

**CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE**


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December 7, 2016

**Fiscal Services Memo 16-10  
Via E-mail Only**

**TO:** Chief Executive Officers  
Chief Human Resources Officers  
Chief Business Officers  
Chief Instructional Officers

**FROM:**  Elias Regalado, Director  
Fiscal Standards and Accountability Unit  
College Finance and Facilities Planning Division

**SUBJECT:** Implementation of SB 1379 Regarding Part-Time, Temporary Faculty Negotiations

**Background**

AB 1690 (Medina) and SB 1379 (Mendoza) are a pair of companion bills that were signed into law on September 30, 2016 and that become effective on January 1, 2017. AB 1690 created Education Code Section 87482.3. SB 1379 (Chapter 891 Statutes of 2016) amends Education Code Section 87482.3 to address what shall be included as part of the usual and customary negotiations between districts and the exclusive representative for part-time, temporary faculty, which are as follows:

- Minimum standards for the terms of reemployment preference for part-time, temporary faculty assignments up to the range of 60 to 67 percent of a full-time equivalent load, shall include all of the following:
  - The length of time part-time, temporary faculty have served at the college or district.
  - The number of courses part-time, temporary faculty have taught at the community college or district.
  - The evaluations of part-time, temporary faculty conducted pursuant to Education Code Section 87663 and other related methods of evaluation that can reliably be used to assess educational impact of part-time, temporary faculty as it relates to student success.
  - The availability, willingness, and expertise of part-time, temporary faculty to teach specific classes or take on specific assignments that are necessary for student instruction or services.
  - Additional standards may be considered and established through the negotiation process and shall reflect the processes and procedures for assigning part-time, temporary faculty to teach courses or staff non-classroom assignments, and evaluating part-time, temporary faculty.
- These terms shall also contain policies for termination, including, but not limited to, the evaluation process conducted pursuant to Education Code Section 87663.

Education Code Section 87482.3 ensures the aforementioned policies and standards are now part of the usual and customary negotiations with part-time, temporary faculty by linking compliance with its provisions to receiving Student Success and Support Program (SSSP) funding. Therefore, if a district is not compliant, it will not receive SSSP funding for that fiscal year.

Below are the three ways districts can comply and continue to receive SSSP funds in the 2017-18 fiscal year.

- Districts that do not have a collective bargaining agreement with the exclusive representative of part-time, temporary faculty in effect as of January 1, 2017, shall commence negotiations in good faith with the exclusive representative for part-time, temporary faculty with the goal of including all of these policies and standards as part of the final collective bargaining agreement.
- Districts that do have a collective bargaining agreement with the exclusive representative of part-time, temporary faculty in effect as of July 1, 2017, that does not include these policies and standards shall commence negotiations in good faith with the exclusive representative for part-time, temporary faculty upon expiration of that agreement as part of the usual and customary negotiations between the district and the exclusive representative with the goal of including all of these policies and standards as part of the final collective bargaining agreement.
- Districts that do have a collective bargaining agreement (or are operating under an expired collective bargaining agreement as the status quo) with the exclusive representative of part-time, temporary faculty in effect as of July 1, 2017, that does include these policies and standards are in compliance.

#### **Action/Date Requested**

Complete the attached form and return to the Chancellor's Office on or before **Friday, July 14, 2017**. If you have any questions about this memorandum or this form, please contact Michael Yarber at (916) 327-6818 or [myarber@cccco.edu](mailto:myarber@cccco.edu).

**California Community Colleges  
Part-Time, Temporary Faculty Reemployment Certification  
Compliance with Education Code 87482.3**

This is to certify that the district signed below is in compliance with Education Code Section 87482.3 by indicating an appropriate collective bargaining status with part-time, temporary faculty:

Please check the appropriate box:

- ☐ The district does not have a collective bargaining agreement with the exclusive representative of part-time, temporary faculty in effect as of January 1, 2017, but has commenced negotiations in good faith with the exclusive representative for part-time, temporary faculty with the goal of including all the policies and standards specified in Education Code Section 87482.3 as part of the final collective bargaining agreement.
- ☐ The district has a collective bargaining agreement with the exclusive representative of part-time, temporary faculty in effect as of July 1, 2017, that does not include the policies and standards specified in Education Code Section 87482.3, but shall commence negotiations in good faith with the exclusive representative for part-time, temporary faculty upon expiration of that agreement as part of the usual and customary negotiations between the district and the exclusive representative with the goal of including all of these policies and standards as part of the final collective bargaining agreement.
- ☐ The district has a collective bargaining agreement (or is operating under an expired collective bargaining agreement as the status quo) with the exclusive representative of part-time, temporary faculty in effect as of July 1, 2017, that does include the policies and standards specified in Education Code Section 87482.3

Although districts are required to bargain reemployment standards, part-time faculty assignments will remain temporary in nature, contingent on enrollment and funding, subject to program changes, and without any reasonable assurance of continued employment.

Further, to the best of my knowledge, the data contained in this report are correct.

**District:** \_\_\_\_\_

\_\_\_\_\_  
**District Superintendent/President**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Exclusive Representative of Part-Time, Temporary Faculty**

\_\_\_\_\_  
**Date**

Please complete and return this form by Friday, July 14, 2017 to:

California Community Colleges Chancellor's Office  
Fiscal Services Unit  
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Sacramento, CA 95811-6549

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