



Implementing the Unified Faculty Model at the California Community Colleges

If you are unfamiliar with the Unified or “one-tier” faculty model, please review the following resources before commenting on this document. The FACCC board has taken a support position on the Unified Faculty Model. The goal of this document is to develop statutory language that enables the implementation of this model, acknowledging that systemic change is a complex process.

[Unified Faculty Model One-Pager](#)
[FACCC’s Unified Faculty Model Resource Page](#)

The Unified Faculty Model eliminates the two-tiered employment structure at the California Community Colleges, creating a single system where all faculty receive proportional compensation and benefits based on workload rather than employment classification. The research in *Why Faculty Matter: The Role of Faculty in the Success of Community College Students*¹, consistently demonstrates that equitable support of faculty leads to dramatically improved student outcomes through increased engagement, mentorship, and institutional participation, benefits currently limited to the 32% of faculty with full-time status.² Based on extensive research documenting the benefits of a Unified Faculty Model and input from our unions and system partners³, we developed these proposed amendments to the California Education Code.⁴ This draft legislation represents our collective effort to codify the structural reforms necessary to institute the Unified Faculty Model.

Creating systemic change of this magnitude is complex; that’s why your feedback is essential to refining this proposal. You may share this document with others. As you review the [statutory language below](#), please comment, identify potential issues, and provide alternate solutions. If you have questions, you can contact us at wbrillwynkoop@faccc.org or jhenderson@faccc.org. **Our shared goal is to reach consensus on draft legislation that would make the Unified Faculty Model a reality.**

Here is an overview of the changes:

1. Simplified Employment Classifications

- **Contract Faculty:** Any faculty member teaching at 40% or more load becomes a contract employee. These faculty members are all part of a single, unified faculty body. They share the same employment rights, participate in shared governance, receive proportional benefits, and have clear pathways to tenure based on their teaching load.

¹ <https://www.faccc.org/assets/docs/PolicyPapers/Faculty%20Research%20Paper.pdf>

² https://datamart.cccco.edu/faculty-staff/staff_demo.aspx

³ https://faccc.memberclicks.net/assets/docs/PolicyPapers/A%20Unified%20Faculty%20Model_FINAL.docx.pdf

⁴ <https://edsources.org/2024/undoing-overreliance-on-part-time-faculty-could-reverse-decline-of-california-community-colleges/710803>

- **Short-Term Faculty:** The legislation permits colleges to employ faculty at less than 40% load for strictly limited short-term needs and caps this at two consecutive terms to prevent exploitation.

2. Proportional Tenure Track System

Faculty progress toward tenure based on their load percentage:

- 80-100% load: 4-year probationary period (3 contracts: 1 year + 1 year + 2 years)
- 60-79% load: 6-year probationary period (4 contracts: 1 year + 1 year + 2 years + 2 years)
- 40-59% load: 8-year probationary period (5 contracts: 1 year + 1 year + 2 years + 2 years + 2 years)

	80-100% Load			60-79% Load			40-59% Load		
	Years	Semesters	Quarters	Years	Semesters	Quarters	Years	Semesters	Quarters
First Contract	1	2	3	1	2	3	1	2	3
Second Contract	1	2	3	1	2	3	1	2	3
Third Contract	2	4	6	2	4	6	2	4	6
Fourth Contract				2	4	6	2	4	6
Fifth Contract							2	4	6
Tenure Awarded	4	8	12	6	12	18	8	16	24
	Years	Semesters	Quarters	Years	Semesters	Quarters	Years	Semesters	Quarters

3. Equitable Benefits and Compensation

- Single unified salary schedule with pro-rata compensation based on load percentage
- All contract faculty eligible for health insurance benefits
- Proportional retirement service credit (60%+ load = full year credit; below 60% = proportional)
- Office hours and professional development opportunities are proportional to load

4. Enhanced Job Security

- All contract faculty receive due process protections previously limited to full-time faculty
- Clear contract terms and renewal procedures
- Protection from arbitrary dismissal
- Reemployment rights based on seniority

5. Maintained Institutional Goals

- Preserves the 75/25 goal applied to contract faculty at 80-100% load, ensuring that institutions maintain a substantial core of faculty positions that provide living wages, while expanding the overall number of secure contract and tenure-track positions across all load levels.
- Maintains collective bargaining rights and processes
- Continues data collection requirements

Implementation Timeline

- January 1, 2030: Board of Governors adopts implementing regulations
- July 1, 2030: Districts complete negotiations with bargaining units
- 2030-31 Academic Year: Unified model takes effect
 - Current faculty at 40%+ load receive contract status
 - Faculty below 40% load classified as short-term

If you have questions, please contact Wendy Brill-Wynkoop or Stephanie Goldman,
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California Education Code - Unified Faculty Model Amendment

Black is existing code, gray strikethrough, blue is new language.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges and the Chancellor’s Office, and authorizes community college districts to employ faculty as regular (tenured), contract (probationary), or temporary (part-time) employees under various statutory provisions.

