

- (e) By March 31 of each year, the administration shall provide the AAUP with an electronic copy of the W2 taxable wages and the value of all benefits provided by Hofstra for all full-time and regular adjunct faculty members.
- (f) Within six (6) months after the University's financial statements are approved, the administration shall provide the AAUP with the following information, in searchable electronic format, for the prior academic year, ending August 31 (i.e., information will be produced for the previous period of September 1 through August 31):
 - i. For each bargaining unit member, all remuneration, including base pay, overload pay, stipends, and any other monetary compensation paid by Hofstra;
 - ii. For each bargaining unit member, all release time hours by semester and the purpose for which the release time was granted; compensation paid by Hofstra;
 - iii. For each bargaining unit member, all benefits provided by Hofstra, including the type of health insurance provided, employer contributions to pension, and tuition benefits.

ARTICLE 22: PAST PRACTICES

All well-established practices which benefit at least five (5) members of the bargaining unit in a significant manner shall be maintained, unless modified by this Agreement or by mutual consent. For cases involving fewer than five (5) faculty members, the Joint Standing Committee shall meet to resolve the problem.

ARTICLE 23: DEPARTMENT CHAIRPERSONS

- 23.1 Procedures. In departments needing to choose a Chairperson, the procedures to be followed shall be either those specified in FPS 13 or a different procedure approved by the department for proposing candidates. Should the department choose to adopt a procedure other than FPS 13, the department shall first meet with the dean to explore with them the procedure it contemplates. The standard by which the department shall determine a procedure shall be the protection of both the department's rights to consultation and the dean's right to choose after having received the advice of the department members, while advancing the harmony and other best interests of the department, the school and the University. After the adopted procedure for recommendation of candidates by department members has been completed, the dean shall recommend their choice to the Provost, subject to the approval of the President and the Board of Trustees.
- 23.2 Term. Chairpersons shall normally serve for not more than two (2) consecutive three-year terms.
- 23.3 Evaluation. Chairpersons shall be evaluated annually according to the procedures established by the University Senate. Deans shall be evaluated once every three years according to the procedures established by the University Senate. The University will engage Qualtrics or another qualified consultant to ensure that all responses to the evaluations are anonymous, not traceable and not available to Hofstra. The evaluation forms and protocols that will be followed are attached as Appendix F.
- 23.4 Petition to Remove. In the event either that two-thirds of the membership of a department petition the dean for removal of a chairperson or that the dean requests such removal, which petition or request shall state good cause, the dean shall meet with the department for explanation and exchange of views. If the petition or request is not thereupon withdrawn, the position shall be deemed vacant and the procedure set forth above for filling a vacancy shall be employed.
- 23.5 Assistant / Associate Chair. Where the University appoints an assistant or associate chair in a department, the person holding that position shall be a member of the bargaining unit and subject to the same evaluation and re-appointment procedures as regular faculty. Assistant or associate chairs may

not take on the responsibility of the department chairperson in faculty personnel decisions. Although assistant or associate chairs may assist the chair in developing course schedules and teaching assignments, assistant or associate chairs may not adjudicate disputes in respect to faculty assignments or schedules. Assistant or associate chairs shall retain all rights of faculty, including the right to serve on the DPC and/or FPB.

ARTICLE 24: ADJUNCT FACULTY

- 24.1 Ranks. Adjunct Faculty shall be designated as Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, and Adjunct Professor. The criteria for such adjunct faculty ranks and the procedures governing the appointment process are set forth below.
- 24.2 DPC Formation Procedures. Within seven business days after the start of the Fall semester, Departments which have regular adjunct faculty (as defined in Article 2.2), shall elect regular adjunct faculty member(s) to serve as voting member(s) on the DPC. Only regular adjunct faculty in the department are eligible to vote and/or serve as a voting member of the DPC. The election shall be run by the Chair of the Department. Nominations and votes shall be made by electronic ballot. Adjunct faculty members of the DPC may vote only on matters involving adjunct faculty, including the election of the DPC Chair. One adjunct department representative shall be elected in each department; where adjunct teaching hours in the prior year were between 40% and 60% of the total student semester hours of the department two adjunct faculty may be elected; if the adjunct teaching hours were above 60% of the total student semester hours, three adjunct faculty members may be elected, provided that in all events a majority of the DPC shall consist of full-time faculty. Regardless of the number of adjunct representatives on the DPC, they may exercise only one vote for the DPC Chair, which shall be determined by consensus of the adjunct representatives or if consensus is not achieved, the vote shall be cast by the most senior adjunct representative.
- 24.3 Initial Appointment:
- (a) New Adjuncts. In the event that there are an insufficient number of adjuncts in a department to teach all available courses, after each qualified adjunct has been offered the maximum allowable load, the department may initiate a search for a new adjunct. Unless the need for a new adjunct could not have been anticipated by the department, the position shall be advertised and the search shall commence as soon as possible but no later than one semester prior to the semester in which the adjunct shall begin work.
- (b) Emergency Appointments. If the need for an adjunct faculty appointment could not reasonably have been foreseen and the event

