

Senate Committee Services
Higher Education & Workforce Development Committee

Part-Time Faculty at Colleges and Universities

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Introduction

In Washington, the term "part-time faculty" describes employees who teach less than a full load at higher education institutions.¹ The term part-time faculty is also used to describe employees who teach full-time "when all of their courses at various campuses are added together."²

No standard definition for part-time faculty exists.³ Part-time faculty can be given a "myriad" of titles such as "adjuncts," "special lecturers," "acting faculty," "wage-section faculty," "hourly," "short-term," "emergency," and "temporary" employees.⁴

"Contingent faculty" is an emerging term, which usually describes faculty with "limited-term appointments."⁵ These limited-term appointments include part-time faculty members and faculty members who are full-time and non-tenured.⁶ Chapter 28B.50 RCW uses the term "part-time academic employee." This memorandum will use the term part-time faculty and focus on issues affecting this particular group.⁷

Just as part-time faculty have many different labels, one comprehensive description of part-time faculty is not possible because this description can vary by institution and individual.

Level of Responsibility

The level of responsibility required of part-time faculty members varies between institutions and departments. For example, the State University of New York - Albany described the role and responsibilities of part-time faculty in its "Guidelines for the Appointment of Part-Time Faculty Members," which states the following:

¹ Inside Higher Ed, "A Shop Divided," February 10, 2011; *see also* RCW 28B.50.489 ("Part-time academic workload means any percentage of a full-time academic workload for which the part-time academic employee is not paid on the full-time academic salary schedule.")

² *Id.*

³ Inside Higher Ed, "Separate and Unequal," April 13, 2011 (explaining that the term "adjunct" refers to "different kinds of jobs and situations"); JBL Associates, Inc. for the American Federation of Teachers, "Reversing Course: The Troubled State of Academic Staffing and a Path Forward," (2008) (defining "contingent faculty" as "faculty members who have limited-term appointments" such as part-time faculty, adjunct faculty, and full-time, non-tenured faculty); John C. Duncan, Jr., *The Indentured Servants of Academia: The Adjunct Faculty Dilemma and Their Limited Legal Remedies*, 74 Ind. L.J. 513, 516 (1999) (explaining that "there are a variety of measures used to demarcate part-time faculty").

⁴ Duncan, *supra* note 3, at 516; *see also* Inside Higher Ed, "Separate and Unequal," April 13, 2011 (another article listed additional "labels" for adjuncts: "full-time temporary faculty, per-course teachers, contingent labor or 'precarious faculty' - or more evocative terms like academic proletariat or sweatshop workers").

⁵ JBL Associates, Inc. for the American Federation of Teachers, "Reversing Course: The Troubled State of Academic Staffing and a Path Forward," (2008); *see also* American Association of University Professors, "Contingent Faculty," <http://www.aaup.org/AAUP/issues/contingent/>.

⁶ *Id.*

⁷ *See infra* Attempts to Address the Growing Number of Part-Time Faculty, "Full-Time, Non-Tenured Faculty."

They [part-time faculty members] often teach lower-division and introductory courses, and also augment a department's ability to offer courses in specialized areas. In some programs, part-time faculty perform a critical role in teaching or supervising a required student practicum experience, in directing independent studies or research, or in serving on appropriate department committees. As members of the faculty, part-time instructors are expected to maintain the institution's high standards for professional conduct and to adhere to the University's academic policies as described in the Faculty Handbook and other applicable institutional documents.⁸

According to the Higher Education Coordinating Board, Washington institutions usually hire part-time faculty to teach "basic, core curriculum courses" and courses with "specialized subjects that use working professionals."⁹

Part-Time Faculty Preferences

One of the problems of separating faculty into "full-time" and "part-time" categories is that these labels do not take into account the different "shades" of these employees.¹⁰ One report divided part-time faculty members into two groups: "those who prefer their current part-time position and those who would prefer a full-time teaching position."¹¹ According to a telephone survey of 500 part-time faculty members at 2-year and 4-year institutions, approximately 50% of part-time faculty members preferred their part-time positions while 47% would prefer full-time positions.¹² Since the goals of part-time faculty can vary widely, it can be difficult for part-time faculty members to work together or unionize to change their working conditions.¹³

In general, higher education institutions are relying more and more on part-time faculty. This memorandum presents data, issues, and trends regarding part-time faculty. This memorandum is divided into the following sections:

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⁸ See State University of New York - Albany's website: <http://www.albany.edu/academics/part-time.faculty.appointment.guidelines.shtml>.

⁹ See email from Higher Education Coordinating Board staff, Bob Burdick, on July 22, 2011.

¹⁰ Duncan, *supra* note 3, at 518.

¹¹ American Academic, "A National Survey of Part-Time/Adjunct Faculty," Volume 2, March 2010.

¹² *Id.*

¹³ See *infra* "Recent Faculty Union Developments."

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I. Ratio of Part-Time and Full-Time Faculty

Colleges and universities have increasingly hired more part-time faculty who are engaged in instruction, research, and/or public service.¹⁴ In 1970, 22.2% of faculty at all higher education institutions was part-time employees, not including graduate assistants.¹⁵ In 2009, 49.3% of faculty was part-time employees.¹⁶ The percentages of part-time faculty at public institutions change quite a bit when broken down into the type of institution. At public 4-year institutions, the percentage of full-time faculty rose to 67.7% and the percentage of part-time faculty dropped to 32.3%.¹⁷ At public 2-year institutions, the percentage of full-time faculty dropped to 30.2% and the percentage of part-time faculty rose to 69.8%.¹⁸

The following table provides the average percentage of part-time employees of all faculty for the global challenge states.¹⁹

Percentage of Part-Time Employees of all Instructional Faculty²⁰

Public 4-Year Institutions			Public 2-Year Institutions	
	Fall 2009			Fall 2009
<i>National</i>	32.3%		<i>National</i>	69.8%
Washington	29.9%		Washington	65.1%
Massachusetts	44%		Massachusetts	75%
California	37.4%		California	65%
Colorado	31.2%		Colorado	67.2%
Maryland	40%		Maryland	73%
New Jersey	59.9%		New Jersey	76.9%
Connecticut	49%		Connecticut	77.2%

This table does not reflect the percentage of courses taught by full-time faculty members and courses taught by part-time faculty members. For example, approximately 65.1% of people serving as faculty members at Washington's public 2-year institutions are part-time. However, of the courses taught at

¹⁴ See U.S. Department of Education, National Center for Education Statistics, Higher Education General Information Survey, Table 259.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ U.S. Department of Education, National Center for Education Statistics, 2009 Integrated Postsecondary Education Data System, Table 255.

¹⁸ *Id.*

¹⁹ See Office of Financial Management, "Higher Education Per-Student Funding Comparisons," November 2010 (explaining that the global challenge states are those states that have "similar public institutions of higher education" and include the following states: California, Colorado, Connecticut, Maryland, Massachusetts, New Jersey, Virginia, and Washington).

²⁰ Source: I created this table based on information from the U.S. Department of Education, National Center for Education Statistics, IPEDS Data Center, 2009, <http://nces.ed.gov/ipeds/datacenter/Default.aspx>.

these institutions, 55% are taught by full-time faculty members and 45% are taught by part-time faculty members.²¹

In Washington, many institutions place caps on the number of credits that part-time faculty members are allowed to teach.²² The cap on workload can usually be found in the collective bargaining agreement or contract, and the cap varies by institution. For example, Big Bend Community College's collective bargaining agreement provides the following cap:

A part-time adjunct faculty member is one whose dean has determined that his/her workload does not require administrative time and who has a weekly workload of student contact time of:

1. Less than 30 hours for certificated/professional-technical faculty (except Nursing) and librarians;
2. Less than 20 hours for general education (core academic subjects; ABE/ESL)
3. Less than 30 hours for counselors and librarians.²³

Appendix B titled "Global Challenge States: Number of Full-Time and Part-Time Faculty in Public Higher Education, Fall 2009" provides a breakdown of the part-time faculty percentages at each institution in all of the global challenge states.

Different Institutions Reliance on Part-Time Faculty

Community and technical colleges, urban institutions, branch locations, and private schools may rely on part-time faculty members because they save these institutions money and they allow institutions to more easily "change [their] academic program to meet market demand."²⁴ Large urban universities may utilize part-time faculty because the "pool of talent in a large city exposes the university to many professionals with rare and diverse concentrations."²⁵ Graduate and professional schools rely on part-time faculty because these schools often have clinical instruction.²⁶ In addition, "[l]aw schools often utilize adjunct faculty to take advantage of a practicing attorney's knowledge in a particular subject area."²⁷

²¹ Inside Higher Ed, "A Shop Divided," February 10, 2011 (citing the Washington State Board of Community and Technical Colleges).

²² *Id.*; see also Inside Higher Ed, "Do Caps Help Adjuncts?", April 2010 (reporting that the City University of New York limits an adjunct's workload to nine credits a semester at any one college within the university and one other course at a second college within the university).

²³ Big Bend Community College, CBA, 2009-2011.

²⁴ Duncan, *supra* note 3, at 521-22.

²⁵ *Id.* at 522.

²⁶ *Id.* at 523.

²⁷ *Id.*

Nursing Schools Reliance on Part-Time Faculty

According to the American Association of Colleges for Nursing, the number of part-time faculty members at nursing schools has increased by 53% between 2005 and 2010.²⁸ In 2010, the number of part-time faculty members at nursing schools was 15,711, which is almost the same number of full-time faculty members.²⁹ One reason nursing schools struggle to recruit full-time faculty members is that faculty salaries are often quite a bit lower than what a registered nurse can make in clinical practice.³⁰

²⁸ The Chronicle, "Nursing Schools Increasingly Turn to Part-Time Faculty," May 31, 2011.

²⁹ *Id.*

³⁰ *Id.*

II. Pay Differences between Part-Time and Full-Time Faculty

Pay differences between part-time and full-time faculty members is one of the major issues surrounding the increase of part-time faculty. In Pennsylvania, a recent report found wide pay gaps between part-time and full-time faculty members at community colleges, and a narrower pay gap between faculty at 4-year colleges and universities.³¹ At community colleges, tenured and tenure-track faculty members earned an average of \$5,881 per course while part-time faculty members earned an average of \$2,547 per course.³² At 4-year regional universities, tenured and tenure-track faculty members earned an average of \$8,897 per course while non-tenure track faculty members (part-time and full-time) earned an average of \$5,595 per course.³³

This Pennsylvania report is one of the few recent reports that compare the differences in pay between full-time and part-time faculty members. Full-time faculty salaries are easy to find; however, it is much more difficult to find part-time faculty wages. It is even more difficult to find numbers that compare the compensation of part-time and full-time faculty.

Full-Time Faculty Salaries

Full-time faculty salaries are well documented and can be found in the Integrated Postsecondary Education Data System³⁴ and the American Association of University Professors' Faculty Survey.³⁵ The following tables show the average salary of full-time instructional faculty in the global challenge states. The average includes faculty of all ranks (professor, associate professor, assistant professor, instructor, lecturer, and no academic rank).

Public 4-Year, Fall 2009³⁶

State	Number of Full-Time Instructional Faculty	Average Salary of Full-Time Instructional Faculty
Washington	5,540	\$76,253
Massachusetts	4,087	\$80,114
California	21,790	92,672
Colorado	5,864	73,753
Maryland	5,877	83,924
New Jersey	5,845	96,450
Connecticut	2,611	88,593
Virginia	8,799	80,573

³¹ Inside Higher Ed, "Documenting Adjuncts' Pay Gap," January 20, 2011.

³² *Id.*

³³ *Id.*

³⁴ The IPEDS website is <http://nces.ed.gov/ipeds/>.

³⁵ The Chronicle's faculty survey can be found at <http://chronicle.com/section/Faculty-Data/133/>.

³⁶ Source: I created this table based on information from the U.S. Department of Education, National Center for Education Statistics, IPEDS State Data Center, 2009, <http://nces.ed.gov/ipeds/sdc/default.aspx>.

Public 2-Year, Fall 2009

State	Number of Full-Time Instructional Faculty	Average Salary of Full-Time Instructional Faculty
Washington	2,739	\$55,335
Massachusetts	1,550	60,040
California	18,897	82,751
Colorado	1,168	49,939
Maryland	2,462	65,675
New Jersey	2,189	69,705
Connecticut	792	68,850
Virginia	2,201	57,216

In 2008, the State Compensation Study Task Force released a report, which found that "[a]verage faculty salaries across Washington's community and technical colleges are consistently lower than peer state averages."³⁷ The report also stated that "[l]ocal funding/taxing authority appears to have a strong positive correlation with faculty salary levels."³⁸ The Task Force made the following policy recommendations: 1) adjust salaries for cost of living, 2) adjust salaries to peer state average, 3) provide faculty increments at no less than 0.8% of the full-time and part-time salary base, 4) bring part-time salaries in line with full-time salaries, and 5) pursue funds to convert part-time positions to full-time positions.³⁹

Part-Time Faculty Wages

Part-time faculty wages are more difficult to track down. There are several reasons why consistent data on part-time faculty wages do not exist: 1) many institutions do not keep part-time wages in a centralized location because there is not a federal mandate to do so; 2) calculating wages can be complicated because it is based on the number of part-time faculty, the number of credit hours, and rates of pay by hour or course; and 3) the definition of part-time faculty can vary from each state and institution, and the lack of a standardized definition makes it difficult to compare data.⁴⁰

The Integrated Postsecondary Education Data System (IPEDS) is the best source of national higher education data. The IPEDS collects information about the number of part-time faculty members; however, the IPEDS does not collect information regarding salaries and benefits of part-time faculty members.⁴¹ According to IPEDS staff, no organizations are collecting national data regarding part-time faculty compensation.⁴² The College & University Professional Association for Human Resources (CUPA-

³⁷ State Board for Community and Technical Colleges, "Compensation Study Task Force Report," July 31, 2008, which can be found at http://www.sbctc.ctc.edu/college/d_facultycompensation.aspx.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ American Association of University Professors, Academe Online, "What We Can't Say about Contingent Faculty."

