

AMENDED IN ASSEMBLY MAY 7, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 492**

---

---

**Introduced by Assembly Member Conway**

February 24, 2009

---

---

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

LEGISLATIVE COUNSEL'S DIGEST

AB 492, as amended, Conway. Community colleges: nursing faculty.

~~(1) Existing~~

*Existing* law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts, administered by a governing board, throughout the state, and authorizes these districts to provide instruction to students at the community college campuses maintained by the districts.

Existing law, *under specified circumstances*, authorizes the governing board of a district to employ ~~a person serving as full-time faculty or part-time faculty~~ but *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*. Existing law prohibits employment of a person as a temporary faculty member by any one district for more than 2 semesters or 3 quarters, except that a person serving as full-time or part-time clinical nursing faculty may be employed as a temporary faculty member for up to 4 semesters or 6 quarters within any period of 3 consecutive years between July 1, 2007, and June 30, 2014. Existing law prohibits a district from employing a person pursuant to that nursing

faculty exception if the hiring of that person results in an increase in the ratio of part-time to full-time nursing faculty in that district.

This bill would revise that exception to authorize the employment of a clinical nursing faculty member as a temporary faculty member for up to the total number of semesters or quarters within any period of 3 consecutive academic years *between July 1, 2007, and June 30, 2014*. The bill would also delete that hiring limitation that prevents an increase in the ratio of part-time to full-time nursing faculty in a district.

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. The Legislature finds and declares all of the  
2 following:

3 (a) The majority of available nursing program slots are at the  
4 community college level for an associate degree.

5 (b) California Community Colleges graduated almost two-thirds  
6 of nursing students in the 2005–06 school year.

7 (c) According to a 2007 California Board of Registered Nursing  
8 (BRN) study, California nursing programs received 28,410 eligible  
9 applications for only 11,000 first-year slots for the 2005–06 school  
10 year. Therefore, there was a capacity to accommodate less than  
11 40 percent of the applications received.

12 (d) According to the BRN study, the nursing faculty vacancy  
13 rate is growing statewide.

14 (e) California has an aging population and the demand for  
15 registered nurses is expected to increase.

16 (f) Fifty-three percent of registered nurses provide direct care  
17 to patients, 18 percent serve as supervisors or managers of health  
18 care personnel, and 29 percent work in fields such as education,  
19 research, and consulting.

20 (g) Fifty-five percent of the state’s registered nurses received  
21 their nursing education in this state.

22 (h) All California registered nurses must have a license issued  
23 by the BRN, in addition to graduating from an approved nursing  
24 program and passing the national licensing examination.

25 SEC. 2. Section 87482 of the Education Code is amended to  
26 read:

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

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

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

21 (c) (1) Notwithstanding subdivision (b), a person serving as  
22 full-time clinical nursing faculty or as part-time clinical nursing  
23 faculty teaching 60 percent or more of the hours per week  
24 considered a full-time assignment for regular employees may be  
25 employed by any one district under this section for up to the total  
26 number of semesters or quarters within any period of three  
27 consecutive academic years *between July 1, 2007, and June 30,*  
28 *2014, inclusive.*

29 (2) A district that employs faculty pursuant to this subdivision  
30 shall provide data to the chancellor's office as to the number of  
31 faculty members were hired under this subdivision, and what the  
32 ratio of full-time to part-time faculty was for each of the three  
33 academic years prior to the hiring of faculty under this subdivision  
34 and for each academic year for which faculty is hired under this  
35 subdivision. This data shall be submitted, in writing, to the  
36 chancellor's office on or before June 30, 2012.

37 (3) The chancellor shall report, in writing, to the Legislature  
38 and the Governor on or before September 30, 2012, in accordance  
39 with data received pursuant to paragraph (2), the number of districts  
40 that hired faculty under this subdivision, the number of faculty

1 members hired under this subdivision, and the ratio of full-time  
2 to part-time faculty ~~was~~ for these districts in each of the three  
3 academic years prior to the operation of this subdivision and for  
4 each academic year for which faculty is hired under this  
5 subdivision.

O