

Adopted **Spring 2002**

**PART-TIME FACULTY:  
A PRINCIPLED PERSPECTIVE**

THE ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES

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## INTRODUCTION

The status and use of part-time faculty hired on temporary assignments in the California community colleges (CCCs) has been a long-standing and growing concern of the Academic Senate, both as part of those issues that affect all community college teachers and as a distinct area of concern in its own right. In 1974, less than seven years after 1967 legislation authorizing the permanent classification of part-time faculty as temporary employees and less than six years after the founding of the Academic Senate, resolutions were adopted addressing part-time faculty issues. As early as 1977, the Board of Governors of the California Community Colleges joined in this concern, adopting policy statements limiting the use of part-time faculty to 25% of credit instruction and asserting their support of equal pay for equal work. Over the following 25 years, the Academic Senate continued to voice its concern in resolutions, policy papers, and in testimony before the Board of Governors and the Legislature.

Recent activities at the state level relating to the complex problems and issues surrounding

the overuse and abuse of part-time temporary assignments, and the resulting impact on the quality of the community colleges, indicate that real change is now underway.

This paper responds to the Spring 1999 resolution focusing on part-time issues:

*S 99 19.02. Resolved that the Academic Senate for California Community Colleges direct the Executive Committee to study comprehensive solutions to the problems and issues developing out of the current system use of part-time temporary faculty, including the possibility of a change in the California Education Code to require hiring of full-service faculty for all faculty positions, whether full-time contract or regular, or part-time contract or regular, and to limit the use of temporary faculty to short-term substitutions for duties of contract or regular faculty, and*

*Be it further resolved that the Academic Senate for California Community Colleges direct the Executive Committee to report to the 2000 Spring Plenary Session with analysis and recommendations.*

This resolution was prompted by the introduction of Assembly Bill 420 (Wildman) into the 1998-99 legislative session. In its early form AB 420 would have required equal pay for equal work, paid office hours, health benefits, and seniority based rehire rights, for part-time faculty in the California community colleges. It consequently became known informally as a “Part-time Faculty Bill of Rights.”

At that time, the Board of Governors of California Community Colleges had engaged the Chancellor’s Office and the Consultation Council<sup>1</sup> in discussions seeking a “comprehensive solution” to the problems issuing from the use of part-time temporary faculty assignments in the system. However, system level discussions proceeded slowly.

From 1999 to 2001, discussions of these issues at the state level, though somewhat disconnected, proceeded at a more rapid pace. The evolving debate that ensued, restructured and deepened the understanding of these issues. During the Spring 1999, AB 420 (Wildman) was amended radically but was signed into law requiring the California Postsecondary Education Commission (CPEC) to conduct a comprehensive study of CCC part-time faculty employment and compensation. Delays in the CPEC study prompted the Joint Legislative Audit Committee (JLAC) to hold hearings during the Spring 2000. The State Auditor was asked by JLAC to report on the issues, and the Bureau of State Audits completed its work by June 2000.

In September 2001, acting on Consultation consensus, the CCC Board of Governors adopted Board Policy reaffirming their “equal pay for equal work” position taken in 1977. The new policy statement declared that “part-time faculty should be paid comparably to full-time faculty for those professional responsibilities expected equally of full- and part-time faculty.” Anticipating this policy,

a line item for part-time faculty compensation equity had been included in the 2001-2002 system budget proposal, and in July 2001, Governor Davis signed the California Budget Bill with an initial \$57 million for this part-time faculty compensation fund. The new Board Policy further required that “specific definitions and policies regarding comparable pay are to be determined locally, through the collective bargaining process,” and that these definitions and policies should be completed by January or February 2003.

While on the surface the required definitions and policies appear to be primarily about pay and working conditions (and hence of concern primarily to collective bargaining agents), this paper argues that the issues relate to the very essence of faculty professionalism and to the educational quality of the CCC. Academic tradition has defined the work of professional educators in terms of Carnegie units of instruction. The broad range of professional activities beyond the classroom, while often discussed in general terms, is seldom specified in detail. The reduction of faculty professionalism to hourly work has been resisted for tenured faculty positions. However, part-time temporary assignments have been regularly forced into just such an hourly structure. Defining “comparable pay for comparable work” requires a basis of comparison. Any reduction in part-time faculty compensation below a 100 % pro-rated proportion based on Carnegie unit load requires determining just which professional expectations of tenured and tenure track faculty need not be expected of part-time temporary faculty. Any proposed reduction in professional expectations must be considered in terms of its potential impact on the educational quality and equity provided to the students of such faculty. Consequently, it is extremely important that local academic senates and the faculty as a whole become engaged in these deliberations.

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<sup>1</sup> The Consultation Council was established to develop consensual advice to the Board of Governors through representation from the major stakeholder organizations involved with CCC policy.

This paper provides a more detailed history of the issues; it reviews earlier Academic Senate papers and resolutions regarding the use of part-time temporary faculty in California's community colleges, placing them within the historical context. It then looks at recent activities in Sacramento and studies reported by the California State Auditor and the California Post Secondary Education Commission. The paper then reviews the recent actions by the Board of Governors of the California Community Colleges, the California Legislature, and the Governor. While developing this historical survey, this paper considers these issues from a principled perspective, seeking to understand their complexity. It discusses the academic and professional implications of recent developments and offers an analysis of the major issues that continue to affect the role of part-time faculty and the California Community College System.

The paper concludes with a series of recommendations, some of which reaffirm earlier Academic Senate recommendations, and some that are new and more comprehensive. In the most general terms, the Academic Senate recommends that local senates work with their faculty association or union, and with their district's administration and board of trustees, to establish definitions and policies regarding part-time faculty pay equity that assure equal professional expectations of all faculty. All of these recommendations are offered with the goal of moving California's community colleges toward a comprehensive solution to these complex problems, a solution that will be mindful of the academic and professional issues for which the Academic Senate is accountable.<sup>2</sup>

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<sup>2</sup> Several appendices provide key documents, including a chronology of events since the 1960 Master Plan for Higher Education in California, and the recent Board of Governors' Policy Statement on Part-time Faculty Compensation.

# Section I

## HISTORY, USE AND ACADEMIC SENATE RESPONSE TO ISSUES OF PART-TIME TEMPORARY FACULTY

### HISTORY OF PART-TIME TEMPORARY FACULTY USE

**D**uring the research and writing of the 1960 Master Plan for Higher Education, the ratio of full-time faculty to full-time students in the public junior colleges was less than 1/20.<sup>3</sup> The current ratio of full-time equivalent faculty (FTE) (full- and part-time faculty) to full-time equivalent students is over 1/35,<sup>4</sup> nearly doubling the responsibilities of faculty.

Prior to 1967, part-time temporary assignments were strictly limited to use in the evening programs of standalone courses for adult learners but also provided occasional short-term substitutions for full-time tenured faculty. Students in the regular day programs were almost all full-time students pursuing

integrated programs leading to a degree, transfer, or to a certificate. Consequently, the Master Plan virtually ignores any limited role part-time temporary faculty might have played in the junior colleges.

In November 1967, Education Code §13337.5 became effective. Often referred to as the 60% law, this section, now labeled §87482.5 (a), reads,

*Notwithstanding any other provision of law, any person who is employed to teach adult or community college classes for not more than 60 percent of the hours per week considered a full-time assignment for regular employees having comparable duties shall be classified as a temporary employee, and shall not become a contract employee under section 87604.*

By 1974, the over use of such temporary part-time faculty had already become an issue. The Academic Senate, then in its fifth year, adopted three resolutions regarding the use of part-time faculty.

*S74 SUPPORT legislation to ensure that part-time, substitute, and temporary teachers are granted the benefits of due process and equitable pro-rata remuneration that are provided for contract and regular teachers; request that AB 2965 (Cory/Rodda) be so written.*

*F74 SUPPORT any legislative or state board proposal for modification in statutes governing employment of certificated personnel in community colleges which will assure that students attending*

<sup>3</sup> The Master Plan Survey Team, *A Master Plan for Higher Education*, The State Department of Education, reprinted by the California Postsecondary Education Commission, (1998) Table 17, p. 121.

<sup>4</sup> California Community College Chancellor's Office, "Report on Staffing for Fall 2000," (November 29, 2001) p. 15. From this data the paper uses all credit and noncredit instruction, replacements, and overload assignments, for a total of 28396.5 FTE faculty. The paper uses an often-cited estimate of 1,000,000 FTE students, giving a ratio of 1 FTE faculty member to 35.2 FTE students. FTE full-time faculty is approximately equal to the number of full-time faculty members; however, since the average load of each part-time faculty member is about one-third of a full load, the number of part-time faculty members is about three times the FTE part-time faculty.

*classes taught by part-time instructors receive educational opportunities, privileges, and advantages equal to those of students attending classes taught by full-time instructors.*

*F74 ENCOURAGE local Senates to involve part-time instructors actively in Senate affairs.*

It should be noted that these 1974 resolutions encompass the entire range of part-time faculty issues that have remained unresolved for the ensuing 28 years!

The California Community and Junior College Association reported that in 1974 there were 14,747 full-time community college faculty while there were 24,421 part-time. Thus, 62.3 percent of faculty had become part-time and they were already teaching 28 % of graded classes.<sup>5</sup>

In 1979-80, Assembly Bill 1550 (Vasconcellos, Chapter 1177) focused legislative concerns on the number and use of part-time temporary faculty and full-time faculty overload assignments. The bill required that:

*The Board of Governors of the California Community Colleges shall publish a statewide report on part-time employment patterns and practices in each community college district to be submitted to the legislature no later than January 1, 1982. At the least, the report shall include a comparison of full-time and part-time faculty in the areas of teaching workload, related academic activities, remuneration, types of certificates, types of classes taught, length of employment, and whether or not the faculty members are evaluated. Information on assignments performed by full-time instructors which is in addition to their full-time assignment and for which additional compensation is provided shall be included in the report.*

In the subsequent report to the Legislature, in Spring 1981 the Chancellor's Office reported that

<sup>5</sup> California Community College Chancellor's Office Analytical Studies Unit, "Report on Faculty Employment" (January, 1982) pp 9-10.

the number of full-time faculty had grown to 15,753 while that of part-time faculty had grown to 29,879. Thus, in seven years, part-time faculty had become 65.5 %, a 3.2 % increase. Thirty-one percent (31 %) of credit instruction was reported to be by part-time faculty, a 3 % increase during the same seven-year period.

The most recent Chancellor's Office Report on Staffing for Fall 2000 shows that the number of full-time faculty has grown to 18,864, while part-time faculty now number 36,900 or 66.2 %. While this represents less than a 1 % increase over the past nineteen years, the percentage of credit instruction taught by part-time faculty has now climbed to 46.1 %, a 15.1 % increase.<sup>6</sup>

At least as early as 1984, the CPEC began to raise concerns over the

*...high proportion of community college faculty who are employed on a part-time basis. ...Over dependence on part-time faculty inevitably injures not only part-time faculty, but also their full-time colleagues and, most of all, the students.<sup>7</sup>*

Use of part-time temporary faculty has long been justified for the flexibility it allows the colleges in providing a broad program of courses. However, by the time of AB 1725 (Vasconcellos), 1988, the Legislature had become so concerned about the continuing failure of the CCCs to deal with a repeatedly flagged problem that they wrote:

<sup>6</sup> California Community College Chancellor's Office, "Report on Staffing for Fall 2000," (November 29, 2001) pp 1 and 15. These staffing reports derive their data from the system management information system (MIS), a computerized collection of data reported to the Chancellor's Office by the districts. The data compared here over a 40-year period derive from different sources so one must be cautious when interpreting. However, the trends are clear.

<sup>7</sup> The California Postsecondary Education Commission (CPEC), *Faculty Salaries and Related Matters in the California Community Colleges*, 1984-85, p 7.

*(b) If the community colleges are to respond creatively to the challenges of the coming decades, they must have a strong and stable core of full-time faculty with long-term commitments to their colleges. There is proper concern about the effect of over reliance on part-time faculty, particularly in the core transfer curricula. Under current conditions, part-time faculty, no matter how talented as teachers, rarely participate in college programs, design departmental curricula, or advise and counsel students...*

*(d) Decisions regarding the appropriateness of part-time faculty should be made on the basis of academic and program needs, however, and not for financial savings. (AB 1725, Section 4)*

AB 1725 established that at least 75 % of credit instruction should be by full-time faculty, adding §87482.6 to the Education Code. In part, this reads:

*... the Legislature wishes to recognize and make efforts to address long-standing policy of the board of governors that at least 75 percent of the hours of credit instruction in the California Community Colleges, as a system, should be taught by full-time instructors. To this end, community college districts which have less than 75 percent of their hours of credit instruction taught by full-time instructors shall apply a portion of the program improvement allocation received pursuant to section 84755...*

While funding was provided for two years to move the system toward achieving this, no further program improvement funding has been allocated since the beginning of the early 1990s recession. Growth funding has allowed for some increase in full-time faculty positions but has not kept pace with enrollment, leading to an increased reliance on part-time faculty.

## ACADEMIC SENATE RESPONSES TO THE ISSUES

The Academic Senate has focused its concerns on four areas impacted by overreliance on part-time faculty:

- ▶ on students directly through the limited institutional support of part-time faculty instruction;
- ▶ on full-time faculty through the increased professional burdens spread among fewer tenured faculty;
- ▶ on part-time faculty because of a lack of career support, compensation, and benefits; and,
- ▶ on institutional integrity.

The Academic Senate has adopted four major papers addressing issues of part-time faculty, as well as an equity statement developed with other faculty organizations. Those interested in the detailed history of the Academic Senate's response should read the papers briefly discussed below.

### PART-TIME FACULTY HIRING PROCEDURES: A MODEL BASED ON ASSEMBLY BILL 1725<sup>8</sup>

Perhaps no part of the community college reforms instituted by AB 1725 in 1988 was as important as the "professionalization" of the faculty and the strengthening of the academic senates. The reforms switched the community colleges from a K-12 system of credentials under the Board of Education to a system of minimum qualifications established by the Board of Governors under the responsibility of the Academic Senate and based on the needs of the curriculum. Fair and effective hiring processes were established in law with the Academic Senate and faculty primarily responsible for the quality of faculty hiring. The tenure review process was extended from two to four years with an added emphasis on pre and post-tenure peer review.

<sup>8</sup> Fall 1989; available on the internet at:

[http://www.academicssenat.cc.ca.us/Publications/Papers/Part-time\\_hiring.htm](http://www.academicssenat.cc.ca.us/Publications/Papers/Part-time_hiring.htm)

Part-time faculty hiring was only briefly mentioned by the Legislature.<sup>9</sup> All faculty were to be subject to the same set of minimum qualifications and hired under the same processes. Local senates quickly took on their newly clarified responsibilities. Struggling locally with high rates of part-time faculty replacement per year, many turned to the Academic Senate for guidance. This 1989 position paper provided a model for hiring that could be used by local senates in coming to agreement with their district boards on procedures to be used in hiring new part-time faculty.

The paper established as a first principle of the Academic Senate that hiring processes are meant to ensure hiring faculty who are experts in their disciplines, skilled in teaching and in serving the needs of a diverse population, effective in institutional service, and sensitive to the racial and cultural diversity of the adult population of California. In addition, the paper established the goal of hiring faculty who represent the diversity of the actual and potential students they serve. This, of course, reflected the language and intent of AB 1725.

In general, the goal of the model was to mirror the full-time hiring process as closely as deemed possible. The major difference between the full-time model and the part-time model was the latter's procedure designed to cover emergency hires of part-time faculty. This was designed to address sudden openings occurring when an instructor became unavailable to teach at the last moment, or when sections were added late to accommodate enrollment demand in key courses. In such cases the college and academic senate presidents were to certify that the situation could not be foreseen; the model included a provision that faculty so hired must be evaluated in their first term in accordance with college procedures.

In reiterating that the part-time hiring model reflects the full-time hiring model, the paper affirmed that

such strict parallelism “guarantees a consistently high quality of instruction to students, and it endows the status of part-time instructor with the aura of professionalism that it deserves.”

The 1989 paper concluded by recommending that local academic senates should:

- ▶ review their district's hiring policy and procedures and compare them to this model to determine whether the policy and procedures in place are as rigorous as those in place for full-time hiring.
- ▶ ensure, through review of hiring policy and procedures and through clarification where needed, that part-time hiring policy and procedures mirror full-time hiring policy and procedure.
- ▶ periodically review hiring policy and procedures and monitor their implementation and effectiveness to ensure that, over time, institutions do not drift away from them in practice.

However, many have questioned whether such local reviews have been done, or whether they can be effective. No systematic review of local hiring policies, procedures, and implementation has been done at the state level. Perceptions in the field that part-time faculty are not subject to rigorous hiring processes, and that the emergency hiring process has opened the door to widespread disregard for fair and effective hiring processes for part-time faculty, undermine the respect and status accorded to part-time faculty, and can be used to argue against reemployment or rehire rights for part-time faculty. Also, there have been regular attempts to weaken the system of minimum qualifications by requests to implement single course equivalency in cases where few part-time faculty candidates are available with the required discipline preparation. Further, there are stories of colleges quietly granting equivalency when they have little basis in fact, justifying such action on single course expertise. Such perceptions are damaging to the careers and professional credibility of part-time faculty and to the colleges.

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<sup>9</sup> AB 1725, in Section 4. (r) 2., did emphasize that the regulations applied to “both temporary and permanent” faculty. At other places, emphasis was added by the use of “all faculty.”

Finally, there is simply the scale of part-time faculty hiring to be considered. Nearly 50% of districts reported in Fall 2000 that they hire over 15% of their part-time faculty as new hires (22 districts reported over 20% were new hires), and the state average was 17.11% new part-time faculty hires. The practical logistics of passing this many faculty through a rigorous screening and interview process each semester is hardly credible. It is clear that the increased institutional maintenance load placed on full-time faculty and administrators must lead to trade-offs that inevitably reduce their overall effectiveness. It is also clear that such stories, whether based in fact or fiction, are damaging to the careers and professional credibility of part-time faculty and to the colleges.

Consequently, the Academic Senate should undertake a comprehensive statewide review of part-time faculty hiring and evaluation policies, procedures, and implementation. A thorough review would include studying such areas as: the extent of implementation of fair and effective hiring and evaluation practices; an analysis of the causes of turnover and retention of part-time faculty; an analysis of long term changes in the diversity of part and full-time faculty; and the impact of current part-time faculty employment practices on full-time faculty and administrative responsibilities.

