

On Full-Time Non-Tenure-Track Appointments

The report which follows, prepared by a subcommittee of the Association's Committee on Academic Freedom and Tenure (Committee A), was approved by Committee A in June 1986.

INTRODUCTION

Regulation 1(b) of the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure* provides that, "with the exception of special appointments clearly limited to a brief association with the institution, and reappointments of retired faculty members on special conditions, all full-time faculty appointments are of two kinds: (1) probationary appointments; (2) appointments with continuous tenure." As the authors of Committee A's 1978 report *On Full-Time Non-Tenure-Track Appointments* concluded,

We think that the very limited exceptions allowed by Regulation 1(b) are the most that should be allowed. The teacher with tenure is a teacher whose service can be terminated only for adequate cause; and we think that every full-time teacher should either have that status or be a candidate for it—save for those who fall under the exceptions allowed by Regulation 1(b), in particular, those who are visitors, or temporary replacements, or for whose subjects the institution in good faith expects to have only a short-term need.¹

Since 1978, regularly funded fixed-term, annually renewable, or indefinite full-time tenure-ineligible appointments (some of them with rather eccentric or unorthodox titles), running parallel to, and in many cases replacing, traditional tenure-track positions, have remained a persistent phenomenon in American colleges and universities. At some institutions and in certain disciplinary fields the number of faculty members appointed to such non-tenure-track positions is continuing to grow. The AAUP has recognized that these non-tenure-track appointments do considerable damage both to principles of academic freedom and tenure and to the quality of our academic institutions—not to mention the adverse consequences for the individuals serving in such appointments.

The subcommittee's task has been to examine and assess the current dimensions of this staffing practice and the arguments made in its support; to review the findings and recommendations of the 1978 subcommittee report on this subject; and to analyze the implications which the continuing proliferation of these appointments may have for the future of higher education.

THE SCOPE AND EXTENT OF THE PROBLEM

Informed discussion of the issues raised by the use of non-tenure-track positions must begin with an analysis of the scope and extent of the problem. Looking at the academic profession as a whole, we have examined data on individual faculty *members* as well as on *positions* at institutions which, taken together, provide an overview of the current situation. The data on *persons* come from a sample *survey* of 5,000 faculty members conducted by the Carnegie Foundation for the Advancement of Teaching in the spring of 1984 (a similar national survey was also conducted in 1975). The data on *positions*, collected in connection with the preparation of the AAUP's Annual Report on the Economic Status of the Profession, comprise some 163,000 full-time appointments for each of the past two academic years (1984-86) at approximately 800 academic institutions that provided tenure information. According to the Carnegie survey, between 10.6 percent and 12.6 percent of

¹ *AALIPulletin* 64 (1978): 273.

full-time faculty were not on a tenure track (nor "covered for job security" by a collective-bargaining agreement) in the spring of 1984.² The AAUP data indicate that nearly 10 percent of all full-time positions included in the surveys were nontenure track.

The data on hand reveal increasing uniformity in the number of non-tenure-track positions across ranks and types of institution, suggesting that the practice may well be on the way toward becoming entrenched. Indeed, according to the most recent available data from the National Research Council, between 25 percent and 40 percent of all first-time junior faculty appointments in 1981 were to non-tenure-eligible positions.³ In addition, data from the 1975 and 1984 Carnegie surveys suggest that most types of institutions experienced an increase (often quite substantial) in the proportion of nontenured faculty members who were serving in a full-time capacity but were not eligible for tenure.

The available data show that among women included in the 1984-85 AAUP compensation survey, 16.5 percent, or 6,816, served in non-tenure-track positions. These data suggest that between 40 and 45 percent of all non-tenure-track positions surveyed were filled by women a striking statistic when one considers that women held only 25 percent of the total number of full-time faculty positions covered in the survey. Of the more than 8,000 positions held by women at the instructor and nonprofessorial ranks, more than half were in non-tenure-track positions.