⁴¹ See email from IPEDS staff, Sabrina Ratchford, on July 27, 2011.

⁴² *Id.*

HR) has several surveys regarding faculty salaries; however, it would cost the Senate more than a hundred dollars to access these surveys.⁴³

The most recent data regarding part-time faculty salaries comes from an American Federation of Teacher's report.⁴⁴ The report includes a table showing the differences of pay between full-time and part-time faculty.⁴⁵ This table was based on the 2004 National Study of Postsecondary Faculty, which was the last major federal assessment regarding part-time faculty earnings.⁴⁶

Average Salary for Full-Time Tenured, Full-Time Nontenure-Track, and Part-Time/Adjunct Faculty by Institutional Type, Fall 2003-2004⁴⁷

Faculty Status	Basic Annual Salary	Other Salary from Institution ⁴⁸	Salary Per Course
Public 4-Year, Research			
FT Tenured/Tenure Track	\$78,408.86	\$6,764.50	\$20,252.75
FT Nontenure Track	46,974.68	3,474.77	9,775.97
PT	14,228.32	1,158.80	4,245.25
Public 4-Year, Comprehensive			
FT Tenured/Tenure Track	\$64,434.57	\$4,584.98	\$10,731.37
FT Nontenure Track	41,033.41	3,009.53	7,298.65
PT	9,549.53	859.77	2,645.24
Public 2-Year			
FT Tenured/Tenure Track	\$58,645.34	\$5,814.15	\$7,722.22
FT Nontenure Track	40,117.43	2,625.41	6,097.89
PT	8,855.09	727.34	2,486.38

⁴³ A staff member from the State Higher Education Executive Officers recommended CUPA as a source for finding part-time faculty salaries. CUPA's website is <http://www.cupahr.org/surveys/order.asp>.

⁴⁴ "Reversing Course: The Troubled State of Academic Staffing and a Path Forward," prepared by JBL Associates, Inc. for American Federation of Teachers.

⁴⁵ *Id.*

⁴⁶ American Association of University Professors, Academe Online, "What We Can't Say about Contingent Faculty."

⁴⁷ Source: "Reversing Course: The Troubled State of Academic Staffing and a Path Forward," prepared by JBL Associates, Inc. for American Federation of Teachers citing U.S. Department of Education, National Center for Education Statistics, 2004 National Study of Postsecondary Faculty.

⁴⁸ Other salary from institution may include summer session, overload courses, administration, research, coaching sports, etc.

A. 4-Year Colleges and Universities

I was unable to find part-time faculty data for 4-year colleges and universities in the global challenge states that could easily be compared. According to several sources, part-time faculty compensation can be "all over the map," which makes it difficult to compare to full-time faculty compensation.⁴⁹ The State University of New York - Albany published "Guidelines for the Appointment of Part-Time Faculty Members."⁵⁰ The guidelines describe the factors that determine the compensation of part-time faculty members:

Part-time faculty members are typically paid a salary on a per course basis. In some cases, depending on the nature of the assignment, another basis may be used (e.g., on a per student basis for teaching practicum supervisors). The range in compensation is wide, referenced to market factors that operate within each discipline or field. Compensation for faculty in subjects where there is a substantial supply of qualified instructors is comparatively low; rates are comparatively high for faculty in highly technical subjects or where a program must compete for expertise with other private-sector options. The campus minimum per course stipend is \$2,800. More specific information regarding starting salaries is available for each department chair or from a designated assistant dean of each school or college.

Stipends for service in the summer session are governed by a campus-wide framework promulgated each year by the Office of Summer Sessions. The framework establishes a standard salary based on the rank of the instructor (e.g., professor, associate, assistant, lecturer, graduate student).

Part-time faculty are members of the professional services negotiating unit represented by United University Professions (UUP) and as such are eligible for cost-of-living adjustments and discretionary awards as authorized under the applicable Agreement.

A staff member from Washington's Higher Education Coordinating Board confirmed that the compensation of part-time faculty can vary widely at 4-year institutions.⁵¹ Bob Burdick, director of public relations at the HECB, explained that market rate, union contracts, and level of specialization can affect the compensation of part-time faculty.⁵² Mr. Burdick said, "It is very difficult to come up with comparative data that makes sense."⁵³

⁴⁹ See email from Higher Education Coordinating Board staff, Bob Burdick, on July 22, 2011; American Association of University Professors, Academe Online, "What We Can't Say about Contingent Faculty."

⁵⁰ The "Guidelines for the Appointment of Part-Time Faculty Members" can be found at <http://www.albany.edu/academics/part-time.faculty.appointment.guidelines.shtml>.

⁵¹ See email from Higher Education Coordinating Board staff, Bob Burdick, on July 22, 2011.

⁵² *Id.*

⁵³ *Id.*

In New Jersey, Montclair State University has developed an adjunct salary schedule; however, the salary schedule is not compared with a full-time faculty salary schedule.⁵⁴

In Ohio, the University of Akron limits the compensation of part-time faculty members in the university's rules.⁵⁵ According to University Rule 3359-20-06.1, part-time faculty are limited to earning \$12,600 to \$21,000 per academic year for teaching the specified maximum load of 21 credit hours per academic year, which is just one course below full-time equivalent teaching status.⁵⁶

B. 2-Year Colleges

Part-time faculty data at 2-year colleges is a little easier to find than data from 4-year colleges and universities. Washington and California provide the most comprehensive part-time faculty data for two-year colleges of all the global challenge states.

In Washington, the Compensation Study Task Force Report contained the following findings regarding part-time faculty salaries:

- Due to recent changes in retirement and health care benefits and targeted funds provided to part-time faculty, the gap in costs to employ part-time faculty and full-time faculty is narrowing.
- Full-time faculty average salaries are significantly more consistent from college to college across the state than part-time faculty salaries.
- The new practice of allocating dedicated part-time faculty funds to the colleges with the largest gap between their full-time and part-time salaries will more rapidly close the variance in part-time salaries from college to college.
- Average salaries for full-time faculty and exempt staff have grown at the rate of inflation. Part-time faculty average annualized salary growth exceeds inflation because of targeted appropriations.
- The percentage gap between average annualized PT salaries and FT average salaries has shrunk, but PT faculty continue to earn less than 60% of full-time faculty pay.⁵⁷

The following table shows a comparison of salaries between part-time and full-time faculty members at Washington's community and technical colleges.

⁵⁴ See the Montclair State University Adjunct Union's website for the adjunct salary schedule

<http://nj.aft.org/060250/index.cfm?action=article&articleID=28cd3c22-3ba9-48ee-8946-6fe5ad85dbb9>.

⁵⁵ The Chronicle, "U. of Akron Dismisses Adjunct Who Resigned Last Fall in a Policy Protest," March 23, 2010.

⁵⁶ *Id.*

⁵⁷ State Board for Community and Technical Colleges, "Compensation Study Task Force Report," July 31, 2008, which can be found at http://www.sbctc.ctc.edu/college/d_facultycompensation.aspx.

Washington State Board for Community and Technical Colleges
Comparison of Part-Time and Full-Time Faculty Salaries by District, 2008-2009⁵⁸

District	Average Annualized ⁵⁹ Part-Time Faculty Salaries	Average Full-Time Faculty Salaries
Bates	\$54,971 (4) ⁶⁰	\$56,587
Bellevue	36,849 (239)	59,321
Bellingham	23,969 (23)	57,243
Big Bend	32,043 (35)	53,323
Cascadia	33,131 (48)	55,360
Centralia	30,463 (49)	56,134
Clark	31,163 (210)	55,955
Clover Park	46,078 (77)	59,109
Columbia Basin	26,230 (109)	56,167
Edmonds	33,789 (164)	56,750
Everett	36,201 (118)	47,609
Grays Harbor	27,842 (32)	50,498
Green River	33,175 (144)	57,526
Highline	33,303 (130)	60,416
Lake Washington	49,219 (77)	54,198
Lower Columbia	30,137 (49)	56,236
Olympic	27,833 (115)	56,602
Peninsula	29,982 (47)	50,933
Pierce	29,982 (145)	51,925
Renton	39,195 (57)	58,877
Seattle	43,835 (248)	51,631
Shoreline	37,407 (114)	60,535
Skagit Valley	24,278 (94)	57,619
South Puget Sound	29,671 (111)	55,615
Spokane	32,285 (230)	54,365
Tacoma	37,274 (118)	57,853
Walla Walla	29,586 (57)	54,092
Wenatchee	34,195 (47)	56,840
Whatcom	29,676 (84)	48,375
Yakima Valley	29,798 (94)	57,444

⁵⁸ Source: I created this table by compiling two charts: "FY 2008-09 Full-time CTC Faculty Salary Report (sorted alphabetically)" and "FY 2009 Part-time CTC Faculty Salary Chart." Both charts can be found on the Washington State Board for Community and Technical College's website: http://www.sbctc.ctc.edu/college/d_facultycompensation.aspx.

⁵⁹ These salaries are calculated representations of how much part-time faculty would earn at each district if they worked a full-time load at the district's part-time pay level.

⁶⁰ The number in the parentheses indicates the number of part-time FTEF, which means full-time equivalent faculty.

California

The California Community College Chancellor's Office publishes reports in its Data Mart.⁶¹ The following table is an hourly rate comparison between tenured/tenured track faculty, which is often full-time, and academic temporary, which is often part-time.

Average Hourly Rate by Employee Category, Fall 2010⁶²

Tenured/Tenure Track - Overload Instruction, Credit, and Non-Credit	Academic Temporary - Instruction, Credit, and Non-Credit
\$68.33	\$66.54

Decreases in Funding

Recently, one of the reasons institutions have hired more part-time faculty than full-time faculty is a lack of funding. For example, at Green River Community College, the faculty and the college had a Memorandum of Understanding (MOU) that expressed the community college's intention to increase the number of full-time positions.⁶³ However, the college is unsure whether it can extend the MOU because of financial reasons this year.⁶⁴ The community college saves approximately \$35,000 when it hires a part-time employee to teach three courses everyday instead of a full-time employee.⁶⁵

⁶¹ The California Community College Chancellor's Office Data Mart can be found at <http://www.cccco.edu/CommunityColleges/DataMart/tabid/848/Default.aspx>.

⁶² Source: I created this chart by compiling the average rates from three charts from the California Community Colleges Chancellor's Office, which can be found at <http://www.cccco.edu/Home/tabid/189/Default.aspx>.

⁶³ Inside Higher Education, "Line in the Sand on Hiring," June 17, 2011.

⁶⁴ *Id.*

⁶⁵ *Id.*

III. Benefit Differences between Part-Time and Full-Time Faculty

At higher education institutions, faculty often receive the following benefits: 1) health insurance, 2) leave (sick, annual), 3) retirement or pension plans, and 4) other benefits such as tuition waivers and paid professional development.⁶⁶ Some benefits are guaranteed through statutes and regulations while other benefits can be gained through the collective bargaining process or established by the college's policies.⁶⁷ Oftentimes, whether a part-time faculty member is eligible for benefits depends on the definition of employee and employee status.⁶⁸

The following sections explain the types of benefits available to part-time faculty members in Washington and some other states.

A. Health Insurance

In Washington, the Health Care Authority oversees the statutorily mandated health benefits for state employees. According to RCW 41.05.065, faculty must work "half-time or more" to be eligible for health benefits.⁶⁹ If the college anticipates that the faculty member "will work half-time or more for the entire instructional year or equivalent nine-month period," the faculty member is "eligible for benefits from the date of employment."⁷⁰ If the college anticipates that the faculty member "will not work for the entire instructional year or equivalent nine-month period," the faculty is "eligible for benefits at the beginning of the second consecutive quarter or semester of employment in which he or she is anticipated to work or has actually worked, half-time or more."⁷¹

Washington 4-Year Colleges

For 4-year colleges, "[h]alf-time' means one-half of the full-time academic workload as determined by each institution."⁷² Central Washington University, Western Washington University, Eastern Washington University, and Evergreen College are unionized. At these universities, the collective bargaining agreements set out the definition for a "full-time academic workload." For example, Central Washington University's collective bargaining agreement states that a full-time workload for a tenured/tenure-track and non-tenure tracked faculty is 45 workload units per academic year.⁷³ University of Washington and Washington State University are not unionized. At these universities, the human resources department

⁶⁶ See, e.g., State University of New York - Albany, "Guidelines for the Appointment of Part-Time Faculty Members," which can be found at <http://www.albany.edu/academics/part-time.faculty.appointment.guidelines.shtml>; Whatcom Community College's explanation of employee benefits, which can be found at <http://whatcom.ctc.edu/about-wcc/human-resources/employee-benefits/>.

⁶⁷ Inside Higher Ed, "The Uninsured Adjunct," November 30, 2009.

⁶⁸ *Id.*

⁶⁹ RCW 41.05.065(c)(i) - (ii).

⁷⁰ RCW 41.05.065(c)(i).

⁷¹ RCW 41.05.065(c)(ii).

⁷² WAC 182-12-114.

