



June 9, 2025

Via: Electronic Submittal: <https://calegislation.lc.ca.gov/Advocates/>

The Honorable Dave Cortese  
Member, California State Senate  
1021 O Street, Suite 7520  
Sacramento, CA 95814

**Re: SB 494 (Cortese), As Amended on April 10, 2025**

**POSITION: Oppose**

Dear Senator Cortese:

On behalf of the Association of California Community College Administrators (ACCCA), I am writing to respectfully oppose your Senate Bill (SB) 494, which was recently approved on the Senate floor and is now in the second house awaiting referral to an Assembly policy committee. It is important to note that our position on this bill is consistent with previous iterations, including SB 433 (Cortese) from 2023.

SB 494 would remove the authority of a school or community college board, in non-merit districts, to subject a permanent classified employee to disciplinary action for due cause. Instead, this authority would be delegated to an administrative law judge (ALJ) paid by the district and jointly selected by the district and the employee or the employee's union. The only exception would be if the union and the district have entered a memorandum of understanding (MOU) providing an alternative method of appealing disciplinary action.

ACCCA holds steadfast to the principle that local control is fundamental in establishing and operating sound programs for students and creating an infrastructure that supports all community college employees. As currently written, SB 494 would encroach upon the local autonomy of community college districts (CCDs) by removing districts' ability to set their own parameters for disciplinary action of a permanent employee and instead placing that duty in the hands of an ALJ. The bill would also prove costly to the district, as they would be financially responsible for paying for the ALJ, no matter the outcome.

Governor Gavin Newsom vetoed SB 433 in 2023, a nearly identical bill to SB 494. An excerpt from that veto message reads as follows:

Under the status quo for certificated employees, the district absorbs the full cost of appeals hearings if the employee prevails. If it is determined that the certificated employee should be dismissed or suspended, the cost is shared equally with the State and the district. This bill for classified employees requires districts to bear the full costs of a disciplinary hearing before an arbitrator, no matter the outcome. This could increase the number of appeals and

would create significant costs for the State and must be considered in the annual budget in the context of all state funding priorities.

While this bill substitutes an ALJ for an arbitrator and adds delayed implementation for conflicting MOUs, it retains the core framework that led to the Governor's veto: a mandatory third-party hearing process, jointly selected and fully funded by the district, without a corresponding cost-sharing mechanism.

ACCCA strongly believes that these issues should always be managed locally, between districts and labor representatives and not mandated by the state. As currently written, this bill would infringe upon CCDs' autonomy and create a new costly mandate for districts who are facing tightened budgets and increased cost pressures all while the Newsom Administration is projecting a \$12 billion budget shortfall in 2025-26.

For these reasons, ACCCA must respectfully oppose SB 494.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan K. Bray". The signature is fluid and cursive, with the first name "Susan" and last name "Bray" clearly distinguishable.

Susan K. Bray  
Executive Director

cc: Michelle McKay Underwood, Legislative Advocate, School Services of California Inc.  
Kyle Hyland, Legislative Advocate, School Services of California Inc.