This bill would, commencing July 1, 2030, require all California Community College districts to implement a “unified faculty model” under which all academic employees are employed under a single faculty classification system, with compensation, benefits, workload, job security, tenure, and professional development opportunities equitably allocated on a pro-rata basis according to assigned workload. The bill would provide for proportional tenure eligibility, due process, and a single salary schedule. The bill would require the Board of Governors to adopt implementing regulations and provide for a transition period.

87477.

Governing boards of community college districts shall classify **all faculty members as either short-term employees or** ~~as contract employees, those faculty members who have not been classified as regular employees or as temporary employees.~~ **A short-term employee is a faculty member employed for less than 40 percent of a full-time load for a maximum of one academic year. A contract employee is a faculty member employed at 40 percent or more of a full-time load, including both probationary and tenured employees.** The classification shall be made at the time of employment and thereafter in the month of July of each school year. At the time of initial employment during each academic year, each new faculty member shall receive a written statement indicating ~~his or her~~ **their** employment status, **the percentage of load,** and the salary that ~~he or she~~ **they are** to be paid. If a community college district hires a faculty member as a ~~temporary~~ **short-term** employee, the written statement shall clearly indicate the ~~temporary~~ **short-term** nature of the employment and the length of time for which the person is being employed. If a written statement does not indicate the ~~temporary~~ **short-term** nature of the employment, the faculty member shall be deemed to be a contract employee of the community college district, ~~unless employed with regular status.~~

87478.

~~Except as provided in Sections 87481 and 87482, governing boards of community college districts shall classify faculty employed to fill positions of regularly employed persons absent from service as temporary employees.~~

Governing boards of community college districts may employ short-term employees to fill positions of contract employees absent from service for one academic year.

After September 1 of any school year, the governing board of a community college district may employ, for the remainder of the school year, in temporary short-term status any otherwise qualified person who consents to be so employed in a position for which no regular contract employee is available, including persons retired for service under the State Teachers' Retirement System. Inability to acquire the services of a qualified regular contract employee shall be demonstrated to the satisfaction of the board of governors.

~~Any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a faculty position, be classified by the governing board as a contract employee and the previous year's employment as a temporary employee shall be deemed a year of employment as a contract employee for purposes of acquiring regular status.~~

Any person employed at 40 percent or more of a full-time load for more than one academic year shall be classified by the governing board as a contract employee.

87480.

~~Governing boards of community college districts shall classify as temporary employees faculty members, who are employed to serve from day to day during the first three school months of any school term to instruct temporary classes not to exist after the first three school months of any school term or to perform any other duties which do not last longer than the first three school months of any school term, or to instruct in special day and evening classes for adults or in schools of migratory population for not more than four school months of any school term. If the classes or duties continue beyond the first three school months of any school term or four school months for special day and evening classes for adults, or schools for migratory population, the employee, unless a regular employee, shall be classified as a contract employee. The school year may be divided into not more than two school terms for the purposes of this section.~~

Governing boards of community college districts shall classify as short-term employees faculty members who are employed at less than 40 percent of a full-time load for a maximum of one academic year, excluding summer and intersession terms.

In any district, the governing board may, to prevent the stoppage of district business when an actual emergency arises and persons are not immediately available for contract classification, make an appointment to a position on a temporary short-term basis for a period not to exceed 20 working days. The person so appointed shall be deemed to be a temporary short-term employee who is employed to serve from day to day. Service by a person in such an appointment on a temporary short-term basis shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a regular tenured employee of a community college district.

87481.

Notwithstanding the provisions of Sections 87478 and 87480, the governing board of a community college district may employ any qualified individual as a temporary faculty member for a complete school year, but not less than one semester or quarter during a school year unless the date of rendering first paid service begins during the second semester or third quarter and prior to March 15th. The employment of these persons shall be based upon the need for additional faculty during a particular semester, quarter, or year because a faculty member has been granted leave for a semester, quarter, or year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need, as determined by the governing board. Any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant faculty position, be classified by the governing board as a contract employee and the previous year's employment as a temporary employee shall be deemed a year of employment as a contract employee for purposes of acquiring permanent status. For purposes of this section "vacant position" means a position in which the employee is qualified to serve and which is not filled by a regular or contract employee. It shall not include a position which would be filled by a regular or contract employee except for the fact that such employee is on leave.

This section is repealed.

87482.