The subcommittee has examined several recent studies which surveyed the incidence of full-time faculty members serving in non-tenure-track appointments. A 1984 American Council on Education survey of full-time faculty in the humanities found that the number and proportion of "core humanities" faculty outside the tenure system has increased, while the proportion eligible for tenure, but not yet tenured, has fallen. Only 40 percent of the new "core humanities" appointments made in the 1982-83 academic year were to tenured or tenure-track positions. In political science, according to an American Political Science Association survey, over 30 percent of all new full-time faculty members during the 1983-84 and 1984-85 academic years received non-tenure-track appointments.

Although data for other fields are hard to come by, the creation and expansion of nontenure-eligible positions are clearly not limited to faculty in the humanities and social sciences. They are also quite common in the natural sciences and in rapidly expanding fields like computer science. In many professional schools as well, particularly in the health sciences and in schools of law, new appointments to tenure-ineligible clinical positions appear to be the norm rather than the exception.

In sum, the available data support the view that a far-from-negligible class of more or less permanent "temporary" faculty, a disproportionate number of them women, has become an established feature of American higher education.

STATED REASONS FOR THE USE OF NON-TENURE-TRACK APPOINTMENTS

Numerous forms of appointment exist for faculty members who serve in non-tenure-track positions. The authors of the Association's 1978 report usefully distinguished three principal types of non-tenure-track teachers:

The first hold indefinitely renewable appointments: the faculty members are appointed for one or more years and are told that their appointments may be renewed—no limit is placed on the number of possible renewals. The second hold "limited renewable" appointments: the faculty members are told that their (usually one-year) appointments may be renewed so many times only.... The third occupy "folding chairs": the faculty member's initial appointments (usually for two or three years)

are explicitly terminal -- no renewal is possible under any circumstances.

² The lower estimate assumes that all faculty members who held an acting or visiting appointment had tenure at the institution from which they were visiting

³ *Departing the Ivy Halls* (Washington, D.C.: National Academy of Sciences, 1983).

The data reported in the surveys cited above do not separate out or distinguish among these various kinds of tenure- ineligible appointments. Whatever the type of non-tenure-track position utilized, however—whether renewable indefinitely, renewable until a stated maximum duration is reached, or fixed-term "folding chair"—the same general arguments have been advanced over the years in justification of these appointments, above all the flexibility they afford the institution in terms of financial investment and programmatic commitments.

Faced with the possibility (and the reality) of shifts in student interests and declining enrollments as well as cutbacks in federal, state, and foundation support, colleges and universities have looked to less costly alternatives to traditional staffing patterns and have seized upon the full-time non-tenure-track position as one of the most convenient of these alternatives. The argument is frequently made that, because individuals appointed to such positions are typically engaged only to teach lower-level classes and thus have attenuated responsibilities as compared with tenure-track faculty members who are also expected to do research and institutional service, the institution is justified in paying them lower salaries and/or giving them heavier teaching loads. Additional savings can accrue by not providing non-tenure-track faculty with normal merit pay increases and fringe benefits—such as institutional research grants, travel subsidies, professional meeting allowances, and sabbaticals. In the case of other benefits (e.g., pensions), there may be a waiting period before the individual attains eligibility. Moreover, most non-tenure-track faculty usually do not achieve the higher salaries based on seniority and promotion through the ranks that tenure-track and tenured faculty would; their opportunities for advancement tend to be limited even if they are reappointed for many years. In addition, if the non-tenure-track faculty are not engaged in research, there are significant ancillary cost savings: fewer demands on the institution for secretarial and research assistance, library and computer facilities, equipment, and office and laboratory space.

Along with financial savings, institutions have found the use of full-time non-tenure-track appointments attractive for their promised contribution to administrative and programmatic flexibility. Colleges and universities can cut or transfer positions without conforming with the standards for notice or the normal procedures for evaluation of performance that are required for regular probationary faculty. New programs can be instituted without requiring a long-term commitment to funding a particular faculty member whose skills and expertise may not be needed should the innovation prove to be of only transient interest. An institution thus can explore student demand for a discipline or field not currently represented among the tenured or tenure-track faculty. The classification of positions as tenure ineligible also enables colleges and universities that are concerned that too high a percentage of the faculty holds tenure to keep down the number of those who enter the tenured ranks.

