

Date of Hearing: April 23, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION  
Mike Fong, Chair  
AB 2971 (Maienschein) – As Introduced February 16, 2024

**SUBJECT:** Classified Employee Staffing Ratio Workgroup: community college districts

**SUMMARY:** Expands an existing “Classified Employee Staffing Ratio Workgroup” to include community colleges and expands the jurisdiction of the workgroup to examine and to recommend appropriate classified staffing ratios at community colleges to the Legislature by December 31, 2025. Specifically, **this bill:**

- 1) Updates existing law as to who can volunteer to participate in the “Classified Employee Staffing Ratio Workgroup” to include community college districts.
- 2) Requires the “Classified Employee Staffing Ratio Workgroup” to examine classified assignments for both K-12 and community colleges in a manner that reflects the environmental setting of the classified assignment, the type of work to be completed, and the impact on the assignment made by enrollment at the school site or campus. The workgroup will group the classified staff into categories and then determine the staffing ratios for each category based on the number of pupils (K-12) or students (community colleges).
- 3) Requires the workgroup to provide a report to the Legislature by December 31, 2025 with recommendations on the appropriate staffing ratios for classified employees in schools and community colleges.

**EXISTING LAW:**

- 1) Authorizes the California Department of Education (CDE) by December 31, 2024 to convene the Classified Employee Staffing Ratio Workgroup. In convening the workgroup CDE will consultation with the Division of Occupational Safety and Health, the Department of Industrial Relations, the Labor Commissioner, the representatives of employee organizations, and representatives of voluntary local educational agencies, including, but not limited to, members of governing boards of school. The workgroup will do the following:
  - a) Group classified assignments in a manner that reflects the environmental setting of the assignment, the type of work to be completed, the impact on the assignment made by the enrollment at a school site, specialized needs including certificates or licenses, and other reasonable factor;
  - b) Recommend staffing ratios per grouping identified in (a) enumerated above and the staffing ratios will compare the number of classified staff needed for each group with the number of pupils. The staffing ratio may compare other factors as relevant to the group of classified workers;
  - c) Take into consideration the physical, mental, and emotional impact of the pandemic or other emergency environment on workers; and,

- d) After completing the work enumerated above, provide a report with recommendation on appropriate staffing ratios for classified school employees to the Legislature (Education Code (EDC) Section 45118).
- 2) Establishes the California Community Colleges (CCC) under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in California. The CCC shall be comprised of community college districts (EDC Section 70900).
- 3) Establishes that CCC districts are under the control of a board of trustees, known as the governing board, who has the authority to establish, maintain, operate, and govern one or more community colleges, within its district as specified. Permits districts to establish policies for and the approval of courses of instruction and educational programs (EDC Section 70902).

**FISCAL EFFECT:** Unknown.

**COMMENTS:** *Double Referral.* AB 2971 (Maienschein) was heard in the Assembly Committee on Public Employment and Retirement on April 03, 2024, where it passed with 6-1 vote. A review on the issues of the measure germane to public employment and retirement is addressed in the Committee's analysis.

*Purpose.* As explained by the Author, "AB 2971 expands on the groundwork of AB 1273 (Bonta). Which established a framework for determining the appropriate ratios of classified workers to students. This ensures a comprehensive approach to staffing throughout our educational system. AB 2971 now includes community colleges in this process, acknowledging the essential role these institutions play in our education landscape. Addressing the need for classified workers in community colleges is crucial to maintaining standards of cleanliness, upkeep, and functionality vital for student success. AB 2971 represents the initial step toward meeting these expectations and ensuring the optimal functioning of our community college infrastructure."

*AB 1273 (Bonta), Chapter 364, Statutes of 2023.* In 2023, the Legislature passed AB 1273 (Bonta), which established a Classified Employee Staffing Ratio Workgroup (workgroup), whose primary responsibility was to make recommendations to the Legislature on appropriate staffing ratios for classified school employees at K-12 school districts. AB 2971 (Maienschein) seeks to expand the purview of the workgroup to require the workgroup to examine the appropriate staffing ratios for classified staff at community colleges.

Assemblymember Bonta, argued the need for the Classified Employee Staffing Ratio Workgroup, because:

"Optimal learning environment for a student to succeed requires that many factors be available and true at a school campus. Students have to be physically and mentally present, not distracted by hunger or pests, they have to be able to breath clean air, have lead-free water, and have access to adequate instructional materials. All of these conditions are made possible by the hardworking classified staff at school. Classified workers are the bus drivers, crossing guards, custodians, groundskeepers, and [information technology] professionals, food service workers, as well as the office staff who processes attendance and ensures the school's finances and emergency plans and contacts. The question of how many staff is

necessary to create this a good learning climate is one that California has not answered. There is currently no guidance for administrators or parents, and that is what [AB 1273] seeks to answer.”<sup>1</sup>

While classified staff at community colleges may not daily interface with community college students, they are still an integral part of the community college daily operations. Classified job classifications at the community colleges include office assistances, campus security, janitorial staff, and accountants. In some cases, even child care offered on campus is operated by classified staff.<sup>2</sup>

Requiring an existing workgroup to examine the appropriate level of classified staff for K-12 districts and community college districts not only provides parity and equity in the K-14 system, but would provide the Legislature with an important data point as to how many classified staff should be hired to maintain community college campuses.

