

# FIFTY-PERCENT LAW

The Fifty-Percent Law, enacted in 1961, is the basis for resource allocation in California's Community Colleges.

The environment has drastically changed since 1961...



## IN 1961

- Middle of the Civil Rights Movement
- College-going students aged 20-34 were twice as likely to be White than non-white students. (U.S. Department of Commerce and Bureau of the Census, 1961)
- Women could not own their own credit cards (1974)
- Unions did not exist in public education. (1975)
- Before the Americans with Disabilities Act (1990)
- The Internet, personal computing, and cell phones did not exist.

## CHANGES IN CALIFORNIA COMMUNITY COLLEGES SINCE 1961

- Academic Senates established -1963
- Passage of the Civil Rights Act -1964
- Collective bargaining established-1975
- Passage of AB 1725 (10+1) in 1988
- Online teaching, digital natives, and access to higher education through cyber and virtual environments.
- Guided Pathways
- Student-Centered Funding (SCFF) Formula
- Implementation of basic needs programs (food, clothing, housing, mental health)
- Robust wrap-around services and case management focusing on student support and success.
- Implementation of Open Educational Resources (OER)

## CHANGES IN CALIFORNIA'S COMMUNITY COLLEGES SINCE 1961



2.

### ALIGNMENT WITH THE VISION 2023 WITH A FOCUS ON DIVERSITY, EQUITY, AND INCLUSION, AND ACCESS (DEIA)

The California Community College Chancellor's Office (CCCCO) and its Board of Governors have required colleges to align their missions with the Vision 2023, emphasizing DEIA, Guided Pathways, and basic needs supports.



4.

### IMPORTANCE OF NON-INSTRUCTIONAL SUPPORTS

While classroom instruction remains essential, non-instructional supports have gained prominence. These supports address access issues, achievement gaps, and diverse student needs, significantly impacting student success.

1.



### STUDENT-CENTERED FUNDING FORMULA (SCFF)

The funding structure for California Community Colleges has transitioned to the Student-Centered Funding Formula (SCFF), which is intricately linked to equity and completion performance outcomes.



3.

### ADDITIONAL FACULTY RESPONSIBILITIES

- In 1969, the Academic Senate for California Community Colleges (ASCCC) was established.
- The passage of AB 1725 (10+1) in 1988 expanded faculty responsibilities beyond the classroom.
- The passage of SB 1440, creating the Associate Degree for Transfer (ADTs), which guarantees admission to the CSU as a junior. This is a huge benefit for students and requires greater time focused on curriculum and articulation efforts by faculty.

# THE PROBLEM

## IT'S ANTIQUATED

The Fifty-Percent Law was enacted in 1961 in the middle of the Civil Rights Movement, before women had the legal right to own their own credit card (1974), before collective bargaining existed in CCCs (1975), before the Americans with Disabilities Act (1990), before the Internet existed, before personal computing, and well before cell phones. In 1961, colleges didn't offer online courses, instruction in Hi-flex classrooms, Open Educational Resources (OER), or Wi-Fi. In 1961, California's community colleges didn't have guided pathways or offer basic needs supports.

## THE FORMULA CREATES AN IMBALANCE THAT DE-EMPHASIZES AND LIMITS NON-INSTRUCTIONAL SUPPORTS

The confluence of changes since 1961 coupled with rising operational expenses, has created an imbalance in resource allocation. This imbalance restricts colleges' ability to hire crucial positions such as counselors, librarians, and to pay faculty to support students outside of the classroom. Consequently, a critical deficiency in non-instructional support threatens to undermine the success of our students.

## IT IS A CIVIL RIGHTS ISSUE

Through adaptive media, Assistive Technology Support personnel provide aid to students with both physical and learning disabilities to ensure equitable access to instruction. These positions also act as a resource to faculty to ensure that their course materials are accessible to all students. Although it is permissible to fund these positions with DSPS categorical funding, not all colleges have adequate categorical funding to hire these positions. To qualify for these services, students must self-identify and go through a screening process in DSPS.

## IT'S BECOMING HARDER FOR COLLEGES TO COMPLY

With increased operating costs such as new technology, utilities, and CalPERS contributions, the Statewide average has decreased from 52.33% in 2017-18 to 51.01% in 2021-22, and **41 of the state's 72 community college districts are below that state average.**

## THE CURRENT FORMULA

### INSTRUCTIONAL SIDE

- Teaching Faculty Salary/benefits
- Instructional Tutoring
- Instructional Service Agreements
- Curriculum Development by teaching faculty
- Lab Technicians

### NON-INSTRUCTIONAL SIDE

- Counseling & Librarian Faculty
- Faculty Release Time (special projects, academic senate, support program coordination, etc.)
- Instructional Tech. Support/Online Tech. Support
- Classroom Technology
- Transfer and Career Centers
- Basic Needs (food, housing, clothing)
- Enrollment & Success Coaches
- Student health (physical and mental)
- Campus Safety
- Research & Compliance
- Admissions & Records
- Financial Aid
- Cocurricular activities
- Maintenance & Operations (custodial, grounds, facilities)
- Finance & Business Services
- Human Resources
- Technology Agreements
- Utilities, Insurance, and other operating costs
- ALL administrators

## THE SOLUTION

It is imperative that we modify the Fifty Percent Law to reflect the current higher education landscape to include ALL faculty, including counselors and librarians, faculty release time, and adaptive technology support in the numerator of the calculation.