#### PART-TIME FACULTY IN THE CALIFORNIA COMMUNITY COLLEGES<sup>10</sup>

The Fall 1992 Plenary Session of the Academic Senate adopted the paper titled Part-time Faculty in the California Community Colleges. It reviewed the overuse and unequal compensation of part-time faculty, and discussed academic quality and equal treatment and the ratio of part-time faculty to full-time faculty. The paper also surveyed Academic Senate resolutions regarding part-time faculty up

<sup>10</sup> Fall 1992, available on the internet at: [http://www.academicsenate.cc.ca.us/Publications/Papers/Part-time\\_faculty.html](http://www.academicsenate.cc.ca.us/Publications/Papers/Part-time_faculty.html)

to that time, beginning with the 1974 resolutions referred to above (a comprehensive listing of Academic Senate resolutions relating to part-time faculty issues is included in the Chronology outlined in Appendix A). It noted attempts to ameliorate the situation of part-time faculty, referenced relevant legislative actions, and included pertinent Education Code provisions.

Sadly, this paper has stood the test of time. Change a few dates and numbers, and it could be used to describe the situation of part-time faculty today. Reading the 1992 paper makes clear that there was some momentum, though inadequate, to reduce the problems created by the use of part-time faculty by attempting to merge part-time assignments into full-time positions, by earmarking funds to do that, and by improving the lot of part-time teachers by not exploiting them for purely budgetary reasons.

Most importantly, the 1992 paper demonstrated the Academic Senate's growing concern for the whole range of issues raised by the overuse of part-time faculty. While recognizing the important working condition issues surrounding the use of part-time faculty, the paper forcefully reminded the system of the unavoidable negative effects these conditions have on the institutional mission of the colleges and on the equitable opportunities students need and deserve.

#### THE COUNCIL OF FACULTY ORGANIZATIONS (COFO) FACULTY EQUITY STATEMENT.<sup>11</sup>

In Fall 1995, the Academic Senate joined with all the statewide community college faculty organizations to draft a "Faculty Equity Statement." (COFO was joined in this effort by part-time faculty leaders who were emerging at the state level by now.)

In Spring 1996, the Statement was formally adopted by the Academic Senate, as it had been by the other

<sup>11</sup> The Council of Faculty Organizations is comprised of those faculty organizations that are represented on the Consultation Council: the Academic Senate, the Community College Association of the California Teachers Association (CCA/CTA), the Community College Council of the California Federation of Teachers (CCC/CFT), the California Community College Independents (CCCI), and Faculty Association of California Community Colleges (FACCC).

faculty organizations, and was published as an appendix to the 1996 paper, *The Use of Part-time Faculty in California Community Colleges: Issues and Impact*, discussed next. The full Statement is included here since any understanding of more recent events must be seen within the collegial context created at that time. The Statement should be read first and foremost as a statement of principle, but also as a plan for, and commitment to, concerted action.

#### COFO Faculty Equity Statement

*We, the members of the Council of Faculty Organizations (COFO), recognize that the part-time and full-time faculty members of the California Community College System share common professional interests. The core of this common interest is our responsibility to provide educational opportunities of the highest quality to our students. To accomplish that purpose full- and part-time faculty must communicate effectively with each other, share institutional responsibilities and rewards, and create an academic community that is based on mutual respect. Part-time faculty must be recognized as competent, responsible and productive members of a distinguished and honorable profession. At the present time, these conditions do not uniformly exist in the community colleges of California.*

*Providing students an excellent education and instituting fair working conditions for part-time faculty are complementary objectives. To this end, COFO supports the right of part-time faculty to participate in organizations and activities that shape the direction of the individual community college. All faculty should participate in departmental functions, assume organizational responsibilities, and contribute to the general well being of the institution.*

*Full- and part-time faculty are required to meet the same minimum qualifications for employment and should be hired and evaluated using comparable processes. Students should have reasonable access*

*to all faculty members both full- and part-time. Since full- and part-time faculty have the same responsibilities to students, part-time faculty members should have the same support services, office space, choice of educational materials, and opportunities for professional development as their full-time colleagues.*

*Part-time faculty should be accorded fair compensation, professional respect and due process. It is the recognized role and responsibility of individual bargaining agents to make the contractual gains that will benefit part-time faculty which in turn will improve the educational quality of the institutions that employ them. However, we, the representatives to COFO, urge support for the following rights for part-time faculty: pro-rata pay, contractual considerations for full-time positions, health benefits, seniority on rehire rights, paid office hours, legitimate STRS pension opportunities and true professional status relating to teaching and learning issues.*

*We view the need for improving these conditions as self-evident, and we are confident that better communication and mutual respect between full- and part-time faculty, as well as frank discussions of these labor and educational issues, will lead to changes that will benefit community colleges and full-time faculty as well as the part-time faculty who are directly affected.*

Prior to the COFO Statement, faculty organizations had largely focused their efforts on these issues piecemeal through specific legislation and through attempts to merge part-time assignments into full-time regular positions. On the basis of the Statement, the coalition of faculty organizations turned its attention directly to the overuse and treatment of part-time faculty members in the community colleges and the resulting degradation of the ability of all faculty and the colleges themselves to serve their mission and students. With this shift of focus, there emerged a growing understanding

of the complex interrelations among all the issues, and their unification under the concept of faculty professionalization and equity.

#### THE USE OF PART-TIME FACULTY IN CALIFORNIA COMMUNITY COLLEGES: ISSUES AND IMPACT<sup>12</sup>

This paper was a response to the growing recognition of the complex interrelations of the many problems growing out of the overreliance on part-time faculty and a Spring 1995 resolution referred to the Executive Committee of the Academic Senate, calling for Board of Governors' or legislative action to protect students from inequitable educational opportunities resulting from part-time faculty employment practices. It provides an analysis of emergent issues and the continuing impact of the by now pervasive and systemic problems created by part-time temporary faculty use driven primarily by cost-cutting concerns. The analysis reflects the spirit of the COFO Faculty Equity Statement and the mounting concern about the integrity and coherence of academic programs and student services, and about the continued ability of the system to serve its mission. The paper concluded with several recommendations:

1. *A corps of full-time tenured faculty is essential to the maintenance of educational excellence, academic integrity, and the freedom to pursue and effect the acquisition of knowledge without fear of reprisal for exercising that freedom consistent with one's academic and professional judgment. Failure to attain and maintain such a body of full-time tenured faculty threatens the very ambition, creativity, innovation, exploration, and criticism which is central to academic integrity of programs and courses of study in institutions of higher learning. Local academic senates should resolve the above statement and work with the local administration to ensure the colleges maintain such a commitment.*

Much of this language builds on the intent language of AB 1725. However, since the adoption of the Issues and Impact paper, and facing the reality of increasing numbers of permanent "temporary" part-time faculty, there has developed a growing insistence that these values of full-time tenure and tenure-track positions must be incorporated into part-time positions as much as possible, even while continuing work to reduce dependence on part-time faculty.

2. *Local academic senates should resolve to create a climate of mutual respect between the full- and part-time faculty.*

This language parallels the broader language of the 1995 COFO Faculty Equity Statement.

3. *Consistent with the intent language of state law, the decision to hire part-time faculty should be based on educational program and service needs, not perceived financial savings.*

This language repeats almost verbatim the AB 1725 intent language. However, continued underfunding of the CCC System has led to the general acceptance by all involved that much, if not most, use of part-time faculty is a response to their current cheaper cost rather than program needs.

4. *The California Community Colleges should diligently work toward surpassing a minimum of 75 % of the hours of instruction to be taught by full-time faculty. Consistent with previous resolutions, local academic senates should continue to support student access to faculty in all disciplines including the counseling and library disciplines.*

The paper's discussion of the complex issues revolving around attempts to move the system toward the minimum standard that 75 % of instruction should be taught by full-time faculty is very important. Attempts to further weaken the then current Title 5 regulations were also discussed. Attention was focused on the disincentives that were reducing the number of full-time counseling and library faculty. Since the paper was adopted,

<sup>12</sup> Spring 1996, available on the internet at: [http://www.academicssenate.cc.ca.us/Publications/Papers/Use\\_part-time\\_faculty.html](http://www.academicssenate.cc.ca.us/Publications/Papers/Use_part-time_faculty.html)

nonteaching faculty have been added to the 75/25 regulations; this has helped stabilize hiring in these fields.

*5. Colleges should make every effort to support the integration of part-time faculty into the institutional processes. Local academic senates should consult with the local union, where applicable, to facilitate the availability of part-time faculty to interact with students, participate in governance, and participate in curriculum decision making processes.*

The paper, in seeking to understand the broad and complex issues it faced, referenced a growing body of literature developing nationally as higher education throughout the United States and Canada grappled with related issues. Research by Grappa and Leslie (1993), and by Tinto (1988), was cited in calling attention to the importance of faculty integration within the broader academic community of their colleges and of institutional support of all faculty.

*6. Hiring processes for part-time faculty should have components identical to those of full-time faculty hiring processes, including proper notice, recruitment, screening, interviewing, and selection. Local academic senates should work with the designees of the board to ensure the faculty hiring policies include processes for hiring part-time faculty. A hiring process which establishes a diverse pool of qualified faculty for part-time assignments should be pursued.*

*7. Local academic senates should work with their union to ensure evaluation processes for part-time faculty have identical components as full-time faculty evaluation processes.*

The need for reiteration of these recommendations in 1996, seven years after the Part-time Faculty Hiring Procedures paper, is further indication of the important need for the statewide review of hiring practices and evaluation recommended above.

*8. In order for part-time faculty to effectively perform their professional duties and for students to have reasonable access to the faculty, the local colleges should provide a level of support comparable to that of full-time faculty with similar professional duties. Support usually includes office space, communication technology, faculty development resources, and instructional media/reproduction support.*

*9. The Academic Senate for California Community Colleges should seek legislation and/or regulations which would require that local colleges provide all students comparable access to instructors, whether they be full-time or part-time, and that all faculty will have comparable access to institutional support of professional services.*

Senate resolutions 19.01 F01 and 19.02 F01 indicate that, even with recent budget support of office hours for part-time faculty, progress in this area has been incomplete.<sup>13</sup>

The 1996 *Issues and Impact* paper shifted the tone of the Academic Senate's response to part-time faculty issues, showing a growing consensus with other faculty organizations over the critical and interrelated nature of the problems and the need to seek legislative solutions. The paper began to call more focused attention to the importance of integrating part-time faculty within the broader activities of the academic community, recognizing their marginalization, isolation, and alienation as fundamental to specific problems impacting the quality of the institutions and their students' educational opportunities and experiences.

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<sup>13</sup> 19.01 F01 calls for support efforts to require California community college districts to provide an adequate place for every faculty member, both full- and part-time, credit and noncredit, to meet with students outside of class, and such efforts to include new Title 5 Regulations and inclusion of such a standard in Accreditation Standards.

19.02 F01 investigate the possibilities of requiring that all community college classes include the expectations that students will receive the opportunities for effective contact with their instructors outside of the regular class period.

PARTICIPATION OF PART-TIME FACULTY ON THE EXECUTIVE COMMITTEE OF THE ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES<sup>14</sup>

This paper tackled specific issues within the Academic Senate itself in an attempt to increase part-time faculty participation in Academic Senate activities. The paper noted that,

*... while the Academic Senate has long supported the inclusion of part-time faculty in local academic senates and has passed many resolutions relating to the inclusion of part-time faculty in academic senate processes, few part-time faculty participate in these processes. Recognizing the circumstances of part-time faculty, it is clear that without proactive leadership at the state and local academic senate levels, few part-time faculty will develop the needed background experience and collegial confidence required to become a successful Senate delegate or Executive Committee member.*

The paper concluded with the following recommendations:

- 1. Bylaws and policies of the Academic Senate for California Community Colleges should be developed to facilitate and encourage part-time faculty participation on standing or ad hoc committees, as well as, providing appointments to system advisory committees and the like.*
- 2. A proactive recruitment and mentoring process should be developed to encourage leadership and involvement of full- and part-time faculty on standing and ad hoc committees, as well as, the Executive Committee. This should include urging local academic senates to seriously consider the importance of part-time faculty involvement in governance and collegial relationships at the local level and provide those opportunities.*
- 3. The forms used in declaring the intent to run should visually identify the opportunity for*

*part-time faculty to run. In addition, the Bylaws of the Academic Senate should clearly delineate the opportunity for part-time faculty to run for a position on the Executive Committee and the requirements for doing so. Of course the requirements would be the same as for full time, but with further elaboration on their faculty assignment. This should include the requirement for at least a 40 % faculty assignment at a specific college each semester/quarter, and what happens when an assignment is lost because of class cancellations or budget constraints.*

- 4. If a part-time faculty member is elected to serve on the Executive Committee, reassigned time will be provided within the constraints of the 60 % law from the member's district of primary employment.<sup>15</sup>*
- 5. If a part-time faculty member is elected to serve on the Executive Committee and they are already employed with a 60 % assignment, while it is not the preferred practice, a stipend at the part-time rate can be provided.*

These recommendations are particularly interesting in noting the difficulties part-time faculty face in seeking to fulfill their broader professional responsibilities as a result of the structure of their employment. While the Academic Senate has sought means to integrate part-time faculty into the professional academic community and has recognized the importance of such professionalization, several factors—including past practice, chronic underfunding of the colleges, and the economic realities faced by part-time faculty themselves—have worked to continue their marginalization. Part-time faculty tend to be included in the academic life of the colleges only where there is a persistent and determined effort of both full-time and part-time faculty.

<sup>14</sup> Fall 1998, available on the internet at: [http://www.academicssenate.cc.ca.us/Publications/Papers/Participation\\_part-time\\_exec.html](http://www.academicssenate.cc.ca.us/Publications/Papers/Participation_part-time_exec.html)

<sup>15</sup> The 60% law constraints mentioned here and in recommendation 5 have been removed by a Chancellor's Office legal opinion (L 98-21) which establishes that such Senate duties as "service on the academic senate and related committees," are not part of a regular faculty member's normal load and thus would not be additional load of part-time faculty members.

## Section II

### RECENT STATE ACTIVITIES RELATING TO PART-TIME FACULTY USE

The use of part-time faculty in California community colleges has changed significantly over the past 40 years. Employment issues such as benefits, on-campus offices, and institutional support did not arise when part-time instructors worked primarily in the community college evening program while holding other full-time day jobs. Since the evening programs were to provide standalone courses to part-time students who were mature adult learners, the assumption appeared to be that both students and instructors came to the classroom from home or work, and returned home after class. In theory at least, the instructor's contact with their students was naturally limited to a few minutes before and after class, and no professional duties beyond minimal preparation of the course curriculum was expected. Participation of such faculty members in local academic senate deliberations, curriculum planning and development, and governance committees, was simply not at issue.

However, since the 1960 Master Plan, there has been a series of significant changes. As noted previously, in 1967 the Education Code was amended to authorize all part-time faculty teaching adult or community college classes for no more than 60% of a full-time load to be classified as temporary faculty. Education Code changes during the 1970s retained tight limitations on the use of part-time temporary faculty in K-12 programs, but there was a rapid influx of part-time faculty into the community colleges.

Community colleges expanded their services as student profiles changed and tuition costs at the four-year institutions increased. Until the mid 1980s, more and more community college students became part-time while working full-time, needing full academic programs at night with full institutional support.<sup>16</sup> Also, colleges have scheduled increasing numbers of regular program sections in the evening to more efficiently utilize limited facilities, and many full-time students are enrolled in evening classes.

With the June 1978 passage of Proposition 13, fiscal pressures already pressing on college programs and planning increased dramatically, and there was a rapid replacement of many retiring full-time faculty with temporary hires. Growth in the student body enrollment was also accommodated by use of temporary hires.

An increasing percentage of these new part-timers were recent graduates hired to teach within core general education and transfer programs. By 1985, 32% of part-time faculty were teaching credit classes, 22% were teaching in the day program, and, for example, 28.7% of credit English/Humanities courses and 18.3% of credit Social Sciences courses were taught by part-time faculty.<sup>17</sup>

<sup>16</sup> The 1960 Master Plan projected that about 40% of higher education students would be part-time in 1975. This projection assumed "status quo" proportions. By 1984 72.9% of credit community college students were part-time. By 1988, CCC credit part-time students reached a peak of 78.3%, since 1988 this trend has reversed with CCC part-time students declining to less than 73% in 1999 (CPEC, *Student Profiles*, 2000, 1998 and 1994).

<sup>17</sup> California Community Colleges Chancellor's Office, *Study of Part-time Instruction*, (January, 1987) pp 12-15.

A significant part of this shift was a result of legislative action in 1982-83 that mandated cuts in recreational, avocational and personal development courses. These cuts led to a reduction of part-time faculty from 29,796 to 22,847 over a two-year period. Seven years later, with the early 80s recession in the past, part-time faculty numbers had increased to over 30,000.<sup>18</sup> Most of the new part-time positions were now in credit instruction.

By 2000, over 79 % of part-time faculty were teaching credit classes (a 47 % increase in the last 15 years). Data on the difference between day and evening programs is no longer being reported, but in the two examples above, in 2000, 42 % of credit English/Humanities classes and 40 % of credit Social Sciences classes were taught by part-time faculty (in 15 years, 15.3 % and 21.7 % increases, respectively).<sup>19</sup>

These part-time faculty often see teaching as their profession and part-time jobs as an entry into a tight job market. However, fewer new full-time positions have opened as underfunding has continued. The distinction between the curriculum for and the students of day and evening programs has nearly disappeared.

As a consequence of these interrelated developments, employment standards and practices for the increasing corps of permanent “temporary faculty” has become a constantly growing concern, as has the limited institutional support available to the students of these teachers.

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<sup>18</sup> California Community Colleges Chancellor's Office, “Staffing and Salary Changes: 1981-82 thru 1983-84,” (February, 1985) p 6. It should be noted that the annual staffing report is based on reported fall data.

<sup>19</sup> California Community Colleges Chancellor's Office, “Report on Staffing for Fall 2000” (November, 2001, pp 15 and 28-29)

## HEALTH BENEFITS FOR PART-TIME FACULTY

Part-time faculty have typically been excluded from health benefit coverage because they were seen as temporary employees with access to benefits through other employment or retirement. The Chancellor's Office reported that in 1981 part-time faculty had an average of less than 3 years experience, and only 19 % had taught more than 6 years in the same district.<sup>20</sup> But the recent CPEC study found that, on average, part-time faculty in 2001 have taught 8.7 years in their current district, and have 12 years of teaching experience.<sup>21</sup> As the profile of part-time faculty has changed, with more being regularly rehired as professional educators, attempts to attain some degree of coverage through legislation gained increasingly broad support, but these remained unsuccessful until the mid-1990s. Finally, in 1996, a compromise was reached in AB 3099. While not requiring health care benefits for part-time faculty, the bill created a fund that would provide some state reimbursement of district benefit costs. The benefits would be made accessible to those temporary employees with the greatest need.

By the end of 2000-01, responding to AB 3099, 25 districts had negotiated some level of coverage for a few part-time faculty. Typically, a district will pay one-half the costs of a basic-coverage health care plan (for which it is reimbursed by the state) for part-time faculty who teach 40 % of a full-time load and who certify that they have no access to coverage from another source. About 5.5 % of part-time faculty statewide were served by this fund in 2000-01, yet 20 to 26 % of part-time faculty have been able to gain coverage in some districts where a plan has been established for several years.<sup>22</sup> The

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<sup>20</sup> California Community Colleges Chancellor's Office, *Study of Part-time Faculty Instruction* (January, 1987), p 30.

