

Dental Health Educators' Newsletter

DH Methods of Education, Inc.

Communicating With Our Colleagues

Financial Crisis: FAQ's

An excerpt reprinted with permission from the:

American Association of University Professors website: <http://www.aaup.org/>

Volume II, Issue 4
November 2011

Most colleges and universities, and their faculties, are facing challenging financial situations. In a few cases the challenges are extraordinary. But in too many cases, administrations invoke the broader fiscal collapse in ways that exaggerate institutional conditions that are considerably less extreme. And in too many cases administrations invoke such conditions as justifications for implementing, without sufficient or any meaningful faculty participation in the decision making, a variety of measures that threaten the working conditions of faculty, academic professionals, and graduate employees. Such measures include hiring and salary freezes, furloughs, salary cuts, layoffs, nonrenewals, reduction and elimination of academic programs and colleges, revision of curricula, changes in academic policy, elimination of tenure, substantial changes in workload, and more.

challenges we face, we provide an array of resources, including a series of often-asked questions with accompanying answers. We are facing hard times. In some ways these are uncharted territories. But it is precisely in these times that faculty should be a central part of the decision making processes in colleges and universities. It is precisely in these times that faculty should have access to the sort of financial information that makes such shared governance meaningful. And it is precisely in these hard financial times that faculty must take the lead in helping to define the academy's future. We hope that the resources we provide will assist you in doing that. Already there are excellent examples of AAUP chapters and conferences advancing valuable and creative ideas about how to work through these hard times. A recent [message from AAUP president Cary Nelson and general secretary Gary Rhoades](#) to our members featured one such example

To assist members of the academy in addressing the

In this issue

<i>Bad attitude at work</i>	3
In the Spotlight: <i>Mark Hartley</i>	4
Accreditation: <i>Frequent Citings Part I</i>	5

from the Louisiana State University AAUP chapter.

There are many other examples, including interesting legislation proposed by the California Faculty Association on a new funding source for public higher education and on transparency in budgets and a strong statement by the North Carolina state conference on transparency and meaningful participation.

Continued on Page 2

Note from Cindy Biron Leiseca

“There is NO money. Time for more cutbacks!”

You are hearing administrators say those words only to learn that projects you wouldn't expect to be funded got funded? Is the state of the economy a great opportunity to exaggerate the extent of the budget crunch?.

Our front page article **“Financial Crises FAQ's”** is an excerpt from an extensive article from the American Association of University Professors website.

For those who are being forced into furlough days, layoffs, and various salary cuts, it is time to investigate the legal considerations of the limitations pertaining to cutting faculty hours, benefits and salaries .

For the complete article go to: <http://www.aaup.org/>

From:

DH Methods of Education, Inc.
2866 Park Square Place East
Fernandina Beach, FL 32034
Amelia Island

To:

Continued from Page 1:

Financial Crises FAQ's:

At the national office, we will continue to send out information and data to support your good work, and we will continue to reframe and redefine public discourse and public policy about higher education, emphasizing that we must reinvest in and renew our higher education system and our faculty if our country is to recover and realize its full potential, not only economically, but also culturally and socially.

For now, we offer you these FAQs, and accompanying answers, drawing on the wisdom, experience, and resources of our staff, leaders, and members. As we become aware of new issues and strategies, we will

Legal Considerations

1. Can my school legally furlough me or lay me off during these financially hard times?

This is a complex question, for which factual circumstances, institutional policies, and state law may all affect a legal evaluation. The following is a non-exhaustive list of factors relevant to such an evaluation:

1) Do you have a collective bargaining contract? If so, read the language of the contract carefully and consult with your union president or grievance officer. Does it contain language about furlough or financial exigency? Does it incorporate the AAUP's [Recommended Institutional Regulations on Academic Freedom and Tenure](#) (RIR)? Does it contain a "job security" provision (i.e., language specifically stating that unit members will not be laid off in the absence of unsatisfactory job performance)?

2) Does your faculty handbook discuss furloughs or financial exigency? If there is such language in your faculty handbook, does your appointment letter refer to the handbook and incorporate it into your employment contract? The laws governing whether a faculty handbook constitutes a contract vary by state; a guidebook on faculty handbooks is available [here for free](#).