(a)(1) Notwithstanding Section 87480, the governing board of a community college district may employ a qualified individual as a temporary faculty member for a complete academic year, but not less than a complete semester or quarter during an academic year. The employment of those persons shall be based upon the need for additional faculty during a particular semester or quarter because of the higher enrollment of students during that semester or quarter as compared to the other semester or quarter in the academic year, or because a faculty member has been granted leave for a semester, quarter, or academic year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need, as determined by the governing board of the community college district. (2) Employment of a person under this subdivision may be pursuant to a contract fixing a salary for the entire semester or quarter. (b) A person, other than a person serving as clinical nursing faculty and exempted from this subdivision pursuant to paragraph (1) of subdivision (c), shall not be employed by a single community college district under this section for more than two semesters or three quarters within any period of three consecutive academic years. (c)(1) Notwithstanding subdivision (b), a person serving as full-time clinical nursing faculty or as part-time clinical nursing faculty teaching the hours per week described in Section 87482.5 may be employed by a single community college district under this section for up to four semesters or six quarters within any period of three consecutive academic years.

(a) Community college districts shall provide data to the chancellor's office as to the number of short-term faculty members and contract faculty members employed, including the percentage of load for each contract faculty member.

(b) This data shall be submitted, in writing, to the chancellor's office on or before June 30 of each year.

(c) The chancellor shall report, in writing, to the Legislature and the Governor on or before September 30 of each year the number of short-term and contract faculty employed by each district and the distribution

of contract faculty by load percentage.

87482.3

~~(a)(1) As a condition of receiving funds allocated for the Student Success and Support Program in the annual Budget Act, on or after July 1, 2017, community college districts that do not have a collective bargaining agreement with part-time, temporary faculty in effect as of January 1, 2017, shall commence negotiations with the exclusive representatives for part-time, temporary faculty regarding the terms and conditions required by subdivision (b). The parties shall negotiate these rights for part-time, temporary faculty.~~

(a)(1) As a condition of receiving funds allocated for the Student Success and Support Program in the annual Budget Act, community college districts shall negotiate with the exclusive representatives for faculty regarding the implementation of the unified faculty model established in this code.

(2) Districts shall offer current faculty who are teaching at 40 percent or more of a full-time load in the 2029-30 academic year a contract beginning July 1, 2030, for the 2030-31 academic year, and the faculty will assume the responsibilities and benefits of the unified faculty model.

(3) Faculty teaching less than 40 percent of a full-time load as of July 1, 2030, shall be classified as short-term employees and limited to one academic year of employment.

87482.4

~~(a) The Legislature finds and declares that, in the state's community college system, teaching constitutes a greater share of the faculty workload, as compared to the California State University or the University of California systems. California's community college system requires that a faculty member hold, as a basic qualification, a master's degree. Furthermore, the community college system uses a different professional review process, as compared to the California State University or the University of California systems.~~

~~(b) The California Postsecondary Education Commission shall conduct a comprehensive study of the California Community College system's part-time faculty employment, salary, and compensation patterns as they relate to full-time community college faculty with similar education credentials and work experience. The study shall include a representative sample of urban, rural, and suburban community colleges in California and shall also refer to similarly situated community colleges in other states.~~

~~(c) The study specified in subdivision (b) shall include, but not necessarily be limited to, the addressing of policy options available to achieve pay equity between community college part-time faculty and full-time faculty and shall also include both of the following:~~

~~(1) A quantitative analysis examining duties and tasks of part-time faculty as compared to full-time faculty. The duties and tasks examined shall include classroom teaching, preparation, office hours, recordkeeping, student evaluations, recommendations, and other professional practices that compare the similarities and differences between a part-time and full-time faculty position. This quantitative analysis shall also include both of the following:~~

~~(A) An examination of whether part-time faculty salaries vary significantly among community colleges and the factors that are associated with any salary differential.~~

~~(B) Data concerning the salary compensation pattern for part-time community college faculty in California and in similarly situated community colleges in other states, and the disparity between part-time and full-time compensation for the equivalent education and experience.~~

~~(2) An identification of specific policy and fiscal recommendations that would enable the California Community Colleges to achieve a compensation schedule that achieves pay equity for part-time faculty.~~

~~(d) The California Postsecondary Education Commission shall, in conducting the study required by this section, consult various representatives of the education community, including the Board of Governors of the California Community Colleges, community college faculty groups, and other interested parties.~~

~~(e) Notwithstanding Section 7550.5 of the Government Code, the California Postsecondary Education Commission shall release the preliminary findings of the study required by this section to the Legislature and the Governor, on or before March 31, 2000, and shall transmit the study to the Legislature and the Governor on or before July 1, 2000.~~

