



University Senate
Faculty and Personnel Affairs Committee

**Response to Charge S-1409
Greater Integration of Contingent Faculty in the Rutgers Community**

A. Charge

S-1409: Greater Integration of Contingent Faculty into the Rutgers Community: Given the ever increasing use of contingent faculty (NTT and PTL) at Rutgers and nationally, consider ways to integrate these faculty fully into the university community. Identify other institutions that have been successful in providing such rights and privileges to their contingent faculty and propose measures to emulate them. In particular, consider ways to afford contingent faculty the security necessary to be more active participants in shared governance, as well as more visible members of the community.

B. Foundation

Thousands of contingent faculty members at Rutgers University-Camden, Rutgers University-New Brunswick, Rutgers University-Newark, and Rutgers Biomedical and Health Sciences (RBHS) are responsible for the vast majority of classroom and online instruction (see Appendix 1: Instructional Workload Distribution, Fall 2014 and Spring 2015). Contingent faculty at Rutgers include full-time non-tenure track faculty (NTTs), many of whom are clinical faculty, and part-time lecturers (PTLs). A number of appointments (clinical, adjunct, visiting) might also be included as UMDNJ Legacy. These various categories of contingent faculty vary widely throughout the University in the manner in which they are treated, the resources they are provided, and the acknowledgement they receive. This report focuses on PTLs and full-time NTT faculty at legacy Rutgers, and does not address students on graduate or teaching assistantships, post-doctoral associates, or visiting faculty.

For PTLs, who in particular have very little employment security, the focus on the demands of reappointment can include, if not student, program, and university needs, having to work multiple jobs, gearing instruction with an awareness of student evaluations and grades, or being unable to actively engage in department or University activities. Although University Policies assure academic freedom, representation on the University Senate, and collective bargaining agreements that address salary and benefit matters for contingent faculty, there is concern that PTL faculty performance is disadvantaged without clear employment protections (i.e., security provisions, appeal procedures, and due process). Such difficulties, especially among such a broad sector of the faculty, diminish stability in the educational process. Students may not know who will be available to teach courses or provide recommendations in the next year, and instructors may not be optimally informed or familiar with discipline curricula, unit guidelines, and University Policies when interacting with students. Programs and departments may continually scramble to secure the best instructors, with recruitment and retention not always a top priority. Better integrating

contingent faculty, particularly PTLs, into the life and culture of Rutgers University can address many of these shortcomings so as to do best by our students as we make all of our faculty more visible and effective.

B.1. Rutgers policies and resolutions

The University Senate has investigated and reported on circumstances related to contingent faculty in the past, as the following links to reports demonstrate:

Balance of full-time to part-time faculty:

- <http://senate.rutgers.edu/FPAConS1406BalanceOfFTPTFacultyTeachingApril2015.pdf>
- <http://senate.rutgers.edu/FPAConS1012ABalanceOfFTAndPTFacultyTeachingApril2014.pdf>
- <http://senate.rutgers.edu/CASReportTables1to3.pdf>
- <http://senate.rutgers.edu/RBACkS1012ABalanceOfFTPTTeachingOctober2014.pdf>

Academic freedom specifically includes "non-tenure track" and "part-time":

- <http://senate.rutgers.edu/FPAConS0901AcademicFreedomForContingentFacultyApril2009.pdf>
- <http://senate.rutgers.edu/FPAConS1016AcademicFreedomApril2012.pdf>
- <http://senate.rutgers.edu/RLBACkS0901AndS1016OnAcademicFreedomFebruary2014.pdf>

50% Tuition for PTL's (full-time faculty already have 100%):

- <http://senate.rutgers.edu/FAPConS0710PTLTuitionRemissionToSenate.pdf>
- <http://senate.rutgers.edu/RLBResponseOnPTLTuitionRemission121014.pdf>

Converting part-time to full-time where feasible:

- http://senate.rutgers.edu/ContingentFacultyProposal_KThompson090507.pdf
- <http://senate.rutgers.edu/FAPCContingentFacultyPartIAsRevisedAndAdopted.pdf>
- <http://senate.rutgers.edu/rlmackcontingentfacultyproposalpart1.html>

