



# 2023 Legislative Update

Seth Bramble

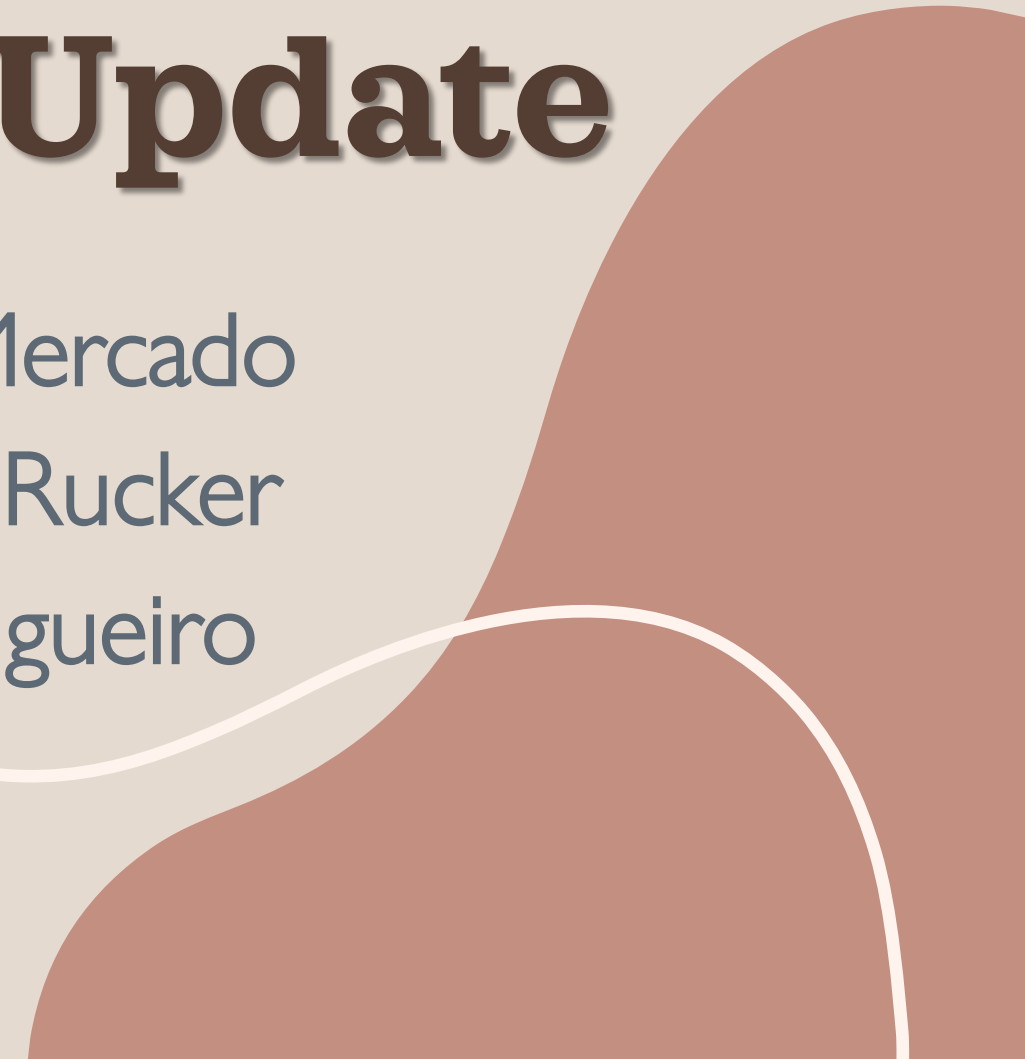
Annie Chou

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A Midsummer Legislative Briefing

# 2023 Budget (1)

- Student-Centered Funding Formula (SCFF) – Includes \$678 million in ongoing Prop 98 funding for an 8.22 percent cost-of-living adjustment (COLA) for the SCFF.
- Enrollment Growth – Provides \$26.4 million in ongoing Prop 98 funding to support 0.5 percent enrollment growth.
- Categorical Programs – Dedicates \$95.5 million in ongoing Prop 98 funding to provide a COLA for select categorical programs.
- Equal Employment Opportunity Program – Provides \$4.3 million in one-time Prop 98 funding to support the Equal Employment Opportunity Program. Requires the Chancellor, on or before January 1, 2024, to create a process to verify each participating community college district's implementation of strategies to promote faculty diversity.