⁷³ See Central Washington University's CBA, 2009 Contract.

disseminates the definition of "full-time academic workload." At Washington State University, the Office of the Provost established "Guidelines for Lecturer Appointments," which states that 15 credit hours per semester is a full-time academic workload.⁷⁴ At University of Washington, employees have different types of work schedules (scheduled, alternate scheduled, non-scheduled, and excepted).⁷⁵ Each department determines the employee's work schedule.⁷⁶ "An employee's work schedule is a designated period of work days and work hours consistent with the employee's percent FTE."⁷⁷

Washington 2-Year Colleges

For 2-year colleges, statutes require that institutions determine which part-time faculty members "qualify for benefits based on calculating the hours worked by part-time academic employees as a percentage of the part-time academic workload to the full-time academic workload in a given discipline."⁷⁸ A "part-time academic workload" is defined as "any percentage of a full-time academic workload for which the part-time academic employee is not paid on the full-time academic salary schedule."⁷⁹ A "full-time academic workload" is defined as "the number of in-class teaching hours that a full-time instructor must teach to fulfill his or her employment obligations in a given discipline in a given college."⁸⁰ A "full-time academic workload" can also be defined in collective bargaining agreements; however, "only that portion that is in-class teaching hours may be considered academic workload."⁸¹ Some collective bargaining agreements specify the number of hours needed per week to work "half-time or more."⁸² Other collective bargaining agreements reference the Health Care Authority and regulations governing the eligibility for health benefits.⁸³

⁷⁴ See Washington State University's "GUIDELINES FOR LECTURER APPOINTMENTS - Title Code (0200) Full Time Academic Workload for Teaching Faculty With No Research or Service Duties," which can be found at <http://hrs.wsu.edu/Communication>.

⁷⁵ See University of Washington's Human Resources Department's website, which can be found at <http://www.washington.edu/admin/hr/polproc/leave/owls/user-guide/timekeeper/eeinfo-maintain/work-schedule/index.html>.

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ RCW 28B.50.4891.

⁷⁹ RCW 28B.50.489(4).

⁸⁰ RCW 28B.50.489(1).

⁸¹ *Id.*

⁸² See, e.g., Columbia Basin College's CBA for 2009-2011, p. 74 (explaining that "half-time" means 8 or more contact hours a week for straight lecture, 9 or more contact hours a week for science lecture/lab, 9.5 hours or more contact hours a week for performance lecture/lab, 11 or more contact hours a week for skills lecture/lab and clinical lecture/lab, 12.5 or more contact hours a week for occupational lecture/lab, 19.5 or more contact hours a week for counselors or librarians); Community Colleges of Spokane's CBA for 2009-2012, p. 74-75 (explaining that "half-time" means an average of contact hours per week based on categories A-I, which are divided by discipline and program in Appendix H).

⁸³ See, e.g., Big Bend Community College's CBA for 2009-2011 ("The College will provide the maximum employer premium per month for eligible academic employees toward insurance and retirement plans available to College employees, in accordance with the laws and regulations of the State of Washington"); Clover Park Technical College's CBA for 2009-2012 ("Eligibility for health insurance benefits is determined by WAC 182-12-115 and any other applicable law and rules of the State Health Care Authority").

Faculty members may also become eligible for benefits by "stacking," which means faculty members work "for more than one institution of higher education."⁸⁴

Other States

- **Connecticut** - Part-time faculty members who work at least 17.5 hours per week receive the same health insurance as full-time faculty members.⁸⁵ Part-time faculty members who work less than 17.5 hours per week may buy health insurance at a group rate.⁸⁶
- **New York** - "Part-time academic employees who teach two or more semester-length courses in any one semester (excluding quarter courses) are eligible for health insurance, including prescription drug coverage and long-term disability insurance. The same eligibility requirements apply for dental and vision care coverage through the UUP Benefit Trust Fund. Employees who do not meet this course load requirement may enroll in health insurance and the dental and vision care program by personally paying the full-share cost of the programs on a direct-pay basis."⁸⁷

B. Leave

Many different types of leaves exist for faculty members. Common types of leaves include sabbatical or professional leave, sick or disability leave, family and medical leave, maternity leave, military leave, court leave, bereavement leave, and leave of absence without pay.⁸⁸

Washington 4-Year Colleges

Some leave policies are governed by statute.⁸⁹ If the college is unionized, some leave policies are controlled by collective bargaining agreements.⁹⁰ Oftentimes, the article or section regarding leaves can

⁸⁴ RCW 41.05.065(c)(ii); WAC 182-12-114(b).

⁸⁵ Congress of Connecticut Community Colleges, "Union and Contract Guide: 4C's Adjunct and Part-Timers," August 2009.

⁸⁶ *Id.*

⁸⁷ State University of New York - Albany, "Guidelines for the Appointment of Part-Time Faculty Members," which can be found at <http://www.albany.edu/academics/part-time.faculty.appointment.guidelines.shtml>.

⁸⁸ *See, e.g.*, Central Washington University, 2009 Contract.

⁸⁹ *See, e.g.*, Chapter 73.16 RCW (employment and reemployment of veterans); Chapter 49.77 RCW (Military Family Leave Act); Chapter 49.78 RCW (family leave); 29 U.S.C § 2601 (federal Family and Medical Leave Act); RCW 28B.10.650 (sabbatical or remunerated professional leaves); RCW 41.04.665 (Leave Sharing Program); RCW 28B.50.553 (Attendance Incentive Program).

⁹⁰ *See, e.g.*, Eastern Washington University's CBA, 2009-2013, Article 11; Evergreen College's CBA, 2008-2011, Article 12.

be a lengthy section in the collective bargaining agreements.⁹¹ If the college is not unionized, the college has its leave policies in the faculty manual or on the human resources website.⁹²

Washington 2-year Colleges

The Revised Code of Washington has specific leave statutes regarding part-time faculty members at community and technical colleges. According to RCW 28B.50.4893, part-time faculty members earn the same amount of sick leave as full-time employees "in proportion to the individual's teaching commitment at the college."⁹³ In addition, the statute regarding "leave sharing" also applies to part-time faculty members.⁹⁴ Finally, the "remuneration for unused sick leave" also applies to part-time faculty members.⁹⁵ Each college's collective bargaining agreement sets out the requirements for different types of leaves along with the process for requesting leaves.⁹⁶

Other States

- **Connecticut** - No sick leave or personal time for adjuncts.⁹⁷
- **New York** - Part-time faculty accrue sick leave.⁹⁸ Faculty members teaching 1 course receive 1/4 day per month, teaching 2 courses receive 1/2 day per month, and 3 courses receive 1 day per month. They are not eligible to accrue vacation or annual leave.

C. Retirement Plans

Several different retirement plans exist for faculty members at public higher education institutions, which are managed at the institution or state level.

⁹¹ See, e.g., Central Washington University, 2009 Contract (approximately 10 pages are devoted to different types of leaves); Eastern Washington University's CBA, 2009-2013, Article 11 (approximately 8 pages are devoted to different types of leaves).

⁹² See Washington State University's Faculty Handbook, Section V, "Policies and Procedures for Indefinite Term and Fixed Term Faculty," which can be found at http://facsen.wsu.edu/faculty_manual/; University of Washington's Academic Human Resources' webpage, which can be found at <http://www.washington.edu/admin/acadpers/faculty/index.html>.

⁹³ RCW 28B.50.4893(1).

⁹⁴ RCW 28B.50.4893(2); see RCW 41.04.665 (Leave Sharing Program).

⁹⁵ RCW 28B.50.4893(3); see RCW 28B.50.553 (Attendance Incentive Program).

⁹⁶ See, e.g., Big Bend Community College's CBA for 2009-2011, Article XI (setting out requirements for sabbatical/professional leave, retraining leave, sick leave, leave of absence without pay).

⁹⁷ Congress of Connecticut Community Colleges, "Union and Contract Guide: 4C's Adjunct and Part-Timers," August 2009.

⁹⁸ State University of New York - Albany, "Guidelines for the Appointment of Part-Time Faculty Members," which can be found at <http://www.albany.edu/academics/part-time.faculty.appointment.guidelines.shtml>.

Washington 4-Year and 2-Year Colleges

Several voluntary retirement plans are available to all faculty members, including part-time faculty members.⁹⁹ These plans include the following:

- Tax Deferred Annuity
- Supplementary Retirement Account
- Deferred Compensation

Other retirement plans may be available to some part-time faculty members who meet specific eligibility requirements. These plans include the following:

- Individual Retirement Plans at 4-year colleges (e.g. UW Retirement Plan, WWU Faculty Retirement Plan)
- State Board's Teachers Insurance and Annuity Association-College Retirement Equities Fund for community and technical colleges (TIAA-CREF)
- Teachers' Retirement System Plan (TRS)
- Public Employment Retirement System (PERS)

Eligibility for these plans depends on the classification of the employee and the number of hours the employee works; however, part-time faculty members must usually work at least 50% of a full-time workload to be eligible for these retirement plans.¹⁰⁰

The Washington State Department of Retirement Systems manages state-wide retirement plans, which include PERS, TRS, and the Deferred Compensation plan.¹⁰¹ RCW 28B.10.400-.423 sets out the statutory authorization and requirements for annuities and retirement income plans at Washington's public higher education institutions.

Other States

- **Connecticut** - Part-time faculty members are eligible for pension benefits and may choose between two options.¹⁰²

⁹⁹ See Whatcom Community College Employee Benefits webpage, which can be found at <http://whatcom.ctc.edu/about-wcc/human-resources/employee-benefits/>.

¹⁰⁰ See, e.g., UW Retirement Plan, which can be found at <http://www.washington.edu/admin/hr/benefits/retirement/plans/>, (explaining that a faculty member must be "employed in an eligible job class" and "employed at least 50%, for a minimum of 6 consecutive months); Green River Community College's "The Handbook for Part-Time Faculty," which can be found at <http://www.instruction.greenriver.edu/ptfacultyhandbook/Adminservicesforfaculty/Retirement.htm>, (explaining that the State Board's TIAA-CREF Retirement Plan is available to faculty members who work at least 50% of a full-time workload at one or more college districts).

¹⁰¹ See Department of Retirement Systems' website, which can be found at <http://www.drs.wa.gov/>.

¹⁰² Congress of Connecticut Community Colleges, "Union and Contract Guide: 4C's Adjunct and Part-Timers," August 2009.

- **New York** - Part-time faculty members are eligible for New York State Teachers' Retirement System or the New York State Employees' Retirement System. Faculty members on a term basis may join the Optional Retirement Program, which has a mandatory contribution of 3% of salary.¹⁰³

D. Other benefits

Washington 4-Year and 2-Year Colleges

Each higher education institution offers different additional benefits for part-time faculty. An institution's human resources website usually explains the different types of benefits available to part-time faculty members. Many of the benefits require that faculty members work at least 50% of a full-time workload in order to be eligible for benefits.

The following list provides examples of the types of additional benefits offered at some of the Washington state higher education institutions:

- **Professional & Organizational Development** - All faculty members at the University of Washington are able to take training courses, workshops, and e-learning programs.¹⁰⁴
- **Childcare** - Faculty members who work 50% or more at the University of Washington are able to receive referrals for childcare, access free medical care for children, and participate in parenting programs.¹⁰⁵
- **Tuition Waiver** - Part-time employees who have at least a half-time appointment at Washington State University may receive a tuition waiver for six or less credits during one semester or four or less credits during the summer.¹⁰⁶ At Whatcom Community College, part-time employees who work at least 50% of full-time are eligible for waivers for most credit courses.¹⁰⁷ These employees are also able take non-credit classes in the Community Education program at a 50% percent reduced rate.
- **Grants, Travel, and Money** - Part-time faculty members at the Seattle Community Colleges may apply for a faculty development grant to pay for professional development opportunities such as conferences.¹⁰⁸

¹⁰³ State University of New York - Albany, "Guidelines for the Appointment of Part-Time Faculty Members," which can be found at <http://www.albany.edu/academics/part-time.faculty.appointment.guidelines.shtml>.

¹⁰⁴ University of Washington, Professional & Organizational Division of Human Resources, <http://www.washington.edu/admin/hr/pod/staff/pro-development/>.

¹⁰⁵ University of Washington, Benefits & Work/life Division of Human Resources, <http://www.washington.edu/admin/hr/benefits/worklife/>.

¹⁰⁶ See Washington State University's Faculty Handbook, Section V, "Policies and Procedures for Indefinite Term and Fixed Term Faculty," which can be found at http://facsen.wsu.edu/faculty_manual/.

¹⁰⁷ Whatcom Community College, Employee Benefits, <http://whatcom.ctc.edu/about-wcc/human-resources/employee-benefits/>.

¹⁰⁸ Seattle Community Colleges, "Seattle Community Colleges Part-Time Faculty Guide," <http://faculty.northseattle.edu/tlc/orientation/ParttimeFacultyGuide.pdf>.

- **Mass Transit Pass Subsidy** - Part-time faculty members who work at least 50% of a full-time workload at the Seattle Community Colleges may receive a quarterly mass transit pass.¹⁰⁹

Other States

Connecticut

- **Tuition Waiver** - After working for a certain number of days, part-time employees are eligible to apply for a tuition waiver if space is available in a particular course.¹¹⁰ The waiver may be used by the employee, spouse, or dependent.¹¹¹
- **Professional Development Funds** - At each community college, there is a separate fund to pay for professional development opportunities for part-time faculty members.¹¹²

New York

- **Tuition Waiver** - Part-time faculty members may enroll in one tuition-free course at any State University of New York. Faculty members may also apply to the State University Employee Waiver Program, which provides up to 50% of tuition for up to six credit hours for job-related courses.
- **Scholarship** - State Universities of New York provide a \$500 tuition scholarship per semester for dependent children at any of their campuses.

