



October 5, 2016

Introduction

The biennial legislative session ended on Wednesday, August 31, 2016. The California Federation of Teachers had historic success during the 2016 legislative year sending an unprecedented five sponsored or co-sponsored bills to the governor for his signature. The governor had until Friday, September 30, 2016 to sign or veto these bills. The CFT was successful in getting the governor to sign three of our five sponsored or co-sponsored bills.

CFT-SPONSORED AND PRIORITY BILLS SIGNED INTO LAW

Community College Part-Time Faculty Collective Bargaining: Assembly Bill 1690 (Medina) will require those community college districts without a collective bargaining agreement with part-time, temporary faculty in effect as of January 1, 2017 to, on or before January 1, 2017, commence negotiations with the exclusive representatives for part-time, temporary faculty to establish standards for the treatment of part-time, temporary faculty to be met by community college collective bargaining agreements, including, among other issues, workload distribution, evaluation procedures and seniority rights. Those districts that already have such an agreement in place are exempted from the requirements of this bill. This bill also will specify minimum standards for the negotiated language.

After AB 1690 passed off of the Assembly Floor on a concurrence vote and was sent to engrossing and enrolling, the governor requested amendments to the bill. Thus, AB 1690 was withdrawn from engrossing and enrolling so that the amendments that the governor requested could be made in hopes of securing his signature. Because of the final days of the session, amendments could not be made to the bill. Consequently, Assemblymember Medina collaborated with Senator Mendoza to “gut and amend” Senate Bill 1379 (Mendoza) in order to incorporate the governor’s recommended amendments.

SB 1379 will, among other things, require that minimum standards be established for the terms of reemployment preference for part-time, temporary faculty assignments, extend the timeframe for compliance to July 1, 2017 and make compliance with the provisions of the bill a condition of receiving funds allocated for the *Student Success and Support Program* in the annual Budget Act. Both AB 1690 and SB 1379 were signed by the governor (**CFT-SPONSORED**).

Classified School Employee Teacher Credentialing Program: The annual Budget Act, passed by the legislature and signed by the governor, includes an appropriation of \$20 million to fund a CFT-sponsored piece of legislation, AB 2122 (McCarty), known as the *California Classified School Employee Teacher Credentialing Program*. The language from AB 2122 was

incorporated into a budget trailer bill (SB 828); therefore, the bill was not required to move through the normal legislative process to the governor's desk for his signature. The appropriation will provide grants to school districts and county offices of education to provide incentives of up to \$4,000 per year to classified public school employees to obtain their bachelor's degree and their teaching credential. The legislation both addresses the current teacher shortage by increasing the number of applicants to teacher credentialing programs and provides a career ladder for classified school employees (**CFT-SPONSORED**).

Family Leave for Classified Employees and Community College Instructors: AB 2393 (Campos) will provide K-12 and community college classified employees and community college full- and part-time faculty with up to twelve weeks of paid parental leave for both new mothers and fathers. Specifically, when a qualified employee has exhausted all available sick leave and continues to be absent on account of parental leave, the employee will receive "differential pay," which is calculated by reducing the employee's salary by the amount paid to his or her substitute. For districts that do not have a differential pay policy, qualified employees will receive half of their normal salary (**CFT-SPONSORED**).

Community Schools and Restorative Justice: Senate Bill 527 (Liu) and Assembly Bill 1014 (Thurmond), companion bills, establish the *Learning Communities for School Success Program*. The bills call for the Department of Education to award three-year competitive grants to fund the implementation of programs such as Community Schools, Restorative Justice and other programs that advance social-emotional learning, positive behavior interventions and supports, culturally responsive practices and trauma informed strategies. The Annual Budget signed by the governor on June 26, 2016 included a \$27.4 million appropriation to fund this program (**PRIORITY**).

Theatre and Dance Credential: SB 916 (Allen) will add dance and theatre to the list of authorized single-subject teaching credentials. In addition, the bill will provide that a person issued a single-subject teaching credential in physical education or English before the establishment of a single-subject teaching credential in dance and theatre will be authorized to teach dance and theatre, respectively (**PRIORITY**).

GOVERNOR BROWN VETOED A RECORD NUMBER OF BILLS

According to a *Sacramento Bee* article dated Monday, October 3, 2016 ("Governor Jerry Brown, in 14th year as governor, hits a new high in vetoes"), Governor Brown vetoed the largest percentage of bills in his fourteen years as governor of California. According to the article, "He vetoed a higher proportion of measures they (legislators) sent to his desk, 159 of 1,059, or 15.01 percent, than he had rejected in any of his previous 13 years in the governorship." Below is a brief summary of the CFT-sponsored and priority bills that Governor Brown vetoed before the signing deadline.

