

Report on the Use of Adjuncts at Marquette University

April 7, 2009

I. Origin of This Report

In April 2008 the Department of Theology passed the following motion:

“Moved that the Department of Theology advise the administration of our judgment that we, as an institution, have an urgent moral obligation to give health and dental care benefits to our Ph.D. adjunct faculty who are teaching at least two courses per semester.”

The Faculty Council had already appointed a subcommittee to examine the issue of health benefits for retirees. In response to the Department of Theology motion, the Faculty Council asked its subcommittee to include an examination of the adjunct issue in its analysis of health insurance benefits.

The Subcommittee on Retiree Health Benefits began work in the fall of 2008. It is comprised of Ed Fallone (Chair, LAW), Siddhartha Syam (BUS), Bonnie O’Neill (BUS), Alison Barnes (LAW), Steve McCauley (Benefits Manager) with the assistance of Steve Duffy (Office of Administration). In addition to meeting several times on its own, the Subcommittee met with Colleen Dougherty and Clete Anderson, health insurance consultants with Willis Wisconsin, Inc. and advisors to the university. A draft report was prepared, and comments on the draft report were solicited from the Committee on Faculty Welfare, the Board of Directors of the Marquette University Retirees Association (MURA), Professor Dan Maguire (Theology), and Clete Anderson of Willis Wisconsin.

The Subcommittee presented its final report to the Faculty Council, and the final report was adopted by that body on April 7, 2009. At the April 7 meeting, the Faculty Council voted to split the discussion of the adjunct situation into a separate report.¹

¹ A report entitled “Report of the Subcommittee on Retiree Health Benefits” dated April 7, 2009 has also been submitted to the UAS.

II. The Issue

In this report, the term “adjunct faculty” refers to those who teach courses at MU on a regular basis (at least two courses per year) but who are neither part-time, tenure track nor graduate assistants.² In recent years, universities nationwide have come to rely more and more

² The Faculty Handbook recognizes several distinct categories of “participating faculty.” The definition of “adjunct” used in this report is functional—referring to the manner in which these instructors are used – and may include individuals who fall within more than one of these categories:

“Section 301.02 - The Participating Faculty

Participating Faculty are officers of instruction who assist the University in teaching and research in varying degrees. The appointment may be full-time or part-time. Participating Faculty are not on a tenure track and are not entitled to continued reappointment.

(1) Adjunct Faculty

(a) Members of the Adjunct Faculty shall be appointed for specific tasks, such as teaching, research, or clinical work. Adjunct Faculty shall be appointed to one of the following academic ranks: Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, Adjunct Professor.

(b) An Adjunct Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.

(2) Clinical Faculty

(a) Members of the Clinical Faculty shall be appointed for such tasks as teaching and other duties relating to the education of students preparing for clinical practice. Clinical Faculty shall be appointed to one of the following academic ranks: Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor.

(b) A Clinical Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.

(3) Research Faculty

(a) Members of the Research Faculty shall be appointed to conduct research projects, establish independent research programs, direct graduate research, and assume other duties relating to the education of students. Research Faculty shall be appointed to one of the following academic ranks: Research Assistant Professor, Research Associate Professor, Research Professor.

(b) A Research Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.

(4) Legal Writing Faculty

(a) Members of the Legal Writing Faculty shall be appointed for such tasks as teaching, research and other duties relating to the education of law students. Legal Writing Faculty shall be appointed to one of the following

academic ranks: Assistant Professor of Legal Writing, Associate Professor of Legal Writing, Professor of Legal Writing.

(b) A Legal Writing Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.

(5) *Visiting Faculty*

(a) Members of the Visiting Faculty shall be appointed to temporarily serve as full-time faculty members of this University. Visiting Faculty shall be appointed to one of the following academic ranks: Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, Visiting Professor.

(b) A Visiting Faculty member's title shall be based upon the member's rank and the unit in which the member is assigned rank.

(6) *Clinical Supervisor*

A "Clinical Supervisor" is a person assigned to observe, advise, and supervise students in clinical situations.

(7) *Laboratory Supervisor*

A "Laboratory Supervisor" is a person placed in charge of instructional laboratory work.

(8) *Librarian*

A Librarian is appointed to the libraries of the University to support the teaching and research activities of the University. A Librarian acquires, arranges, describes, and preserves books, journals and other materials in a variety of formats for the University Libraries. A Librarian interprets resources and makes them readily available to Marquette students, faculty and staff, and the broader community.

(9) *Research Associate*

A Research Associate is a person appointed to participate in the research activities of a college, program, department, or other appropriate unit of the University. The appointment may be made on a continuing basis at the discretion of the Provost.