3) Does your letter of appointment, letter of promotion in rank, or other letter specify an annual salary or a guaranteed percentage increase in salary? While contract law varies greatly from state to state, letters from an employer specifying salary amounts or raises may be considered an enforceable contract under state law. For example, in *Karr v. Board of Trustees of Michigan State University*, 119 Mich. App. 1, 325 N.W.2d 605 (Mich. Ct. App. 1982), the Michigan Court of Appeals held that a university could not furlough an assistant professor for 2 ½ days because the professor had a contract that specified his payment for the academic year, and the unpaid furlough therefore violated his contract by unilaterally reducing his salary for the year.

4) Do you hold a position that is funded through an outside source such as a government agency or a foundation? Does the grant agreement establishing your position dictate your annual salary? Teaching and research positions that are funded through outside grants may be exempt from furlough actions if the grant agreement or budget specifies a minimum salary for your position.

5) Does your state have a statute about financial exigency or furloughs?

6) If you are employed at a public university, does the method of furloughing or laying off faculty members comply with the minimal due process requirements of the U.S. Constitution, such as notice and an opportunity to be heard?

2. Our university president isn't mandating furloughs yet, but he has asked faculty members to take two days off this month voluntarily. Is this OK?

The answer to this question will depend upon state law and the language of your handbook or collective bargaining contract. For instance, AFSCME recently filed suit against Iowa State University after the university president asked employees to take time off voluntarily to help with a budget deficit. AFSCME claims that the request was an "attempt to negotiate directly" with unit members in violation of Iowa's collective bargaining law. No decision or settlement has been reached in the case. In the absence of a collective bargaining contract, simply asking for voluntary furloughs is less likely to pose a problem.

3. If it is legal to furlough me, can my university furlough me just for a day? For half a day? For an entire semester?

As outlined above, whether or not a proposed furlough is legal depends on many factors, including institutional policy and state law. Federal law does dictate the minimum length of legal furloughs. Because faculty members are exempt employees under the Fair Labor Standards Act (FLSA), their pay may not be reduced in units of less than a full day. Furloughs in full-day units, however, would be permitted.

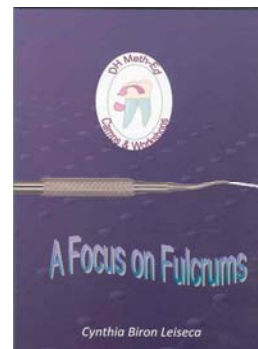
The propriety of a semester-long furlough would likely depend upon the specific circumstances and any governing contract or state law. Depending upon the circumstances, a semester-long furlough might resemble a layoff. Again, federal law is relevant in that layoffs of more than six months may be governed by the WARN (Worker Adjustment and Retraining Notification) Act, 29 U.S.C. §§ 2101-2109

4. I teach at a unionized public university. The state is in the process of passing a law stating that all state employees will be furloughed for two days per month regardless of preexisting contracts. Can they do this legally?

The answer to this question is unclear because case law on this point is somewhat unsettled. In general terms, the "Contract Clause" of the United States Constitution says that no state shall pass a law "impairing the obligation of contracts." U.S. Const., art. I, § 10. The Contract Clause is violated "when one alleges that he or she has a contract with the state, which the state, through its legislative authority, has attempted to impair." *University of Hawaii Professional Assembly v. Cayetano*, 183 F.3d 1096, 1101 (9th Cir. 1999) (citations omitted).

In order to determine whether contract rights have been impaired, the courts ask three questions: "1) whether a contract exists as to the specific terms allegedly at issue, 2) whether the law in question impairs an obligation under that contract and 3) whether the discerned impairment can be fairly characterized as substantial." *Gen. Motors Corp v. Romein*, 503 U.S. 181 (1992); *Robertson v. Kulon-goski*, 466 F.3d 1114, 1117 (9th Cir. 2006). Furthermore, laws that substantially impair contract obligations can still be legal if they are determined to be "reasonable and necessary to serve an important public purpose." *U.S. Trust Co. v. N.J.*, 431 U.S. 1, 25 (1977). For more information about gathering and assessing institutional financial information in order to address whether or not actions impairing contractual obligations are "reasonable and necessary," see <http://www.aaup.org/AAUP/Financial/Finance/>.

