
**CATESOL End of Session Update
October 2, 2016**

AB 1690

AUTHOR:

Medina [D]

TITLE:

Community Colleges: Part-Time, Temporary Employees

SUMMARY:

AB 1690 bill requires California community college (CCC) districts to have collective bargaining agreements with part-time faculty that include specified conditions of employment. More specifically, the bill:

1) Requires community college districts that do not have a collective bargaining agreement with part-time faculty in effect as of January 1, 2017, to commence negotiations with exclusive representatives for part-time, temporary faculty regarding specified terms and conditions, as follows:

- a) Provides upon initial hire, the requirements for the evaluation of part-time faculty members, as specified, including, but not necessarily limited to, a contract or regular faculty peer evaluator who has expertise in the subject matter of the part-time, temporary faculty member's assignment.
- b) Requires the evaluation of part-time faculty members at least once every six semesters or nine quarters of service, exclusive of summer and intersession terms.
- c) Requires the placement on a seniority list for assignments, following six semesters or nine quarters of satisfactory service, as specified. The seniority for all assignments shall be determined based on the first date of hire at the applicable college and seniority lists shall be by campus unless otherwise locally negotiated between the community college district and the exclusive representative for part-time, temporary faculty.
- d) Maintains the faculty member's workload for semester seven or quarter ten and beyond, as specified. As new assignments become available due to growth or attrition, these assignments shall be offered in seniority order to those part-time, temporary faculty members who have qualified to be placed on the seniority list, as specified, and previously successfully completed that same assignment. Provides that these assignments may be made up to a maximum annualized load, exclusive of summer and intersession terms, in the range of 60 to 67% of a full-time equivalent load.
- e) Provides that in cases where a reduction in assignment needs to occur due to program needs, budget constraints, or more contract faculty hires, the reduction shall occur first from among those part-time, temporary faculty members who have not yet qualified to be placed on the seniority list, and thereafter in reverse seniority order (i.e., use of "last in, first out" for reductions in assignments), as specified. Provides that each new assignment successfully completed shall be added to the part-time, temporary faculty member seniority list.
- f) Provides that the procedures governing refusal or rejection of offered assignments, diminution or loss of seniority rights, and additional leave or break-in-service provisions shall be locally negotiated between the community college district and the exclusive representative for part-time

faculty.

- g) Requires that in cases where a part-time faculty, subsequent to qualifying to be placed on the seniority list, receives a less -than satisfactory evaluation, as defined, the faculty member shall be provided a written plan of remediation with concrete suggestions for improvement, as specified. Provides that the faculty member shall be evaluated again the following semester and if the outcome is less than satisfactory, the faculty member shall lose all seniority rights and may be dismissed at the discretion of the district. Provides that appeal and grievance rights and procedures, if any, shall be subject to local collective bargaining.
- h) Provides that in all cases, part-time faculty assignments are temporary in nature, contingent on enrollment and funding, and subject to program changes, and no part-time faculty member has a reasonable assurance of continued employment at any point, as specified.

2) Provides that a community college district with a collective bargaining agreement with part-time faculty in effect as of January 1, 2017 and executes a signed written agreement, shall be exempt from the above requirements if the agreement takes into account all of the following:

- a) Part-time faculty assignments are based on seniority up to 60% to 67% of a full-time equivalent teaching load.
- b) A regular evaluation process for part-time faculty.
- c) Due process for termination once a part-time faculty member has qualified for the negotiated provisions.

3) Provides that a written agreement, confirming that these provisions have been included in a collective bargaining agreement, shall be signed by the exclusive representative for part-time faculty and the community college district, who are subject to that agreement, in order for the district to be exempt.

STATUS:

Signed by the Governor.

AB 1846

AUTHOR: Lopez [D]
TITLE: Adult Education Block Grant Program: Report
LAST AMEND: 06/22/2016

SUMMARY:

This bill expands existing reporting requirements for the Chancellor of the Community Colleges (Chancellor) and the Superintendent of Public Instruction (Superintendent) regarding the use and outcomes of the Adult Education Block Grant funds (block grant). The report must additionally include information on the extent to which these and other funds available to adult education consortia were insufficient to address the demand for adult education.