(10) *Lecturer*

A Lecturer is an officer of instruction, engaged to teach on a part-time basis for a limited, prescribed time period.

(11) *Resident Scholar*

A Resident Scholar has status as an officially appointed member of a college, program, department, or other unit of the University. The status is granted only to persons who have distinguished themselves as scholars and is a non-compensated position. A Resident Scholar shall continue his or her scholarly activities under the aegis of the appointing unit. The full title of a given Resident Scholar will include the name of the appointing unit, e.g., Resident Scholar in Philosophy.

(12) *Postdoctoral Fellow*

on adjuncts, who are paid less on an hourly basis than full time faculty and who do not receive benefits.³ The trend in higher education is to make increasing use of adjuncts, many of whom teach courses at multiple institutions. Since adjuncts do not have academic freedom, the increasing reliance upon adjuncts to provide classroom instruction is changing the nature of higher education.

A recent report by the American Federation of Teachers finds that, at public research institutions, the instructional staff consists of 41% full time tenure track faculty, 20% full time non-tenure track faculty, 20% adjuncts and 19% graduate student employees.⁴ Marquette has not been immune from this trend. In the Theology Department, for example, more than one half of the undergraduate courses are taught by adjuncts.

It is undeniable that Marquette University has some obligation to its adjuncts. In situations where a particular adjunct teaches a minimum of two courses per year, and teaches those courses on a regular basis, that adjunct is an integral part of the MU “community.” Dan Maguire has written of the situation faced by adjuncts at Marquette:

Marquette pays \$3,200 for each semester length course, and [adjuncts] (a group that includes newly minted Ph.D.s) teach one or two courses per semester. Marquette does not provide health or dental benefits, although [adjuncts] may purchase those benefits if certain conditions are met. For example, those teaching only one semester may not purchase insurance through the Marquette plan; only those signed up for two semesters may do so. Even when [adjuncts] can purchase insurance, given the cost, this would leave those who purchase the insurance coverage virtually without income – unless they find courses to teach at other institutions, which, of necessity, they do.⁵

A Postdoctoral Fellow is a person who has earned the doctorate (or its foreign equivalent) or the appropriate legal, medical, or dental degree but who is not an applicant or candidate for a degree in the University. Postdoctoral Fellows shall engage in research or teaching under the direction of a department of this University.

From time to time, other titles (e.g., Coordinator) may be assigned as appropriate to members of the Participating Faculty.”

³ Nationwide, seventy five percent of new faculty hires are outside the tenure system. See Daniel Maguire, “Seeking the Path to Adjunct Justice at Marquette University,” 24 THOUGHT & ACTION 47 (2008) (available online at <http://www2.nea.org/he/tanda.html>).

⁴ Scott Jaschik, “Breadth of Adjunct Use and Abuse,” December 3, 2008, available at <http://www.insidehighered.com/news/2008/12/03/adjunct>.

⁵ Daniel Maguire, *supra* note 3, at 47.

In 2008, the Marquette Tribune interviewed an adjunct in the Theology Department. She described how she was teaching six classes at universities throughout the metro Milwaukee area, and working over 60 hours a week, yet was barely earning an income above the poverty level.⁶ This is a national problem, not one limited to Marquette. The senior Human Resources manager at the University of Akron has criticized the poor pay and lack of benefits afforded to adjuncts in higher education, holding these conditions responsible for the creation of “a highly educated working poor.”⁷

In urging the extension of health insurance benefits to adjuncts, the Department of Theology relied upon several arguments. First, it is the University’s ethical obligation to pay adjuncts a living wage and basic benefits if we demand first-rate teaching from them. Second, as a Jesuit institution founded upon religious moral traditions, Marquette has a theological obligation to adopt official policies in accord with our professed ideal of *cura personalis*. Third, it is in the nature of a university, as a community of scholars devoted to the principle of academic freedom, to oppose a two-tiered system of professors. Finally, the growing ranks of non-tenure track instructors threatens the ideal of the university, expressed by the American Association of University Professors (AAUP) as an institution where faculty should be tenured or on a tenure track with “very limited” exceptions.⁸

However, the issue of health insurance benefits is only one part of the question of whether persons falling into this category are being treated in a manner that appropriately reflects the valuable role that they play within the University. Adjuncts face many challenges other than a lack of health insurance: the absence of academic freedom, the lack of peer teaching reviews and the attendant overreliance on student evaluations, no say in curricular development, no voice in University governance, and a pool of courses to teach that usually contain the least desirable offerings from a teaching perspective.⁹ The tolerance of a class of “permanent adjuncts” within the teaching ranks perpetuates the “second class” status of adjuncts, fails to accord them a status commensurate with the benefit that their labors provide to the University, and risks engendering an institutional dependency on the exploitation of adjunct labor. It also ill serves our students, because overtaxed adjuncts cannot provide the individualized attention that Marquette University prides itself upon.