A complementary argument is that as regular full-time positions are vacated in traditional fields, full-time slots should be filled only on a non-tenure-track basis, because either declining enrollments may be expected in the particular field or expanding enrollments may occur in other fields. It is argued that in fields of declining enrollments, especially where an oversupply of potential faculty appointees exists, the institution does not need to offer very attractive positions. Conversely, in fields where there is a shortage of faculty and high student demand, it is argued either that no one in those fields needs long-term security or that no one really qualified is available, and thus that the position should be filled only on a temporary basis with whoever can be found.

Non-tenure-track appointments do indeed appear to afford an institution greater flexibility. They carry no continued institutional commitment to the support of a program or to the employment of an individual, no matter how excellent either might be. Notwithstanding the oft-made assertion that non-tenure-track appointments are being used primarily to enable institutions to hedge their long-term support for certain positions as opposed to particular individuals, however, the subcommittee doubts that "flexibility" is actually an objective in many non-tenure-track appointments which are currently being made. In fact, a substantial proportion of these appointments are being made in fields that are central to the institution's academic program, with assignment to courses in which continued enrollment is virtually guaranteed. In addition, we must question whether any real flexibility is achieved when a significant number of those who serve in non-tenure-track positions are reappointed indefinitely year after year—attaining de facto tenure without a formal judgment about their qualifications ever having been made.

ADVERSE EFFECTS OF THESE APPOINTMENTS

It seems clear that the expanded use of full-time non-tenure-track appointments can be an expedient answer to fiscal and enrollment problems facing colleges and universities—if saving money is the key consideration. But, in the judgment of this subcommittee, the savings realized are at an inordinately high cost to the quality of the entire academic enterprise. In the remainder of this report we turn to an examination of the serious adverse repercussions of non-tenure-track appointments for individual faculty members, for scholarship and learning, for students and for institutions of higher learning themselves. In the discussion that follows, the subcommittee has relied upon a variety of sources, some more impressionistic than others, but we have confidence in the accuracy of the picture that has emerged.

1. Effects on the Non-Tenure-Track Faculty Members Themselves

The most immediate adverse impact of non-tenure-track appointments, of course, is on those occupying these positions. What seems to have developed at many colleges and universities in the United States is a class of insecure full-time faculty members whose status is inferior to that of both their tenure-eligible and their tenured colleagues and whose role in some respects does not differ from that of teaching assistants. They find themselves frequently at the margins of departmental and institutional life. In many cases they are neither required nor expected—and often not permitted—to advise students, to play a role in faculty personnel and budgetary matters, or to participate in the development of curricula and the formulation and implementation of academic policy. They are, as the 1978 report on this subject observed, denied "full and equal faculty membership irrespective of the nature of the service they have given and irrespective of the professional excellence of that service." They tend to receive less desirable teaching assignments, larger classes, and heavier teaching loads. Their compensation tends to remain low, no matter how well they perform their circumscribed role. Indeed, a rigorous periodic review of their performance may not occur at all.

The appointment of full-time faculty members with attenuated responsibilities serves to develop an underclass, precluded from participation in faculty governance by rule and, in too many cases, from scholarly pursuits and other professional activities by necessity. These faculty members are faced with precarious employment prospects, and hence an uncertain professional future, and are generally without the time, status, and opportunity—or the rewards—to develop themselves professionally as teachers and scholars. Because many of them are appointed to "teach-only" positions, they cannot develop the habits of the professional academic, especially the regular and ongoing pursuit of new knowledge and the periodic revision of their courses. They are often forced to endure recurrent slights from their senior colleagues, who, in the words of one non-tenure-track appointee, "seem to take it for granted that people who accept temporary appointments are somehow deficient or suspect academically."⁴ They frequently work in unprofessional and "anti-professional" conditions, relatively cut off from collegial stimulation and support, disconnected from other members of the profession (and the discipline) beyond the department, and lacking both access to institutional resources necessary for building a research career and the incentive or the pressure to become productive scholars. Many are overworked and are necessarily distracted by the constant, time-consuming (and expensive) preoccupation of pursuing their next position. Even those with relatively long-term contracts, who stay in one place for an extended period and are thus able to avoid the disruptions in their work and their lives that attend frequent moves, rarely have opportunities for research, because of heavy teaching loads. They have little in the way of research and other assistance, facilities, or travel money; at some institutions they cannot serve as principal investigator or project director on a grant, even in those cases where research is part of their academic responsibilities. They are rarely eligible for sabbaticals or even for leaves without pay for professional development.

