

VIRGINIA CONFERENCE

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Editor: Kay K. Jordan, kjordan@radford.edu

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CONTINGENT FACULTY: THE NEW MAJORITY

A Letter from Virginia Conference President Craig Vasey

Contingent Faculty Bill of Rights

Across the Commonwealth, it appears there is little in the way of guarantees of due process or academic freedom for the majority of faculty in higher education. That's because the majority of faculty are not on the tenure-track anymore. Fully 70% of the faculty nationwide are working on contingent contracts, full-time or part-time.

This situation poses enormous risks to the quality of the US system of higher education. Not all of these contingent faculty are the overworked part-timers teaching two courses at UMW, two courses at Germanna, two more at GMU, but a lot of them are (and making less than \$35,000 per year!) And that means they are not providing the continuity that strong departments and programs need, nor the personal attention that high-quality pedagogy requires –because it is just not physically possible to maintain this level of stress very long. (In my first semester teaching, I had eight courses –in philosophy and in French—at three different campuses: U MD, UMBC and Western Maryland College; I remember the life.)

The Virginia Conference of the AAUP held a statewide conference on this problem in February 2010, “Contingent faculty: The New Majority.” We heard from the General Secretary of the AAUP, the VCU President, and the Chancellor of the Virginia Community College System; we also held break-out sessions with contingent faculty to listen to their stories. We found that contingent faculty experience a lack of appreciation and respect from their faculty colleagues; they are badly paid, they lack any job security, their needs are overlooked, and their willingness to be part of the life of their departments and schools is often disregarded.

For instance, you might have been teaching two sections of *Intro to X* for six years, but a new applicant comes along and the department chair decides to give him a try and not renew the assignment for you. You have no job security even if your teaching evaluations are good. The Virginia Conference has not found any school in

Virginia that guarantees you the right to at least appeal this non-renewal to a standing Grievance Committee or to receive a written account of the grounds for the non-renewal. Contingent faculty are without recourse! At the University of Mary Washington, for example, the Faculty Handbook explicitly states (4.9.3 Non-grievable Actions) that non-reappointment of non-tenured faculty is not grievable.

This is not acceptable! As made clear by the AAUP “Statement on Contingent Appointments and the Profession” (<http://www.aaup.org/NR/rdonlyres/47A00141-3691-41C0-8621-83974185600B/0/ContingentAppointmentsandtheAcademicProfession.pdf>),

all part-time faculty, after appropriate successive reviews for reappointments, should have assurance of continuing employment. Such assurance can be provided through a variety of measures, some of which were recommended by the Association in 1993. Examples include longer terms of appointment, opportunities for advancement through ranks, due-process protections (described below), recognition of seniority (such as first opportunities for reappointment and course selection), conscientious peer evaluation, earlier notices of reappointment, and opportunities to appeal nonreappointment.

The Association affirms as partial protections of academic freedom for part-time faculty the following specific due-process provisions set forth in 1979: written terms and conditions of appointments, modifications, and extensions; a written statement of reasons and an opportunity to be heard before a duly constituted committee prior to involuntary termination during a period of appointment; access to a duly elected faculty grievance committee; and a statement of reasons and a hearing before a duly constituted faculty committee for nonreappointment, if the faculty member makes a prima facie case of an academic freedom violation or improper discrimination.

The Executive Committee of the Virginia Conference of AAUP calls on our chapters to take up this issue on their campuses: organize a *Contingent Faculty Bill of Rights* meeting on your campus to let your contingent colleagues know that the AAUP will work in their interests to pursue better working conditions, due process, and academic freedom.

We also encourage you to watch the video of our February 2010 conference proceedings on our website: <http://www.aaup-va.org>

Conference on Contingent Faculty: The New Majority

I. Agenda

On February 26, 2010, the Virginia Conference of the AAUP, the Faculty Senate of Virginia, and the Virginia Commonwealth University Faculty Senate held a conference on “Contingent faculty: The New Majority.” As the conference flyer outline makes clear, raising contingent to permanent faculty status is our long term goal:

A. Permanent (tenured OR tenure-track) – teaching, research, service responsibilities

Tenure and academic freedom and why they’re important:

Dedicated professionals who can speak out for students, for the advancement of knowledge, and for the good of society:

- (1) available to oversee the curriculum, provide for students references or career advice, contacts with potential graduate schools and employers,
- (2) research with students, long-term grant activity on behalf of students,
- (3) advancement of the discipline,
- (4) obligations to society to raise difficult questions (e.g., climate change or sexual orientation issues today)

Faculty put students first when their positions are not threatened. They are free to voice opinions regarding the budget and the curriculum. They cannot be ignored!