⁶ *Id.* at 48.

⁷ See Scott Jaschik, “Call to Arms for Adjuncts . . . From An Administrator,” October 14, 2008, available at <http://www.insidehighered.com/news/2008/10/14/adjunct>.

⁸ See generally Dan Maguire, *supra* note 3, at 49-52.

⁹ This is not an exhaustive list of the challenges that adjuncts face. See *id.* at 52.

The Faculty Council believes that the manner in which Marquette University relies upon adjuncts, and the equitable treatment of adjuncts, raise broader questions than whether adjuncts should receive health insurance benefits. The consensus among both the Subcommittee and the Faculty Council at this point is that the “use and abuse” of adjuncts is a question that is better addressed holistically, by 1) examining whether the University should place more adjuncts under annual contracts and by 2) addressing salary issues as well as benefits issues for adjuncts that regularly teach multiple courses within one year at Marquette and who are not employed full time elsewhere. Therefore, we do not offer a recommendation regarding health insurance benefits for adjuncts at this point in time.¹⁰

II. Recommendations

A. Failure to Adopt a Policy is the Same as Endorsing Status Quo

The treatment of the issue of health insurance for graduate teaching assistants provides an interesting contrast to the treatment of adjuncts at Marquette. Historically, graduate teaching assistants have not had access to affordable health insurance through the MU plan. However, next year’s budget *will* offer a health insurance package to graduate teaching assistants and graduate research assistants for the first time. Approximately 410 people in masters and doctoral programs will be eligible to participate. This is a positive development. The Provost should be commended for extending health insurance benefits to graduate teaching assistants.

What is interesting is that the addition of graduate teaching assistants to the University health insurance plan was due to a desire to remain competitive with other universities in the recruitment and retention of graduate students. However, there is no “competition” creating pressure to expand benefits coverage to adjuncts. The University should consider whether market forces should be the sole determinant of coverage decisions.

We believe that every group of individuals who is part of the larger community that comprises “Marquette” should be treated equally and should have access to the same benefits as any other member. There are many adjuncts who teach an occasional course at Marquette, but who have a full time job outside of the University. The focus of this report is *not* on those individuals. The question is whether or not there are currently persons teaching as adjuncts on a consistent enough basis, and without full time employment, that they are properly considered to be part of Marquette’s ongoing academic enterprise.

¹⁰ The Report of the Subcommittee on Retiree Health Benefits, dated April 7, 2009, recommends that Marquette University should commit itself to a process whereby health insurance benefits are made available to currently excluded groups through an incremental process.

Marquette University is *not* like any other employer. The University's interest in addressing this situation goes beyond its own fiscal health and extends as well to its commitment to the care and well being of its employees (*cura personalis*). The University must seriously examine the manner in which adjuncts are employed and compensated. Questions have been raised concerning whether the overreliance on adjuncts threatens our identity as an academic institution or constitutes economic exploitation. Failure to address these issues is the equivalent of choosing to perpetuate the status quo.

B. The University Should Take Up The Issue of Salary and Benefits Equity for Adjuncts

Either the Faculty Council, the Committee on Faculty Welfare or a separate University-wide Task Force can be charged with this task. The UAS should charge the appropriate body with examining the issue and reporting back to the UAS. Questions to be answered include:

1. Are some departments employing "permanent adjuncts," and what are the implications if they are?
2. What percent of the teaching load is delivered by adjuncts across the University today, and what is trend over past ten years?
3. How many adjuncts regularly teach at least two courses every year?
4. Are there some current adjuncts that should be moved to contract status?
5. Should there be salary adjustments for adjuncts based on factors such as the repeat teaching of two or more courses? The current maximum pay scale of two courses per semester at \$3,200 apiece is insufficient for individuals who do not have full time employment elsewhere.
6. Should adjuncts receive health insurance benefits at least equal to the benefits now offered to graduate teaching assistants, where the adjunct teaches a minimum of two courses per year and has no benefits from any other institution? What do our peer institutions do?
7. Should adjuncts in all departments be represented by a committee that can meet and discuss their situation and needs? Such a committee does not exist now.