

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0428.01 Brita Darling x2241

SENATE BILL 15-094

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SENATE SPONSORSHIP

Kefalas,

HOUSE SPONSORSHIP

Salazar,

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Senate Committees

State, Veterans, & Military Affairs

House Committees

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A BILL FOR AN ACT

101      **CONCERNING EMPLOYMENT OF COMMUNITY COLLEGE FACULTY, AND,**  
102           **IN CONNECTION THEREWITH, PROMOTING EXCELLENCE WITHIN**  
103           **COMMUNITY COLLEGES BY IMPROVING THE WORKING**  
104           **CONDITIONS, COMPENSATION, AND BENEFITS OF FACULTY.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill requires colleges in the state system of community and technical colleges (state system), on and after a certain date, to classify as faculty all employees with teaching responsibilities, including part-time

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

teaching responsibilities. Once classified as faculty, the employees will have the same responsibilities, benefits, and freedoms of regular faculty, commensurate with the employee's education, training, experience, and teaching skill, including participation in non-teaching activities and professional development, job security issues such as health care and retirement benefits, and access to due process, grievance procedures, and academic freedom. The state board for community colleges and occupational education (state board) will collaborate with faculty and college administrators to determine how to achieve an inclusive faculty structure with respect to faculty responsibilities, benefits, and freedoms.

The bill includes provisions relating to seniority in determining course assignments and allows the seniority system to be replaced after a period of time with a new process to assign courses.

The bill requires the state board to collaborate with faculty and college administrators to create a fiscally sustainable multi-year plan to achieve comparable compensation among all faculty.

On and after the effective date of the bill, employees with 90 or more credit hours teaching in the state system have the due process provided to regular faculty.

Finally, the bill requires college administrators to ensure that all faculty have the opportunity to participate in faculty governance meetings relating to faculty matters and on the state-level advisory council.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-60-202.7 as  
3 follows:

4 **23-60-202.7. Community college faculty - legislative**  
5 **declaration - employment.** (1) THE GENERAL ASSEMBLY HEREBY FINDS  
6 AND DECLARES THAT:

7 (a) THE COLORADO SYSTEM OF COMMUNITY AND TECHNICAL  
8 COLLEGES OFFERS QUALITY, COST-EFFECTIVE ACADEMIC AND TECHNICAL  
9 PROGRAMS TO RESIDENTS OF OUR STATE;

10 (b) AN EXPERIENCED, EDUCATED FACULTY IS ESSENTIAL TO  
11 MAINTAIN THE QUALITY OF EDUCATION PROVIDED BY THE COLORADO  
12 SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES;

13 (c) A POST-SECONDARY QUALITY EDUCATION FOR COLORADO'S

1 RESIDENTS IS ESSENTIAL FOR THE ECONOMIC AND CIVIC VITALITY OF THE  
2 STATE;

3 (d) STUDENTS BENEFIT FROM A STABLE AND SUPPORTED FACULTY  
4 WORKFORCE THAT IS FOCUSED ON TEACHING EXCELLENCE;

5 (e) STUDENTS BENEFIT FROM A FACULTY WORKFORCE THAT IS FREE  
6 TO MEANINGFULLY PARTICIPATE IN FACULTY BUSINESS AND GOVERNANCE;

7 (f) IMPROVED WORKING CONDITIONS AND FAIR COMPENSATION  
8 PRACTICES, INCLUDING SALARIES THAT ARE COMMENSURATE WITH  
9 FACULTY EDUCATION, TRAINING, EXPERIENCE, AND TEACHING SKILL, WILL  
10 ENCOURAGE BOTH RECRUITMENT AND RETENTION OF HIGH-QUALITY  
11 FACULTY; AND

12 (g) STUDENTS BENEFIT WHEN COMMUNITY COLLEGES RECRUIT AND  
13 RETAIN HIGH-QUALITY FACULTY BY IMPLEMENTING GOOD BUSINESS  
14 PRACTICES THAT ARE FAIR AND RESPONSIVE TO THE ENTIRE FACULTY  
15 WORKFORCE.

16 (2) (a) ON AND AFTER JUNE 30, 2016, ALL EMPLOYEES WITH  
17 TEACHING RESPONSIBILITIES, INCLUDING PART-TIME TEACHING  
18 RESPONSIBILITIES, MUST BE CLASSIFIED AS FACULTY OF THE STATE SYSTEM  
19 OF COMMUNITY AND TECHNICAL COLLEGES, REFERRED TO IN THIS SECTION  
20 AS THE "STATE SYSTEM".

21 (b) (I) WHEN COURSE ASSIGNMENTS ARE AVAILABLE, EACH  
22 COLLEGE SHALL PERMIT FACULTY MEMBERS TO TEACH UP TO A FULL-TIME  
23 WORKLOAD, WITH PREFERENCE GIVEN FIRST TO FACULTY MEMBERS WHO  
24 WERE HIRED ON A FULL-TIME BASIS PRIOR TO THE EFFECTIVE DATE OF THIS  
25 SECTION, AND SECOND TO FACULTY ON THE BASIS OF SENIORITY.