Individuals who hold indefinitely renewable appointments and who function like regular and ongoing full-time faculty members, but who have no prospect of tenure because of the way their position happens to be defined, serve with their academic freedom in continuous

⁴ Barbara K. Townsend, "Outsiders Inside Academe: The Plight of the Temporary Teachers," *Chronicle of Higher Education*, 28 May 1986, 72.

jeopardy. As the authors of the Association's 1978 report observed, "The teachers who must go, hat in hand, every year (or every two years, or every three years) indefinitely into the future, to ask if they may stay, are not teachers who can feel free to speak and write the truth as they see it." Not surprisingly, the more cautious among them are likely to avoid controversy in their classes or with the deans and department heads on whose good will they are dependent for periodic reappointment. The institution may express its commitment to protect their academic freedom, but to those whose appointment may not be renewed solely at the administration's discretion such a commitment may seem of little value—and best not tested. Moreover, as the numbers of non-tenure-track faculty members increase, their freedom is placed in greater jeopardy. The contagion of insecurity restricts unorthodox thinking, while the rising number of non-tenure-track faculty reduces the cadre of those faculty members—notably those with tenure who are uninhibited in advocating changes in accepted ideas and in the policies and programs of the institutions at which they serve.

2. *Effects on Students and the Learning Process*

As one critic has observed, the extensive use of full-time non-tenure-track appointments "not only compromises individual working lives and individual careers, but [also] contributes to the dysfunctioning of our colleges and universities as organizations."⁵ At a time marked by calls for excellence and more rigorous standards in higher education, the abuse of non-tenure-track appointments can undermine academic standards and lead to the erosion of the quality of undergraduate education. It is difficult to develop a coherent curriculum, maintain uniform standards for evaluating students' performance, or establish continuity between and among courses when major academic responsibilities are divided among "transient" and regular faculty, especially when they have relatively little interaction with one another. Students are denied a stable learning environment and consistent quality instruction by continuous "rotating out" of faculty. Temporary faculty are less likely to be deeply concerned about or interested in the future of the institution that currently employs them, thus contributing to an institutional environment that discourages students' involvement in learning outside the classroom. Even if these faculty members are interested or concerned, and many are, they may not have the time or the opportunity to develop an institutional memory. They are also less likely to have the time—or the inclination—to direct their creative energies into innovative approaches to teaching or to keep abreast of current developments in their field.

Students are likely to be short-changed in still other ways. Non-tenure-track appointees tend to be assigned to lower-division, undergraduate teaching, often in large lecture classes, and consigned to nothing but routine pedagogy, to their systematic or total exclusion from other courses and levels of courses. According to one observer, "assigning [temporary] faculty to introductory level courses often creates divisions within a department: those who teach low-prestige 'service' courses to freshmen and sophomores, and those who teach high-prestige upper-division and graduate courses. Such a division implies that the professional standing of the [regular] faculty is unnecessary for teaching 'service' courses," that is, courses which introduce students to an academic discipline.⁶ This practice denies freshmen and sophomores the best possible instruction from regular faculty members; compromises academic standards; and raises questions about how seriously a particular department or an entire institution views its teaching function. It is also self-defeating, because the service courses often attract (or repel) potential candidates for advanced courses in the discipline. There is a pressing need for energetic,

dedicated, and respected teachers to staff introductory classes in which students can learn the critical thinking and writing skills they must have to succeed in college and beyond. According to the report issued by the National Institute of Education (NIE) Study Group on the

Martin Finkestein, "Life on the 'Effectively Terminal' Tenure Track," *Academe: Bulletin of the AAUP* 72 (January-February 1986): 36

Maxine Hairston, "We're Hiring Too Many Temporary Instructors," *Chronicle of Higher Education*, 17 April 1985, 80

Conditions of Excellence in American Higher Education, *Involvement in Learning: Realizing the Potential of American Higher Education*, "When most freshmen courses are taught by low-paid, lowstatus instructors, students quickly get the message that the department cares little about the large and diverse group of students in its lower-division courses." The NIE report goes on to recommend that "colleges assign as many of their finest instructors as possible to courses [that have] large numbers of first-year students."

