

# Everything you Want and Need to Know About the 50% Law and FON

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# 50% Law

# Student Learning Outcomes for 50% Law

- Definition – Why we care...
- Where to Find rules...
- Current Expense of Education
  - Inclusions
  - Exclusions
- Tips to consider
- What if I Don't Meet it?

# 50% Law

## Why do we care?

### ➤ **Compliance**

Contract District Audit Manual (CDAM) Section 421 requires the external auditors to audit the 50% Law calculation. Steps include:

- *Determining whether local match for categorical programs (i.e. DSPS, EOPS, College Work Study, VTEA, and WIA) are included in the current expense of education.*

### ➤ **Loss in Revenue**

Failure to comply results in reduction in apportionment the third year after non-compliance

# 50% Law

## Where to Find rules...

- Education Code (EC) Sections
  - 84362 and 84363
- California Code of Regulations Sections
  - 59204 - 59214
- Contracted District Audit Manual (CDAM)

# 50% Law

## What it Means

**EC 84362(d)** states:

*"There shall be expended during each fiscal year for payment of salaries of classroom instructors by a community college district, **50 percent of the district's current expense of education.**"*

# 50% Law

## Current Expense of Education (Inclusions)

**EC 84362(c)** defines Current Expense of Education (CEE) as:

- *The gross total expended...for the purposes classified in the final budget...*
  - *Academic salaries*
  - *Classified salaries*
  - *Employee benefits*
  - *Books, supplies and equipment replacement*
  - *Contracted services and other operating expenses*

# 50% Law

## Current Expense of Education (Exclusions)

**EC 84362(c)** excludes from CEE:

- *Salaries, benefits, books, supplies, equipment replacement, contracted services, and other operating expenses for **Student Transportation, Food Services** and **Community Services***
- *Sites, Buildings, Books and Media, and New Equipment (object of expenditure 6000 in BAM)*
- *Amount expended from categorical aid received from the federal or state government*
- *Expenditures for facility acquisition and construction*



# 50% Law

## Current Expense of Education (Exclusions)

**EC 84362(c)** excludes from CEE:

- *Lease agreements for plant and equipment*
- *Amount expended from funds received from the federal government pursuant to the “Economic Opportunity Act of 1964”*
- *Amount expended from state or federal funds received for grants to community college students or for the employment of community college students*
  - *For example: Federal Work Study*

# 50% Law Current Expense of Education (Exclusions)

**EC 84363** states:

*“...**any expenditures incurred**...during a state or local declared emergency **related to the COVID-19 pandemic** that **are not** otherwise **normal** expenditures that would have been incurred by that district.”*

This EC becomes inoperative on July 1, 2021 – hence, only good through 2020-21

# 50% Law

## Current Expense of Education (further defined)

**Title 5, Section 59204** defines CEE as:

- ...Object of Expenditures **1000 through 5000** for activity codes **0100 through 6700** as defined in the BAM less expenditures for activity code 64xx (Student Transportation) and less expenditures of:
  - Categorical aid received from the federal and state government requiring expenditure in a program not incurring any instructor salary expenditures
  - Categorical aid received from the federal and state government requiring disbursement of funds without regard to the requirement of Section 84362
  - Other monies received which are restricted by an external party, law or other legal requirement

