

**For Adjuncts, By Adjuncts**  
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This month's adjunct newsletter was contributed by Adjunct Philosophy Instructor Deirdre Frontczak, who is a Councilor-elect of the AFA Executive Council and a member of the Board of Governors of the Faculty Association of California Community Colleges (FACCC). She has been intimately involved in lobbying efforts by FACCC in Sacramento, and those efforts of particular interest to adjuncts are the subject of her article below.

### **PROPOSED CALIFORNIA LEGISLATION HAS MAJOR IMPACTS FOR PART TIME FACULTY**

As the 2019 budget season advances, legislators face a number of measures that affect all community college faculty, but have particular impact on part time instructors. The following is a brief summary of key bills being considered in the weeks ahead.

**AB 897 (Medina):** This bill would change the **percentage of hours that part-time faculty may teach in any one community college**. The bill would raise that cap to 85% of the weekly hours that would be carried by a full-time faculty member at that college. This bill is sponsored by CFT (California Federation of Teachers), and co-sponsored FACCC (Faculty Association of California Community Colleges). The AFA Executive Council has voted to support the bill.

*Background:* Existing law, known as the “67% law,” limits the teaching load of part-time temporary faculty to 67% of the hours that constitute a full-time faculty assignment. “Full time teaching load” is defined as the number of in-class hours that a contract faculty member must fulfill in order to earn a full salary, benefits and tenure. These required teaching hours may vary by teaching discipline and by course type (e.g. lab vs. lecture); the full-time load is negotiated by each college with the local district. At SRJC, a full-time lecture load is 15 units; a full-time lab load is currently 21.13 units.

Current law requires that any instructor hired to teach community college courses for 67% or less of a full-time assignment be classified as a temporary employee. The problem? Under this 67% cap, many faculty teach simultaneously in multiple Districts, to piece together a full-time load. These “freeway flyers” are professionally committed to their students and their disciplines, but have limited ability to participate in the campus community and to serve as consistent resources for students. AB 897 would shift the “full-time equivalent” load to a range between 80-85% for any new agreement, or upon expiration of any negotiated agreement in effect on January 1, 2020.

*Concerns:* Some faculty have expressed a concern that by raising the cap, AB 897 could de-incentivize Districts from hiring full time faculty -- thus diminishing adjunct opportunities to advance. This was not borne out the last time the cap was raised from 40% to 67%; at that time, there was no significant impact on the rate of opening of full-time positions. Moreover, a separate bill calling on Districts to make consistent progress toward 75% of instructional units taught by full-time faculty (see in SB 777, below) would provide added incentive to districts to expand the availability of full-time positions each year.

It is important to note that this bill would have ripple effects through any negotiated contract (such as the one at SRJC) that provides rehire rights to faculty with “established load.” How these rights would affect the seniority rights of faculty members, and how eligibility for higher load is defined, would be

negotiated at the District level.

**SB 777 (Rubio): Progress on the 75-25 split.** This bill would require a District with fewer than 75% of its hours of credit instruction taught by full time instructors, to reduce that deficit by a minimum of 10% per year. (The deficit is defined as the gap between 75% of instructional hours taught, and the total of those taught by full time faculty.) This bill is sponsored by California Community College Independents (CCCI) and co-sponsored by FACC.

*Background:* Existing law requires that Districts with fewer than 75% of instructional credit hours taught by full-time faculty apply a portion of their program improvement budgets to reaching this standard. But the law allows substantial leeway for Districts to fall below the 75% objective. SB 777 would require that Districts make consistent, measurable progress toward the “75-25” goal, ensuring that three-fourths of credit classes are taught by full time faculty. The bill would require the Chancellor to report annually the status of each District with respect to its progress toward the 75% goal, and how many additional hours are needed to meet the 10% improvement. It would require Districts to develop and maintain a 5-year plan, including specific strategies for making progress toward this goal. Any District failing to meet this requirement would incur a budgetary penalty.

*Concern:* This bill clearly adds “teeth” to the 75-25% rule, by requiring meaningful progress each year toward meeting this ratio. However, it has met with resistance from many Districts who view it as an unfunded state mandate. To provide flexibility, the bill allows Districts to count librarians and counselors as part of the full-time percentage. Even with this provision, the bill is viewed as having potentially significant impact on hiring prospects for part time faculty.

**AB 706 (Low):** This bill would **eliminate the 3-year cap on transferring sick leave** from one District to another, allowing faculty to carry earned leave with them between Districts.

*Background:* Existing law requires that the total amount of leave to which an employee is entitled, be transferred with that employee to another District, *if* the employee accepts employment to another District within 3 school years after employment with the first District ends. This bill would eliminate the time limit during which an employee of one year or more may transfer his/her accrued leave.

While many part-time faculty are unaware of this provision, it could have significant impact on their accrued leave balance. If an instructor teaches for a time at one District, followed by a break in service at that District, after three years they would currently lose that amount of accrued leave. With this bill, that instructor can transfer the accrued leave to another District at any time.

*Concerns:* This is a fairly uncontroversial measure. Leave is an earned benefit; there is no substantial cost to Districts to administer its accrual. The measure is simply designed to ensure that faculty do not leave benefits behind when taking a job at a new community college.

This bill has passed the Assembly Higher Education Committee and will now go to the Assembly for a vote.

**AB 463 (Cervantes): Public Service Loan Forgiveness (PSLF) Information.** This bill would require the Chancellor’s office to provide materials to community college Districts that inform faculty members of the Public Service Loan Forgiveness Program. It would require additional support from the District in the form of regular updates to employee certification, as required by the terms of the program.

*Background:* While many community college faculty continue to carry student loan debt, they may be unfamiliar with the availability of the PSLF to provide loan relief after a sustained period of public

service. This bill would ensure that Districts inform faculty members about the terms of the program, and provide complete and up to date records to certify faculty fulfillment of its requirements.

*Concerns:* Districts would be required to keep accurate records of faculty service in each year, and to provide appropriate certification to faculty. The measure could have significant impact on part time faculty carrying student loan debt.

**Legislative Status Update:** As of April 5, AB 897, 706, and 463 have all passed the Assembly Higher Education Committee and will now advance to the Assembly Appropriations Committee. If they clear that Committee, they will go to the floor for a vote. We do not yet have hearing dates for these bills, but anyone wishing to engage in AB 706 can do so directly, using the FACC action alert system:  
<https://facc.salsalabs.org/ab706/index.html>.

**Governor's Budget Proposal, Update:** In the wake of significant budget allocations for part-time faculty office hours in 2018, there is no new financial initiative that specifically benefits part-time faculty in the current year budget proposal. As you know, SRJC is affiliated with CCCI, an association of independent community college unions; and is a contract member of FACC, the association that advocates in Sacramento for community college faculty, and that commands a high level of respect in the Capitol. Among FACC's stated priorities is "100% pro rata pay (for part time faculty)– 'equal pay for equal work.'" At the same time, credible advocacy must focus on initiatives that can secure a legislative sponsor, and demonstrate a realistic prospect of support across all Districts statewide. And, we must recognize that our interests compete with the priorities of other groups who can consistently show up at hearings, and in legislative offices, to explain and advance their case.

As part-time faculty, we can continue to advocate for progress toward parity within our own District. And at the state level, we can demand an increase to base funding that provides the District with resources to increase student contact, expand available classes, and improve equity and benefits for part time faculty across the board. Attendance at hearings, whenever possible, is the best way to make our voices heard. Use of the FACC point-and-click advocacy system is another highly effective way to remind legislators often of our priorities and concerns.

--Deirdre Frontczak, Ph.D.,