<sup>21</sup> California Postsecondary Education Commission, “Report on Part-time Faculty Compensation in California Community Colleges” (April 2001) p 4-2.

<sup>22</sup> Chancellor's Office data.

CPEC Report on Part-time Faculty (2001) found that 58 % of part-time faculty statewide receive health benefits from some source other than their district.<sup>23</sup>

The increasing need for health benefits by community college part-time faculty is an indication of the changing character of California community college temporary employment and the increasing number of these faculty members who have focused their professional lives on their institutions.

### PART-TIME FACULTY AND STUDENT CONTACT (OFFICE HOURS)<sup>24</sup>

Academic Senate papers and resolutions have demonstrated that student access to part-time faculty has long been an Academic Senate concern. *The Academic Senate's position is clear: students should have access to part-time faculty comparable to their access to full-time faculty.* By the 1980s, CPEC and the Legislature were beginning to echo this position. However, a Chancellor's Office 1987 study showed that, between 1981 and 1986, the number of districts requiring part-time faculty to keep office hours, advise students, participate in course and program development, and other such professional duties, actually declined.<sup>25</sup>

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<sup>23</sup> California Postsecondary Education Commission, "Report on Part-time Faculty Compensation in California Community Colleges" (April, 2001) p 4-19. It should be noted that a slow growing number of districts have moved to full health coverage of part-time faculty who teach 50% or more of a full-time load. This report is available on line at <http://www.cpec.ca.gov/SecondPages/CommissionReports.asp>

<sup>24</sup> For purposes of this paper, "office hours" should be understood broadly as availability to students in a one-on-one setting, whether in an office or other space, including technologically created meeting spaces such as email, chat-rooms, and telephone.

<sup>25</sup> California Community Colleges Chancellor's Office, *Study of Part-time Instruction* (January, 1987, Appendix p A4)

Faculty know that the time spent in office hours—whether actually in an office or at the cafeteria or in the hallway, or by some distance mode like telephone or email office hours—can be crucial to student success. Unfortunately, two-thirds of California community colleges have yet to provide space, technology, or compensation for part-time instructors to engage in this kind of contact, despite the authorization and partial reimbursement funding allocated by the state for this purpose. The normal professional expectations of all faculty in higher education have long included access by their students outside of regular class times for the purposes of academic advising, intellectual exchange, and tutorial assistance. In the California community colleges, full-time faculty members usually have minimum office hours negotiated into their contracts and are paid for such activity. Educational literature affirms that students' contact with their instructors is among the significant institutional variables connected to student success.<sup>26</sup> However, most part-time faculty members, generally seen as hourly employees, are neither contractually required to be available to students outside of class nor compensated for making themselves available.

Clearly, if office hours and one-on-one contact with students is so fundamental to the educational process as to place it in the negotiated contracts of full-time faculty members, then the lack of facilities and compensation for such work by part-time faculty members constitutes a deficiency in institutional support of a part-time faculty member's students, thereby creating a *de facto* secondary tier of instructional employees. There is a qualitative differential in the education full-time and part-time faculty members are thereby able to provide to their respective students.

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<sup>26</sup> Multiple studies have pointed to the importance of faculty-student interaction for student success. See for example: Astin, A. (1993). *What Matters in College: Four Critical Years Revisited*. San Francisco: JosseyBass, and Tinto, V. (1987) *Leaving College: Rethinking the Causes and Cures of Student Attrition*. Chicago: University of Chicago Press.

This difference is widely recognized. One faculty member, outraged by this inequity, proposed placing an asterisk in the class schedule next to those sections taught by part-time faculty members. At the bottom of each page would be a notice: “\*This class is taught by a faculty member who does not receive compensation for office hours and is not expected to hold them. This is not a full-service class.” The collective horror with which this suggestion was met tacitly admits this fundamental difference and confirms that all segments of the community college system understand the importance of one-on-one contact between students and faculty outside of the classroom.

Part-time faculty members often hold office hours without being compensated, but many cannot do so simply because they must rush from one part-time assignment to another at a different college, or to other full-time or part-time work. While voluntary service is noble and reflects dedication to high quality teaching by the vast majority of faculty members, it is unreasonable to expect that those who are compensated least for their work will put the most into it voluntarily. Remarkably, the CPEC study found that, except for humanities and health/PE,<sup>27</sup> part-time faculty spend 8 to 13% of their professional activities on office hour consultation while full-time faculty in the same disciplines spend 9 to 12%.<sup>28</sup>

The California Community College System and the State of California (AB 301, 1997) made some move to remedy this problem in providing quality education by establishing a fund to reimburse districts 50% of their costs if they negotiated some

level of office hour compensation for their part-time faculty members. Despite the resistance of many districts even to consider negotiating part-time faculty office hours, enough did so to exhaust the modest pool of funds provided for these subsidies.

Subsequent legislation (AB 420 1999), and the 2001-2002 state budget have added to this fund to cover extensions of the part-time faculty office hour program, and both the Legislature and the Governor have shown strong support to expand this fund as needed. Currently, 26 districts are compensating some part-time faculty office hours through this fund, with about 11,000 participants (approximately 31% of CCC part-time faculty statewide). Several of the districts that have negotiated compensated office hours for part-time faculty have a participation rate of nearly 100%.

At the 2001 Fall Session, the Academic Senate adopted two resolutions<sup>29</sup> supporting office hours and facilities for part-time faculty members. The Academic Senate should work with Consultation members and the Board of Governors in developing mechanisms to ensure that all California community college faculty assignments include the expectation that students will receive equitable opportunities for effective contact with their instructors outside of the regular class period.

The Academic Senate also urges local senates to work with their collective bargaining units, and with their administrators and trustees, to establish local policies and negotiated agreements to provide compensated office hours as a part of all instructional assignments—in order to ensure that all students have equitable access to their instructors outside of class.

The Academic Senate further recommends that, while supporting both compensation and facilities for part-time faculty office hours as a sensible approach to assuring students equal access to

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<sup>27</sup> In humanities, part-time faculty reported a significantly higher percentage time spent on preparation than did full-time faculty, and a lower percentage on office hours. In health/PE part-time faculty reported a higher percentage of time spent on grading and office hours than did full-time faculty, and a lower percentage on instruction and preparation.

<sup>28</sup> California Postsecondary Education Commission, “Report on Part-time Faculty Compensation in California Community Colleges” (April, 2001), pp 4-7 and 4-9.

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<sup>29</sup> See footnote 13.

all faculty, districts, local senates and unions should work together to devise creative options to traditional office hours. These options might include email accessibility, telephone office hours, and online chat rooms. Such alternatives to traditional office space and time do not abrogate the necessity of compensating part-time faculty for services rendered, nor should they be assumed to fully replace the need for traditional face-to-face contact between students and faculty outside of class.

## COMPARABLE PAY FOR COMPARABLE WORK

Responding to early concerns about the System's overuse and abuse of temporary assignments, the Board of Governors adopted a policy of "equal pay for equal work" in 1977.

Board of Governor's Policy on Pro Rata Pay, Adopted March, 1977

*The Board of Governors finds no basis for differing pay schedules for full-time and part-time Community College faculty members where in class and out of class responsibilities are the same. Therefore, in such instances the Board of Governors supports equal pay for equal work (pro rata pay). In instances where part-time faculty have less than the same responsibilities for out of class activities the Board of Governors favors pro rata pay for them equal to that which would be paid to full-time instructors for similar classroom activities.*

At the same time, the Board determined that no more than 25% of credit instruction should be taught by part-time instructors. While AB 1725 attempted to address the issue of the ratio of full to part-time faculty in 1988, the Legislature had not addressed the issue of part-time faculty compensation before the 1998-99 legislative session, despite repeated concern raised within the System and by CPEC.

By January 1999, faculty organizations were developing legislation to address many part-time

faculty issues. At the same time, Chancellor Nussbaum, facing growing concern by the Board of Governors, put together a "working paper," *Important Historical Data, Trends, and Analysis Relevant to Full-time/Part-time Issues*. The Chancellor called particular attention to the role of chronic system underfunding in the system's inability to "sustain any consistent degree of progress" on the Board's 1977 policies that (1) a minimum of 75% of credit instruction should be by full-time faculty, and (2) equal work should receive equal compensation. He also called for the system to consider developing "systemwide 'guidelines' that either recommend or establish what constitutes pro-rata pay," and for the system to "engage in a comprehensive study of part-time instruction," noting that "[t]he lack of current data has hindered us in not only understanding the nature and extent of the problems, but also the best means of attacking them."<sup>30</sup>

## ASSEMBLY BILL 420 (WILDMAN)

AB 420, in its initial form, would have required that "each person employed by a community college district as a temporary academic employee shall be compensated at a salary or hourly rate that is directly proportional to the salary of a full-time regular employee with comparable training and experience." It would also have established in law a minimum of part-time faculty benefits pro-rated with regard to full-time faculty benefits as well as a seniority-based system of preference for reappointment of part-time faculty continuously employed for three academic years.

Though the bill rapidly passed through Assembly committees and on to the Senate Education Committee, concerns were raised by the Chancellor's Office and local college and district administrators regarding the seniority-based rehire provisions. They

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<sup>30</sup> Chancellor Thomas J. Nussbaum, "Important Historical Data, Trends, and Analysis Relevant to Full-time/Part-time Issues" (January, 1999) p 9; available from California Community College Chancellor's Office, Sacramento.

argued that such provisions would reduce the ability of the colleges to hire a more diverse faculty. To save the principles within the legislation and retain the less controversial expansion of the health benefits and office hour programs, further amendments were offered.

In its final form as signed by the Governor, AB 420 retained its support of the principle of “equal pay for equal work” for part-time faculty in California community colleges and directed the CPEC to

*...conduct a comprehensive study of the California Community College system’s part-time faculty employment, salary, and compensation patterns as they relate to full-time community college faculty with similar education credentials and work experience. ...The study ... shall include the addressing of policy options available to achieve pay equity between community college part-time faculty and full-time faculty...<sup>31</sup>*

While issues regarding funding delayed the CPEC study, the Joint Legislative Audit Committee (JLAC) called an informational hearing to spotlight part-time faculty issues.

### JOINT LEGISLATIVE AUDIT COMMITTEE (JLAC) HEARINGS ON PART TIME FACULTY USE

The JLAC hearing on “California Community College Use of Part-time Faculty” in January 2000 evidenced clear legislative concern about the issues; legislators were openly critical of the slow pace of system and CPEC responses to the legislature’s interests. The committee requested that the California State Auditor report on the compensation of part-time teaching faculty within the California Community College System.

<sup>31</sup> AB 420 (Chapter 738 Statutes of 1999, Wildman), SEC. 2 (b) and (c).

### THE CALIFORNIA STATE AUDITOR’S REPORT

In June 2000, the California Bureau of State Audits issued its report, “California Community Colleges: Part-time Faculty Are Compensated Less than Full-time Faculty for Teaching Activities.” The report fundamentally confirmed many of the concerns that had been raised over the past twenty-seven years. It estimated that an additional \$144 million “would be needed annually to eliminate existing pay differences between all part-time and full-time faculty for teaching activities” under current patterns of part-time faculty use.<sup>32</sup> It should be noted that the report developed its recommendations based on current patterns of part-time faculty use but did not consider the propriety of these current practices.

Central to the Bureau of State Audits’ analysis, while recognizing significant variations across the CCC system, was a set of assumptions about what constituted normal professional and contractual expectations for teaching activities. Their determinations were predicated on the following methodology:

1. A full-time teaching load is generally accepted to be the equivalent of 15 credit hours of instruction per week.
2. For each hour of instruction, we assumed that a faculty member would spend, on average, 1 additional hour per week for preparation, grading, and evaluation-related activities. This adds 15 teaching-related hours per week.
3. For each class taught, we assumed that a faculty member would spend, on average, 1 hour per week in office hours. Assuming that a standard class is 3 [semester] credit hours, a teaching load of 15 credit hours translates to 5 office hours per week.

<sup>32</sup> Bureau of State Audits, “California Community Colleges: Part-time Faculty Are Compensated Less than Full-time Faculty for Teaching Activities” (June 2000), p. 29. This report is available online at <http://www.bsa.ca.gov/bsa/summaries/2000107s.html>

4. Adding these three components, we arrived at a 35 hour teaching week. We then added 5 weekly hours for nonteaching activities to arrive at a 40 hour workweek.... Translated into percentages, these numbers showed that about 88% of a full-time faculty member's work hours are spent on teaching-related activities. The remaining 12% of the full-time salary is assumed to be for nonteaching activities, such as curriculum development and committee work, which part-time faculty are generally not required to perform.<sup>33</sup>

These assumptions raise many questions about the nature of faculty professionalism and work expectations, both in terms of what *are* the current practices in California community colleges, and in terms of what *should be* the practice from an academic and professional perspective.

For example, while assuming a standard 15 unit (weekly class hour) work load for full-time faculty is consistent with Chancellor's Office MIS data, the American Association of University Professors (AAUP) has long argued that faculty loads in undergraduate education should be a maximum of 12 credit hours per week. They add that, from observation of institutions noted for "the effectiveness of their faculties in teaching and scholarship," a 9 credit hour load should be preferred for undergraduate instruction.<sup>34</sup>

The basis for assuming the numbers of 15 hours, 5 hours, and 5 hours, for the three areas of faculty activity outside of the classroom seems to be the assumption of a 40-hour workweek. The fact is that most reports on the faculty workweek are significantly higher. Even the conservative U.S. Department of Education, National Center for Education Statistics' *1999 National Study of Postsecondary Faculty* reports a 54.4 hours per week

<sup>33</sup> Bureau of State Audits, "California Community Colleges: Part-time Faculty Are Compensated Less than Full-time Faculty for Teaching Activities" (June 2000), p. 26.

<sup>34</sup> American Association of University Professors, Committee C, *Statement on Faculty Workload*, (October, 1969).

average for all full-time instructional faculty and staff, with an average classroom load of 11 credit hours per week. In public two-year institutions, the average class size was found to be 24.7 students.<sup>35</sup> This is consistent with the Chancellor's Office's data which has reported average CCC class sizes about 10 students higher than the national average<sup>36</sup>. One could infer that much of the 14.4-hour additional workweek is devoted to additional class preparation, grading, and student advising/tutoring/guidance outside of regular class time. This would suggest that a 91% figure for teaching-related duties in CCCs is more accurate than the 88% cited in the Report.

Most importantly, the State Auditor's Report assumes that the so-called "nonteaching activities, such as curriculum development and committee work" are not (and, implicitly, should not be) a part of the professional expectations of part-time faculty employment. The Academic Senate maintains a principled perspective while confronting the current and historical economic realities impinging on academic and professional matters. What *is* the case may often not be what *should be* the case. This paper will return to these issues.

## THE CALIFORNIA POSTSECONDARY EDUCATION COMMISSION (CPEC) REPORT

The CPEC Report, published in April 2001 after a one-year delay, has already been referred to several times above. However, a broader consideration of the Report's recommendations is important. While generally more comprehensive than the State Auditor's study, and based on a broader sample of CCC districts, the CPEC study largely confirmed prior concerns and studies. The CPEC Report makes five primary recommendations. First and foremost,

<sup>35</sup> National Center for Education Statistics 1999 National Study for Postsecondary Faculty, "Background Characteristics, Work Activities, and Compensation of Faculty and Instructional Staff in Postsecondary Institutions: Fall 1998," (April, 2001) Table 23, p. 39, and Table 26, p. 42.

<sup>36</sup> California Community Colleges Chancellor's Office, 2005 "Study Data."

*The Commission recommends that statewide policy be articulated regarding the minimum/core functions which faculty within the California Community Colleges are expected to provide. Once established, the State may choose to become involved in the support of core function activities, while overall salary decisions are left to the determination of local districts and allowed to reflect responsiveness to local market forces, collective bargaining negotiations, or other priorities/concerns identified by local districts.*

In discussing this recommendation, the Commission noted, “there is no consistent definition of those core services which should be available to students through their course instructors, regardless of their employment status. ... [This] allows the potential for student needs to be compromised.” Significantly, the Commission recommends that “faculty, whether full-time or part-time, should be accessible to students outside of class time through office hours. ... [The] Commission believes that the statewide policy should recognize that faculty accessibility is a critical component of student learning.”<sup>37</sup>

The Commission’s other four recommendations include the following:

- ▶ The Commission recommends that local community college districts be encouraged to develop salary schedules for part-time faculty members which have structures more comparable to that of full-time faculty.
- ▶ The Commission recommends local community college districts examine the current distribution of compensation resources among part-time and full-time faculty within their district, particularly in those districts where the difference between full-time and part-time faculty salaries is greatest.

- ▶ The Commission recommends further exploration of how community college districts could provide benefits as a component of compensation.
- ▶ The Commission recommends an ongoing comprehensive, centralized, and independent data gathering effort to provide policymakers with information on both part-time and full-time faculty.

The Commission provided a somewhat different analysis of full-time faculty duties than that provided by the Bureau of State Auditors. The Auditor’s report divided faculty duties into “teaching,” “nonteaching,” and “other” activities. The “other” classification was used simply to handle ambiguous contract language where little distinction between various professional activities was drawn. The Auditor’s Report further divided teaching activities into “lecture,” “preparation,” and “office hours.” Few district agreements specified preparation as a separate duty, but all specified some minimum office hour obligation.

The CPEC report, on the other hand, divided faculty activities into “instruction,” “preparation,” “grading,” “office hours,” “advising,” “administrative,” and “other.” This report then identified “instruction,” “preparation,” “grading,” and “office hours,” as “teaching-related activities,” treating “advising,” “administrative,” and “other,” as nonteaching activities. CPEC staff did not provide any rationale for the separation of advising and curriculum-related activities from teaching activities, nor for the inclusion of curriculum-related activities in administrative activities. In addition, while the “other” classification on the survey provided for respondents to fill in a description of the activities being reported, the CPEC report does not explain the nature of these activities.

