

Date of Hearing: April 21, 2015

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 626 (Low) – As Amended April 13, 2015

SUBJECT: Community colleges: employees

SUMMARY: Repeals the requirement of existing law to expend a portion of the program improvement allocation to increase the ratio of full-time (F/T) to part-time (P/T) faculty and, with respect to California Community College (CCC) districts (CCD) that have not reached the 75% standard, would require similar expenditures of Student Success and Support Program (SSSP) funds to increase the ratio, and to support P/T faculty. Specifically, **this bill:**

1) Finds and declares the following intent of the Legislature:

- a) In 1988, the Education Code was amended to read that “the Legislature wishes to recognize and make efforts to address longstanding policy of the board of governors that at least 75 percent of the hours of credit instruction in the California Community Colleges, as a system, should be taught by full-time instructors;”
- b) The expectations for F/T faculty go beyond classroom instruction to include, among other full-service activities, all of the following: developing and evaluating academic programs; holding office hours and participating in meetings after classes; student advising; participation in institutional governance; and, accreditation-related responsibilities such as the assessment of departmental and student learning outcomes, curriculum development, and preparing institutional self-studies;
- c) In 2014, the percentage of credit courses taught by F/T faculty in the system was only 56.14%;
- d) The Legislature acknowledged the commitment of the CCC Board of Governors (BOG), through its regular budget process, to evaluate resource needs and seek funding for essential educational priorities that contribute to student success. These priorities include, but are not necessarily limited to, the hiring of more F/T faculty and increasing support for P/T faculty;
- e) In the Seymour-Campbell Student Success Act of 2012, the Legislature acknowledged the importance of counselors, who, along with librarians, are considered to be faculty for purposes of the 75% goal;
- f) Students enrolled in noncredit education are most often deprived of the benefit of working with F/T faculty, as statewide goals relating to the ratio of F/T to P/T faculty have yet to be developed with respect to noncredit courses; and,
- g) The CCC BOG work together with the Academic Senate for the CCC and other relevant entities to develop goals for the F/T to P/T faculty ratio in noncredit education.

- 2) Reiterates the long standing intent of the Legislature to improve the equity and predictability of community college funding in order to enhance the ability of both the F/T and P/T faculty of the CCC to provide high-quality instructional services.
- 3) Specifies that until the provisions of existing law regarding program-based funding are implemented by a standard adopted by the BOG, CCDs that have less than 75% of their hours of credit instruction taught by F/T instructors shall be subject to both of the following:
 - a) In a fiscal year when funds are specifically appropriated for purposes of the SSSP, as specified, and in which funds have not been specifically designated to increase the ratio of F/T faculty to P/T faculty, and to support P/T faculty in programs, one-half of the amount of the district match requirement, as specified, shall be allocated in the following manner: i) districts that, in the prior fiscal year, had between 67% and 75% of their hours of credit instruction taught by F/T instructors shall apply up to 33% of this allocation as necessary to reach the 75% standard. Districts that, in the prior fiscal year, had less than 67% of their hours of credit instruction taught by F/T instructors shall apply up to 40% of this allocation as necessary to reach the 75% standard; and, ii) the funds remaining after allocations are made, as specified, shall, to the extent feasible, and in a manner consistent with an applicable collective bargaining agreement, be divided between expenditures in support of functions performed by F/T faculty and expenditures in support of functions performed by P/T faculty, with the allocations for P/T faculty support used, to the extent feasible, for the funding of the participation of P/T faculty in areas that contribute to student success, which may include office hours, as determined locally; and,
 - b) In a fiscal year when funds are specifically appropriated for purposes of the SSSP, as specified, and in which funds have not been specifically designated to increase the ratio of F/T faculty to P/T faculty, and to support P/T faculty in programs, but in which there is no district matching requirement, one-half of the SSSP funds received by the district shall be allocated, as specified.
- 4) Once a district has achieved the goal of at least 75% of credit instruction hours being taught by F/T faculty, with P/T faculty being fully supported for those activities that contribute to student success as determined locally, the district may use the funds, as specified, for other purposes that are consistent with the SSSP.
- 5) Specifies that the BOG shall adopt regulations for the effective administration of this section. Unless and until amended by the board of governors, the regulations shall provide as follows:
 - a) Specifies CCC Chancellor shall compute and report to each CCD the number of F/T faculty which are to be secured through the use of the prescribed portion of the SSSP revenue allocated to each district, or district matching funds, as applicable. This computation shall be made by dividing revenue required to be expended, as specified; and,
 - b) Specifies by March 15 of each year, the CCC Chancellor shall report to each district an estimate of the number of F/T faculty to be secured based upon the appropriation of revenues contained in the annual Budget Bill and the district match requirement.

