

II--1.07 POLICY ON THE EMPLOYMENT OF ADJUNCT FACULTY IN THE UNIVERSITY SYSTEM OF MARYLAND

(Approved by the Board of Regents, December 3, 2010; amended, June 22, 2012)

I. PURPOSE

This policy is designed to establish baseline standards for the institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions of employment for adjunct faculty. The goal of the policy is to assure a high quality of instruction by individuals with appropriate credentials and experience and to provide a set of policies that will lead to continuous improvement in the status of adjunct faculty in all USM institutions.

II. APPLICABILITY

A. Adjunct Faculty. This policy applies only to adjunct faculty, defined for the purposes of this policy as faculty members of the USM institutions who are:

1. Employed to provide instructional services;
2. Neither tenured nor eligible for tenure; and
3. Appointed to teach specific courses and compensated on a course-by-course basis.

B. Policies for Salaried Part-Time, Non-Tenure Track Faculty. Part-Time, Non-Tenure Track (PTNTT) faculty who are appointed to salaried positions are not included as "Adjunct Faculty" for the purposes of this policy, and are covered instead by USM Policy II - 1.06 - Policy On The Employment Of Salaried Part-Time, Non-Tenure-Track Instructional Faculty In The University System Of Maryland.

C. University of Maryland University College Overseas Programs. This policy does not apply to the overseas programs of the University of Maryland University College, which must comply with the Status of Forces Agreements, contractual provisions of the Department of Defense, and local and national employment laws in the nations where programs are located.

III. CATEGORIES OF ADJUNCT FACULTY

For the purposes of this policy, adjunct faculty shall be designated as one of the following:

- A. "Adjunct Faculty I": All adjunct faculty, except those faculty members who meet the criteria for designation by an institution as Adjunct Faculty II";
- B. "Adjunct Faculty II": Adjunct faculty members who are determined by an institution to have a consistent record of high-quality instruction as follows:

1. Each institution shall grant Adjunct Faculty II status to adjunct faculty members who meet the following criteria:
  - a. After establishing a record of teaching consistently for multiple semesters at a USM institution, according to criteria to be determined by the Chancellor no later than December 31, 2010.
  - b. Supported by a series of high-level performance evaluations over the course of multiple semesters at the institution; and
  - c. Upon written request by the faculty member to the institution.
2. An institution may adopt alternative criteria for the designation of Adjunct Faculty II status, provided that the institution's requirements are not more restrictive than those listed in paragraph III.B.1, above, of this section.

#### IV. ADJUNCT FACULTY POSITION TITLES

In addition to designation of adjunct faculty as Adjunct Faculty I or Adjunct Faculty II, each institution may establish a range of position titles for its adjunct faculty, consistent with the goals of this policy.

#### V. RECRUITMENT AND SELECTION OF ADJUNCT FACULTY

1. Credentials. Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment as adjunct faculty. These standards may vary depending on the level of courses to be taught.
2. Selection Procedures. The institutional president or designee shall assure that each department or unit has in place written procedures for selecting adjunct faculty. These procedures shall include verification of credentials, and shall reflect the commitment of the institution and the University System of Maryland to equal opportunity and affirmative action.

#### VI. PROFESSIONAL DEVELOPMENT AND WORKING CONDITIONS

- A. Support for Teaching. The institution shall provide each adjunct faculty member with the support it determines to be necessary for the execution of the appointee's duties, which may include access through the institution's website or other electronic resources, including the following:
  1. Information on the department's policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);
  2. Official schedule of classes, including academic calendar and time frames of class meetings;
  3. Assistance in the selection of textbook(s) for the course(s) and ancillaries for the text(s), if these are not otherwise selected by an institutional designee;

4. An institutional email account along with access to on-campus computer facilities; and
  5. For adjunct faculty teaching face-to-face classes on campus:
    - a. Telephone or other voice access, as appropriate;
    - b. Necessary office supplies;
    - c. Copying services for course materials; and
    - d. Appropriate space for meeting with students during scheduled office hours.
- B. Professional Development. Professional development opportunities for adjunct faculty shall be supported to the extent feasible, and may include invitations to departmental, institutional, and external faculty development events.
- C. Performance Evaluation. The institutional president or designee shall assure that each department or unit has in place approved written procedures for evaluating adjunct faculty performance on a regular schedule, as required by Board of Regents' Policy II-1.20.
1. Departments shall evaluate the teaching of adjunct faculty members in a manner that identifies high-level performance, according to institution or departmental standards.
  2. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, compensation, and any subsequent appointment are made.