¹⁰⁹ *Id.*

¹¹⁰ Congress of Connecticut Community Colleges, "Union and Contract Guide: 4C's Adjunct and Part-Timers," August 2009.

¹¹¹ *Id.*

¹¹² *Id.*

IV. Attempts to Address the Growing Number of Part-Time Faculty

In some respects, higher education institutions need to rely on part-time faculty. Part-time faculty members provide flexibility because institutions can offer a wider variety of classes.¹¹³ In addition, part-time faculty members who have other careers "can offer an institution up-to-date skills and knowledge lacking in one full-time faculty member."¹¹⁴ One higher education blogger, who is a former community college dean, pointed out that institutions have to rely on part-time faculty because of the tenure system.¹¹⁵ The blogger wrote:

Whenever we [administrators] allocate course reassignments for full-time faculty, we hire adjuncts to make up for it. Sabbaticals? Adjuncts. Grant work? Adjuncts. Someone has to teach the classes the tenured faculty won't. (As one embittered adjunct put it in a department meeting, "I teach so you don't have to!" Exactly.) Aristocrats need serfs, and the tenured need the adjuncts.

In other respects, higher education institutions may find that a high number of part-time faculty members is not ideal. A heavy reliance on part-time faculty may make an institution vulnerable to losing its accreditation.¹¹⁶ According to a provost, "Program accreditation requires a level of instructional quality directly linked to appropriately credentialed, full-time faculty."¹¹⁷ In addition, part-time faculty members usually do not engage in duties outside of teaching such as student advising, curriculum work, and recruitment.¹¹⁸ The fewer number of full-time faculty members means that this out-of-class work is often assigned to people in administrative positions instead of faculty members. Finally, one study found that part-time faculty members are less likely to use effective teaching techniques because they lack training and time.¹¹⁹

In order to decrease the reliance on part-time faculty members, higher education institutions are trying several different methods. For example, one university in Tennessee increased tuition by 9.8% in order to convert 15 to 20 temporary positions into tenure-track positions.¹²⁰

Generally, part-time faculty advocates usually fall into two camps when it comes to promoting the rights of part-time faculty.¹²¹ Some advocates believe that institutions should expand tenure to more faculty

¹¹³ Duncan, *supra* note 3, at 529-30.

¹¹⁴ *Id.*

¹¹⁵ Inside Higher Ed Blog, Confessions of a Former Community College Dean, "The Tenure/Adjunct Dialectic," July 20, 2010.

¹¹⁶ The Daily News Journal, "Board of Regents weighs 9.8% MTSU tuition hike," June 13, 2011.

¹¹⁷ *Id.*

¹¹⁸ Inside Higher Education, "Who Gets Bumped?," August 11, 2010.

¹¹⁹ The Chronicle, "Conditions Imposed on Part-Time Adjuncts Threaten Quality of Teaching, Researchers Say," November 30, 2010.

¹²⁰ The Daily News Journal, "Board of Regents weighs 9.8% MTSU tuition hike," June 13, 2011; The Daily News Journal, "MTSU tuition hiked by 9.8%," June 24, 2011.

¹²¹ Inside Higher Ed, "Separate and Unequal," April 13, 2011.

members because tenure "often serves as a fence keeping adjuncts out."¹²² Other advocates believe that part-time faculty should unionize because "the exercise of bargaining power . . . represents the only sure way to counteract the exploitation of adjuncts."¹²³

The following sections provide brief descriptions about the different approaches institutions and advocates have taken to address the growing number of part-time faculty members.

Overloads and Bumping

A technical college in Wisconsin decided to give full-time faculty members the option to teach "overloads," which are courses on top of a full load and results in additional pay.¹²⁴ The college allowed full-time faculty members to teach overloads because it made an agreement with the full-time faculty union "to increase the share of sections taught by full-time professors to 75 percent."¹²⁵ After implementing the overload option, the part-time faculty union filed a lawsuit against the technical college alleging unfair labor practices.¹²⁶ According to the part-time faculty union's blog, a court issued a temporary injunction barring the implementation of the overload policy, and the case was moved to the Wisconsin Employment Relations Commission.¹²⁷

In Washington, approximately 11 percent of classes taught by full-time faculty are "overloads."¹²⁸ One labor activist argues that these full-time faculty members are "taking jobs away from part-time faculty."¹²⁹

A related issue is called "bumping." A labor activist explained that some colleges offer more courses than needed because "if filled, generate revenue, but if not filled, can be cancelled without repercussions for the college."¹³⁰ Colleges can also displace or bump a part-time faculty member by placing a full-time faculty member in a teaching position in order to meet contractual obligations.¹³¹ Like overloads, some part-time faculty members are not happy with this practice.¹³²

¹²² *Id.*

¹²³ *Id.*

¹²⁴ Inside Higher Ed, "Who Gets Bumped?", August 11, 2010.

¹²⁵ *Id.*

¹²⁶ Wisconsin State Journal, "On Campus: Part-time teachers union sues Madison Area Technical College," August 9, 2010, http://host.madison.com/wsj/news/local/education/on_campus/article_abecb0d8-a3cc-11df-966f-001cc4c002e0.html.

¹²⁷ Madison Area Technical College (MATC) Part-Time Faculty Blog, "Temporary Injunction Issued Against MATC in Unfair Labor Dispute," November 1, 2010, <http://matcptfaculty.blogspot.com>.

¹²⁸ Inside Higher Ed, "A Shop Divided," February 10, 2011.

¹²⁹ *Id.*

¹³⁰ The News Tribune, Editorial, Jack Longmate, December 31, 2010.

¹³¹ *Id.*

¹³² *Id.*

Full-Time, Non-Tenured Faculty

In addition to hiring more part-time employees, some higher education institutions are also hiring more full-time, non-tenured track positions such as lecturers and instructors.¹³³ These full-time positions usually come with more pay and benefits, but they are not on a tenure track, which makes it easier for the institution to lay off these employees.¹³⁴

In California, the Academic Council of the University of California system has recommended that higher education institutions hire more lecturers where appropriate because it saves them money.¹³⁵ For example, San Francisco State University saves approximately \$31,679 for every professor replaced with a full-time, non-tenured track lecturer.¹³⁶

In New Jersey, one community college has created a new, non-tenured position to increase the number of full-time faculty on campus.¹³⁷ The non-tenured, full-time position is a 12-month position with seven courses in the fall and spring, and one course in the summer. This position is different than the tenured, full-time position, which lasts 10 months with five courses in the fall and spring.¹³⁸ The starting pay for these positions is more than \$55,000 a year, which is more than what adjuncts make at \$2,100 per three-credit course, and the position comes with health care benefits.¹³⁹ The adjunct union at the college supports this new position, but the full-time union is opposed.¹⁴⁰ The full-time union believes the position is "union busting" and will be the only type of position the college hires in the future.¹⁴¹ The full-time union worries that there will be "no more continuity and consistency in the faculty."¹⁴² Many union representatives believe that this type of position will become "commonplace in higher education, particularly at community colleges."¹⁴³

In Washington, D.C., a private university has also created a new position titled "term faculty member," which means the employee is full-time but not tenured or on a tenure track.¹⁴⁴ The term faculty members are represented on the faculty senate, which has been revising policies to benefit this

¹³³ See Inside Higher Ed, "Adjunct Alternative or Union Busting?", February 28, 2011; San Francisco Gate, "Colleges replace tenured professors with lecturers," June 30, 2011.

¹³⁴ *Id.*

¹³⁵ San Francisco Gate, "Colleges replace tenured professors with lecturers," June 30, 2011.

¹³⁶ *Id.*

¹³⁷ Inside Higher Ed, "Adjunct Alternative or Union Busting?", February 28, 2011.

¹³⁸ *Id.*

¹³⁹ *Id.*

¹⁴⁰ *Id.*

¹⁴¹ *Id.*

¹⁴² *Id.*

¹⁴³ Inside Higher Ed, "Adjunct Alternative or Union Busting?", February 28, 2011.

¹⁴⁴ The Chronicle, "Faculty Leaders at American University Seek Old-School Rights for New Work Force," June 12, 2011.

employee classification.¹⁴⁵ However, much of the focus at this university has been on improving the rights for this position, and little has been done for part-time faculty members.¹⁴⁶

A Memorandum of Understanding

In 1996, the faculty union at Green River Community College in Washington state and the administration entered into a Memorandum of Understanding, which states that Green River "is motivated to improve the ratio of full-time to adjunct faculty to support the highest quality of teaching for our students."¹⁴⁷ Since 1996, 32 full-time positions have been created but several positions remain unfilled and 12 positions are left open after retirements and resignations.¹⁴⁸

During contract negotiations this year, the administration says it is unable to continue the MOU because of financial reasons.¹⁴⁹ However, the faculty union says it refuses to abandon the MOU.¹⁵⁰ The union says that the parties are moving toward arbitration, and the union may file an unfair labor practice complaint.¹⁵¹

Converting Adjuncts Positions to Tenure-Track Positions

Some labor activists want to eliminate the two-tiered system of faculty members who are on the tenure-track and faculty members who are not on the tenure-track.¹⁵² They believe that tenure for adjunct faculty will improve job security, pay, benefits, and academic freedom.¹⁵³ The American Association of University Professors (AAUP) recommends that all higher education institutions "convert the status of faculty serving contingently to eligibility for tenure with only minor changes in job description."¹⁵⁴ Further, the AAUP recommends that faculty members who want to teach part-time should have "fractional positions, including fully proportional pay, that are eligible for tenure and benefits, with proportional expectations for service and professional development."¹⁵⁵

The New Faculty Majority, a national coalition for adjunct and contingent equity, introduced its "Program for Change" in 2010.¹⁵⁶ The 20-year plan tries to "detail how adjuncts can go about getting the various rights and privileges that come along with tenure, and perhaps the title 'tenure' itself."¹⁵⁷

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

¹⁴⁷ Inside Higher Ed, "Line in the Sand on Hiring," June 17, 2011.

¹⁴⁸ *Id.*

¹⁴⁹ *Id.*

¹⁵⁰ Green River United Faculty website, "United Faculty of Green River Community College Hang Tough on Adjunct to Tenure-Track Conversion," June 9, 2011, <http://www.aftface.org>.

¹⁵¹ *Id.*

¹⁵² Inside Higher Ed, "Visions of Adjunct Tenure," August 16, 2011.

¹⁵³ *Id.*

¹⁵⁴ *Id.*

¹⁵⁵ *Id.*

¹⁵⁶ *Id.*

¹⁵⁷ *Id.*

Some activists worry that creating more tenure-track positions will leave currently employed part-time faculty members behind.¹⁵⁸ For example, new tenure-track positions may lead to nationwide searches for applicants, and the current part-time faculty members cannot compete with the pool of applicants.¹⁵⁹ One assistant professor pointed out that "adjuncts who have been teaching the introductory courses find themselves rejected because hiring panels judge that they don't have experience teaching upper-level courses or any real record of research to demonstrate."¹⁶⁰ Other activists say that a "parallel tenure system" for adjuncts would be a fairer solution.¹⁶¹

Path to Full-Time Positions

In Connecticut, a community college faculty union representing part-time and full-time faculty members has bargained for two different benefits that may lead to more full-time positions.¹⁶² Part-time faculty members who have taught 24 credits or more (at least 18 credits at one college) will be placed in a Part-Time Lecturer Seniority Pool.¹⁶³ "Part-timers who meet this experience threshold are required to be offered a course in their discipline if one is available."¹⁶⁴ In addition, when a full-time position becomes available, "[a]t least three qualified internal candidates, including part-timers, are guaranteed an interview."¹⁶⁵ The guide did not provide any specific numbers regarding how many part-time faculty members have benefited from these two policies.

¹⁵⁸ Inside Higher Ed, "Visions of Adjunct Tenure," August 16, 2011.

¹⁵⁹ *Id.*

¹⁶⁰ Inside Higher Ed, "Separate and Unequal," April 13, 2011.

¹⁶¹ *Id.*

¹⁶² Congress of Connecticut, "Union and Contract Guide: 4C's Adjunct and Part Timers," August 2009.

¹⁶³ *Id.*

¹⁶⁴ *Id.*

¹⁶⁵ *Id.*

V. Faculty Unions

The three, major, national faculty unions are National Education Association (NEA), American Association of University of Professors (AAUP), and American Federation of Teachers (AFT). The Service Employee International Union (SEIU) also has some faculty union locals/chapters. Currently, no national part-time/adjunct union exists; although, some labor activists believe that this should change.¹⁶⁶

Many faculty unions engage in collective bargaining. "Collective bargaining is the performance of the mutual obligation of the representative of the employer and the exclusive bargaining representative to meet at reasonable times and to bargain in good faith in an effort to reach agreement with respect to wages, hours, and working conditions."¹⁶⁷ In Washington, the Labor Relations Office manages the collective bargaining process between the Governor and state employees.¹⁶⁸

A. Part-Time Faculty Unions

Some states, such as California, New York, and Illinois, have separate collective bargaining units for part-time faculty, which are within a local/chapter. However, other states only have a few or no separate bargaining units for part-time faculty. Many faculty unions represent both part-time and full-time faculty members, which is the case for Washington. Chapter 28B.52 RCW governs collective bargaining for academic personnel in community and technical colleges; Chapter 41.76 RCW governs collective bargaining for faculty members at 4-year institutions of higher education.