Using this classification of what constitutes teaching activities, CPEC calculated that, on average 81 % of a full-time faculty member’s activities were teaching-related (19 % were the sum of advising,

<sup>37</sup> It should be noted that throughout the last three years of discussion, no one has voiced opposition to the critical importance of student access to their instructors outside of class, yet 65% of districts have been unable to reach a negotiated agreement on compensated office hours for part-time faculty, even though the state has established a fund to reimburse 50% of the district’s costs.

administrative, and other activities). Recognizing that the distinction between “advising” and “office hours” is based largely on contractual language rather than the teaching-related nature of the work, and that elements of the “administrative” and “other” classifications would more appropriately be classified as teaching-related, we can see the CPEC study as a confirmation of the State Auditor’s determination that part-time faculty are currently expected to fulfill 88 % of the duties of a full-time faculty member. Further, since CPEC, like the State Auditor’s assumptions, ignored the fact that faculty report working significantly more than the standard 40-hour week, the CPEC analysis supports the view that the current teaching activities of full-time faculty are about 90-91 % of their total professional activities.<sup>38</sup>

Confidence in this interpretation is heightened by noticing that the CPEC study showed considerable part-time faculty activity in all areas categorized as nonteaching activities, even though they received no compensation for such work. In fact, that the reported activities of full-time and part-time faculty are sufficiently similar in all areas, and generally show parallel differentiation when compared by discipline, makes it clear the professional expectations of part-time faculty themselves motivate them to do significant work for which they receive no compensation at all.<sup>39</sup>

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<sup>38</sup> At various times during a full-time faculty member’s career, significantly more than 10% their time may be devoted to governance and/or administrative duties. However, much of this time may be on reassignment, or the faculty member may receive extra compensation through stipends or overload pay. No studies have attempted to look at faculty careers with this breadth and depth of analysis, but in the case of local academic senate officers, major committee leadership, and department chairs, full-time faculty often receive reduced teaching loads and/or additional compensation. This is also the case on occasion for extensive service on hiring and tenure review committees.

<sup>39</sup> California Postsecondary Education Commission, “Report on Part-time Faculty Compensation in California Community Colleges” (April, 2001) pp 4-5 to 4-10.

Overall, it should be emphasized that the Commission focused on “minimum/core functions which faculty within the CCC are expected to provide.” While this does move beyond the focus on current practice seen in the State Auditor’s report, the CPEC Report does not address the principled question of what *should be* the professional expectations for faculty, although the report does recommend that statewide policies be articulated regarding these expectations.

A 1994 report by The American Association of University Professors’ (AAUP) “Committee C on College and University Teaching, Research, and Publication” called attention to workload differences among disciplines as well as among various types of institutions. The authors noted that, “The need to accept and deal with the realities of the different missions and obligations of the vast span of institutions of higher learning is a matter of critical importance.” (*Academe*, January Feb. 1994).

In clarifying these “realities,” the AAUP report continued:

*Teaching must be understood to embrace a very wide range of activities. Work counted as course load in the classroom or in the laboratory is a central part, but only a part, of what actually constitutes teaching in higher education. Work with individual students on their projects, faculty student planning of curricula and courses of study, one-on-one supervision of research, informal interactions on or off campus, are but some of the forms of teaching that most faculty members are engaged in on a regular basis.*

In addition to these activities, we must add professional service of community college faculty to their institution and community that prepares and enhances the faculty member’s ability to teach. Curriculum and program development and maintenance with attention to articulation and program integration are essential if the teacher is to be an informed aid to the student. Participation

in governance committee work is a necessary part of professional development and the integration of faculty members into their academic community. Service with disciplinary organizations and the community at-large play a crucial role in a faculty member's ability to remain current in their field and connected to the life of the community in which students live. Research and experimentation in teaching and learning are an ongoing necessity, especially important in community colleges with their multifaceted student population. In fact, the professional demands on the time of higher education faculty are so great that no static analysis or "unbundling" of professional expectations can reflect the true complexity. Rather, each faculty member's unique career will reflect very different focuses of activity from week to week during an academic term, and from year to year during the growth and development of that career.

The Academic Senate is concerned that the ability of temporary faculty to fulfill their professional obligations is compromised by their current exclusion from the full range of faculty duties. The Academic Senate also asks whether the long-term value of these faculty to the system and their students is further weakened and their careers shortened by their exclusion from professional development and sabbatical leave opportunities. Personal and professional renewal have been long recognized as a necessity for the ongoing ability of educators to retain the commitment and energy needed by their institution's educational mission.

Many part-time faculty take their first position soon after leaving graduate school, anticipating that they will gain experience and pedagogical expertise that will enhance their professional abilities, and that this experience will strengthen their candidacy for a tenure track appointment. In fact, the poor quality of part-time faculty hiring practices and evaluation, coupled with unprofessional working conditions and a lack of professional development opportunities, has created circumstances in which experience as

a part-time teacher can be more a hindrance than a help in furthering an academic career.

## PART-TIME ISSUES TASK FORCE AND CONSULTATION DISCUSSIONS

After the Board of Governors became engaged with part-time faculty issues in Fall 1998, the Full-time and Part-time Faculty Task Force, convened earlier to broadly review the full-time/part-time regulations, focused on questions concerning inaccuracies in district reporting of their full-time/part-time faculty ratio. A secondary focus was on the continued inability of the System to secure a budget augmentation for the conversion of part-time faculty positions to full-time positions. In the background was the Board's desire that discussion of these narrow issues be expanded. Talk of seeking a "comprehensive solution" to the problems created by the use of part-time faculty had emerged.

The Task Force remained focused on clarifying regulations regarding the full-time/part-time ratio during most of 1999. Consensus was reached on a package of changes that included a shift in the 75% minimum of *credit instruction taught by full-time faculty* to a measure of *full-time equivalent (FTE) faculty*, and clarified the methods for computing the relevant numbers of full-time and part-time faculty. Their work also led to agreement on a method for determining compliance using the State's Management Information System.

Early in the budget planning cycle for 2001-2002, there was Consultation consensus for a \$75 million part-time faculty compensation equity line item in the System's budget proposal. This was understood to be approximately  $\frac{1}{3}$  of the total augmentation needed to achieve equal-pay for equal work based on Chancellor's Office staff calculations. These calculations were quite rough since the actual meaning of "equal pay for equal work" had never been specified.

In Fall 2000, Board of Governors' Member Amy Dean developed an innovative proposal to attempt resolving the flexibility needs of the colleges while providing full-time positions for part-time faculty teaching a full load across multiple districts. In November 2000, a Part-time Faculty Issues Task Force met to work out details of the budget proposal and an additional item was added for a Pilot Project.

During Spring 2001, discussions in this Task Force, focused on developing the details of the Interdistrict Faculty Pilot Project. Principles were developed for choosing districts to participate in the Pilot Project, announcing positions, hiring, evaluation, tenure review, compensation and benefits. The goal was for faculty hired under the project to become regular full-time faculty in the primary district by the end of the tenure process. A timeline to allow positions to begin in Fall 2002 was developed. One and a half million dollars (\$1.5 million) was proposed in the 2001-2002 System budget, but was not adopted by the Governor in his January Budget. Deteriorating fiscal conditions did not allow for the program's funding in the final budget even though the Governor and the Legislature remained committed to \$57 million support of the part-time faculty compensation fund.

During the summer and fall of 2001, the Part-time Issues Task Force turned its attention back to developing consensus on Board policy and standards to achieve equal pay for equal work. It was agreed that, since many districts compensated full-time faculty overloads on their part-time faculty schedule, there was no reasonable way to disallow use of Part-time Faculty Compensation Fund money for such overloads. However, no agreement could be reached on minimum state standards for the professional expectations for part-time faculty. Since the total state fiscal cost of the program would depend on the total work being funded, the question became, just what work *should be* expected of full-time faculty that could be excluded from the expectations of part-time faculty? District

administrator and trustee representatives expressed fear that they would be held accountable for state standards without the money to pay for them, even if language were included that expressly tied progress toward achieving a standard to state funding. Faculty representatives argued that without statewide standards, many districts would continue to overuse and abuse part-time faculty employed on temporary assignments, and thus, students would continue to be denied equitable educational experiences. The faculty position was partially supported by the CPEC recommendation "that statewide policy be articulated regarding the minimum/core functions which faculty within the California Community Colleges are expected to provide."

However, with growing pressure from the Board of Governors, strong support by the Legislature for the part-time faculty compensation augmentation of the System budget, and a practical need to maintain Consultation consensus on the System budget, language was proposed by the Chancellor that would create a broadly stated board policy while pressuring local negotiators to work out detailed definitions of "parity" within the context of local circumstances.<sup>40</sup> If local control again failed, faculty felt it would be necessary to revisit the idea of statewide minimum standards, either in Consultation, or in the legislative arena.

## BOARD OF GOVERNORS POLICY STATEMENT ON PART-TIME FACULTY COMPENSATION

Adopted on September 10, 2001 [Extract]:

*The Board of Governors supports the policy that part-time faculty should be paid comparably to full-time faculty for those in-class and out-of-class responsibilities that are the same. In instances*

<sup>40</sup> In July 2001, while struggling with the energy crisis and the weakening economic forecast, and after a \$5 million reduction imposed by the Legislative Conference Committee, Governor Davis surprised many by signing the 2001-2002 Budget Bill with \$57 Million to establish the fund for CCC part-time faculty salary equity. The complete budget language for the fund is included in Appendix B.

*where part-time faculty have fewer of the same responsibilities for out-of-class activities, the Board of Governors supports the policy that part-time faculty should be paid comparably to full-time faculty for those professional responsibilities expected equally of full- and part-time faculty.*

*The specific definitions and policies regarding comparable pay are to be determined locally, through the collective bargaining process. The Board of Governors recognizes that the specific definitions and policies negotiated locally will vary.<sup>41</sup>*

Of particular importance here, one must be aware of the following language of the attendant Board of Governors Implementation Policy

*...As a condition of participating in the program and being eligible to receive infusions beyond the level provided in the first year, the district must have bargained its definition of “parity” before the middle of the second year (essentially by January or February of 2003, just before the apportionment goes out). A district not reaching agreement regarding “parity” will retain its first year allocation, and will again become eligible for allocations beyond this level when it provides its locally bargained definition of “parity.”<sup>42</sup>*

Thus, districts will begin to lose their share of future appropriations if local definitions and policies establishing comparable pay have not been negotiated by early 2003. Also, without local definitions and policies, the Chancellor’s Office will

<sup>41</sup> See Appendix C for the Board Policy Statement Communiqué, the complete Board Policy Statement on Part-time Faculty Compensation along with attendant monitoring and implementing policies; also included in Appendix C is the memorandum sent out by the Chancellor as a cover letter when the new policy was communicated to the districts along with additional documentation.

<sup>42</sup> Functionally, this puts some pressure on districts to implement the second recommendation from the CPEC Report presented on page 28, “... that local community college districts be encouraged to develop salary schedules for part-time faculty members which have structures more comparable to that of full-time faculty.

not be able to calculate the needs of such districts for future requests from the state to augment the Part-time Faculty Compensation Fund.

The Board Policy Statement is completely silent on the specific nature of “those professional responsibilities expected equally of full- and part-time faculty.” However, in summarizing the background discussions of the Part-time Issues Task Force as a guide to aid districts in thinking through their definitions and policies in regard to parity, the Chancellor noted that, “When we look at the CPEC and other studies, we see that the core functions of teaching involve classroom instruction, preparation and grading, and office hours. ... The State has a reasonable expectation that any faculty member (full-time or part-time) who is instructing should also be preparing for class, grading papers, and holding office hours.” Later in the same document, the Chancellor noted that, “... if part-time faculty are given the responsibility to advise students, they too should be compensated in accordance with the principle of comparable pay for comparable work...”<sup>43</sup>

Throughout the discussion in the Task Force, the distinction has been regularly maintained between what *is* the practice and what *should be* the practice regarding employment issues. Thus, the task before district administrators and faculty in trying to reach agreement on “specific definitions and policies regarding comparable pay for comparable work” will require definitions and policies regarding “those professional responsibilities expected equally of full- and part-time faculty.” While the Education Employee Relations Act (EERA) and the budget language of the 2001 Part-time Faculty Compensation Fund clearly determine that these are to be negotiable items, there is also little doubt that these negotiations will have direct and/or indirect

<sup>43</sup> As noted before, see Appendix C for complete documents regarding part-time compensation, including the Board Policy Statement Communiqué and the Board Policy Statement on Part-time Faculty Compensation.

impact on all of the academic and professional matters enumerated in Title 5 Regulations.<sup>44</sup>

Consequently, while consultation between local academic senates and collective bargaining units is always important, consultation with regard to establishing these local definitions and policies requires especially close cooperation between local academic senates and collective bargaining units unless the definitions and policies are reduced to a mere determination of what *is currently* the case with no implication of what *should be* the case from an academic and professional point of view. The situation is similar to the establishment of district hiring and tenure review policies where policies are determined by joint agreement between the local board and academic senate and then negotiated into contract language. In neither case can working conditions be separated from their academic and professional implications.

Considering also that the outcome of the negotiated definitions and policies will be used in calculating future state financial support of the entire system, the Academic Senate believes it imperative that this process not be allowed to fix the current practices of the districts as a *de facto* standard supported by future fiscal projections. Rather, local senates should exercise their authority over academic and professional matters to assure that the standards set be professionally sound, based on the nature of the higher education enterprise and the needs of community college students. If the current low professional expectations of part-time faculty become the negotiated standard, it will sanction low

quality institutions providing low quality education, no matter what access and quantity are achieved.

Further, the Academic Senate recommends that, if local processes are unable to establish definitions and policies that assure all students receive educational opportunities with equitable institutional support, whether they be in a class section assigned to a part-time or a full-time faculty member, then the Academic Senate should work through the consultation process to establish high standards in Board of Governors' Policy, Title 5, and/or in the Education Code.

## NON-INSTRUCTIONAL FACULTY

Throughout the preceding discussion, the focus has been on instructional faculty. Employment structures of many non-instructional faculty define load as "time on station," and thus, professional duties outside of their primary area (counseling, library work, etc.) result automatically in a reduction of their primary duties. However, some districts define non-instructional faculty load at a reduced level with the undefined assumption of other professional duties as part of professional expectations. It is important that, in developing the definitions and policies regarding comparable pay for comparable work, care be taken not to create inequities either within the ranks of non-instructional faculty or between non-instructional and instructional faculty. However, the general recommendation that we seek the highest professional expectations equally of all faculty remains valid.

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<sup>44</sup> Title 5 of Division 6 of the California Code of Regulations, §53200.

## Section III

### DEFINING THE PROFESSIONAL EXPECTATIONS OF FACULTY

**F**aculty professionalism in higher education has grown out of the very same dialectical processes that underlie learning, research and knowledge. Educational professionals recognize the fallibility and narrowness of finite individuals situated within their unique historical circumstances. As experimentation and critical peer review move discipline subjectivity toward a surer approximation of the truth, so the committee processes of shared governance help assure a more incisive response to problems that emerge out of an institution's efforts to realize the ideals of its mission. In both of these processes, the individual is the source of creativity, discovery, and progress, but in both, the dialogue of the community restrains impulsive enthusiasm, challenges uncritical attitudes, and refreshes perspectives.

The same can be said for program and curriculum development and maintenance, and for pedagogy. The work of faculty must constantly adjust and change as focus shifts from one individual student to another within the multifaceted community college student population. Similarly, with historical changes in the culture and community from year to year and generation to generation, patterns of response, content, and discipline expertise itself must be adjusted. An institution's quality and the quality of its students' education will necessarily be degraded to the extent that faculty are excluded from these processes, and will be improved to the extent that faculty are integrated within the academic community as a whole.

Before concluding the Academic Senate paper, *A Re-examination of Faculty Hiring Processes and Procedures*, adopted fall 2000, the authors wrote,

*Though technically the work of the hiring committee is completed once the board has formally hired the new faculty members, whether full-time or part-time faculty, the obligation of the entire institution just begins. From assigning the newcomers a mailbox and securing signatures on appropriate forms to explaining the discipline's curriculum and assisting with methodological and pedagogical questions, staff, faculty and administrators have responsibilities to integrate new hires into the work of the department and the institution. The Academic Senate has a particular responsibility to address issues of new faculty orientation, given their primary responsibility for faculty development processes outlined in Title 5, §53200.*

*While orientation and mentoring of new faculty [are] more generally provided to full-time hires, it should be noted that part-time faculty also are in need of such attentions. In fact, given the conditions of part-time faculty employment, the use of orientation and mentoring to integrate part-time faculty into educational programs is critical for the quality and consistency of students' educational experiences. Part-time faculty are all too often institutionally disconnected, and kept unaware even of curriculum expectations and practices at the department level. Local academic senates can work to mitigate these challenges with the inclusion of part-time faculty in well-designed orientation and mentoring programs.<sup>45</sup>*

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<sup>45</sup> Academic Senate for California Community Colleges, "Re-examination of Faculty Hiring Processes and Procedures" (Fall 2000) pp 21 and 23-24. Available at: [http://www.academicssenate.cc.ca.us/Publications/Papers/Faculty\\_hiring\\_fall00.htm](http://www.academicssenate.cc.ca.us/Publications/Papers/Faculty_hiring_fall00.htm)

What permeates this discussion of the beginning of a faculty career, as most discussions of the work of faculty, is the importance placed on the integrated whole. Classroom instruction and pedagogy receive mention as one area of many, neither more nor less important than many others.

It must also be noted that, because California's use of part-time faculty in community colleges is greater than in most states, and because faculty loads in CCCs are among the highest instructional loads anywhere, faculty throughout higher education are watching our response. Most faculty leaders understand the pattern of use and abuse of contingent academic labor as one of the most insidious and severe of many threats to faculty professionalism, tenure, and shared governance. Our colleagues are hoping that California will create a model response that will influence other institutions so they will not have to degenerate to the level of exploitation we have faced. In this respect, California part-time faculty have been referred to as the "canary in the coal mine" of modern corporate higher education.

Consequently, the Academic Senate recommends that local senates work with their local collective bargaining unit, district administration, and board of trustees to establish principled definitions and policies regarding part-time faculty pay equity, "comparable pay for comparable work," and what *should be* the professional expectations of all faculty.

## EMPLOYMENT STABILITY AND SECURITY

### ACADEMIC FREEDOM AND PROFESSIONAL CAREERS

Faculty professionalism grows within the context of the individual faculty member's career, and this growth is a function of institutional and collegial support. The right of faculty to academic freedom, protected by tenure and a rigorous due process legal structure, has been an essential part of this professionalism since the early nineteenth hundreds. The Academic Senate has consistently

supported the importance of academic freedom as central to California community college faculty professionalism, reaffirming its position most recently in *Academic Freedom and Tenure: A Faculty Perspective*,<sup>46</sup> adopted Spring 1998. Responding to a Spring 1996 resolution, this paper asserted the importance of academic freedom guarantees for part-time as well as full-time faculty. The paper recognized the vulnerability of untenured faculty and called upon tenured faculty to exercise their responsibility by protecting their untenured colleagues and informing them of their academic freedom rights.

Academic freedom policies without the protection of tenure and due process, too readily remain empty words. Part-time faculty can be hired and fired at the whim of arbitrary and capricious decisions by administrators and/or full-time faculty, acting under the authority of local boards and the Education Code §87742 reads, "Governing boards of community college districts may dismiss temporary employees at any time at the pleasure of the board." Even dismissal is unnecessary since, except where some form of reemployment preference has been negotiated into a local contract, part-time faculty may be simply denied a new assignment.

### FACULTY DIVERSITY

The Academic Senate has consistently taken the position that it has professional, ethical, and legal responsibilities to address the demographic balance of the faculty and to advocate for fair and effective hiring practices. Any steps that might, even inadvertently, undermine this commitment need careful scrutiny.