which triggers the need for the adjunct occurs within 30 days prior to the commencement of the semester, the Chair must make a good-faith effort to convene the DPC. If the Chair is unable to convene the DPC they may recommend an adjunct appointment to the Dean for one semester only. In these circumstances, the position will be advertised and the DPC notified prior to the commencement of the subsequent semester.

- (c) Chair and DPC Procedures. The Department Chair and DPC each will examine the qualifications of candidates for initial adjunct faculty appointment to the University's approved adjunct pool. After consultation between the DPC and Department Chair, they will exchange written recommendations. The DPC shall then forward its recommendation to the Dean. The Department Chair shall then forward their recommendation along with the candidate's docket to the Dean. The Dean's recommendation shall be forwarded with the candidate's docket to the Provost who shall decide on the recommendation. All decisions and recommendations are to include rank and teaching areas. The recommendation docket shall include:

1. the assessment and recommendations of all previous reviewing bodies;
2. the candidate's resume and personal data sheet;
3. a transcript and/or proof of highest degree;
4. three (3) letters of recommendation (outside).

A recommendation on initial salary is provided by the Department Chair and the Dean to the Provost. Until an adjunct achieves regular status, appointment and assignment of adjuncts from the approved adjunct pool will be made on a semester by semester basis by the Department Chair in consultation with the DPC.

- (d) Appointment Letter. Upon appointment and reappointment each adjunct shall be issued a letter of appointment setting forth the beginning and end date of the appointment, rank, status, assigned department and semester hours. Each such appointment letter shall

incorporate the terms of this agreement by reference. In addition, no later than fourteen (14) days after the start of the semester, the adjunct must be provided with a copy of the evaluation criteria and procedures that will apply to them for purposes of reappointment.

- (e) Personnel Files. Adjunct personnel files and records will be maintained by the Schools and by the Provost's Office.

24.4 Reappointment.

- (a) Regular Adjunct Appointment. Adjunct faculty shall be approved for appointment and remain on the appointment list until becoming a "regular adjunct." After achieving regular status adjuncts must be appointed for a three (3)-year term, with five (5)-year appointments thereafter.
- (b) Ten-Year Adjuncts. Adjunct faculty who have taught at the University for ten (10) or more academic years as of the first day of this agreement will be given five (5)-year contracts provided the CTRs for the majority of the courses they have taught in the preceding three (3) academic years are within the confidence intervals for the department, including all full and part-time faculty. In the event any eligible adjunct does not satisfy this criteria, they will be given a one (1)-year reappointment and an opportunity to improve their performance after which they will be reviewed under the normal procedures for a three (3)-year contract.
- (c) Reappointment Application. Adjuncts who have received a contract for a multi-year term may apply for reappointment at the beginning of the final year of their contract. The decision on whether to reappoint will be based on the student evaluations (CTRs) and peer evaluations. Applications for reappointment must be given careful consideration and if a decision not to reappoint is made a statement of reasons must be provided.
- (d) Appointment for a Five-Year Term. At the beginning of the last semester of a three (3)-year contract of appointment, an adjunct who applies for reappointment and who is reappointed shall be given a five (5)-year appointment, with eligibility for the same or greater semester hours as they taught in the prior academic year unless there is

insufficient work for which the faculty member is qualified and suitable in which case the semester hours of the appointment may be reduced. For purposes of calculating eligibility for a five (5)-year appointment, the adjunct must have worked both semesters in each of the previous five (5) years; otherwise a three (3)-year term appointment shall be issued.