# 50% Law

## What it looks like...

## CALIFORNIA COMMUNITY COLLEGES

## Analysis of compliance with the 50 Percent Law (ECS 84362)

## Annual Financial and Budget Report

## The Current Expense of Education

## SUPPLEMENTAL DATA

## S11 GENERAL FUND - UNRESTRICTED SUBFUND

For Actual Year: 2019-2020

Budget Year: 2020-2021

District ID: 890

Name: SOUTH ORANGE

		Activity (ECSA) ECS 84362 A	Activity (ECSB) ECS 84362 B	Activity (ECSX) Excluded	
	Object	Instructional Salary Cost	Total CEE	Activities	
Academic Salaries	Code	AC 0100-5900 & AC 6110	AC 0100 - 6799	AC 6800 - 7390	Total
<b>Instructional Salaries</b>					
Contract or Regular	1100	37,070,900	37,070,900	1,155,901	38,226,801
Other	1300	29,963,181	29,963,181	58,159	30,021,340
<b>Total Instructional Salaries</b>		67,034,081	67,034,081	1,214,060	68,248,141
<b>Non-Instructional Salaries</b>					
Contract or Regular	1200		11,503,711		11,503,711
Other	1400		3,671,979		3,671,979
<b>Total Non-Instructional Salaries</b>		0	15,175,690	0	15,175,690
<b>Total Academic Salaries</b>		67,034,081	82,209,771	1,214,060	83,423,831
<b>Classified Salaries</b>					
<b>Non-Instructional Salaries</b>					
Regular Status	2100		34,242,611	4,655,847	38,898,458
Other	2300		1,269,729	201,872	1,471,601
<b>Total Non-Instructional Salaries</b>		0	35,512,340	4,857,719	40,370,059
<b>Instructional Aides</b>					
Regular Status	2200	3,959,456	3,959,456		3,959,456
Other	2400	921,441	921,441	512	921,953
<b>Total Instructional Aides</b>		4,880,897	4,880,897	512	4,881,409
<b>Total Classified Salaries</b>		4,880,897	40,393,237	4,858,231	45,251,468
<b>Employee Benefits</b>	3000	31,780,675	61,784,897	3,261,595	65,046,492
<b>Supplies and Materials</b>	4000		1,321,962	173,473	1,495,435
<b>Other Operating Expenses</b>	5000	777,481	14,566,285	692,448	15,258,733
<b>Equipment Replacement</b>	6420				0
<b>Total Expenditures Prior to Exclusions</b>		104,473,134	200,276,152	10,199,807	210,475,959

**Total equals UGF actual 1000-5000 expenditures**

# 50% Law

## What it looks like...

**CALIFORNIA COMMUNITY COLLEGES**
**Analysis of compliance with the 50 Percent Law (ECS 84362)**
**Annual Financial and Budget Report**
**The Current Expense of Education**
**SUPPLEMENTAL DATA**
**S11 GENERAL FUND - UNRESTRICTED SUBFUND**

For Actual Year: 2019-2020

Budget Year: 2020-2021

District ID: 890

Name: SOUTH ORANGE

		Activity (ECSA)	Activity (ECSB)	Activity (ECSX)	
		ECS 84362 A	ECS 84362 B	Excluded	
		Instructional Salary Cost	Total CEE	Activities	
Exclusions		AC 0100-5900 & AC 6110	AC 0100 - 6799	AC 6800 - 7390	Total
<b>Activities to Exclude</b>	<b>TOP Code</b>				
Instructional Staff-Retirees' Benefits and Retirement Incentives	5900	463,942	463,942		463,942
Student Health Services Above Amount Collected	6441		45,042		45,042
Student Transportation	6491		523,254		523,254
Noninstructional Staff-Retirees' Benefits and Retirement Incentives	6740		1,392,089		1,392,089
<b>Objects to Exclude</b>	<b>Object Code</b>				
Rents and Leases	5060		243,792		243,792
Lottery Expenditures					
Academic Salaries	1000				0
Classified Salaries	2000		199,209		199,209
Employee Benefits	3000		75,544		75,544
Supplies and Materials	4000				
Software	4100				0
Books, Magazines, & Periodicals	4200				0
Instructional Supplies & Materials	4300		474		474
Noninstructional, Supplies & Materials	4400				0
Total Supplies and Materials		0	474	0	474
Other Operating Expenses and Services	5000		4,066,650		4,066,650