26 (II) SENIORITY IS DETERMINED BASED UPON THE NUMBER OF  
27 COURSE HOURS THAT A FACULTY MEMBER HAS TAUGHT IN THE RELEVANT

1 FIELD OF EXPERTISE, STARTING WITH HIS OR HER INITIAL TEACHING  
2 APPOINTMENT IN THE STATE SYSTEM.

3 (III) THE SENIORITY SYSTEM FOR COURSE ASSIGNMENTS MAY BE  
4 REPLACED WITH A FACULTY-DEVELOPED AND FACULTY-APPROVED SYSTEM  
5 FOR ASSIGNING COURSES NO SOONER THAN THREE YEARS AFTER THE  
6 EFFECTIVE DATE OF THIS SECTION.

7 (c) (I) EMPLOYEES CONSIDERED FACULTY PURSUANT TO  
8 PARAGRAPH (a) OF THIS SUBSECTION (2) MUST BE TREATED THE SAME AS  
9 REGULAR FACULTY, COMMENSURATE WITH THE EMPLOYEE'S EDUCATION,  
10 TRAINING, EXPERIENCE, AND TEACHING SKILL, WITH RESPECT TO  
11 RESPONSIBILITIES, BENEFITS, AND FREEDOMS OF REGULAR FACULTY,  
12 INCLUDING, BUT NOT LIMITED TO:

13 (A) MEANINGFUL PARTICIPATION IN FACULTY NONTEACHING  
14 ACTIVITIES, SUCH AS CURRICULUM DEVELOPMENT, STUDENT ADVISING,  
15 COURSE ASSIGNMENTS AND WORKLOAD PROCESSES, AND DEPARTMENT  
16 AND ALL-COLLEGE GOVERNANCE MEETINGS, WITH MUTUALLY  
17 DETERMINED COMPENSATION FOR THESE NONTEACHING ACTIVITIES;

18 (B) JOB SECURITY ISSUES, SUCH AS HEALTH CARE AND  
19 RETIREMENT BENEFITS, CONTINUED EMPLOYMENT, MULTI-YEAR  
20 CONTRACTING, CAREER PATHS, UNEMPLOYMENT INSURANCE, AND  
21 COMPENSATION FOR COURSE CANCELLATIONS; AND

22 (C) ACCESS TO DUE PROCESS, GRIEVANCE PROCEDURES, AND  
23 ACADEMIC FREEDOM AND INTELLECTUAL INQUIRY.

24 (II) THE BOARD SHALL ENGAGE IN A COLLABORATIVE PROCESS  
25 WITH RESPECT TO ACHIEVING INCLUSIVE FACULTY RESPONSIBILITIES,  
26 BENEFITS, AND FREEDOMS PURSUANT TO SUBPARAGRAPH (I) OF THIS  
27 PARAGRAPH (c) THAT INCLUDES THE BOARD, THE COLLEGES, AND

1 FACULTY.

2 (3) ON AND AFTER JUNE 30, 2016, THE BOARD, IN CONJUNCTION  
3 WITH THE COLLEGES, SHALL IMPLEMENT A FISCALLY SUSTAINABLE  
4 MULTI-YEAR PLAN TO COMPENSATE EMPLOYEES WITH TEACHING  
5 RESPONSIBILITIES WHO WERE CLASSIFIED AS ADJUNCT INSTRUCTORS PRIOR  
6 TO THE EFFECTIVE DATE OF THIS SECTION. THE INTENT OF THE PLAN IS TO  
7 ACHIEVE A COMPARABLE LEVEL OF COMPENSATION, INCLUDING SALARIES  
8 THAT ARE COMMENSURATE WITH FACULTY EDUCATION, TRAINING,  
9 EXPERIENCE, AND TEACHING SKILL, TO ATTRACT AND RETAIN  
10 HIGH-QUALITY FACULTY WHO CAN DELIVER HIGH-QUALITY EDUCATION TO  
11 STUDENTS IN THE STATE SYSTEM.

12 (4) UPON THE EFFECTIVE DATE OF THIS SECTION, EMPLOYEES WITH  
13 TEACHING RESPONSIBILITIES WHO ARE CLASSIFIED AS ADJUNCT  
14 INSTRUCTORS AND WHO HAVE TAUGHT AT LEAST NINETY CREDIT HOURS  
15 IN THE STATE SYSTEM SINCE THEIR INITIAL APPOINTMENT MUST HAVE  
16 ACCESS TO DUE PROCESS AVAILABLE TO ALL REGULAR FACULTY.

17 (5) ON AND AFTER JUNE 30, 2016, EACH COLLEGE PRESIDENT  
18 SHALL ENSURE THAT ALL FACULTY HAVE AN EQUAL OPPORTUNITY TO  
19 PARTICIPATE IN THE COLLEGE'S FACULTY GOVERNANCE MEETINGS IN  
20 ORDER TO MEANINGFULLY ENGAGE IN DECISION-MAKING REGARDING  
21 FACULTY MATTERS. THE BOARD SHALL ENSURE THAT ALL FACULTY MAY  
22 PARTICIPATE ON THE STATE FACULTY ADVISORY COUNCIL.

23 **SECTION 2. Safety clause.** The general assembly hereby finds,  
24 determines, and declares that this act is necessary for the immediate  
25 preservation of the public peace, health, and safety.