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SENATE BILL 309

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Howie C. Morales

AN ACT

RELATING TO HIGHER EDUCATION; ENACTING THE FACULTY PARITY ACT;
PROVIDING CERTAIN BENEFITS TO ADJUNCT AND OTHER NON-TENURE-
TRACK FACULTY AT PUBLIC POST-SECONDARY EDUCATIONAL
INSTITUTIONS; PROVIDING FOR THE CREATION OF FUNDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Faculty Parity Act".

SECTION 2. [NEW MATERIAL] LEGISLATIVE FINDINGS.--The
legislature finds that:

A. faculty members, full-time and part-time, are
the bedrock of the higher education system and they require
adequate compensation and basic supports to serve students and
communities effectively;

B. serious problems have arisen in academic

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1 staffing at New Mexico's public post-secondary educational
2 institutions;

3 C. while an increasing percentage of the courses
4 offered in the public post-secondary educational institutions
5 are taught by part-time adjunct and other non-tenure-track
6 faculty hired on a temporary basis, these faculty members too
7 often are not given adequate compensation or basic professional
8 supports, including paid office hours to meet with students;
9 while at the same time, those institutions are allowing the
10 ranks of full-time tenured or tenure-track faculty members to
11 fall;

12 D. the use of underpaid part-time adjunct and other
13 non-tenure-track faculty has exacerbated the shrinking ranks of
14 full-time tenured or tenure-track faculty;

15 E. the overall reduction in professional supports
16 limits the ability of the state's higher education system to
17 provide high quality education, research and support for
18 economic development; and

19 F. improving the conditions under which part-time
20 adjunct and other non-tenure-track faculty work will result in
21 better service for students, communities and the economy.

22 SECTION 3. [NEW MATERIAL] PUBLIC POST-SECONDARY
23 EDUCATIONAL INSTITUTIONS--TREATMENT OF ADJUNCT AND NON-TENURE-
24 TRACK FACULTY.--

25 A. All part-time adjunct and other non-tenure-track

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1 faculty members shall receive pay that is equal, on a pro rata
2 basis, with that of tenured or tenure-track faculty of
3 comparable qualifications doing comparable work. Each public
4 post-secondary educational institution that receives funding
5 through the general appropriation act shall, subject to
6 collective bargaining with the exclusive representatives of the
7 full-time and part-time faculty at the institution, determine a
8 salary standard for part-time adjunct and other non-tenure-
9 track faculty members employed in each academic department.
10 Beginning the fall semester of 2014, each public post-secondary
11 educational institution shall increase part-time adjunct and
12 other non-tenure-track faculty salaries by a sufficient amount
13 to reduce the pro rata salary gap in each department, if one
14 exists, by the fall semester of 2020, so that the provisions of
15 this subsection are met. The pro rata salary gap between part-
16 time adjunct and other non-tenure-track salary and comparable
17 full-time tenured or tenure-track salary in any department on
18 any campus of a public post-secondary educational institution
19 shall not be diminished by less than fifteen percent from the
20 previous year.

21 B. Part-time adjunct and other non-tenure-track
22 faculty members shall be eligible to participate in the state's
23 educational retirement system as provided by the Educational
24 Retirement Act and rules adopted in accordance with that act.
25 All part-time adjunct faculty members teaching at least fifty

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1 percent of the established workload for full-time tenured
2 faculty shall be eligible for the same health care benefits as
3 full-time tenured faculty.

4 SECTION 4. [NEW MATERIAL] FACULTY RESTORATION AND EQUITY
5 FUND.--A "faculty restoration and equity fund" shall be created
6 in each public post-secondary educational institution to carry
7 out the provisions of the Faculty Parity Act. For fiscal years
8 2015 through 2021, a sufficient amount of the appropriations
9 from the legislature for instruction and general purposes at
10 each institution shall be transferred to the institution's
11 faculty restoration and equity fund to close the pro rata
12 salary gap and to pay employer contributions for educational
13 retirement and health care benefits.