# 50% Law

## What it looks like...

## CALIFORNIA COMMUNITY COLLEGES

## Analysis of compliance with the 50 Percent Law (ECS 84362)

## Annual Financial and Budget Report

## The Current Expense of Education

## SUPPLEMENTAL DATA

## S11 GENERAL FUND - UNRESTRICTED SUBFUND

For Actual Year: 2019-2020

Budget Year: 2020-2021

District ID: 890

Name: SOUTH ORANGE

		Activity (ECSA)	Activity (ECSB)	Activity (ECSX)	
		ECS 84362 A	ECS 84362 B	Excluded	
	Object	Instructional Salary Cost	Total CEE	Activities	
	Code	AC 0100-5900 & AC 6110	AC 0100 - 6799	AC 6800 - 7390	Total
Capital Outlay	6000				
Library Books	6300				0
Equipment	6400				
Equipment - Additional	6410				0
Equipment - Replacement	6420				0
Total Equipment		0	0	0	0
Total Capital Outlay		0	0	0	0
Other Outgo	7000				0
<b>Total Exclusions</b>		463,942	7,009,996	0	7,009,996
<b>Total for ECS 84362, 50% Law</b>		104,009,192	193,266,156	10,199,807	203,465,963
<b>Percent of CEE (Instructional Salary Cost / Total CEE)</b>		53.82%	100.00%		
<b>50% of Current Expense of Education</b>			96,633,078		
<b>Nonexempted (Remaining) Deficiency from second preceeding Fiscal Year</b>					
<b>Amount Required to be Expended for Salaries of Classroom Instructors</b>		104,009,192	193,266,156	10,199,807	203,465,963
<b>Reconciliation to Unrestricted General Fund Expenditures</b>					
<b>Total Expenditures Prior to Exclusions</b>		104,473,134	200,276,152	10,199,807	210,475,959
<b>Capital Expenditures</b>	6000	146,671	1,588,775	43,898	1,632,673
<b>Equipment Replacement (Back out)</b>	6420		0	0	0
<b>Total Unrestricted General Fund Expenditures</b>		104,619,805	201,864,927	10,243,705	212,108,632

# 50% Law Tips to Consider

- Charge **Unrestricted Lottery** funds to non-instructional expenses, such as:
  - Utilities
  - Insurance
- Charge **TRANS Interest** and **Costs** to Activity 7220
- Charge a portion of **Facilities management, IT management, VP**, etc. to Activity Code 7100

## Disclaimer:

Read the BAM carefully  
and comply with it

# 50% Law

## Tips to Consider (continued)

- Report **Instructional Service Agreements (ISA)** as instructional costs
  - Make sure that your ISA contracts support the percentage charged as instructional
- Charge **Interpreters** to Object Code 22xx or 24xx and Activity Code 49xx
- Charge **Library database** access to Object Code 63xx
- Charge **Software** purchases and ongoing license agreements to Object Code 64xx if the useful life is in excess of one year



# 50% Law

## Tips to Consider (continued)

- Charge appropriate **Parking personnel** salaries, benefits, and maintenance costs to Activity Code 6950 - Parking
- Charge appropriate percentage of personnel salaries, benefits, and supplies, etc. to Activity Code 6960 – **Student and Co-Curricular Activities** such as:
  - **Grounds/Maintenance staff** and supplies for athletic fields
  - College **Newspaper** staff or supplies
  - **Intercollegiate** and/or **Club** staff and activities
    - **Athletic Directors**, if appropriate

# 50% Law

## Tips to Consider (continued)

- Charge the portion of time **Counselors** and **Librarians teach** a class to Object Code 11xx or 13xx
  - Make sure the benefits gets charged to instructional as well
- Charge appropriate percentage of time spent by **management and custodial personnel** and proportion of supplies to appropriate funds, such as:
  - **Bookstore** – Activity Code 6910
  - **Child Care Centers** – Activity Code 6920
  - **Food Service** – Activity Code 6940
  - **Self-Insurance Fund** – Activity Code 6770

# 50% Law

## Tips to Consider (continued)

- Charge appropriate percentage of time spent by **President, VPs**, etc. to:
  - Activity Code 6840 – **Economic Development** for the time spent with the business community
  - Activity Code 7090 – **Other Auxiliary Operations** for the time spent with the foundations
- Make sure all **capital improvement projects** in excess of \$5,000 are charged to the Capital Projects Fund
- Review **reassigned time** carefully
  - Can it be done via stipends above contract for less cost?

