

Date of Hearing: April 18, 2017

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1464 (Weber) – As Introduced February 17, 2017

SUBJECT: California State University: tenure-track positions.

SUMMARY: Codifies a plan into statute to achieve 75 percent density of tenured and tenure-track faculty at the California State University (CSU). Specifically, **this bill:**

- 1) Makes various findings and declarations, including, but not limited to the following: a) the faculty of the CSU must comply with the highest standards of educational achievement, experience, and professional conduct, as exemplified by the advanced degrees, and other academic honors, that they have earned; and, b) in 2013, the Academic Senate of the California State University adopted Resolution AS-3142-13/FA, which urged “the prioritization of ACR 73 with an urgent call for forward movement in achieving its goals.”
- 2) Requires the CSU Chancellor's Office, in collaboration with the Academic Senate of the CSU (ASCSU), and the California Faculty Association (CFA), to implement the executive plan developed pursuant to Resolution Chapter 121 of the Statutes of 2001 (ACR 73 (Strom-Martin)) to increase the percentage of tenured and tenure-track faculty in the CSU to 75 percent of total faculty by 2026.
- 3) Requires that in implementing the executive plan developed pursuant to Resolution Chapter 121 of the Statutes of 2001, the CSU shall meet or exceed the following annual tenure-track new position targets, as specified:
 - a) In the 2018–19 academic year, 774 new positions;
 - b) In the 2019–20 academic year, 720 new positions;
 - c) In the 2020–21 academic year, 770 new positions;
 - d) In the 2021–22 academic year, 818 new positions;
 - e) In the 2022–23 academic year, 819 new positions;
 - f) In the 2023–24 academic year, 865 new positions;
 - g) In the 2024–25 academic year, 877 new positions; and,
 - h) In the 2025–26 academic year, 915 new positions.
- 4) Stipulates that in implementing the plan, the CSU shall also do all of the following:
 - a) Raise the percentage of tenured and tenure-track faculty to at least 75 percent, with the unit of measurement to be jointly developed by the entities as described in number 2 above;

- b) Provide that no lecturers currently employed by the university will lose their jobs as a result of implementing the plan;
 - c) Provide that qualified lecturers will be seriously considered for tenure-track positions; and,
 - d) Invest in the continued improvement of faculty diversity so that the CSU faculty can better reflect the diversity of the student body and population of California, and facilitate student success by providing mentors and role models who understand the challenges that CSU students face.
- 5) Requires that plan implementation begin by July 1, 2018, and that CSU issue an annual report describing implementation efforts underway and goals achieved to the relevant policy and fiscal committees of the Legislature by May 1 of each academic year, commencing with the 2018–19 academic year.
- 6) Requires, commencing with the 2018–19 academic year, as part of the May Revision each year, the CSU to report to the budget committees of the Legislature any funding that will be dedicated to implementing the coming fiscal year’s portion of the plan.
- 7) Requires, commencing with the 2018–19 academic year, the CSU, the CFA, and the ASCSU to jointly develop an annual report of effective strategies and best practices campuses are using to achieve the goals, as specified, including, but not necessarily limited to, both of the following:
- a) A summary of strategies that have been implemented in the prior year and their fiscal and hiring impacts; and,
 - b) Incentives for university departments that convert lecturer positions to tenure track.

EXISTING LAW:

- 1) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, and control of the CSU system (Education Code (EC) Section 66606).
- 2) Expresses the Legislature's wishes to recognize and make efforts to address the longstanding policy of the California Community Colleges (CCC) Board of Governors (BOG) that at least 75 percent of the hours of credit instruction in the CCC, as a system, should be taught by full-time (F/T) instructors; and, authorizes community college districts with less than 75 percent F/T instructors, to apply a portion of their "program improvement" funds toward reaching the 75 percent goal (commonly referred as "75/25") (EC Section 87482.6).

To note, the state has stopped providing program improvement funds and the BOG has since required CCDs to provide a portion of their growth funds to hiring more F/T faculty.

FISCAL EFFECT: Unknown.