An adjunct faculty on a five-year appointment should be reappointed if the CTRs are within the confidence interval for the department and the evaluations and peer reviews are satisfactory. If a recommendation not to reappoint is made by the Chair or the DPC, the adjunct must be provided with a statement of reasons and an opportunity to respond to the concerns raised at each level of review. If a determination is made by the Provost not to reappoint they must set forth the basis for the decision in writing. A grievance may be filed on the grounds that the requirements of this Article were not followed, but may not challenge the merits of the decision. In lieu of non-reappointment, an adjunct may be reappointed to a shorter term.

Appointment letters shall specify the hours the adjunct is eligible to teach subject to the availability of suitable courses. It is understood that insufficient work may result from a decline in student demand; the hiring of fulltime faculty member(s); the reassignment of courses to more senior adjuncts; or the reduction in courses offered.

The semester hours of an appointment can be reduced if the class assigned to the adjunct is canceled. If cancellation occurs between one week prior to the start of the class but before the third class meeting the adjunct will be paid for the portion of the term worked prior to cancellation. If the class is cancelled on or after the third class meeting the adjunct will be paid for the remaining portion of the class assignment or provided with an alternative assignment.

In the event there is no work available to satisfy the semester hour expectation during any academic term of an appointment, the faculty member shall continue to maintain eligibility for the semester hours specified in their appointment letter for the duration of the appointment.

- (e) Reappointment Process. The reappointment process for adjuncts shall be the same as that specified for the initial appointment except that

where there is disagreement between the DPC and the Chair, or between the Dean and the DPC or the Chair with respect to the reappointment of a regular adjunct faculty member who has served for at least three (3) years the case shall be referred to the FPB for recommendation to the Dean. The Dean shall forward their recommendation along with all other recommendations to the Provost, whose decisions shall be final and issue a statement of reasons for non-reappointment. Only adjuncts who are denied reappointment after completing six (6) consecutive years of service may grieve the decision of the Provost not to reappoint pursuant to Article 13 of this Agreement. Any grievance shall be limited to compliance with procedural requirements; substantive determinations are not subject to review.

Additionally, for a regular adjunct faculty member with five (5) or more consecutive years of service, any of the following changes in assignment shall be made in consultation with the DPC. Moreover, the adjunct faculty member affected shall receive written reasons for the non-assignment from the chairperson if:

- (1) an adjunct faculty member is assigned,
 - (a) for a regular fall semester, either one (1) course or three (3) teaching credits fewer than the average number of courses or teaching credits they taught during the last four fall semesters during which they taught, or
 - (b) for a regular spring semester, either one (1) course or three (3) teaching credits fewer than the average number of courses or teaching credits they taught during the last four spring semesters during which they taught, or
- (2) is not offered any course assignment during a semester (other than an intersession) in which the faculty member has taught for the past four years, or

- (3) courses, for which the adjunct is qualified and available to teach, are assigned to an adjunct whose length of service is less than the affected adjunct faculty member.

Where there is agreement between the Department Chairperson and the DPC on any of the above actions, the individual affected may request that the Dean review the written reasons for non-assignment and discuss same with the adjunct. Upon request by the affected adjunct, the Dean shall put their review and recommendation, if any, in writing. The Dean's analysis shall be reviewed by the Provost upon further request by the affected adjunct; the Provost's decision shall be final.

If there is disagreement between the Department Chairperson and the DPC on any of the above actions, the matter shall be referred to the FPB for recommendation to the Dean. The Dean shall then make a recommendation to the Provost, whose decision shall be final.

In any review process under this Article 24, with the exception of recommendations for or against initial appointment, the affected faculty member, the Dean (in cases of review by the Provost), the Department Chairperson, the DPC and the President of the AAUP shall receive copies of all recommendations and decisions promptly after they are rendered.

24.5 Teaching Load. Except as set forth in the list of grandfathered adjuncts dated July 15, 2016, adjunct faculty members covered by this Agreement shall not be permitted to teach more than eight (8) semester hours per semester.

- (a) Teaching assignments for adjuncts will normally be limited to two courses of not more than eight semester hours per semester. The appropriate Dean must approve all exceptions to this rule. It is the responsibility of the adjunct to inform a Department Chair of any other assignments at Hofstra which the adjunct currently has or for which they are being considered. It is the responsibility of the Chair to ascertain the status of these assignments from the relevant departments, and not to proceed with the employment/assignment process until required approval is obtained.

- (b) No adjunct should normally be assigned more than one new preparation in any semester except in the case of the original appointment.