Representation on the University Senate:

- <http://policies.rutgers.edu/sites/policies/files/50.2.1%20-%20current.pdf>
- <http://senate.rutgers.edu/bylawsreview110504.html>

Furthermore, three campus faculty councils and the entire University Senate have adopted resolutions related to contingent faculty:

New Brunswick Faculty Council Resolution on Part Time Lecturers

Adopted September 25, 2015

Background

The gradual, but accelerating, transformation of the higher education faculty in the United States has been causing concern in many quarters about the future of higher education. No longer is most instruction provided by tenured or tenure-eligible faculty members. Indeed over 70% of classroom instruction is now provided by "contingent faculty."

Clearly that transformation has taken place at Rutgers. Several thousand contingent faculty provide a very substantial fraction of classroom instruction and discharge a variety of other duties that were previously the responsibility of tenured and tenure-eligible faculty. The largest group of contingent faculty at Rutgers is the Part Time Lecturers (PTLs), numbering well over 1500 each semester.

Although there is no doubt that the overwhelming majority of the PTLs are skilled and committed educators and experienced professionals, the nature of the PTL appointment at Rutgers and the conditions under which PTLs teach can nevertheless have a negative effect on the quality of the education our students are receiving.

1. A PTL has no expectation of continuing employment and no entitlement to a fair evaluation before termination. As a result the teaching evaluation scores obtained through the SIRS process, notwithstanding all their well-documented flaws, are sometimes misused as the rationale for non-reappointment decisions. This practice can exert strong pressure on PTLs to demand less from their students and to assign higher grades in order to obtain higher teaching evaluation scores.
2. Students' expectations and needs from their higher education experience do not change when their instructor is a PTL. Students look to faculty for advice, recommendations, and help. Departments also have expectations and needs consistent with providing a high quality curriculum. If participation of faculty in new course development and departmental committees is essential in order for a department to offer the highest quality educational experience to its students, then those activities should be considered part of the faculty appointment and thus compensated. Yet the Rutgers administration takes the position that PTLs should not officially do anything except teach their classes and grade their students' work. Astonishingly, an administration spokesperson has specifically maintained that PTLs should not write letters of recommendation.
3. The compensation that Rutgers provides to most of our PTLs causes serious hardship for most of them. Typically, a PTL will be paid under \$5000 for teaching a three credit course. With such low pay and no health insurance, some PTLs qualify for public assistance. At the very least, worrying about one's health and trying to make ends meet lowers morale.
4. While the University Senate has made progress in getting the University to articulate a position that seems to provide academic freedom protections to PTLs, the administration has been unwilling to provide any internal recourse to a PTL whose academic freedom has been violated. It has long been recognized that academic freedom is a *sine qua non* for quality education.

Conditions provided by Rutgers for PTLs are inconsistent with their status as committed, highly educated professionals. It is imperative and urgent that these conditions be corrected and that Rutgers provide PTLs the respect and reward they deserve. The mechanism for correcting these conditions is through collective bargaining, which is currently taking place between the PTLFC-AAUP-AFT and the Rutgers administration.

Therefore be it resolved that the NBFC calls on the Rutgers administration to reach a fair agreement in a timely manner that will provide our PTLs with working conditions and respect appropriate for higher educational professionals.

New Brunswick Faculty Council Statement on Professionalizing “NTT” Faculty

Adopted April 22, 2016

Growth during the past several decades in the number of new kinds of Rutgers faculty – styled “conditional,” “adjunct,” “non-tenure-track,” “part-time lecturer,” etc., or, for short, “NTT faculty” – represents a dramatic shift in the composition of the university's faculty. During the next several months, the New Brunswick Faculty Council will prepare a comprehensive report and recommendations concerning the status of these faculty, to be discussed and voted on at the first NBFC meeting of the academic year 2016-17.