# 50% Law

## Tips to Consider (continued)

- Abate **refunds** to expenditures, don't consider them revenue
- Code **Bad Debt Expenses** to a contra-revenue account, not an expenditure
  - Remember to reflect gross revenues on Enrollment Fee Revenue Report (CCFS-324) report and not the net from the contra-revenue account
- Charge a portion of **student accident insurance** to Athletics – Activity Code 6960

# 50% Law

## Tips to Consider (continued)

- Only charge items to **Equipment Replacement** when it meets the following guideline:
  - Expenditures for the **identical replacement** of equipment (necessitated by normal use) on a piece-for-piece basis to perform the same function(s).
  - If it differs in capacity, function, or quality, it should be charged to New Equipment
- Make sure **instructional aide job specifications** indicate that they are under the direct supervision of the classroom instructor

# 50% Law

## Tips to Consider (continued)

- If you **rent out facilities**, make sure that the custodial and/or utilities are separated out so you can abate those expenditures
- Charge the appropriate percentage of **Compensated Absences** and **Retiree Benefits** liability to the instructional salaries and benefits
- Charge **purchases for students** to Object Code 76xx and Activity Code 7320 for items such as:
  - Bus Passes
  - Bookstore and/or Child Care Vouchers
  - Hot Spots

# 50% Law

## Tips to Consider (continued)

- **Indirect Costs** – debit the expense in the Restricted General Fund and credit the expense in the Unrestricted General Fund
- Charge the appropriate portion of your **audit fees** to your various funds and/or grants
- If you have a Bursar Fund for fee collections, charge the **bank card fees** to this fund

### Disclaimer:

Read the BAM carefully  
and comply with it

# 50% Law

## What if I don't meet it?

Don't do it

- **File an exemption** – Title 5, Sections 59206-59214 spell out the process
  - 2 Step Application Process:
    - First Step = Exemption application (CCFS-350a) due **September 15**
    - Second Step = Findings of the Local Governing Board Regarding the 50% Law (CCFS-350b) due **December 1**



# 50% Law

## What if I don't meet it?

- **File an exemption** – Title 5, Sections 59206-59214 spell out the process
  - Process leading up to 2<sup>nd</sup> filing due December 1:
    - 30 days prior to public hearing – share application with faculty exclusive representative union and Academic Senate
      - They have 2 weeks to file an objection with Chancellor's Office and request a hearing
  - Hold a public hearing to determine basis for application
    - Serious Hardship
    - Payment to faculty results in salary schedule in excess of the salary schedule paid by other districts of comparable type and functioning under comparable conditions

# 50% Law

## What if I don't meet it? (continued)

- **File an exemption** – Title 5, Sections 59206-59214 spell out the process (continued)
  - Process leading up to 2<sup>nd</sup> filing due December 1 (continued):
    - Public hearing must be noticed 30 days prior to hearing
    - Document comments received during public hearing, etc.