We question whether the intellectual mission of a college or university is well served when the institution asserts that certain basic courses are indispensable for a liberal education but then assigns responsibility for those courses to faculty members who are deemed replaceable and unnecessary to the institution. Indeed, we believe that an institution reveals a certain indifference to its academic mission when it removes much of the basic teaching in required core courses from the purview of the regular professoriate. Far from "realizing the potential of American higher education" (the goal of the NIE report), this practice is virtually guaranteed to erode the quality and cohesiveness of a college's academic programs and to make the institution less attractive to prospective students.

Effects on Institutional Morale and Academic Governance

The presence of large numbers of temporary faculty members who must anxiously concern themselves from year to year with their status within the institution and the profession is hard on morale—theirs and that of everyone around them. In addition, for the institution as a whole the excessive use of non-tenure-track appointments, by creating a divided, two-class faculty, erodes collegiality and sound governance practices. As we have seen, temporary appointees are not fully integrated into the life of the institution: they are often treated like second-class citizens, mere "contract workers," disenfranchised from collegiate and departmental governance and often isolated from their colleagues.

The fact that many of their colleagues are running so fast just to stay in place in dead-end jobs also affects the current generation of tenure-track faculty members. More of the student advising, committee work, and other administrative duties will fall on them if their non-tenure-track colleagues have attenuated responsibilities and are excluded from the governance process. These burdens impinge upon their time for research and professional development. Moreover, the atmosphere will be less generally supportive of scholarly pursuits, to everyone's loss.

4. Effects on the Future of the Profession

Professors Howard R. Bowen and Jack H. Schuster, authors of the recently published book, *American Professors: A National Resource Im periled*, state that their study was prompted by concern about the ability of "the higher education community . . . to recruit and retain excellent faculty not only in the immediate future but also over the next twenty-five years, when the replacement of the vast majority of the present faculties will be necessary."⁷ That task, involving the recruitment of some 500,000 new faculty members, will not be an easy one, if recent experience is any guide. The NIE's report on excellence notes that the proportion of entering college freshmen planning to become college teachers dropped from 1.8 percent in 1966 to .25 percent in 1982, an 89 percent decline that, in the words of the report, "bodes ill for the future of higher education." Bowen and Schuster point to the fact that "an increasing proportion of doctoral candidates are finding employment in nonacademic industries and professions"; in particular, "higher education has become a steadily less attractive magnet. . . [for] exceptionally talented people such as Rhodes Scholars, members of Phi Beta Kappa, and honor graduates of prestigious institutions." Bowen and Schuster also "see great danger of a steady and growing drain of the ablest people now in the profession," for they are finding significantly more lucrative and professionally more

rewarding and challenging career options that will utilize their considerable skills to a greater degree.

⁷"Outlook for the Academic Profession," *Academe* 71 (September-October 1985): 9-15.

The increasing incidence and abuse of non-tenure-track appointments, at the very time when many of the brightest and most talented young men and women are abandoning any thought of pursuing a career in higher education, runs counter to efforts to "recruit, encourage, and develop talents of the highest caliber" and may well contribute to the growing flight from the profession of disappointed and frustrated junior faculty and eventually to a critical shortage of qualified college faculty members in the next generation. Given all the other ways in which colleges and universities are gradually losing their power to compete for current and future faculty talent, the continuing proliferation of these temporary positions—filled by underpaid instructors with low status and no job security—seems short-sighted and counterproductive, "undermin[ing] the attractiveness of careers in higher education both to incumbents and to potential new entrants," who may be irretrievably lost to the professoriate.⁸

Bowen and Schuster have cited the "concern of faculty [with] the tendency of colleges and universities to shift institutional risk to faculty members by resorting to expedients that undermine faculty career opportunities. One of these is to employ an increasing proportion of nontenure-track faculty.... All of these practices tend to impair the attractiveness of the profession to younger faculty and to prospective faculty members." According to the NIE study, "Faculty are the core of the academic work force, and their status, morale, collegiality, and commitment to their institutions are critical to student learning. When we allow support for such a critical component of the enterprise to erode to the point at which the profession itself has become less attractive to our brightest students, we are compromising the future of higher learning in America."

