

Part-Time Faculty in the California Community Colleges

The Academic Senate for California Community Colleges

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Educational Policies Committee
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The Issues: Academic Quality and Equal Treatment

The issues involved in the use of part-time faculty are those of quality, equal treatment, and cost effectiveness. The use of part-time faculty has been addressed several times in recent years. The following statements frame the issues as they have been addressed in the past:

“The use of part-time faculty in community colleges has been a major concern for more than a decade in both California and elsewhere in the country. Part-time faculty provide community colleges hiring flexibility and, in some cases, needed subject expertise -- at less cost than full-time faculty. However, part-time faculty seldom advise students, develop curriculum or participate in college governance. Some part-time faculty are seeking full-time employment and, it is argued, are being exploited.” *Joshua L. Smith, Chancellor, January 1987 (Study of Part-Time Instruction, Chancellor’s Office)*

“The issue of the use of part-time faculty -- specifically their impact on academic quality and institutional budgeting -- is contentious and has been discussed for many years, yet very little data exists on the topic. Perceptions are that part-time faculty are relatively poorly compensated, have virtually no job security, often receive little support from the institutions that employ them, and are sometimes treated as second-class citizens of the academic community. Yet for a variety of reasons, institutions often choose to employ them instead of full-time faculty.

Among the clear advantages of part-time faculty, they often fill voids created by unanticipated enrollment growth, provide expertise that regular full-time faculty may not have, and can be used to reduce institutional budgets, since they are almost always paid less than their full-time counterparts. At the same time, opponents of the use of part-time faculty suggest that they are not part of the regular academic community and thus do not have an interest in the welfare of the institution; they do not share in necessary academic responsibilities, such as committee assignments, curriculum development, and student advisement and counseling; and their lack of participation in these areas may adversely affect the quality of the academic program.” *California Post-Secondary Education Commission (CPEC) Agenda Item 6, March 5, 1990*

Continued High Ratio of Part-time Faculty

The use of part-time faculty has been going on for some time as indicated in the following statement from the League for Innovation:

“The employment of large numbers of part-time faculty in America’s community colleges was a longstanding practice (Cohen & Brawer, 1982). This practice continued to the point that in 1978, part-time faculty outnumbered full-time faculty in all states, and some states by a two-to-one ratio (Haddad & Dickens).” *A League Report (League for Innovation in the Community College (1986)*

The number of part-time faculty was 30,843 and the number of full-time faculty was 16,843 in the Fall of 1990 according to the *Report on Staffing and Salaries (Chancellor’s Office, July 1991)*.

The ratio of full-time to part-time hours taught has also not changed much over time. In 1987, a Chancellor's Office study concluded that "Remarkably little change has occurred in faculty assignments over the past decade. Sewell, Brydon, and Plosser (1976) reported that graded (credit) class hours were distributed in the following ways in 1974-75:

regular assignment	62%
regular assignment overtime	10%
part-time	28%"

Source: *Study of Part-Time Instruction (Chancellor's Office, Jan. 1987)*

By the Fall of 1988, the Total Weekly Faculty Contact Hours Taught in California Community Colleges were as follows:

	Fall 1986	Fall 1987	Fall 1988	
Full-Time Faculty	235,462	230,330	229,829	58%
Overload Faculty	23,764	24,951	25,877	7%
Part-Time Faculty	129,659	133,459	139,484	35%

Source: *Prospectus for a Study of Part-Time Faculty in California Public Postsecondary Education (CPEC, March 5, 1990)*

By the Fall of 1991, the WFCH numbers were

	Fall 1989	Fall 1990	Fall 1991	
Full-Time Faculty	234,249	239,016	241,779	56%
Overload Faculty	28,843	28,533	30,901	7%
Part-Time Faculty	158,016	169,849	159,005	37%

Source: *CPEC Report May 31, 1992*

The number of students served by community colleges has been increasing over the last few years. Many districts have sought to serve the increased number at a reduced cost by hiring part-time faculty in larger numbers. In Full-Time Equivalent Students (FTES) the numbers are:

	Fall 1986	Fall 1987	Fall 1988	Fall 1989	Fall 1990	Fall 1991
FTES	778,195	797,380	838,345	883,579	842,155	860,710

Source: *CPEC Report May 31, 1992*

Use of Part-Timer Still an Issue

CPEC concluded in an October 28, 1991 report that “Data in the Commission’s 1990-91 *Supplemental Report on Academic Salaries* showed that although most community college districts have increased their number of full-time faculty in recent years, they continue to rely on large numbers of part-timers to provide instruction. Thus, many of these districts are having difficulty meeting the goals articulated by Assembly Bill 1725 - legislation that directed the community colleges to limit their part-time faculty to no more than 25 percent of the instructional load. The Commission’s most recent report showed that, during the past three years, the number of part-time faculty in the community colleges has also increased at the statewide level, and that these faculty have also taken on an increasing share of the teaching load. Thus, the use of part-timers and temporary faculty at the community colleges continues to be an issue that demands consideration.”

Unequal Pay for Part-Time Faculty

Mean dollars paid to Contract and Regular Faculty per WFCH (No overload and adjusted to reflect additional responsibilities of regular and contract faculty such as counseling, advising, committee work, office hours, and community service) and for Part-Time Faculty per WFCH in Fall 1988 were:

Part-Time Faculty	\$28.39
Full-Time Faculty	\$53.36

Source: *CPEC Agenda Item 6, March 5, 1990*

Academic Senate Resolutions

The Academic Senate for the California Community Colleges has passed a number of resolutions concerning part-time faculty. Among those passed are the following:

(Fall 1974): 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.

(Fall 1974) ENCOURAGE local Senates to involve part-time instructors actively in Senate affairs.

(Spring 1974) 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.

(Fall 1976) 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.

(Fall 1976) RECOMMEND that part-time faculty be subject to screening, hiring, and evaluation procedures equal to that of full-time faculty and that part-time faculty be equally provided opportunities for in-service training.

(Fall 1976) 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.

(Fall 1980) 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 resolved that the Senate URGE local Senates to encourage boards of trustees to adopt a policy of employing full-time faculty.

(Spring 1981) 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.

(Spring 1981): ADOPT the following section of the position paper "Legislation for the 1981 Session":

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 turn-over 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 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.

(Spring 1982): SPONSOR legislation to require those districts having a percent of part-time teachers greater than the 28% standard be given incentives to reduce that percentage.

(Spring 1982) 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.

(Spring 1982) SPONSOR legislation to require those districts having a percent of part-time teachers greater than the 28% standard be given incentives to reduce that percentage.

(Spring 1984) 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.

(Spring 1985) RECOMMEND that a [community college faculty] vacancy be filled by full-time faculty wherever feasible.

(Spring 1985) REAFFIRM its position that local senates be encouraged to explore means of providing adequate representation of part-time faculty in academic and professional matters.

Attempted Solutions

Attempts by the legislature and the Board of Governors have been largely unsuccessful in effectively decreasing the proportional use of part-time faculty.

Statutory Limits

“Statutory limits on the use of part-time faculty in California community colleges were first enacted in 1981 and extended through 1987 to restrict districts from using part-time faculty to teach more than 30% of a district’s workload or the average workload employed between 1980 and 1983. Districts determine if they are out of compliance and, if so, submit corrective plans to the Board of Governors for approval. In 1985, five districts that did not comply with this statute submitted corrective plans to the Board of Governors for approval. However, there are no sanctions for not complying with this law and the Board of Governors’ role is partial at best. Also, there are no statewide limits on the amount of part-time overload teaching that may be assigned to full-time faculty in addition to their regular load, although some local collective bargaining contracts address this issue.” *Study of Part-Time Instruction (Chancellor’s Office, January 1987)*

AB 1725

AB 1725 contained several statements of legislative intent that the community colleges have a “strong core of full-time faculty with long-term commitments to their colleges” (Section 4).