~~(f) It is the intent of the Legislature that funding for conducting the study required by this section shall be made available through an appropriation, either in future legislation or in the annual Budget Act, in an amount of up to one hundred fifty thousand dollars (\$150,000).~~

[This section is repealed](#)

87482.5

~~(a) Notwithstanding any other law, a person who is employed to teach adult or community college classes for not more than 67 percent of the hours per week considered a full-time assignment for regular employees having comparable duties shall be classified as a temporary employee, and shall not become a contract employee under Section 87604. If the provisions of this section are in conflict with the terms of a collective bargaining agreement in effect on or before January 1, 2009, the provisions of this section shall govern the employees subject to that agreement upon the expiration of the agreement.~~

[\(a\) A person who is employed to teach adult or community college classes at less than 40 percent of a full-time load shall be classified as a short-term employee for a maximum of one academic year.](#)

~~(b) Service as a substitute on a day-to-day basis by persons employed under this section shall not be used for purposes of calculating eligibility for contract or ~~regular~~ tenured status.~~

~~(c)(1) Service in professional ancillary activities by persons employed under this section, including, but not necessarily limited to, governance, staff development, grant writing, and advising student organizations, shall not be used for purposes of calculating eligibility for contract or ~~regular~~ tenured status unless otherwise provided for in a collective bargaining agreement applicable to a person employed under this section.~~

87482.6

~~(a) Until the provisions of Section 84750 regarding program-based funding are implemented by a standard adopted by the board of governors that establishes the appropriate percentage of hours of credit instruction that should be taught by full-time instructors, the Legislature wishes to recognize and make efforts to address longstanding policy of the board of governors that [At least 75 percent of the hours of](#)~~

credit instruction in the California Community Colleges, as a system, should be taught by ~~full-time instructors~~ **contract faculty at 80 percent to 100 percent load**.

To this end, community college districts which have less than 75 percent of their hours of credit instruction taught by ~~full-time instructors~~ **contract faculty at 80 percent to 100 percent load** shall apply a portion of the program improvement allocation received pursuant to Section 84755 as follows:

(1) Districts which, in the prior fiscal year, had between 67 percent and 75 percent of their hours of credit instruction taught by ~~full-time instructors~~ **contract faculty at 80 percent to 100 percent load** shall apply up to 33 percent of their program improvement allocation as necessary to reach the 75 percent standard. If a district in this category chooses instead not to improve its percentage, the board of governors shall withhold 33 percent of the district's program improvement allocation.

(2) Districts which, in the prior fiscal year, had less than 67 percent of their hours of credit instruction taught by ~~full-time instructors~~ **contract faculty at 80 percent to 100 percent load** shall apply up to 40 percent of their program improvement allocation as necessary to reach the 75 percent standard. If a district in this category chooses instead not to improve its percentage, the board of governors shall withhold 40 percent of the district's program improvement allocation.

Districts which maintain 75 percent or more of their hours of credit instruction taught by ~~full-time instructors~~ **contract faculty at 80 percent to 100 percent load** shall otherwise be free to use their program improvement allocation for any of the purposes specified in Section 84755.

(b) The board of governors shall adopt regulations for the effective administration of this section. Unless and until amended by the board of governors, the regulations shall provide as follows:

(1) In computing the percentage of hours of credit instruction taught by ~~full-time instructors~~ **contract faculty at 80 percent to 100 percent load**, the hours of overload teaching by ~~full-time instructors~~ shall be excluded. ~~from both the total hours of credit instruction taught by full-time and part-time instructors and the total hours of instruction taught by full-time instructors.~~

~~(2) A full-time instructor shall be defined as any regular and contract faculty member teaching credit instruction.~~

(3) The chancellor shall compute and report to each community college district the number of **contract faculty at 80 percent to 100 percent load** ~~full-time faculty (FTF)~~ which are to be secured through the use of the prescribed portion of program improvement revenue allocated to each district. This computation shall be made by dividing the applicable portion of program improvement revenue (0 percent, 33 percent, or 40 percent of the program improvement allocation), by the statewide average "replacement cost" (a figure which represents the statewide average faculty salary plus benefits, minus the statewide average hourly rate of compensation for part-time instructors times the statewide average full-time teaching load). If the quotient is not a whole number, then the quotient shall be rounded down to the nearest whole number. If this quotient, once applied, will result in the district exceeding the 75 percent standard, the chancellor shall further reduce the quotient to a whole number that will leave the district as close as possible to, but in excess of, the 75 percent standard.

By March 15th of each year, the chancellor shall report to each district an estimate of the number of **contract faculty at 80 percent to 100 percent load** ~~FTF~~ to be secured based upon the appropriation of revenues contained in the annual Budget Bill.