In this connection, we note the comments of William G. Bowen, the president-emeritus of Princeton University, given at the invitation of Rutgers University on the occasion of the presidential symposium commemorating Rutgers' 250th anniversary. Dr. Bowen called for professionalizing NTT faculty by means such as the following:

- establishing “a well-formulated set of titles, plus compensation and benefits commensurate with contributions”;
- “a clear understanding of terms of appointment and opportunities for reappointment”;
- “a well-defined evaluation process that spells out basic protections (rights of appeal) for NTT faculty who must enjoy the core elements of academic freedom, such as the right to express one's own views on even the most controversial issues”; and
- “measures to confer dignity and respect on NTT faculty, with, for example, the right to participate in faculty deliberations. The large set of NTT faculty should be regarded as within the mainstream of higher education, not as step-children.”

We emphatically approve of the general tenor of these suggestions.

¹See Dr. Bowen's remarks at the presidential symposium on the future of the research university, held in April 2016 to celebrate Rutgers' 250th anniversary.

Camden Faculty Council Resolution on Part Time Lecturers at Rutgers University

Adopted October 26, 2015

At Rutgers University Part Time Lecturers (PTLs) teach almost 50% of all courses. PTLs are essential to the University's commitment of providing Rutgers students a world class education. It is imperative that we have highly skilled, highly motivated PTLs. To attract and keep such faculty we must be willing to provide sufficient incentives in the form of salary, benefits, and working conditions.

Students rely on all their faculty mentors for advice, letters of recommendation, various accommodations, and extra help when needed. Their expectations and needs do not change because their professor is a PTL. Yet the administration has reportedly recently taken the untenable position that PTLs should do nothing except teach their classes and grade their students' work.

Although PTLs are respected by their students and colleagues, they do not feel that same level of respect from the Rutgers administration. The conditions PTLs face at Rutgers are far

below the standards necessary for such committed, highly educated and essential members of the faculty. PTLs have no guarantee of continuing employment from one semester to the next, most make less than \$5000 for teaching a three-credit class and there is insufficient support for those who want to pursue professional development opportunities.

Rutgers is not a mediocre institution and should not offer mediocre compensation to its PTLs.

Therefore,

1. *The Campus Faculty Council:*
 - a. calls on the administration to reach a fair agreement with its PTLs that respects the professional status and dignity of PTLs and recognizes the hard work that they perform on behalf of their students and the University,
 - b. more particularly urges the administration to reach an agreement that is consistent on a fractional basis with the contract recently agreed to for the non-tenure track faculty,
2. The Council directs its Chair to transmit this resolution to the Chancellor of Rutgers University-Camden, the President of Rutgers University, and other relevant officers of the University.

The Newark Faculty Council also endorsed the resolutions on Part Time Lecturers adopted by the New Brunswick and Camden Faculty Councils.

University Senate Resolution in Support of Part-Time Lecturers (PTLs)

Adopted November 11, 2015

Whereas, PTLs contribute invaluable to the educational process at Rutgers; and

Whereas, PTLs' educational contributions impact students directly; and

Whereas, PTLs do more than teach classes, providing mentorship to students, writing letters of recommendation, advising, and so on; and

Whereas, PTLs strive to obtain reward and recognition for their commitment and work; and

Whereas, PTLs deserve respect from the entire Rutgers community; and

Whereas, PTLs can only perform at their best with appropriate support from the administration, including professional compensation and working conditions; and

Whereas, the Rutgers administration undoubtedly desires to recruit and retain the very best teachers;

Therefore, Be it Resolved, that the Rutgers University Senate urges the RU administration to provide the financial support, professional treatment, and respectful inclusion that PTLs pursue so they can do their best for students.

It is clear that the roles contingent faculty play in the instructional culture at Rutgers are of concern throughout the University. In 2014, three additional series of NTT Faculty Titles were added to existing titles, which establish a promotion pathway analogous to that of tenure track faculty for NTTs on longer-term appointments.¹ The NTT Lecturer title is reserved for positions of temporary or limited duration. As a result, NTTs, but not PTLs, are now eligible for multi-year contracts where

¹ New NTT series include Teaching Title, Professional Practice, and Librarian Title Series.

