

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA

ACADEMIC SENATE

ELECTIONS AND PROCEDURES COMMITTEE

REPORT TO

THE ACADEMIC SENATE

EP-001-134

Academic Senate Representation for Temporary Faculty

Elections and Procedures Committee

Date: 03/05/2018

**Executive Committee
Received and Forwarded**

Date: 04/04/2018

Academic Senate

**Date: 04/11/2018
First Reading
05/02/2018
Second Reading**

BACKGROUND:

Cal Poly Pomona Academic Senate Bylaws do not make any provision for representation of part-time lecturer faculty. Lecturers make up approximately half of all faculty by headcount at Cal Poly Pomona. They teach many of our high demand courses; they are crucial to the teaching operations of the University and valued members of our departments. As the number of lecturers has grown, the Academic Senate has not adapted to the changing composition of faculty, resulting in a troubling lack of voice and representation for lecturers in the Senate. Additionally, the demands on full-time faculty in the structure of shared governance have increased beyond capacity.

Currently, 15 of the 23 CSU campuses provide at least one dedicated lecturer seat in their respective Academic Senates [...]. This referral seeks to amend Appendix 17 [i.e., the AS-CPP Constitution] in order to provide two dedicated seats on Cal Poly Pomona's Academic Senate for lecturers, to be elected by lecturers. The outcome will be the addition of two senators to the Academic Senate and a body that more accurately represents the composition of faculty on our campus.

RESOURCES CONSULTED:

1) Individuals

- a) Dr. Bonnie Thorne, Lecturer, Psychology and Sociology Department, CFA Lecturer Wrangler
- b) Dr. Päivi Hoikkala, Lecturer, History Department
- c) Dr. John Lloyd, Professor, History Department
- d) Dr. David Speak, Professor, Political Science Department, former Chair, Cal Poly Pomona Academic Senate
- e) Julie Shen, Librarian, Cal Poly Pomona Library, Chair, Cal Poly Pomona Academic Senate
- f) Rosalinda Velasco, Interim Director of Academic Personnel
- g) Valerie Otto, Administrative Analyst, Cal Poly Pomona Academic Senate
- h) Executive Committee, Cal Poly Pomona Academic Senate
- i) Laurie Giesenhagen, Faculty Affairs Analyst

2) Documents

- a) The Constitution of the Academic Senate of Cal Poly Pomona, 2005
- b) The Bylaws of the Academic Senate of Cal Poly Pomona, 2011
- c) Faculty Affairs report of the 2013-14 academic year on this issue, FA-003-134
- d) Elections and Procedures report of the 2014-15 academic year on this issue, EP-001-134
- e) Data on number of part-time and full-time faculty at Cal Poly Pomona as of fall 2018
- f) The Inclusion in Governance of Faculty Members Holding Contingent Appointments by the American Association of University Professors, 2012.
- g) Minutes of the May 17, 2017 meeting of the Cal Poly Pomona Academic Senate
- h) The questionnaire and results for the Survey of Temporary Faculty on this issue, 2015
- i) Full-time faculty, part-time faculty, and FTE counts for Winter 2018.
- j) Review of Academic Senate Organization and Representation of the 1994-95 academic year, AS-940-945/EP.

DISCUSSION:

The referral has been circulating through various committees [Faculty Affairs (FA) and Elections and Procedures (E&P)] since April 2014. Previous committees have collected data on

- 1) American Association of University Professors (AAUP) recommendations on non-tenured senators.
- 2) The implementation of these adjunct seats on other California State University (CSU) campus.
- 3) The interest level of the CPP adjunct population in serving on the Academic Senate of Cal Poly Pomona (AS-CPP).
- 4) The feasibility of compensation for senate service for this class of instructional personnel.

Some language changes to the AS-CPP constitution and bylaws have also been drafted by both FA and E&P. I strongly suspect that these proposals did not go far enough in addressing the underlying issues and provided no clear structure, so did not possess enough traction to make it through the AS-CPP Executive Committee (EC) to the AS-CPP floor.

