.6	97.9
% change from previous year		40.0	8.5	1.7	1.8	6.9

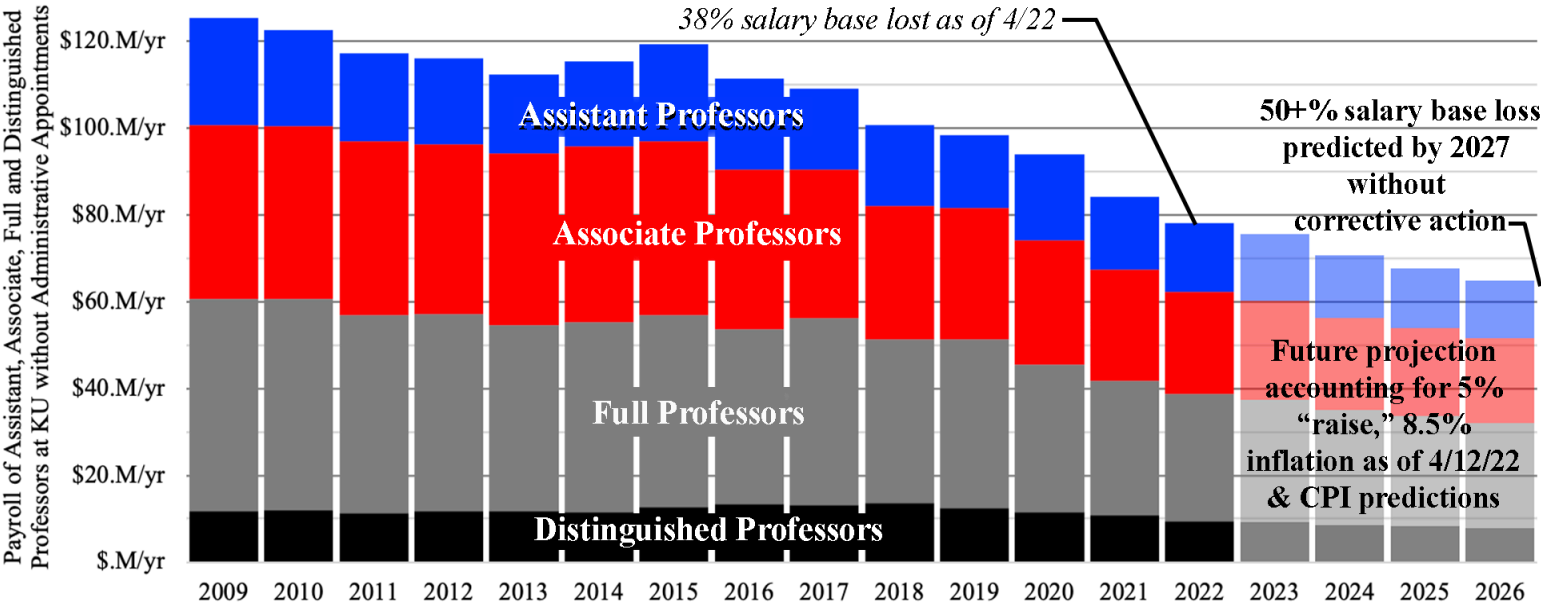
Source: CFO Jeff Dewitt, “Financial Status of KU...Five-Year Financial Plan” (Mar. 2022): 17,A-3

Our 5% “Raise” is actually a 3.5% Pay Cut given Inflation Running at 8.5%

In March 2022, KU Chief Financial Officer Jeff Dewitt delivered “Financial Status of KU: Five-Year Financial Plan.” He proudly projected a “boost” in salaries coming from the Governor’s 5% budget increase. But what about inflation? Currently, the KU Faculty Salary Base for tenure-track professors is 38% lower in real dollars than it was in 2009. Inflation is currently 8.5% as reported by NPR, so the hypothetical 5% “raise” would hardly slow the nosedive in real dollar salary base. Because the Administration keeps prioritizing employee payroll last, according to Dewitt’s numbers, by 2027 the Salary Base will be half of what it was in 2009 in real dollars... if no corrective action is taken.

University of Kansas Faculty Payroll

(Assistant, Associate, Full & Distinguished Professors w/o Administrative Appointments
Sources: AAUP Academe & State of Kansas Payroll Records, CPI Adjusted to April 2022 Dollars,
CPI Forecast from Statistica and Tradin



\$256M of Faculty Salary Raided... en route to \$500M

Between 2009 and 2021, the Administration took \$256M from the KU Faculty salary base, had it been held constant at 2009 levels. If the trend continues and Dewitt’s predictions hold true nearly \$500M of total payroll will be snatched from the faculty by 2026. Of course, the big questions are: “i.) Will the faculty finally stand up for itself and ii.) what is the administration doing with all that money?”

How Would a KU Faculty Union Work and What Would it Do?

A properly run faculty union works to legally enable the collective will of a given group of faculty members. It is anything but a panacea and requires care, maintenance and participation. We would strive constantly to democratically represent the best interests of the faculty at all levels and could fundamentally support items of interest like:

- Bringing KU faculty salaries up to median AAU levels
- Restoring lost faculty lines to return the student-teacher ratio to historical norms
- Restoring Shared Governance
- Defending departments, programs and individuals from closure
- Lending contractually binding safeguards to the Academic Tenure
- Ensuring due process in all faculty evaluations and job actions, whether tenured or not
- Mandating safe, OSHA-compliant working conditions for all faculty (staff and students)
- Limiting undue influence of outside corporate entities on course structures and scholarship
- Resisting Administration intrusions into Academic Freedom like the Core
- Act as a watchdog to make sure the Administration refrains from more financial misadventures

While the list above is anything but complete, one of the most important functions of a union is to help make the institution run better. Other faculty unions in Kansas are more cooperative than confrontational with their Administrations. After all, Faculty, Staff and Administration are all supposed to advance KU’s mission and serve the people. Accordingly, many faculty unions meet weekly, even daily, with the Administration to make sure that small problems don’t balloon into big ones.

How would a Union and Governance interact?

	Johnson County Community College	Fort Hays State University	Pittsburg State University
Structure (All: only dues-paying members can vote)	Pres., VP, Treas., Committees, Bargaining Committee, members	Pres., VP, Treas., Committees, Barg. Committee, Members	Pres., VP, Treas., Committees, Barg. Committee, Members
How does union interact with Governance?	No real Governance structure exists. Faculty Senate started in 2013 by NTT. Used by Admin. as wedge between NTT & TT – Union handles all important issues.	Governance handles academic issues, Union handles employment-related issues	Governance handles academic issues, Union handles employment-related issues
Negotiation Cycle	1x every 3 yrs contract and pay	1x every 3 yrs contract up to yearly for pay	1x every 3 yrs contract up to yearly for pay

What would become of our current employment agreements?