B. Contingent (part-time / adjunct teaching faculty, full-time temporary / collateral teaching faculty, graduate teaching assistant, graduate research assistant, post-doctorate teaching appointment, post-doctorate research appointment, temporary research appointments, clinical appointments)

Contingent faculty (especially adjunct faculty) can be paid very little, and they often do not have health insurance or other benefits. They may not have office space, and they may travel from campus to campus. While professionals, otherwise employed, brought in to share their expertise can do without benefits, but the greater number of adjuncts need them. Support for part-time faculty varies – some have no orientation program, no administrative support, and very large classes or writing-intensive courses where they must grade large numbers of papers. They often do not have a say in overseeing the curriculum they teach and do not participate in the life of the campus. Full-time or collateral faculty often have roles similar to those of tenured and tenure-track faculty, but the support for their research is generally less, and the number of courses and the number of students they teach is generally more; collateral faculty also are not paid as well as tenure-track faculty in many cases. At VCU collateral faculty receive notice a year in advance that they will not be renewed, but adjunct faculty have no such guarantees.

II. Key Issues

A. Significant changes in the mix of faculty from 1960-2010

Decline of tenured and tenure-track faculty (27% of total faculty nationally)
Rise in teaching done by what VCU calls adjunct (i.e., part-time) faculty, and collateral (i.e., full-time temporary) faculty -- contrast 1960 when 75% were tenured or tenure-track.

B. Lack of academic freedom for contingent faculty diminishes the academic freedom of all

C. Faculty role in oversight of the curriculum, personnel decisions, and budget recommendations

D. External forces affecting higher education / need to return to the focus on faculty (impact on students, on the disciplines, and on society)

E. Recommendations for faculty to improve the mix in the future

III. Conference Speakers

1st speaker: Dr. Rhoades “The New Majority: We are all contingent.”

Administrators are redefining the terms and conditions of employment for all faculty. Reliance on contingent faculty is redefining how all faculty are treated. Academic freedom concerning what faculty teach and how they teach is challenged. Patterns of shared governance in which faculty bodies oversee curriculum, participate in personnel decisions, and give advice on budget have been relegated to lesser roles. Even tenured and tenure-track faculty have become victims of academic bullying. In recent times, as the numbers of tenured and tenure-track faculty have declined, the numbers of administrators have increased on campus. Many of the remaining tenured and tenure-track faculty are over 50, white, and male. The intellectual capital of the academic community is being depleted at a time when we need to recruit a more diverse population. It is time to bring faculty back to the center of dialogue on higher education. Tenured faculty support for contingent faculty is an important step in this process.

Investment in higher education is also important. The investment by government in the future of its citizens has declined, and the populations that are reaching college age are often from economic groups that cannot afford to pay the tuition that is charged as government shifts the burden from society to the individual. This too needs to be reversed.

2nd speaker: Dr. Dubois “Contingent faculty in the Community Colleges”

One observation was that students are more successful when there are full-time rather than part-time instructors.

3rd speaker: Remarks of Dr. Rao (VCU) delivered by Vice Provost Moriarty

He addressed the distinctions between part-time / adjunct faculty and full-time temporary / collateral faculty. VCU’s collateral faculty have a number of protections, such as a year’s notice before being laid off. Adjunct faculty fare less well. Dr. Rao is interested in hearing recommendations by the conference sponsors.

4th speaker: Dr. DeFilippo (SCHEV) “System Perspective”

SCHEV and the legislature are trying to provide that base adequacy funding to institutions deemed necessary to achieve a certain proportion of full-time / part-time faculty ratio. Faculty salary benchmarks also targeted a salary range to enable each institution to get to the 60th percentile of its official peers. That the current budget crisis has placed those efforts on hold means Virginia institutions have moved backward.

Ken Bernard, chair of the Virginia Conference’s Committee on Contingent faculty and the Profession, summarized the conclusions of the afternoon discussion groups. AAUP Chapters should encourage

- The contingent faculty to organize or invite them to be part of the chapter
- Administrations to be more open to the concerns of contingent faculty: library access, parking fee reductions, health insurance buy-in, and equitable pay (at least more than TA’s)....