# 50% Law

## What if I don't meet it? (continued)

- **File an exemption** – Title 5, Sections 59206-59214 spell out the process (continued)
  - Chancellor's Office recommends to the Board of Governors (BOG) no later than March 1 one of three things:
    - 1) The BOG deny the application
    - 2) The BOG grant the application
    - 3) The BOG grant the application in part
  - If denied, the District must develop a plan of how to rectify deficiency

# 50% Law

## What if I don't meet it? (continued)

- **File an exemption** – Title 5, Sections 59206-59214 spell out the process (continued)
  - The plan may include:
    - Salary increases for instructors (either on- or off-salary schedule)
    - Additional instructors
    - Additional instructional aides within the definition in section 59204
    - Conversion of part-time instructors to full-time
    - Reassignment of qualified personnel from other activities
    - Other items such as instructional materials or additional counselors or librarians
      - Must garner the mutual agreement of the exclusive representative of the district's academic employees or, if none exists, the district or college academic senate

# Full-Time Obligation Number (FON)

# Goals for Presentation

## (SLOs – Student Learning Outcomes)

- Full-Time Faculty Obligation Number (FON) timelines
- How FON is calculated at the Chancellor's Office
  - When the BOG determines adequate funds
  - When the BOG determines inadequate funds
- Planning considerations
- Consequences of not meeting FON
  - Penalty
  - Deferrals
  - NO waivers!

# What is the FON?

Pursuant to Education Code Section 87482.6 and CCR Title 5 Section 51025, the FON is the number of full-time faculty a district is required to employ each Fall as adjusted by:

- the lower of the projected fundable growth at the time of the budget enactment (at Advance)

OR

- the actual percentage change in funded credit FTES from the prior year (at P2).

# History of FON

- AB1725 (passed in 1988) established a goal to reach 75% of instructional hours to be taught by full-time faculty.
- Funding was initially appropriated in reaching this goal.
- Baseline FON Compliance Established (based on local FON in 1988-1989)
- FON increased proportionately with funded credit FTES
- Board of Governors take action (in November) to determine if there are adequate funds in the current year to increase FON for the following year Fall.



# FON Calculation Fundamentals

- Calculation is based upon credit funded FTES
  - From Apportionment Exhibit C
  - Remember the 3-year credit FTES average
  - Special Admit and Incarcerated FTES added in
- Compliance FON = lower of Advance FON or P2 FON
- If the Apportionment has a Deficit factor, FON is adjusted accordingly
- Deficit factor not known until apportionment released

# Fall 2021 FON Estimator Tool

(Chancellor's Office March 9<sup>th</sup> Email on CBO Listserv)

District	South Orange	
Estimates – Require Input		
	P2 Three Year Average Funded Credit FTES	23,426.76
	Deficit Factor	0.0000%
Estimated Fall 2021 FON – Calculated Fields		
	(a) Base FON	397.80
	(b) Base credit FTES	23,730.30
	(c) Funded credit FTES	23,426.76
	(d) (1-deficit factor)	100.00%
	(e = c*d) Funded credit FTES adjusted for deficit factor	23,426.76
	(f = e-b) Change in FTES	(303.54)
	(g = f/b) Percent change in FTES	-1.28%
	(h = a*g) FTES adjustment	-5.09
	(i = a + h) Estimated P2 FON	392.71
	AD FON	362.80
	Compliance FON (lesser of AD or P2 FON)	362.80

# 3 Year Average Credit FTES

18-19	19-20	20-21	Total
Credit Funded FTES	Credit Funded FTES	Est Credit FTES	3 Year Total FTES
22,568.68	22,352.27	22,352.27	67,273.22
Divide 3 Year Total Credit FTES by 3			
Ties to Ex. C			22,424.41
			1,002.34
			-
Add Special Admit FTES			
Add Incarcerated Credit FTES			
3 Year Average Credit FTES			23,426.75

Note: Make sure you update your Est Credit FTES after P-1, P-2, and Recal. Check you PY number too!