Currently most faculty members are bound to KU by their original appointment letter, which references a collection of broken web links. When seen by courts of law, these are typically ignored because they are vague and indefinite. This means that most KU faculty members who take KU to court have to try to guide the courts through the maze of interlaced, overlapping and contradictory KU rules, regulations and procedures (one jurist in a dismissal case a few years ago called KU’s system “Byzantine.”) In contrast to this teetering house of legal cards, a real union contract is hundreds of pages long and is extremely prescriptive. It could make the safeguards in the Faculty Senate Rules and Regulations and the Faculty Code legally binding. Currently, KU faculty have no such protection. Further, if a given faculty member were to be inappropriately dismissed, a union attorney typically will be at their side. Currently, because KU has no faculty union, faculty members are left on their own to fight KU, which frequently runs them into the ground financially. After all, KU Administration has more attorneys on staff than all of the other Regents institutions combined!

Who would be in a KU Union Cohort or Bargaining Unit?

In 1987, the Public Employees Relation Board (PERB) recognized a group of faculty for unionization (i.e. “cohort” or “bargaining unit”) as consisting of most faculty members with appointments of 50% or greater, as well as Librarians, Scientists, Archivists, Curators, Instructors, Lecturers, Teaching Associates and several other titles. Administrators of all levels from Chairs to Chancellor were excluded, as PERB deemed that it was not allowable for one member of a bargaining unit to report to another. The general feeling among most is that it’s in everybody’s best interests to include all faculty, both tenure-track and non-tenure-track, from all schools and all ranks, from both the Lawrence and Edwards campuses.

The Only Way Forward: A Strong Faculty Union

The KU Administration will continue to bilk students, squeeze faculty, starve staff and overspend on useless projects, if left unchecked. Over the past decade, it has shown contempt for Governance, dismissed the needs and opinions of the faculty and staff, and run the institution into the ground financially and academically. It's time to stand up. The only way to do this is with a strong faculty union. Such a union would have prevented these disasters, as the Administration would have been forced to include faculty in decisions. KU Faculty salaries probably would have trended the same direction as unionized Regents campuses—upward. Fort Hays State University's strong, proactive union grew their salary base since 2009 by 17% (see p. 1), while our fractured, divided faculty lost 1/3 of ours. Our pay is by far dead last among all AAU institutions; and we're only looking at more cuts if we don't act. Let's stand together and help repair the institution by returning KU to principles of truly open, honest shared governance.

Wasn't there an attempt to unionize the faculty in the 80's?

From 1984 to 1987, two unions attempted to unionize the KU faculty: The National Education Association (NEA) and the AAUP. The NEA was and still is centered mostly on representing high school teachers while the AAUP is centered on higher education. The drive was fractious and divided the vote three ways: NEA - AAUP - and "No." Other divisions pitted professional schools against the college. The Law School was carved out of the Bargaining Unit definition, and Engineering led the charge against unionization. The College promoted both of the competing union factions. In the end, the divided union drive doomed unionization efforts. Lawmakers and the Regents did their bit to help defang the union as they offered the faculty nontrivial pay increases and promised to make them permanent. As soon as the union drive fell apart, they reneged on the deal and cut faculty pay. An exhausted, divided faculty retreated and resigned itself to being a non-union campus for decades to come. A once robust AAUP chapter remained only an "Advocacy" chapter which is its status today. If anything can be learned from these experiences, it is that the faculty must not be divided. It must stand as one.



Are there any other Unionized Campuses in Kansas?

Yes! There are three. Pittsburg State University (PSU) and Johnson County Community College (JCCC) are unionized under the Kansas NEA. Fort Hays State University (FHSU) is unionized under the AAUP. These universities collectively have 60% more students than KU and have had major functioning unions for decades. The leadership of each union would like the KU faculty to know that they are highly supportive and will help organize in any and all ways possible. Union leadership at these institutions and faculty at KU have kept in constant contact to discuss best practices and identify critical items to fold into a potential union contract. A number of JCCC union leaders live in Lawrence and have volunteered to help. FHSU and PSU leaders have met with KU unionization advocates face-to-face on multiple occasions.

	Johnson County Community College	Fort Hays State University	Pittsburg State University
Total Enrollment	19,091FT/34,000PT	12,802FT	6,645FT
Union Organization	KNEA	AAUP	KNEA
Union Formed	1979	1997	1974
Cohort	330 Tenure Track Only No NTT, No Admins	343 Tenure Track Only No NTT, No Admins	250 Tenure Track Only No NTT, No Admins

How much would dues cost and what would I have to do?

The first question to ask is: "How much will I lose if I don't support the union?" The KU Administration has answered that: You get the lowest pay of all AAU institutions, roughly 25% below AAU RO1 regional norms; shared governance is nullified, discrimination enabled and tenure is basically meaningless. So, when thinking of chipping in 1-2% of your pay to support a union, remember that's nothing compared to the huge toll the KU Administration has already taken. Dues and dues structures are up to each local union and won't start until after a contract is signed. If a given union membership wants to run a bare bones operation, then dues are low, but so are benefits, bargaining power and options.

	Johnson County Community College	Fort Hays State University	Pittsburg State University
Dues	Flat Dues: ~ 1% Average Gross Pay/yr	Graded Dues: ~ 0.5% Gross Pay/yr for individual member	Flat Dues: ~ 1% Average Gross Pay/yr
Dues paying %	61%	23%	34%

