Date of Hearing: June 24, 2025

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Mike Fong, Chair
SB 241 (Cervantes) – As Introduced January 30, 2025

SENATE VOTE: 39-0

SUBJECT: Community colleges: personnel: qualifications

SUMMARY: Clarifies a California Community College (CCC) is only permitted to hire a person who meets the minimum qualifications for specific positions at the college. Specifically, **this bill**:

1) Requires a CCC to hire a person for the role of community college instructor, librarian, counselor, student personnel workers, supervisor, administrator, chief administrative officer, extended opportunity programs and services worker, disabled students programs and service worker, apprenticeship instructor, or supervisor of health. Requires the person hired, for the roles listed above, to meet the minimum qualifications, as specified.

EXISTING LAW:

1) Establishes the CCC under the administration of the Board of Governors (BOG) of the CCC, as one of the segments of public postsecondary education in California. The CCC shall be comprised of community college districts (Education Code (EDC) Section 70900).

2) Explicitly requires a CCC to hire an instructor who is a person and meets the minimum qualifications, as defined, to serve as a faculty member teaching credit or noncredit instruction at a CCC (EDC Section 87359.2)

2) Requires a person serving as a community college instructor, librarian, counselor, student personnel worker, supervisor, administrator, or a chief administrative officer to retain the right to serve under the terms of the credential, if a credential is required for the position. Clarifies the person hired as community college instructor, librarian, counselor, student personnel worker, supervisor, administrator, or a chief administrative officer has met the minimum qualifications for every discipline or service covered by the required credential until the credential is expired. Authorizes the CCC BOG to adopt regulations to implement the above (EDC Section 87355).

3) Authorizes the CCC BOG to adopt regulations to establish and maintain the minimum qualifications for service as a faculty member teaching credit instruction, a faculty member teaching noncredit instruction, a librarian, a counselor, an educational administrator, an extended opportunity programs and service worker, a disabled students programs and service worker, an apprenticeship instructor, and a supervisor of health (EDC Section 87356).

4) Authorizes the CCC BOG to adopt regulations for the permissible employment of faculty members and educational administrators who do not meet the applicable minimum qualifications specified in the regulations adopted by the BOG pursuant to Section 87356. Places restrictions on the use of the regulations and the manner in which the regulations are adopted by the local governing boards (EDC Section 87359).

FISCAL EFFECT: This measure is keyed non-fiscal by Legislative Counsel.

COMMENTS: *Background.* Due to growing concerns regarding the use of artificial intelligence (AI) at colleges and universities throughout the nation, AB 2370 (Cervantes), Chapter 66, Statutes of 2024, was introduced as an effort to define the appropriate use of AI at California Community Colleges (CCC). AB 2370 (Cervantes) explicitly defined an instructor at the CCC as a "person" who meets the minimum qualifications for teaching noncredit or credit courses.

At the time, the prevailing understanding throughout the education community was AI was a tool which could be harnessed to assist faculty and students alike in the preparation of a skilled and trained workforce. As AI became more prevalent in education as a tool to reduce workload capacities, administrators at universities began to postulate that AI could be used to replace workers. In the spring of 2024, a memo was distributed by Boston University authorizing faculty to use AI in place of graduate students and teaching assistants as the University continued its contract negotiations.[1] For many, this was seen as the first step to outright human replacement with AI in education. AB 2370 (Cervantes) was the Legislative response to these concerns. By inserting the term "person," the Legislature was reaffirming to faculty the continual support for human to human interaction for instruction, even in the wake of AI expansion.

SB 241 (Cervantes) seeks to expand AB 2370 (Cervantes) by requiring the positions of instructor, librarian, counselor, student personnel worker, supervisor, administrator, chief administrative officer, extended opportunity programs and service worker, disabled students programs and services worker, apprenticeship instructor, and supervisor of health, to be filled by a person who meets the minimum qualifications for the role.