All of the global challenge states except Virginia have faculty unions with collective bargaining rights. The following chart indicates which global challenge states have separate bargaining units for part-time faculty.

¹⁶⁶ Inside Higher Ed, Editorial, "We Need an Adjunct Union," December 9, 2010 (explaining that adjuncts should form their own union because it "offers the chance for adjuncts to steer their own course, direct their own future, and accept full responsibility for the outcome").

¹⁶⁷ Office of Financial Management website, "Learn about the collective bargaining process," which can be found at <http://www.ofm.wa.gov/labor/agreements/about.asp>.

¹⁶⁸ *Id.*

Part-Time Faculty Unions in the Global Challenge States¹⁶⁹

Global Challenge States	Part-Time Faculty Bargaining Units?	Names of Part-Time Faculty Bargaining Units
Washington	No	
Massachusetts	Yes	AAUP - Emerson College-Adjunct AAUP - Suffolk University-Adjunct
California	Yes	AFT - Adjunct Faculty United AFT - Allan Hancock Part-Time Faculty Association AFT - Citrus College Adjunct Faculty Federation
Colorado	No	
Maryland	Yes	SEIU-Montgomery College Part-Time Faculty Union
New Jersey	Yes	AFT - Montclair State University Fed of Adjunct Faculty Camden County College Chapter United Adjunct Faculty of New Jersey Union County College Chapter of United Adjuncts
Connecticut	No	
Virginia	No	

B. Recent Faculty Union Developments

The following section provides brief descriptions of faculty union developments during the last year.

Faculty Unions and Collective-Bargaining Rights

In several states this past session, legislatures have considered and enacted laws that limit or intended to limit the collective-bargaining rights of faculty members.¹⁷⁰ The following list provides a brief summary of this pending and enacted legislation.

- **Ohio** - A state law passed this last session limits the collective-bargaining rights of state employees, including faculty members at public colleges.¹⁷¹ The law reclassifies faculty members

¹⁶⁹ Source: I compiled this chart by searching the state and local chapter lists posted on union websites: <http://www.aft.org/local/localsites.cfm>; <http://www.aaup.org/AAUP/about/chaps/>; http://www.nea.org/assets/img/PubAlmanac/Bargaining_Units_2010.pdf. I also completed a Google search for part-time faculty bargaining units in the global challenge states.

¹⁷⁰ The Chronicle, "What Good Do Faculty Unions Do?", May 1, 2011.

at public colleges as "managerial employees" if they participate in decision making such as a faculty senate (shared governance).¹⁷² Currently, Ohio law denies part-time faculty members collective-bargaining rights.¹⁷³ "The new legislation appears to lift that explicit ban, however some public colleges give adjuncts various degrees of representation on faculty senates or committees - and it is unclear whether that would rule out adjunct unions."¹⁷⁴ In November 2011, Ohio voters will decide whether to keep or undo this law.¹⁷⁵

- **Connecticut** - During this past session, a budget bill contained similar language to the Ohio law, which reclassified some faculty members at public colleges as "managerial employees" and took away their collective-bargaining rights.¹⁷⁶ However, legislators later dropped this language from the bill.¹⁷⁷
- **Wisconsin** - A state law passed this last session mostly denies faculty members and other public workers the right to collectively bargain.¹⁷⁸
- **Florida** - During this past session, a proposed bill revoked the "certification of any public-college employee union that represents less than half of the workers eligible for membership unless those workers vote to recertify it by July 1."¹⁷⁹ Faculty union representatives opposed the bill because they thought it would be difficult to hold recertification votes during the summer and the bill seemed to "stack the deck against them."¹⁸⁰ This bill died in the Government Operations Subcommittee.¹⁸¹

The current research shows that it is difficult to determine the benefits of collective bargaining for faculty unions.¹⁸² After a survey of current research, the article came to the following conclusions:

- At 4-year colleges, the financial payoffs from collective bargaining are modest.
- At 2-year colleges, the financial payoffs from collective bargaining may be bigger.
- The biggest benefit from collective bargaining is the faculty's participation in shared governance.
- There is a lack of research about the effects of collective bargaining at 2-year colleges.¹⁸³

¹⁷¹ The Chronicle, "Ohio Measure That Takes Away Union Rights of Public-College Professors is Signed into Law," March 31, 2011.

¹⁷² *Id.*

¹⁷³ Inside Higher Ed, "New Tactic to Kill Faculty Unions," March 3, 2011.

¹⁷⁴ *Id.*

¹⁷⁵ Dayton Daily News, "Senate Bill 5 repeal effort sets record," July 5, 2011.

¹⁷⁶ The Chronicle, "Connecticut Measure Would Strip Many Faculty Members of Collective-Bargaining Rights," April 20, 2011.

¹⁷⁷ The Chronicle, "Connecticut Lawmakers Scrap Faculty-Reclassification Measure," April 21, 2011.

¹⁷⁸ The Chronicle, "What Good Do Faculty Unions Do?," May 1, 2011.

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ See Florida HB 1023.

¹⁸² The Chronicle, "What Good Do Faculty Unions Do?," May 1, 2011.

¹⁸³ *Id.*

Part-Time and Full-Time Faculty Relations

A recent series of editorials and articles focusing on two part-time professors seems to highlight the tension between part-time and full-time faculty members in Washington state and throughout the country.

At the end of 2010, Jack Longmate, a part-time instructor at Olympic college and secretary of the WEA-affiliated faculty union, wrote an editorial in The News Tribune.¹⁸⁴ The editorial explained how part-time faculty members are affected by funding cuts, and he called for the Washington Legislature to prevent full-time faculty members from teaching "overloads."¹⁸⁵ "Overloads" are when full-time faculty members teach courses beyond their normal load, and some argue that this practice takes jobs away from part-time faculty members.¹⁸⁶

This past session, Mr. Longmate testified in front of the House and Senate Higher Education committees regarding bills that set out permanent funding increments for full-time faculty members.¹⁸⁷ He opposed the bill because the part-timers do not have a similar system in place.¹⁸⁸ After Mr. Longmate's testimony, the faculty union publicly censured him for testifying against a union-supported bill.¹⁸⁹

In April, Mr. Longmate wrote a letter to the National Education Association asking it to address the conflicts of interest in unions that represent both full-time and part-time faculty members.¹⁹⁰ The president of the NEA dismissed Mr. Longmate's complaint.¹⁹¹

In June, Mr. Longmate and Keith Hoeller,¹⁹² co-founder of the Washington Part-Time Faculty Association, wrote a commentary calling on unions to "restructure to ensure that the separate needs of the adjunct faculty are no longer suppressed by those on the tenure track."¹⁹³

Mr. Hoeller claims that the latest series of events is an example of "a deepening rift between full-time and adjunct faculty, both in Washington and nationwide."¹⁹⁴ An article listed the following events as other examples of this rift:

¹⁸⁴ The News Tribune, "Adjunct faculty bear brunt of higher ed cuts," December 31, 2010.

¹⁸⁵ *Id.*

¹⁸⁶ *See infra*, "Attempts to Address the Growing Number of Part-Time Faculty."

¹⁸⁷ *See Inside Higher Ed*, "A Shop Divided," February 10, 2011; House Bill 1631; Senate Bill 5507.

¹⁸⁸ *Id.*

¹⁸⁹ The Chronicle, Commentary, "Some Union Members are More Equal Than Others," June 12, 2011.

¹⁹⁰ The Chronicle, "Local Union is Not Treating Part- and Full-Timers Equally, Adjunct Complains to NEA," April 11, 2011.

¹⁹¹ The Chronicle, Commentary, "Some Union Members are More Equal Than Others," June 12, 2011.

¹⁹² *See The Chronicle*, "A Philosopher Stirs Up the World of Adjuncts," May 23, 2008 (stating that Mr. Hoeller has drafted about two dozen bills to improve the conditions for part-time faculty members).

¹⁹³ *Id.*

¹⁹⁴ *Inside Higher Ed*, "A Shop Divided," February 10, 2011.

- "In 2003, Doug Collins, an adjunct in Seattle, was voted out of his union post for favoring an increments bill that benefited full- and part-time faculty equally" ¹⁹⁵
- "Five years ago, Teresa Knudsen, an adjunct at Spokane Community College for 17 years, says she was dismissed after writing an op-ed with Hoeller in which they argued that 'part-time faculty in the two-year colleges may very well be the state's most mistreated and exploited employees.'" ¹⁹⁶

It is unclear how many other part-time faculty members in Washington agree with Mr. Longmate and Mr. Hoeller's views. ¹⁹⁷

In Massachusetts, part-time faculty members had one-fourth of a vote in election of faculty union leaders while full-time faculty members had one vote. ¹⁹⁸ One of the rationales for this policy was based on the idea that "full-timers have a more complete view of the campus," which can lead to better decision making. ¹⁹⁹ However, after complaints from some part-time faculty members, the Massachusetts Community College Council's Delegate Assembly voted in favor of giving part-time faculty members one vote. ²⁰⁰

Forming Part-Time Faculty Unions

At many public higher education institutions, part-time faculty members are represented by the same union as full-time faculty members. ²⁰¹ Recently, a judge in Illinois ruled that a university did not have the right to block a union from representing both full-time and part-time faculty members because the two groups have "many commonalities." ²⁰² Faculty unions often want to represent both part-time and full-time faculty members because there is "strength in numbers." ²⁰³

However, at some institutions, part-time faculty members have formed their own collective bargaining unit because their needs and concerns are different than the full-time faculty members. ²⁰⁴ Some private institutions also have separate part-time faculty bargaining units. ²⁰⁵ In 2010, adjunct faculty members received job protections as part of a settlement of unfair-labor-practice charges against a private

¹⁹⁵ *Id.*

¹⁹⁶ *Id.*

¹⁹⁷ The Chronicle, "A Philosopher Stirs Up the World of Adjuncts," May 23, 2008 (stating that "Mr. Hoeller's critics also question whether he has broad-based support from fellow adjuncts").

¹⁹⁸ Inside Higher Ed, "Do Adjunct Votes Count?," April 27, 2011.

¹⁹⁹ *Id.*

²⁰⁰ Inside Higher Ed, Quick Takes, "Adjuncts at Massachusetts Union Win Full Vote," May 2, 2011.

²⁰¹ Inside Higher Ed, "Starting Over?," May 24, 2011.

²⁰² Inside Higher Ed, "Judge: Union Can Include Tenure-Track, Adjuncts," July 13, 2011.

²⁰³ Inside Higher Ed, "Starting Over?," May 24, 2011.

²⁰⁴ See Inside Higher Ed, "A Shop Divided," February 10, 2011.

²⁰⁵ The Chronicle, "Labor Board Rejects Religious Exemption for Saint Xavier U. and Says Adjuncts Can Unionize," June 1, 2011.

university in Chicago.²⁰⁶ Five adjunct faculty members claimed that the university did not renew their contracts because of their participation in a union drive.²⁰⁷ The university denied violation of the National Labor Relations Act, but it agreed to provide back pay, guarantee future class assignments, and post public notices announcing the settlement.²⁰⁸ In 2011, the National Labor Relations Board found that two Roman Catholic colleges were "too secular to fall outside the board's purview" and ruled that adjunct faculty members can unionize.²⁰⁹ In addition, some labor activists are pushing for the creation of a new national adjunct union because the needs for the two groups are so different.²¹⁰ In the eight global challenge states, half of the states have separate bargaining units for part-time faculty, which are part of one of the existing national unions (AAUP, NEA, AFT, and SEIU).²¹¹

Faculty Union and Administration Relations

At some higher education institutions, tension between part-time faculty and the administration is growing. At Columbia College Chicago, a private arts and media college, the administration and the Part-Time Faculty Association are "at war" over the administration's decision to reduce or cancel part-time faculty members' courses without notice.²¹² The faculty union claims that the classes are being taught by "younger and less expensive teachers."²¹³

During a recent annual meeting of the National Association of College and University Attorneys, two lawyers discussed the trend of more part-time faculty members unionizing.²¹⁴ The lawyers explained that the big faculty union issues are pay, benefits, working conditions, and job security.²¹⁵ However, with many institutions facing budget cuts, the lawyers pointed out that institutions can make smaller, symbolic changes such as tuition benefits, paid professional development opportunities, pension plans, and fees for cancelled classes.²¹⁶

At State University of New York - Albany, the university has published a document titled "Guidelines for the Appointment of Part-Time Faculty Members."²¹⁷ The working document sets out policy regarding the roles and responsibilities of part-time faculty, recruitment, selection, appointment, compensation and benefits, orientation, professional support supervision and evaluation, renewal/non-renewal, and grievances/discipline.

²⁰⁶ The Chronicle, Advocates of Adjunct Union at East-West U. Score a Big Win," December 20, 2010.

²⁰⁷ *Id.*

²⁰⁸ *Id.*

²⁰⁹ *Id.*

²¹⁰ Inside Higher Ed, "We Need an Adjunct Union," December 9, 2010.

²¹¹ See *supra* "Part-Time Faculty Unions in the Global Challenge States" chart.

²¹² Inside Higher Ed, "Cast Out in Chicago," February 17, 2011.

²¹³ *Id.*

²¹⁴ Inside Higher Ed, "View from Across the Bargaining Table," June 28, 2011.

²¹⁵ *Id.*

²¹⁶ *Id.*

²¹⁷ See State University of New York - Albany's website: <http://www.albany.edu/academics/part-time.faculty.appointment.guidelines.shtml>.