Section 4 of AB 1725 made a legislative finding that “(a)(1) There must be guarantees that the full-time positions which become open because of the retirement of these faculty members not be divided into part-time positions that are less expensive to fill than the full-time positions. The division of full-time positions that become vacant into part-time positions is currently occurring all

too frequently. The maintenance of a fully staffed, full-time faculty is an essential element of a coherent program.”

Section 4 continues:

“(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 an over reliance upon 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. Even if they were invited to do so by their colleagues, it may be impossible if they are simultaneously teaching at other colleges in order to make a decent living.

(c) However, in many areas the employment of part-time temporary faculty is both appropriate and necessary, especially in vocational programs where part-time faculty members may be practicing professionals in the field.

(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. The Legislature’s concern about abuses in this regard led to the establishment of the current statutory cap on part-time employment.

(e) There is widespread concern about the current tendency to fill “retiring” full-time positions with multiple part-time positions, and that there is a financial incentive to do so. Under current formulae, part-time faculty receive less money than do full-time faculty, and do not receive benefits. Thus, proposals concerning the status and conditions of part-time faculty will depend upon changes in the pay structure as well as the overall financing of the colleges.”

AB 1725 went beyond legislative intent language. It called for the expenditure of program improvement monies toward the hiring of full-time faculty. These monies became part of the base for future years. Section 84755 included “Improving instruction by increasing the hiring of full-time instructors and limiting the practice of hiring part-time instructors” as one of the uses of the \$140 million in program improvement funds approved by the legislature.

Education Code Section 87482.6 stated that 75 percent of the credit hours taught should be taught by full-timers. In particular, Section 87482.6 (a) states that “Until the provisions of Section 84750 regarding program based funding are implemented by a standard adopted by the board of governors that establishes the appropriate percentage of hours of credit instruction that should be taught by full-time instructors, the Legislature wishes to recognize and make efforts to address longstanding policy of the board of governors that at least 75 percent of the hours of credit 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 ..”.

Section 84755 then sets out the conditions for the use of the \$140 million in program improvement funds. Districts with less than 75% of their credit hours taught by full-timers were required to apply a portion of their program improvement monies to hire full-time faculty.

Districts in the 67%-75% range were required to spend 33% of their Program Improvement monies to hire new full-time faculty. Districts with less than 67% were required to spend 40% of their Program Improvement Funds on the hiring of new full-time faculty.

“In computing the percentage of hours of credit instruction taught by full-time instructors, the hours of overload teaching by full-time instructors shall be excluded from both the total hours of credit instruction taught by full-time and part-time instructors and the total hours of instruction taught by full-time instructors” (87482.6(a)(1)).

87482.6 also defined “full-time instructor” and “replacement cost” as follows

“(2) A full-time instructor shall be defined as any regular and contract faculty member teaching credit instruction.”

(3) states that the computation shall be made by dividing the applicable portion of the program improvement revenue by the statewide average “replacement cost” (a figure which represents the statewide average faculty salary plus benefits, minus the statewide average hourly rate of compensation for part-time instructors times the statewide average full-time teaching load).

The legislation also imposed a penalty for districts that were not in compliance. It required that “(4) On or before December 31, 1991, the chancellor shall determine the extent to which each district, by September 30, 1991, has hired the number of FTF determined pursuant to paragraph (3) for the 1989-90 and 1990-91 fiscal years. To the extent that the cumulative number of FTF have not been retained, the chancellor shall reduce the district’s base budget for 1991-92 and subsequent fiscal years by an amount equivalent to the average replacement cost times the deficiency in the number of FTF.”

According to the formulas above, 1,155 additional hires were required by September 1991. Final numbers on compliance by districts have not yet been released but preliminary study seems to indicated that the 1,155 number may be reached. The actual ratio of full-time to part-time has not changed much due to the large number of part-timers that were hired over the same period of time. No district to date has had it’s base budget for 1991-92 reduced.

Program Based Funding Regulations of the Board of Governors

The Board of Governors has passed regulations concerning the use of Part-Time faculty under program based funding.