For example, legislation to secure seniority-based rehire rights for part-time faculty must avoid the potential for such rights to interfere with attempts to further diversify the faculty. Historically, part-time teaching has been understood to be a significant entry point into a full-time position; thus the

<sup>46</sup> *Academic Freedom and Tenure: A Faculty Perspective* is available online at <http://www.academicssenate.cc.ca.us/Publications/Papers/Tenure.htm>

recruitment and retention of a diverse part-time faculty is correspondingly important in moving successfully to a goal of having full-time faculty hires mirror the diversity of the students and the state that we serve. Given that part-time faculty hiring processes are often less extensive than those for full-time faculty it should not be surprising to find less overall diversity in the part-time faculty ranks.

Absent a full commitment to fair and effective hiring practices, the tendency to replicate the existing labor force is predictable. However, the lack of hiring processes that mirror those of full-time faculty may be the source of the problem; in that case, rehire rights or seniority *per se* will not necessarily hinder diversification. It will be essential that any moves toward institutionalizing seniority-based hiring rights be accompanied by a rigorous and renewed effort to comply with state law and regulation with regard to fair and effective hiring practices, for all faculty, full-time and part-time.

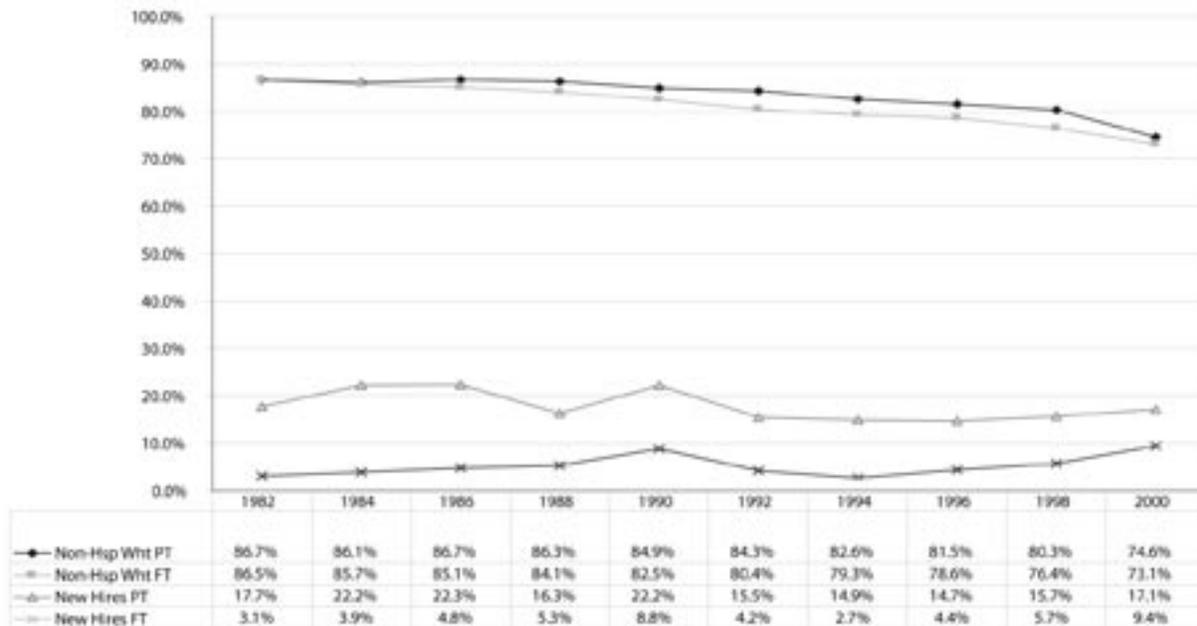
In addition to implementing fair and effective hiring practices, further steps need to be taken to diversify faculty. Faculty mentoring programs that create

“pipeline strategies” for developing and recruiting diverse faculty directly from graduate school have shown great promise regionally and, as the Senate has repeatedly requested, should be replicated on a statewide basis.

In considering the interaction of employment status and diversity, a deeper examination of the available data reveals a complicated picture regarding faculty diversity as evidenced in hiring patterns.

If legislated seniority-based rehire rights were to reduce the number of new faculty positions opened, and if the present pool of part-time faculty with new seniority rights were itself not ideally diverse, then such legislation could reduce the opportunities to address this long-standing imbalance. Thus, there has been a concern that rehire rights could further embed an under-representation of key groups among full-time and part-time faculty.

The accompanying chart describes CCC faculty over the past 18 years. The top line (dots) indicates the percentage of total part-time



CCC FACULTY 1982-2000

faculty who were non-Hispanic white, while the second line (squares) from the top gives the percentage of total full-time faculty in this same ethnic group (non-Hispanic white). The third (triangles) and fourth (stars) lines on the chart give the percentage of total part-time and full-time faculty who were new hires in each year. It seems clear that there is little if any correlation between the rate of diversification (the top two lines of the graph) and the number of available positions for new hires (the bottom two lines of the graph).

It should be noted that there has been continuous, though far from adequate, progress in the diversification of both full-time tenured and part-time nontenured faculty. Until the last two years, the rate of diversification of part-time faculty has generally lagged behind that of full-time faculty. In the 1998 to 2000 period, the difference between the diversity of part-time compared to full-time faculty has been narrowed. It is unclear what may have caused this significant change. It will be important to see if this trend continues, and to see if it is possible to ascertain the underlying reasons for it. It is possible that the more recent trend toward increased diversity from 1988 to the present are the result of post-AB 1725 efforts to increase the available pool of diverse faculty candidates. This is an area where further research might prove fruitful.<sup>47</sup>

Several districts (for example, Foothill/De Anza, San Francisco, and Los Angeles) that have achieved the most diverse faculty, and/or that have made continuous improvements better than the state average, have strong part-time faculty reemployment provisions in their negotiated contracts.

Such examples suggest that, by itself, having a reemployment provision may not automatically

negatively impact a district's ability to hire diverse faculty. Rather, it appears that many, interrelated variables are at work. On the other hand, increased stability of the faculty created by seniority based rehire rights would arguably be a benefit to programs, the curriculum, and to students. Such rights would certainly improve the morale of two-thirds of the faculty while probably reducing the administrative load; it would likely reduce the high rate of new part-time faculty hires, and allow for improved hiring and evaluation practices for part-time faculty. It is also possible that employment security may make teaching a more attractive opportunity for highly qualified potential faculty who have multiple options for a career path.

Thus, a more comprehensive and detailed study of districts that have been most successful in diversifying their faculty needs to be undertaken. Districts that have made greatest gains in diversifying their faculty appear to be in larger metropolitan communities that have more diverse populations. It also appears that these same districts are more likely to have progressive part-time faculty agreements including seniority based rehire rights. A comprehensive study would clarify many such speculative considerations and help illuminate whether tenure or seniority based rehire rights for part-time faculty would impact districts' ability to diversify the faculty in California's community colleges.

Central to these issues is the full implementation of fair and effective hiring practices for part-time faculty positions. As this paper noted earlier in discussing the Academic Senate papers on faculty hiring, while anecdotal evidence suggests part-time faculty hiring guidelines and regulations may be given lip-service but not followed in practice, no systematic review has yet been undertaken. Failure to follow system guidelines raises serious legal issues and may be negatively impacting the ability of colleges to achieve a more balanced diversity of their faculty. Dovetailing new part-time employment

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<sup>47</sup>It should be noted that this data should be interpreted with caution. Faculty reporting their ethnicity as "unknown" have varied from 1.2% to 4.6% per year. Effects of this variation on the interpretation of the data are problematic.

policies with a strong commitment to diversity will require concerted and committed action on the part of local senates in cooperation with bargaining agents and district administrations.

#### FLEXIBILITY

It has often been argued that the use of part-time faculty on temporary assignment is needed for the colleges to adjust to the natural fluctuations in enrollment. However, long and short-term trends suggest that this need has been significantly overstated. The following table presents the total number of full-time equivalent students (FTES) as they have changed year to year from 1965 to the present (see labeled Column 1), and the percentage increase or decrease of each year from the preceding year (Column 2).<sup>48</sup> The growth and variation has been remarkably continuous except for the period of fluctuation following the passage of Proposition 13 (June 1978). Unstable funding led to about seven years during which FTES varied significantly. From 1981 to 1984, this turmoil was magnified by an economic recession, leading to a yearly seesaw of 7 to 10%.

However, Columns 4 and 7, noting the percentage change of part-time and full-time faculty, respectively show that, during this same period of time, both part-time and full-time faculty were being hired into the System at only slightly different rates than in normal years. The significant reductions of part-time faculty reported in 1982-83 and 1983-84, as noted previously, were a result of program cuts made by the Legislature in response to the early 80s recession. It is significant in this respect that the districts reported a fairly normal 17% level of new part-time faculty hires in 1982 (Column 5),

just when there was an anomalous 15% decline in the total number of part-time faculty.

The only other significant decline in the numbers of part-time faculty is the 8% decline in Fall 1991 (Column 4). It was at this time, during the early 1990's recession, that the Legislature reduced CCC funding by 4.25% in constant dollars. This was coupled with four prior years' commitments to new full-time faculty hires as the System was recovering from the economic recession of the early 1980s. It must be noted that, even with this severe shock to the system, new hires of part-time faculty remained at 13 to 20% (Column 5). While the decline in numbers of full-time faculty (Column 7) may account for some of this, one can only speculate what factors might have led to this remarkable fact. However, a look at the fall new hire rates for the available years, 1982 to the present (missing 1997 and 1999), it is clear that even though the CCCs absorb almost the entire fluctuation of demand for higher education, normal rates of faculty turnover have more than compensated for even the worst enrollment declines.

Of greater concern than "flexibility" to the quality of the System, and to its ability to provide for California's growing CCC student population, is the huge burden created by the need for such a constantly high rate of faculty hiring. There are no real estimates of the actual costs of administrative workload and full-time faculty time in hiring part-time faculty, but if one were to project costs based on even one-half the cost per full-time hire, the numbers would be staggering.

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<sup>48</sup> California Postsecondary Education Commission, "Fiscal Profiles, "2000 (November 2000) Display 61.

LONG-TERM TRENDS IN CCC ENROLLMENT AND FACULTY HIRING<sup>49</sup>

YEAR	FTES		PART-TIME FACULTY			FULL-TIME FACULTY			
	TOTAL NUMBER	% CHANGE	COUNT	% CHANGE	NEW HIRES	COUNT	% CHANGE	NEW HIRES	RETIREES
	Column 1	Column 2	Column 3	Column 4	Col. 5	Column 6	Column 7	Col. 8	Column 9
1965-66	364,746								
1966-67	387,035	6.11%							
1967-68	427,980	10.58%							
1968-69	474,715	10.92%							
1969-70	526,584	10.93%							
1970-71	574,842	9.16%							
1971-72	616,225	7.20%							
1972-73	641,300	4.07%							
1973-74	683,427	6.57%							
1974-75	779,133	14.00%	24,421			14,747			
1975-76	863,752	10.86%				15,613	6%		
1976-77	810,335	-6.18%				16,115	3%		
1977-78	805,432	-0.61%				16,869	4%		
1978-79	722,460	-10.30%	26,870			16,280	-4%		
1979-80	752,278	4.13%	27,828	4%		16,260	0%		
1980-81	817,744	8.70%	29,879	7%		15,753	-3%		
1981-82	728,178	-10.95%	29,796	0%		16,412	4%		
1982-83	810,136	11.26%	25,319	-15%	17.7%	16,419	0%	3.1%	
1983-84	752,266	-7.14%	22,847	-10%	12.7%	16,235			
1984-85	756,395	0.55%	23,730	4%	22.2%	15,604		3.9%	
1985-86	734,786	-2.86%	24,278	2%	22.9%	15,631	0%	4.5%	-4.3%
1986-87	735,807	0.14%	24,582	1%	22.3%	15,642	0%	4.8%	-4.7%
1987-88	760,753	3.39%	25,359	3%	23.7%	15,354	-2%	3.7%	-5.6%
1988-89	783,794	3.03%	26,221	3%	16.3%	15,452	1%	5.3%	-4.7%
1989-90	808,170	3.11%	28,421	8%	21.4%	15,770	2%	7.4%	-5.4%
1990-91	829,479	2.64%	30,442	7%	22.2%	16,653	5%	8.8%	-3.5%
1991-92	852,363	2.76%	27,997	-8%	20.1%	16,851	1%	6.9%	-5.7%
1992-93	855,330	0.35%	27,660	-1%	15.5%	16,703	-1%	4.2%	-5.1%
1993-94	833,577	-2.54%	26,727	-3%	17.3%	16,012	-4%	3.0%	-7.3%
1994-95	848,652	1.81%	27,271	2%	14.9%	15,352	-4%	2.7%	-7.0%
1995-96	869,633	2.47%	26,689	-2%	13.4%	15,116	-2%	2.7%	-4.3%
1996-97	906,426	4.23%	28,476	7%	14.7%	14,972	-1%	4.4%	-5.4%
1997-98	931,450	2.76%							
1998-99	966,023	3.71%	30,747		15.7%	15,550		5.7%	
1999-2000	995,842	3.09%							
2000-01	1,031,128	3.54%	36,900		17.11%	16,864		9.42%	

<sup>49</sup> As noted in the text, the early data reported here come from varied sources. The bulk of it, from 1982 to 2000, is derived from the annual "Report on Staffing and Salaries," CCC Chancellor's Office. The FTES numbers come from "Fiscal Profiles, 2000," Display 61, California Postsecondary Education Commission.

There is legitimate need to employ part-time faculty to provide flexibility in opening new programs, incorporating needed expertise not present among the full-time faculty of a given program, and providing for various specialized vocational programs. However, the predominant use of part-time faculty is now in the core general education and transfer related programs. In program areas such as the humanities, social sciences, and interdisciplinary studies, part-time faculty instruction is approaching and/or surpassing 50 % of the totals.

The projected FTES growth over the next 5-10 years caused by the “Baby Boom Echo” will put a severe strain on CCC faculty hiring. This can already be seen in the data from the Chancellor’s Office’s 2000 Staffing Report. Full-time faculty participation on hiring and tenure review committees is stretching the limited numbers of full-time faculty and limited administrative resources to the limit. There can be little doubt that implementation of rigorous part-time hiring standards will continue to suffer. One likely outcome will be a decrease in constructive part-time faculty evaluation, already known to be weak. Faculty in need of improvement will be rehired with little help to improve their teaching effectiveness. It seems clear that retaining the best of part-time faculty by providing job security and competitive compensation packages may be the only choice to avoid decreasing quality of programs and/or decreasing access for the state’s neediest students. Moving many of these faculty members into full-time positions would also significantly reduce the mounting pressures.

#### AB 1245 (ALQUIST): REHIRE RIGHTS

Many attempts have been made over the years to establish seniority based rehire rights for qualified part-time faculty with positive evaluations. These

have been gaining support in the Legislature, but none has made it into law. In the 2001-2002 Legislative Session, AB 1245 took the approach that the complexities of the issues might better be dealt with at the local level where full discussions could take place. The bill, as signed and chaptered into law, added the following section to the Education Code.

*87482.9. This section applies only to temporary and part-time faculty within the meaning of Section 87482.5. The issue of earning and retaining of annual reappointment rights shall be a mandatory subject of negotiation with respect to the collective bargaining process relating to any new or successor contract between community college districts and temporary or part-time faculty occurring on or after January 1, 2002.*

A year ago, the Part-time Issues Task Force determined that over a dozen local districts had negotiated various forms of rehire rights ranging from the robust protections of some districts which approach the provisions of tenure to simple policies of preference under some conditions for reassignment to the same class should it be offered again.

It is not clear whether forcing districts to the table will yield any significant gains, but the bill has generated new interest in the issues and further educated policy makers about the problem. Clearly any comprehensive solution to the problems created by current CCC use of part-time faculty will have to address the issues of fair and effective hiring processes, regular evaluation, job security linked to positive evaluation, and the guarantee of academic freedom.

## Section IV

### THE ISSUE OF PART-TIME FACULTY TENURE

**A**cademic freedom remains a freedom and protection only in principle in the absence of mechanisms to protect it. Organizations such as the American Association of University Professors (AAUP) can bring some pressure on institutions that do not respect academic freedom. Also, the Western Association of Schools and Colleges (WASC) currently makes having an academic freedom policy a requirement for accreditation.

Tenure, however, remains the mechanism within a college that most fully protects a regular faculty member from arbitrary and capricious treatment. Tenure is not advantageous to faculty alone. Students benefit from faculty members who are sufficiently secure in their assignments that they can discharge their duties without fear of reprisal. The academic freedom of students must also be strongly protected by their instructors, and instructors without protection are in no position to be strong advocates for their students. Further, the institution whose faculty enjoy academic freedom and are protected by tenure can better fulfill its mission. The AAUP's 1940 Statement of Principles on Academic Freedom and Tenure makes the point forcefully:

*Tenure is a means to certain ends; specifically: (a) freedom of teaching and research and extramural activities; and (b) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.*

When one considers the depth and breadth of the increasing problems created by using temporary part-time assignments within regular educational programs, the natural question that must be asked is, Why have a separate employment structure at all? Clearly there are legitimate needs for temporary faculty for the short-term replacement of tenured faculty who are on leave or temporary reassignment, or to make occasional adjustments to the irregular enrollment patterns faced by the colleges. New and experimental programs may also need temporary hires to establish their viability and stability. However, except for short-term substitutions, most of these needs would better be served by full year hires, some part-time and some full-time, with the intent of continuance rather than single term part-time temporary assignments. In fact, the Education Code has specific provisions to allow full-time temporary replacements of regular and contract faculty on leave and for adjusting to enrollment increases. However, few districts take advantage of these provisions since negotiated agreements usually place all full-time faculty on the same salary schedule creating a fiscal disincentive.

One of the often overlooked consequences of current "enrollment management" practices lies in the regular cancellation of sections in the last days of registration or even after classes have begun. The lack of institutional commitment to temporary faculty gives colleges this right with only positive fiscal consequences when a section has been under-subscribed. However, the students who have planned and built their schedule to include a particular class then find themselves scrambling to fill the sudden hole in their schedule, often with long-term consequences. These include

the loss of time and money when an additional term is required to finish their community college education. Of course, the part-time faculty members find themselves suddenly without 20 % to 100 % of their expected income with little hope of finding comparable employment during the next four to eight months.

Currently there are structures in the Education Code that allow part-time tenure for regular faculty under reduced load. There are also structures for the smooth transition of temporary faculty to part-time contract status and then part-time regular status when the 60 % of full load limitation on temporary assignments has been violated. The transition respects current tenure review processes.

