

ASSEMBLY BILL

No. 1916

Introduced by Assembly Member Portantino

February 8, 2008

An act to amend Section 87482.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1916, as introduced, Portantino. Community colleges: faculty.

(1) Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires that a person employed to teach adult or community college classes for not more than 60% of the hours per week of a full-time employee having comparable duties, excluding substitute service, be classified as a temporary employee and not become a contract employee.

This bill would raise to 67% the maximum percentage of the hours per week of a full-time employee having comparable duties that a person employed to teach adult or community college classes could teach, while continuing to be classified as a temporary employee. To the extent this provision would impose additional duties on community college districts when they are required to determine the status of academic employees as contract, regular, or temporary employees, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 87482.5 of the Education Code is
2 amended to read:

3 87482.5. (a) Notwithstanding any other provision of law, any
4 person who is employed to teach adult or community college
5 classes for not more than ~~60~~ 67 percent of the hours per week
6 considered a full-time assignment for regular employees having
7 comparable duties shall be classified as a temporary employee,
8 and shall not become a contract employee under Section 87604.

9 (b) Service as a substitute on a day-to-day basis by persons
10 employed under this section shall not be used for purposes of
11 calculating eligibility for contract or regular status.

12 (c) (1) Service in professional ancillary activities by persons
13 employed under this section, including, but not necessarily limited
14 to, governance, staff development, grant writing, and advising
15 student organizations, shall not be used for purposes of calculating
16 eligibility for contract or regular status unless otherwise provided
17 for in a collective bargaining agreement applicable to a person
18 employed under this section.

19 (2) This subdivision may not be construed to affect the
20 requirements of subdivision (d) of Section 84362.

21 SEC. 2. If the Commission on State Mandates determines that
22 this act contains costs mandated by the state, reimbursement to
23 local agencies and school districts for those costs shall be made
24 pursuant to Part 7 (commencing with Section 17500) of Division
25 4 of Title 2 of the Government Code.