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AB-463 Community colleges: faculty members: loan forgiveness. (2019-2020)

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Assembly Bill No. 463

CHAPTER 512

An act to add Section 87489 to the Education Code, relating to community college employees.

[Approved by Governor October 04, 2019. Filed with Secretary of State October 04, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 463, Cervantes. Community colleges: faculty members: loan forgiveness.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Under existing law, the board appoints the Chancellor of the California Community Colleges to serve as the chief executive officer of the segment.

This bill would require the chancellor's office to develop and provide to community college districts specified materials designed to increase awareness of the federal Public Service Loan Forgiveness Program among community college faculty members. The bill would require the governing board of a community college district to annually provide the materials to those faculty members. The bill would require a community college district to annually provide a faculty member who is enrolled in the Public Service Loan Forgiveness program with notice of renewal and a copy of the employment certification form required to be completed for purposes of the program, with the employer portion of the form already completed. The bill would require a community college district to make specified determinations relating to the work completed by faculty members for purposes of the program.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 87489 is added to the Education Code, to read:

87489. (a) For purposes of this section, the following terms have the following meanings:

- (1) "Faculty employees" means full-time and temporary community college faculty members.
- (2) "Employment certification form" means the form used by the United States Department of Education to certify an individual's employment at a public service organization for the purposes of the Public Service Loan Forgiveness program.
- (3) "Public Service Loan Forgiveness program" means the federal loan forgiveness program established pursuant to Section 685.219 of Title 34 of the Code of Federal Regulations.

(b) (1) The chancellor's office shall develop materials designed to increase awareness of the Public Service Loan Forgiveness Program, including at least all of the following:

(A) A one-page form letter, for use by community college districts to notify faculty employees who may be eligible for the Public Service Loan Forgiveness program, that briefly summarizes the program, provides information on what an eligible faculty employee is required to do in order to participate, and recommends that the faculty employee contact the faculty employee's loan servicer or servicers for additional information.

(B) A detailed fact sheet describing the Public Service Loan Forgiveness program.

(C) A document containing answers to frequently asked questions about the Public Service Loan Forgiveness program.

(2) The chancellor's office shall provide the materials described in paragraph (1) to each community college district for distribution to faculty employees.

(c) (1) A community college district shall annually provide to all faculty employees the materials described in subdivision (b) in written or electronic form.

(2) In addition to the materials provided annually pursuant to paragraph (1), a community college district shall provide a newly hired faculty employee with those same materials within 30 days of the faculty employee's first day of employment by mail, by electronic mail, or during an in-person new employee orientation.

(d) (1) A community college district shall annually provide a faculty employee who is enrolled in the Public Service Loan Forgiveness program with notice of renewal and a copy of the employment certification form, with the employer portion of the form already completed.

(2) A community college district shall not unreasonably delay in completing the employer portion of the employment certification form.

(e) (1) For the purpose of qualifying for the Public Service Loan Forgiveness program, a community college district shall, in completing the employer portion of the employment certification form, credit a faculty employee with at least 3.35 hours worked for each hour of lecture or classroom time. This paragraph does not supersede any higher adjustment factor established by a collective bargaining agreement or employer policy in recognition of the amount of out-of-class work that is associated with instruction, including, but not limited to, performance of office hours.

(2) A community college district shall, in completing the employer portion of the employment certification form, credit a faculty employee with noninstructional assignments hour for hour with no adjustment factor.