VI. Statutory Law Regarding Part-Time Faculty

A. Existing Statutory Law

During the last decade, some state legislatures have enacted laws directly related to part-time faculty.²¹⁸

In Washington, the Legislature ordered a task force to study issues related to part-time faculty members at community and technical colleges.²¹⁹ In addition, the Legislature has enacted legislation regarding state-mandate benefits²²⁰ and sick leave²²¹ for part-time academic employees.²²²

California has the most statutory law regarding part-time faculty. In 1997, the California Legislature enacted the Part-Time Community College Faculty Health Insurance Program, which is "a state incentive program to encourage community college districts to offer health insurance for part-time faculty."²²³ Also in 1997, the Legislature enacted the Community College Part-Time Faculty Office Hours Program, which provides "community college students equal access to academic advice and assistance and [] encourage[s] community college districts to provide opportunities by compensating part-time faculty who hold office hours related to their teaching load."²²⁴ In 1999, the Legislature directed the California Postsecondary Education Commission to conduct a study regarding community college faculty patterns, with a focus on part-time faculty.²²⁵ In 2003, the Legislature passed a law regarding the treatment and rights of part-time faculty, which reads:

Whenever possible:

- (a) Part-time faculty should be informed of assignments at least six weeks in advance.
- (b) Part-time faculty should be paid for the first week of an assignment when class is cancelled less than two weeks before the beginning of a semester. If a class meets more than once per week, part-time faculty should be paid for all classes that were scheduled for that week.
- (c) The names of part-time faculty should be listed in the schedule of classes rather than just described as "staff."
- (d) Part-time faculty should be considered to be an integral part of their departments and given all the rights normally afforded to full-time faculty in the areas of book selection, participation in department activities, and the use of college resources, including, but not necessarily limited to, telephones, copy machines, supplies, office space, mail boxes, clerical staff, library, and professional development.²²⁶

²¹⁸ To research current statutory law regarding part-time faculty, I completed a Lexis Nexis search with the terms "part-time faculty," "adjunct faculty," or "part-time academic employee" within the statutory codes of all 50 states. The search yielded 132 results; however, many of the statutes did not address pay or benefits; *see also* American Association of University Professors, Academe Online, "Laws Affecting Part-Time Faculty Surveyed," 2000.

²¹⁹ RCW 28B.50.4892.

²²⁰ RCW 28B.50.4891.

²²¹ RCW B.50.4893.

²²² *See supra* "Benefit Differences between Part-Time and Full-Time Faculty."

²²³ *See* Cal Ed Code § 87860.5.

²²⁴ *See* Cal Ed Code § 87881.

²²⁵ *See* Cal Ed Code § 87482.4.

²²⁶ Cal Ed Code § 87482.8.

Several other states have laws that require or required a particular entity to gather information about the ratio of full-time to part-time faculty on a one-time or annual basis.²²⁷ According to a part-time faculty legislation survey, "California, Ohio, Oregon, Washington, and West Virginia have ordered studies of 'best practices' regarding employment of part-time faculty."²²⁸

In addition, several states have statutes regarding the provision of health benefits to part-time faculty.²²⁹

B. Recent Legislation and Policies

State legislatures have not enacted much legislation regarding part-time faculty in the last two years. The following provides a brief description of recent enacted and considered legislation.²³⁰

Ohio

As discussed in the "Faculty Union" section, state law passed during the last session limits the collective-bargaining rights of state employees, including faculty members at public colleges.²³¹ In November 2011, Ohio voters will decide whether to undo or keep this law.²³²

Louisiana

The University of Louisiana System changed its policy regarding the dismissal of tenured professors.²³³ The policy allows universities to layoff tenured professor when programs are eliminated.²³⁴ Since the policy change, the university has laid off tenured professors and rehired them as adjunct instructors.²³⁵ For example, one university eliminated the French undergraduate major, which allowed it to lay off tenured professors, but the university hired back some of these professors because the university still planned to offer some French courses.²³⁶

²²⁷ See Cal Ed Code § 87102; N.J. Stat. § 18A:3B-35; N.M. Stat. Ann. § 21-1-26.7; 24 P.S. § 19-1918-A; S.C. Code Ann. § 59-101-350; Tenn. Code Ann. § 49-7-210; RCW § 28B.50.4892.

²²⁸ American Association of University Professors, Academe Online, "Laws Affecting Part-Time Faculty Surveyed," 2000.

²²⁹ See Cal Ed Code § 87862; N.J. Stat. § 52:14-17.33a; ORS § 351.704; Tex. Ins. Code § 1551.1021; RCW 28B.50.489, .489 & .4893.

²³⁰ See the National Conference of State Legislatures' Education Bill Tracking Database Education Bill Tracking Database, which can be found at <http://www.ncsl.org/Default.aspx?TabID=756&tabs=951,64,1158#1158>, and the Education Commission of the States' State Policy Developments Database, which can be found at <http://www.ecs.org/ecsmain.asp?page=/html/issuesPS.asp>.

²³¹ See *supra* "Faculty Unions"; The Chronicle, "Ohio Measure That Takes Away Union Rights of Public-College Professors is Signed into Law," March 31, 2011.

²³² Dayton Daily News, "Senate Bill 5 repeal effort sets record," July 5, 2011.

²³³ Inside Higher Ed, "U. of Louisiana Weakens Tenure Rights," February 28, 2011.

²³⁴ *Id.*

²³⁵ Inside Higher Ed, "From Tenured to Adjunct," June 7, 2011.

²³⁶ *Id.*

Maryland

In Maryland this past session, the Legislature created a task force to study the impact of adjunct faculty on graduation rates at historically black institutions in Maryland.²³⁷

California

In 2010, the California Legislature passed a resolution that expressed the "intent of the Legislature that part-time and temporary faculty receive pay and benefits that are equal to those of specified tenured and tenure-track faculty, to the extent funding is provided, and that the California Community Colleges increase the percentage of full-time tenured and tenure-track faculty."²³⁸

²³⁷ See MD S 347.

²³⁸ CA ACR 138.

VII. Litigation

As the number of part-time faculty increases, the amount of litigation involving part-time faculty also increases.²³⁹ This litigation often falls into five categories: academic freedom and free speech, access to tenure, compensation, benefits, and collective bargaining.²⁴⁰ Below is a description of past and recent cases for each of these categories.

Academic Freedom and Free Speech

Courts have recognized that tenured and non-tenured or adjunct instructors "are entitled to freedom in the classroom in discussing their subject."²⁴¹ However, this freedom may have been weakened after the U.S. Supreme Court's ruling in *Garcetti v. Ceballos*.²⁴² In *Garcetti*, the court held that "when public employees make statements pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employee discipline."²⁴³ Since this ruling, public colleges and universities have adopted policies spelling out faculty members' speech protections.²⁴⁴ In Washington, academic freedom is a contract right for tenured faculty, which is "a bargained right and/or contained in faculty manuals and policies."²⁴⁵ However, the extent that academic freedom extends to part-time faculty members is still developing.

- ***Hardy v. Jefferson, 260 F.3d 671 (6th Cir. 2001)*** - An adjunct was not rehired after a student complained about the adjunct's use of "offensive" language during a lesson about how language was used to marginalize oppressed groups. A federal appellate court found that the adjunct faculty member's speech was constitutionally protected.
- ***Hudson v. Craven, 403 F.3d 691 (9th Cir. 2005)*** - A part-time instructor took her students on a "field trip" to the World Trade Organization demonstrations in Seattle, and the community college decided to not rehire the instructor after this incident. A federal appellate court found that the instructor's speech was not violated because the community college's "legitimate administrative interests" regarding "student safety and pedagogical oversight" outweighed the instructor's speech rights.
- ***Sheldon v. Dhillon, 2009 U.S. Dist. LEXIS 110275 (N. Cal. 2009)*** - A community college fired an adjunct faculty member after a student complained about the adjunct's comments. The student claimed that the adjunct said that "environmental factors might contribute to male homosexuality."²⁴⁶ In an unpublished opinion, a federal district court dismissed the adjunct's

²³⁹ The Chronicle, "Legal Contingencies for Contingent Professors," June 16, 2006.

²⁴⁰ *Id.*

²⁴¹ *Id.*

²⁴² The Chronicle, "Professor's Freedoms Under Assault in the Courts," February 27, 2009; *Garcetti v. Ceballos*, 547 U.S. 410 (2006).

²⁴³ *Garcetti*, 547 U.S. at 421.

²⁴⁴ The Chronicle, "Professors Try to Shore Up Speech Protections Undermined by Courts," June 21, 2010.

²⁴⁵ Aldo Melchiori, "Shared Governance at Colleges and Universities," December 2010.

²⁴⁶ The Chronicle, "Adjuncts Fight Back Over Academic Freedom," October 3, 2008.

Fourteenth Amendment equal protection and due process claims, but it did not dismiss the First Amendment retaliation and viewpoint discrimination claims.²⁴⁷ The court wrote, "the precise contours of the *First Amendment's* application in the context of a college professor's instructional speech are ill-defined and are not easily determined at the motion to dismiss stage."²⁴⁸ After two years of litigation, the college paid the adjunct a \$100,000 settlement but claimed no wrongdoing.²⁴⁹

- **University of Illinois at Urbana-Champaign's Committee on Academic Freedom and Tenure Report (2010)**²⁵⁰ - An adjunct instructor, who taught Catholic studies at a public university, sent an email that some of his students perceived to be homophobic. After complaints from students, the instructor was not rehired. This case was not litigated in court, but a panel at the university released a report stating that "angering those [students] in class can't be a reason for dismissal," which implies protection of adjuncts' academic freedom. However, the debate surrounding this incident might "be very different if a tenured professor had sent the e-mail message that got [the instructor] in trouble."²⁵¹ In addition, the report stated that adjuncts lack due process rights: "There is no requirement of notice of reappointment or non-reappointment nor is there any requirement of formal review . . . [e]ach academic unit is thus at liberty to act as it will with respect to such appointees, and not surprisingly, practice varies widely."²⁵²
- **Brooklyn College and Kristofer Peterson-Overton** - A doctoral student was hired as an adjunct for a master's level course.²⁵³ After a member of the New York State Assembly publicly announced that the student was "anti-Israel and sympathetic to terrorists" and should not be hired by the college, the student lost the new position. This incident was covered by the media, and the college decided to rehire the student and explained that the reason for the earlier change was based on the student's lack of doctoral degree. Some say that college was pressured by the legislator's comments.²⁵⁴

Access to Tenure

Some non-tenured faculty members bring suits regarding the denial of tenure.²⁵⁵ Non-tenured faculty members have brought legal claims such as promissory estoppel, discrimination, and due process violations.²⁵⁶

- ***Daniel v. University of Cincinnati*, 116 Ohio Misc. 2d 1, 761 N.E.2d 1168 (Ohio Misc. 2d 2001)** - A department colleague told a non-tenured assistant professor that her position would convert

²⁴⁷ *Sheldon v. Dhillon*, 2009 U.S. Dist. LEXIS 110275 (N. Cal. 2009).

²⁴⁸ *Id.*

²⁴⁹ The Chronicle, "San Jose College Pays \$100,000 to Settle Adjunct's Lawsuit Over Dismissal," July 22, 2010.

²⁵⁰ Inside Higher Ed, "Academic Freedom Verdict," October 18, 2010.

²⁵¹ *Id.*

²⁵² *Id.*

²⁵³ Inside Higher Ed, "Adjunct Wins Back Course," February 1, 2011.

²⁵⁴ *Id.*

²⁵⁵ The Chronicle, "Legal Contingencies for Contingent Professors," June 16, 2006.

²⁵⁶ *Id.*

to a tenure-track position, but it did not convert. A state trial court rejected the assistant professor's claims, including a promissory estoppel claim, for the following reasons: 1) the conversion was not automatic; 2) the contract was for a one-year, non-tenured position; and 3) only the board of trustees, not the department colleague, could convert the position.

- ***Diop v. Wayne County Community College, 242 F. Supp. 2d 497 (E. Mich. 2003)*** - A non-tenured faculty member sued a community college for race, gender, and national origin discrimination along with violation of due process when a college chose not to hire him. A federal district court rejected his claims because the college had nondiscriminatory reasons for hiring someone else, and the contract did not "guarantee" a full-time position, so no due process rights were triggered.
- ***Westrate v. Indiana University, 2005 U.S. Dist. LEXIS 13828 (2005)*** - A male adjunct lecturer filed a "reverse" gender discrimination claim when he was not hired for a tenure-track position. The court rejected his claim because the university had nondiscriminatory reasons for hiring someone else.
- ***North Carolina State University and Terri Ginsberg (2011)*** - Terri Ginsberg took a full-time, nine-month position at North Carolina State University, and she claims that the university was supposed to consider her for a tenure-track position.²⁵⁷ However, Ms. Ginsberg claims that she was not considered for a tenure track after she made "pro-Palestinian" comments after a film. A state trial court dismissed the case, but Ms. Ginsberg is appealing this ruling.²⁵⁸

Compensation

Some part-time faculty members have brought legal claims regarding compensation under theories of "discrimination, breaches of contract, or violations of state compensation laws."²⁵⁹ However, these claims have generally not been successful.