We (the members of the E&P committee) are recommending considerable changes to the AS-CPP constitution. We believe these changes substantially address the stated goals and intent of referral EP-001-134, as well as the feedback on the issue received during formal and informal discussions with the various CPP stakeholders. Our deliberations involved establishing the scope of the changes required, identifying any downstream effects the changes might have, and determining the optimal value of the numerical aspects of implementing this referral. The major points of the proposed plan to integrate part-time faculty into the AS-CPP as a constituency with voting representatives are

- Part-time faculty are now a defined constituency who will elect among themselves two representatives to the AS-CPP in addition to the thirty-five existing representatives.
- Though the part-time–faculty representative will have appointments in one or more colleges/schools (themselves each a constituency), for purposes of AS-CPP

representation, part-time–faculty shall not be counted as members of those colleges/schools/constituencies.

- The terms of these two seats will be two years, one seat being elected annually. This commits the AS-CPP to one additional election each year.
- Term limitations are imposed upon the part-time–faculty representatives according to which colleges they originate from during any given term. This is in an attempt to maintain the balance of senators between established constituencies and insure adequate opportunities for part-time faculty from smaller caucuses to run for AS-CPP seats.
- These part-time–faculty representatives shall be eligible to serve on AS-CPP committees and hold positions as committee chairs, with the restriction that they may not serve on the EC.
- The part-time–faculty representatives shall be compensated for their service by stipend.
- The part-time faculty representative should hold regular office hours in the AS-CPP office to meet with constituents.

Not all of these points will necessarily be implemented in the AS-CPP constitution, since many could be written in the bylaws or adopted as other policies.

We consider the justifications for and ramifications of these constitutional changes below.

1) Parity with Other CSU Campuses and Agreement with AAUP Recommendations

One of the major motivations for undertaking these changes is to modify the AS-CPP in a way that brings its composition into better alignment with (i) the actual nature and distribution of academic workers at CPP, (ii) the academic senates of other CSUs, and (iii) the guidelines established by professional faculty organizations (i.e., the AAUP). Our deliberations reflected more on the existing policies, population, and culture of CPP than on the existing implementations of part-time–faculty representatives on other CSU campuses or AAUP recommendations, but our proposal agrees with these guiding resources broadly.

There is high level of diversity in the ways that these part-time–faculty representatives are incorporated into the various senates. These implementations can inform our

deliberations as to what are or are not suitable restrictions on the way these seats work globally, but our final proposal must have a firm foundation in the local requirements of CPP. We found that, in many cases, the constitutional language changes on other campuses were minimal, revealing little about how potential issues surrounding the incorporation of these seats were addressed.

Putting aside the question of how well the addition of such representatives reflects the campus we have and would like to have, we can state conclusively that adopting the essential changes proposed here will bring CPP into congruence with the other CSUs that have part-time–faculty representatives on their senates. These representatives serve terms of 1–3 years, and the number of established seats varies from 1 (CSU San Bernardino) – 6 (CSU San Francisco). Some campuses (CSU Bakersfield, CSU Chico, CSU San Jose) have essentially unlimited seats allocated for “lecturers”; lecturers are able to run for any open seat in their college/school. Additionally, CSU San Diego has term limitations in place, CSU San Bernardino doesn’t allow them to serve on committees, and CSU East bay imposes limitations on how many can originate from a given college.

The AAUP recommends full proportional representation and enfranchisement for part-time faculty, with the adoption of a limited number of seats (as we propose here) as an incremental measure.

2) The Question of Compensation

Part-time faculty receive compensation according to the WTUs assigned for teaching, and are not expected to perform any service outside of irregular instances mutually agreed upon with their supervisors. A survey of part-time faculty at CPP indicated substantial interest in voluntary service as representatives to the AS-CPP. AAUP recommendations discourage compensation for service that is not described under the terms of employment of the part-time instructor (i.e., is not contracted).

Though the interest in voluntary participation is high and compensation for uncontracted service is semi-officially discouraged, we propose that part-time–faculty representatives

be compensated for their service by stipend. We believe that academic labor outside of the classroom is still labor, and do not wish to devalue the work involved in the governance of CPP.

Since the WTU framework comes with additional considerations related to entitlements and represents a relatively inflexible numerical level of compensation, we rejected compensation by WTU. A stipend can be provided from CPP without any college- and department-level considerations relating to the employment of the part-time instructor. The stipend amount can be calibrated to the level of effort and the level of expectation required of the part-time–faculty representative (including being merely a token, given sincerely), and will likely be negotiated between the EC and the CPP administration. Furthermore, “special consultant” appointments are made on a regular basis at CPP, so a framework for indicating expectations, estimated level of effort, and disbursing the stipend are already in place. Expectations (in terms of hours in the form of AS-CPP meetings, committee meetings, and office-hours) can be stipulated.