<http://www.rutgersaaup.org/sites/default/files/images/documents/NTT-MOA-Final-01-31-2014.pdf>

appropriate, due process, and procedures that assure proper evaluation, reappointment, and promotion. The New Professoriate Study Group at Rutgers University-Newark, a broad based group of faculty from the humanities, social sciences, STEM, and professional schools commissioned by the Newark Chancellor, is examining how the professoriate at Newark, an urban anchor institution, might evolved to better meet a mission to address the challenges of today's world through innovation, scholarship, and access for the public good. In a preliminary (2015) report², the committee recognizes the “increasingly important role they [NTTs and PTLs] play in the professoriate,” and that “developing the role of NTTs and PTLs...is significant work in progress that must proceed toward the goal of fuller participation beyond teaching – in governance, scholarship, and service.” It is noteworthy that Rutgers University-Newark is well on its way to acknowledging and addressing many of the issues we raise in this report.

Although these conversations are occurring at each level of the University, and career paths for NTT contingent faculty have improved, PTLs, who are hired to teach full courses or recitation sections on a semester basis, still lack many of the securities and opportunities afforded to other classes of Rutgers faculty who teach. The University Academic Appointments Manual states:³ “There is no University policy that limits the number of courses a PTL should teach during a particular semester. However, if a PTL is regularly going to be teaching greater than a 2/2 course load AY⁴, consideration should be given by the unit to giving a part time or full time annual contract to the individual.” Whether this guideline is followed varies widely from department to department.

B2. Policies and Practices Nationwide

Policies and best practices for PTLs/non-tenure track/contingent faculty at several Committee on Institutional Cooperation (CIC) member institutions were examined (Appendix 2). These peer institutions also wrestle with issues associated with NTT faculty: instructional roles, career path, and participation in shared governance.

As a result of recent action by the University Senate, The University of Maryland has for the past several years sought to improve working conditions and shared governance participation for NTT (known as “Professional Track,” or PTK) faculty. A three-tiered system of promotion that parallels that of tenure track faculty is in place, which provides incentives to reward PTK faculty for good work. Next steps include development of processes to implement this promotional ladder. As at Rutgers, NTT employees (Lecturer and Adjunct title series) at University of Michigan are included in a collective bargaining agreement that specifies working-condition parameters and grievance procedures.⁵

Notably, The University of Illinois recognizes a category of “other academic” employees, now commonly referred to as “specialized faculty” that includes what we consider NTT and PTL faculty. University of Illinois Provost Communication No. 25⁶ states:

² http://newark.rutgers.edu/files/newprof_report_spring_15_final.pdf

³ <http://academiclaborrelations.rutgers.edu/academic-appointments-manual/academic-appointments-manual> (page 22)

⁴ two courses taught in each semester of one academic year

⁵ <https://hr.umich.edu/sites/default/files/LEO-Contract.pdf>

⁶ http://provost.illinois.edu/communication/25/provostcommno25_specializedfaculty.pdf (page 1)

In contrast to faculty, defined by the [University of Illinois] Statutes as being the tenure system faculty, “other academic” positions are often singularly focused on either the teaching or the research mission of the University. These individuals perform specialized functions and their scope of work is more specific than their tenure-system peers. In recognition of the specialized nature of these positions and the contributions made by this group of employees, we will refer to this group of employees as “specialized faculty.”

This communication recognizes the crucial contribution this employee group has to campus culture, whose members “serve an integral part of the university function, through teaching and through research,” making “substantial contributions to the mission of the University of Illinois,” and “as a result are highly influential to the student experience on campus.” The provost’s communication states that the “University is committed to the academic citizenship and well-being of specialized faculty on campus, and to their overall professional growth” and sets a number of best practices affecting “titles, promotional tracks, hiring procedures, performance evaluations, grievances, unit involvement and professional development.” Among some of the guiding principles outlined in this report, departments and colleges are encouraged to “clearly identify the roles, responsibilities, and privileges of specialized faculty,” clearly specify “job duties and performance expectations,” promote “access to department, school, college and campus grievance procedures,” and “identify promotional paths...to invest in long-term careers.”

