

AMENDED IN ASSEMBLY MARCH 19, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1826

Introduced by Assembly Member Roger Hernández

February 21, 2012

An act to add Section 87482.3 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1826, as amended, Roger Hernández. Community colleges: full-time instructors.

(1) Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires the board of governors to adopt regulations that establish minimum standards regarding the percentage of hours of credit instruction that full-time instructors are required to teach.

This bill would prohibit a full-time ~~instructor~~ *faculty member, as defined*, for a community college district from being assigned a ~~teaching~~ workload that includes overload or extra assignments if the overload or extra assignments exceed 50% of a full-time workload in a semester, ~~or quarter, or summer term~~ that commences on or after January 1, 2013. The bill would provide that this prohibition ~~would~~ *shall not apply to a summer or intersession term, and* not supersede the pertinent requirements of a collective bargaining agreement containing restrictions regarding limitations on overload or extra assignments that are more stringent than the limitations imposed by the bill. ~~With~~

With respect to a community college district with a collective bargaining agreement that, as of January 1, 2013, prohibits a full-time

~~instructor~~ *faculty member* from being assigned a ~~teaching~~ workload that includes overload or extra assignments if the overload or extra assignments exceed 50% of a full-time workload, the prohibition in the bill would become operative on January 1, 2014. *The prohibition in the bill would also apply to the workload of supervisory or managerial personnel of a community college district who are performing faculty work that is allowed under an applicable collective bargaining agreement.*

To the extent that this bill would impose new duties on community college districts, it would constitute 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 87482.3 is added to the Education Code,
- 2 to read:
- 3 87482.3. (a) Except as provided in subdivisions (b)~~and~~, (c),
- 4 ~~and (d)~~, a full-time ~~instructor~~ *faculty member, as defined in Section*
- 5 *87003*, for a community college district shall not be assigned a
- 6 ~~teaching~~ workload that includes overload or extra assignments if
- 7 the overload or extra assignments exceed 50 percent of a full-time
- 8 workload in a semester; *or quarter*; ~~or summer term~~ that
- 9 commences on or after January 1, 2013.
- 10 (b) *The prohibition in subdivision (a) shall not apply to a*
- 11 *summer or intersession term.*
- 12 (b)
- 13 (c) The prohibition in subdivision (a) shall not supersede the
- 14 pertinent requirements of a collective bargaining agreement
- 15 containing restrictions regarding limitations on overload or extra
- 16 assignments that are more stringent than the limitations in
- 17 subdivision (a).
- 18 (e)

1 (d) With respect to a community college district with a collective
2 bargaining agreement that, as of January 1, 2013, prohibits a
3 full-time ~~instructor~~ *faculty member* from being assigned a ~~teaching~~
4 workload that includes overload or extra assignments if the
5 overload or extra assignments exceed 50 percent of a full-time
6 workload, the prohibition in subdivision (a) shall become operative
7 on January 1, 2014.

8 (e) *The prohibition in subdivision (a) shall apply to the workload*
9 *of supervisory or managerial personnel of a community college*
10 *district who are performing faculty work that is allowed under an*
11 *applicable collective bargaining agreement.*

12 SEC. 2. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.