3) The Question of Disproportionation and the Collins Problem

One of the major concerns of the sitting senators is the effect that the addition of new seats would have on the proportion of the senators from each constituency. The current constitutional language describes a system of proportional representation, where the colleges/schools/related areas are apportioned seats according to their population in a manner not described. The concern is that, though the enfranchisement of part-time faculty and their assignment to a constituency separate from the various schools and colleges could be done formally, the part-time–faculty representatives elected to the senate would still have affinity for their respective home college/school. For instance, a part-time lecturer elected from the College of Engineering, with colleagues and an outlook associated mainly with that college, could consciously or unconsciously vote with the interests of the College of Engineering in mind. This would effectively increase the voting power of the College of Engineering beyond the proportions that are officially required by the constitution. We call this “disproportionation.”

Outside of adding additional part-time–faculty seats in numbers that maintain the constitutionally required proportions (a solution we rejected since it would add a large number of new seats to the AS-CPP), we can see no way to completely resolve this. We can, however, take steps to mitigate it. We propose that there be term limitations placed on the part-time–faculty representatives, not as individuals, but as members of a particular college or school or related area. The rule is this: There are two seats added to the existing number of thirty-five seats. The part-time faculty holding these two seats may not originate from the same school or college or related area. This limits the disproportionate advantage that a given college could acquire to one additional vote.

The “Collins problem” is this: Since there are only two seats available for part-time faculty, the elections will be conducted on a “one person, one vote” basis, and there are no guaranteed minimum seats, the colleges that have the most part-time faculty will probabilistically dominate the selection process. Schools/colleges/related areas with few faculty (like Collins, an extreme example) will have little chance of their adjuncts becoming representatives. This problem cannot be solved without resorting to complicated schemes involving rotating occupancy of the part-time–faculty seats, so we adopted a rule that helps to mitigate the problem. Part-time faculty from the same college may not occupy the same seat for back-to-back terms.

4) The Question of Reapportionment

During our discussion of these issues, we encountered an additional consideration related to the enfranchisement of part-time faculty. Currently, the apportionment scheme established by AS-940-945/EP is as follows:

- a) Apportionment is conducted every three years, beginning in 1994.
- b) The population numbers used are from the fall term.
- c) Apportionment is not done by headcount in the various colleges/schools/related areas, but rather by FTEF count, including the part-time faculty.
- d) Thirty-three seats are to be filled from the eight colleges and schools (library and related areas default to one seat each).

- e) The total FTEF value is divided by thirty-three to obtain the overall FTEF per seat value.
- f) The integer seats are apportioned first, then the remaining fractional seats are added in descending order starting with the college with the highest residual fractional seat.

If we wish enfranchise the part-time faculty, we need to consider how this could affect apportionment. Currently, the part-time faculty FTEF numbers are included with their colleges/schools in determining the number of senate representatives, but the part-time faculty do not vote for these representatives, nor can they run for the open seats. We believe that this is substantially undemocratic. Enfranchising the part-time faculty and defining them as a constituency would provide them votes and seats to run for, but would also necessitate their separation from the existing college/school constituencies.

If the distribution of FTEFS from part-time faculty was uniform across colleges/schools, there would be no significant apportionment considerations. Consider the data in Table 1, which shows the current populations of tenure-track instructors, full-time lecturers, and part-time lecturers broken down by college/school and in terms of both headcount and FTEF. The distribution of part-time faculty is not uniform across colleges/schools, varying from 16% of FTEFs in ENV to 42% off FTEFs in CLASS. During apportionment, the colleges/schools with large FTEF percentages have an advantage over those with low percentages. If the FTEF totals did not include the part-time faculty (they being separated into their own constituency), these advantages/disadvantages would evaporate.

Table 2 shows the apportionment calculation performed with the current population numbers for two different cases: one with the part-time faculty included in the populations of the various colleges/schools and one without. The apportioned senators do change minimally from current levels: two senators are reassigned.