Studies show that contingent faculty aren’t any worse at teaching than tenure track/tenured faculty; but that how faculty are treated can make a big difference. The Delphi Project on the Changing Faculty and Student Success^{7 8} conducts research on non-tenure-track faculty to assess the impact of the work and hiring environment on teaching and student learning, and to explore models for change as it serves to promote a better understanding of this class of faculty among institutions of higher learning. The New Faculty Majority Foundation “Program for Change: 2010-2030”⁹ examines the two-tier faculty structure evident at the nation’s universities, and identifies steps needed to revitalize the integrity of post-secondary teaching, including normalizing rights (seniority, fair evaluations, academic freedom protections, termination for just cause, and opportunities for professional development) of faculty members on contingent appointments.

Features and practices that make good teaching possible include:

Unit and department communications, as well as those distributed University-wide.

Teaching courses without an idea of decisions and policies developed at the unit and department levels puts contingent faculty and their students at a disadvantage. All faculty should, at the very least, know where to direct students with problems and concerns, curricular and extra-curricular. University-wide messages are not sufficient and all faculty should receive some version of news at the unit and department levels. Many units and departments already subscribe to this practice.

Offices with access to a computer, telephone, and copying service are the basics.

⁷ <https://www.insidehighered.com/views/2016/03/17/stakeholders-all-across-higher-education-share-emerging-vision-future-faculty-essay#.Vvr24mMGefQ.mailto>

⁸ <http://www.uscrossier.org/pullias/changing-faculty-student-success/>

⁹ <http://newfacultymajority.info/PfC/>

At Rutgers, there is a wide range in providing these types of support, with some contingent faculty having private offices with all amenities, some with shared offices scheduled to avoid crowding, and still some contingent faculty without any assigned office at all, or crowded unreasonably into shared space. If these items are considered the “tools” of the profession, how ironic is it for those receiving the least compensation to be expected to provide their own tools?

Invitations to department and unit meetings should be extended to all faculty regardless of voting rights.

In other words, contingent faculty should be encouraged to learn the business and workings of their units and departments even if they may not vote on tenure decisions and other topics outside their expertise. Again, some departments at Rutgers already extend such invitations as necessary collegial gestures. Although many contingent faculty may not choose to take advantage of such additional time-consuming activities, the opportunity is warranted.

Invitations to receptions and social events are crucial to maintain morale and connectedness for contingent faculty.

Exclusion only fosters marginalization, resentment, and ignorance. Many units and departments do include contingent faculty in such social events with positive results. Small gestures can have broad influence.

Eligibility for internal grants and fellowships should apply to contingent faculty.

Awards like these should be based on expertise and experience; not appointment status alone. The likelihood of reappointment may be a consideration, but need not be the basis for application elimination.

C. Resolution and recommendations

Whereas, the Faculty and Personnel Affairs Committee (FPAC) has examined and reported on charge S-1409, on Greater Integration of Contingent Faculty into the Rutgers Community; and

Whereas, the FPAC recognizes that, through significant contributions to teaching and mentorship, contingent (NTT and PTL) faculty play a substantial role in enabling the University to meet its core mission to provide for the instructional needs of New Jersey citizens; and

Whereas, the FPAC further recognizes that these faculty deserve recognition, respect, and suitable compensation for these efforts, and can perform best with appropriate departmental and administrative support; and

Whereas, the Senate has considered the FPAC recommendations and finds them to be sound and in the best interest of Rutgers University,

Therefore, Be It Resolved, that the University Senate recommends the following:

To provide necessary stability for contingent faculty, who make crucial contributions to the teaching mission of Rutgers University, who profoundly affect the student experience on campus, and who are integral to the excellence of our institution and the effective functioning of our

University – in particular, PTLs – and to ensure their optimal performance, we support the following best practices for their professional growth and fuller integration into the Rutgers community:

- 1) *Communications.* For ease of access to essential information, the Rutgers University Human Resources website should include separate pages for PTL faculty, including links to benefits, work/life balance, personal and professional development, policies and services, and online services that pertain specifically to this faculty class. In addition, the Gateway for New Faculty (<https://uhr.rutgers.edu/worklife-balance/working-rutgers/gateway-new-faculty>) should include pages specific to the special needs of new PTL hires as well as indications that general faculty benefits and opportunities are available to them also.
- 2) *Integration into department culture for NTT and PTL faculty.* A set of guidelines adopted by departments to better integrate contingent faculty, most urgently needed for PTLs, into the Rutgers community, as well as department culture, should be developed and implemented. These guidelines might consider and address assigned reasonable office space, course load parameters, and professional development opportunities. Specifics include: personal development (ability to enroll in Rutgers courses, tuition benefits), professional development funding, and integration into department culture (eligibility for internal grants, awards, and fellowships, participation in non-personnel action meetings, and involvement in conferences and retreats where pedagogy, departmental curriculum, and new technology, among other things, are discussed). These should be extended as invitations rather than requirements (i.e., voluntary attendance), and when possible, compensation should be provided to PTLs who provide additional service to the unit or University, such as serving on committees. A system of fair evaluation of teaching, comparable to that of all faculty, should be in place. It is expected that inclusion in social events and invitations to commencements and convocations would be the norm.
- 3) *Career path and job security.* Studies referenced in this report show that teachers who can advance in their professions are more committed and better able to perform at their best. Although a promotion pathway for certain NTT faculty is in place, PTLs require some measure of job security with reappointment procedures that include due process protections and clear career-path and promotional opportunities. We encourage units to adopt such policies, like those already recommended in the Rutgers Appointments and Promotion Manual (see Footnote 3), so that PTLs can invest in their careers and have the security and commitment from the University needed to support excellent work. Criteria should be developed for advancement up the career ladder, with standardized promotional increases in salaries and multi-year appointments. Long-term appointments (at least two semesters; appointments of two to three years should be normalized) would not only permit PTLs to do long-term planning and professional development, but would also provide students with a measure of stability, ongoing mentorship, and continuity in their learning and instruction.
- 4) *Implementation.* Such guidelines must be developed by a University-wide committee that includes substantial faculty participation (including PTL and other NTT employees), and with input from department chairs and deans, to ensure that both the needs of contingent

faculty, and the flexibility needed by departments to respond to instructional requirements, are met.

Committee members

Faculty and Personnel Affairs Committee 2015-2016

Gould, Ann, SEBS (F) Co-Chair- EC Liaison

Markert, Joseph, RBS:N/NB (F), Co-Chair

Alizadeh, Farid, RBS:N/NB (F)

Anthony, Dolores, RBHS Staff

Ardehna, Anil, RSDM (F)

Boruchoff, Susan, RWJMS (F)

Bugel, Mary Jo, RBHS At-Large (F)

Durham, Jacqueline, RBHS Staff

Eisenstein, Robert, RWJMS (F)

Fernandez, Vivian, VP Faculty/Staff Resources (non-Senator)

Grave, Floyd, MGSA (F)

Gursoy, Kemal, RBS:N/NB (F)

Kalan, Marc, At Large-N (F)

Kressel, Kenneth, GS-N (F)

Langer, Jerome, RWJMS (F)

LaPointe, Eleanor, SAS-NB (F)

Lewis, Jane, SPH (F)

Morrell, Joan, Other Units N (F)

Nissen, Alison, Law-C (F)

Pandey, Virendra, NJMS (F)

Patel, Nell, RWJMS (F)

Pitt, Mackenzie, SEBS (S)

Ponzio, Nicholas, NJMS (F)

Potter, Jonathan, SCI Dean (A)

Robinson, Joanne, Nursing-C Dean (A)

Saltzman, Cynthia, PTL-C (F)

Schulberg, Justin, SAS-NB (S) – EC Liaison

Thompson, Karen, PTL-NB (F) - EC Liaison

Toney-Boss, Permelia, Newark Staff

Wagner, Mary, Pharmacy (F)