*Parity with community college full-time faculty.* In 1988, the Legislature partnered with the Board of Governors to set a goal of every community college having full-time faculty teach 75% of for-credit class instruction. This agreement is also known as the full-time faculty obligation (FON). The Board of Governors adopted regulations requiring community college districts to increase their base number of full-time faculty over the prior year in proportion to the amount of growth in funded credit of full-time equivalent students. Essentially, the FON establishes a staffing ratio where the minimum number of full-time faculty grows is proportional to the funding provided for student enrollment, with the ultimate goal of 75% of credit-bearing course instruction being taught by a full-time faculty. A State Audit published in February 23, 2023, found the CCC system has not met the long-standing state goal of having 75% of instruction taught by full-time faculty, even with \$450 million in state funds having been allocated for hiring and retention of full-time faculty.<sup>3</sup> In the fall of 2023, the statewide total percentage of the full-time faculty that were teaching courses at the community college was 60%.

AB 2971 (Maeinschein) seeks to provide parity between faculty and classified staff at the community colleges by establishing a workgroup to examine and provide recommendations on appropriate staffing ratios for classified staff at the community colleges in the same manner the full-time faculty obligation requires community colleges to maintain full-time faculty ratios.

*Arguments in support.* The California Federation of Teachers, contents the need for AB 2971 (Maeinschein), as “COVID-19 exposed the lack of capacity that local education agencies’ workforces had in order to deal with the constant need to keep students and staff safe and healthy. Workforce loads in every sector suffered, including food service that prepared lunches to-go, custodial workers to keep facilities disinfected, and clerical workers who needed to track students and assist the administration and faculty with the day-to-day needs of providing services. Prior to AB 1273 (Bonta, 2023), no state policy assessed or quantified how many classified employees are reasonably required to meet the needs of the health and safety of students and staff at school sites. Classified school employees perform a myriad of jobs that keep schools clean, safe, and operative and ensure that janitorial, para-education service, and

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<sup>1</sup> [https://lis.caegis.net/LISWeb/faces/bills/billdetail.xhtml;jsessionid=yILOtNO-P7UX1bF4ch-mM5d9cSd9DqoxSyF6c\\_l5nLzuEs-ymlUV!-1641862300!65836769#](https://lis.caegis.net/LISWeb/faces/bills/billdetail.xhtml;jsessionid=yILOtNO-P7UX1bF4ch-mM5d9cSd9DqoxSyF6c_l5nLzuEs-ymlUV!-1641862300!65836769#)

<sup>2</sup> <https://www.glendale.edu/home/showpublisheddocument/10860/637123729021670000>

<sup>3</sup> <https://www.auditor.ca.gov/reports/2022-113/index.html#pg16A>

maintenance needs are met. Hundreds of classifications perform this work; from trades workers to clerical staff, custodial and the list goes on. Unfortunately, not every school site is staffed with adequate personnel to meet the needs of each school site. AB 1273 (Bonta) created a process by which stakeholders will develop optimal classified staffing ratios for schools, and the group conducting this research is currently being formed. However, this bill omitted community colleges from the discussion, despite the fact that community colleges require the work of classified staff just as much as any other type of education institution. AB 2971 (Maienschein) simply adds community colleges into the existing process created by AB 1273, with no other changes to current law. With this addition, our community college system can join all other areas of our education infrastructure in also benefitting from the work of this group.”

*Committee comments.* As mentioned by the proponents of this measure, the AB 2971 (Maienschein) would permit community colleges to engage with an existing workgroup whose task is to examine the appropriate ratios of classified staff for K-12 districts. The workgroup is spearheaded by the CDE, who will work collaboratively with the Division of Occupational Safety and Health, the Department of Industrial Relations, the Labor Commissioner, the representatives of employee organizations, and representatives of voluntary local educational agencies.

Technically, the workgroup has yet to meet, but is statutorily required to meet by December 31 of this year. AB 2971 (Maienschein) which expands the scope of the workgroup, will not be enacted until January 1, 2025. Therefore if the workgroup is to engage with community colleges and examine classified staffing ratios at community colleges, the implementation of the workgroup should be delayed after January 1, 2025, and the required report should also be delayed accordingly.

*Committee Staff have suggested and the Author has agreed to amend the measure to have the workgroup convene on or before July 31, 2025 and to delay the required report to the Legislature on staffing ratios until July 31, 2026.*

The CDE is the lead on the project and is asked to consult with various entities including voluntary local education agencies. The CDE is the state agency which oversees K-12 districts in the State of California. Since AB 2971 (Maeinschein) will expand the consultation to include community colleges and the scope of the “staffing ratios” report to include classified staff at community colleges, the author may wish to include the body that oversees community college districts.

*Moving forward the Author may wish to include the Chancellor’s Office of the California Community Colleges as one of the entities the CDE consults with as part of the workgroup.*

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

American Federation of State, County and Municipal Employees, Afl-cio  
 California Federation of Teachers Afl-cio  
 California School Employees Association, Afl-cio  
 California Teachers Association

### **Opposition**

None on file.

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