Minor changes in the Education Code could easily be developed which would restrict the use of temporary assignments to short-term substitutions for existing contract and regular faculty positions, and for one-year assignments to provide for an orderly hiring process in adjusting to curriculum change and enrollment growth. Many of these temporary assignments could be full-time and full year assignments if qualified candidates were available. Part-time positions for lower enrolled disciplines and specialized areas of instruction, and for experimental courses and programs, could be hired into the current normal full-time hiring process, first as contract faculty undergoing tenure review, and then as regular part-time faculty. These part-time contract faculty members could be hired with the contractual understanding that their tenure would be for a reduced load, perhaps with the option of increasing their load if discipline need developed.<sup>50</sup> Of course, in the case of experimental

<sup>50</sup> This structure would also provide a means for accommodating the significant number of current part-time faculty who, for various reasons, prefer not to take on a full teaching load but who are deeply committed professional educators. Current part-time faculty employment practices have usually restricted the ability of these faculty professionals from fully benefiting their students and the college, often causing them to leave their preferred profession permanently.

courses and programs, if need for the new hire disappeared, so would the position, and current regular procedures would result in the orderly seniority based reduction in force. However, since the affected new hires would generally be in the first two years of contract status, such specific reduction in force would be a reasonably expected possibility for faculty hired under experimental conditions.

Under such a modification of current employment structures, all indications are that, with the normal rate of faculty turnover through retirement and changes in occupation, plus the normal rate of regular faculty overload assignments, use of temporary assignments could be reduced to a few short-term substitutions for regular faculty on leave or reassignment, even in times of the greatest economic upheaval.<sup>51</sup>

The American Association of University Professors has recommended that:

*...colleges and universities, depending upon the manner in which they utilize part-time faculty service, consider creating a class of regular part-time faculty members, consisting of individuals who, as their professional career, share the teaching, research, and administrative duties customary for faculty at their institution, but who, for whatever reason do so less than full-time. They should have the opportunity to achieve tenure and the rights it confers. The Association stands ready to provide guidance to institutions wishing to develop such policies.*<sup>52</sup>

The AAUP Report noted an earlier, 1973 report by the Commission on Academic Freedom and

<sup>51</sup> Refer to the previous discussion of "flexibility" for data on the history of faculty turnover rates.

<sup>52</sup> The American Association of University Professors, Status and Use of Part-time Faculty, (1980) Available in the AAUP Redbook, Policy Documents and Reports, 1995 Edition.

Tenure in Higher Education, which recommended similarly. In 1987, the AAUP published a discussion of Senior Appointments with Reduced Loads, which expanded the recommendation for creating tenured part-time positions to include “senior academic appointments...without loss of status.”<sup>53</sup>

In 1987, the Chancellor’s Office noted that,

*A 1980 survey by the College and University Personnel Association (CUPA) of 795 institutions found that 14% offered tenure to part-time continuing faculty (Gappa, 1984). The criteria for eligibility in these cases was the same as that for full-time faculty.*<sup>54</sup>

The first reaction of many to such a proposal is concern for the additional cost. However, this concern ignores the new context created by California’s determination to fund comparable pay for comparable work and equitable benefits. Given these circumstances, the reduced administrative and hiring costs achieved by hiring a more stable faculty may actually reduce overall costs when compared to an attempt to maintain the current system with its inherent contradictions and negative impacts. But most importantly, a faculty fully staffed by regular, tenured employees, subject to the same hiring and evaluation processes as full-time faculty, will significantly improve the System’s ability to serve the interests of our students and of California.

With this in mind, in seeking a long-term, comprehensive solution to the many problems and

issues discussed in this paper, the Academic Senate will need to work to ensure that structures that are developed will enhance the professionalism of all faculty and protect their academic freedom. To these ends, the Academic Senate is committed to advising the Board of Governors and the Legislature in support of professionally sound policies regarding employment security and due process for part-time faculty consistent with Academic Senate policies and resolutions.

In seeking a long-term comprehensive solution to the many problems and issues discussed in this paper, the Academic Senate should engage in a serious consideration of the implications and advisability of extending the structures and protections of earned tenure to regularly rehired part-time faculty who have undergone rigorous evaluation processes.

The Academic Senate remains committed to the central importance of maintaining a corps of full-time tenured faculty, and reaffirms that “decisions regarding the appropriateness of part-time faculty should be made on the basis of academic and program needs ... and not for financial savings” (AB1725, Section 4 (b)). Temporary assignments should be limited to short-term responses to curriculum changes and enrollment growth, allowing for rigorous, fair, and effective hiring practices when stable need has been established, or temporary substitutions for contract and regular faculty on leave or reassignment.

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<sup>53</sup> Available in the AAUP Redbook, *Policy Documents and Reports*, 1995 Edition.

<sup>54</sup> California Community Colleges Chancellor’s Office, “Study of Part-time Instruction,” (January, 1987) p 8.

# Section V

## CONCLUSION AND RECOMMENDATIONS

### CONCLUSION

**T**he problems created by decades of arbitrary use and abuse of part-time faculty, motivated largely by fiscal exigency demanded by chronic underfunding, are complex and interdependent. During the 2001-2002 budget cycle, the Legislature and the Governor began to address the fundamental cause of these problems. The California Community College System must now try to formulate a comprehensive solution for the long run while avoiding short-term and partial solutions that create new and unnecessary problems.

It is essential that, if we are to attract and retain an excellent and diverse faculty to serve the educational needs of coming generations of Californians, we must take seriously our obligations and pay close attention to the coherence and integrity of the profession.

It is especially important that, as we seek to establish ideal professional expectations of faculty in response to the Board of Governors' Policy Statement on Part-time Faculty Compensation, we remember that the definitions and policies being developed will have continuing long-term impacts on faculty professionalism in regard to all faculty, and will become a significant factor in future funding for the entire California Community College System. To these ends, we make the following recommendations.

### RECOMMENDATIONS

#### POLICY LEVEL RECOMMENDATIONS

1. The Academic Senate should work to ensure that progress is made on improving the number of full-time faculty at each college. Maintaining a corps of full-time, tenured faculty is central to academic excellence, academic integrity, and academic freedom; it is key to serving our students well.
2. The Academic Senate reaffirms its commitment to the COFO Faculty Equity Statement, and to increasing efforts to integrate part-time faculty into senate activities at the local and state level.
3. The Academic Senate reaffirms past guidelines and recommendations presented in the 1989 paper, *Part-time Faculty Hiring Procedures: A Model Based on Assembly Bill 1725*.
4. The Academic Senate should undertake a comprehensive statewide review of part-time faculty hiring and evaluation policies, procedures, and their implementation. Such a review would include:
  - ▶ the extent of implementation of fair and effective hiring and evaluation practices;
  - ▶ an analysis of turnover and retention of part-time faculty;
  - ▶ an analysis of long term changes in the diversity of part-time and full-time faculty; and
  - ▶ the impact of current part-time faculty employment practices on full-time faculty and administrative responsibilities.

5. The Academic Senate should develop recommended models to guide local senates in developing career-oriented mentoring and evaluation processes for part-time faculty that more closely mirror the tenure review process. Such models would be designed to integrate new part-time faculty into the profession, the academic community, and the colleges; and enhance the ability of part-time faculty to serve their students.
6. The Academic Senate should work with Consultation Council members and the Board of Governors to develop mechanisms to ensure that all California community college faculty assignments include the expectation that students will receive equitable opportunities for effective contact with their instructors outside of the regular class period.
7. The Academic Senate reaffirms that “decisions regarding the appropriateness of part-time faculty should be made on the basis of academic and program needs...and not for financial savings” (AB1725, Section 4 (b)). The Senate recommends that the use of temporary assignments should be limited to short-term responses to:
  - ▶ curriculum changes, allowing for rigorous, fair, and effective hiring practices when stable need has been established;
  - ▶ enrollment growth, allowing for rigorous, fair, and effective hiring practices when stable need has been established; and,
  - ▶ temporary substitutions for contract and regular faculty on leave or reassignment.
8. The Academic Senate should work with other faculty and administrative organizations to develop structures that will enhance the professionalism of all faculty and protect their academic freedom. To these ends, the Academic Senate is committed to advising the Board of Governors and the Legislature in support of professionally sound policies regarding employment security and due process for part-time faculty consistent with Academic Senate policies and resolutions.
9. In seeking a long-term comprehensive solution to the many problems and issues discussed in this paper, the Academic Senate will engage in a serious consideration of the implications and advisability of extending the structures and protections of tenure to regularly rehired part-time faculty who have undergone rigorous evaluation processes.

#### RECOMMENDATIONS TO LOCAL ACADEMIC SENATES

1. The Academic Senate recommends that local senates work with their local collective bargaining agent, administration and board of trustees to establish principled definitions and policies regarding part-time faculty pay equity, “comparable pay for comparable work” and what *should be* the professional expectations of all faculty.
2. The Academic Senate recommends that local senates work with their collective bargaining agent, administration and trustees, to establish local policies and negotiated agreements that provide compensated office hours as a part of all instructional assignments—in order to ensure that all students have equitable access to their instructors outside of class.
3. The Academic Senate recommends that local senates work together with their collective bargaining agent, administration and trustees to devise creative options to traditional office hours. These options might include email accessibility, telephone office hours, and online chat rooms. Such alternatives to traditional office space and time do not abrogate the necessity of compensating part-time faculty for services rendered, nor should they be assumed to fully replace the need for traditional face-to-face contact between students and faculty outside of class.

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## APPENDIX A. CHRONOLOGY

1960, February	Master Plan for Higher Education.
1963	The Legislature recognizes the role of local academic senates.
1967, November	The Education Code amended to authorize that part-time instructors of adult and community college classes be classified as temporary if they teach less than 60 % of a regular full-time load.
1968	The Academic Senate for California Community Colleges formed.
1969, October	The Board recognizes the Academic Senate as an organization that can be supported with state funds, allowing dues from local senates to support state-level activities.
1974, Spring	Academic Senate Resolution SUPPORT legislation to ensure that part-time, substitute, and temporary teachers are granted the benefits of due process and equitable pro-rata remuneration that are provided for contract and regular teachers; request that AB 2965 (Cory/Rodda) be so written.
1974, Fall	Academic Senate Resolutions SUPPORT any legislative or state board proposal for modification in statutes governing employment of certificated personnel in community colleges which will assure that students attending classes taught by part-time instructors receive educational opportunities, privileges, and advantages equal to those of students attending classes taught by full-time instructors.  ENCOURAGE local senates to involve part-time instructors actively in senate affairs.
1976	Rodda Act establishes collective bargaining in CCCs.
1976, Fall	Academic Senate Resolutions RECOMMEND to accrediting institutions and visiting accreditation teams that should the accreditation teams consider that the number of part-time faculty in a college is excessive, they should seek the rationale for such a situation and if not satisfied, accreditation should be suspended.

OPPOSE the use of part-time teachers in lieu of full-time contract teachers when the prime consideration is financial savings to the district instead of the delivery of quality educational services.

1978	<p>Board of Governors formally recognizes the Academic Senate as the representative of local senates.</p> <p>Board of Governors adopts new Title 5 language allowing part-time faculty to be invited to participate in local senate activities.</p>
1980	<p>First state funding of the Academic Senate.</p> <p>Assembly Bill 1550 (Vasconcellos, Chapter 1177, Statutes of 1980) requires the CCC Board of Governors report on the employment practices of part-time faculty, full-time faculty, and full-time faculty teaching overload assignments.</p>
1980, Fall	<p>Academic Senate Resolution REQUEST the Board of Governors to strongly encourage local boards of trustees to employ full-time faculty when full-time positions are available and further be is resolved that the Senate URGE local Senates to encourage boards of trustees to adopt a policy of employing full-time faculty.</p>
1981, Spring	<p>Academic Senate Resolutions SUPPORT the inclusion of a statement in the finance legislation which would require that community college districts not decrease the ratio of full-time to part-time instructors in the district. Furthermore support any local and statewide efforts which would increase substantially the ratio of full-time to part-time instructors.</p> <p>ADOPT the following section of the position paper “Legislation for the 1981 Session”:</p> <p>The Academic Senate has a continuing concern for the integrity of the community college system as it relates to academic standards. The current practice of replacing full-time teaching positions with multiple part-time positions and the forced turnover for financial reasons of specific individuals employed has a negative impact on the quality of the educational program. Lack of facilities for part-time instructors and the fact that they are paid only for classroom time prevents them from performing normal professional functions expected of full-time faculty: committee assignments; articulation within and among the several college communities; the development, evaluation, and revision of curriculum; advisement of students concerning</p>

transfer, career goals, and the general college program. The Senate will urge that these concerns be addressed in the legislatively mandated study on the employment of part-time instructors.

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1982, January	First Chancellor's Office Report on Staffing and Salaries.
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1982, Spring	<p>Academic Senate Resolutions SPONSOR legislation to require those districts having a percent of part-time teachers greater than the 28% (<i>sic</i>) standard be given incentives to reduce that percentage.</p> <p>SUPPORT legislation which states that: part-time instructors providing instruction in a class offered by a community college district who have been evaluated as having performed satisfactorily in that class be afforded the first opportunity to provide instruction in that class if it is subsequently offered by the district within a period of one year and if it is the decision of the governing board that this class shall be taught by a temporary employee.</p>
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1984, Spring	Academic Senate Resolution SEEK legislation to require that retiring full-time faculty be replaced by full-time instructors in areas where there is sufficient demand for courses, and be it further resolved that the Senate REQUEST local Senates to work with their local boards to assure that full-time faculty who retire or leave be replaced by new full-time hires or by retrained full-time faculty.
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1985, Spring	<p>Academic Senate Resolutions RECOMMEND that a [community college faculty] vacancy be filled by full-time faculty wherever feasible.</p> <p>REAFFIRM its position that local senates be encouraged to explore means of providing adequate representation of part-time faculty in academic and professional matters.</p>
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1986	Review of the Master Plan for Higher Education.
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1987, January	Chancellor's Office Study of Part-time Instruction.
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1988, August	AB 1725 (Vasconcellos) Community College Reform Legislation replaces the Department of Education Credentialing process with a system of minimum qualifications under the Academic Senate, strengthens the role of the Academic Senate and local senates in academic and professional matters,
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establishes more rigorous faculty hiring and tenure review processes under local senates, and establishes that a minimum of 75 % of instruction should be by full-time regular or contract faculty.

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1989, Spring	<p><i>Part-time Faculty Hiring Procedures: A Model Based on Assembly Bill 1725</i> adopted by Academic Senate.</p>
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1992, Fall	<p><i>Part-time Faculty in the California Community Colleges</i> adopted by the Academic Senate, including the following resolutions (sic):</p> <ol style="list-style-type: none"> <li>1. Office hours should be part of part-time assignments. College catalogs should state clearly that faculty will be available to students during office hours.</li> <li>2. Part-time faculty should be encouraged to take part in department and college affairs and be compensated for this time.</li> <li>3. Part-time faculty should have access to professional development funds.</li> <li>4. Local senates should provide mentoring services to new part-time employees.</li> <li>5. Evaluations of part-time faculty should be done in a manner consistent with the standards and principles used in full-time faculty evaluation.</li> <li>6. Part-time faculty should be afforded stability of employment and protection from arbitrary decisions regarding their continued employment in a manner consistent with affirmative action considerations.</li> <li>7. The Senate should continue to explore avenues that require districts to increase their full-time/part-time ration until it reaches a level at which at least 75 % of the hours taught are taught by full-time faculty.</li> <li>8. The Senate should explore avenues to insure a core of full-time noncredit instructors in each district offering noncredit programs with a long-term goal to increase the percent of hours taught by full-timers to 75 %.</li> </ol>
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1994, Spring	<p>21.01 Resolved that the Academic Senate for the California Community Colleges reaffirm its commitment to the spirit and intent of the 75/25 provisions of AB 1725, and</p> <p>Be it further resolved that the Academic Senate for California Community Colleges direct the President to oppose the Board of Governors' position to waive the 75/25 compliance requirements for local districts in the 1994-95 fiscal year, and</p>
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Be it further resolved that the Academic Senate for California Community Colleges urge that the Board of Governors reconsider its position to waive district compliance with the provisions of Title 5, §51025 of the Education Code, and

Be it finally resolved that the Academic Senate for California Community Colleges direct the Executive Committee to prepare a breakout, for a future session, on how the 75/25 computations are locally generated and how to influence policy development and implementation decisions. (Document available on Info Net or by contacting the Senate Office)

21.03 Resolved that the Academic Senate for California Community Colleges urge the Board of Governors to seek legislation that would ensure that the intent of the 75/25 policy be achieved regardless of the districts receiving program improvement funds, and

Be it further resolved that the regulations specify the way hours of instruction taught by postretirement faculty are counted.

21.04 Resolved that the Academic Senate for California Community Colleges support Title 5 regulations or legislation that would count all full-time and part-time faculty hours (instructors, counselors, librarians, non-instructional), not including overtime hours, in the provisions of Title 5, §§51025 and 53310, and

Be it further resolved that the Academic Senate for California Community Colleges support Title 5 regulations or legislation that would set the base number of counselors and librarians and non-instructional faculty to be added to the number of full-time instructors required under §51025 be based on the number of such full-time faculty employed in the Fall of 1991, and

Be it finally resolved that the Academic Senate for California Community Colleges support Title 5 regulations or legislation that would set a minimum counselor/student and librarian/student ratio for colleges to move toward using state funds designated for that purpose. (Document available on Info-Net or by contacting the Senate Office)

21.06 Resolved that the Academic Senate for California Community Colleges urge the legislature to make the 75/25 rule apply to individual colleges in multi-college districts.

*The Use of Part-time Faculty in California Community Colleges: Issues and Impact* Adopted by Academic Senate including the following recommendations.

1. A corps of full-time tenured faculty is essential to the maintenance of educational excellence, academic integrity, and the freedom to pursue and effect the acquisition of knowledge without fear of reprisal for exercising that freedom consistent with one's academic and professional judgment. Failure to attain and maintain such a body of full-time tenured faculty threatens the very ambition, creativity, innovation, exploration, and criticism which is central to academic integrity of programs and courses of study in institutions of higher learning. Local academic senates should resolve the above statement and work with the local administration to ensure the colleges maintain such a commitment.
2. Local academic senates should resolve to create a climate of mutual respect between the full- and part-time faculty.
3. Consistent with the intent language of state law, the decision to hire part-time faculty should be based on educational program and service needs, not perceived financial savings.
4. The California Community Colleges should diligently work toward surpassing a minimum of 75 % of the hours of instruction to be taught by full-time faculty. Consistent with previous resolutions, local academic senates should continue to support student access to faculty in all disciplines including the counseling and library disciplines.
5. Colleges should make every effort to support the integration of part-time faculty into the institutional processes. Local academic senates should consult with the local union, where applicable, to facilitate the availability of part-time faculty to interact with students, participate in governance, and participate in curriculum decision making processes.
6. Hiring processes for part-time faculty should have components identical to those of full-time faculty hiring processes, including proper notice, recruitment, screening, interviewing, and selection. Local academic senates should work with the designees of the board to ensure the faculty hiring policies include processes for hiring part-time faculty. A hiring process which establishes a diverse pool of qualified faculty for part-time assignments should be pursued. (See *Part-time Hiring Procedures: A Model Based on AB1725* adopted at the Academic Senate Fall 1989 Plenary Session.)