Table 1. Winter 2018 tenure-track (TT), full-time (FT), and part-time (PT) faculty count

College/School/ Area	TT Count / FTEF	FT Count / FTEF	PT Count / FTEF	% PT / % FTEF
Agriculture	28 / 27.25	13 / 13	31 / 11.5	43 / 22
CBA	79 / 76.25	4 / 4	52 / 27.5	39 / 26
CEIS	40 / 38.75	8 / 8	48 / 16.5	50 / 26
CLASS	124 / 117.5	18 / 18	177 / 97	55 / 42
Collins	17 / 16.5	8 / 8	12 / 5	32 / 17
Engineering	106 / 104	10 / 10	70 / 23.5	38 / 17
ENV	46 / 44.5	2 / 2	19 / 9	28 / 16
Library	–	–	–	–
Science	124 / 120	24 / 24	101 / 56	41 / 28
Related Areas	–	–	–	–
Total	564 / 544.75	87 / 87	510 / 246	–

Table 2. Apportionment estimate based on Winter 2018 faculty count for the two cases

College/School/ Area	Current	Est. Incl. PT FTEF	Est. Not Incl. PT FTEF	Curr. – Est. w/o PT FTEF
Agriculture	2*	2*	2	0
CBA	4	4	4	0
CEIS	2	2	3*	+1
CLASS	8	9*	7	–1
Collins	1	1	1	0
Engineering	5	5	6*	+1
ENV	3*	2	2	–1
Library	1	1	1	0
Science	8*	8*	8*	0
Related Areas	1	1	1	0
Total	35	35	35	0

*Includes one “fractional senator.”

It is worth noting at this point that these calculations are almost certainly meaningless for predicting the results of the next apportionment, since semester conversion is expected to radically change the levels of adjunct employment across CPP.

5) The Question of Part-time Faculty with Appointments at Different Campuses

One concern raised is whether or not a part-time–faculty representative to the AS-CPP who holds appointments at multiple campuses would be subject to a conflict of interest in the performance of their duties. It is not clear to us what form this conflict of interest would take, and the concern operates on the assumption that such a conflict would have a more than slightly negative influence on AS-CPP senate deliberations. Limiting senate membership to part-time faculty that have appointments only on this campus would also be difficult to enforce. For these reasons, we chose not to make any recommendations related to this issue.

6) The Question of Constituent Relations

The question arose about how the constituency for these seats would be organized, and how to ensure that the representatives are responsive to their constituents. The AS-CPP bylaws require that representatives “Communicate regularly to their constituents the business and issues before the Academic Senate, receive feedback from their constituents on these matters, and to convey that feedback to the Academic Senate.” Full-time–faculty representatives are embedded in their respective schools or colleges during typical working hours, but part-time faculty have considerably less campus presence, and their presence might even fluctuate with their appointment level. We recommend that part-time–faculty representatives hold regular, well-publicized offices hours in the AS-CPP office or some other convenient location.

We believe that the above address (if not resolve) the issues that have been raised by the various stakeholders and are in agreement with the goals of the referral.

RECOMMENDATION:

We are recommending the attached changes to the AS-CPP constitution. These changes are confined to Article III “Membership and Organization.” Additionally, we recommend

some changes that help to clarify the different categories of senators and any restrictions placed on these categories.

These constitutional changes embody the greater part of the essential framework necessary to incorporate part-time faculty into the AS-CPP, so we are comfortable proposing them even if other details have yet to be determined. Furthermore, we believe that this framework is extensible in the sense that further minor modifications to various constitutional components will not substantially affect the other areas.

Many of the recommendations that we suggest above (e.g., compensation) are not covered in the changes to the language of the constitution. So, in addition, we also recommend the following

- The part-time faculty representative should hold regular office hours in the AS-CPP office to meet with constituents.
- The part-time–faculty representatives shall be compensated for their service by stipend, calibrated to the hours spent in senate meetings, committee meetings, and office hours.

We also recommend that the AS-CPP assess the impact of these constitutional changes on the bylaws in the event that they are adopted. For instance

- Shall part-time–faculty representatives be eligible to serve on any committee, or should that committee be predetermined (cf. staff and student representatives)? For instance, FA deals with RTP-related issues, where input and votes from non-tenure–track faculty might not be appropriate.
- Shall a part-time–faculty representatives be assigned automatically to the budget committee?
- Shall part-time–faculty representatives be assigned office hours via modification of the bylaws?

Changes to the bylaws of course, have a lower threshold for adoption than changes to the constitution; an AS-CPP vote only is required, so we believe that required changes (if any) can be tabled until a later date.