Classified Employee Death Benefit Increase: AB 1878 (Jones-Sawyer) would have ensured the death benefit of CalPERS school employees keeps pace with rising funeral costs. Specifically, AB 1878 would have granted the CalPERS Board the authority to annually increase the death benefit based on changes to the California Consumer Price Index. The bill was amended in the Assembly Appropriations Committee to remove the increase to the death benefit. Tying the increased death benefit to the California Consumer Price Index, or inflation, would have ensured the gap between the death benefit and the cost of funerals does not widen (**CFT-SPONSORED**).

VETO MESSAGE: Given the state's huge unfunded pension liabilities, I don't believe it is prudent to add the additional costs that this bill would require.

Culturally Responsive Instruction Professional Development: AB 2353 (McCarty) would have required the California Department of Education to "identify" professional development programs in culturally responsive instruction and provide links to those programs on its website. (**CFT-SPONSORED**).

VETO MESSAGE: Clearly, it's important to train teachers in cultural competency, which is why California's teacher preparation programs provide instruction on this issue. The Department currently provides resources and links related to culturally responsive instruction on its website. If this information needs to be enhanced or expanded, I'm confident the Superintendent can handle that request without this bill.

Classified School Employee Unemployment Insurance: AB 2197 (C. Garcia) would have expand unemployment insurance (UI) benefits to include classified school employees. Specifically, the bill would have removed the prohibition that prevents classified school employees from receiving UI benefits during the summer months when schools are out of session. AB 2197 would have phased-in up to eight weeks of UI benefits over a four-year timeframe, beginning with two weeks in 2016 and reaching eight weeks in 2019 (**PRIORITY**).

VETO MESSAGE: This bill creates conformity issues with the federal Unemployment Insurance laws, which could result in sanctions from the federal government, including the loss of significant tax credits for California's employers.

Community College Part-Time Faculty Office Hours: Assembly Bill 2069 (Medina) would have required each community college district to report, on or before August 15th of each year, the total part-time faculty office hours paid divided by the total part-time faculty office hours paid during the prior fiscal year and post this information on its website (**PRIORITY**).

VETO MESSAGE: The state recognizes the many contributions part-time faculty make in students' lives. The 2016-17 budget increased payment for part-time faculty office hours by almost \$3.7 million, bringing the total state investment to \$7.2 million. In 2015-16, we created more opportunities for part-time faculty to become full-time faculty by providing \$62.3 million for the hiring of new full-time faculty.

Although the bill's language is simple, gathering and reporting this information still has a real cost – about 10 percent of the entire allocation of funding for part-time office hours.

We would do better to spend the money on more office hours.

GOVERNOR AGAIN VETOES CHARTER SCHOOL BILLS

Charter School Open Meetings, Public Records and Conflicts-of-Interest: Assembly Bill 709 (Gipson) would have ensured that charter schools are subject to the Ralph M. Brown Act or the Bagley-Keene Open Meetings Act. In addition, AB 709 would have required that charter schools are subject to the California Public Records Act. Finally, the bill would have ensured that board members for charter schools adhere to conflict-of-interest laws (**CFT POSITION: SUPPORT IF AMENDED**).

VETO MESSAGE: Starting a charter school requires the strong commitment of dedicated individuals willing to serve on a governing board. While I support transparency, this bill goes further than simply addressing the issues of potential conflicts-of-interest and goes too far in prescribing how these boards must operate.

Charter Schools Sited Outside Boundaries (Prohibition): Senate Bill 739 (Pavley) would have prohibited the governing board of a school district from authorizing new charter schools to locate outside the boundaries of the school district if the school district is assigned a negative budget certification (**CFT POSITION: SUPPORT**).

VETO MESSAGE: This bill attempts to address an issue, currently being reviewed by the Auditor of State, whereby school districts authorize multiple charter schools outside of district boundaries to collect oversight fees. Let's review the audit when it's released next spring to determine the scope of the issue and what, if any, policy changes are necessary.

Conclusion

Due to the outstanding lobbying efforts of leadership, members and staff, the California Federation of Teachers was able to send an unprecedented five sponsored or co-sponsored bills to the governor's desk in 2016. In addition, the CFT secured millions of dollars in appropriations in the 2016-2017 annual Budget Act that will benefit CFT members, their students and communities.

FOR QUESTIONS OR ADDITIONAL INFORMATION CONTACT:

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