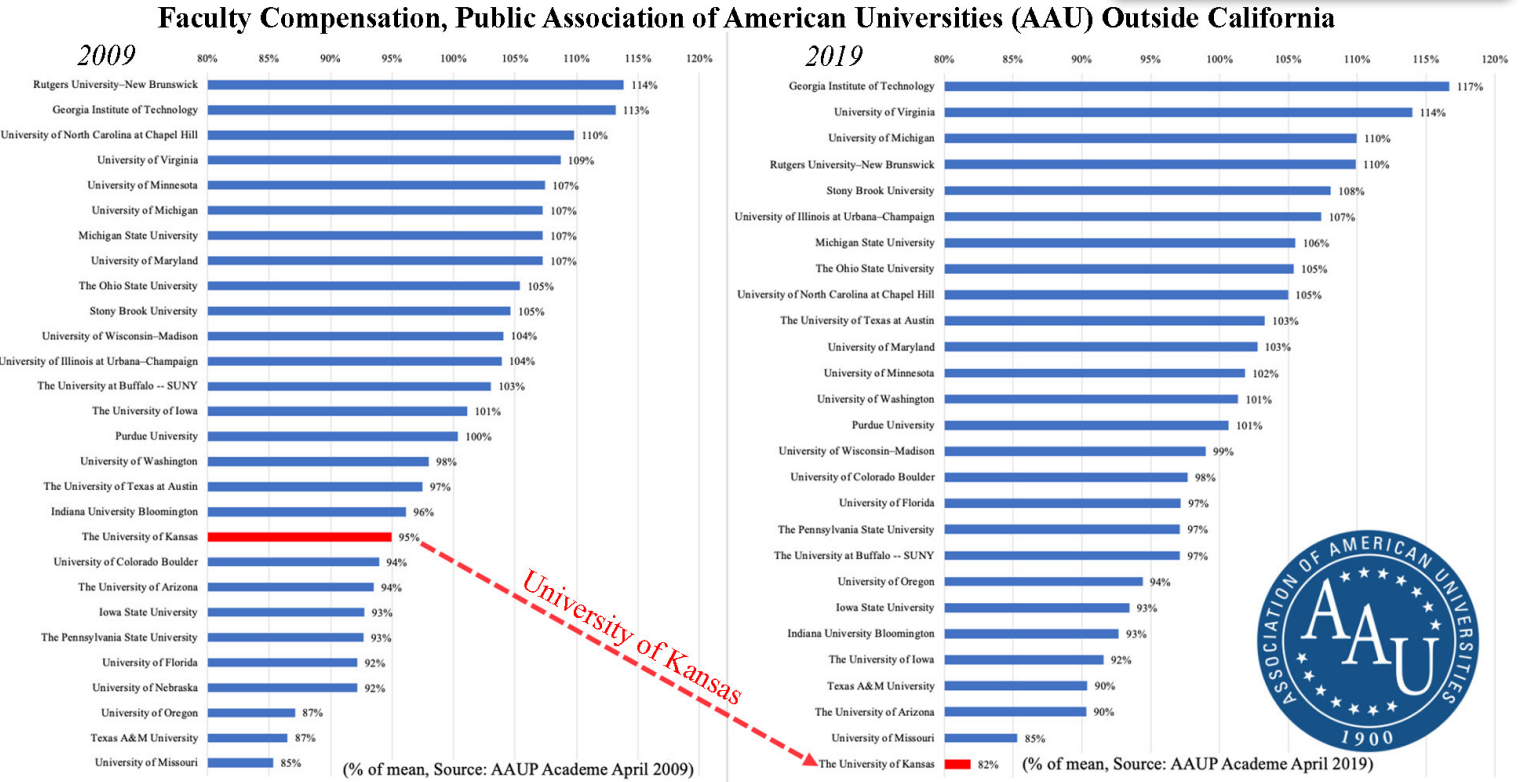
JCCC and PSU prescribe flat dues (again, decided upon by the union members themselves). FHSU has graduated dues depending on rank and pay. JCCC has the highest participation levels and also the highest dues. JCCC union leadership believes this is because faculty members feel as if they have "skin in the game." So, they show up to meetings, pay dues, regularly vote, and voice their opinions freely. Faculty union members will be asked as a minimum to participate in annual voting, pay dues, and voice opinions on matters of concern; and will be invited to show up to more regular meetings, as well. Individual faculty members are encouraged to run for leadership positions and can be as active as they would like to be. Diversity of both personal background and academic discipline are essential, as no individual or group of individuals can be left out of a healthy, functioning union.

Where are we with respect to peers?

KU's home page boasts that it is "one of just 66 invited members of the prestigious Association of American Universities (AAU)." But KU faculty salaries are dead last in the AAU—well behind second-worst Mizzou and 30% below the AAU average.

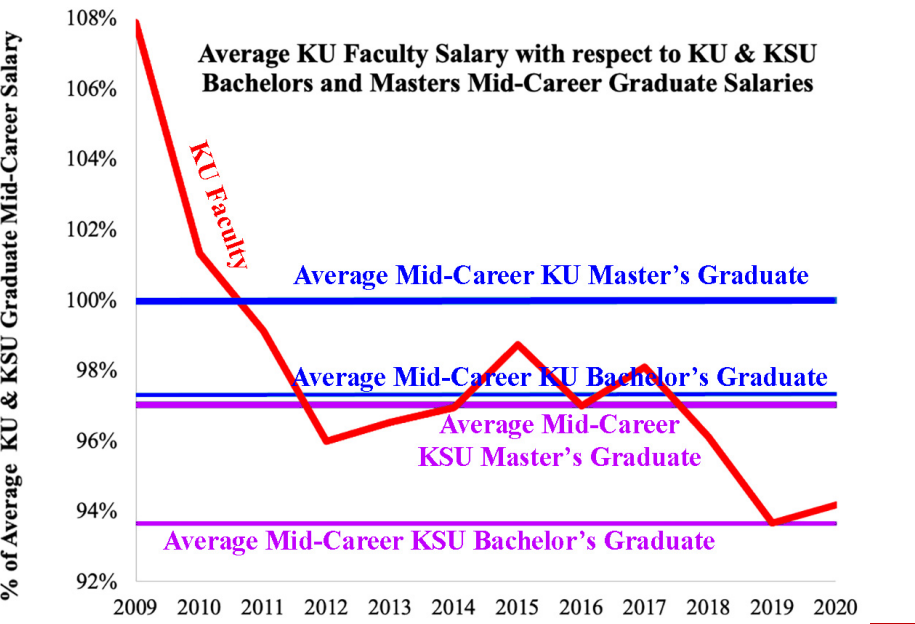
In fact, average KU faculty compensation is 3% less than that of an average undergraduate alum of KU, at mid-career. And we are projected to dive well below average Kansas State University mid-career alum earnings in the next three years given DeWitt's projections.

In 2009, KU faculty were just a little below the mean for total faculty compensation for public AAU institutions outside of California. Kansas scored a reasonable 5% below the median within that cohort, a full 10% above Mizzou. In just a decade, that ranking slid to dead last. By 2019, KU was ranked at the bottom, well behind 2nd worst, Mizzou. Between 2019 and today, KU faculty compensation has tunneled further into the muck, now more than 25% below the AAU median outside of California.



Average KU Faculty Salary: Lower than our Students... Matching K-State Bachelor's Graduates

A 2020 survey of Payscale.com revealed some disturbing, but not surprising numbers about KU and KSU mid-career graduate pay with respect to KU faculty pay: In 2009, KU faculty pay started to dive, dipping below the CPI-normalized, average KU mid-career compensation level for KU graduates holding only a Master's degree. It hovered around the average KU Bachelor's level up until 2017, then dove well below KSU Master's pay. By 2020, the average KU faculty member salary was about that of a mid-career KSU graduate holding only a bachelor's degree. Given DeWitt's projections, average KU faculty pay is projected to be 5% less than the average mid-career Kansas State University Bachelor's graduates by 2026.



We are a major research university with global reach.

The University of Kansas is the state's flagship university and one of just 66 invited members of the prestigious Association of American Universities (AAU). We consistently earn high rankings for academics and recognition as a premier research university.

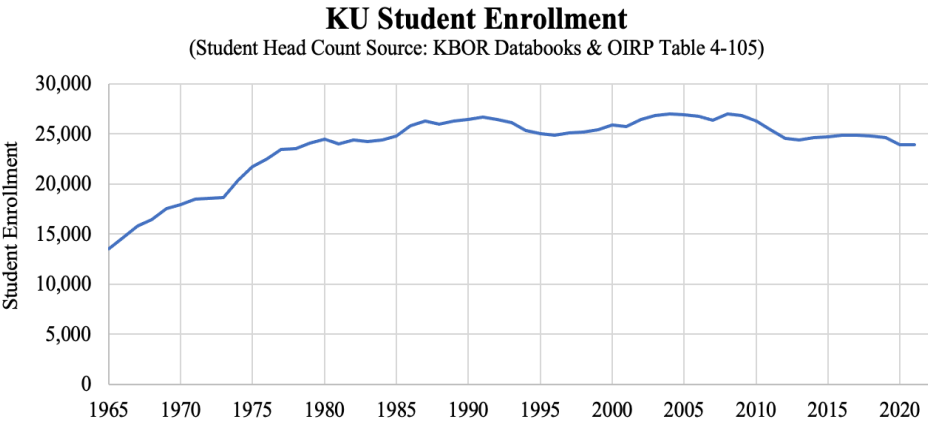


Enrollment, Faculty Productivity, Administration Productivity...