- ***Griffin v. Board of Regents, 795 F.2d 1281, (7th Cir. 1986)*** - Female temporary faculty members brought a gender discrimination claim because more women were represented in the temporary faculty member positions. A federal appellate court rejected this claim because there were other nondiscriminatory reasons for the high number of women in temporary positions.
- ***Gisela v. Dibble, 1996 U.S. App. LEXIS 15390 (4th Cir. 1996)*** - A part-time faculty member brought a salary discrimination claim because her salary was much less than a full-time, male faculty member. A federal appellate court rejected her claim finding that part-time faculty members have "far less demanding" jobs.
- ***Clawson v. Grays Harbor, 138 Wash. 528, 61 P.3d 1130 (2003)*** - A group of part-time instructors claimed they should be paid for overtime because they were hourly employees entitled to such

²⁵⁷ The Chronicle, "Adjuncts Fight Back Over Academic Freedom," October 3, 2008.

²⁵⁸ The Republic, "Professor says comments at screening of movie on Israel cost her a chance at NC State job," July 6, 2011.

²⁵⁹ The Chronicle, "Legal Contingencies for Contingent Professors," June 16, 2006.

pay under state law. The Washington Supreme Court found that the part-time instructors were professional employees ineligible for overtime pay.

Benefits

Usually, part-time faculty members do not receive benefits because they are paid by the course.²⁶⁰ However, some faculty members may be entitled to benefits if there is a "reasonable assurance" or "expectation" that they will be reappointed to their positions.²⁶¹

- ***Mader v. The Health Care Authority, 149 Wash. 2d 458, 70 P.3d 931 (2003)*** - The state health care authority found that two part-time faculty members, who taught "numerous quarters," were not able to receive health benefits during the summer. Because the faculty members did not work during the summer, the health authority reasoned that the faculty members did not meet the regulation requirement that the faculty members work consecutive quarters to be eligible for benefits during the summer. The Washington Supreme Court overturned the health authority's decision and held that the authority should have engaged in "an individualized approach to a determination of eligibility for employer contributions to a state employee's health care coverage." The court explained that the health authority must look at the "actual work circumstances" - not contracts or titles - to determine whether the employees are working "half-time or more" and are eligible for health benefits in the summer.²⁶²
- ***Perry v. State Employees Retirement System, 872 A.2d. 273 (Pa. Commw. Ct. 2005)*** - An adjunct faculty member taught classes for more than twenty years at a community college. She petitioned the state retirement board to join the retirement system, but the board denied her petition. A state trial court affirmed the board's decision because she was a temporary employee.

Collective Bargaining

Some state courts have found that part-time faculty members are able to unionize and form bargaining units.²⁶³

- ***Appeal of the University System Board, 147 N.H. 626, 795 A.2d 840 (2002)*** - The New Hampshire Supreme Court held that adjunct faculty members were not temporary employees and were eligible to form a bargaining unit. The Court considered the fact that higher education systems are relying heavily on adjunct faculty members in finding that adjunct faculty members were not temporary employees.

²⁶⁰ *Id.*

²⁶¹ *Id.*

²⁶² Since this case, a new regulation seems to address the issue of consecutive quarter/semester requirement. According to WAC 182-12-114, "Spring and fall are considered consecutive quarters/semesters when first establishing eligibility for faculty that work less than half-time during the summer quarter/semester."

²⁶³ The Chronicle, "Legal Contingencies for Contingent Professors," June 16, 2006.

- **University of Illinois at Chicago (2011)** - A state trial court in Illinois ruled that a university did not have the right to block a union from representing both full-time and part-time faculty members because the two groups have "many commonalities."²⁶⁴

²⁶⁴ Inside Higher Ed, "Judge: Union Can Include Tenure-Track, Adjuncts," July 13, 2011.

VIII. Conclusion

Administration, faculty unions, and labor activists all agree that institutions are relying more on part-time faculty, but there are often disagreements about how to address the issues that arise from this increasing reliance. These issues include part-time faculty's pay, benefits, working conditions, and job security.

Addressing these issues can be complicated because part-time faculty members often have different goals and working conditions. Washington has started to address some of the issues regarding part-time faculty members, and this state may be doing more than other states. However, it can be difficult to gather data about part-time faculty because the terminology and definition for this group can vary. It may be helpful to have a state-wide definition for part-time faculty, so that data regarding this group can be collected and compared.

In addition, some advocates believe that pay and benefits for part-time faculty need to improve. However, many institutions are facing budget cuts and hiring part-time faculty members is a way to save these institutions money.

In this difficult economy, some institutions may want to make smaller, symbolic changes. For example, some institutions have created handbooks and manuals specifically designed for part-time faculty.²⁶⁵ Green River Community College has a website titled "The Handbook for Adjunct Faculty," which states the following on the homepage:

Adjunct (part-time) faculty are vital to the success of our college and to the realization of our mission. We are well aware of some of the difficulties and challenges that you face. At Green River Community College we continually try to support our adjunct faculty and this handbook is one of the resources we have developed for you.

Colleges and universities will likely continue to rely on part-time faculty, which means that the tension between administration, faculty unions, labor activists, and individual part-time faculty members may intensify.

²⁶⁵ See, e.g. Green River Community College, "The Handbook for Part-Time Faculty," which can be found at <http://www.instruction.greenriver.edu/ptfacultyhandbook/Default.htm>; Washington State University Faculty Manual, "Section V. Policies and Procedures for Indefinite Term and Fixed Term Faculty," which can be found at http://facsen.wsu.edu/faculty_manual/; Seattle Community Colleges Part-Time Faculty Guide, which can be found at <http://faculty.northseattle.edu/tlc/orientation/ParttimeFacultyGuide.pdf>; Olympic College Collective Bargaining Agreement through June 30, 2013, "Appendix G, Part-Time Faculty Provisions," which can be found at http://www.sbctc.ctc.edu/college/hr_faccollectivebargaining.aspx.

Appendix A

List of Part-Time Faculty Resources

Trends and Emerging Issues

Inside Higher Ed

- <http://www.insidehighered.com/news/focus/adjuncts>
- The webpage titled "In Focus - Adjuncts" compiles recent articles focusing on part-time faculty members.

The Chronicle

- <http://chronicle.com/section/Faculty/7/>
- The "Faculty" section includes recent articles about part-time faculty.

Washington State Higher Education Agencies

Washington State Board for Community and Technical Colleges

- <http://www.sbctc.ctc.edu/index.aspx>
- The State Board for Community and Technical Colleges (SBCTC) is responsible for administering the Community and Technical College Act and providing leadership and coordination for Washington's public system of 34 community and technical colleges. The SBCTC is governed by a nine-member board appointed by the Governor.

Higher Education Coordinating Board

- <http://www.hecb.wa.gov/>
- The Higher Education Coordinating Board (HECB) provides strategic planning, coordination, monitoring, and policy analysis for higher education in Washington, and administers state and federal financial aid and other educational services. Governed by a 10-member citizen board, which is appointed by the Governor, the HECB is charged by state law with representing the "broad public interest above the interests of the individual colleges and universities."

National Higher Education Associations

State Higher Education Executive Officers

- <http://www.sheeo.org/>
- One of SHEEO's mission objectives is to assist its members and the states in developing and sustaining excellent systems of higher education.

American Association of State Colleges and Universities

- <http://aascu.org/>

- AASCU is a Washington, D.C.-based higher education association of nearly 420 public colleges, universities and systems whose members share a learning- and teaching-centered culture, a historic commitment to underserved student populations and a dedication to research and creativity that advances their regions' economic progress and cultural development.

National Legislative Databases

Education Commission of the States - Postsecondary Faculty

- <http://www.ecs.org/ecsmain.asp?page=/html/issuesPS.asp>
- The Education Commission of the States (ECS) is an interstate compact created in 1965 to improve public education by facilitating the exchange of information, ideas and experiences among state policymakers and education leaders. As a nonprofit, nonpartisan organization involving key leaders from all levels of the education system, ECS creates unique opportunities to build partnerships, share information and promote the development of policy based on available research and strategies.

National Conference of State Legislatures - Education Bill Tracking Database

- <http://www.ncsl.org/Default.aspx?TabID=756&tabs=951,64,1158#1158>
- The National Conference of State Legislatures is a bipartisan organization that serves the legislators and staffs of the nation's 50 states, its commonwealths and territories. NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues.

Number of Part-Time Faculty

U.S. Department of Education - The Integrated Postsecondary Education Data System

- <http://nces.ed.gov/ipeds/>
- The IPEDS Data Center allows the user to look up individual institutions. The IPEDS State Data Center allows the user to compare institutions in and among states by specific variables.

U.S. Department of Education - National Study of Postsecondary Faculty

- <http://nces.ed.gov/surveys/nsopf/>
- The National Study of Postsecondary Faculty was designed to provide data about faculty to postsecondary education researchers, planners, and policymakers. NSOPF is the most comprehensive study of faculty in postsecondary educational institutions ever undertaken.

Salary and Wages

Washington State Board for Community and Technical Colleges - Faculty Salaries and Compensation

- http://www.sbctc.ctc.edu/college/d_facultycompensation.aspx
- This webpage provides links to salary reports for full-time and part-time faculty at community and technical colleges.

The Chronicle - AAUP Faculty Salary

- <http://chronicle.com/stats/aaup/index.php?action=result&search=&state=All+states&year=2010&category=&withRanks=1&limit=>
- The AAUP Faculty Salary is an easy-to-use website to gather information regarding full-time faculty salaries. However, this survey does not include part-time faculty salaries.

Benefits

Some higher education institutions have prepared resources specifically for part-time faculty members. These resources explain the different benefits available to part-time faculty members.

Green River Community College - The Handbook for Part-Time Faculty

- <http://www.instruction.greenriver.edu/ptfacultyhandbook/Default.htm>

Washington State University Faculty Manual

- Section V. Policies and Procedures for Indefinite Term and Fixed Term Faculty
- http://facsen.wsu.edu/faculty_manual/

Seattle Community Colleges Part-Time Faculty Guide

- <http://faculty.northseattle.edu/tlc/orientation/ParttimeFacultyGuide.pdf>

Olympic College Collective Bargaining Agreement through June 30, 2013

- Appendix G, Part-Time Faculty Provisions
- http://www.sbctc.ctc.edu/college/_hr_faccollectivebargaining.aspx

Faculty Unions

Washington State Board for Community and Technical Colleges - Faculty Bargaining Agreements

- http://www.sbctc.ctc.edu/college/_hr_faccollectivebargaining.aspx
- This webpage provides links to the most recent collective bargaining agreements at Washington's community and technical colleges.

The American Association of University Professors - Contingent Faculty

- <http://www.aaup.org/AAUP/issues/contingent/>
- This webpage on the AAUP's website is devoted to contingent faculty issues.

The American Federation of Teachers - Higher Education Issues

- <http://www.aft.org/yourwork/highered/>

Appendix B

Global Challenge States:

Number of Full-Time and Part-Time Faculty in Public Higher Education, Fall 2009

Source: U.S. Department of Education, National Center for Education Statistics, 2009,
<http://nces.ed.gov/ipeds/datacenter/Default.aspx>.

*Faculty includes the following two classifications: 1) staff who primarily instruct, and 2) staff who instruct, research, and perform public service.

Washington

Public 4-Year	# of FT	# of PT	% of PT of all instructional faculty
Central Wash University	432	172	28.48
Eastern Wash University	410	207	33.55
The Evergreen State College	169	74	30.45
Wash State University	1099	311	22.06
University of Wash - Seattle	3235	1039	24.31
Western Wash University	513	295	36.51
University of Wash - Bothell	99	50	33.56
University of Wash - Tacoma	131	57	30.32
AVG			29.90

Public 2-Year	# of FT	# of PT	% of PT of all instructional faculty
Bellevue College	167	548	76.64
Bellingham Tech College	75	80	51.61
Big Bend Comm College	46	79	63.20
Centralia College	60	102	62.96
Clark College	197	541	73.31
Clover Park Tech College	91	86	48.59
Columbia Basin College	127	199	61.04
Edmonds Comm College	140	315	69.23
Everett Comm College	111	191	63.25
Pierce College at Fort Steliacoom	85	178	67.68
Grays Harbor College	60	83	58.04
Green River Comm College	131	276	67.81
Highline Comm College	138	344	71.37
Bates Tech College	126	169	57.29

Lake Wash Tech College	73	180	71.15
Lower Columbia College	75	131	63.59
Seattle Comm College-North Campus	90	257	74.06
Olympic College	113	264	70.03
Pennisula College	59	103	63.58
Renton Tech College	70	250	78.13
Seattle Comm College-South Campus	82	256	75.74
Seattle Comm College-Central Campus	161	333	67.41
Shoreline Comm College	121	206	63.00
Skagit Valley College	121	179	59.67
South Puget Sound Comm College	90	178	66.42
Spokane Comm College	190	196	50.78
Spokane Falls Comm College	181	388	68.19
Tacoma Comm College	124	234	65.36
Walla Walla Comm College	128	163	56.01
Wenatchee Valley College	70	137	66.18
Whatcom Comm College	74	238	76.28
Yakima Valley Comm College	106	208	66.24
Northwest Indian College	24	41	63.08
Pierce College at Puyallup	49	51	51.00
Cascadia Comm College	38	96	71.64
AVG			65.13

California

Public 4-Year	# of FT	# of PT	% of PT of all instructional faculty
University of California Hastings College of Law	48	102	68.00
California Polytechnic State University-San Luis Obispo	780	299	27.71
California State University-Bakersfield	254	114	30.98
California State University-Stanislaus	289	110	27.57
California State University-San Bernardino	453	371	45.02
California State Polytechnic University-Pomona	565	455	44.61
California State University-Chico	521	369	41.46
California State University-Dominguez Hills	297	318	51.71
California State University-Fresno	655	486	42.59
California State University-Fullerton	867	748	46.32
California State University-East Bay	354	374	51.37
California State University-Long Beach	1001	912	47.67
California State University-Los Angeles	580	460	44.23
California State University-Northridge	831	934	52.92
California State University-Sacramento	778	625	44.55