The DVD for the Advanced Clinician:



<http://www.dhmethod.com/product/AFOF.html>

Your bad attitude at work can sap productivity

By Barbara Bartlein

Too many employees dislike their jobs and view them as "have to" instead of "get to," according to Roxanne Emmerich in her new book, *Thank God It's Monday: How to Create a Workplace You and Your Customers Love*. This creates a negative culture of excuses, whining, gossiping and complaining with little focus on achieving successful. And now, with all the layoffs, it seems those "left behind" are stressed and so fearful with twice the work and half the friends, they have lost their ability to get results. According to Emmerich: Your bad attitude at work can sap productivity .

- More than 91% of people spend a large portion of their day frustrated by their co-worker's dysfunctional behaviors, and regularly think about quitting their jobs.
- Managers waste 37% or more of their day dealing with dysfunctional and unproductive behavior.
- More than two thirds of the workplace is considered to be "disengaged" according to polls by Gallup.
- One dollar out of every three payroll dollars is lost due to disengaged employees.

Many organizations attempt to address negativity in the workplace, but end up putting Band-Aids on the problem. Quality initiatives, process improvements, team building -- all of which can be good. But if they are put on top of a culture of excuses and passive aggressive behavior, they will not be successful. Organizations can improve their cultures by openly addressing negativity and making it clear what types of behaviors are expected. Rather than pushing dissent underground, it is much more positive to flush it out and deal with issues directly. The institutional pathology of avoiding hard discussions and decisions must be overcome to make progress toward a positive culture. *Thank God It's Monday* also suggests that employees:

Need to realize that they are in charge of the solutions. Employees must step up and confront gossips by saying, "sounds like you need to go to that employee directly. I don't want to be a part of any gossip." Each individual needs to take the initiative instead of passively waiting for things to change.

•Can't listen to excuses. This only reinforces a "can't" attitude instead of a "can do" approach. Excuses lead to mediocrity and this becomes contagious. Don't lower your standards to the lowest common denominator. If someone is giving out excuses, simply say, "Thanks for sharing why you can't...but how CAN you? I expect you to make it happen."

•Confront the whiners and complainers. If someone is whining, ask them to please list three solutions and make a top recommendation and then put them in charge of implementation. When I was VP of a large hospital system, my motto always was, "If someone complains about the Holiday Party, they are automatically in charge of it for next year."

•Don't play the victim. The helpless approach only promotes a powerless culture. Victimhood keeps us stuck, according to Emmerich, and it isn't good for the individual or the organization. We all have to take responsibility for our decisions and actions. And don't reinforce the victims around you with comments like, "How DO you take it?"

•Don't wait on the sidelines. Too many people are so anxious about the recession and the economy that they are frozen waiting for the worst. Emmerich suggests that it is more productive to work at shifting the workplace culture. List the results you want each week as a team and celebrate when they are achieved. Get results with teams that can deliver them.

• Now is the time to get focused on being successful. Simply delivering service doesn't cut it during times like this. Instead, start adding massive value and make sure you don't sign up for the recession. hear more on how to create a positive environment at work and get leads for some great freebies, check out this podcast [Creating a Positive Work Culture](#).

Barbara Bartlein is the People Pro. She provides keynotes, teambuilding and executive coaching. Get her FREE e-mail newsletter at www.thepeoplepro.com.

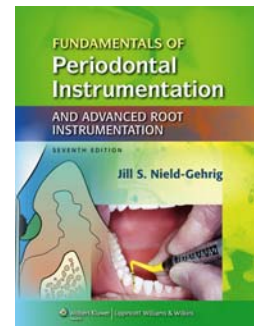
For more information, call 414-747-1842 or e-mail barb@thepeoplepro.com.

The Sharpening Horse Kit

"An easy to teach and learn technique that allows students to obtain truly sharp instrument cutting edges!"

Jill S. Nield-Gehrig

Featured in the next (7th) edition to be released February 2012



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November; (8)7:070-077

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<http://www.dhmethod.com/product/PIPISE.html>

In the Spotlight



Mark Hartley
Editor of RDH Magazine

As the editor of RDH Magazine, Mark Hartley has become well known to all in the profession of dental hygiene. We love his editorials. We see him at ADHA, ADA, UOR and at numerous other meetings. He attends all the ADACODA meetings that are open to all attendees at national conferences so he can stay on top of what is going on in our dental hygiene programs. He continues to be our advocate, mentor, and in many ways an advisor. Why? Because Mark has an analytical, albeit, heartfelt side that helps us keep things in proper perspective. When we face issues that are a threat to our profession, we as hygienists can flare up in frustration and outbursts. Mark helps us stay on an even keel. He cares deeply about the contributions we as dental hygienists make to society. Behind the scenes Mark has made a big difference for us and the dental hygiene care we give to society.