Title 5 Regulations 51025 states that:“(a) Community College districts which have less than 75 percent of their hours of credit instruction taught by full-time instructors, in the prior fiscal year, shall apply the growth revenues received related to increases in credit FTES in accordance with Section 58774 of this division and a portion of the program improvement allocation received in accordance with Section 58775 of this division .. .”

The Board regulations require districts which are at less than 75% to increase the number of full-time faculty in proportion to their funded growth. In particular 51025(a)(1) states that “Of the growth revenues received related to increases in credit FTES pursuant to Section 58774 of this division, the districts shall increase the number of full-time instructors, by September 30 of the succeeding fiscal year, by the product of their base number of full-time faculty multiplied by the percentage change in funded credit FTES, rounded down to the nearest whole number.”

The Board regulations also requires districts at less than 75% to use a proportion of their program improvement allocation toward the hiring of full-time faculty. Districts which, in the prior fiscal year, had 67 percent or greater, but less than 75 percent of their hours of credit instruction taught by full-time instructors must apply up to 33 percent of their program improvement allocation toward the hiring of full-time faculty. Districts which, in the prior fiscal year, had less than 67 percent of their hours of credit instruction taught by full-time instructors must apply up to 40 percent of their program improvement allocation toward the hiring of full-time faculty.

District must increase the number of full-time instructors, by September of the succeeding fiscal year, by the quotient of the applicable program improvement funds divided by the statewide average replacement cost, rounded down to the nearest whole number. If the number of full-time faculty result in the district exceeding the 75 percent standard, the Chancellor shall reduce the number to a whole number that leaves the district as close as possible to, but in excess of, the 75 percent standard.

The Statewide average replacement cost is the statewide average faculty salary plus benefits, minus the product of the statewide average hourly rate of compensation for part-time instructors times the statewide average full-time teaching load.

Again, the penalty for not complying is the reduction of the district’s revenue. Section 51025(c) states that “On or before December 31 of each year, the Chancellor shall determine the extent to which each district, by September 30, of that year, has hired the number of additional full-time instructors determined pursuant to subdivision (a) for the prior fiscal year. To the extent that the number of additional full-time instructors have not been retained, the Chancellor shall reduce the district’s revenue for the current fiscal year by an amount equivalent to the average replacement cost for the prior fiscal year times the deficiency in the number of full-time faculty. To the extent a

district hires the additional full-time instructors in subsequent fiscal years the reductions made to the district's revenue shall be restored.”

“51025(d) All revenues available due to reductions made pursuant to subdivision (c), shall be available on a one-time basis for that fiscal year, for the purposes of faculty and staff diversity pursuant to Education Code Section 87107.”

The Board of Governors included provisions in the regulations for years in which there was no COLA or no program improvement funds. 51025 (e) allows for the Board of Governors, by January 20th of each fiscal year, to “determine whether adequate growth funds and adequate cost-of-living funds have been provided to allow full or partial implementation of the provisions of subparagraph (a)(1).”

Board of Governors Action: “Insufficient Funding”

At the November 14-15, 1991 Board of Governors meeting the Board stated that there was insufficient funding to require the hiring of full-time faculty proportionate to growth dollars received from the state. The Board item stated that:

“The intent of Section 51025 of the *California Code of Regulations* was to require the Community College Districts to devote growth funds toward securing sufficient full-time faculty (subject to adequate funding of COLA and workload growth) to increase the number of full-time faculty for the next year by the percent increase in growth funding.

This provision was the subject of much discussion in Consultation. The central issue was the degree to which Districts would have to comply if there was no full funding for the adjustments for cost-of-living and growth in workload. The compromise decision was for the Board of Governors to make a determination by January 20 as to whether Districts would have to comply with the provision based on adequacy of funding.

The 1991 State Budget Act provided no cost-of-living adjustment funding for any state-funded program but did provide funding for approximately 2.08 percent growth in workload. ..

Staff recommends that the Board of Governors determine that there is insufficient funding for cost-of-living to require full or partial implementation of the provisions of subparagraph (a)(1) of Section 51025.”