Author's intent. As explained by the Author, "the rapid development in recent years of new technology like artificial intelligence has had a massive effect not only on our society generally, but on public policy in particular. One of the most pressing issues faced by the growing use of new technology tools has been the possible effects on human workers, particularly the threat of AI, that human workers could be replaced wholesale by artificial intelligence. In the May 2023 edition of the California Community Colleges' 'Digital Futures' newsletter, an article entitled 'Transforming Education: The Rise of AI in the California Community Colleges' described the potential pedagogical use of AI in community colleges. It stated that 'AI could provide excellent opportunities for more individualized instruction, tutoring, and class reviews. Faculty members might use AI to create lesson plans…' While there is room for technology tools like AI to contribute in community college classrooms in California, human faculty are still necessary and best suited to teach human students. Senate Bill 241 follows up on my Assembly Bill 2370 (2024) by providing additional guardrails on the use of AI at our community colleges. It will accomplish this by expanding the list of instructor and faculty positions at our community colleges who must meet all of the minimum qualifications set by the Board of Governors of the California Community Colleges to serve as faculty."

According to the author, the purpose of the measure is to "protect all faculty jobs in the CCC system, especially those who represent underserved communities in higher education."

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[1] https://www.insidehighered.com/news/tech-innovation/artificial-intelligence/2024/04/18/faculty-unions-seek-ai-guidelines-contracts

Committee staff note the list of positions identified by SB 241 (Cervantes) includes positions that are not identified as faculty positions by the CCC. The scope of the bill expands the requirements for "person" with the required qualifications to fill designated positions beyond those positions identified as "faculty positions" at the CCC.

Minimum qualification for employees. As part of a larger reform effort at the CCC, authority was granted to the Board of Governors (BOG) in 1990 to establish the minimum qualifications for faculty positions through regulations. In consultation with the systemwide Academic Senate, the BOG reviews and adopts the minimum qualifications which serve as "a statewide benchmark for promoting professionalism and rigor within the academic disciplines in the community colleges and a guideline for day-to-day decisions regarding suitability for employment."[2] The California Code of Regulations (CCR) Title 5, Division 6, Chapter 6, Subchapter 5, Sections 53400-53430, 53500-53502, 56048, and 56260-56262, includes the minimum qualifications for instructors for credit courses, counselors, librarians, health service professionals, apprenticeship instructors, disabled student programs and service employees, learning assistance instructors, and educational administrators. The minimum qualifications are as follows:

1) *For an instructors, librarians, and counselors* –Possession of a master's degree in the discipline as assigned and a possession of a bachelor's degree in the discipline as assigned OR; in a discipline related to the assignment; or if a master's degree is not required for the discipline: a bachelor's degree with two years of experience in the field or an associate degree with six years of experience in the field.

2) *For apprenticeship instructors* – Possession of an associate degree plus four years of occupational experience in the subject matter; or six years of occupational experience in the subject, a journeyman's certificate in the subject area, and at least 12 semester units of apprenticeship or college-level course work; or, six years of occupational experience and a minimum of 10 years as an apprenticeship instructor.

3) *For disabled students programs and service employees* – Possession of a master's degree in counseling (variety of options to the type of counseling); and for specific disabilities the required licensure from the state identified board.

4) *For educational administrators* – Possession of a master's degree and one year of specified experience related to the administrative assignment.

5) *For extended opportunity programs and services (EOPS) worker* –Possession of a master's degree and relative work experience (time and breadth depends on the position within the EOPS program).

6) *For health services supervisor* – Possession of a master's degree in nursing and a California Public Health Nurse certificate; or, a bachelor's degree in nursing, a California Public Health Nurse certificate; and a master's degree in subjects related to health.

7) *For a student personnel worker, supervisor, and chief administrative officer* – There are no minimum qualifications for these positions pursuant to existing law beyond a certificate; which as of 1990 no longer exists.

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[2] 19th edition minimum qualifications for faculty and administrators in the CCC.

Every few years the Chancellor's office in consultation with the Academic Senate will update the discipline and minimum qualifications manual to add additional majors, minors, and subjects offered at community colleges throughout the state. In July 2024, the BOG approved the 19th edition. The edition included an array of new subject matters and defined the minimum qualifications for newly created faculty and administrative positions at the CCC. The 88 page manual includes every discipline taught at the CCC and the required minimum qualifications the discipline or major requires. The manual divides the disciplines and positions into three types: 90 disciplines which require a master's degree, 144 which require a specific bachelor's degree or associate degree and experience, and 145 which require any degree and experience.[3]

Use of artificial intelligence at the California Community Colleges. In 2023, Chancellor Sonya Christian published the "Vision 2030: A Roadmap for California Community Colleges," which included three overarching goals with six associated outcomes to help the CCC in its pursuit of ensuring the system provides transformative educational opportunities to students. In addition to overarching goals and outcomes, Vision 2030 also provided direction for how the CCC will achieve the goals and outcomes. Actively engaging with the impacts of generative artificial intelligence (AI), is one of the strategic directions identified by the Chancellor.

