

**ASSEMBLY BILL**

**No. 2146**

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**Introduced by Assembly Member Chu**

February 20, 2002

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An act to amend Sections 87474, 87601, and 87661 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 2146, as introduced, Chu. Community colleges: intersession terms.

(1) Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state.

Existing law provides that nothing in the Education Code is to be construed as permitting a community college faculty member to acquire regular classification with respect to employment in a summer school maintained by a community college district. Existing law also excludes service in connection with this employment from the computation of the service required as a prerequisite to attainment of, or eligibility for, classification as a regular employee of the district.

This bill would also exclude intersession terms from this computation if this exclusion is in accordance with an applicable collective bargaining agreement.

(2) Existing law relating to the employment of faculty by a community college district defines an "academic year" as that period

between the 1st day of a fall semester or quarter and the last day of the following spring semester or quarter.

This bill would further require that an “academic year” exclude any intersession term that has been excluded pursuant to an applicable collective bargaining agreement. The bill would also make various technical and conforming revisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 87474 of the Education Code is  
2 amended to read:

3 87474. (a) Nothing in this code shall be construed as  
4 permitting a faculty member to acquire regular classification with  
5 respect to employment in ~~a~~ *either of the following:*

6 (1) A summer ~~school~~ *term* maintained by a community college  
7 district, ~~and service.~~

8 (2) *An intersession term maintained by a community college*  
9 *district, if the exclusion of the intersession term is in accordance*  
10 *with a collective bargaining agreement applicable to that*  
11 *employee.*

12 (b) *Service in connection with ~~any such~~ the employment*  
13 *referenced in subdivision (a) shall not be included in computing*  
14 *the service required as a prerequisite to attainment of, or eligibility*  
15 *to for, classification as a regular employee of the district. ~~The~~*  
16 *provisions of this*

17 (c) *This section ~~do~~ does not constitute a change in, but ~~are~~ is*  
18 *declaratory of, the preexisting law.*

19 SEC. 2. Section 87601 of the Education Code is amended to  
20 read:

21 87601. For the purposes of this article:

22 (a) *“Academic year” means that period between the first day*  
23 *of a fall semester or quarter and the last day of the following spring*  
24 *semester or quarter, excluding any intersession term that has been*  
25 *excluded pursuant to an applicable collective bargaining*  
26 *agreement.*

27 (b) *“Contract employee” means an employee of a district who*  
28 *is employed on the basis of a contract in accordance with ~~the~~*



1 ~~provisions of Section 87605 or, subdivision (b) of Section 87608,~~  
2 ~~or subdivision (b) of Section 87608.5.~~

3 ~~(b)~~

4 (c) “District” means a community college district.

5 ~~(e)~~

6 (d) “Positions requiring certification qualifications” are those  
7 positions which provide the services for which certifications have  
8 been established in this code.

9 ~~(d)~~

10 (e) “Regular employee” means an employee of a district who  
11 is employed in accordance with ~~the provisions of subdivision (c)~~  
12 ~~of Section 87608, subdivision (c) of Section 87608.5, or Section~~  
13 ~~87609.~~

14 ~~(e) “Academic year” means that period between the first day~~  
15 ~~of a fall semester or quarter and the last day of the following spring~~  
16 ~~semester or quarter.~~

17 SEC. 3. Section 87661 of the Education Code is amended to  
18 read:

19 87661. For the purposes of this article:

20 (a) “Academic year” means that period between the first day  
21 of a fall semester or quarter and the last day of the following spring  
22 semester or quarter, excluding any intersession term that has been  
23 excluded pursuant to an applicable collective bargaining  
24 agreement.

25 (b) “Contract employee” or “probationary employee” means  
26 an employee of a district who is employed on the basis of a contract  
27 in accordance with Section 87605, subdivision (b) of Section  
28 87608, or subdivision (b) of Section 87608.5.

29 ~~(b)~~

30 (c) “District” means a community college district.

31 ~~(e)~~

32 (d) “Regular employee” or “tenured employee” means an  
33 employee of a district who is employed in accordance with  
34 subdivision (c) of Section 87608, subdivision (c) of Section  
35 87608.5, or Section 87609.

36 ~~(d) “Academic year” means that period between the first day~~  
37 ~~of a fall semester or quarter and the last day of the following spring~~  
38 ~~semester or quarter.~~