Legislative Action (1991): Minimum Standards

In the legislative session of 1991, SB 9 was passed and signed by the governor. Among the items in SB 9 was the following addition to the Education Code:

“Education Code 87482.7. (a) The board of governors shall, pursuant to paragraph (6) of subdivision (b) of Section 70901, adopt regulations that establish minimum standards regarding the percentage of hours of credit instruction that shall be taught by full-time instructors.

(b) Upon notice by the board of governors, the Department of Finance shall transfer any money deducted from district apportionments pursuant to the regulations adopted under this section. This money shall be transferred to the Faculty and staff Diversity Fund pursuant to Section 87107.

“Appendix: Education Code Sections dealing with the hiring of temporary faculty

Education Code 87482. (a) Notwithstanding the provisions of Section 87480, the governing board of a community college district may employ any qualified individual as a temporary faculty member for a complete school year but not less than a complete semester or quarter during a school year. The employment of those persons shall be based upon the need for additional faculty during a particular semester or quarter because of the higher enrollment of students during that semester or quarter as compared to the other semester or quarter in the academic year, or because a faculty member has been granted leave for a semester, quarter or year, or is experiencing log-term illness, and shall be limited in number of persons so employed, to that need, as determined by the governing board.

Such employment may be pursuant to contract fixing a salary for the entire semester or quarter.

(b) No person shall be so employed by any one district under this section for more than two semesters or three quarters within any period of three consecutive years.

Education Code 87482.5. (a) 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.

(b) Service as a substitute on a day-to-day basis by persons employed under this section shall not be used for purposes of calculating eligibility for contract or regular status.

Education Code 87478. Except as provided in Sections 87481 and 87482, governing boards of community college districts shall classify faculty employed to fill positions of regularly employed persons absent from service as temporary employees.

After September 1 of any school year, the governing board of a community college district may employ, for the remainder of the school year, in temporary status any otherwise qualified person who consents to be so employed in a position for which no regular employee is available, including persons retired for service under the State Teachers' Retirement System. Inability to acquire the services of a qualified regular employee shall be demonstrated to the board of governors.

Any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a faculty position, be classified by the governing board as a contract employee and the previous year's employment as a temporary employee shall be deemed a year of employment as a contract employee for purposes of acquiring regular status.

Education Code 87481. Notwithstanding the provisions of 87478 and 87480, the governing board of a community college district may employ any qualified individual as a temporary faculty member for a complete school year, but not less than one semester or quarter during a school year unless the date of rendering first paid service begins during the second semester or third quarter and prior to March 15th. The employment of these persons shall be based upon the need for additional faculty during a particular semester, quarter, or year because a faculty member has been granted leave for a semester, quarter, or year, or is experiencing log-term illness, and shall be limited, in number of persons so employed, to that need, as determined by the governing board.

Any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant faculty position, be classified by the governing board as a contract employee and the previous year's employment as a temporary employee shall be deemed a year of employment as a contract employee for purposes of acquiring permanent status.

For purposes of this section "vacant position" means a position in which the employee is qualified to serve and which is not filled by a regular or contract employee. It shall not include a position which would be filled by a regular or contract employee except for the fact that such employee is on leave.

Education Code 87470. The governing board of any community college district may employ faculty in programs and projects to perform services conducted under contract with public or private agencies, or other categorically funded projects of indeterminate duration under terms and conditions mutually agreed upon by the employee and the governing board. The agreement shall be reduced to writing. Service pursuant to this section shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a regular employee of a community college district unless

(1) the person has served pursuant to this section for a least 75 percent of the number of days in regular schools of the district by which he is employed are maintained, and

(2) the person is subsequently employed as a contract employee in a faculty position.

These persons may be employed for periods which are less than a full school year and may be terminated at the expiration of the contract or specially funded project without regard to other requirements of this code respecting the termination of contract or regular employees.

This section shall not be construed to apply to any faculty member who has been employed in the regular educational programs of the district as a contract employee before being subsequently assigned to any one of these programs nor shall it apply to those employees employed in programs operated pursuant to, or funded pursuant to Article 8 (commencing with Section 69640) or Chapter 2 of Part 42, or Section 78440, 78441, 78600, or 84850.