

ASSEMBLY BILL

No. 2155

Introduced by Assembly Member Ridley-Thomas

February 17, 2016

An act to amend Section 22138.5 of the Education Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2155, as introduced, Ridley-Thomas. Teachers: retirement: full time.

The Teachers' Retirement Law creates the State Teachers' Retirement System and State Teachers' Retirement Plan for the purpose of providing teachers and other specified employees with financially sound retirement plans, and vests administration of the system and the plan with the Teachers' Retirement Board. That law defines the term "full time" as the days or hours of creditable service an employer requires a class of employees to perform in a school year in order to earn the compensation earnable, as defined, and provides that one measure of the minimum standard for full time in community colleges is 875 instructional hours per school year for all instructors employed in adult education programs.

This bill would provide that instructors employed in certain adult education programs, as specified, are not subject to the 875-hour requirement.

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

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

1 SECTION 1. Section 22138.5 of the Education Code is
2 amended to read:

3 22138.5. (a) (1) “Full time” means the days or hours of
4 creditable service the employer requires to be performed by a class
5 of employees in a school year in order to earn the compensation
6 earnable as defined in Section 22115 and specified under the terms
7 of a collective bargaining agreement or employment agreement.
8 For the purpose of crediting service under this part, “full time”
9 may not be less than the minimum standard specified in this
10 section. Each collective bargaining agreement or employment
11 agreement that applies to a member subject to the minimum
12 standard specified in either paragraph (5) or (6) of subdivision (c)
13 shall specify the number of hours of creditable service that equals
14 “full time” pursuant to this section for each class of employee
15 subject to either paragraph and make specific reference to this
16 section, and the district shall submit a copy of the agreement to
17 the system.

18 (2) The copies of each agreement shall be submitted
19 electronically in a format determined by the system that ensures
20 the security of the transmitted member data.

21 (3) The copies shall be electronically submitted annually to the
22 system on or before July 1, or on or before the effective date of
23 the agreement, whichever is later.

24 (b) The minimum standard for full time in prekindergarten
25 through grade 12 is as follows:

26 (1) One hundred seventy-five days per year or 1,050 hours per
27 year, except as provided in paragraphs (2) and (3).

28 (2) (A) One hundred ninety days per year or 1,520 hours per
29 year for all principals and program managers, including advisers,
30 coordinators, consultants, and developers or planners of curricula,
31 instructional materials, or programs, and for administrators, except
32 as provided in subparagraph (B).

33 (B) Two hundred fifteen days per year or 1,720 hours per year
34 including school and legal holidays pursuant to the policy adopted
35 by the employer’s governing board for administrators at a county
36 office of education.

37 (3) One thousand fifty hours per year for teachers in adult
38 education programs.

1 (c) The minimum standard for full time in community colleges
2 is as follows:

3 (1) One hundred seventy-five days per year or 1,050 hours per
4 year, except as provided in paragraphs (2), (3), (4), (5), and (6).
5 Full time includes time for duties the employer requires to be
6 performed as part of the full-time assignment for a particular class
7 of employees.

8 (2) One hundred ninety days per year or 1,520 hours per year
9 for all program managers and for administrators, except as provided
10 in paragraph (3).

11 (3) Two hundred fifteen days per year or 1,720 hours per year
12 including school and legal holidays pursuant to the policy adopted
13 by the employer's governing board for administrators at a district
14 office.

15 (4) One hundred seventy-five days per year or 1,050 hours per
16 year for all counselors and librarians.

17 (5) Five hundred twenty-five instructional hours per school year
18 for all instructors employed on a part-time basis, except instructors
19 specified in paragraph (6). If an instructor receives compensation
20 for office hours pursuant to Article 10 (commencing with Section
21 87880) of Chapter 3 of Part 51 of Division 7 of Title 3, the
22 minimum standard shall be increased appropriately by the number
23 of office hours required annually for the class of employees.

24 (6) Eight hundred seventy-five instructional hours per school
25 year for all instructors employed in adult education ~~programs.~~
26 *programs, except for programs offered pursuant to Section*
27 *84760.5.* If an instructor receives compensation for office hours
28 pursuant to Article 10 (commencing with Section 87880) of
29 Chapter 3 of Part 51 of Division 7 of Title 3, the minimum standard
30 shall be increased appropriately by the number of office hours
31 required annually for the class of employees.

32 (d) The board has final authority to determine full time for
33 purposes of crediting service under this part if full time is not
34 otherwise specified in this section.

35 (e) This section shall become operative on July 1, 2013.