When Mark was approached about being spotlighted in this newsletter, his immediate response was, "That will be a snoozer, who would want to read, never mind write about me?"

I asked Mark a few questions. Here they are (**in bold text**) along with his replies:

How many years have you been the editor of "RDH"?

I was basically a flunky for RDH throughout most of the 1980s and early 1990s. Did proofreading, subbed in for editors when they were on vacation or on the road. In 1995, PennWell acquired RDH and asked me to help with the transition. I must have done all right, because the company asked me to stay on as the editor. So I have been the editor since 1995.

What did you do before that?

I started out as a newspaper journalist. Covered school boards, city hall and police departments. A friend of mine was a sportswriter. Although I liked sports as a fan, I never consid-

ered sports writing as a career option. But, believe it or not in this nation of sports fanatics, this friend of mine was having trouble finding help. So I started writing about a few games to help out and eventually drifted into sports writing full time. Sounds nice, doesn't it?

Along the way, though, I got married and had children. Spending my evenings watching sports events was not that well accepted at home front after awhile. Another friend of mine was a dental student. We would talk about dentistry and his career. So when the option of entering business-to-business publishing for the dental profession came up, I took it, and now spend most evenings at home, even though the kids have all left the roost.

I see you at accreditation meetings and know you are investigating all the issues. Tell me more.

I think part of the blessing of me being the editor of RDH is that I don't have a crusading agenda. I'm not going to push one philosophy over another. But that's not to say there have not been a couple of issues that move me in a personal way. The first is kind of old by now. But I did have some experience in writing about OSHA regulations (in industrial applications).

Regardless, I never thought of myself as being a diehard advocate of workplace safety. But when I encountered hygienist after hygienist retiring prematurely due to occupational injuries, I sure as heck became one. It is very irritating to me when I see examples of hygienists trying to survive occupational injuries. In most cases, it's entirely preventive, whether through actions from the employer or the hygienist. The second issue is the more recent one that you referred to. The CODA inspired proliferation of dental hygiene schools never seemed accidental to me. Dentistry is shooting itself in the foot by releasing hordes of hygienists into the marketplace, and everyone single one of them is experiencing some level of angst about what is happening in this economy.

How is that helping patient care?

This is so typical of Mark., you want to write about him and he selflessly makes it about something he values more—patient care.

It would be remiss of me not to mention that those of us who have had the honor of working with Mark in our role as columnists for RDH consider him one of our greatest mentors.

When you are fired up about a professional issue or topic, Mark will say.

"Let's wait until your emotions are not so high".

When you are afraid to write about something for fear some readers will not like your article, he says,

"Don't get all gun shy on me, express yourself and if we get letters and emails from those who disagree, we are getting their attention and broadening their horizons. We don't write to get people to agree with us, we write to inform, generate inquiry, and learn from our research, as well as from the responses we get from our readers."

Thank you, Mark. You have been a great mentor and inspired many to take action and serve the greater good. ♦

written by Cindy Biron Leiseca

Escape to Amelia Island!

Boot Camp for Dental Educators!
March 1-4, 2012
Harborfront Hampton Inn & Suites 19 South 2nd St.
Fernandina Beach, FL

Accreditation: Frequent Citings Part I by Cindy Biron Leiseca

The most recent *Frequency of Citings* lists available on ADACODA website to date are from January 2000 to October 2008. This is Part I of a series of articles. Future newsletters will include details on the findings and solutions for demonstrating compliance with standards focused on DA & DH separately. Here is the link to ADACODA lists:

<http://www.ada.org/342.aspx#Frequency>

The bar grafts to the right provide an overview of the combined total of individual items per standard (i.e 2-8 a, b, c, d, e) described in **most frequently** cited standards. Standards that do not have a maximum of 20 citings in at least one item within a standard are not reflected in these grafts. There are differences in standard titles and content but most often similarities in verbiage in same number standards.

Standard 1-1 Institutional Effectiveness ●

Formal on ongoing outcomes assessment, 69 DH citings 102 DA citings.

