

SENATE BILL REPORT

SSB 5456

AS PASSED SENATE, MARCH 14, 1991

Brief Description: Modifying tenure at community colleges.

SPONSORS: Senate Committee on Higher Education (originally sponsored by Senators Saling, Cantu and Bluechel).

SENATE COMMITTEE ON HIGHER EDUCATION

Majority Report: That Substitute Senate Bill No. 5456 be substituted therefor, and the substitute bill do pass.

Signed by Senators Saling, Chairman; Bauer, Skratek, Stratton, and Jesernig.

Staff: Scott Huntley (786-7421)

Hearing Dates: February 13, 1991; February 14, 1991

HOUSE COMMITTEE ON HIGHER EDUCATION

BACKGROUND:

The state community college tenure statute provides a system for granting tenure to faculty members. This system allows for the granting of tenure to a faculty member following the successful completion of a three-year probationary period, or upon a decision by the community college board of trustees to grant tenure at any time prior to the end of that period. Recently, many efforts have been made by the Legislature, the Higher Education Coordinating Board, and the colleges to improve the quality of instruction received by students at our state higher education institutions. In conjunction with these efforts, it is argued that the process for the award of faculty tenure at community colleges should be strengthened to allow for a more thorough review of the performance of faculty appointees and tenured faculty members.

SUMMARY:

The length of time which a community college faculty member may be reviewed by his or her peers for the granting of tenure is changed from three consecutive years to nine college quarters in a three-year period, excluding summer quarter and approved leaves of absence. After recommendation of the tenure review committee and with the written consent of the faculty member and the appointing authority, this period may be extended up to three additional college quarters.

The statutory provision which allows a community college board to grant tenure immediately upon hire, or at any time during the probationary process, is eliminated. The full nine

quarter probationary period is required prior to the granting of tenure.

The effectiveness and performance of tenured faculty members will be reviewed and formally evaluated by a review committee at least once every 15 regular college quarters in which the tenured faculty member is employed by the community college. If this review is unsatisfactory, a tenured faculty member may be placed on probation for a period of three regular college quarters. If a faculty member's performance is still considered unsatisfactory after this three-quarter review period, the faculty member may then be returned to pre-tenure status. The appointing authority is directed to ensure due process for tenured faculty members in the decision to return them to pre-tenure status.

Nothing in this act is to be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement.

The changes in the tenure provisions apply only to faculty appointments made by community colleges after June 30, 1991.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: July 1, 1991

TESTIMONY FOR:

The clarification on summer and leaves of absence is helpful. The extra period of review is good for faculty who might be rejected for tenure after nine quarters, but could achieve tenure if given more time for improvement.

TESTIMONY AGAINST:

The review of tenured faculty members will be disruptive to those faculty. It will distract the faculty from their duties and responsibilities to the students and the college. Adequate due process is not ensured for faculty members who might lose their tenure. Tenured faculty are presently reviewed, but this should not be legislated.

TESTIFIED: Earl Hale, State Board for Community College Education (pro); Allan Walter, Washington Education Association (con); Evelyn Reider, Washington Federation of Teachers

HOUSE AMENDMENT(S):

The statutory provision allowing a community college board to grant tenure immediately upon hire, or at any time during the probationary process is retained.

The effectiveness and performance of tenured faculty members will be reviewed at least once every 15 regular college quarters in which the faculty member is employed by the community college. If this review is unsatisfactory, a tenured faculty member may be required to implement a professional improvement plan for a period of no more than three regular college quarters. If a faculty member's performance is still considered to be unsatisfactory after this period, tenure may be revoked and the faculty member returned to a probationary appointment.

Other technical language changes are made.