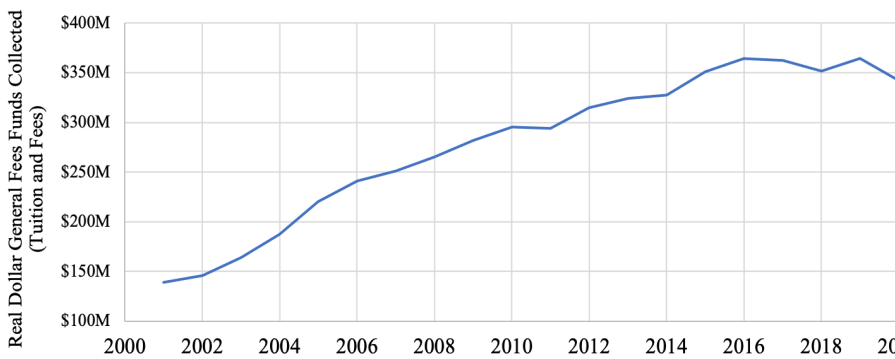
Faculty and staff are not the only ones hurt. Students—and alumni—have been put through the wringer, too, facing higher tuition and fees, plus the emotional and financial stress of COVID.

Guns on Campus Certainly Don't Help

Since the Reagan era, enrollment has been relatively steady, until a slow decline of full-time student numbers over the past decade. Could the 2017 - 2020 dip have something to do with guns on campus?



KU General Fees Funds (Tuition and Fees) Collected
(Total Tuition and Fees Collected, CPI Adjusted to April 2022: Source KBOR Databooks)

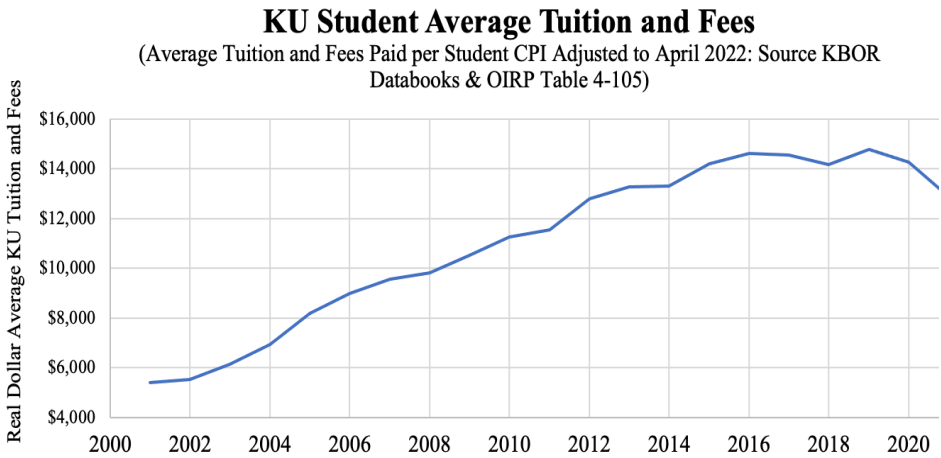


Tuition & Fees: Up, Up, then COVID

KU maintained a robust increase in collection of tuition and fees for nearly 20 years starting in 2000 with only small dips. The effects of COVID combined to suppress enrollment in 2020 while tuition was decreased in real dollars. The net effect was a downturn in tuition and fees collected in 2020 and 2021. In 2020, KU received \$16.4M in Federal Assistance Awards. Further offsetting the loss in tuition and fees in 2021 were Federal Assistance awards of \$99.2M. For the year ended June 30, 2020, operating expenses were \$1.3 billion, an increase of \$10.8 million (0.8%) compared to 2019. In total, the support from the Federal Government fundamentally made up for the bulk of the various additional costs and lost revenues associated with COVID.

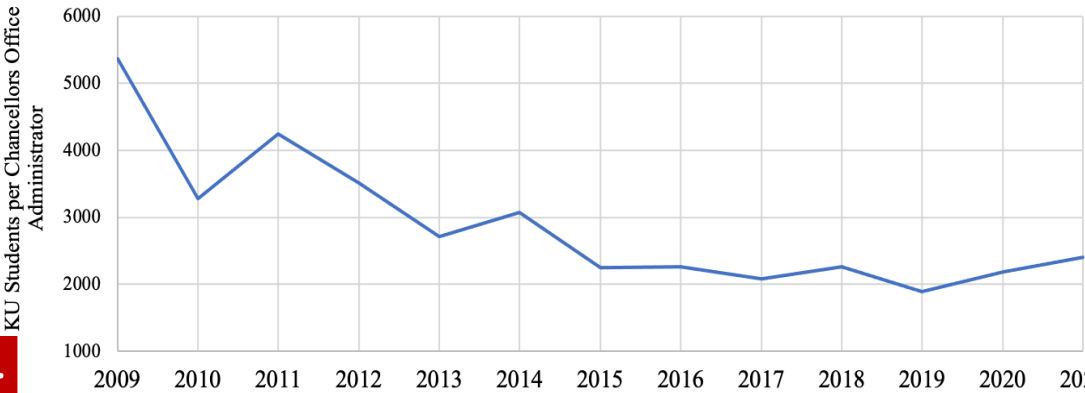
Average Student Tuition and Fees

The average tuition and fees tracked closely with the total General Fees Funds with a mostly flat enrollment through the late teens. An upward trend was followed by a downward hook as a real-dollar decrease in tuition reduced costs for students. Compounding this was a move to more on-line classes and part-time enrollment.



Upper Administration Productivity

(Sources: State of Kansas Payroll & KBOR Databooks)



Lagging Upper Administration Productivity

While the Administration is wont to assess “Faculty Productivity,” comparable metrics exist for the Upper Administration. KBOR Databooks and State Payroll records show comparatively low numbers of students per Chancellor’s Office Administrator and similar low productivity per dollar of administrator salary base.