24.6 Seniority and Assignments.

- (a) Seniority List. No later than September 1 of each year Hofstra will produce a list of all regular adjuncts, in seniority order, by department, with each adjunct's semester hours taught during the prior academic year to the Chairs and the AAUP. This list shall be referred to as the regular adjunct seniority list. Copies of the list must be provided by the Chairs to all regular adjuncts in their departments no later than the first day of each Fall Semester.

In addition, the AAUP shall receive a list reflecting compensated activities performed by each adjunct and the amount of compensation received therefor. The seniority list will be distributed to the Union in a searchable electronic format. This data shall be provided at the same time the list of data for full-time faculty is provided in accordance with Article 21.

- (b) Assignment Protocols. Assignments of adjunct faculty shall be made from a list of adjunct faculty previously approved for appointment by the Provost. Such list shall be referred to herein as "the appointment list." The Chairperson of the department, in consultation with the DPC, shall determine the assignment of courses for adjunct faculty, giving consideration to qualifications, suitability and length of prior service. Subject to the preceding sentence, assignments should be made first to the most senior adjuncts until they have reached the maximum load. Where two or more adjuncts are equally qualified to teach a course, the course shall be assigned to the most senior adjunct. Seniority between adjuncts is based on the first date the faculty member taught at Hofstra as an adjunct. By the end of the third week of each semester, the Department Chairperson shall provide the DPC with a list of all adjunct faculty assignments.
- (c) Retired Full-Time Faculty. For retired full-time faculty who have joined the adjunct pool, seniority is based on the first date the faculty member taught at Hofstra as an adjunct, and one half of the service time the adjunct taught as a full-time faculty member. This formula shall apply if

the faculty member commences teaching as an adjunct within two (2) years of retirement. If the faculty member does not commence teaching within two years of retirement or has a break of more than one (1) semester in service, for purposes of any future assignments, no credit shall be given for full-time service.

- (d) Input into Teaching Schedule. Regular adjunct faculty shall have an opportunity for input when the teaching schedule for the following academic year is developed and informed of their tentative assignment at the same time as the full-time faculty. The Department Chairperson shall inform adjunct faculty of assignment and non-assignment of courses in a timely manner, but in no event later than the first day of the student registration period for the semester before the class is to be offered, absent extenuating circumstances. It is understood that assignment of the course does not guarantee that the course shall be offered or that the course will not be reassigned due to the cancellation of another course.
- (e) Loss of Seniority. Unless an adjunct faculty member is on an authorized leave of absence as specified in Article 7.12 (e), an adjunct who fails to accept any work for any 24 month period, including during the summer and intersession, will be deemed to have resigned from their position. If the adjunct faculty member returns to their position thereafter the date of return will be treated as the hire date for purposes of seniority. The period of leave granted to a regular adjunct shall not count as a period of service, but upon resumption of teaching the adjunct faculty member shall be credited with all service accrued prior to the leave of absence. Approval of a leave of absence shall follow the same procedures as provided for approval of general leave applications for full-time faculty.

24.7 Evaluations. Adjunct faculty shall have annual evaluations by the chairperson and peer review by the DPC during each of the first two (2) years of teaching. Subsequent to the first two (2) years, adjunct faculty shall continue to receive annual evaluations from the chairperson with peer review the year prior to reappointment. Annual evaluations shall include a meeting with the Department Chairperson or DPC to discuss the review and the potential for the adjunct faculty member's continued association with the University. Adjunct

faculty shall also administer student evaluations in all courses taught during the Fall and Spring semesters.

24.8 Termination of Regular Adjuncts during the term of Appointment.

- (a) Before achieving regular status adjuncts may be terminated during the semester at the discretion of the Chair, provided the DPC concurs. A dispute between the Chair and the DPC shall be determined by the Dean, whose decision shall be final.
- (b) Regular adjuncts on appointments of one (1) or more years may be terminated during the term of their appointment for cause upon concurring recommendations to the Dean by the Chair and DPC. If the department Chair and the DPC disagree, the case shall be referred to the FPB for recommendation to the Dean. The department Chair shall inform adjunct faculty of the reasons for the proposed termination and the adjunct shall be permitted to respond to the recommendation in writing at each level of review.
- (c) Adjuncts on five (5) year appointments will be entitled to the same procedural protections available to such adjuncts in the case of non-reappointment.