COMMENTS: *Background.* Assembly Concurrent Resolution 73 (Strom-Martin), Resolution Chapter 121, Statutes of 2001, urged the CSU, the Academic Senate of the CSU, and CFA, to collaborate and develop a plan in order to achieve improved tenured faculty density at the CSU.

This plan was completed in 2002 and itemized an eight-year schedule of new hires and lecturer conversions to shift tenure density at the CSU to the goal of 75 percent for tenured and tenured-track faculty.

According to a January 2017 ASCSU Resolution entitled, "Advice to the CSU Tenure Density Task Force", tenure density is defined as the number of tenure track faculty (Full-Time Equivalent – FTE) divided by the total number of instructional faculty, and is usually expressed as a percentage. To note, it is a relevant metric of what percentage of the faculty are permanent employees (i.e. on the tenure-track). It also gives an indication of how many full-time equivalent students (FTES) per tenure-track faculty members exists in the system.

The ASCSU contends that the decline in tenure-density over time has decreased the CSU's capacity to serve their students.

Current progress of CSU increasing the percentage of tenured and tenured track faculty. A Tenure Density Task Force was assembled in the fall of 2016 by CSU Chancellor White; during one of the task force meetings, the Chancellor and the ASCSU discussed the topic of tenure density and its significance. It was noted that as it stands, the majority of classes taught in the CSU system are taught by non-tenure track faculty; and, as a system, the CSU tenure density was at 55.4 percent in 2015, falling from 66.1 percent in 2009. Additionally, it was reported that on some CSU campuses, the tenure density is below 40 percent. The number of tenure track faculty fell from 10,383.6 to 9952.8 during that same time period. However, during that same time period, the number of FTES grew from 358,662 in 2009 to 405,928 in 2015. To note, the number of FTES per tenure-track faculty member rose from 34.5 to 40.7 during that six-year period.

According to CFA, the tenure density by headcount for CSU instructional faculty systemwide last year was 40 percent.

Purpose of this measure. According to the author, this measure takes the 2002 joint report of the CSU, ASCSU, and CFA and codifies its goals. The measure seeks to place into statute an eight-year strategy to improve tenured and tenure-track density at the CSU, with a target of 75 percent tenure density, by the year 2026.

Arguments in support. The CFA, sponsors of this measure, argues that increasing the number and percentage of faculty with full-time, tenured or tenure-track positions will have a positive impact on CSU's students and instruction. Additionally, CFA states, "The CSU administration has tremendous flexibility to hire into temporary positions, as seen by the fact that more than 15,000 (60 percent) of the faculty are in temporary jobs." Lastly, CFA contends that this measure does not transform campus hiring decision-making, except in that it requires more of it.

Arguments in opposition. The CSU, argues that while it shares the goal of increasing tenure density, despite requests for ongoing state support year after year, without the state providing sufficient funding to ensure attainment of the goals (as called for in ACR 73) it is not in a financial position to fully implement the goals called up on ACR 73 or this measure. Additionally, CSU states, "The successful achievement of our tenure density goals can only be accomplished through an ongoing partnership with the state to provide the necessary resources."

Policy considerations. This measure seeks to codify goals, pursuant to a report by the CSU, ASCSU, and CFA. It is rare that goals are codified in the Education Code. To note, the goals of this measure appear to be very prescriptive on a year to year basis.

The Committee may wish to consider if it is prudent to codify the goals itemized in this measure.

Additionally, the CSU has raised concerns about the provision in the measure that "qualified lecturers be given serious consideration for tenure-track positions," due to their findings that "approximately 30 percent of CSU lecturers hold the minimum requirement to be considered for tenure-track faculty", and that those "lecturers that meet the minimum qualifications are far less diverse".

Committee staff understands that the intent of this bill is to insure that if a lecturer is qualified to be hired on the tenure-track and they apply for a tenure-track position, that the lecturer is given "serious consideration". If the lecturer is not qualified, consideration would not need to be given.

Moving forward, the author and sponsors may wish to continue to work with the CSU and ASCSU in determining how best to stipulate and implement the lecturer provision of this measure.

REGISTERED SUPPORT / OPPOSITION:

Support

California Faculty Association (sponsor)
Service Employees International Union

Opposition

California State University

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