Standard 2-4 ● Curriculum Management Plan specific to DH. 217 DH citings.

Standard 2-5 ● Curriculum depth and scope. 59 DA citings

Standard 2-6 & 2-7 ● Written documentation of each course in the curriculum: 273 DA citings, 201 DH citings.

Standard 2-8 ● Graduates must be competent in knowledge and skill of supportive treatments. 171 DA citings.

Standard 2-9 ● Student evaluation methods that measure defined program competencies. 87 DH citings.

Standard 2-18 ● Difference between DA & DH

DA: Competency in taking radiographs on campus prior to extramural clinics. 53 DA citings

DH: Patient Care Competencies ages/patient types. 269 DH citings

Standard 2-19 ● Difference between DA & DH

DA: Faculty instruction/evaluation throughout radiographic technique experience. 32 DA citings.

DH: Competency in DH process of care. 298 DH citings

Standard 2-20 ● Competency in treating all periodontal disease types. 40 DH citings

Standard 2-27 ● DA clinical phase performance elevated throughout the curriculum. 87 DA citings.

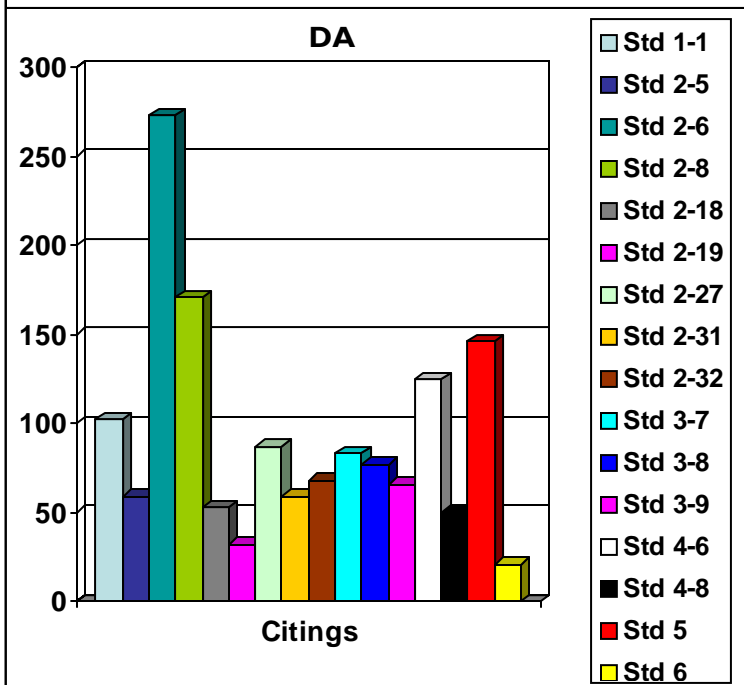
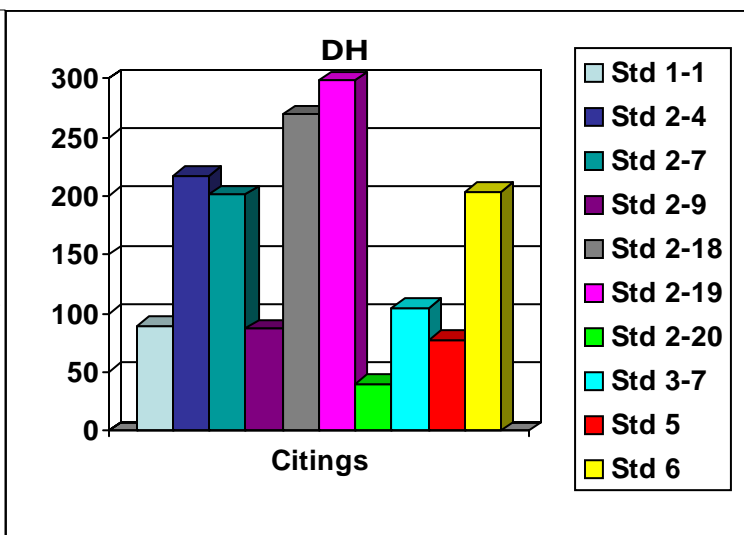
Standard 2-31 ● DA objective evaluation criteria in extramural sites. 59 DA citings

Standard 2-32 ● Objective evaluation methods must measure pre/clinical course objectives.