~~(4) On or before December 31, 1991, the chancellor shall determine the extent to which each district, by September 30, 1991, has hired the number of FTF determined pursuant to paragraph (3) for the 1989-90 and 1990-91 fiscal years. To the extent that the cumulative number of FTF have not been retained, the chancellor shall reduce the district's base budget for 1991-92 and subsequent fiscal years by an amount equivalent to the average replacement cost times the deficiency in the number of FTF.~~

87482.8

~~Whenever possible:~~

~~(a) Part-time faculty should be informed of assignments at least six weeks in advance.~~

~~(b) Part-time faculty should be paid for the first week of an assignment when class is canceled less than two weeks before the beginning of a semester.~~

~~(c) The names of part-time faculty, once they are assigned to a course, should be listed in the schedule of classes rather than just described as "staff" or "faculty."~~

~~This section is repealed.~~

87601.

(a) "Academic year" means that period between the first day of a fall semester or quarter and the last day of the following spring semester or quarter, excluding any intersession term that has been excluded pursuant to an applicable collective bargaining agreement.

(b) "Contract employee" means an employee of a district who is employed **at 40 percent or more of a full-time load** on the basis of a contract in accordance with Section 87605, subdivision (b) of Section 87608, or subdivision (b) of Section 87608.5.

(c) "District" means a community college district.

(d) "Positions requiring certification qualifications" are those positions which provide the services for which certifications have been established in this code.

(e) "Regular employee" means **a contract employee of a district who has completed the probationary period and is** ~~an employee of a district who is~~ employed in accordance with subdivision (c) of Section 87608, subdivision (c) of Section 87608.5, or Section 87609, **regardless of load percentage.**

(f) "Short-term employee" means **an employee of a district who is employed at less than 40 percent of a full-time load for a maximum of one academic year.**

(g) "Load" means **the percentage of a full-time assignment as defined by the local collective bargaining agreement.**

87604.

The governing board of a community college district shall employ each academic employee as a contract employee, ~~regular employee, or temporary employee~~ **or short-term employee.**

87605.

The governing board of a district shall employ faculty who are assigned a load of 40 percent or more as contract employees. ~~for the first academic year of his or her employment by contract. Any person who, at the time an employment contract is offered to him or her by the district, is neither a tenured employee of the district nor a probationary employee then serving under a second or third contract entered into pursuant to Section 87608 shall be deemed to be employed for "the first academic year of his or her employment."~~ New faculty members who are not already tenured or serving under a probationary contract shall begin with their first contract year. A faculty member shall be deemed to have completed a ~~his or her~~ first contract year if ~~he or she~~ they provide service for 75 percent of ~~that~~ the first academic year.

87608.

If a contract employee is working under ~~his or her~~ their first contract, the governing board, at its discretion and not subject to judicial review except as expressly provided in Sections 87610.1 and 87611, shall elect one of the following alternatives:

- (a) Not enter into a contract for the following academic year.
- (b) Enter into a contract for the following academic year.
- (c) Employ the contract employee as a regular employee for all subsequent academic years.

87608.5

If a contract employee is working under ~~his or her~~ their second contract, the governing board, at its discretion and not subject to judicial review except as expressly provided in Sections 87610.1 and 87611, shall elect one of the following alternatives:

- (a) Not enter into a contract for the following academic year.
- (b) Enter into a contract for the following two academic years.
- (c) Employ the contract employee as a regular employee for all subsequent academic years.

87609.

If a contract employee is employed under ~~his or her~~ their third consecutive contract the governing board shall elect one of the following alternatives:

- (a) If a contract employee at 80 to 100 percent load is employed under their third consecutive contract entered into pursuant to Section 87608.5, the governing board shall elect one of the following alternatives:
 - (a-1) Employ the probationary employee as a tenured employee for all subsequent academic years.
 - (b 2) Not employ the probationary employee as a tenured employee.
- (b) If a contract employee at 60 to 79 percent load is employed under their third consecutive contract entered into pursuant to Section 87608.5, the governing board shall elect one of the following alternatives:
 - (1) Not enter into a contract for the following academic year.
 - (2) Enter into a contract for the following two academic years.

- (3) Employ the contract employee as a regular employee for all subsequent academic years.
- (4) This section applies only to contract employees at 60 to 79 percent load who have completed 8 semester terms or 12 quarter terms.
- (c) If a contract employee at 40 to 59 percent load is employed under their third consecutive contract entered into pursuant to Section 87608.5, the governing board shall elect one of the following alternatives:
 - (1) Not enter into a contract for the following academic year.
 - (2) Enter into a contract for the following two academic years.
 - (3) Employ the contract employee as a regular employee for all subsequent academic years.
 - (4) This section applies only to contract employees at 40 to 59 percent load who have completed 8 semester terms or 12 quarter terms.

