



“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

**Title:** Proposed Sponsored Legislative Changes

**Date:** January 10, 2019

**Contact:** Laura Metune, Vice Chancellor of Governmental Relations

## ISSUE

The Chancellor's Office Division of Governmental Relations is seeking feedback on the following proposed “sponsored” legislative changes.

## BACKGROUND

The Government Relations Division is seeking the following statutory changes in the 2019 Education Omnibus bill.

### **Clinical Nursing Faculty Load Cap Exemption** (Ed Code Section 87482)

In 2006, an exemption to the 67% cap for part time faculty was established for clinical nursing faculty (SB 1309, Scott); 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. This exemption is necessary to ensure the continuity of education for students and to meet the requirements of clinical sites. Due to the long hours required in the clinical component (12 hour shifts) and clinical rotations lasting up to 16 weeks, part time faculty can quickly exceed the 67% cap which requires an instructor change in the middle of the rotation. Further, hospitals require multi hour orientations for all care providers and constant changes in faculty require costly additional orientations. Faculty turnover can also erode the hospital’s confidence in the institution and instructors. Previous reporting from the Chancellor’s Office shows, over the four-year reporting period, 21 colleges reported having used the 67% exemption. Out of those 21 colleges, a total of 155 adjunct nursing faculty were hired during the four-year period. The Government Relations Division, at the request of the California Community College Independents, proposes to seek legislation to reinstate this exemption on a permanent basis with associated annual reporting.

### **Nursing Multi- criteria Screening Tool** (Ed Code Section 78261.5)

AB 1559 (Berryhill, 2007) allowed community college nursing programs to use a multi-criteria screening tool when the number of applicants exceeds program capacity. The criteria includes factors such as academic degrees or diplomas held, grade point average, volunteer experience, being a first generation student, refugee or veteran status, low income background and proficiency in languages other than English. AB 548 (Salas, 2014) further extended the use of the multi-criteria screening tool to January 1, 2020. Since that extension, the Chancellor's Office has collected more data that demonstrates a reduction in attrition for programs that use the multi-criteria screening tool and more nursing programs are using the multi-criteria screening tool now than in 2014. There are 71 nursing programs in California Community Colleges, 41 use the multi-criteria screening tool. The Government Relations division recommends seeking language in the higher education omnibus bill to remove or extend sunset date.

### **Priority Enrollment for Homeless Students** (Ed Code Section 66025.9(a))

AB 801 (Bloom, 2016) requires colleges to grant priority enrollment to students who are homeless youth. These students must be under 25 years of age and verified as homeless at any time during the 24 months immediately preceding the receipt of his or her application for admission. Due to legislative committee precedent, any bill that extends priority enrollment to a new group of students is subject to a sunset date. This provision is set to expire January 1, 2020. Data available through CCCApply shows 37,000 students as homeless, it is unclear how many of those students have been verified and received priority enrollment. The Government Relations Division recommends seeking language in the higher education omnibus bill to remove or extend sunset date.

### **Authority to use Design Build Contracts** (Ed Code Sections 81700 – 81708)

Design build contracts allow districts to award a construction and design contract to a single bidder instead of separate contract bids. The same bidder will provide architectural and construction services, which results in more efficient project management that saves districts time and money. The law authorizing California Community College districts to use design build contracts is set to expire on January 1, 2020. In 2015, AB 1358 (Dababneh) extended the authority for K-12 districts to use design build contracts to 2025. Community colleges have been slower than other public agencies to utilize design build, but several districts have been using this process for construction projects with successful results. The Government Relations Division proposes to seek legislation in the higher education omnibus bill to extend the sunset date. Other groups within the California Community College system may pursue separate legislation, and in such case, the division recommends supporting that legislation.

## **FEEDBACK/QUESTIONS FOR COUNCIL**

The Chancellor's Office is seeking feedback on these Legislative proposals. The items will be presented to the Board at the January 14, 2019 meeting.