A Union is Needed to Mitigate Discrimination at KU: The Romkes Case

In 2011, a hard-working assistant professor went up for T&P. Albert Romkes had published 19 journal articles, been a co-author and co-investigator (Co-I) on grants worth hundreds of thousands of dollars, garnered 5 major teaching awards, and engaged in service from the department level to international committees. His colleagues knew he would make tenure and be promoted with ease, as shown by their supermajority “yea” vote and unanimous support in the school. Moreover, Albert was the School’s first and only openly gay professor. So, when the Chair and Dean voted “no,” colleagues were stunned. In their rationale, the Chair and Dean cited a never-before heard of “rule.” They asserted that a candidate must be a PI, not just a Co-I, for funding to count towards tenure and promotion, and that external funding counts more than all other metrics. This so-called “PI rule” had never been vetted or even presented to any layer of Governance; was never presented to Prof. Romkes; and was not codified in any KU document at any level. Yet it was applied with full force. UCPT backed the application of this novel “rule,” siding with the School administration, as did Provost Vitter and Chancellor Gray-Little. Aside from being blatantly unethical and homophobic, it was also a gross violation of Faculty Senate Rules and Regulations (FSRR) 6.1.2 which says:



The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

Hundreds of students and alumni wrote letters and signed petitions, the AAUP published open letters to the Chancellor imploring her to observe the FSRRs. His department’s student honor society gave him their top teaching award and published a full-page open letter excoriating the Chancellor for violating university rules to accommodate homophobic discrimination. Sadly, the Faculty Senate was frozen by a few voices who enabled the discrimination. The details of Senate action and more are chronicled in the Facebook page “KU Alumni for Professor Romkes.”

Since that time, a few rules and procedures have been tweaked, some committees restaffed, but the system remains fundamentally unchanged. At least one of the enablers of discrimination has been re-elected to the Faculty Senate. Such a dynamic could play out all over again if one biased administrator works the system as skillfully as the Dean and Chair did years ago. **Such biased job actions at KU can only truly be stopped by a binding contract** with legally mandated review procedures and application of fully vetted rules and regulations. Only a union contract can legally ensure such unbiased evaluations. Anything short of that is just “advisory” to the Administration and bears no weight of law or penalties for violations. As a footnote, Prof. Romkes has been tenured and promoted and is now a celebrated and productive member at a more professionally run and accepting institution: The South Dakota School of Mines.

Deeply Entrenched Diversity Issues Still Plague Some Corners of Campus

Of course most of KU cherishes diversity and works to promote it. Sadly, some corners are still very challenged. The school which spawned the Romkes scandal has not a single African American or Native American administrator, faculty member or staff member. Not surprisingly, LGBTQ+ faculty members are also scarce. Some of the mechanisms enabling on the job discrimination are like those mentioned on p.8 via the assigning of underrepresented minority and female faculty members run-down, OSHA-noncompliant work spaces. Other mechanisms are in the assessment of performance wherein BIPOC and female extension, outreach and recruiting endeavors bear no real weight in annual evaluations. This, of course, exacerbates the cycle of minority and gender diverse exclusion in STEM professions. Only a strong faculty union with a properly structured contract can fix this. Clauses like mandating that faculty be assigned to only OSHA-compliant workspaces would help. A clause specifically recognizing service, extension, outreach and recruiting of underrepresented populations as equal to scholarship would also help. In any case, the Administration not only ignores the problem, but does nothing more than empanel committees without any real power to solve the problem.

Guns on Campus

Guns are still on campus and causing problems. The Administration has skillfully suppressed news of the truckload of weapons that were found in the West Learned Hall Parking Lot. It also covered up the fact that faculty members have been threatened with gun violence. One of the more egregious cases involved a well armed student who failed a capstone course multiple times threatening to shoot the faculty member and his family from “two parking lots away” if the faculty member didn’t pass him with an “A.” When reported to the Administration no action was taken, no restraining order, no warning, nothing was done and the faculty member was instead threatened with a job action if he moved his class online. Only a strong faculty union with contractually mandated safe workspace procedures can prevent such a dynamic in the future.

The Jet-Set!

The Administration is still jetting around the country, costing KU millions. In 2017, the original “Jet Report” was written for the University Senate’s Planning and Resources Committee. The Chancellor, Athletic Director, Provost, their spouses, and many others took junkets to places like Napa, Palm Springs, Fort Myers and other destinations for “work.” The amount that KU could save by reforming the KU Aviation Program would be around \$5M immediately, followed by \$1M annually—and with just as many flights supporting the KU Medical Center. But instead of saving money, the Administration pulled a shell-game maneuver and removed the Jet from *Flight Aware* so that junkets couldn’t be tracked. Students were so upset that they even proposed a state law precluding private luxury travel for state employees for state business. Without a strong union pressuring the Administration to stop wasteful spending, extravagances like these will persist.



The High Price of Deferred Maintenance

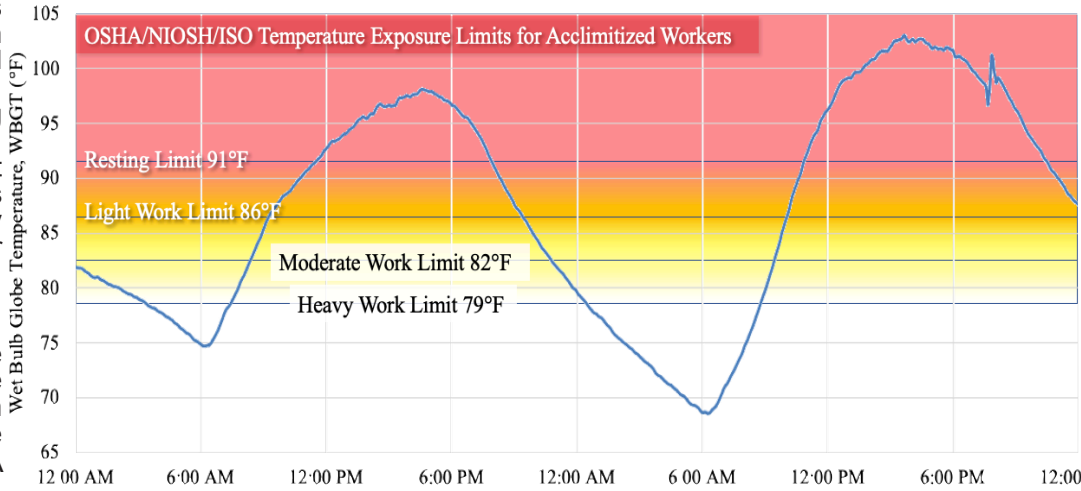
Late in the Summer of 1997, a 35-year-old air conditioning unit sputtered its last breath, leaving an entire wing of the building to roast. Lines were clogged with rust and broke in two as end fittings were removed. So, a 1,000-square-foot lab, which was formerly the jewel of its department, was turned into storage and the entire section of the building became an oven as the large industrial air conditioning unit made the fabled Deferred Maintenance List.

Eight years later, a newly-hired faculty member arrived. He had uprooted his family, resigned his position at another institution, brought lucrative contracts, and was in high spirits. Opening the door in the morning, the lab looked good. As he unloaded box after box and noon approached, the temperature reached the low ‘90’s. By 4pm it was over 100°F, and every knob on the air conditioning unit had been turned up. Unfortunately, the Chair “forgot” to tell him that not only was the air conditioning out in his assigned lab, but the lab had absolutely no circulation... and no hope of ever being repaired.