As part of Vision 2030, Chancellor Christian established the Chancellor's Artificial Intelligence Council comprised of faculty, administrators, and students. The Council spent months in discovery and research and in July 2024, the Council produced and presented a report on their findings to the BOG at the behest of the Chancellor. The report provided an overview of the work conducted by the Council for how AI will impact industry, campus workforce, and the future of teaching and learning.[3] The report acknowledges the fear faculty have regarding potential displacement by AI and counters this anxiety by stating the CCC approach to AI is "human centered" meaning "students, faculty, staff, and administrators should be able to opt out, where appropriate, and have access to a person who can quickly consider and remedy problems they encounter."[4] Furthermore, the report states the work with AI as a tool should be "faculty-centered and driven by the interest of faculty and support staff," for the purpose of "optimizing outcomes for students, faculty, administrators, and staff." The entire report is full of ideas and concepts on how AI can be used as a tool to enhance the current system.

The report also provides insight for how AI is currently being used as a tool to assist in the day-to-day operations of the CCC. The California Student Aid Commission (CSAC) is partnering with Mainstay to launch an innovative chatbot to help students complete their financial aid applications and to navigate basic needs resources at the CCC. The pilot is currently available at colleges in the Los Rios Community College District, the Los Angeles Community College District, and the San Bernardino Community College District.[4]

Foothill-De Anza Community College District and West Valley-Mission Community College District have partnered with N2N Services to use an AI platform to help identify fraudulent CCCApply admission applications, course registrations, and financial aid activities. A recent presentation of the partnership was provided at the May 2025 BOG meeting with an update on

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https://go.boarddocs.com/ca/cccchan/Board.nsf/files/D7BVFY8099A1/$file/Generative%20AI%20and%20the%20Future%20of%20Teaching%20and%20Learning%207-17-24%202.pdf

how the AI program has reduced fraudulent applications and therefore, saved money in financial aid expenditures and classroom resources.[4]

Arguments in support. As the sponsor of the measure, the Faculty Association of California Community Colleges see the measure as necessary as, "the value of in-person, faculty-led education extends beyond academic achievement, shaping students' personal and professional growth. Faculty help students develop soft skills, such as communication, teamwork, and resilience, which are necessary for success in the workforce and in life. Discussions, individualized feedback, and the opportunity to ask questions in real time create a dynamic learning environment that cannot be replicated by impersonal or automated methods. Removing or diminishing faculty-student interaction risks turning education into a transactional experience, rather than a transformative one. Moreover, preserving direct faculty involvement in education ensures community colleges remain institutions of opportunity and innovation. Faculty members bring lived experiences, industry knowledge, and pedagogical expertise that enrich student learning in ways that standardized or impersonalized methods cannot. By prioritizing qualified non-instructional faculty in hiring and instructional policies, SB 241 strengthens California's commitment to maintaining academic excellence and equity across its community college system."

Committee comments and amendments. As highlighted above the "Generative AI and the Future of Teaching and Learning" report indicates the intention of the CCC to use Artificial Intelligence and Generative AI as a tool to enhance student learning at the CCC.

In order to provide clarity that AI can be used as a tool to assist faculty and staff with the day-to-day operations of the CCC, the Committee has suggested and the Author has agreed to amend the measure to include the following:

 (c) This section does not prohibit community college staff from using artificial intelligence tools to assist in the operations of a community college or in providing services to community college students.

REGISTERED SUPPORT / OPPOSITION:

Support

California Teachers Association
CFT- a Union of Educators & Classified Professionals, AFT, AFL-CIO
Faculty Association of California's Community Colleges

Opposition

None on file.

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[4] https://go.boarddocs.com/ca/cccchan/Board.nsf/goto?open&id=DENVL48134B9