87609.2

If a contract employee is employed under their fourth consecutive contract the governing board shall elect one of the following alternatives:

- (a) If a contract employee at 60 to 79 percent load is employed under their fourth consecutive contract entered into pursuant to Section 87608.5, the governing board shall elect one of the following alternatives:
 - (1) Employ the probationary employee as a tenured employee for all subsequent academic years.
 - (2) Not employ the probationary employee as a tenured employee.
- (b) If a contract employee at 40 to 59 percent load is employed under their fourth consecutive contract entered into pursuant to Section 87608.5, the governing board shall elect one of the following alternatives:
 - (1) Not enter into a contract for the following academic year.
 - (2) Enter into a contract for the following two academic years.
 - (3) Employ the contract employee as a regular employee for all subsequent academic years.
 - (4) This section applies only to contract employees at 40 to 59 percent load who have completed 12 semester terms or 16 quarter terms.

87609.4

If a contract employee is employed under their fifth consecutive contract the governing board shall elect one of the following alternatives:

- (a) If a contract employee at 40 to 59 percent load is employed under their fifth consecutive contract entered into pursuant to Section 87608.5, the governing board shall elect one of the following alternatives:
 - (1) Employ the probationary employee as a tenured employee for all subsequent academic years.
 - (2) Not employ the probationary employee as a tenured employee.

87610.

(a) The governing board shall give written notice of its decision under Section 87608 or 87608.5 and the reasons therefor to the employee on or before March 15 of the academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with the district personnel office.

(1) If a contract employee at 80 to 100 percent load is employed under their failure to give the notice as required to a contract employee under his or her their first or second contract shall be deemed an extension of the existing contract without change for the following academic year.

(2) If a contract employee at 60 to 79 percent load is employed under their failure to give the notice as required to a contract employee under their first, second, or third contract shall be deemed an extension of the existing contract without change for the following academic year.

(3) If a contract employee at 40 to 59 percent load is employed under their failure to give the notice as required to a contract employee under their first, second, third, or fourth contract shall be deemed an extension of the existing contract without change for the following academic year.

(b) The governing board shall give written notice of its decision under Section 87609 and the reasons therefor to the employee on or before March 15 of the last academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with the district personnel office.

(1) If a contract employee at 80 to 100 percent load fails failure to give the notice following as required to a contract employee under his or her their third consecutive contract, this shall be deemed a decision to employ him or her them as a regular employee for all subsequent academic years.

(2) If a contract employee at 60-79 percent load failure to give the notice as required to a contract employee under their fourth consecutive contract shall be deemed a decision to employ them as a regular employee for all subsequent academic years.

(3) If a contract employee at 40-59 percent load failure to give the notice as required to a contract employee under their fifth consecutive contract shall be deemed a decision to employ them as a regular employee for all subsequent academic years.

87610.1

(a) In those districts where tenure evaluation procedures are collectively bargained pursuant to Section 3543 of the Government Code, the faculty's exclusive representative shall consult with the academic senate prior to engaging in collective bargaining on these procedures.

(b) Allegations that the community college district, in a decision to grant tenure, made a negative decision that to a reasonable person was unreasonable, or violated, misinterpreted, or misapplied, any of its policies and procedures concerning the evaluation of probationary employees shall be classified and

procedurally addressed as grievances. Allegations that the community college district in a decision to reappoint a probationary employee violated, misinterpreted, or misapplied any of its policies and procedures concerning the evaluation of probationary employees shall be classified and procedurally addressed as grievances. If there is no contractual grievance procedure resulting in arbitration, these allegations shall proceed to hearing in accordance with Section 87740.

“Arbitration,” as used in this section, refers to advisory arbitration, as well as final and binding arbitration.

(c) Any grievance brought pursuant to subdivision (b) may be filed by an employee on ~~his or her~~ **their** behalf, or by the exclusive bargaining representative on behalf of an employee or a group of employees in accordance with Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code. The exclusive representative shall have no duty of fair representation with respect to taking any of these grievances to arbitration, and the employee shall be entitled to pursue a matter to arbitration with or without the representation by the exclusive representative. However, if a case proceeds to arbitration without representation by the exclusive representative, the resulting decision shall not be considered a precedent for purposes of interpreting tenure procedures and policies, or the collective bargaining agreement, but instead shall affect only the result in that particular case. When arbitrations are not initiated by the exclusive representative, the district shall require the employee submitting the grievance to file with the arbitrator or another appropriate party designated in the collective bargaining agreement, adequate security to pay the employee's share of the cost of arbitration.