Institutions of higher education have a responsibility to nurture talent, but the continued widespread use of non-tenure-track appointments may well destroy the careers of young faculty members, reduce the attractiveness of the profession for those fortunate enough to be able to enter it in the first place, undermine academic tenure, and threaten academic freedom. The general academic community—administrators, trustees, and faculty members alike—has a shared responsibility to foster, not to stifle, the development of a new generation of talented young scholars willing and able to fill the positions that will become available in the decades ahead.

CONCLUSIONS

The dangers to academia that were discussed in the Association's 1978 report *On Full-Time Non-Tenure-Track Appointments* have been shown in recent years to be extensive and serious. Higher education has come to rely increasingly on the services of faculty members who hold appointments in full-time, regularly funded positions that may be renewed indefinitely from year to year but provide no expectation of tenure after the successful completion of a fixed period of probationary service. The persistence, and in some cases expansion, of this class of faculty members, especially where they have teaching responsibilities at the core of an institution's regular academic program, jeopardizes the foundations upon which the basic 1940 *Statement of Principles on Academic Freedom and Tenure* rests. Individuals who are offered full-time service only on non-tenure-track lines lack the financial, intellectual, and pedagogical security needed for the profession to be an attractive career choice for young scholars. Moreover, and of even greater importance, faculty members who hold such positions lack the security without which academic freedom and the right to pursue one's own contributions in research and teaching are but illusions.

Like the authors of the Association's statement *On the Imposition of Tenure Quotas*, this subcommittee recognizes that a "sound academic program needs elements not only of continuity but also of flexibility, which is served by the continuing opportunity to recruit new persons and to pursue new academic emphases." At the same time, however, we share the concerns expressed in that statement regarding the too-facile invocation of considerations of flexibility, whether it is in support of tenure quotas or, as in this case, in defense of non-tenure-track appointments: "The system of tenure does not exist as subordinate to convenience and flexibility. The protection of academic freedom must take precedence over the claimed advantages of increased flexibility."⁹

⁸ ~ Bowen and Schuster, "Outlook for the Academic Profession."

⁹ AAUP, *Policy Documents and Reports*, 9th ed. (Washington, D.C., 2001), 47-49.

While responsibility for the substantial increase in the extent to which our colleges and universities are staffed by non-tenure-track teachers rests primarily with administrative officers concerned both to save money and to retain a maximum degree of "managerial flexibility," other institutional constituencies must also bear some responsibility for this state of affairs. In particular, at many institutions senior faculty members have acquiesced in and even encouraged the appointment of large numbers of tenure-ineligible faculty members, perhaps out of a desire to free themselves for their own research and for teaching upper-division and graduate courses or in the belief that the resulting savings would leave more funding for their salaries and benefits. Ultimately, however, the general development of a more-or-less permanent two-tier system brings with it a class consciousness that affects the faculty's perception of itself, the students' perception of the faculty, and the outside world's perception of academe. By their relative lack of concern for their temporary colleagues and their tacit approval of the two-class system in hopes of maintaining and enhancing their own positions, these tenure-track and tenured faculty members may eventually bring to an end the cherished characteristics of their way of life.

Unfortunately, the problem as identified and discussed in 1978 has become more serious. In an era of financial stringency and of diminished national commitment to the development and expansion of higher education, the utilization of tenure-ineligible faculty positions has seemed an attractive strategy. Demographic uncertainties about the size of the college-age population in the future, along with uncertainties about which kinds of colleges and universities will be popular choices, reinforce the desire to have a large, insecure, and impermanent academic labor pool. We believe, however, that the reasons which have been advanced for the use of tenure-ineligible full-time faculty appointments are without merit and that, for the sake of higher education, of academic freedom, and of the professional security and future of coming generations of scholars and their students, the abuse of these appointments should be stopped.