

HOUSE BILL REPORT

SSB 5878

As Reported By House Committee On:
Higher Education

Title: An act relating to tenure.

Brief Description: Decentralizing posttenure evaluation for higher education faculty.

Sponsors: Senate Committee on Higher Education (originally sponsored by Senator Bauer).

Brief History:

Reported by House Committee on:
Higher Education, March 26, 1993, DPA.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass as amended. Signed by 16 members: Representatives Jacobsen, Chair; Quall, Vice Chair; Brumsickle, Ranking Minority Member; Sheahan, Assistant Ranking Minority Member; Basich; Bray; Carlson; Casada; Flemming; Kessler; J. Kohl; Ogden; Orr; Rayburn; Shin; and Wood.

Staff: Susan Hosch (786-7120).

Background: By law, at least once every five years, community colleges are required to review the performance of each tenured faculty member hired after June 30, 1991. The review is performed by a committee of the faculty member's peers. If the review is unsatisfactory, the faculty member may be required to implement a professional improvement plan for a period of up to three regular college quarters. If the faculty member's performance remains unsatisfactory following this period, tenure may be revoked and the faculty member returned to probationary status. The procedures, criteria, and conditions governing the review process and its aftermath are subject to collective bargaining.

One section of the community college tenure statute contains references to "teaching faculty" serving on faculty tenure review committees. The term "teaching faculty" may exclude from those committees, librarians and counselors, who are faculty but not necessarily "teaching faculty." The term "teaching faculty" is not used in other sections of the community college tenure statute.

Summary of Amended Bill: The community college tenured faculty performance review and evaluation statute is repealed.

Each community and technical college will establish a process for periodically evaluating tenured faculty. The evaluation, which must conform to standards established by the Northwest Association of Schools and Colleges, is subject to collective bargaining.

Statutory requirements that govern the composition of tenure review committees are revised. The term "teaching faculty" is changed to "faculty" for the composition of tenure review committees. The requirement is removed that faculty constitute a majority of the members of tenure review committees.

Amended Bill Compared to Substitute Bill: The statutory requirement is removed that faculty constitute a majority of the members of tenure review committees. A technical amendment is adopted that clarifies that community colleges and technical colleges will adopt post-tenure review processes.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: (Substitute Bill) The statutory post-tenure review process is cumbersome and difficult to administer. Both labor and management believe that post-tenure review processes should be established by the collective bargaining process, not by law. Librarians and counselors are faculty members and should not be excluded from tenure review committees. In order to remain accredited, colleges must use the post-tenure evaluation standards of the Northwest Association of Schools and Colleges.

Testimony Against: The requirement that post-tenure review processes conform with the standards adopted by the Northwest Association of Schools and Colleges should be removed.

Witnesses: Bob Fisher, Washington Education Association (in favor); Evelyn Rieder, Washington Federation of Teachers (in favor, with concerns); and Ron Bell, Shoreline Community College and Washington Community and Technical College Presidents (in favor).