7. Local academic senates should work with their union to ensure evaluation processes for part-time faculty have identical components as full-time faculty evaluation processes.
8. In order for part-time faculty to effectively perform their professional duties and for students to have reasonable access to the faculty, the local colleges should provide a level of support comparable to that of full-time faculty with similar professional duties. Support usually includes office space, communication technology, faculty development resources, and instructional media/reproduction support.
9. The Academic Senate for California Community Colleges should seek legislation and/or regulations which would require that local colleges provide all students comparable access to instructors, whether they be full-time or part-time, and that all faculty will have comparable access to institutional support of professional services.

19.0 Resolved that the Academic Senate for California Community Colleges stipulate that all resolutions pertaining to part-time faculty should in no way be interpreted as supporting the practice of hiring part-time as opposed to full-time faculty.

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1996, September	AB 3099 (Campbell) signed, providing some health care funding for a few “freeway flyers.”
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1996, Fall	<p>6.05 Resolved that the Academic Senate for California Community Colleges direct the Executive Committee to secure the 75/25 ratio data from the Chancellor’s office that will reveal the statistics for each college and each district, and</p> <p>Be it further resolved that the Academic Senate for California Community Colleges direct the Executive Committee to use those statistics to advocate compliance with the 75/25 ratio for each college or district which is revealed to be out of compliance.</p>
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1997, Spring	<p>6.01 Resolved that the Academic Senate for California Community Colleges direct the Executive Committee to seek a commitment from local trustees, CEOs and local academic senates to establish and maintain a 75:25 ratio at each California community college.</p> <p>6.02 Resolved that the Academic Senate for California Community Colleges actively support the concept of AB301 (Cunneen), as of 4/12/97, which would provide a state funding incentive to encourage community college</p>
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districts to compensate those part-time faculty who teach at least a 40 % load for holding one office hour per week.

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1997, June AB 301 (Cunneen) signed into law establishing the Part-time Faculty Office Hour Fund to assist districts in compensating part-time faculty for providing office hours.

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1997, Fall 19.09 Resolved that the Academic Senate for California Community Colleges urge community college districts and the State Teachers Retirement System (STRS) board to accurately report full service credit [of part-time faculty] earned for retirement benefits.

19.05 Resolved that the Academic Senate for California Community Colleges reaffirm its resolution 19.0 S 96 that the Senate not take any action or positions that seem to encourage the employment of part-time faculty teachers, and

Be it further resolved that the Academic Senate for California Community Colleges recommend to local senates that curriculum, planning, budget, and other college decisions should be based on the goals, vision, and mission of the college and not on the availability and use of part-time faculty.

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1998, September AB 1166 (House) Signed, seeking to correct miscalculations of part-time faculty STRS benefits, retroactive to July 1, 1996.

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1998, Fall *Participation of Part-time Faculty on the Executive Committee of The Academic Senate for California Community Colleges Adopted by Academic Senate.*

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1.02 Resolved that the Academic Senate for California Community Colleges direct the Executive Committee to develop a program to address and rectify the lack of academic equity for part-time faculty. This program will involve:

1. Research and the collection of data in an effort to determine the best practices for integrating part-time faculty into local institutional processes and to determine which California community colleges do or do not employ those practices;
2. Development of a proactive program, similar to the Technical Assistance program whereby Academic Senate representatives assist local senates in their efforts to implement these best practices.

3. Development of a proactive program for integrating part-time faculty into the statewide Academic Senate, which may include but not be limited to establishing a part-time faculty liaison to the Executive Committee from a statewide representative part-time faculty association; and
4. Implementation of those measures recommended in the paper "*Participation of Part-time Faculty on the Executive Committee of the Academic Senate for California Community Colleges*"; and

Be it further resolved that the Academic Senate for California Community Colleges direct the Executive Committee to submit its program and a progress report to the 1999 Spring Plenary Session.

1.09 Resolved that the Academic Senate for California Community Colleges direct the Executive Committee to create a new standing committee for part-time issues composed of a majority of part-time faculty from around the state.

19.07 Resolved that the Academic Senate for California Community Colleges reaffirm its position that part-time faculty be provided with adequate office facilities including desks, phones, computers, and other necessary equipment.

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1999, January	AB 420 (Wildman) introduced
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1999, Spring	<p>17.01 Therefore be it resolved that the Academic Senate for California Community Colleges, in collaboration with its collective bargaining and other organization colleagues as appropriate, seek to clarify the extent to which part-time faculty may receive compensation for activities such as participation in staff development activities, research projects, attending meetings, nonteaching coaching responsibilities and carrying out other nonteaching duties and the potential effect of such compensation on the 60 % load.</p> <p>19.02 Resolved that the Academic Senate for California Community Colleges direct the Executive Committee to study comprehensive solutions to the problems and issues developing out of the current system use of part-time temporary faculty, including the possibility of a change in the California Education Code to require hiring of full-service faculty for all faculty positions, whether full-time contract or regular, or part-time contract or regular, and to limit the use of temporary faculty to short-term substitutions for duties of contract or regular faculty, and</p>
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Be it further resolved that the Academic Senate for California Community Colleges direct the Executive Committee to report to the 2000 Spring Plenary Session with analysis and recommendations.

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1999, October	AB 420 (Wildman) Signed into law, asserting the principle of “equal pay for equal work,” requiring CPEC to complete a study of part-time CCC faculty compensation by March 2000. The bill also expanded the office hour and health benefit programs.
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1999, Fall	<p>1.01 Resolved that the Community Colleges request that local senate presidents announce that copies of the Rostrum will be available to part-time faculty who request them, and</p> <p>Be it further resolved that the Academic Senate for California Community Colleges send to colleges sufficient copies to of the Rostrum accommodate those requests, and</p> <p>Be it finally resolved that the Academic Senate for California Community Colleges urge local senate presidents to be responsible for distributing copies of the Rostrum to those part-time faculty who have requested them.</p> <p>19.03 Resolved that the Academic Senate for California Community Colleges work with local academic senate presidents to determine the number of credit units per discipline taught by full-time faculty and the corresponding number of credit units per discipline taught by part-time faculty.</p>
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2000, June	Bureau of State Auditors report on part-time faculty compensation.
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2000, Fall	<i>Re-examination of Faculty Hiring Processes and Procedures</i> adopted by Academic Senate.
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2001, Spring	19.01 Resolved that the Academic Senate for California Community Colleges work with other faculty organizations to develop unified positions in support of part-time faculty, particularly comparable pay for comparable work, including office hours and a system of due process that assures academic freedom.
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2001, July	<p>Budget signed with \$57 Million for part-time faculty compensation equity,</p> <p>Budget backfill and increase in the Part-time Faculty Office Hour Fund.</p> <p>AB 1245 (Alquist) requires negotiation of part-time faculty seniority rights.</p>
2001, Fall	<p>9.02 Resolved that the Academic Senate for California Community Colleges develop and recommend to local senates effective means to assure that all faculty members be provided a copy of the course outline of record for each course they are assigned; and</p> <p>Be it further resolved, That the Academic Senate for California Community Colleges develop and recommend to local senates effective means to assure that all faculty members be provided regular updates of program review and curriculum review as relevant to the faculty member's assignments.</p> <p>19.01 Resolved that the Academic Senate for California Community Colleges support efforts to require California community college districts to provide an adequate place for every faculty member, both full- and part-time, credit and noncredit, to meet with students outside of class, such efforts to include new Title 5 Regulations and inclusion of such a standard in Accreditation Standards.</p> <p>19.02 Resolved that the Academic Senate for California Community Colleges investigate the possibilities of requiring that all community college classes include the expectations that students will receive the opportunities for effective contact with their instructors outside of their regular class period.</p>
2001, September	Board of Governors' Policy on Comparable Pay for Comparable Work

## APPENDIX B. PART-TIME OFFICE HOURS AND EQUITY FUND 2001

### BUDGET LANGUAGE

#### 2001-2002 BUDGET SUMMARY (CHAPTER 106)

6870-485

- (1) \$3,153,000 to the California Community Colleges for the purpose of funding 2000-01 costs for the Part-time Faculty Office Hours Program. Notwithstanding Education Code §87885, or any other provision of law, these funds shall provide up to 50% of the total costs (including state and local matching funds) of the compensation paid for office hours of part-time faculty. Furthermore, the use of these funds is contingent upon the enactment of legislation to reinstate the 1:1 state to local matching ratio.
  
- (4) \$7,172,000 to the California Community Colleges for the purpose of funding 2001-02 costs for the Part-time Faculty Office Hours Program. Of the funds provided, the use of \$4,672,000 is contingent upon the enactment of legislation to reinstate the 1:1 state to local matching ratio.
  
- (5) \$57,000,000 to the California Community Colleges solely to increase compensation for part-time faculty from the amounts previously authorized. Funds shall be distributed to districts based on the total actual full-time equivalent students served in the previous fiscal year and include a small district factor as determined by the chancellor. These funds are to be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined by each district's local collective bargaining unit. These funds shall not supplant the amount of resources each district used to compensate part-time faculty or be used to exceed parity of each part-time faculty employed by each district with regular full-time faculty at the same district, as certified by the chancellor. If a district achieves parity, its allocation may be used for any other educational purpose.

# APPENDIX C. NEW BOG POLICY STATEMENT COMMUNIQUÉ

## MEMORANDUM

September 25, 2001

Via Email Only

To: Chief Executive Officers  
Chief Business Officers  
Chief Human Resource Officers  
Other Interested Parties

From: Frederick E. Harris, Director  
College Finance & Facilities Planning

Subject: Advisory on the 2001 Budget Act Appropriation for Part-time Faculty Compensation

This memo provides information to districts on how the \$57 million provided in the 2001 Budget Act is to be distributed, and the requirements of districts to receive these funds. For further information on this subject, please refer to the attached copy of a policy statement adopted by the Board of Governors on September 10, 2001, and the July 30, 2001 memo from Chancellor Nussbaum to members of the Part-time Issues Task Force entitled “Materials to Assist Task Force Discussions.” Also attached are the estimated allocations by district, the Request for Allocation form, and the Expenditure Report form.

### BACKGROUND

The 2001 Budget Act appropriates \$57 million to increase compensation for part-time faculty pursuant to the following provisional language requirements:

1. Funds shall be distributed to districts based on the total actual FTES served in the previous fiscal year and shall include a small district factor.
2. These funds are to be used first to assist districts in making part-time faculty compensation more comparable to full-time faculty compensation for similar work, as determined by each district’s local collective bargaining process.
3. These funds shall not supplant the amount of resources each district has used to compensate part-time faculty.
4. These funds shall not be used to exceed parity of part-time faculty employed by each district with regular full-time faculty at the same district, as certified by the Chancellor.
5. If a district achieves parity, its allocation may be used for any other educational purpose.

01/01 2

September 25, 2001

## HOW TO RECEIVE THE MONEY

Before December 3, 2001 and as soon as possible, please have the district's Chief Executive Officer sign and return to the Fiscal Services Unit at the Chancellor's Office the enclosed form entitled "Request for Allocation of Part-time Faculty Compensation Funds 2001-02 Fiscal Year." This form certifies that the district through the local collective bargaining process will determine the specific definitions, policies and amount needed to achieve parity for compensation between part-time and full-time faculty for similar work. If the completed form is not received in the Chancellor's Office by December 3, 2001, that district's unclaimed share of funds will be reallocated to all other districts that have met the deadline.

The allocation of these funds (including any unclaimed district funds) will be distributed in Feb. 2002 and will be included in the 2001-02 First Principal Apportionment. Districts will receive the standard 68% of the Part-time Faculty Compensation funds in the February apportionment and the remaining balance will be distributed monthly until the end of the fiscal year. Districts will have the flexibility to use these resources to support adjustments in part-time faculty compensation improvements settled in anticipation of receipt of these funds in fiscal year 2001-02.

Enclosed with this memo you will find an estimated allocation of these Part-time Faculty Compensation funds calculated using the 2000-01 Second Principal Apportionment Actual FTES. Once districts submit "final" FTES numbers for 2000-01 (due to the Chancellor's Office 11/1/01), the Part-time Faculty allocation will be revised based upon the actual FTES reported for the 2000-01 Recalculation. Since this is an FTES distribution, this ensures that districts receive funds for the students actually served in the 2000-01 fiscal year.

### Accounting for the Part-time Faculty Compensation Money

The Chancellor's Office plans on this appropriation to continue in future years and will add this money to the base for the 2002-03 fiscal year. Accordingly, this money is treated as Unrestricted General Fund and is generally included within the Current Expense of Education, so long as it is spent on activities and objects of expenditure consistent with California Code of Regulations §59204.

In calculating compliance with the 50% Law, the money spent on compensation of part-time and full-time instructors will count for Salaries of Classroom Instructors to the extent they are performing duties devoted to the instruction of students. The Chancellor's Office needs to collect information on the uses of this money. At the end of the fiscal year, districts will need to report the uses of this money on the expenditure report attached.

For questions regarding the Board policy statement and the Chancellor's memo, please contact Gus Guichard, Vice Chancellor, Human Resources at 916.445.1606 or gguichar@cccco.edu. For questions about the allocations, please contact Theresa Tena at 916.327.6226 or ttena@cccco.edu. For questions about the application and accounting for these funds, please contact Patrick Ryan at 916.327.6223 or pryan@cccco.edu.

### Attachments

- ▶ Request for Allocation of Part-time Faculty Compensation Funds 2001-02 Fiscal Year
- ▶ BOG Policy State on Part-time Faculty Compensation
- ▶ Memo: Materials to Assist Task Force Discussions
- ▶ Estimated Part-time Faculty Compensation Allocation
- ▶ 2001-02 Expenditure Report on Part-time Faculty Compensation Parity

## CALIFORNIA COMMUNITY COLLEGES REQUEST FOR ALLOCATION OF PART-TIME FACULTY COMPENSATION FUNDS

### 2001-02 FISCAL YEAR

District: \_\_\_\_\_

I certify that as a condition to receive the Part-time Faculty Compensation funds appropriated from the Proposition 98 Reversion Account in Item 6870-485(5) of the 2001 Budget Act the district will:

1. Determine through the collective bargaining process (or similar process as determined by a district in the absence of a collective bargaining agent) the specific definitions, policies and amount needed to achieve parity for comparable pay between part-time and full-time faculty for similar work at the district.
2. Send the documentation of that negotiated agreement to the Chancellor's Office Human Resources Division.
3. Use these funds in compliance with the 2001 Budget Act and other applicable laws and regulations.
4. Complete and return the enclosed expenditure report on the use of these funds to the Chancellor's Office on or before October 10, 2002.

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Date

By December 3, 2001, return this form to:

Fiscal Services Unit  
Chancellor's Office  
California Community Colleges  
1102 Q Street, 3<sup>rd</sup> Floor  
Sacramento, CA 95814

CCFS-367

# BOARD POLICY STATEMENT ON PART-TIME FACULTY COMPENSATION

ADOPTED BY THE BOARD OF GOVERNORS ON SEPTEMBER 10, 2001

The Board of Governors supports the policy that part-time faculty should be paid comparably to full-time faculty for those in-class and out-of-class responsibilities that are the same. In instances where part-time faculty have fewer of the same responsibilities for out-of-class activities, the Board of Governors supports the policy that part-time faculty should be paid comparably to full-time faculty for those professional responsibilities expected equally of full- and part-time faculty.

The specific definitions and policies regarding comparable pay are to be determined locally, through the collective bargaining process. The Board of Governors recognizes that the specific definitions and policies negotiated locally will vary.

The policy of the State and the system should be to enable a closing of the gap in comparable pay. The State funding provided should be in the form of ongoing base revenue, and should be distributed on the basis of FTES (full-time equivalent students). The amount of State funding sought to achieve this policy has been computed for a variety of scenarios and a stated set of assumptions; however, the amount actually sought by the system will be determined annually in conjunction with the system's entire budget package.

After each year in which the State provides new or additional funding to address this policy, the Chancellor's Office will compile the results of how local college districts have applied these funds to achieve their local policies of comparable pay. These results shall be provided to the Board of Governors, the Legislature, and the Governor, and shall be considered by the Board of Governors and institutional and organizational representatives of the community colleges in connection with the system's annual budget development process. At such times, the Board of Governors shall determine what, if any, additional steps should be taken to further advance the Board's policy of comparable pay for comparable work.

## MONITORING THE POLICY:

- a) Districts electing to participate in the system-sponsored program shall determine, through collective bargaining, the specific definitions and policies regarding comparable compensation, and shall report these definitions and policies to the Chancellor's Office of the California Community Colleges.
- b) If a district accepts funds to increase the salaries of those paid through the part-time faculty salary schedule and reports how it has used its entire allotment to do so, it will have complied with the law. However, until the district has adopted (through collective bargaining) a definition of parity, and until a district provides evidence that it has achieved

this definition, the Chancellor of the California Community Colleges will not certify that the district has reached parity. Until the Chancellor certifies that the district has reached parity, the district cannot use the funds “for any other educational purpose.”

#### IMPLEMENTING THE POLICY:

- a) If a district applies the funds to increase the salaries of those paid through the part-time faculty salary schedule, reaches agreement on what constitutes “parity”, and achieves parity under that definition, the district will provide documentation of this fact to the Chancellor of the California Community Colleges, and the Chancellor will certify that the district has reached parity. At this point, the district can use remaining and future allocations from the fund “for any other educational purpose.”
- b) As a condition of participating in the program and being eligible to receive infusions beyond the level provided in the first year, the district must have bargained its definition of “parity” before the middle of the second year (essentially by January or February of 2003, just before the apportionment goes out). A district not reaching agreement regarding “parity” will retain its first year allocation, and will again become eligible for allocations beyond this level when it provides its locally bargained definition of “parity.”
- c) Funds from this program which are applied to the salaries of part-time classroom instructors are intended to count for purposes of compliance with the 50 % Law (Education Code, §84362). A concern has been raised whether the program is of such a categorical nature that the funding will be excluded from the definition of “current expense of education.” The Chancellor’s Office will provide for a legal analysis to ensure that this is not the case. Should this be the case, the parties are in agreement to modify Board regulations and/or the statute to enable funds from this program to count for purposes of compliance with the 50 % Law.
- d) The Chancellor’s Memorandum to the Part-time Issues Task Force (dated July 30, 2001) provides methodologies and sets of assumptions for “closing the gap.” The costs of “closing the gap” have been calculated under five different scenarios: 70 %, 75 %, 80 %, 88 %, and 100 %. Without the Board of Governors recommending which of these or other percentages is most appropriate in terms of locally bargained parity standards, the methodology and stated assumptions for calculating the costs at these various percentages will serve as a reference in determining the system’s request for State funding. However, the amount of State funding actually sought by the system will be determined annually in conjunction with the system’s entire budget package.

