

The Ethical Dilemma of Increasing the Part Time Faculty Load to 80% at California Community College

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Abstract

The proposed legislation to change the California Education Code would allow part time faculty to teach up to 80% of a full load. Currently part time faculty are prohibited from teaching over 60%. Proponents of the legislation view the change as an economic benefit to adjunct faculty as well as offering more flexibility to the colleges. Opponents see this change as creating a permanent third class of employee, and a disincentive for colleges to hire full time faculty. This ethical dilemma will be examined from the premise of conflicting basic values such as the individual versus community perspective, as well as, the ethic of critique, care and the utilitarian model.

The passage of AB 1725 in 1989 made several significant changes to the California Education Code regarding California Community Colleges -CCC. (California State Legislature, 1999) These changes legally mandated a much greater role for faculty in the governance of the college, including hiring and evaluation of faculty, curriculum, and student success to name a few. Along with this increased role came a legal recognition of the importance of full-time faculty and the mandate to make progress toward a 75/25 ratio of full to part-time faculty. The complicated funding formula for CCC has severely hampered many colleges in making progress toward this goal, and has contributed to an increased part time, "permanently temporary" work force. These adjunct faculty are limited by the Education Code to a maximum of a 60% load. The current legislation (SB 847 as of March 9, 2006) pending in Sacramento would increase that maximum to 80%.

During the last decade there has been a growing movement of organized adjunct faculty, operating through their collective bargaining units, the Academic Senates, and lobbyists, to bring "equity" or "parity" to adjuncts. Parity is defined as pro rata pay and benefits, as well as preference in full time hiring. (www.cdfa.org). This movement has coincided with economic and budgetary crises at the community colleges that have resulted in some lay offs of full time faculty, a reduction of adjunct faculty, pay cuts or freezes for full time faculty, a reduction or loss of college paid health benefits, and a temporary deferral of the obligation to hire more full time faculty. The current legislation has brought these issues to the forefront, and has the potential to further divide full time and part time faculty, as well as to pit one group of adjuncts against another.

Beckner (2004) identifies different types of ethical dilemmas and correctly notes that the most difficult decisions are not the "right versus wrong" ones, but rather the "right versus right". The individual versus community, or the "us versus them," is a useful model to examine this dilemma. The proposed change would clearly improve the economic realities of many individual adjunct faculty members. Given the lack of available full time positions, the extra income would certainly improve the economic realities of many individual adjunct faculty members. The logical temptation would be to consider the full time faculty as "them" in this equation. However, this change would increase the competition for jobs between the adjuncts themselves. The legislation would leave all details of implementation to the local colleges, which would likely mean negotiations between the colleges and the collective bargaining units. Although there is no guarantee of how this would be implemented, the historical precedents would indicate that the more senior adjunct faculty would be given the option of an 80% load, and likely lead to a loss of income for other adjunct employees.

While the increase in part time load would not directly impact existing full time faculty pay or benefits, at least not in the short term, there is still an ethical clash between the individual and the community. The Education Code clearly identifies full time faculty as being responsible for the areas identified outside of the classroom. Full time faculty contracts and job descriptions include college service and professional developments, while adjunct, regardless of load, are only obligated to student contact activities. Many in the community of full time faculty view this as an increase in workload, since the "almost full time" 80% faculty, will not share in the other areas of faculty responsibility.

The proponents argue that the change will give colleges more flexibility in scheduling. The opponents of this legislation argue that the spirit of AB 1725 regarding the 75/25 ratio will be essentially abandoned if it passes. Most colleges have not achieved this goal and the increased flexibility will give them even less incentive to hire full time faculty. This disincentive would potentially limit opportunities for those adjuncts seeking full time employment at the community college in addition to the workload concern expressed by existing full time faculty.

Many of those advocating this change are operating from the ethic of critique (Shapiro & Stefkovich, 2001). The adjunct faculty are viewed as an oppressed group, having taught as much as 50% of the courses offered at some colleges with lower pay, no benefits, and a semester by semester contract. This legislation is seen as a step toward righting an injustice. One problem with applying the ethic of critique to this historically oppressed group is that the proposed changes will only benefit some of the group, while the rest will remain with the status quo, or in fact lose ground. Supporters of this initiative argue, however, that it is just the first step, and a necessary one, to secure parity for adjuncts.

The opposition is operating from the ethic of care (Shapiro & Stefkovich, 2001). They argue that it is unethical to increase the percentage of load without also granting pro rata pay and benefits. They view the future "eighty percenters" as a new class of indentured employee, with no greater sense of security or permanence than they had at 60%.

This dilemma can also be addressed by the utilitarian model. "In the nineteenth century Jeremy Bentham and John Stuart Mill had argued that all moral duties may be derived from one ultimate principle, which they called the principle of utility. This principle required that we do whatever will have the best overall results for everyone who is affected by our actions--in Bentham's memorable phrase, that we should promote "the greatest happiness for the greatest number." Moore aligned himself with this view when he defined "right" in utilitarian terms: After explaining that "good" was the name of an unanalyzable property, Moore turned to the question "What actions are right?" and his answer was that right

actions are the ones that produce the most good. " (Cahn & Markie, 1998, p.473). The question then becomes: Will changing the limit to 80% for adjunct faculty promote the greatest happiness for the greatest number? Or, will it produce the most good?

Unfortunately there is no absolute answer, because we truly are caught in a 'right versus right' decision. However, if we view the abysmal progress that community colleges have made toward the goal of the 75/25 ratio of full to part time faculty, and we note the continued reliance on part time faculty who are predominantly paid at a lower rate than full time, we can predict that this proposal would in fact lead to an even further erosion of full time faculty at the community college level. Ultimately this will be harmful to the governance of the college and will likely lead to a permanent underclass of temporary workers, some of whom will be able to work at 80%. Although it would be an economic benefit to some adjuncts in the short term, it will not benefit the group as a whole. What remains to be seen is whether the legislators will be swayed by the greater good argument, or will be distracted by the ethic of critique argument that benefits some at the expense of others.

References

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