Now, 25 years later, nothing has changed. Because the lab doors are original, the locks are easily picked. Through the years, the lab had more than \$50k in supplies stolen... with nothing more than a shrug from the Administration. A low-ranking administrator explained:

The reason why you’ve had no air conditioning or lockable doors on your lab is because you need to pay for them yourself.
-KU Administrator to the only underrepresented minority faculty member in the department, Feb. 2022

Measured Laboratory Temperature Profile August 6-7



Forcing KU work off campus:

The bill for fixing the long-neglected HVAC system was tens-to-hundreds of thousands of dollars, so it was outside any faculty member’s personal budget and no outside agency would ever dream of paying for fixing dilapidated KU buildings and their systems.

From the figure above, it’s clear that not only is the lab unsuitable, it’s also dangerous to work in, given the high probability of injury from heat exhaustion. Keeping it open for students to work in is not simply unethical, it exposes the University to nontrivial legal peril. The only responsible thing to do is to close the lab when temperature limits are breached. This essentially precludes the development of an on-campus research program and associated funding streams. The result of this dynamic is a nontrivial, net financial loss for KU as research is moved off campus...

Tool for Discrimination? ...and a solution

Is it any surprise that underrepresented minority and female faculty members appear to be experiencing “Deferred Maintenance-Induced Discrimination” much more frequently than other faculty members in KU’s least diverse school? Only a strong faculty union with a contract clause demanding good, OSHA-compliant working conditions can prevent this.

Other Dangers of Deferred Maintenance to Students, Staff & Faculty

This tale and many others like it are just symptoms of the nearly \$1B backlog of deferred maintenance on the KU Campus and poor training of administrators. While the Administration buys shiny new buildings, KU’s labs, classrooms and offices continue to decay, forcing people, research and other activities off campus. Some offices have panes of glass that have been broken since the 1970’s; others have walls that weep from leaking roofs or groundwater intrusion. Of nearly universal concern is the state of various electrical systems.

Unfortunately, the State Fire Marshall has been essentially asleep when visiting KU. The inspectors will be the first to flag safe arrangements like one safety-fused extension cord plugged into another, but the last to do anything about truly dangerous violations of Fire Code or the National Electrical Code (NEC). In many buildings, wiring is so old that insulation often crumbles in ones hand, wire molds have been found to be “hot,” some 220 circuits are labeled backwards, breaker panels rated just 208V switch 400+V lines. Fuses are mislabeled or have numbers that fell off decades ago and breakers point to rooms that no longer exist. If an electrical or fire emergency were to occur, such a state of disrepair and noncompliance could induce serious injury or worse. Clearly the danger to faculty, staff and students in many old buildings is nontrivial... and are basically lawsuits waiting to happen. The only saving grace in all of this is that the Fire Marshall’s gross negligence and turning a blind eye to obvious code violations means that KU doesn’t bear all of the legal risk alone.

Examples of Grossly Out-of-Code Breaker Panels Ignored by Fire Marshall and Campus Environment, Health & Safety (NEC 408 noncompliant)

- 400+V lines into 208V rated breaker boxes
- Unlabeled live lines
- Wrong room numbers
- Missing room numbers
- Nonexistant room numbers



- Breaker numbers missing
- Tape pulling numbers off
- Unmarked lines
- Nonstandard notes
- Cryptic abbreviations



- Illegible writing
- Penciled notes on door off sheet
- Hidden breaker numbers
- Upside-down numbers
- Breaker number exceeds number of breakers

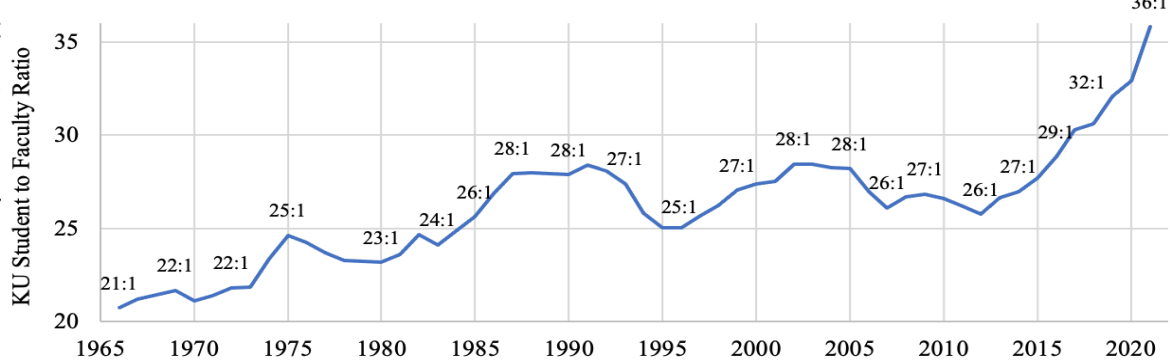


KU Students: Paying More, Getting a Lot Less

Over KU’s long history, excellence in teaching has been at the core of its mission and has been fiercely guarded by the faculty. And at the core of good teaching is maintenance of a reasonable student-to-teacher ratio. Sadly, the Administration’s decimation of the faculty has raised the student-teacher ratio exponentially—30% for full-time students and a whopping 37% for all students—above KU’s average in 1965. With 30 - 37% less time, attention and mentoring, learning outcomes of all types plummet. From reduced time to grade papers and prepare for class to increased advising overloads, fewer course offerings and sections, KU faculty members are stretched, and KU students are feeling the effects in the classroom.

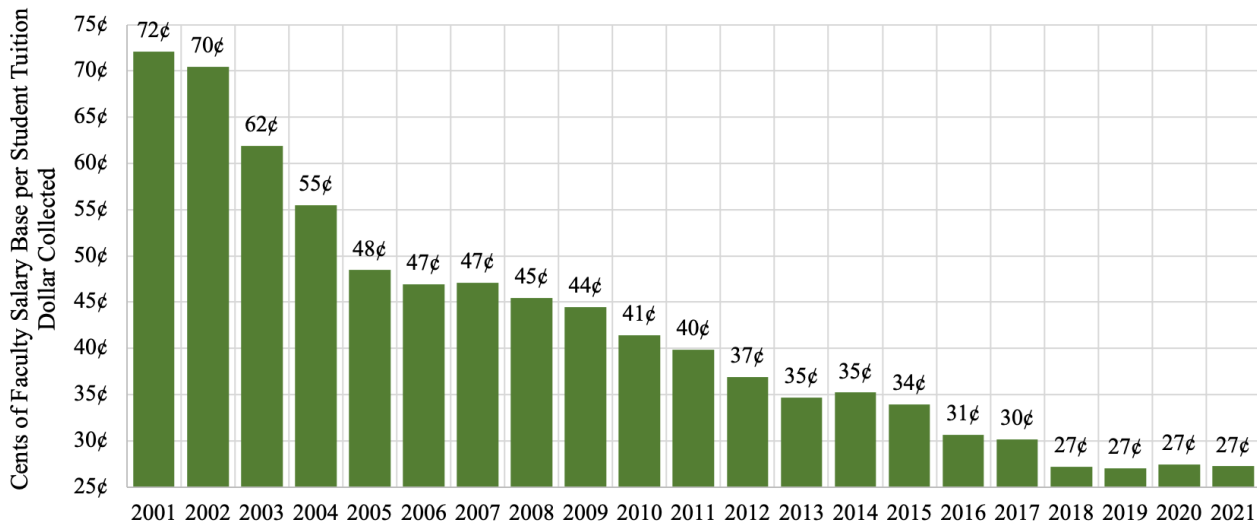
KU Student-to-Faculty Ratio

(Student Head Count vs all Assistant, Associate, Full & Distinguished Profs w/o Administrative Appointments, Sources: OIRP Table 4-105, Head Count 1965 - 2016 & KBOR Databooks)