(d) The arbitrator shall be without power to grant tenure, except for failure to give notice on or before March 15 pursuant to subdivision (b) of Section 87610. The arbitrator may issue an appropriate make-whole remedy, which may include, but need not be limited to, backpay and benefits, reemployment in a probationary position, and reconsideration. Procedures for reconsideration of decisions not to grant tenure shall be agreed to by the governing board and the exclusive representative of faculty pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(e) Any employees who are primarily engaged in faculty or other bargaining unit duties, who perform “supervisory” or “management” duties incidental to their performance of primary professional duties shall not be deemed supervisory or managerial employees as those terms are defined in Section 3540.1 of the Government Code, because of those duties. These duties include, but are not limited to, serving on hiring, selection, promotion, evaluation, budget development, and affirmative action committees, and making effective recommendations in connection with these activities. These employees whose duties are substantially similar to those of their fellow bargaining unit members shall not be considered supervisory or management employees.

87612.

~~Until terminated in accordance with provisions of law, a part-time regular employee shall be assigned, and compensated, for a period of service less than 75 percent of the number of days the colleges of the district are maintained during each academic year. The governing board of the employing district may establish an assignment for any period of days less than 75 percent.~~

~~At its discretion, the governing board of the employing district may assign and compensate a part-time regular employee for a period of service of 75 percent or more of the number of days the colleges of the district are maintained during each academic year. Such an assignment shall not change the employee's classification to that of full-time regular employee unless an assignment of this type is made for two consecutive academic years.~~

~~This section is repealed.~~

87661.

For the purposes of this article:

(a) “Academic year” means that period between the first day of a fall semester or quarter and the last day of the following spring semester or quarter, excluding any intersession term that has been excluded pursuant to an applicable collective bargaining agreement.

(b) “Contract employee” or “probationary employee” means an employee of a district who is employed on the basis of a contract in accordance with Section 87605, subdivision (b) of Section 87608, or subdivision (b) of Section 87608.5.

(c) “District” means a community college district.

(d) “Regular employee” or “tenured employee” means an employee of a district who is employed in accordance with subdivision (c) of Section 87608, subdivision (c) of Section 87608.5, or Section 87609.

87663.

~~(a) Contract Probationary employees shall be evaluated at least once in each academic year. Regular employees shall be evaluated at least once in every three academic years. Temporary Short-term employees shall be evaluated within the first year their first term of employment. Thereafter, evaluation shall be at least once every six regular semesters, or once every nine regular quarters, as applicable.~~

87804.

~~The governing board of a community college district may employ such temporary employees of the district as it deems necessary and shall adopt and make public a single unified salary schedule setting the daily or pay period rate or rates for temporary employees compensation for contract faculty with pro-rata compensation and benefits based on load, and placement determined by years of service and educational attainment as defined in the local collective bargaining agreement. Short term faculty shall be compensated on the same salary schedule without benefits.~~

87860.

It is the intent of the Legislature that ~~part-time~~ **all contract** community college faculty and their eligible dependents have **equitable** ~~continuous~~ access to health insurance benefits.

87860.5

There is hereby established the ~~Part-Time~~ Community College Faculty Health Insurance Program for the purpose of providing a state incentive program to encourage community college districts to offer health insurance for ~~part-time~~ **all contract** faculty.

87861.

For purposes of this article:

~~(a) "Health insurance benefits" include medical benefits but do not include vision or dental benefits.~~

~~(b) "Multidistrict part-time faculty" refers to any faculty member whose total teaching assignments at two or more community college districts equals or exceeds 40 percent of the cumulative equivalent of a minimum full-time teaching assignment.~~

~~(c) "Part-time faculty" refers to any faculty member whose teaching assignment equals or exceeds 40 percent of the cumulative equivalent of a minimum full-time teaching assignment.~~

(a) "Contract faculty" refers to any faculty member whose teaching assignment at a single district equals or exceeds 40 percent of a full-time load.

87880.

~~The Legislature finds and declares that community college part-time faculty are required to fulfill the same teaching responsibilities as full-time faculty although students have little or no access to part-time faculty members outside of the classroom. It is the intent of the Legislature that students have the same opportunity for academic assistance and guidance without regard to whether a course at a community college is taught by a full-time or a part-time faculty member. It is the further intent of the Legislature that community college part-time faculty teaching a minimum number of courses be compensated for providing academic counseling and assistance to students outside of the classroom.~~

This section is repealed.

87881.

~~There is hereby established the Community College Part-Time Faculty Office Hours Program for the purpose of providing community college students equal access to academic advice and assistance and to encourage community college districts to provide opportunities by compensating part-time faculty who hold office hours related to their teaching load.~~

This section is repealed.

87882.

For purposes of this article, “part-time faculty” means any person who is employed to teach for not more than the hours per week described in Section 87482.5.

