

The Use and Abuse of Contingent Faculty

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I am delighted to be here and especially pleased that there are a number of administrators in attendance, in addition to the keynote speaker, Dr. Layzell, because they are essential to the maintenance of academic freedom and the shared governance process.

A vital college or university is supported by three equally critical pillars, academic freedom, an equitable system of tenure, and a governance structure in which all faculty members participate as full partners and officers of the institution. In my view, there are two major threats to the continued viability of higher education in the United States: the corporatization of the academy, especially at the level of the governing board, and the overuse and abuse of contingent faculty. Both of these trends have a profoundly negative impact on shared governance, academic freedom, and the quality of the education we provide our students.

In an article in the Chronicle of Higher Education, Jos, Cabranes, a judge of the U.S. Court of Appeals for the Second Circuit, former general counsel of Yale University, and seasoned governing board member, listed six ways to ensure that trustees will fail in their fiduciary responsibilities.

1. Increase the size of the board so that efficient deliberation and decision-making become impossible.

2. Bury board members in tons of paper so that no one will be able to absorb all the information, thereby ensuring that most members will miss important points. This allows the administration to claim that the board was informed, albeit with less than total candor.

3. Allow the administration to label non-academic matters as academic ones in order to prevent the board from acting on issues that are properly in its purview. These include the setting of tuition, the oversight of capital projects, and the setting of budgetary priorities.

4. Fail to discipline administrators who exceed their authority in ways that damage the institution.

5. Turn meetings into mere slide presentations and dog-and-pony shows rather than working sessions in which the board performs its proper functions.

6. Assign board members to tasks outside their areas of competence, thus guaranteeing failure.

The academy does a disservice to society when it emulates a corporate model of governance that has produced massive corruption and a failing economy at the same time that more enlightened companies turn to the academic model of shared governance. The hierarchical and authoritarian managerial style that produced the monumental failures of once-thriving corporations will serve the academy no better than it has served the profit-seeking sector of our economy.

The second major threat to academic freedom and shared governance, and one that I shall emphasize in my remarks today, is the overuse and abuse of contingent faculty, a category that includes both full-time and part-time faculty who have no reasonable expectation of tenure. Because contingency is a function, not of one's part-time or full-time status, but of one's tenure status, the AAUP and other organizations are encouraging the use of the term "contingent" to refer to all faculty off the tenure track, a

category that now comprises the majority of faculty. Much of what I will say today, however, is particularly relevant to the case of poorly paid and marginalized part-time adjuncts and lecturers.

I started teaching in the golden age when faculty were professors, not information providers. Those whom we taught were, or pretended to be, students, not consumers or customers. Students filled out course evaluations that were intended merely to give us valuable feedback. The notion that the opinions of adolescent undergraduates could substantially affect promotion, retention, and tenure decisions was not even broached, let alone taken seriously.

Deans were former faculty members, not bean counters or retired colonels. They served as the conduit between the faculty and administration, not as managers and overseers. The top administrator was called a president, not a CEO. The person in charge of collecting tuition and paying the bills was a bursar or treasurer, not a CFO. Our collective identity was that of a college, a self-governing assembly of scholars. We were neither a family nor a profit-seeking corporation. When university presidents now refer to the academy as a family, they appear to be using the Roman model in which the paterfamilias held the power of life and death over other members of his family. Above all, the university's mission and identity were firmly grounded in the notion, subscribed to by faculty and administration alike, that, in the words of the AAUP's "1940 Statement of Principles on Academic Freedom and Tenure," "Institutions are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole."

Adjunct faculty, as they were then called, occupied a small, but valuable niche, providing expertise in arcane or highly specialized areas not provided by the regular, full-time faculty. They were the local lawyer who taught one course per semester in real estate law to business majors, the psychiatrist who taught a graduate seminar in Jungian analysis, and the retired French professor who kept her hand in by offering a literature course that no one else in the department was interested in teaching, but that was popular with senior language majors. They did not have benefits or office space, because they did not need them.

Part-timers were those who, by choice, were unable or unwilling to take on full-time academic responsibilities. They were tenured or tenure-eligible faculty with reduced course loads, office hours, and committee assignments. They received benefits, were provided office space and secretarial support, and were indistinguishable in almost all respects from their full-time peers. Anyone with appropriate academic credentials, including ABDs, had a choice of full-time, tenure-track jobs. One was limited only by personal inclination with respect to geography and the characteristics of the institution. Faculty members who performed their duties faithfully and competently could expect to obtain tenure after a reasonable probationary period. It was a seller's market.