KU Faculty Salary Base per Tuition Dollar

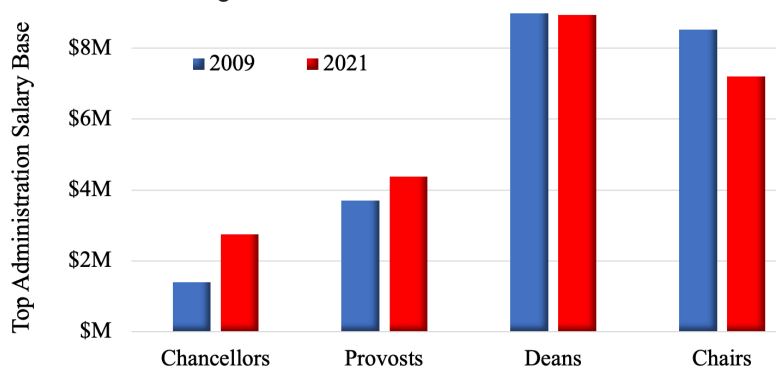
(Tuition from General Fees Funds per total Assistant, Associate, Full & Distinguished Profs w/o Administrative Appointments. Sources: KBOR Databooks, AAUP Academe and State of Kansas Payroll Data)



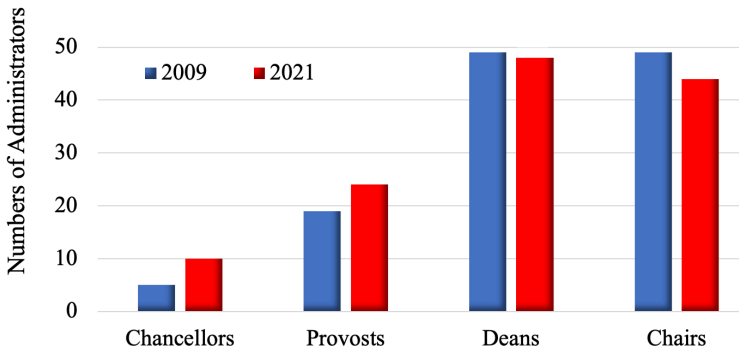
that it’s worth it. As tuition ballooned, faculty salaries and numbers shrank. Twenty years ago, faculty members were paid more than 70¢ on every dollar of tuition. Today, that has dropped to less than 27¢, as the Administration has to pay for overbuilding, upkeep on buildings that sit empty, and their own dramatically increased numbers and expanded salary base.

...And the Administration Keeps Growing

In just a dozen years, the Chancellor’s office has doubled in size as mini-Chancellors keep popping up. This in turn balloons the entire administration salary base, costing students, staff and faculty millions of dollars. It’s interesting that the top has grown while the lowest-ranking administrators have shrunk as departments are closed and/or merged.



Source: State of Kansas Payroll Records 2009, 2021



Source: State of Kansas Payroll Records 2009, 2021

Although top administrators are growing in number and salary base, KU is set to receive yet another layer of administration as the administration recruits the first “Executive Dean” in the College of Liberal Arts and Sciences.

How the KU Administration Broke the Budget

Stagnant Enrollment, Declining State Budgets? Time to Build!

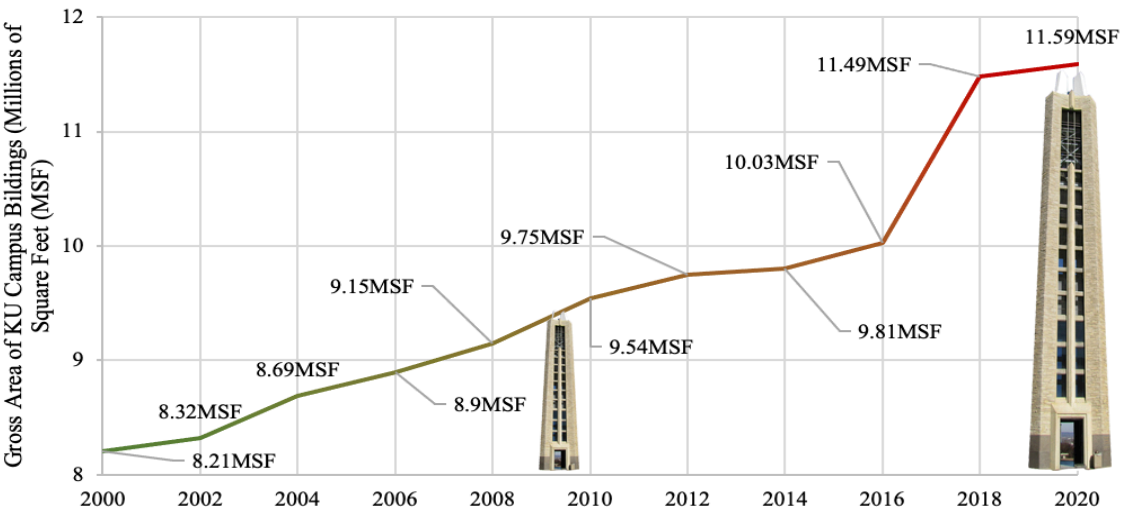
Prior to 2010, KU Administrations were appropriately cautious when it came to plunging the campus into debt. By the end of the reign of Provost Lariviere, the institution carried a debt service of \$22.8M. And while the \$288M in Revenue Bond Debt was nontrivial, it was manageable, as it represented 30% of the Total Operating Expenses.

Starting with Provost Jeff Vitter, the debt began to skyrocket, as the impact of his Central District building spree kicked in. By 2020, KU was paying \$81M on \$1.33B Total Operating Expenses (6.1%). Servicing the \$724.8M in Revenue Bond Debt meant the Debt-to-Operating Expense level rose to 54%. So, something had to give: Administration raided the salaries of Staff and Faculty and jacked up tuition... while more than doubling their own salary base.

Meanwhile, endeavors like the indoor football practice field were financed by private donations. Although it would be nice to have at least one or two wins a season, a far better use of the funds would be to strengthen the badly beaten academic side of the house. Proper leadership and fundraising by Strong Hall would have convinced any number of donors to give to productive endeavors like scholarships and academics.