# 2023 Budget (2)

One-Time Program Reductions/Changes – Includes the following reductions/changes to one-time programs funded in the 2022 Budget Act:

- Deferred Maintenance and Instructional Equipment – Reduces one-time funding provided in the 2022 Budget Act for the Deferred Maintenance and Instructional Equipment program by \$494.3 million, leaving \$346.4 million for the program.
- Student Recruitment and Retention – Reduces one-time funding included in the 2022 Budget Act to support student recruitment and retention strategies from \$150 million to \$94.6 million. Provides \$50 million one-time Prop 98 funding to support student recruitment and retention in 2023-24.
- COVID-19 Learning Recovery Emergency Block Grant – Rejects the Governor’s proposal to reduce the COVID-19 Learning Recovery Block Grant by \$345 million, maintaining the \$650 million in one-time Prop 98 funding provided in the 2022 Budget Act.
- One-Time Funding Flexibility – Includes trailer bill language to allow colleges to use the remaining funds from the COVID-19 Learning Recovery Emergency Block Grant, student retention and recruitment funding, and the Deferred Maintenance and Instructional Equipment Block Grant for any of these purposes. The amount available for these activities is about \$1.1 billion.

# 2023 Budget (3): Other Programs

- **Workforce Training Grants** – Includes an increase of \$14 million one-time Prop 98 funding to support the administration of workforce training grants in collaboration with the California Department of Forestry and Fire Protection.
- **Chief Business Officer Mentorship Program** – Provides \$275,000 Prop 98 funding (of that \$200,000 is ongoing) to develop a community college chief business officer professional learning program, administered by the Fiscal Crisis Management Assistance Team to improve district leadership and fiscal accountability.
- **LGBTQ+ Pilot Project** – Includes an increase of \$10 million a year for three years Prop 98 funding to support the Los Angeles Community College District LGBTQ+ Pilot Project.
- **East Los Angeles College Entrepreneurship and Innovation Center** – Provides an increase of \$2.5 million one-time Prop 98 funding for the East Los Angeles College Entrepreneurship and Innovation Center.
- **Nursing Program** – Provides \$60 million Prop 98 funding in 2024-25 and each year through 2028-29 to expand nursing programs and Bachelor of Science in nursing partnerships to grow, educate, and maintain the next generation of registered nurses through the community college system, subject to future legislation.
- **Student Board Members** – Provides students who serve on the Board of Governors to receive \$4,000 in financial assistance each semester from the Chancellor's Office.
- **Online Textbooks** – Allows county juvenile halls, in addition to state prisons, to be eligible for online textbook funding.
- **Online Course Recommendations** – Provides \$500,000 in one-time Prop 98 funding to review outcomes and costs associated with online courses and programs and develop recommendations for the state to ensure an appropriate mix of online and in-person programs and courses, and that online programs and courses are designed to support student success and equitable outcomes.

# 2023 Budget (4)

## Full-Time Faculty Audit Findings –

- Implements recommendations made by the State Auditor to improve community colleges' use of funding to increase full-time faculty.
- Specifically, the budget agreement requires each community college district to annually report to the Community College Chancellor's Office on its progress in increasing the percentage of instruction by full-time faculty and in increasing faculty diversity.
- Requires the Chancellor's Office to provide an annual systemwide report to be posted on their website. Also requires the Chancellor's Office to establish and implement a policy to verify that community college districts are using full-time faculty funding appropriated in the annual budget for the designated purposes.
- Requires the Legislature and the Board of Governors of the California Community Colleges to be informed of any community college district that fails to comply with these requirements.



# Speaking of Audits....

- State Audit request sent by Assembly member Rodriguez on May 3, 2023
- Findings from the 2000 state audit (Report #2000-103) concluded that spending for six of ten audited districts fell below the 50 percent threshold
- From fall 2019 to fall 2021, the total number of CCC employees (headcount) declined by 8 percent, from 93,000 to 85,000.
- Part-time faculty—which historically have made up half of CCC employees—experienced the largest decline (12 percent).
- In the five years between 2017-22, Chancellor's Office data reveal an 18% growth in full-time management and executive administration positions not directly affecting student outcomes or student services.
- A 45% growth occurred in these same administration positions in the 10 years between 2012-22.
- During both periods of high administrative growth, community colleges experienced a decline in student enrollment of 16% (2017-22) and 20% (2012-22).