24.9 Promotion. Instructors shall be promoted to the rank of Adjunct Assistant Professor, as appropriate, at the beginning of the semester following completion of all requirements for the doctorate or appropriate terminal degree. Although the promotion shall be processed by the Provost's office upon receipt of appropriate notification of completion, the faculty member shall submit to the University a certified transcript within three (3) months of the official award of the degree.

- (a) As a general qualification for promotion, an adjunct faculty member will normally be expected to serve a minimum number of semesters in each rank. Length of service will not, however, be considered an automatic reason for promotion:
 - 1. Three (3) years (depending upon prior experience) in the rank of Adjunct Instructor before promotion to the rank of Adjunct Assistant Professor,

2. Six (6) years in the rank of Adjunct Assistant Professor before promotion to the rank of Adjunct Associate Professor,
 3. Six (6) years in the rank of Adjunct Associate Professor before promotion to the rank of Adjunct Professor,
- (b) Recommendations for promotion must be based upon the above general qualifications, and upon the following personal qualifications:
1. for normal promotion:
 - i. continued excellence in teaching and related work with students;
 - ii. productive activity in a combination of the following areas: publication of original materials; scholarly contributions to one's professional field; off-campus performance in special fields; University administration and committee work; contributions to community relations; enrichment of campus life. It is recognized that some adjuncts will have made significant outside professional contributions that can enhance their qualifications for promotion;
 - iii. in addition to the above for promotion to the ranks of Adjunct Assistant or Adjunct Associate Professor possession of at least the Master's Degree or, in appropriate exceptional circumstances, equivalent professional achievements;
 - iv. in addition to the above for promotion to the rank of Adjunct Professor possession of the terminal degree in one's field or outstanding professional achievements
 2. for accelerated promotion:
 - i. outstanding achievements of the kinds listed above.

- 24.10 Eligibility Calculations. The parties agree that whenever the term semesters are used with reference to adjunct faculty, unless specifically included, such semesters shall exclude the summer sessions and intersessions at the University.

In accruing time toward eligibility for health insurance, sick leave, tuition remission, promotion, seniority and longevity increases, however, the total number of credits taught may be used in lieu of the number of regular semesters taught; in converting credit hours to semesters taught, every five (5) credits taught at any time during the academic year shall be equivalent to a regular semester. The determination of eligibility shall be based on the figure (regular semesters taught or credits taught) that is most beneficial to the faculty member.

- 24.11 Additional Responsibilities.

- (a) Adjunct faculty may be offered advisement and other professional responsibilities including but not limited to:

- (1) clinical supervision,
- (2) internship supervision,
- (3) tutorials and independent study,
- (4) participation in program evaluation and accreditation,
- (5) participation in recruitment and admissions activities, and supervision/oversight of student performances at a rate of \$150 per event,
- (6) assignments in the writing center,
- (7) assignments in the center for academic advisement,
- (8) service as a jury member for student performances, other than one's own students, at a rate of \$150 for 2-3 hour events.

Subject to the agreement of the adjunct, these assignments may be made in lieu of (or in addition to) regular classroom teaching and/or per capita assignments. Except as specified herein, compensation for such professional responsibilities shall be at the faculty member's regular adjunct rate, with the expectation that thirty (30) hours of professional activity shall be completed for each one (1) semester hour of compensation. The combination of teaching and other professional responsibilities during the Fall and Spring semesters shall not exceed

the maximum adjunct load as set forth herein. Adjunct faculty are also welcome to participate in other non-compensated activities (university service and student volunteer activities) on a voluntary basis but may not be directed to do so and cannot suffer any adverse consequences should they be unwilling to volunteer.

- (b) Even if the adjunct teaching limits specified by Articles 24.5 and 24.11(a) are exceeded, an adjunct faculty member shall be permitted to carry up to the equivalent of two (2) credits of per capita assignments in addition to two (2) regular courses. This two (2) credit limit applies regardless of the credit load of the courses being taught.

24.12 Access to Telephones, Voicemail, E-Mail. Currently teaching adjunct faculty shall have access to telephones, voicemail, e-mail accounts, computers, and office space as specified in Article 6.25 and 6.26. Adjunct faculty who meet the requirements of Article 2.2 but are not currently teaching may retain e-mail and library privileges.

24.13 It is agreed that the provisions of this Article relating to appointments shall be implemented as of September 1, 2017.

administrators may teach only if no regular adjunct who is qualified and suitable wishes to teach the course.