I exaggerate a little, of course. Then, as now, there were tyrannical presidents, limited access for women and minorities, and students who spent most of their time for four or more years honing their party skills. But the picture I've painted represents, if not objective reality, the stated ideal shared by all components of the academy. Our purpose was clear to provide our students with an education that would teach them to think, to participate fruitfully in the larger society, and provide a measure of personal satisfaction.

The college and university represented the best in society, not only intellectually, but morally, and the professorate was held in high esteem. Young scholars, then as now, entered the profession for a variety of reasons that included a fiercely held devotion to learning, to the betterment of society, and to the socialization of the younger generation. They could expect an adequate, but not lavish, standard of

living, usually at a much lower level than they would have received in the corporate world. In return, they would enjoy almost complete freedom in determining the shape of their professional lives. Within the bounds of scheduled class times and office hours, they were free to work when and how they pleased. Part of the unwritten understanding was that, in addition to guaranteeing academic freedom, tenure was a property right that substituted, in part, for low salaries. Even in corporate America, workers could expect the equivalent of tenure after a short probationary period. There was an expectation that, barring gross incompetence or malfeasance, jobs were secure. Employers owed their workers loyalty, and workers reciprocated in a mutually advantageous exchange.

Starting in the mid-seventies, the terms of the compact shifted. Corporations, aggressively seeking greater and greater profits, began to eliminate major portions of their workforce. Functions that had been performed by employees were turned over to independent contractors and temporary agencies. Corporate executives eventually found their way to university governing boards, where they convinced academic administrators that this new, unproven, and inhumane organizational model was the wave of the future, not only for profit-seeking companies, but for the academy as well. Cafeteria workers and bookstore clerks employed by the university were fired and their functions farmed out to national chains that promised greater efficiency at lower cost and, of course, great profit to themselves.

The problem with faculty, of course, was that too many had tenure and could not easily be eliminated. Restructuring the curriculum by eliminating or combining programs and departments facilitated the removal of some academic personnel, but the pesky problem of tenure persisted. In the eighties, attacks on tenure escalated in number and volume. Unfortunately for the bean counters and fortunately for the viability of the profession, we were able to withstand the worst of the direct assault.

The corporate tacticians, thwarted in their attempts to destroy the collegial model that has made the American system of higher education the envy of the world, shifted gears. If they could not eliminate tenure by a frontal attack, they would vitiate it by imposing standards for promotion and tenure so exigent that few could meet them and by replacing tenure-eligible positions with contingent faculty. In 1970, part-time faculty comprised only 22% of the professorate. In 1995 the figure had risen to 41%. In 1998 the figure had risen still more to 49%. Even more telling is the percentage of full-time faculty who are tenured or on the tenure track. According to the U.S. Department of Education, it was only 38% in 1998, the most recent year for which we have data. In other words, the overwhelming majority, 62%, of the professorate was, in 1998, contingent and exploited. In the decade of the nineties, 54% of all new full-time faculty hires in the United States were off the tenure track. Again, 54% of all new full-time faculty hires were off the tenure track. Without the protection of tenure, academic freedom is fragile and imperiled. And without academic freedom, authentic shared governance is impossible.

I repeat that the fundamental issue with respect to its effect on the quality of education, shared governance, and academic freedom, is not one's part-time or full-time status, but the provisional nature of the contract under which a non-tenurable faculty member is employed. When a faculty member is an at-will employee, keeping a low profile on controversial issues is not only understandable, but necessary for professional survival. If, in addition to serving at will, one is also struggling to earn a poverty-level income by teaching five or six different courses on several campuses, participation in the governance of an institution is a practical impossibility.

As colleges and universities increasingly rely on contingent faculty, the service functions of the faculty committee work, mentoring, academic advisement, and community involvement fall almost exclusively on the shrinking cadre of tenured faculty. As Linda Collins, Chair of AAUP's national Committee on

Community Colleges, pointed out in a recent address, the burden on department chairs and higher-level administrators also grows as they are forced to do the work that has been traditionally performed by the faculty.

The overuse of contingent faculty has a disproportionate impact both on different components of the professorate and on different areas of the curriculum. The percentage of contingent, especially part-time, faculty is highest in introductory courses in the humanities and social sciences, where, arguably, academic freedom as it pertains to the teaching function, is most vulnerable. Those disciplines are also those in which women and minorities tend to be concentrated. Thus one could make the argument that heavy reliance on contingent faculty in the core humanities and social science courses reinforces the unfortunate message that an undergraduate degree is merely a meal ticket and that a broadly based liberal education is a luxury accessible only to an elite few. The facts, however, indicate that it is not only community colleges and public comprehensive universities that employ armies of contingent academic workers, but some of our most expensive and selective universities.