This section is repealed.

87883.

~~(a) The governing board of a community college district may provide compensation for office hours to part-time faculty.~~

~~(b) The compensation paid to part-time faculty under this article shall equal at least one paid office hour for every two classes or more taught each week or 40 percent of a full-time load as defined by the community college district.~~

~~(c) Nothing in this section precludes compensation under this program for paid office time for each 20 percent of a full-time load, or fraction thereof, as defined by the community college district.~~

~~(d) The change made to subdivision (c) during the 1999 portion of the 1999-2000 Regular Session of the Legislature shall be operative in any fiscal year only if funds are appropriated for purposes of that change in the annual Budget Act or in another measure. If the amount appropriated in the annual Budget Act or in another measure for purposes of this section is insufficient to fully fund that change for the fiscal year, the chancellor shall prorate the funds among the community college districts affected by this section.~~

This section is repealed.

87884.

~~(a) The governing board of each community college district that establishes a program pursuant to this article shall negotiate with the exclusive bargaining representative, or in instances where there is no bargaining unit shall meet and confer with the faculty, to establish a program to provide part-time faculty office hours.~~

~~(b) Any hours negotiated under this program shall not be applied toward the maximum percentage of hours limitation for part-time faculty as specified in Section 87882. These hours shall not be counted towards the hours per week of teaching adult or community college classes for purposes of acquiring eligibility for tenure or for purposes of fulfilling any probationary hour requirements.~~

~~(c) On or before June 1 of each year, each community college district participating in the program shall send a verification to the Chancellor of the California Community Colleges specifying the total costs of the compensation paid for office hours of part-time faculty participating in the program.~~

~~(d) Any changes made by this section to the Community College Part-Time Faculty Office Hours Program shall not affect any part-time faculty office hours program in effect on January 1, 2000.~~

This section is repealed.

87885.

~~(a) The Part-Time Faculty Office Hours Program Fund is hereby established in the State Treasury.~~

~~(b) On or before June 15 of each year, the Chancellor of the California Community Colleges shall apportion to each community college district that establishes a program pursuant to this article an amount of up to 90 percent of the total costs of compensation paid for office hours of part-time faculty, as defined in Section 87882. The chancellor shall distribute funds that are appropriated in the annual Budget Act specifically for this purpose proportionally based on each district's total costs for office hours of part-time faculty pursuant to the verification submitted by the community college district in accordance with subdivision (c) of Section 87884 for that fiscal year. In no event, however, shall the allocation to any district in a fiscal year exceed 90 percent of the total costs of the compensation paid for office hours of part-time faculty pursuant to this article.~~

~~(c) It is the intent of the Legislature that funding for the purposes of this article be included in the annual Budget Act.~~

~~(d) This section shall become operative on July 1, 2024.~~

This section is repealed.

87890.

As used in this article, the following definitions apply:

(a) "Faculty diversity" means the representation of faculty members from different racial, ethnic, gender, and disability groups, and other underrepresented groups.

~~(b) "Full-time faculty" means a faculty member who is employed by a community college on a full-time basis and teaches more than a 67 percent load.~~

(c) "FTES" means full-time equivalent students.

87891.

(a) Each community college district shall report on or before March 31, 2024, and each March 31 thereafter, to the office of the Chancellor of the California Community Colleges on its progress in increasing the percentage of instruction by ~~full-time~~ **contract faculty at 80 to 100 percent load** and in increasing faculty diversity.

(b) The report shall include the number of ~~full-time~~ **contract faculty at 80 to 100 percent load** positions filled and maintained with the funds allocated for that purpose in the prior fiscal year, the percentage of the funds used in the prior fiscal year, and the cumulative total of the funds used and unused.

(c) The report shall also include data on the distribution of contract faculty by load percentage ranges: 40 to 59%, 60 to 79%, and 80 to 100%.

New Section - Transition Provisions

(a) The Board of Governors shall adopt regulations to implement the unified faculty model established in this code by January 1, 2030.

(b) Community college districts shall negotiate the effects of implementing the unified faculty model with exclusive bargaining representatives by July 1, 2030.

(c) Beginning July 1, 2030, all faculty employed at 40 percent or more of a full-time load shall be offered contracts under the unified faculty model.

(d) Faculty employed at less than 40 percent of a full-time load as of July 1, 2030, shall be classified as short-term employees.

New Section - Retirement

(a) For purposes of the State Teachers' Retirement System:

(1) Contract faculty at 60 percent load or more per year shall receive a full year of service credit.

(2) Contract faculty at less than 60 percent load shall receive proportional service credit based on their load percentage.

(b) All contract faculty shall participate in the State Teachers' Retirement System.

