

# HOUSE . . . . . No. 3948

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Lindsay N. Sabadosa***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish comprehensive rights and career advancement for contingent faculty in public higher education.

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:    | DATE ADDED:      |
|----------------------------|----------------------|------------------|
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/16/2025</i> |

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[Pin Slip]

## The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court  
(2025-2026)

An Act to establish comprehensive rights and career advancement for contingent faculty in public higher education.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 15A of the General Laws is hereby amended by striking out section 9 and inserting in place thereof the following section:-

Section 9. The board shall establish employment standards for contingent faculty members, which shall include:

(i) the following minimum compensation requirements: (A) base per-course rates no less than the pro-rated equivalent of full-time faculty compensation; (B) equal pay rates between day division and continuing education division; (C) regular cost-of-living adjustments; (D) additional compensation for departmental service and committees; and (E) payment for course preparation when classes are canceled within 30 days of start date;

(ii) the following employment security provisions: (A) standard 2-year contracts after 4 successful teaching semesters; (B) course assignment notification at least 45 days before term

start; (C) compensation of 25 per cent of course rate for late cancellations; (D) protection from arbitrary non-renewal; and (E) right of first refusal for previously taught courses; and

(iii) professional support requirements including: (A) dedicated office space; (B) institution-provided computer equipment; (C) access to departmental resources; (D) professional development funding; (E) research and conference support; and (F) library and technology access.

SECTION 2. Said chapter 15A is hereby further amended by inserting after section 9B the following 2 sections:-

Section 9C. Each institution shall:

(i) establish a career advancement tier framework that:

(A) creates at least 3 tiers of contingent faculty positions with increasing job security, compensation and benefits; (B) provides clear advancement criteria; (C) includes teaching excellence and institutional service; and (D) ensures fairness and transparency;

(ii) provide internal advancement opportunities including: (A) priority consideration for full-time positions; (B) credit for years of service; (C) recognition of institutional knowledge; and (D) support for professional development; and

(iii) ensure departmental integration through:

(A) participation in governance; (B) voting rights on departmental matters; (C) inclusion in faculty meetings; and (D) access to grants and research support.

Section 9D. All institutions shall: (i) eliminate pay disparities between day and continuing education divisions within 2 years; (ii) place all new contingent faculty hires in day division; (iii) provide equal benefits and advancement opportunities regardless of division; and (iv) maintain consistent evaluation and advancement procedures.

SECTION 3. Section 10 of said chapter 15A, as appearing in the 2022 Official Edition, is hereby amended by inserting before the definition of "Community college" the following definition:-

"Career advancement tier", a classification level established by a public institution of higher education for contingent faculty members that establishes specific rights, responsibilities and compensation rates based on teaching experience and institutional service.

SECTION 4. Said section 10 of said chapter 15A, as so appearing, is hereby further amended by inserting after the definition of "Community college affiliate" the following 4 definitions:-

"Contingent faculty member", an instructor at a public institution of higher education who: (i) teaches at least 1 course per academic year; (ii) is compensated on a per-course basis; and (iii) is not in a tenure-track position.

"Day division", credit-bearing courses offered as part of regular academic programs during standard operational hours.

"Continuing education division", credit and non-credit courses offered through continuing education, graduate programs, evening or extended learning programs.

"Full-time equivalent load", the standard course load assigned to full-time faculty members at the institution.

SECTION 5. Said chapter 15A hereby further amended by adding the following 4 sections:-

Section 50. (a) Contingent faculty members shall be eligible for group insurance commission benefits, pursuant to chapter 32A, if they: (i) teach courses equivalent to 25 per cent or more of a full-time load; or (ii) have taught at least 2 courses per year for the previous 2 years.

(b) Eligible faculty shall receive: (i) pro-rated premium contributions based on teaching load; (ii) access to all standard plan options; and

(iii) continuation of coverage between semesters if maintaining a regular teaching schedule.

Section 51. Public institutions of higher education shall, to the extent possible:

(i) provide institutional matching for mandatory employee OBRA 1990 retirement contributions or establish mechanisms for contingent faculty participation in Social Security;

(ii) maintain 457b eligibility;

(iii) provide retirement planning support; and

(iv) include part-time faculty representation in benefit decisions.

Section 52. (a) Institutions shall maintain records including: (i) courses taught and compensation; (ii) career advancement tier status; (iii) benefits eligibility; (iv) professional development participation; and (v) evaluation results.

(b) Faculty members shall receive written notice of: (i) course assignments and compensation;(ii) benefits eligibility and options; (iii) advancement opportunities; and (iv) evaluation criteria and results.

Section 53. (a) Institutions shall provide: (i) annual professional development funding; (ii) access to research grants; (iii) conference attendance support; (iv) technology and resource access; and (v) mentoring opportunities.

SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after section 2JJJJJ the following section:-

Section 2KKKKKK. (a) There shall be established and set up on the books of the commonwealth a separate fund known as the Contingent Faculty Career Advancement Fund. The fund shall receive:

(i) institutional contributions;

(ii) appropriations or other money authorized or transferred by the general court and specifically designated to be credited to the fund;

(iii) funds from public and private sources, including, but not limited to, gifts, grants and donations; and (iv) any interest earned on the assets of the fund.

(b) Amounts credited to the fund may be expended without further appropriation by the board of higher education to support: (i) the implementation of career frameworks established in chapter 15A; (ii) professional development programs for faculty members of public institutions of higher education; (iii) position conversion of contingent faculty members, as defined in section 10 of said chapter 15A, to full-time status; (iv) benefits expansion for faculty members of

public institutions of higher education; and (v) resource provision to faculty members of public institutions of higher education.

SECTION 7. (a) The board of higher education shall: (i) promulgate detailed regulations, pursuant to chapter 30A, to implement this act; (ii) monitor institutional compliance; (iii) investigate violations; (iv) issue corrective orders; (v) impose penalties for non-compliance; and (vi) establish an advisory committee with both student and contingent faculty representation to advise the oversight and implementation of the contingent faculty career advancement fund.

(b) Faculty members may: (i) file complaints with the board; (ii) appeal adverse decisions; (iii) seek enforcement through civil action; and (iv) receive protection from retaliation.

SECTION 8. The board of higher education shall promulgate regulations to implement this act no later than January 1, 2026.

SECTION 9. Sections 1 through 7 shall take effect on July 1, 2026.