

Assembly Concurrent Resolution No. 138

Adopted in Assembly August 24, 2010

Chief Clerk of the Assembly

Adopted in Senate August 23, 2010

Secretary of the Senate

This resolution was received by the Secretary of State this
____ day of _____, 2010, at _____
o'clock ____M.

Deputy Secretary of State

RESOLUTION CHAPTER _____

Assembly Concurrent Resolution No. 138—Relative to the California Community Colleges.

LEGISLATIVE COUNSEL'S DIGEST

ACR 138, Nava. California Community Colleges: faculty.

This measure would express the intent of the Legislature that part-time and temporary faculty receive pay and benefits that are equal to those of specified tenured and tenure-track faculty, to the extent funding is provided, and that the California Community Colleges increase the percentage of full-time tenured and tenure-track faculty.

WHEREAS, Instruction at community colleges is provided by a combination of full-time and part-time faculty; and

WHEREAS, An increasing percentage of the courses offered in public colleges and universities in California are being taught by part-time and other adjunct faculty; and

WHEREAS, National research validates the importance of a sufficient complement of full-time faculty, particularly for the population served by the California Community Colleges; and

WHEREAS, The system of higher education within the California Community Colleges has become dependent upon a contingent workforce that is poorly compensated and too often lacks basic supports; and

WHEREAS, These twin developments, the economic exploitation of part-time and other contingent faculty, and the shrinking of the ranks of full-time tenured faculty, limit the ability of the state's public higher education system to provide high-quality education, research, and support for economic development; and

WHEREAS, Providing sufficient numbers of faculty with full-time tenured and tenure-track employment and improving the conditions under which part-time and other adjunct faculty work will result in better service for students, communities, and the economy; and

WHEREAS, A state statute expresses legislative intent that 75 percent of instructional hours be taught by full-time faculty, with no more than 25 percent being taught by part-time faculty; and

WHEREAS, Implementing regulations developed by the board of governors, which oversees the statewide system, generally requires community college districts to move closer to the 75-percent target by hiring more full-time faculty in years in which those districts receive additional enrollment funding; and

WHEREAS, The 75/25 statutory ratio is a guideline for community college districts, and the California Community Colleges regulation, commonly known as the Faculty Obligation Number, or “FON,” imposes financial penalties on districts that fail to meet their employment target for full-time faculty members; and

WHEREAS, Fair tax policies are the financial foundation of a modern society; and

WHEREAS, Property taxes are the most reliable revenue source for public services; and

WHEREAS, Proposition 13, an initiative measure approved by voters at the June 6, 1978, direct primary election, moved education decisionmaking to the state level and created difficulties in funding education; and

WHEREAS, Federal tax breaks have caused cuts in federal support for higher education programs; and

WHEREAS, Funds have been provided through the annual Budget Act to assist community college districts; and

WHEREAS, The principle of equal pay for equal work requires that part-time faculty be provided with compensation that is directly proportional to the compensation of full-time faculty; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is the intent of the Legislature that all part-time and temporary faculty receive pay and benefits that are equal to those of tenured and tenure-track faculty of comparable qualifications doing comparable work, as determined on a pro rata basis, to the extent funding is provided; and be it further

Resolved, That the longstanding policy of the Board of Governors of the California Community Colleges that at least 75 percent of the hours of credit instruction in the colleges be taught by full-time instructors should be advanced; and be it further

Resolved, That each community college district should develop and adopt plans to meet the requirements related to increasing the percentage of full-time tenured and tenure-track faculty, to the extent funding is provided; and be it further

Resolved, That the development and adoption of plans related to increasing the percentage of full-time tenured and tenure-track faculty should be subject to a collective bargaining process that includes the exclusive representatives of the full-time and part-time faculty serving in that district; and be it further

Resolved, That the determination of the method of prorating salaries should be subject to a collective bargaining process that includes the exclusive representatives of faculty serving at that institution; and be it further

Resolved, That each community college district should establish a process under which part-time and other adjunct faculty, after successful completion of a probationary period, may receive timely notice of, and priority consideration for, appropriate teaching assignments in future academic terms and preferential consideration for attaining a tenure-track position when one becomes available; and be it further

Resolved, That the process should ensure that part-time and other adjunct faculty receive the accumulation of seniority, notification about job openings at that institution prior to the publication of announcements of those openings outside of that institution, and preferential consideration for appointments to tenure-track positions; and be it further

Resolved, That the implementation of these requirements should be subject to a collective bargaining process that includes the exclusive representatives of the full-time and part-time faculty serving at that institution; and be it further

Resolved, That each community college district should make progress toward the goals described in this measure; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the governing board of each district of the California Community Colleges and to the author for distribution.

Attest:

Secretary of State