

**Memorandum of Understanding
between
Eastern Washington University and United Faculty of Eastern
for
Provision of Safe Instruction and Evaluation for Winter and Spring 2021**

This Memorandum of Understanding (MOU) between Eastern Washington University (EWU) and the United Faculty of Eastern (UFE) memorializes an agreement regarding the instructional and evaluation procedures to be adopted for Academic Year 2020-2021 in response to the novel coronavirus and COVID-19 disease. Previous MOUs were entered on March 20, 2020 (regarding an adopted and modified course schedule and final exam schedule for Winter Quarter 2020, Spring Quarter 2020, and Spring Semester 2020) and in August 2020 (to address summer and fall quarter/semester).

Recitals

The public health threat posed by the novel coronavirus necessitated that all higher education institutions in the state of Washington transition their teaching to online platforms. On March 13, 2020, Governor Jay Inslee prohibited all such institutions “from conducting in-person classroom instruction and lectures related to all educational and apprenticeship related programs” until April 24, 2020 (Proclamation 20-12). On June 24, 2020, Governor Inslee issued Proclamation 20-12.1 which provides that beginning on August 1, 2020, public universities may resume general instruction, to include in-person classroom instruction, lectures, and similar educational gatherings if they implement, follow and enforce a series of requirements.

The health and well-being of students, faculty and staff are of utmost importance to the University. In response to Governor Inslee’s June 24, 2020 Proclamation while following the lead of public health officials, and after consulting with EWU faculty experts in public health and sciences, EWU adopted a plan which is designed to provide maximum flexibility. The plan offers most classes online, while allowing the opportunity to identify classes that cannot be offered online, such as some labs, to be approved for face-to-face instruction in compliance with public health restrictions. The plan allows for the flexibility of online offerings to be switched to face-to-face or a hybrid if public health restrictions ease or the ability to be online if health concerns increase.

Agreement

In light of this continuing and unprecedented situation, the parties agree as follows:

- (1) Nearly all face-to-face (“f2f”) classes courses will be taught as online courses through spring quarter/semester 2021. Exceptions may be made for courses that cannot be offered online including, but not limited to, classes that must be f2f due to accreditation requirements, licensing requirements, or for student learning outcomes. If a course cannot be offered online for the reasons previously identified, faculty will complete the f2f application process which has been adopted by the University. The faculty will complete the application and submit to their department chair. Applications will be processed on a first-come, first-served basis with some priority given to those applications with an earlier start date (e.g. semester programs).

The recommendation process is Submitter → Department Chair → College Dean → AFFLAC Committee → IRB Committee (for research only) → Risk Management → Provost for approval. If the status of the pandemic in Washington, Spokane County and at EWU changes, the AFFLAC Committee will reflect on the approvals given and provide additional guidance to the Provost about what is in the best interest of the health and well-being of the EWU community and may include revisions to the application process or to the process for any additional approvals. It may also include revision to the f2f model. The Chief Academic Officer will review the request and plan and make all final decisions regarding approval of classes for face-to-face instruction. <https://inside.ewu.edu/academic-affairs/application-process/>.

- (2) As provided in Article 17.4 of the Collective Bargaining Agreement (CBA), the online courses that faculty develop for the periods identified in (1) are faculty-owned intellectual property.
- (3) The timeline for probationary faculty to address identified shortcomings in their last review, which normally is three quarters (Article 5.3.4) will be extended to six quarters with the timeframe beginning Winter and Spring quarters/Spring semester 2021.
- (4) The timeline for assistant professors who would have otherwise been eligible to apply for tenure and promotion (Article 4.1.2.) during Winter and Spring quarters/Spring semester 2021 will be extended from six years to seven years, unless faculty would prefer the six-year timeline. In the latter case, faculty will not be subject to early tenure requirements under Article 4.1.2(b).
- (5) Faculty evaluations shall be conducted consistent with the Collective Bargaining Agreement between Eastern Washington University and the United Faculty of Eastern Washington University which is effective through August 31, 2022. However, faculty applying for retention/tenure/promotion, who include student evaluations for courses taught during Winter Quarter 2021, Spring Quarter 2021 or Spring Semester 2021 as part of their faculty promotion/retention/tenure application, will state in their application (e.g., in their annotated FAP) whether they taught any of those courses or sections for the first time online. In turn, the Department Personnel Committee, Department Chair, College Personnel Committee, Dean, and Provost must each acknowledge in their assessments of the faculty's application the special circumstances under which the course(s) was/were taught.
- (6) Quarterly faculty or full-time faculty teaching overload will be compensated for their courses that have moved to virtual delivery as a result of the pandemic crisis at the rate originally planned, regardless of Article 8.5.4.
- (7) Presentations that were accepted at academic conferences but were not delivered during the summer and/or fall quarter/semester because the conference was cancelled in response to the novel coronavirus will be considered to have been delivered for purposes of promotion and tenure under Article 5.

(8) Manuscripts that were accepted for publication during 2020-2021 but were delayed due to impacts of Coronavirus will be considered as having been published for purposes of promotion and tenure under Article 5.

(9) Faculty who are at high risk for severe illness from COVID-19 will be allowed to maintain their courses online for winter quarter/semester. For these purposes, high risk for severe illness from COVID-19 will meet Governor Jay Inslee’s Proclamation 20-46.2 which includes Employees who are 65 years and older

- Employees whose conditions are listed by the CDC under the “at risk” category which includes:
 - [Cancer](#)
 - [Chronic kidney disease](#)
 - [COPD \(chronic obstructive pulmonary disease\)](#)
 - [Heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies](#)
 - [Immunocompromised state \(weakened immune system\) from solid organ transplant](#)
 - [Obesity \(body mass index \[BMI\] of 30 kg/m² or higher but < 40 kg/m²\)](#)
 - [Severe Obesity \(BMI ≥ 40 kg/m²\)](#)
 - [Sickle cell disease](#)
 - [Smoking](#)
 - [Type 2 diabetes mellitus](#)
- Employees whose conditions are listed by the CDC under the “might be at increased risk” category, but only if, based on the employee’s medical circumstances and workplace conditions, the employee is, in fact, at increased risk for suffering severe illness from COVID-19.


(10) If a class needs to be taught F2F due to accreditation requirements, licensing requirements or to meet student learning outcomes, the University will seek faculty to volunteer to teach those classes through spring quarter/semester 2021. Faculty who meet the high-risk criteria outlined in Article (9) will not be compelled to teach F2F through spring quarter/semester 2021.

No other provisions of the CBA are being altered by this MOU.

Approved and effective on the date last signed below.


FOR EASTERN WASHINGTON UNIVERSITY

FOR UNITED FACULTY OF EASTERN



Dr. Brian Levin-Stankevich
EWU Provost

January 7, 2021
Date



Dr. Michael Conlin
UFE President

January 11, 2021
Date