# 3 Year Average Credit FTES

## Exhibit C

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Supporting Sections									
Section Ia: FTES Data and Calculations									
variable	a	b	c	d	e	f = b + c + d + e	g = f (except credit = (a + b + f)/3)	h	i = g + h
FTES Category	2018-19 Applied #3	2019-20 Applied #3	2020-21 Restoration	2020-21 Decline	2020-21 Adjustment	2020-21 Applied #1	2020-21 Applied #2	2020-21 Growth	2020-21 Funded
Credit	22,568.68	22,352.28	-	-	-	22,352.28	22,424.41	-	22,424.41
Incarcerated Credit	-	-	-	-	-	-	-	-	-
Special Admit Credit	754.57	1,002.34	-	-	-	1,002.34	1,002.34	-	1,002.34
CDCP	1,053.06	1,074.75	-	-	-	1,074.75	1,074.75	-	1,074.75
Noncredit	2,158.28	2,100.42	-	-	-	2,100.42	2,100.42	-	2,100.42
Total FTES=>>>	26,534.59	26,529.79	-	-	-	26,529.79	26,601.92	-	26,601.92
Total Values=>>>		\$110,915,415	\$0	\$0	\$0				
Change from PY to CY=>>>		\$0							

variable	j = g x l 2020-21 Applied #2 Revenue	k = h x l 2020-21 Growth Revenue	l 2020-21 Rate \$	m = j + k 2020-21 Total Revenue
FTES Category				
Credit	\$92,276,461	\$	\$4,115.00	\$92,276,461
Incarcerated Credit	-	-	\$5,779.33	-
Special Admit Credit	5,792,857	-	\$5,779.33	5,792,857
CDCP	6,042,181	-	\$5,621.94	6,042,181
Noncredit	7,100,745	-	\$3,380.63	7,100,745
Total	\$111,212,244	\$0		\$111,212,244

Total Value=>>> \$110,915,415

n	o = f + h	p = n - o	q = p x l 2020-21 Unfunded FTES Value
2020-21 Applied #0	2020-21 Applied #3	2020-21 Unfunded FTES	
22,352.28	22,352.28	-	-
-	-	-	-
1,002.34	1,002.34	-	-
1,074.75	1,074.75	-	-
2,100.42	2,100.42	-	-
26,529.79	26,529.79	-	-

Section Ib: 2020-21 FTES Modifications						Definitions
variable	r Applied #0	s Reported 320 CY 20-21 P1 FTES	t Emergency Conditions Allowance (ECA) COVID-19	u Other	n = s + t + u 2020-21 Applied #0	
R1	PY 19-20 R1 FTES					
Credit	22,352.28	22,197.57	154.71	-	22,352.28	19-20 App#3: 19-20 App#1 plus 19-20 Growth, is the base for 20-21
Incarcerated Credit	-	-	-	-	-	20-21 App#0: Reported R1 FTES with COVID-19 and other ECA and statutory protections. These FTES are used in the calculations of the 20-21 funded FTES.
Special Admit Credit	1,002.34	1,094.32	(91.98)	-	1,002.34	20-21 App#1: Base for 20-21 plus any restoration, decline or adjustment
CDCP	1,074.75	687.48	387.27	-	1,074.75	20-21 App#2: FTES that will be funded not including growth
Noncredit	2,100.42	1,332.62	767.80	-	2,100.42	20-21 App#3: 20-21 App#1 plus Growth and will be used as the base for 21-22
Total	26,529.79	25,311.99	1,217.80	-	26,529.79	20-21 Adjustment: Alignment of FTES to available resources.
						Change Prior Year to Current Year: 20-21 App#0 value minus 19-20 App#3 value and is the sum of CY restoration, decline, growth and unapplied values

# Annual Timelines

- **September or Before:** Advance FON provided for next Fall
- **November:** BOG determines adequacy of funding for current fiscal year; effects next Fall's FON
- **November 1:** Districts submit current Fall numbers
- **January:** Penalties determined for past Fall FON
- **June/July:** P2 FON and Compliance FON provided for next Fall

# Adequate vs. Inadequate Funds (Determined by BOG in November)

- Adequate means COLA, Growth, or funds for other core programs exist in budget
  - Districts are expected to hit their FON
- Inadequate funds
  - Options available:
    - Prior year FON **or**
    - Current year FON (if lower than prior year) **or**
    - Maintaining, at a minimum, the full-time equivalent faculty (FTEF) percentage attained in the prior fall term.