- Involvement of contingent faculty in departmental activities. Either meetings for contingent faculty or invitations to regular departmental meetings
- A limit on number of students in courses and total number of students in all courses
- Variation of course assignments to help allow for professional growth
- Administrations to provide parking passes for all guest speakers including those presenting to classes taught by adjuncts.

The Virginia Conference is grateful to 2008-2010 President Patricia Cummins for organizing the contingent faculty conference.

Highlights from Conference Presentations

Philip D. Jordan

At-large member Virginia Conference Executive Board

Gary Rhoades

AAUP General Secretary Dr. Gary Rhoades gave a most informative address to the 26 February Contingent Faculty Sessions of the Virginia State Conference concerning “Contingent Faculty: The New Majority.” As the title suggests, that contingent faculty are the new majority means professional, employment and financial conditions confronting contingent faculty ultimately will determine those of all faculty. In the light of national trends, current economic conditions, and the actions of administrators and legislatures, all faculty are becoming contingent, whether tenured or not. Hence, established faculty must really engage contingent faculty and students in institutional ‘shared governance’ if they are to reverse the national corrosion of that fundamental principle of academic institutional health. There is a desperate need to protect academic free speech concerning institutional matters in the school and also in public forums—both are under assault. The most accessible means to this end is appropriate revision of faculty handbooks to assert that faculty right of institutional and public free speech as well as to protect faculty from administrative “bullying” and reprisals.

Moreover, during current economic crises, university administrators are reducing the number of contingent faculty, thereby increasing workload for remaining tenure/tenure-track faculty. Departments and colleges are being treated as cost/production units and being evaluated as such. Increased workload pressures on full time faculty are often accompanied by administrative hints to dumb down the curriculum. That national patterns over the last 30 years reveal a doubling of contingent faculty from 23% to 47%, an increase of non-tenure/tenure track faculty to 20%, leaves 33% remaining as tenure/tenure-track faculty but that figure will decline rapidly because the average age of the latter are in their 50s. Retirement will deplete the tenure/track over the next 10 years, with a radical shift in the nature of the faculty structure nationally as a consequence. That one or two student complaints can get contingent faculty fired means the national pattern for faculty increasingly is becoming “At Whim” employment! This is made worse by the increasing impact of the US Supreme Court decision in the Garcetti case. The latter involved an employee in a California district attorney’s office being denied free speech protection under the 1st Amendment but recent lower court decisions are now applying it in free speech cases concerning faculty in public colleges.

Hence, Dr. Rhoades reasserted the need for handbook language revision to protect faculty authority over academic standards, faculty free speech, and of critical speech concerning both administrations and school policies within and outside the institution. That language must make clear that all faculty, be they tenure/tenure-track, full- time temporary, or contingent faculty, have a right to free expression concerning matters of public concern as well as the functioning of the university. Indeed, extrapolate appropriate “rights” sections from the student handbooks and, when appropriate, meld them into the language for faculty rights in the faculty handbook.

DeFilippo

SCHEV’s Director of Academic Affairs and Planning, Dr. Joseph DeFilippo presented a *reapolitik* view of higher education in Virginia. Although the General Assembly repeatedly passed legislation wherein a public institution’s faculty would be given funding for 60% of their national peer institution’s pattern, the current financial crisis means the 2007 benchmark patterns cannot be met. When allowed, colleges will raise tuition and fees to meet shortfalls but are severely limited by the economic class parameters of their client populations. That, in turn, means the current social stratification between colleges and universities will become even more extreme—graduates from the elite schools will have even greater advantages in the race for life.

DeFilippo applauded the AAUP for championing the traditional university model of an empowered, primarily tenured and tenure track faculty with real authority over curriculum, a powerful voice in university affairs dedicated to educational excellence and student development. Such a model would mean the faculty would really share in governance, have healthy salaries and good institutional support for their academic mission and research.

Resources for Contingent faculty Issues

Looking the Other way? Accreditation Standards and Part-Time Faculty (2008)

<http://www.aaup.org/AAUP/comm/rep/accredpt.htm>

Conversion of Appointments to the Tenure Track (2009)

<http://www.aaup.org/AAUP/comm/rep/conversion.htm>

Contingent Appointments and the Academic Profession

AAUP Policy and Documents report (10th Edition), pages 98 – 114