

AMENDED IN ASSEMBLY APRIL 10, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2146

Introduced by Assembly Member Chu
(Coauthor: Assembly Member Alquist)

February 20, 2002

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2146, as amended, 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 either of the following:

6 (1) A summer term maintained by a community college
7 district.

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 the employment referenced in
13 subdivision (a) shall not be included in computing the service
14 required as a prerequisite to attainment of, or eligibility for,
15 classification as a regular employee of the district.

16 (c) ~~This~~ *The Legislature finds and declares that this* section
17 does not constitute a change in, but is declaratory of, the
18 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.



1 (b) “Contract employee” means an employee of a district who
2 is employed on the basis of a contract in accordance with Section
3 87605, subdivision (b) of Section 87608, or subdivision (b) of
4 Section 87608.5.

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

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

12 SEC. 3. Section 87661 of the Education Code is amended to
13 read:

14 87661. For the purposes of this article:

15 (a) “Academic year” means that period between the first day
16 of a fall semester or quarter and the last day of the following spring
17 semester or quarter, excluding any intersession term that has been
18 excluded pursuant to an applicable collective bargaining
19 agreement.

20 (b) “Contract employee” or “probationary employee” means
21 an employee of a district who is employed on the basis of a contract
22 in accordance with Section 87605, subdivision (b) of Section
23 87608, or subdivision (b) of Section 87608.5.

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

25 (d) “Regular employee” or “tenured employee” means an
26 employee of a district who is employed in accordance with
27 subdivision (c) of Section 87608, subdivision (c) of Section
28 87608.5, or Section 87609.

