



April 17, 2023

The Honorable Mike Fong
Chair, Assembly Higher Education Committee
1020 N Street, Room 173
Sacramento, CA 95814

Re: Assembly Bill 1699 (McCarty). K-14 classified employees: part-time or full-time vacancies: public postings. **OPPOSE**

Dear Assembly Member Fong,

On behalf of the undersigned organizations, we write in respectful opposition to Assembly Bill 1699 (McCarty), which restricts the time frame for when local educational agencies (LEAs) may publicly post job opportunities and also places priority on in-district employees over others. The staffing shortage facing all types of school-based positions is undeniable. We recognize the intent of AB 1699 but are deeply concerned that this measure would impede timely hiring and exacerbate vacancies to the detriment of students and other school employees.

We support LEAs having every suitable candidate available to fill positions. LEA efforts are in action so students do not feel the brunt of staffing shortages. LEAs look to provide existing employees with opportunities for extra hours or overtime as appropriate to support vacancies during the recruitment process. Another hiring factor that LEAs have shared is that their locally bargained agreements prevent them from starting recruitment for the next school year until just a few months before it begins.

Unfortunately, AB 1699 would further exacerbate the staffing shortages LEAs face in all regions of the state. Not only would the implementation of AB 1699 be costly and challenging due to the vague terms and protocols set forth in the measure, it would significantly delay how and when LEAs could hire needed staff. Further compounding this issue is that if the classified staff chooses to stop their on-the-job training they would still be entitled to return to their previous position, which presents its own personnel challenges. We are also deeply concerned that

Specifically, AB 1699 is unclear on the time period a current employee is afforded to accept or reject a position; what methods are considered adequate notice to existing employees; and how LEAs may address the scenario of an employee not being well-suited for a position even after on-the-job-training is complete. The term "reasonable" is used throughout the bill. While this may be seen as creating flexibility AB 1699 is, as written, ripe for dispute. Implementation would be inequitable across different districts and regions.

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One practical example of the challenges created by AB 1699 is demonstrated by the implementation of Universal Transitional Kindergarten (UTK). Should AB 1699 become law, whenever an LEA seeks to hire a paraprofessional they would be required to post the position for current employees and then train those were interested to fill the position before publicly posting the opportunity to attract candidates that already meet the qualifications. If the LEA does not already operate a paraprofessional job training program, it's unclear how the LEA would meet the on-the-job training requirements without contracting out to a third-party, such as a local institute of higher education for employees to gain the necessary hours of academic instruction and course credits.

LEAs have shared that if and when they have an interested, suitable candidate to fill a new position or take on more hours, the LEA encourages candidates to apply. Furthermore, many internal employees are being actively recruited and supported through grants and other opportunities to enhance their skillset and educational background and ultimately, to apply and move upward on established career pathways. Hiring practices need to remain intact so that LEAs can continue their best efforts to provide adequate staffing levels and diversify their workforce.

For the aforementioned reasons, we respectfully oppose AB 1699. Please do not hesitate to contact Dorothy Johnson, ACSA Legislative Advocate, if you have any questions regarding our position at (916) 329-3807.

Sincerely,



Dorothy Johnson, Legislative Advocate
Association of California School Administrators



Chris Reefe, Legislative Director
California School Boards Association



Carlos Rojas, Assistant Superintendent,
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Jeffrey A. Vaca, Chief Governmental Relations Officer
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California Association of School Business Officials



Dave George, Chief Executive Officer
Schools Excess Liability Fund

cc: Honorable Kevin McCarty, California State Assembly
Honorable Members, Assembly Higher Education Committee
Jeanice Warden, Chief Consultant, Assembly Higher Education Committee
Chelsea Kelley, Principal Consultant, Assembly Education Committee
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