- 6) Requires, should the Commission on State Mandates determine this measure contains state mandated costs, that the appropriate entities receive reimbursement.
- 7) Makes technical and clarifying changes to existing law.

EXISTING LAW:

- 1) Defines “faculty” as those employees of CCD who are employed in academic positions that are not designated as supervisory or management, as specified. Faculty include, but are not limited to, instructors, librarians, counselors, community college health services professionals, handicapped student programs and services professionals, and extended opportunity programs and services professionals (Education Code Section 87003).
- 2) Defines any person who is employed to teach for not more than 67% of the hours per week considered a full-time assignment to be a temporary (P/T) employee (EC Sections 87482.5 and 87882).
- 3) Requires the CCC BOG to adopt regulations regarding the percent of credit instruction taught by F/T faculty and authorizes CCDs with less than 75% F/T instructors to apply a portion of their "program improvement" funds toward reaching the 75% goal (commonly referred as "75/25") (EC Section 87482.6).

The state has stopped providing program improvement funds and the BOG has since required CCDs to provide a portion of their growth funds to hiring more F/T faculty.

FISCAL EFFECT: Unknown

COMMENTS: *Background.* The Education Code, in 1988, was amended to read, “The Legislature wishes to recognize and make efforts to address longstanding policy of the board of governors that at least 75 percent of the hours of credit instruction in the California Community Colleges, as a system, should be taught by full-time instructors.” As stated in the Legislative findings of this measure, in 2014, the percent of credit courses taught by F/T faculty was only 56.14%, indicating the system has not come close to reaching the goal of 75%.

Part-time faculty have been expected to provide the same high quality instruction as their F/T colleagues, but they often times are not able to provide regular student office hours and are not necessarily compensated for professional responsibilities linked to student success.

The Seymour-Campbell Student Success Act of 2012 specifies that hiring of F/T faculty, including counselors, and providing for P/T faculty support, are "essential educational priorities that contribute to student success."

Purpose of the measure. According to the author, with F/T faculty and P/T faculty support being "essential educational priorities that contribute to student success," "logic follows that if there are no other state directed monies for purposes of improving the "75/25", full-time hiring or part-time support, that SSSP funds should be used for these purposes." The author contends this measure follows current Education Code that outlines a differentiated amount of spending for districts based on their local "75/25" ratio.

AB 626 suggests that when a local match is required for districts to secure their SSSP funds, then

one-half of the match would be used to advance on the "75/25" scale and support P/T faculty. In years where there is no match, then one-half of the state allocation of the SSSP funds would be used for the full- and part-time faculty support. Once a district reaches the 75% goal and supports P/T faculty consistent with local needs, then all new SSSP monies would be applied consistent with the Student Success and Support Act.

Policy consideration. Existing funding for the SSSP is targeted to fully implement core services: orientation; assessment; counseling; advising; and other education planning services needed to assist a student in making an informed decision about his/her education goal and course of study and to develop an education plan; and, follow up for at-risk students. Additionally, SSSP funds may only be used for core services and any CCD or college receiving SSSP funding must agree to implement the CCC BOG's system of common assessment.

This bill stipulates that in a fiscal year when funds are specifically appropriated for purposes of the SSSP, and in which funds have not been specifically designated to increase the ratio of F/T faculty to P/T faculty, and to support P/T faculty in programs, one-half of the amount of the district match requirement shall be allocated, as specified, to increasing the ratio of F/T faculty. It is presently unclear as to what core services may not receive full funding if a CCD has to use one-half of its SSSP match requirement for the sole purpose of increasing the ratio of F/T faculty.

The author and Committee may wish to consider lowering the amount of the CCD match requirement having to be allocated for purposes of increasing the ratio of F/T faculty.

REGISTERED SUPPORT / OPPOSITION:

Support

Academic Senate for California Community Colleges
California Community College Independents
California Federation of Teachers

Opposition

None on file.

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