STATUS:

Held in the Senate Appropriations Committee - DEAD

AB 1876

AUTHOR: Lopez [D]
TITLE: Pupils: Diploma Alternatives: Language Options
LAST AMEND: 05/18/2016

SUMMARY:

AB 1876 prohibits the California Department of Education (CDE), beginning January 1, 2019, from approving or renewing a contractor/test center to administer tests for purposes of the high school equivalency certificate unless the contractor/testing center provides the test in English, Spanish, and Vietnamese. The bill requires the test to be administered in the examinee's choice of the three specified languages. The bill also declares that these provisions are intended to supplement and not supplant any other requirements for approval of contractors/testing centers adopted by the CDE.

STATUS:

In Senate Education Committee: Not heard - DEAD

AB 2248

AUTHOR:

Holden [D]

TITLE:

Teacher Credentialing: English Learner Authorizations

SUMMARY:

This bill requires the Commission on Teacher Credentialing to issue authorizations to teach English learners in a primary language to out-of-state teachers who are applying for a preliminary or clear teaching credential, and who hold valid out-of-state credentials or certificates that authorizes the equivalent instruction of English learners.

STATUS:

Signed by the Governor.

AB 2290

AUTHOR:

Santiago [D]

TITLE:

Pupil Instruction: World Languages: Content Standards

SUMMARY:

The bill requires the Superintendent of Public Instruction (SPI), in consultation with the Instructional Quality Commission (IQC) to recommend to the State Board of Education (SBE) revisions to the content standards in world languages, and authorizes the SBE to adopt, reject, or modify the revised standards by January 31, 2019. Requires the Board to hold a certain number of public hearings.

STATUS:

Signed by the Governor.

AB 2350

AUTHOR:

O'Donnell [D]

TITLE:

English Learners: Standard Instructional Program

LAST AMEND:

08/19/2016

SUMMARY:

Specifies that a middle or high school pupil who is classified as an English learner and scores at any proficiency level on the assessment of English language development shall not be denied participation in a school's standard instructional program by being denied enrollment in specified courses, including, courses required for graduation and college admission. Imposes a state-mandated local program.

STATUS:

On the Assembly Floor: On the Inactive File - DEAD

AB 2785

AUTHOR:

O'Donnell [D]

TITLE:

Special Education: English Learners: Manual

SUMMARY:

AB 2785 requires the State Board of Education to develop a manual providing guidance to local educational agencies on identifying, assessing, supporting and

reclassifying English learners who may qualify for special education services and pupils with disabilities who may classify as English learners with a goal of providing guidance, for voluntary use, on certain evidence-based practices. Provides for a collaborative approach among certain persons, including school administrators and special education teachers. More specifically, the bill:

- 1) Requires CDE to develop a manual for the purpose of providing guidance to LEAs on identifying, assessing, supporting and reclassifying English learners who may qualify for special education services and students with disabilities who may be classified as English learners.
- 2) Specifies that the goal is to provide guidance for voluntary use by LEAs on evidence-based and promising practices for the identification, assessment, support and reclassification of these students and to promote collaboration as specified, in determining the most appropriate academic placements and services for these students.
- 3) Requires CDE to do all of the following in the development of the manual:
 - a) Review manuals and other resources provided on this topic by the specified public entities and organizations.
 - b) Establish and consult with stakeholder groups, comprised of experts and practitioners in either special education, English learner education, or in both.
- 4) Requires the manual to include all of the following topics:
 - a) Guidance for accurately identifying English learners who may have disabilities and accurately classifying students with disabilities as English learners, including on avoiding overidentification and underidentification of these students for special education services and in different disability categories and in different grade spans.
 - b) Information on second language acquisition and progress, including guidance on distinguishing between language acquisition and disabilities.
 - c) Information on the role of culture and acculturation, to the extent it is related to the process of identifying English learner reclassification process for English learners with disabilities.
 - d) Examples of pre-referral strategies, early interventions, and early intervening strategies specifically addressing the needs of English learners, as specified.
 - e) Examples of any plans or processes used by LEAs for continuous evaluation and systemic review and guidance on sharing information between special education and English learner programs within LEAs for the purpose of tracking effectiveness, to the extent permitted under state and federal law.
 - f) Guidance on all of the following areas:
 - Referral processes and use of assessments.
 - Consideration of extrinsic factors, such as vision, hearing and health, in the identification of students.
 - Development of IEPs for English learners.
 - How to support the language and content learning needs of English learners who may have disabilities.
 - Placement or continued placement in bilingual programs and on providing services and instruction in primary languages.
 - Special education exit and English learner reclassification process