Clearly, some of the expenses were necessary, as some buildings were repaired or renovated. That said, gross mistakes were made, especially with new construction. Although the Integrated Science Building (ISB) was well-intentioned, minimal contact was made with the faculty who were supposed to occupy it, prior to its construction. This oversight led to a brand new \$138M building with large open labs which were fundamentally not usable by many researchers. The mismatches were so complete that many investigators had no choice but to stay penned up in decrepit, poorly maintained buildings across campus. The \$10.5M Burge Union is cavernously empty on any given day, as are many buildings on West Campus. A stroll through the Earth, Energy and Environment building on most days will reveal darkened labs and meeting rooms sitting empty (but well-heated and air-conditioned). All in all, the Administration should have worked with the faculty to prevent such gross wastes of precious resources.

Total Gross Area of KU Campus Buildings

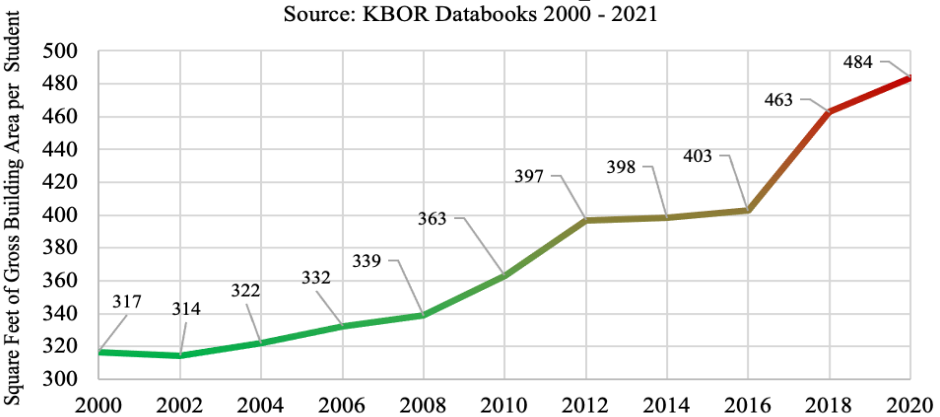


Just how Much Expansion?

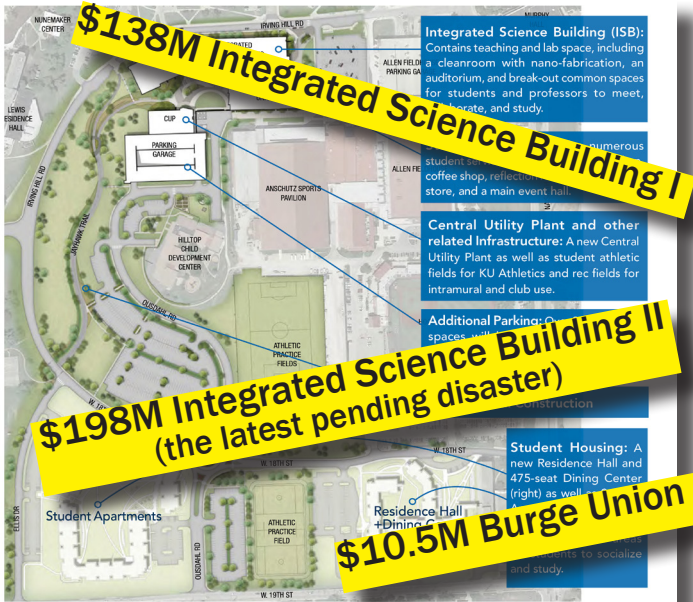
Between 2000 and 2020, the campus saw enrollment shrink by 8%. In that same time, the Administration funded the construction of nearly 40% more building space. From 2000 to 2020, building space per student grew 53%.

Square Feet of Gross Area per KU Student on the KU Campus

Source: KBOR Databooks 2000 - 2021

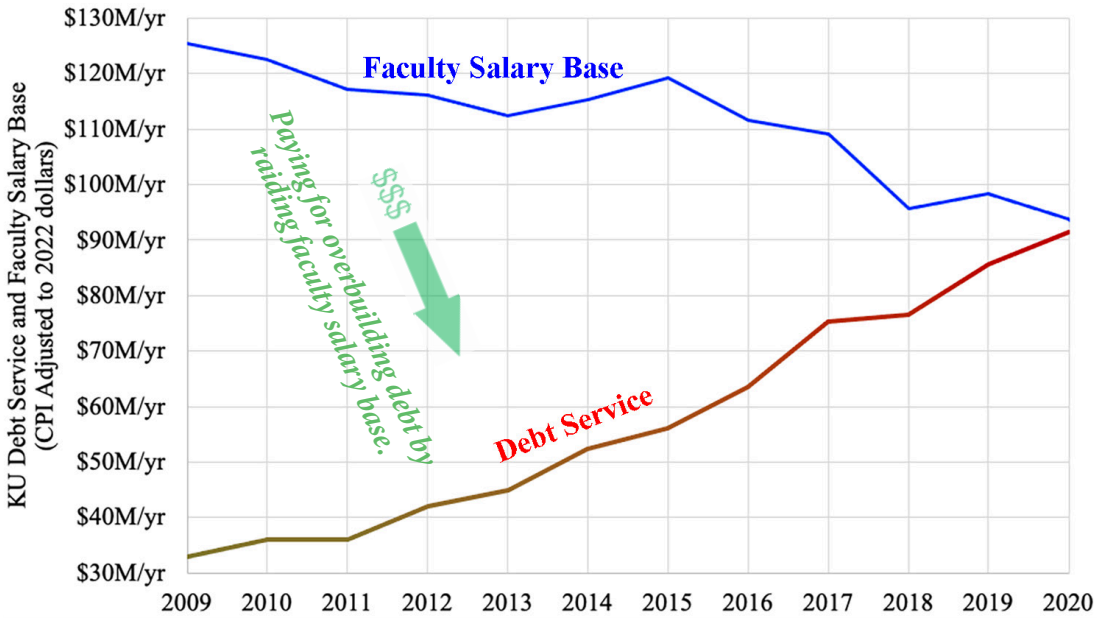


KU's new collection of big, empty, poorly built buildings has been paid for by raiding the faculty salary base.



Total KU Debt Service and Faculty Salary Base Trends

(All Assistant, Associate, Full and Distinguished Professors with no Administrative Appointment, Sources: KU Annual Financial Reports, Academe and State of Kansas Payroll Data)



Where was Governance?

Then, like now, Governance was cut out of the decision-making process. The administration presented plans and projects to Governance's Planning and Resources (P&R) Committee and Senate leadership long after they were underway. The administration guarded project details (like "consulting" contracts with Huron and Shorelight) and budgets closely. P&R caught the Chief Financial Officer presenting numbers that were orders-of-magnitude in error. The Committee was forced to use the Kansas Open Records Act (KORA) to secure information that should have been easily available to the public. P&R documented this malfeasance and more, in its annual report for 2017. Unfortunately, Governance was fundamentally powerless to stop or even properly analyze decisions that would badly damage the Faculty and Staff salary base and threaten the financial stability of the institution. The upshot? The total KU Debt Service is now greater than the total Faculty Salary Base for assistant, associate, full and distinguished professors.