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# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

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**Bill No:** AB 1051 **Hearing Date:** June 26, 2019  
**Author:** Smith  
**Version:** February 21, 2019  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Olgalilia Ramirez

**Subject:** Community colleges: temporary faculty members: clinical nursing faculty.

## SUMMARY

This bill eliminates the sunset on the authority of California community college (CCC) districts to exempt part-time community college nursing faculty from the part-time faculty course load cap of 67 percent thereby making the exemption permanent. It also requires the colleges using the exemption and the CCC Chancellor's office to report annually on the exemption.

## BACKGROUND

Existing law:

- 1) Defines "faculty" as those employees of California Community College Districts (CCD) who are employed in academic positions that are not designated as supervisory or management, as specified. Faculty include, but are not limited to, instructors, librarians, counselors, community college health services professionals, handicapped student programs and services professionals, and extended opportunity programs and services professionals. (Education Code Section (EC) § 87003)
- 2) Authorizes a CCD to employ a temporary faculty member serving as full-time clinical nursing faculty or as part-time clinical nursing faculty for up to four semesters or six quarters within any period of three consecutive academic years between July 1, 2007, and December 31, 2015, inclusive. Requires each CCD that employs temporary clinical nursing faculty to report specified information to the California Community College, Chancellor's Office (CCCCO) on or before June 30, 2012, and requires the CCCCCO to report specified information to the Legislature and the Governor on or before September 30, 2012. (EC § 87482)
- 3) Defines any person who is employed to teach at a CCD for not more than 67 percent of the hours per week be considered a full-time assignment to be a part-time, temporary employee. (EC § 87482.5)

## ANALYSIS

This bill:

- 1) This bill lifts the sunset on the authorization for California community college (CCC) districts to exempt part-time community college nursing faculty from the

part-time faculty course load cap of 67 percent thereby making the authorization permanent.

- 2) Requires the colleges using the exemption and the CCC Chancellor's office to report annually on the exemption.

## STAFF COMMENTS

- 1) **Need for the bill.** Under existing law, course loads for part-time community college and adult education faculty are capped at 67 percent of the hours per week of a full-time course load (approximately 2 courses). According to the author, "Due to the practical elements of nursing education, nursing instructors must meet a unique set of qualifications from other community college faculty. Many clinical nursing instructors continue to serve as practicing licensed nurses while teaching, leading to a larger number of part-time nursing faculty. The part-time faculty cap results in instructor changes in the middle of rotations. For students, the change of instructors mid-rotation can be disruptive to the learning process. Student evaluations may also not be as comprehensive—new instructors may not be familiar enough with a student's performance to effectively determine progression in skill development. Students may be allowed to advance when they are not prepared.

Due to the long hours required in the clinical component and clinical rotations, part-time faculty can quickly exceed the 67 percent cap. An exemption to this cap is necessary to ensure the continuity of education for students and to meet the requirements of clinical sites. The reestablishment of the exemption would allow community colleges across the state to serve at least 351 additional students per year in nursing programs.

AB 1051 would reestablish an exemption for part-time community college nursing faculty to exceed the part-time faculty course load cap, allowing for more continuity in clinical nursing education."

- 2) **Existing exemption was allowed to sunset.** In 2006, an exemption to the 67 percent cap for part time faculty was established for clinical nursing faculty SB 1309, (Scott, Chapter 837, Statutes of 2006), the law was renewed in 2014 (SB 860, Budget Committee). The law sunset on December 31, 2015. The exemption allowed part-time clinical nursing faculty to be employed full-time on a temporary basis for up to four consecutive semesters at one district. It appears the law was allowed to sunset inadvertently.

Additionally, according to the CCCCO during the four year period that this exemption was in place, 21 colleges hired a total of 155 adjunct nursing faculty and were able to serve an additional 351 students each year. Colleges also reported that this exemption allowed them to be more competitive with the private sector in hiring and retaining faculty.

- 3) **CCC nursing educational programs.** In its 2018 report, on Nursing Educational Programs at community colleges, the CCCCO notes that Seventy-seven Colleges operate registered nursing programs, enrolling a statewide of 14,010

full-time equivalent students in 2016-17, an increase of 3.6 percent from the previous school year. Of the 77 colleges with nursing programs 74 were awarded state funds to expand the enrollment capacity of nursing programs and to implement assessment, remediation and retention strategies to decrease attrition rates.

This bill seeks to ensure the continuity of education for students and to meet the requirements of clinical sites by making the exemption from the 67 percent cap permanent.

- 4) **Related legislation.** AB 239 (Salas) Extends, by five years from January 1, 2020 to January 2025, the sunset on the authorization granted a community college to admit students to a registered nursing program that determines that the number of applicants exceeds its capacity in accordance with the prescribed procedure. AB 239 was approved by this committee and is pending the Senate Committee on Appropriations.

**SUPPORT**

California Community Colleges, Chancellor's Office (Sponsor)

**OPPOSITION**

None received

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