## VII. APPOINTMENT AND ASSIGNMENT

### A. Appointment of Adjunct Faculty Members.

1. Contracts and Letters of Appointment. Each adjunct faculty member, including both Adjunct Faculty I and Adjunct Faculty II, shall be provided a written contract or formal letter of appointment prior to the beginning of the assignment, which includes:
  - a. Position title,
  - b. Contract term,
  - c. Per-course compensation,
  - d. Description of the assignment,
  - e. Institution benefits, if any,
  - f. Performance-evaluation policies and procedures,
  - g. Explanation of the implications of the cancellation of a course before its start date.
2. Provisions for Adjunct Faculty II.
  - a. After designation as Adjunct Faculty II at an institution, a faculty member:
    - i. Shall receive a compensation increment of at least 10% of the minimum, annual per-course compensation for adjunct faculty at the institution, consistent with State and USM budget policies.

- ii. Shall be given priority consideration, to the extent operationally feasible, among adjunct faculty for future teaching assignments in the subjects for which the faculty member has had consistent instructional experience at the institution.
    - iii. May be eligible for longer term appointments that assure the faculty member assignment to a fixed number of classes during the term of the appointment.
  - b. The designation of a faculty member as Adjunct Faculty II will not prevent the faculty member from competition for or selection into a position as salaried PTNTT or other faculty.
  - c. Each institution has the discretion to:
    - i. Adopt standards and protocols for the periodic evaluation of a faculty member's status as Adjunct Faculty II;
    - ii. Provide additional compensation or other benefits to Adjunct Faculty II;
    - iii. Determine the compensation increment for Adjunct Faculty II based upon the minimum compensation for adjunct faculty in a particular school, department, or other unit; and
    - iv. Administer alternative adjunct faculty promotion and compensation systems, provided that they meet or exceed the requirements of this section.
- 3. Teaching Assignments. The appointing department or unit shall provide adjunct faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes.
  - a. Each institution shall have the goal of providing such notice 45 days before the class start date, to the extent feasible. Nothing in this section shall prevent a department or unit from making an adjunct faculty teaching appointment on short notice based on changed circumstances in class enrollments, the availability of resources, or other factors.
  - b. If the institution cancels a fall or spring semester class to which an adjunct faculty member has been assigned less than 30 days before the class start date, and has been unable to offer the faculty member re-assignment to a comparable class, the institution shall compensate the faculty member 10% of the payment amount specified in the contract or appointment letter for that class.
- B. Notice of Policies and Procedures. Upon signing a contract or otherwise accepting an appointment, the adjunct faculty member will receive access, electronically or in print, to the institution's faculty handbook and institution or University System of Maryland policies, including those policies explaining the benefits for which the faculty member may be eligible.

#### VIII. COMPENSATION AND BENEFITS

- A. Compensation. Every effort should be made to make adjunct faculty compensation professionally appropriate and competitive to the extent allowed by available fiscal resources.
- B. Benefits for Adjunct Faculty. An institution may provide designated institutional benefits to adjunct faculty, in either or both of the Adjunct Faculty I and Adjunct Faculty II categories, at the discretion of the President.
- C. Sabbatical and Terminal Leave. Adjunct faculty are ineligible for sabbatical leave or for terminal leave, regardless of length of service.