# Consequences of not meeting FON

- Penalty = Apportionment reduction
  - Number of Faculty positions to be filled in achieving FON multiplied by Average replacement cost of a Full-Time Faculty (\$82,754 for Fall 2020)
- No Waiver
  - Title 5 section 51025 (e) does not provide authority to waive the penalty for noncompliance
- Deferral of Penalty
- Funds from Penalty
  - Distributed systemwide (one-time) to fund diversity in hiring (E.C.S. 87107) = EEO funds

# Planning

- It's **ALL** an Estimate
- Advance – Estimate based on Budget Act
  - Prior year funded credit FTES plus full restoration and full growth funds
- P-2 – Based on funded credit FTES at P-2
  - Remember – if you elect COVID-19 emergency conditions for FTES, this is your funded FTES
- Compliance = lesser of two “estimates”



# Planning (continued)

## ➤ Remember!

- Base is adjusted to actual Funded Credit FTES and actual deficit at Recalc
- Account for actual growth between advance or P-2, and Recalc to adjust your base
- Account for this difference PLUS estimated Credit FTES growth your district expects to achieve in CY

# Planning for Enrollment Declines

- Retirement Incentive? – Generally, with no replacement hiring!
  - Step 1. Prioritize and Plan in the Fall
  - Step 2. Recruit and hire in the Spring
- Your Plan may have several variables, contingencies, and risks you need to account for (not to mention pressure from the faculty)
- Retirement notices received within 45 days of Spring term end count in subsequent Fall FON
  - **However** – if received more than 45 days of Spring term end, they do not count in Fall FON

# Things to Keep in Mind

- Full-time Faculty help with meeting 50% Law
- Instructional Service Agreements (ISAs)
  - If they generate growth in credit FTES, then FON will also grow
- The FON is the floor, not the ceiling (faculty may remind you of this), a mechanism to maintain status quo at best
- The penalty is usually cheaper than hiring a FT faculty member
  - **However**, there could be political fallout

# Oh, and by the way...

## Accreditation

- Eligibility Requirement 14 – Faculty
  - *“The institution has a substantial core of qualified faculty with full-time responsibility to the institution... is sufficient in size and experience...responsibilities must include development and review of curriculum as well as assessment of learning.”*
- ACCJC Accreditation Standard III.A.7
  - *“The institution maintains a sufficient number of qualified faculty with full-time responsibility to the institution.”*

# What Counts?

Title 5, Sections 53308, 53309, 59204

Type of Faculty	FON (FT Faculty only)	50% Law (FT and PT Faculty)
Instructional Faculty	Yes	Yes
Non-Instructional Faculty	Yes	No
Non-credit Instructional Faculty	No	Yes
Non-credit Counselors	Yes	No
Tenure Track Grant Funded Faculty	Yes	No
Non-tenure track Grant Funded Faculty	No	No
FTF Overload	No	Yes
Faculty Reassigned Time	Yes	No
Sabbatical/Unpaid Leave	Yes	No
Late Retirements (within 45 days)	Yes	N/A
Funded by Parcel Tax	No	Maybe

# Where to find Additional Information

- Chancellor's Office Website:
  - Full-Time Faculty Obligation Page:  
<https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/College-Finance-and-Facilities-Planning/Fiscal-Standards-and-Accountability-Unit/Full-Time-Faculty-Obligation>
  - 50% Law Page:  
<https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/College-Finance-and-Facilities-Planning/Fiscal-Standards-and-Accountability-Unit/Fifty-Percent-Law>
- Chancellor's Office March 9<sup>th</sup> Email posted on the CBO Listserv

# Questions?

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