

SENATE BILL REPORT

SB 5456

AS REPORTED BY COMMITTEE ON HIGHER EDUCATION, FEBRUARY 14, 1991

Brief Description: Modifying tenure at community colleges.

SPONSORS: 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

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 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 deemed necessary by the community college board, following this review, a tenured faculty member may be placed on probation for a period of three regular college quarters. Following any such probationary period tenure may be renewed or revoked by the community college board, after giving reasonable consideration to the recommendations of the review committee.

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.

EFFECT OF PROPOSED SUBSTITUTE:

The period of probationary review may be extended for up to three additional quarters with the written consent of the probationer. Such an extension may only be granted if the review committee believes that the probationer needs the extra period to complete a professional improvement plan already in progress. A probationer will be granted tenure after the period of extra review unless the review committee judges that the probationer has failed to complete the professional improvement plan satisfactorily.

Tenured faculty members who receive unsatisfactory reviews are placed on three quarters probation. 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.

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