

ASSEMBLY BILL

No. 2132

Introduced by Assembly Member Lara

February 23, 2012

An act to add Article 5.4 (commencing with Section 66054) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2132, as introduced, Lara. Public postsecondary education: tenure policy.

Existing law authorizes the granting of tenure to academic employees in public postsecondary institutions. The existing Donahoe Higher Education Act sets forth the missions and functions of the segments of postsecondary education in this state, including the 3 public postsecondary segments: the California Community Colleges, the California State University, and the University of California. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make those provisions applicable. Existing provisions of the act express the intent of the Legislature that the 3 public postsecondary segments adopt and enforce policies and procedures that ensure that teaching is an important factor in the evaluation of faculty for appointment, retention, promotion, and tenure.

This bill would express the intent of the Legislature that each of the segments of public postsecondary education develop and adopt tenure policies aimed at encouraging and rewarding service, both to the campus community and to the community outside of the campus, provided by faculty members.

The bill would require the Board of Governors of the California Community Colleges and the Trustees of the California State University, and request the regents, to take specified actions during the 2013–14 academic year, for implementation commencing with the 2014–15 academic year, to develop and distribute throughout their respective segments transparent criteria for tenure that include service, to identify opportunities for service for tenure track faculty, and to encourage and reward participation in these types of service by giving favorable consideration to candidates for tenure who successfully participate in these service activities. The bill would also require the board of governors and trustees, and request the regents, to consult with the academic senates of their respective segments and with student and community organizations and to act consistently with applicable collective bargaining agreements in carrying out these responsibilities.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5.4 (commencing with Section 66054) is
2 added to Chapter 2 of Part 40 of Division 5 of Title 3 of the
3 Education Code, to read:

4
5 Article 5.4. Tenure Policy
6

7 66054. (a) The Legislature finds and declares all of the
8 following:

9 (1) In subdivision (a) of Section 66052 of the Education Code,
10 the Legislature has specifically found and declared that “there is
11 a need to encourage policies that enhance the quality of teaching
12 within the segments of higher education.”

13 (2) In subdivision (b) of Section 66052 of the Education Code,
14 the Legislature has specifically expressed its intent “that the
15 University of California adopt and enforce policies and procedures
16 which ensure that quality teaching is an essential criterion, along
17 with research, in the evaluation of faculty for appointment,
18 retention, promotion, and tenure.”

19 (3) In subdivision (b) of Section 66052 of the Education Code,
20 the Legislature also specifically expressed its intent “that the
21 California State University and the governing board of each

1 community college district adopt and enforce policies and
2 procedures that ensure that teaching is given primacy in the
3 evaluation of faculty for appointment, retention, promotion, and
4 tenure.”

5 (4) A common attribute of an outstanding teacher is the
6 willingness of that faculty member to expend time and energy in
7 giving service both to the campus community and to the greater
8 community outside of the campus where he or she teaches.

9 (5) This service can take many forms, which include, but are
10 not limited to, the following: involvement in civic activities,
11 advising and tutoring students, working in outreach programs
12 aimed at promoting cultural diversity in the student body, teaching
13 extension and service-learning courses, and consulting with or
14 addressing student and community organizations.

15 (b) Therefore, it is the intent of the Legislature that each of the
16 segments of public postsecondary education develop and adopt
17 tenure policies aimed at encouraging and rewarding the service,
18 both to the campus community and to the community outside of
19 the campus, that is valuably and selflessly provided by so many
20 faculty members throughout the segments.

21 66054.1. (a) The Board of Governors of the California
22 Community Colleges and the Trustees of the California State
23 University shall, and the Regents of the University of California
24 are encouraged to, accomplish all of the following during the
25 2013–14 academic year, for implementation commencing with the
26 2014–15 academic year:

27 (1) Develop and distribute throughout their respective segments
28 transparent criteria for tenure that include service, both to the
29 campus community and to the community outside of the campus,
30 as a critical factor in the evaluation of a candidate for tenure.

31 (2) Identify, and notify tenure track faculty about, opportunities
32 for the types of service that fit the criteria developed under
33 paragraph (1).

34 (3) Encourage and reward participation in the types of service
35 identified under paragraph (2) by giving favorable consideration
36 to candidates for tenure who successfully participate in these
37 service activities and can substantiate how this participation
38 informs and enriches their teaching.

1 (b) In fulfilling their responsibilities under subdivision (a), the
2 board of governors and the trustees shall, and the regents are
3 encouraged to, do both of the following:

4 (1) Consult with the academic senates of their respective
5 segments and with student and community organizations.

6 (2) Take actions that are consistent with applicable collective
7 bargaining agreements.