# legislative process

Each House:

- ❖ Policy Committee(s)
- ❖ Appropriations Committee?
- ❖ Floor Vote



# Some Big Wins

- Continued refinements in rules concerning financial aid and housing
- CTA sponsored legislation to help our retirees
- Penalties on bosses who discourage workers from participating in union
- In-person new employee orientation
- Solidarity with fast food workers (SEIU) and farmworkers (UFW)
- Office of Health Care Affordability
- Equity analysis prior to school closures
- COVID Leave and exposure notification





# Health Care

- A historic expansion of state funding for part-time community college faculty healthcare, increasing state support from \$490,000 to \$200 million in ongoing funding
- The funding will enable local community colleges to provide quality, affordable, and accessible healthcare to substantially more part-time faculty.
- Local unions should now prepare to go to the bargaining table to negotiate the healthcare implementation.



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# Some issues that may be back

- Pay equity for adjunct faculty
- Partnership academies
- Strategies to address educator shortage
- Budget surplus becomes budget deficit, threatening recession
- Public Records Act
- Allow legislative staff to unionize
- Divest retirement funds

# AB 260 (Santiago)

- Requires each CCC district, as a condition of receiving funds allocated for the Student Success and Support Program (SSSP), to pay part-time, temporary faculty members who teach adult or CCC courses an average amount that is at least equal to the average pay of full-time faculty when computed on an hourly basis.
- 2) Requires a CCC district that does not have a collective bargaining agreement with part-time, temporary faculty members in effect as of January 1, 2024, to commence negotiations upon the effective date of this measure with an exclusive bargaining representative for part-time, temporary faculty members.
- 3) Requires a CCC district that has a collective bargaining agreement with part-time, temporary faculty members in effect as of January 1, 2024, to commence negotiations no later than the expiration date of the collective bargaining agreement with an exclusive bargaining representative for part-time, temporary faculty members.

# Minimum Wage Exemption

The minimum wage is an obligation of the employer and cannot be waived by any agreement, including collective bargaining agreements. Any remedial legislation written for the protection of employees may not be violated by agreement between the employer and employee.

(Civil Code Sections 1668 and 3513)

- Primarily engaged in administrative, executive, or professional duties.
- An occupation recognized as a learned or artistic profession
- Regularly and customarily exercise discretion and independent judgement in the performance of their duties

# April 18, 2023: Assembly Higher Education

## AYES:

- Dawn Addis
- Joaquin Arambula
- Mike Fong
- Jesse Gabriel
- Akilah Weber, M.D., Akilah
- Jacqui Irwin
- Liz Ortega
- Miguel Santiago
- Greg Wallis

## ABSENT/ABSTAIN:

- Evan Low
- Kate Sanchez
- Tri Ta



# May 3, 2023: Assembly Appropriations







# DEIA

On March 17, 2023, the California Community Colleges Board of Governors regulatory action entitled “**DEIA Evaluation and Tenure Review of District Employees**” was approved by the Office of Administrative Law and the California Secretary of State.

This regulation became effective **April 16, 2023**. Per California Code of Regulations, § 52010, college districts must conform their policies and procedures to the regulatory requirements within one hundred and eighty (180) days of the effective date, or December 22, 2023.

- **Who is affected by this change?**
- **How will these changes affect minimum qualifications for faculty currently teaching in community college?**
- **Who is responsible for drafting DEIA Competencies and Criteria for purposes of faculty evaluation?**
- **How will the faculty evaluation process change?**
- **Are these changes subject to bargaining?**



# AB 928 (Berman)

Approved by the Governor. Chaptered by Secretary of State -  
Chapter 566, Statutes of 2021.10/6/21

Requires the California State University (CSU) and University of California (UC) to jointly establish a singular lower division general education (GE) pathway for transfer admission into both segments, and also requires California Community Colleges (CCC) to place students who declare a goal of transfer on an Associate Degree for Transfer (ADT) pathway for their intended major.

Further, this bill also establishes the ADT intersegmental implementation committee to serve as the primary entity charged with oversight of the ADT

# AB 928 (Berman) - continued

- No Position
- The 1960 Master Plan for Higher Education promised an accessible, affordable, and high-quality higher education for all California students. The transfer pathway, from community college to four-year institution, is an integral component of the Master Plan's commitment to access and affordability

*This statute, which is based, in part, on several of the convenings the Assembly Select Committee on the Master Plan held in October 2020 seeks to further improve and simplify the transfer process for CCC students.*

# AB 928 (Berman) Implementation

- Sets a target date for the CSU and the UC to agree upon a singular general education pathway. This singular lower division general education pathway would be the only lower division general education pathway used to determine academic eligibility and sufficient academic preparation for transfer admission into both CSU and UC.

*Requires community college students be put on a transfer pathway where one exists for their intended major, instead of a local associate's degree in the same academic major.*



