



COMMUNITY COLLEGE LEAGUE OF CALIFORNIA

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Website: www.ccleague.org

September 14, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: Senate Bill 433 (Cortese) Classified school and community college employees: disciplinary hearings: appeals: impartial third-party hearing officers.

Position: **Request for Veto**

Dear Governor Newsom:

On behalf of the Community College League of California, **I respectfully request your veto on Senate Bill 433 by Senator Dave Cortese**, related to third-party hearing officers. SB 433 would fundamentally change the locally elected community college board's authority to make the ultimate disciplinary action against a classified staff person and place it into the hands of an unelected "hearing officer."

Specifically, this measure removes the authority of a duly elected school district and community college board to render personnel decisions concerning classified staff. This is contrary to the spirit of local control and removes yet another layer of locally elected and governance authority and delegates that authority to an unelected entity.

This measure would greatly increase the number of appeals being filed and multiply existing costs, potentially into the millions of dollars per district. SB 433 instates a "one-size fits all" approach, creating a blanket requirement for most disciplinary matters and increasing the number of appeals that will occur at the local level regardless of the merits of the case. As such, the cost of a case can be in the hundreds of thousands of dollars.

SB 433 mandates that a hearing officer be selected jointly by the district and employee representative. Currently, hearing officers are selected as determined by a district's collective bargaining agreement, which is negotiated at the local level. This bill turns that local process upside down. This will further add to the delay in resolving sensitive personnel matters, especially in areas where there may only be one or two hearing officers available. Finally, requiring a community college to schedule, fund, and wait for a hearing before a third-party hearing officer would further delay necessary and time-sensitive disciplinary actions against an employee.

For these reasons, we strongly urge your **VETO** of SB 433 (Cortese). If you or your staff have any questions, please do not hesitate to contact me at (916) 444-8641 or amartinez@ccleague.org.

Sincerely,

Andrew Martinez
Senior Director of Government Relations
Community College League of California

CC: Senator Dave Cortese