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AB-1051 Community colleges: temporary faculty members: clinical nursing faculty. (2019-2020)

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Assembly Bill No. 1051

CHAPTER 234

An act to amend Section 87482 of the Education Code, relating to community colleges.

[Approved by Governor September 05, 2019. Filed with Secretary of State September 05, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1051, Smith. Community colleges: temporary faculty members: clinical nursing faculty.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law classifies any person who is employed to teach adult or community college classes for not more than 67% of the hours per week considered a full-time assignment for regular employees having comparable duties, excluding substitute service, as a temporary employee.

Existing law authorizes a community college district to employ a temporary faculty member serving as full-time clinical nursing faculty or as part-time clinical nursing faculty for up to 4 semesters or 6 quarters within any period of 3 consecutive academic years between July 1, 2007, and December 31, 2015, inclusive. Pursuant to these provisions, existing law requires each community college district that employs temporary clinical nursing faculty to report specified information to the chancellor's office on or before June 30, 2012, and requires the chancellor's office to report specified information to the Legislature and the Governor on or before September 30, 2012.

This bill would authorize the employment of these faculty members by any one community college district for up to 4 semesters or 6 quarters indefinitely. The bill would also require each community college district that employs these faculty members to report the specified information on or before June 30 of each year, and would require the chancellor's office to report its information on or before September 30 of each year.

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

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

SECTION 1. Section 87482 of the Education Code is amended to read:

87482. (a) (1) Notwithstanding Section 87480, the governing board of a community college district may employ any qualified individual as a temporary faculty member for a complete school year, but not less than a complete semester or quarter during a school year. The employment of those persons shall be based upon the need for additional faculty during a particular semester or quarter because of the higher enrollment of students during that semester or quarter as compared to the other semester or quarter in the academic year, or because a faculty member has been granted leave for a semester, quarter, or year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need, as determined by the governing board of the community college district.

(2) Employment of a person under this subdivision may be pursuant to contract fixing a salary for the entire semester or quarter.

(b) A person, other than a person serving as clinical nursing faculty and exempted from this subdivision pursuant to paragraph (1) of subdivision (c), shall not be employed by any one district under this section for more than two semesters or three quarters within any period of three consecutive years.

(c) (1) Notwithstanding subdivision (b), a person serving as full-time clinical nursing faculty or as part-time clinical nursing faculty teaching the hours per week described in Section 87482.5 may be employed by any one community college district under this section for up to four semesters or six quarters.

(2) A community college district that employs faculty pursuant to this subdivision shall provide data to the chancellor's office as to the number of faculty members hired under this subdivision, and what the ratio of full-time to part-time faculty was for each of the three academic years prior to the hiring of faculty under this subdivision and for each academic year for which faculty is hired under this subdivision. This data shall be submitted, in writing, to the chancellor's office on or before June 30 of each year.

(3) The Chancellor of the California Community Colleges shall report, in writing, to the Legislature and the Governor on or before September 30 of each year in accordance with data received pursuant to paragraph (2), the number of community college districts that hired faculty under this subdivision, the number of faculty members hired under this subdivision, and what the ratio of full-time to part-time faculty was for these community college districts in each of the three academic years prior to the operation of this subdivision and for each academic year for which faculty is hired under this subdivision.

(4) A community college district may not employ a person pursuant to this subdivision if the hiring of that person results in an increase in the ratio of part-time to full-time nursing faculty in that district.