# MEMORANDUM FROM THE CHANCELLOR

July 30, 2001

To: Part-time Issues Task Force

From: Tom Nussbaum

Subject: Materials to Assist Task Force Discussions

## I. CONCLUSIONS AND RECOMMENDATIONS FOR DISCUSSION

- A. I believe there is consensus that our intent is to implement the program in a manner that is consistent with local collective bargaining. We believe that terms and conditions of employment, including compensation, will continue to be determined through local bargaining. We acknowledge that the districts vary in the ways they define full-time faculty workload, and we know the same is true for the workload of part-time faculty.
- B. Since the program will be implemented within the framework of local collective bargaining, and since we know the different districts will vary in what they bargain, a single system standard regarding what constitutes “comparable pay for comparable work” is unlikely. With respect to full-time faculty, different districts have bargained different configurations of teaching loads, office hours, and preparation time, committee work, and other assignments. Some bargaining agreements identify explicit numbers of hours for preparation and grading, and others don’t. Some bargaining agreements identify five office hours a week, while others identify three or seven. Thus, we can’t simply say that the system standard *is* 15 hours of lecture, 15 hours of preparation/grading, 5 office hours, and 5 other duties. Nor can we simply proclaim that the system standard *should be* 15 hours of lecture, 15 hours of preparation/grading, 5 office hours, and 5 other duties. To do so could be inconsistent with existing collective bargaining agreements and could undermine the local bargaining process. In addition, fixing a system standard could be interpreted as a mandate, thus raising the issue of state-mandated costs.
- C. While some believe it inappropriate to impose a single system standard on districts, this does not mean we can’t devise a methodology to determine the magnitude of investment the State should make in assisting the colleges to deal with the issue of part-time compensation. While we are not going to impose or expect a single system standard, we can develop *the assumptions* we choose to apply in calculating the request for resources to assist the colleges in dealing with the issue. For instance, we could apply the assumption that a full-time faculty member spends 88% of his/her time on teaching, preparing for class, grading papers, and holding office hours. We could further assume that part-time faculty do these same duties for all of the time they are employed. Without establishing these assumptions as system standards, we could calculate the resources needed to fund these assumptions. The actual determination of comparable pay would be accomplished through local collective bargaining, and each district would report how it used its portion of the allocation to address the district’s comparable pay policy.

- D. In computing the cost of “closing the gap” I think that we need to talk about whether our cost assumptions should include additional assumptions about four other variables:
- 1) The extent to which full-time faculty teaching overload are currently being paid, or may be paid in the future, off of the part-time salary schedule. We have earlier reached consensus that it’s an allowable use of funds for districts to compensate the overload portion of a full-time faculty assignment if the overload instruction is being compensated off of the part-time salary schedule. We don’t know the extent to which districts currently do this; and we have no way of knowing what the practices will be once the new program is put into place. Since we can only speculate as to the outcome of local collective bargaining, it’s virtually impossible to calculate the additional funding necessary to ensure that overload assignments are compensable from this fund.
  - 2) The extent to which districts will be able to achieve their comparable pay policies without having exhausted the allocations they receive from this program. Since the funds are being allocated on a per FTES basis, it’s possible that districts with narrow gaps in pay equity will reach their policy on comparable pay without exhausting the funds available from the program. We earlier reached consensus that when these districts have closed the gap, they should be able expend the extra funds for any educational purpose, and this language is now a part of the budget language. We don’t know the extent to which there will be additional bargaining regarding the local definition of comparable pay; and so it’s speculative to guess whether or not allocations from the system will be sufficient.
  - 3) The extent to which districts will not be able to achieve their comparable pay policies within the resources allocated. Here the situation is reversed: a district may have a very big gap in comparable pay, and its allocation based on its total FTES will prove to be insufficient. Again, it’s difficult to speculate on the outcome of the additional bargaining that will take place.
  - 4) The extent to which districts already compensate their part-time faculty for office hours and preparation time. Because part-time workload is bargained in 72 different environments, we don’t know the extent to which office hours and preparation time are already compensated, nor whether such pay is comparable to that of full-time faculty. For instance, a district could provide \$65 per hour of teaching time, and indicate that with this compensation the faculty member is responsible to be prepared, grade papers, and be accessible to students. Another district could provide \$45 per hour of teaching time, but also separately compensate office hours and/or preparation time. We don’t know the range or extent of current practices, and we can be certain that these practices will change (through collective bargaining) with the advent of the new program. These realities speak against adjusting the State revenue request downward to account for office hours and preparation time that may already be compensated by districts.

## II. CLOSING THE GAP: METHODOLOGY AND ASSUMPTIONS FOR CALCULATING THE FUNDING REQUEST

The Task Force should evaluate the following approach for deriving the necessary assumptions and calculating the resource request to be included in the system budget:

- A. Establish assumptions regarding the percentage of work that is comparable, as between part-time instructors and full-time instructors. We have a variety of surveys and other work that can help inform this determination.
- B. Establish assumptions regarding “average” salaries for full-time faculty and “average” hourly rates for part-time instructors. Both the State Auditor and CCC/CFT have done some helpful work analyzing salary schedules, and we should start our discussion from this point.
- C. Adjust the average full-time salary identified above in item B, for the percentage of work that is comparable (item A above), and then determine an hourly compensation level for each hour of teaching by dividing the adjusted salary by 525 (35 weeks x 15 hours of teaching per week).
- D. Compare the hourly rate for part-time instructors (item B above) with the adjusted hourly rate for full-time instructors (item C above). This is the “gap” in terms of the hourly rate.
- E. Determine the total number of contact hours taught by part-time faculty during a given year. This number is available through systemwide MIS data—about 5,000,000 part-time faculty contact hours per year.
- F. Multiply the hourly rate “gap” (item D above) times the total number of contact hours taught by part-time faculty (#5 above) during a given year. This will be the cost of closing the gap.

Given this approach, we now deal with each step in greater detail.

- A. Determine the percentage of work that is comparable, as between part-time instructors and full-time instructors. We understand that the “comparable work” performed by full-time and part-time instructors varies from district to district, and that the matter will continue to be addressed through local collective bargaining. The task is to develop an assumption—for resource request purposes—regarding the percentage of time that full-time instructors spend on teaching and teaching related activities. We have several recent studies or reports that help inform this task:
  1. **State Auditor: 88%** The percentage used in the Auditor’s Report was based on the following assumptions about faculty load: 15 hours teaching, 15 hours grading and preparation, and 5 office hours. This is 35 hours out of the assumed 40-hour workweek, or 87.5%. While the State Auditor did conduct a survey of pay practices in eight districts, the percentage used by the Auditor was based on the assumptions rather than on a survey of actual practices.
  2. **CPEC: 81%** based on the response of full-time faculty answering the AB 420 survey. The sample was 22 CCC districts, and the response rate was 24.74% (percent of full-time faculty responding). They were asked to respond to paid number of hours in each of the

following categories, and the CPEC report converts this info to the following percentages: in classroom (33 %); preparation time and grading (37 %); office hours (11 %); advising students (5 %); other activities such as meetings, conferences, research; and nonteaching, departmental, or institutional activities such as committees and the academic senate (14 %). According to CPEC survey responses, full-time instructors indicate they spend between 46 to 52 hours per week on the above activities.

**3. National Center for Educational Statistics (April 2001): 71.9%.**

From the report, “Background Characteristics, Work Activities, and Compensation of Faculty and Instructional Staff in Postsecondary Institutions: Fall 1998”—As to public 2-year colleges, full-time instructional faculty and staff report the following percentage distribution of time on the following activities:

Teaching Activities—71.9 % (includes teaching, grading papers, preparing courses, developing new curricula, advising or supervising students, supervising student teachers and interns, and working with student organizations or intramural athletics)

Research Activities—3.8 % (includes research, reviewing or preparing articles or books, attending or preparing for professional meetings or conferences, reviewing proposals, seeking outside funding, giving performances, or giving speeches).

Administrative Activities 11.5 % (includes department or institution-wide meetings and committee work)

Other Activities 12.9 % (includes professional growth, outside consulting or freelance work, service/other nonteaching activities, paid or unpaid community or public service, service to professional associations, and work not listed in any of the other activities)

The average work week for full-time 2-year public college faculty is 49.1 hours, and the average classroom hours per week is 17.2. Thus, classroom instruction comprises about 35 % of their time.

**4. State of Washington: 76 %.** In its pro-rata compensation for part-timers, the State of Washington estimates that 76 % of the full-timers duties are related to teaching assignments, and 24 % to nonteaching activities.

When we look at the CPEC and other studies, we see that the core functions of teaching involve classroom instruction, preparation and grading, and office hours. Almost all our districts explicitly compensate their full-timers for these activities. Thus, in terms of assumptions, this suggests that if a part-time instructor is instructing, he or she should also be compensated for the basic functions of preparing for class, grading papers, and holding office hours or being accessible to students. The State has a reasonable expectation that any faculty member (full-time or part-time) who is instructing should also be preparing for class, grading papers, and holding office hours. Since the vast majority of our full-time faculty perform these functions, and since they are compensated for these functions, the principle of comparable pay for comparable work suggests that we apply an assumption that part-time instructors should be compensated for these functions as well.

Beyond this, we should take care in establishing assumptions that drive up the resource request without any real probability that they will become the practice in *all or most districts*. Instead, local collective bargaining should define the workload of full-time and part-time faculty. For instance, if part-time faculty are given the responsibility to advise students, they too should be compensated in accordance with the principle of comparable pay for comparable work; if they are not assigned to such work, they need not be compensated, nor should they be expected to do the work. The fact that some districts compensate full-time faculty for certain activities does not mean that all districts should be expected to do so. Similarly, the fact that a district collectively bargains for its full-time faculty to do certain work doesn't automatically mean there must be a bargaining agreement for its part-time faculty to do the same work.

- B. Establish assumptions regarding “average” salaries for full-time faculty and “average” hourly rates for part-time instructors. Both the State Auditor and CFT have done some helpful work analyzing salary schedules, and we should start our discussion from this point.

CFT has done a salary schedule comparison of 36 districts, indicating the salary level for “step 5, class IV” full-time faculty, and the same salary level (step 5, Class IV) for part-time faculty. First, in terms of full-time salaries, the sample average full-time faculty salary was \$45,515. The State Auditor looked at eight community college districts (based on bargaining agreements in effect for fall of 1999), and found the full-time average salary to be \$47,763. Given that these salary figures are now over a year out of date, they should be adjusted upward. Overall, for purposes of our assumptions, this suggests we should establish the average full-time salary at somewhere between \$49,000 and \$50,000. For purposes of discussion, I'm asking that the Task Force consider the figure of \$50,000 (a 4.68 % adjustment over the State Auditor's figure of \$47,763).

In terms of part-time hourly rates, the CFT study of 36 districts found an average hourly rate of \$40.58. This figure is for each hour of teaching. The State Auditor found an average hourly rate of \$55.22; however, this figure includes separate compensation for office hours that are being paid for (in addition to the hourly instruction rate) in four of the eight districts studied. Data from the Chancellor's Office MIS system indicate that the “mean hourly rate” for part-time instructors was \$42.27 in the fall of 1999. Given that these salary figures are also a year out of date, they should be adjusted upward (probably by the same percentage that the full-time salaries are adjusted). For purposes of discussion, I'm asking the Task Force to consider the figure of \$44.25 (a 4.68 % adjustment over the fall 1999 MIS figure of \$42.27).

- C. Adjust the average full-time salary identified in B above, for the percentage of work that is comparable (A above), and then determine an hourly compensation level for each hour of teaching by dividing the adjusted salary by 525 (35 weeks x 15 hours of teaching per week).

$$\frac{\$50,000 \times .70}{525} = \$66.67 \text{ per hour of teaching time}$$

$$\frac{\$50,000 \times .75}{525} = \$71.42 \text{ per hour of teaching time}$$

$$\frac{\$50,000 \times .80}{525} = \$76.19 \text{ per hour of teaching time}$$

$$\frac{\$50,000 \times .88}{525} = \$83.81 \text{ per hour of teaching time}$$

$$\frac{\$50,000 \times 1.00}{525} = \$95.24 \text{ per hour of teaching time}$$

It is important to recognize what these hourly rates represent. It is an hourly rate per hour of teaching time, and this compensation also covers the time the full-time faculty members spend on preparing to teach, grading, and holding office hours. The rates displayed above would be more than cut in half if each hour of teaching, preparation, grading, and office hour time was compensated separately.

- D. Compare the hourly rate for part-time instructors (B above) with the adjusted hourly rate for full-time instructors (C above). This is the “gap” in terms of the hourly rate.

$$70 \% \text{ Assumption: } \$66.67 - \$44.25 = \$22.42$$

$$75 \% \text{ Assumption: } \$71.42 - \$44.25 = \$27.17$$

$$80 \% \text{ Assumption: } \$76.19 - \$44.25 = \$31.94$$

$$88 \% \text{ Assumption: } \$83.81 - \$44.25 = \$39.56$$

$$100 \% \text{ Assumption: } \$95.24 - \$44.25 = \$50.99$$

Again, it is important to recognize what these figures represent. It means, for instance, that if a part-time instructor is paid \$71.42 per hour for each hour of teaching time, his/her compensation will be comparable to the compensation paid full-time faculty, assuming that these full-time faculty spend 75 % of their time on teaching and teaching related activities. The hourly rate paid to the part-time instructor thus covers preparation for teaching, grading, and office hours.

At the local level, if a district continues to separately compensate for office hours and/or preparation time, the district would have to determine total compensation before calculating the hourly rate. For instance, let’s assume a part-time instructor teaches a three-unit course for a semester. Using the 75 % assumption, the pay would be \$71.42 per hour times 3 hours per week times 17½ weeks, or \$3,749.55. If the part-time faculty member was paid \$55 per hour for teaching and one paid office hour per week, the total compensation would be \$3,822 (\$55 per hour times 3 hours per week times 17½ weeks, plus \$55 per hour times 1 hour per week times 17½ weeks). This second arrangement would also be comparable pay, using the 75 % assumption.

- E. Determine the total number of contact hours taught by part-time faculty during a given year. This number is available through systemwide MIS data—about 5,000,000 part-time faculty contact hours per year.

The CFT analysis uses Chancellor’s Office MIS data on average teaching loads to estimate 5,072,256 contact hours of instruction by part-time instructors (based on 26,640 part-time instructors with an average load of 5.6 WFCH. MIS data available in the Chancellor’s Office records the total annual contact hours taught by part-time instructors, and the fall 1999 number is 4,607,624. However, this number does not include three districts (West Hills, San Diego and Riverside). For purposes of assumptions, we believe the figure of 5,000,000 contact hours is appropriate.

- F. Multiply the hourly rate “gap” (D above) times the total number of contact hours taught by part-time faculty (E above) during a given year. This will be the cost of closing the gap.

70 % Assumption:  $\$22.42 \times 5,000,000 = \$112,100,000$

75 % Assumption:  $\$27.17 \times 5,000,000 = \$135,850,000$

80 % Assumption:  $\$31.94 \times 5,000,000 = \$159,700,000$

88 % Assumption:  $\$39.56 \times 5,000,000 = \$197,800,000$

100 % Assumption:  $\$50.99 \times 5,000,000 = \$254,950,000$

There is reason to have some degree of confidence in these numbers. The CFT estimate for closing the gap (using the 88 % assumption) is \$205.8 million, and the difference in the total contact hours taught by part-timers (5.072 million vs. 5.0 million) makes up a good part of the \$7 million difference in estimates. The State Auditor’s estimate was \$145 million (also using the 88 % assumption); however, the State Auditor used lower average full-time salary figures than we have used in preparing our estimate.

## CALIFORNIA COMMUNITY COLLEGES ESTIMATED PART-TIME FACULTY COMPENSATION ALLOCATION

BASED UPON 2000-01 P2 FTES<sup>1</sup>

District	FTES	Allocation <sup>2</sup>
Allan Hancock	8,481.37	467,306
Antelope Valley	8,188.94	451,194
Barstow	1,900.00	111,000
Butte	10,847.32	597,665
Cabrillo	10,206.86	562,377
Cerritos	16,478.92	907,955
Chabot-Las Positas	15,002.78	826,623
Chaffey	12,156.54	669,801
Citrus	10,479.47	577,397
Coast	32,318.98	1,780,710
Compton	5,686.16	313,296
Contra Costa	28,444.07	1,567,210
Copper Mountain	1,310.18	111,000
Desert	5,784.26	318,701
El Camino	17,265.60	951,299
Feather River	1,320.68	111,000
Foothill-DeAnza	30,452.48	1,677,869
Fremont-Newark	7,478.65	412,058
Gavilan	4,307.78	237,350
Glendale	14,268.83	786,183
Grossmont-Cuyamaca	15,977.41	880,323
Hartnell	6,498.49	358,054
Imperial	4,699.13	258,912
Kern	16,569.52	912,947
Lake Tahoe	1,515.29	111,000
Lassen	2,246.18	123,760
Long Beach	19,267.05	1,061,575
Los Angeles	91,909.66	5,064,034
Los Rios	41,400.22	2,281,068
Marin	6,489.87	357,579
Mendocino-Lake	2,521.78	138,945
Merced	8,370.46	461,195
Mira Costa	6,840.20	376,881
Monterey Peninsula	8,275.54	455,965
Mt San Antonio	23,457.47	1,292,459
Mt San Jacinto	6,517.34	359,092

<sup>1</sup> These allocations will be revised based upon the 2000-01. Actual FTES reported for the recalculation.

Napa Valley	5,370.85	295,923
North Orange	31,866.22	1,755,764
Palo Verde	1,222.88	111,000
Palomar	16,023.27	882,849
Pasadena	20,414.60	1,124,803
Peralta	16,120.64	888,214
Rancho Santiago	28,586.93	1,575,081
Redwoods	5,260.76	289,857
Rio Hondo	10,552.52	581,422
Riverside	20,920.71	1,152,688
San Bernardino	13,033.12	718,098
San Diego	39,578.28	2,180,682
San Francisco	34,543.83	1,903,294
San Joaquin Delta	13,387.82	737,642
San Jose	13,582.15	748,349
San Luis Obispo	7,950.84	438,075
San Mateo	17,226.31	949,134
Santa Barbara	12,711.19	700,361
Santa Clarita	8,634.54	475,746
Santa Monica	20,222.74	1,114,232
Sequoias	8,023.94	442,103
Shasta	7,359.60	405,499
Sierra	11,414.70	628,927
Siskiyou	2,401.73	132,330
Solano	7,568.41	417,004
Sonoma	18,890.83	1,040,846
South County	20,366.86	1,122,172
Southwestern	13,443.33	740,700
State Center	22,506.09	1,240,040
Ventura	24,815.00	1,367,256
Victor Valley	7,799.98	429,763
West Hills	3,349.32	184,541
West Kern	1,503.15	111,000
West Valley	16,130.08	888,734
Yosemite	15,676.94	863,767
Yuba	7,810.11	430,321
<b>Total</b>	<b>1,031,205.75</b>	<b>\$57,000,000</b>

<sup>2</sup>The small district factor is \$111,000 and is determined by calculating a per FTES amount for the \$57 million and multiplying that amount by 2,000 FTES.