IX. GRIEVANCE AND APPOINTMENT RIGHTS

- A. Grievance Procedure. With the exception of those policies and procedures that relate to the appointment, rank and tenure of tenured and tenure-track faculty, adjunct faculty shall have available the same grievance procedure as all other faculty, consistent with the USM Policy on Faculty Grievances, No. II-4.00.
- B. Process Related to the Termination of Adjunct Faculty. All adjunct faculty members shall have the opportunity for an informal hearing at the level of the appropriate dean's office before termination of an appointment within the term of the faculty member's contract. The institution may remove the adjunct faculty member from the classroom, while continuing to pay the faculty member, pending the outcome of the hearing.
- C. Subsequent Appointments. The decision whether to re-appoint an adjunct faculty member after the term of the faculty member's contract remains within the discretion of the institution:
  - 1. Consistent with Section VII.A.2 of this policy;
  - 2. Provided that the decision was not made for unlawful reasons or in retaliation for the faculty member's exercise of grievance rights or shared governance activities.

X. PARTICIPATION IN THE CAMPUS COMMUNITY

- A. Integration into Institution Life. Adjunct faculty members shall be invited, to the extent feasible, to participate in the scholarly, intellectual, academic, and social life aspects of the department or unit, and institution.
- B. Communication with Administration. Institutions shall provide opportunities for adjunct faculty to communicate their concerns to campus administration, provide advice in the development and implementation of policies and procedures related to adjunct faculty, and otherwise participate fully in shared governance.
  - 1. The institution will provide adjunct faculty representatives with the opportunity to meet for discussions with campus administration, including the institution's vice presidents for academic affairs and administration and finance, at least twice annually.

2. Each institution will facilitate the formation and operation of an adjunct advisory committee, to be comprised of adjunct faculty members who will represent the interests of the institution's adjunct faculty.
  - a. The committee may be part of an existing shared governance body or a distinct advisory group formed for the purpose of addressing the interests of adjunct faculty.
  - b. Members will have the option of engaging an external representative in their discussions with administration, as described in paragraph 3, below.
3. Adjunct faculty may elect to engage an external representative, which may be a labor organization, to assist them in "meet and confer" discussions with administration over issues of concern, including compensation, benefits and terms of employment.
  - a. The institution will give serious consideration to the information, views and suggestions gained from the meet and confer process in any relevant policy decisions regarding adjunct faculty. Agreements reached during the process that are amenable to formalization as policy may be adopted as such through appropriate decisional processes of the institution; the President retains final authority over all such decisions.
  - b. The Chancellor, in consultation with the Presidents, shall develop principles and guidelines for organization of the meet and confer process at USM institutions.
    - i. Principles underlying the meet and confer process must include appropriate legal parameters, requirements for fairness and adequate representation, respect for the fundamental elements of higher education shared governance, and administrative feasibility.
    - ii. Guidelines will address the processes by which adjunct faculty will determine whether to engage representative, the selection of representative, access to information, and minimum requirements for meet and confer meetings.
4. Communications between adjunct faculty and the institution administration are based upon the free and candid expression of views. The presence of a meet and confer process at an institution in which adjunct faculty engage a representative organization does not limit or constrain the role, function or processes of institutional shared governance. Shared governance bodies and other groups of adjunct faculty remain free to confer

with administrators regarding matters of concern to those groups, and adjunct faculty members may participate in institutional shared governance bodies, consistent with institution policies.

C. Reimbursement of Expenses. In recognition that adjunct faculty are compensated only for course-by-course instructional services, each campus shall provide reimbursement for travel and other reasonable expenses, consistent with University System of Maryland and institution travel policies, to each adjunct faculty member who serves on an institution's adjunct advisory committee or other shared governance group.

XI. IMPLEMENTATION

The provisions of this policy, and any policies and procedures adopted by the institutions for the administration of this policy, shall be implemented by each institution employing adjunct faculty no later than September 1, 2011; and each President shall submit a report to the Chancellor summarizing the measures taken to implement this policy no later than November 1, 2011. The Chancellor will report to the Board of Regents on the impact of the implementation of this policy on the status of adjunct faculty no later than November 1, 2012.