

Rutgers University Senate
University Structure and Governance Committee

Report and Recommendations on Charge S-0805
April 2009 Revised October 2009
As Amended on the Senate Floor December 4, 2009

Charge S-0805, Senate Representation by Full-time, Non-tenure-track Faculty: Consider the [proposal by PTL Senator Joseph Markert to change eligibility for faculty Senator elections](#) to include full-time, non-tenure-track faculty. Respond to Senate Executive Committee by April 2009.

Overview:

This charge is particularly timely because of the University's recently expanded use of annual or contingent faculty and because of the recent change in policy which permits annuals to continue working for Rutgers beyond the previous four-year limit. It is germane also because the University Senate has two categories for the election of Faculty Senators, tenure/tenure-track faculty (appointed to the Senate for three-year terms), on the one hand, and non-tenure-track/part-time lecturers (appointed for one-year terms), on the other hand. Not only teaching faculty, but clinical, research, extension, and library faculty need to be included in one category or another as well.

There are four separate clauses in the University Policies or AAUP-AFT Collective Bargaining Agreement that touch on these questions. They do not all point in the same direction. The two that tend to include "annuals" under the rubric of "faculty" are the following:

University Policy 50.2.1.A.(Definitions), (6):

"The term 'annuals' as used in paragraphs B(5) and C(1) with respect to eligibility to vote for a representative and/or to be elected to the Senate shall refer to non-tenure track faculty hired on a part-time basis for a calendar or academic year."

(This policy would be straightforward and make sense if the clause "on a part-time basis" were removed, thus defining "annuals" as "faculty" and not conflating them with "part-time lecturers.")

Recommendation #1: that the words "on a part-time basis" in **University Policy 50.2.1.A (6)** be deleted, and the words "at least" added immediately before "a calendar or academic year" leaving the clause as follows: "The term 'annuals' as used in paragraphs B(5) and C(1) with respect to eligibility to vote for a representative and/or to be elected to the Senate shall refer to non-tenure track faculty hired for at least a calendar or academic year."

The AAUP-AFT collective bargaining agreement:

Currently this agreement treats "annuals" as part of the "faculty."

Conversely, **University Policy 60.5.10.E** states:

"Lecturers (defined elsewhere as 'annuals') are *officers of instruction* (our italics) whose connection with the University is temporary or whose service is discontinuous."
(Compare to "instructors," who are repeatedly referred to as "faculty members.")

Additional ambivalence is introduced through **University Regulation 50.1.8.A**, which states:

"Each unit may designate any rank officer of the University as member of its legislative body."

(This clause essentially leaves to the units the authority to include "annuals" ["officers of instruction"], and others, such as administrators, in its legislative body, i.e., faculty. It also creates the possibility that a unit may choose not to grant annuals faculty status, about which more in first bullet point below.)

Given the ambivalence of the key terms, the Committee felt free to proceed pragmatically, attempting to craft a recommendation that would help strengthen the Senate as a representative and productive body. There was a consensus within

the Committee that the recommendation ought to be as inclusive as possible, since the Senate ought to welcome the growing number of contingent faculty within the university's teaching ranks. The principles that guided our thinking were:

- 1 Annual instructors are, for the purposes of election to the Senate, members of the faculty, although not all units may consider them to be so.
- 2 In order to allow the most enthusiastic members of the teaching community to participate in the Senate's deliberations, annual instructors ought to be free to run either in the NTT/PT pool or in the general faculty pool.
- 3 Although double-dipping (i.e., one person running for a University Senate seat within more than one category) is not a widespread practice, it should be discouraged.

Given the above considerations, the following recommendation is proposed:

Recommendation #2: Amend University Policy **50.2.1.A.(6)**, by inserting the sentences:

"All teaching, clinical, extension, research, or library personnel, whether tenured, tenure-track, or non-tenured, between the ranks of Professor II and Lecturer, or equivalent, shall be eligible to be elected to the Senate. Annual personnel may not run in more than one election or occupy more than one seat in the Senate at one time."

Additional considerations:

While the Committee was discussing this issue, it decided to look at term length for part-time lecturers, staff, and students. It was found not desirable for student senators' terms to be longer than a year (so as to allow the greatest number of students to have the experience of serving in the Senate), nor was it advantageous for staff to serve longer than their present two years (many staff would have trouble getting approval from their managers to hold longer positions). PTLs, however, could benefit from holding seats in the Senate for two years, and new PTL senators would have more time to learn how the Senate functions.

The Committee's third recommendation is therefore:

Recommendation #3: that University Policy 50.2.1.B (5) be amended to read: "The term of part-time/annual representatives shall be for a period of one year and will begin on July 1; the term of annual representatives shall be for a period of two years and will begin on July 1."

There is no expectation that these positions be available only to those PTLs who expect to serve for a further two years: all PTLs are eligible and encouraged to run for election. As also happens for other senators, these positions will simply be vacated by PTLs who leave Rutgers before their term is complete.

A similar set of recommendations to these was submitted to the Executive Committee and returned to the USGC Committee in March 2009 for further consideration. Alternatives considered by the committee were:

- A. Requiring all annuals to run as faculty senators, thus freeing PTLs to compete only against candidates from their own category. This proposal was rejected by the committee because such a policy would systematically exclude from running for Senate annuals whose units do not consider them to be faculty.
- B. Creating a separate category, with separate elections, for annuals (so that PTLs would run from within the PTL pool, annuals would run from within the annuals pool, and faculty would run from within the faculty pool). It should be noted that the total number of senators within the PTL/annual pool is six (two from each campus), and most of those seats are currently occupied by PTLs. When it became apparent that PTLs might have to split in half the number of seats (3 PTLs and 3 annuals), and therefore decrease the number of PTL senators from the status quo, this proposal did not prosper.

Since neither alternative promised to improve conditions over those entailed in the committee's previous recommendations, no change is recommended in this regard. The report was referred back to the Committee again after objections from one Executive Committee member. Several small but important changes are incorporated into these final recommendations.

The committee is willing to revisit the entire issue of the relationship between annuals and PTL senators, including how they vote as well as how they are elected, as a separate charge, if the Executive Committee is so inclined.

As the recommendations we have made involve changes in University Policy, they need to be approved by President McCormick and the Board of Governors in order to become effective.

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