Several accrediting agencies have been complicit in allowing institutions to maintain accreditation despite the generation of excessive numbers of credit hours taught by contingent faculty. Until they reclaim their moral authority by denying accreditation to colleges and universities that have abandoned tenure for all but a handful of their faculty, those accrediting agencies are no longer credible.

The argument usually advanced to justify the alarming increase in contingent positions, especially part-time ones, is that it is much cheaper to hire part-time adjuncts than full-time tenure-track faculty. Although it would be folly to suggest that there are no cost savings to be made in this manner, a careful analysis reveals that it would be far less expensive to convert part-time adjunct positions to full-time than it would appear at first blush. Chris Storer, the legislative analyst for the California Part-Time Faculty Association, provided the following figures based on California's state-wide community college system. The average base salary of tenured and tenure-track faculty in FY 2000-2001 was \$62,912. Temporary faculty members were paid an average hourly rate of \$45. Assuming that 525 faculty contact hours equal a full-time annual teaching load, the full-time equivalent annual salary of temporary faculty was, thus, \$23,625, less than 38% of the average regular faculty salary. These numbers would appear to overwhelmingly support the cost-saving argument. A closer look, however, reveals that, as a percentage of total budget, the cost of converting all part-time contingent positions to full-time tenure-track positions is between 6% and 12%, depending on the variables included in the analysis. Huge sums? No question. But the California community college system is hugely underfunded compared to both the California State University and University of California systems, where total conversion would, therefore, consume a much smaller proportion of the budget. It is probably the case that, in many institutions, a similar situation would obtain. Furthermore, most contingent faculty members would not enter at the average salary, but at a much lower entry level salary, so that the lower percentages are probable. Although the cost-saving argument has some limited credibility, it is not totally persuasive.

In response to the threats to academic freedom and shared governance posed by the sharply increased use of contingent faculty, the AAUP has drafted a new statement, a copy of which I understand has been distributed to each of you who pre-registered for this conference. The draft is just that a draft and we welcome comments, which should be addressed to Ruth Flower (rflower@aaup.org) of our national staff. For those of you who have not had a chance to read the entire draft, here is the conclusion:

The integrity of higher education rests on the integrity of the faculty profession. To meet the standards and expectations appropriate to higher education, faculty need to incorporate teaching, scholarship, and service in their work, whether they serve full time or less than full time. The academic freedom that enlivens and preserves the value of academic work is protected by a responsible and reasonable commitment between the university or college and the faculty member. For the good of higher education and the good of society as a whole, this commitment must be preserved for all faculty. But the majority of faculty members now work without such a commitment from their institutions, and therefore without adequate protection of academic freedom.

This report has identified some of the real costs of overreliance on part-time and non-tenure-track faculty: costs to the quality of student learning, to equity among academic colleagues, to the integrity of faculty work, and to academic freedom. These costs are now borne primarily by students and by contingent faculty. In the long term, however, the cost of cutting corners on education will be borne by society as a whole as it gradually loses its independent academic sector.

For the good of institutions, of the educational experiences of students, and of the quality of education, the proportion of tenured and tenure-track faculty should be increased. Institutions that are now experimenting with ways to increase the proportion of tenured and tenure-track faculty are finding that the way back is complicated and somewhat treacherous. The guidelines for transition presented here do not offer a complete blueprint; they are intended instead as a beginning diagram or sketch to assist faculty and administrators who have made a commitment to change the structure of their faculty appointment and reappointment processes. Many details described in this report are left to the judgment of faculty members working within their institutional governance structures. Good faith efforts to strengthen the commitment between institutions and the faculty members who carry out their academic missions will improve the quality of education offered at these institutions while preserving the integrity of the academic profession.

Please join AAUP and other organizations, such as the North American Alliance for Fair Employment, with which we are affiliated, in supporting Campus Equity Week, 31. Details are available on our web site, aaup.org.

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Tenured faculty committed to academic freedom and shared governance must work for the conversion of part-time, contingent positions to full-time, tenure-track ones, dying at our desks unless we have a written guarantee that we will be replaced by someone on the tenure track. Above all, tenured faculty must participate in the governance of their institutions and exercise academic freedom or risk losing it. The price of tenure is a continuing and life-long moral obligation to exercise its privileges. We are not always right when we speak out, but we are always wrong when we do not.