University of California-Berkeley	1068	559	34.36
University of California-Davis	2136	332	13.45
University of California-Irvine	1508	371	19.74
University of California-Los Angeles	2937	789	21.18
University of California-Riverside	745	148	16.57
University of California-San Diego	1900	466	19.70
University of California-San Francisco	1789	519	22.49
University of California-Santa Barbara	905	155	14.62
University of California-Santa Cruz	572	260	31.25
California Maritime Academy	57	21	26.92
Humboldt State University	273	223	44.96
San Diego State University	909	614	40.32
San Francisco State University	857	558	39.43
San Jose State University	738	979	57.02
California State University - San Marcos	249	264	51.46
California State University - Monterey Bay	142	124	46.62
California State University - Channel Islands	126	140	52.63
University of California - Merced	185	35	15.91
AVG			37.43

	# of FT	# of PT	% of PT of all instructional faculty
Public 2-Year			
College of Alameda	76	137	64.32
Allan Hancock College	157	454	74.30
American River College	410	688	62.66
Antelope Valley College	194	416	68.20
Bakersfield College	249	257	50.79
Barstow Community College	42	112	72.73
Butte College	188	539	74.14
Cabrillo College	235	350	59.83
Canada College	73	184	71.60
College of the Canyons	164	425	72.16
Cerritos College	291	467	61.61
Cerro Coso Community College	56	136	70.83
Chabot College	203	325	61.55
Chaffey College	231	628	73.11
Citrus College	168	264	61.11
City College of San Francisco	777	1072	57.98
Coastline Community College	45	266	85.53
Columbia College	52	11	17.46
El Camino College-Compton Center	327	594	64.50
Contra Costa College	117	214	64.65
Cosumnes River College	188	238	55.87

Crafton Hills College	65	167	71.98
Cuesta College	182	384	67.84
Cuyamaca College	84	379	81.86
Cypress College	211	423	66.72
De Anza College	300	494	62.22
College of the Desert	125	357	74.07
Diablo Valley College	273	568	67.54
East Los Angeles College	286	631	68.81
El Camino Community College District	327	594	64.50
Evergreen Valley College	122	204	62.58
Feather River Community College District	27	65	70.65
Foothill College	197	386	66.21
Fresno City College	333	651	66.16
Fullerton College	307	478	60.89
Gavilan College	82	160	66.12
Glendale Community College	255	382	59.97
Golden West College	165	274	62.41
Grossmont College	227	546	70.63
Hartnell College	92	229	71.34
Imperial Valley College	161	182	53.06
Irvine Valley College	125	344	73.35
Reedley College	200	470	70.15
Lake Tahoe Community College	43	133	75.57
Laney College	129	338	72.38
Lassen Community College	38	92	70.77
Long Beach City College	339	636	65.23
Los Angeles Harbor College	108	291	72.93
Los Angeles Pierce College	214	534	71.39
Los Angeles Southwest College	84	212	71.62
Los Angeles Trade Technical College	193	270	58.32
Los Angeles Valley College	202	414	67.21
Los Angeles City College	217	437	66.82
Los Angeles County College of Nursing and Allied Health	45	0	0.00
Los Angeles Mission College	84	301	78.18
Los Medanos College	131	266	67.00
College of Marin	108	249	69.75
Mendocino College	51	285	84.82
Merced College	174	357	67.23
Merritt College	82	185	69.29
MiraCosta College	189	432	69.57
Mission College	150	224	59.89
Modesto Junior College	242	342	58.56

Monterey Peninsula College	122	230	65.34
Moorpark College	175	391	69.08
Mt San Antonio College	419	860	67.24
Mt. San Jacinto Community College District	125	572	82.07
Napa Valley College	110	297	72.97
Naval Postgraduate School	367	42	10.27
Ohlone College	140	294	67.74
Orange Coast College	279	500	64.18
Oxnard College	98	185	65.37
Palo Verde College	40	96	70.59
Palomar College	283	860	75.24
Pasadena City College	401	673	62.66
Porterville College	70	55	44.00
Santa Ana College	235	769	76.59
College of the Redwoods	89	308	77.58
Rio Hondo College	194	329	62.91
Riverside Community College	388	1054	73.09
Sacramento City College	334	574	63.22
Saddleback College	237	567	70.52
San Diego City College	210	645	75.44
San Diego Mesa College	286	594	67.50
San Diego Miramar College	119	493	80.56
San Joaquin Delta College	236	335	58.67
San Jose City College	115	301	72.36
College of San Mateo	152	264	63.46
Santa Barbara City College	297	653	68.74
Santa Monica College	315	1005	76.14
Santa Rosa Junior College	306	1045	77.35
College of the Sequoias	170	306	64.29
Shasta College	137	307	69.14
Sierra College	185	703	79.17
College of the Siskiyou	49	164	77.00
Charles A. Jones Skills and Business Education Center	23	5	17.86
Skyline College	112	247	68.80
San Bernardino Valley College	167	410	71.06
Solano Community College	183	366	66.67
Sonoma State University	272	232	46.03
Southwestern College	250	571	69.55
Taft College	56	66	54.10
Ventura College	143	371	72.18
Victor Valley College	140	441	75.90
Berkeley City College	48	191	79.92

West Hills College-Coalinga	45	89	66.42
West Los Angeles College	103	320	75.65
West Valley College	175	270	60.67
Yuba College	120	169	58.48
Las Positas College	120	261	68.50
Hacienda La Puente Adult Education	51	31	37.80
Copper Mountain Community College	42	95	69.34
Santiago Canyon College	105	339	76.35
East San Gabriel Valley Regional Occupational Program	14	0	0.00
Folsom Lake College	107	198	64.92
West Hills College-Lemoore	45	89	66.42
Beaumont Adult School	4	2	33.33
Woodland Community College	48	84	63.64
	AVG		65.04

Colorado

	# of FT	# of PT	% of PT of all instructional faculty
Public 4-Year			
Adams State College	106	79	42.70
University of Colorado Denver	2416	540	18.27
University of Colorado at Colorado Springs	317	66	17.23
University of Colorado at Boulder	1395	695	33.25
Colorado School of Mines	238	89	27.22
Colorado State University	1175	476	28.83
Fort Lewis College	183	61	25.00
Mesa State College	238	188	44.13
Metropolitan State College of Denver	509	808	61.35
University of Northern Colorado	488	206	29.68
Colorado State University-Pueblo	180	183	50.41
United States Air Force Academy	180	16	8.16
Western State College of Colorado	112	28	20.00
	AVG		31.25

	# of FT	# of PT	% of PT of all instructional faculty
Public 2-Year			
Aims Community College	89	308	77.58
Arapahoe Community College	100	351	77.83
Colorado Mountain College	97	786	89.01
Colorado Northwestern Community College	32	76	70.37
Community College of Aurora	45	336	88.19
Community College of Denver	90	346	79.36

Front Range Community College	204	863	80.88
Lamar Community College	23	57	71.25
Morgan Community College	34	133	79.64
Northeastern Junior College	53	58	52.25
Otero Junior College	37	47	55.95
Pikes Peak Community College	147	509	77.59
Pueblo Community College	100	9	8.26
Red Rocks Community College	79	429	84.45
Pickens Technical College	39	6	13.33
Trinidad State Junior College	38	89	70.08
	AVG		67.25

Maryland

Public 4-Year	# of FT	# of PT	% of PT of all instructional faculty
University of Baltimore	178	195	52.28
Bowie State University	230	176	43.35
Coppin State University	159	173	52.11
Frostburg State University	242	118	32.78
University of Maryland-University College	228	1730	88.36
University of Maryland-Baltimore	1334	757	36.20
University of Maryland-Baltimore County	480	250	34.25
University of Maryland-College Park	1618	631	28.06
University of Maryland Eastern Shore	178	121	40.47
Morgan State University	437	108	19.82
Salisbury University	380	191	33.45
St. Mary's College of Maryland	143	96	40.17
Towson University	822	723	46.80
United States Naval Academy	386	59	13.26
	AVG		40.10

Public 2-Year	# of FT	# of PT	% of PT of all instructional faculty
Allegany College of Maryland	14	158	91.86
Anne Arundel Community College	262	754	74.21
Baltimore City Community College	128	296	69.81
Cecil College	47	135	74.18
College of Southern Maryland	123	449	78.50
Chesapeake College	59	80	57.55
Frederick Community College	97	425	81.42
Garrett College	17	50	74.63

Hagerstown Community College	73	181	71.26
Harford Community College	102	277	73.09
Howard Community College	150	478	76.11
Montgomery College	515	974	65.41
Prince George's Community College	237	679	74.13
Wor-Wic Community College	68	113	62.43
Carroll Community College	69	219	76.04
The Community College of Baltimore County	403	845	67.71
	AVG		73.02

New Jersey

Public 4-Year	# of FT	# of PT	% of PT of all instructional faculty
Rowan University	401	617	60.61
New Jersey City University	246	469	65.59
Kean University	352	977	73.51
Montclair State University	553	936	62.86
New Jersey Institute of Technology	406	201	33.11
Ramapo College of New Jersey	213	276	56.44
Rutgers University-Camden	252	182	41.94
Rutgers University-New Brunswick	1678	862	33.94
Rutgers University-Newark	447	257	36.51
The Richard Stockton College of New Jersey	263	219	45.44
The College of New Jersey	348	402	53.60
University of Medicine and Dentistry of New Jersey	1582	847	34.87
William Paterson University of New Jersey	371	650	63.66
	AVG		50.93

Public 2-Year	# of FT	# of PT	% of PT of all instructional faculty
Atlantic Cape Community College	101	344	77.30
Bergen Community College	335	626	65.14
Brookdale Community College	234	688	74.62
Burlington County College	52	539	91.20
Camden County College	139	590	80.93
County College of Morris	163	369	69.36
Cumberland County College	47	244	83.85
Essex County College	132	578	81.41
Gloucester County College	71	267	78.99
Hudson County Community College	93	243	72.32
Mercer County Community College	131	452	77.53

Middlesex County College	171	540	75.95
Ocean County College	113	412	78.48
Passaic County Community College	102	488	82.71
Salem Community College	27	64	70.33
Raritan Valley Community College	115	343	74.89
Union County College	180	281	60.95
Warren County Community College	25	113	81.88
Sussex County Community College	51	238	82.35
Somerset County Technology Institute	11	42	79.25
		AVG	76.97

Connecticut

Public 4-Year	# of FT	# of PT	% of PT of all instructional faculty
Central Connecticut State University	433	491	53.14
Charter Oak State College	0	107	100.00
University of Connecticut	1683	170	9.17
Eastern Connecticut State University	198	251	55.90
Southern Connecticut State University	407	678	62.49
United States Coast Guard Academy	59	0	0.00
Western Connecticut State University	218	364	62.54
		AVG	49.04

Public 2-Year	# of FT	# of PT	% of PT of all instructional faculty
Asnuntuck Community College	18	120	86.96
Capital Community College	64	182	73.98
Housatonic Community College	62	288	82.29
Manchester Community College	111	383	77.53
Naugatuck Valley Community College	105	259	71.15
Middlesex Community College	41	138	77.09
Three Rivers Community College	78	165	67.90
Norwalk Community College	105	350	76.92
Northwestern Connecticut Community College	24	73	75.26
Quinebaug Valley Community College	29	116	80.00
Gateway Community College	98	315	76.27
Tunxis Community College	57	245	81.13
		AVG	77.21

Virginia

Public 4-Year	# of FT	# of PT	% of PT of all instructional faculty
College of William and Mary	613	164	21.11
Christopher Newport University	236	84	26.25
George Mason University	1138	904	44.27
James Madison University	906	279	23.54
Longwood University	207	72	25.81
University of Mary Washington	242	128	34.59
Norfolk State University	270	103	27.61
Old Dominion University	696	461	39.84
Radford University	387	140	26.57
The University of Virginia's College at Wise	93	2	2.11
Virginia Polytechnic Institute and State University	1364	250	15.49
Virginia Commonwealth University	1866	1145	38.03
University of Virginia-Main Campus	1987	130	6.14
Virginia Military Institute	121	50	29.24
Virginia State University	247	103	29.43
	AVG		26.00

Public 2-Year	# of FT	# of PT	% of PT of all instructional faculty
Blue Ridge Community College	65	135	67.50
Central Virginia Community College	60	264	81.48
Dabney S Lancaster Community College	20	73	78.49
Danville Community College	61	220	78.29
Eastern Shore Community College	20	56	73.68
Germanna Community College	69	303	81.45
J Sargeant Reynolds Community College	155	456	74.63
John Tyler Community College	85	381	81.76
Lord Fairfax Community College	68	278	80.35
Mountain Empire Community College	41	156	79.19
New River Community College	57	167	74.55
Northern Virginia Community College	584	1396	70.51
Patrick Henry Community College	46	129	73.71
Paul D Camp Community College	21	76	78.35
Piedmont Virginia Community College	61	215	77.90
Rappahannock Community College	28	150	84.27
Richard Bland College of the College of William and Mary	33	0	0.00
Southside Virginia Community College	78	263	77.13
Southwest Virginia Community College	54	202	78.91

Thomas Nelson Community College	101	425	80.80
Tidewater Community College	321	1025	76.15
Virginia Highlands Community College	48	156	76.47
Virginia Western Community College	90	347	79.41
Wytheville Community College	35	166	82.59
<hr/> AVG			74.48