Standards 3-7 ● Faculty must have teaching methodology, plus training in subjects they teach.. 83 DA citings, 105 DH citings

Standard 3-8 ● DA faculty teaching didactic courses need baccalaureate degree. 77 DA citings

Standard 3-9 ● Preclinic/clinical after 2000 must have CDA. 66 DA citings



Standard 4.6 o Instruments provided for specialties. 128 DA citings

Standard 4.8 ● Radiology facility equipment, manikins. 50 DA citings

Standard 5 ● Difference in titles between DA & DH

DA: Patient Care policies, immunizations, emergencies. 148 DA citings

DH: Health & Safety, policies, immunizations, emergencies. 78 DH citings

Standard 6 ● Difference in titles between DA & DH

DA: Research Program , QA, review of patient care. 21 DA citings.

DH: Patient Care Services, QA, evidence base care. 204 DH citings
The DH programs have more on-campus clinics than do DA programs (who are not responsible for QA at extramural sites.) DH programs have stringent QA requirements with onsite clinics and QA throughout the curriculum.

Winter Camp 2012 Amelia Island, FL March 1-4, 2012

PRINT Name: _____ Nickname _____

Address: _____

City, State, Zip _____ Phone: _____ Fax _____

E-mail: _____ College or University Where You Teach: _____

Requests for cancellations must be received at least 2 weeks prior to the camp date. However, for cancellations received after this deadline, 75% of the tuition may be applied toward future camps. Tuitions for no-shows will be forfeited NO EXCEPTIONS.

DH Methods of Education, Inc. is not responsible for reimbursement of non-refundable airline tickets and other travel expenses if the camp is cancelled. All workshops will be presented at Hampton Inn Harbor Front, Fernandina Beach, FL Amelia Island.

Purchase Order registrations must be paid by deadlines to confirm your registration

Early Registration Final Registration

Payment by: Payment by:

Dec. 30, 2011 Feb. 1, 2012

Thursday, March 1, 8am-5pm *DA/DH Accreditation Workshop* (8 ceu's) \$500 ____ \$600 ____

***Schools adopting the DVD/Sharpening Horse Combo may send (3-6 depending on purchase)**

faculty members to a choice of ONLY ONE of these two courses for FREE:

Please do NOT register faculty members for two free courses each

Friday, March 2, 2012, 8am-5pm (8 ceu's)

Allied Dental Educator's Teaching Methodology Workshop (8 ceu's) \$275 ____ \$375 ____

***Adopting a minimum of 15 DVDs (3 faculty/15 purchases, 6 faculty/30 purchases) *NC ____**

Adopting 30+DVDs send 6 faculty free, remainder: 1/2 price \$137 ____ \$187 ____

Saturday, March 3, 2012, 8am-5pm (8 ceu's)

How to Teach Periodontal Instrumentation "Hands-on" (8 ceu's) \$350 ____ \$450 ____

***Adopting a minimum of 15 DVDs (3 faculty/15 purchases, 6 faculty/30 purchases) *NC ____**

Adopting 30+DVDs send 6 faculty free, remainder: 1/2 price \$175 ____ \$225 ____

***Sunday, March 4, 2012 8am-Noon** *The Complete Ethics Course* (4 ceu's) \$500 ____ \$600 ____

***Sunday, March 4, 2012 8am-Noon** *The Complete Nutrition Course* (4 ceu's) \$500 ____ \$600 ____

Sunday, March 4, 2012 1-3PM *Quality Assurance Course* (2 ceu's) \$225 ____ \$325 ____

*This *Quality Assurance Course* (2 ceu's) is **Free** to those in **March 4** morning courses. Check here if attending ____

Payment form: VISA MasterCard Discover or **FAX registrations (866) 271-4677** or make check **payable to:**

DH Methods of Education, Inc. 2866 Park Square Place East Fernandina Beach, FL 32034

Name on credit card: _____ Security code: _____

Account number: _____ Expiration date: ____ / ____

Signature: _____ Date: _____

For Hotel Reservations contact **Harbor Front Hampton Inn & Suites, 19 South 2nd Street, Fernandina Beach, FL, (904) 491-4911**. Block of rooms under the name of "Dental Camps" Hotel registration deadline for \$129 per night rate is **February 1, 2012**.