



FINAL
FISCAL NOTE

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Prime Sponsor(s): Rep. Fischer
Sen. Bacon

Bill Status: Signed into Law

Fiscal Analyst: Josh Abram (303-866-3561)

TITLE: CONCERNING AUTHORIZING INSTITUTIONS OF HIGHER EDUCATION TO ENTER INTO EMPLOYMENT CONTRACTS FOR NON-TENURE-TRACK CLASSROOM TEACHERS.

Summary of Legislation

This bill permits a state institution of higher education to have an unlimited number of employment contracts for non-tenure track instructors (adjunct faculty). The contracts must contain a provision allowing the institution to end the contract if the institution can demonstrate an urgent financial problem. The contracts are also unenforceable if the institution loses enterprise status or lacks present cash reserves sufficient to satisfy the contract terms. The bill was signed into law by the Governor on April 12, 2012, and takes effect August 8, 2012, assuming no referendum petition is filed.

Assessment

Under current law, state institutions of higher education have broad discretion over the contractual relationships they enter into with adjunct instructors. This bill expands this authority to allow an unlimited number of 3-year contracts with adjunct instructors, but does not require that the institutions provide these contracts.

The governing boards at state institutions are given the authority to manage their budgets and the revenue obtained from tuition, and from state and federal sources. Nothing in this bill requires increasing the amount of money used to compensate adjunct faculty. For these reasons, the bill is assessed as having no fiscal impact.

Departments Contacted

Higher Education