- for English learners with disabilities.
 - Working with families including meeting the needs of nonnative English speaking parents, guardians, and educational rights holders in special education proceedings.
 - g) State and federal law, regulations, and guidance related to the rights of English learners and students with disabilities.
- 5) Requires that the manual be:
- a) Consistent with state and federal law, regulations, and guidance regarding English learners and special education.
 - b) Written for ease of use by educators. The department is encouraged to incorporate features such as flowcharts, checklists, sample forms and case examples.
- 6) Requires the CDE to:
- a) Post the manual on its Internet Web site and on its professional development Internet Web site.
 - b) Develop a plan with input from the stakeholder group, for dissemination of the manual and providing professional development for staff at schoolsites and administrators of LEAs on the content of the manual, as specified. Implementation of the plan is contingent upon funding provided in the annual Budget Act for that purpose.
- 7) Requires that the plan be submitted to the State Board of Education, the Department of Finance, the Legislative Analyst's Office, the California Collaborative for Educational Excellence, the Advisory Commission on Special Education, and the appropriate policy and fiscal committees of the Legislature on or before July 1, 2018.
- 8) Defines, for the purpose of this bill, the following terms:
- a) "English learners" includes pupils who have been classified as English learners and those who may later be classified as English learners.
 - b) "Pupils with disabilities" includes pupils who have been or may be identified as individuals with exceptional needs, as defined in section 56026 of the Education Code, including pupils who have been or may be identified as having a low incidence disability, as defined in section 56020.5, or a severe disability, as defined in Section 56030.5 and also includes students with disabilities who may be later classified as English learners.
- 9) States the intent of the Legislature that these activities be paid for with federal funds.

STATUS:

Signed by the Governor.

SB 1379

AUTHOR:

Mendoza [D]

TITLE:

Community Colleges: Part-Time, Temporary Employees

SUMMARY:

SB 1379 requires California Community College districts (CCDs) to have collective bargaining agreements with part-time faculty that include specified conditions of employment. Specifically, this bill:

- 1) Requires, as a condition of receiving funds allocated for the Student Success and Support Program (SSSP) in the annual budget act, on or after July 1, 2017, any CCDs that do not have a collective bargaining agreement with part-time, temporary faculty in effect as of January 1, 2017, to commence negotiations regarding the rights of those faculty, as specified.
- 2) Establishes Legislative intent that the rights of part-time, temporary faculty, as specified in this bill, shall be included as part of the usual and customary negotiations between the CCD and the exclusive representative for part-time, temporary faculty.
- 3) Establishes Legislative intent that the CCD establish minimum standards for the terms of reemployment preference for part-time, temporary faculty through the negotiation process that complies with all of the following:
 - a) The standards include all of the following:
 - The length of time the faculty have served at the college or CCD;
 - The number of courses faculty have taught at the college or CCD;
 - The evaluations of faculty required pursuant to existing law, and any other related methods of evaluation that can be reliably used to assess educational impact of faculty as it relates to student success; and,
 - The availability, willingness, and expertise of faculty to teach specific classes or take on specific assignments that is necessary for student instruction or services.
 - b) Additional standards may be considered and established through the negotiation process, as necessary. These standards shall reflect the process and procedures for assigning part-time, temporary faculty to teach courses or staff non-classroom assignments, and for evaluating part-time, temporary faculty.
- 4) Requires, as a condition of receiving SSSP funding, a CCD and the exclusive representative of the part-time, temporary faculty to negotiate in good faith all of the following:
 - a) The terms of reemployment preference for part-time, temporary faculty assignments based on the minimum standards established, up to the range of 60 to 67 percent of a full-time equivalent load. These terms shall also contain policies for termination, including, but not limited to, the evaluation process, as negotiated; and,
 - b) A regular evaluation process for part-time, temporary faculty.
- 5) Requires a CCD that has a collective bargaining agreement in effect as of July 1, 2017, that has satisfied the aforementioned requirements, and that executes a signed written agreement with the exclusive representative of the part-time, temporary faculty acknowledging implementation shall be deemed to be in compliance with this section while the bargaining agreement is in effect.
- 6) Provides, in all cases, part-time faculty assignments shall be temporary in nature, contingent on enrollment and funding, and subject to program changes, and no part-time faculty member shall have reasonable assurance of continued employment at any point, irrespective of the status, length of service, or reemployment preference of that part-time temporary faculty member.

STATUS:

Signed by the Governor

